

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 117422
)	
GREGORY M. STOLL,)	DEFAULT ORDER, FINDINGS OF
NPN 19310560,)	FACT, CONCLUSIONS OF LAW
DOB 08/05/XXXX,)	AND ORDER
)	
Respondent.)	

The Commissioner has taken up for consideration the Iowa Insurance Division’s Motion for Default Order, filed on October 11, 2023, by Joseph A. Fraioli as the attorney representing the Iowa Insurance Division (“Division”). Respondent, Gregory M. Stoll (“Stoll”), did not file an answer to the statement of charges or provide a timely response to the Division’s motion for default, so the Division’s motion for default was sustained and the Commissioner entered judgment in favor of the Division against Stoll in an interlocutory order of default on October 23, 2023.

At the hearing on monetary relief on November 15, 2023, the Division appeared by counsel. Stoll did not appear.

PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Douglas M. Ommen, directly and through his designees, administers and enforces Iowa Code chapter 522B—Licensing of Insurance Producers pursuant to Iowa Code § 505.8.
2. Gregory M. Stoll (“Stoll”) is an individual with a last-known residence address of 550 Forest Dr. SE, Cedar Rapids, Iowa 52403.
3. Stoll is and has been licensed in the state of Iowa as a resident insurance producer since October 18, 2019. Stoll is licensed under National Producer Number 19310560.

4. Pursuant to Iowa Code § 505.28, Stoll consented to the jurisdiction of the Commissioner of Insurance by committing acts governed by chapter 522B.

5. From on or about January 28, 2022, to present, Stoll engaged in acts and practices within the state of Iowa constituting cause for probation, suspension, or revocation of Stoll's insurance producer license; cease and desist orders; and civil penalties or other relief under Iowa Code chapters 505, 507B, 522B, and rules adopted pursuant to these chapters.

FINDINGS OF FACT

6. Stoll applied for a resident insurance producer license with the Division by submitting through the National Insurance Producer Registry a Uniform Application for Individual Producer License ("Uniform Application"). In submitting the Uniform Application, Stoll designated the Commissioner as an agent for service of process.

7. The Division issued Stoll a license as a resident insurance producer on October 18, 2019, and assigned to Stoll National Producer Number 19310560.

8. On January 28, 2022, Business S., an Iowa consumer, purchased commercial insurance coverage through Cedar River Insurance d/b/a Global Green Insurance Agency ("Global Green") for a daycare business located in Cedar Rapids, Iowa. Stoll was the agent who completed the sale. The coverage was provided by Northfield Excess & Surplus Lines ("Northfield"), with an effective date of February 2, 2022.

9. Following the sale, the broker through which Stoll placed the sale requested that the property undergo an inspection. On July 21, 2022, the finalized inspection report was sent to Stoll at his Global Green email address.

10. Stoll's employment with Global Green ended the next day, on July 22, 2022.

11. Pursuant to Northfield's procedures, if they do not receive the inspection report and proof of completion of compliance recommendations within ninety (90) days of the policy's effective date, the policy will be canceled.

12. On October 21, 2022, Business S.'s neighbor provided Business S. with a cancellation notice it had received from Global Green dated September 20, 2022. The notice informed Business S. that its commercial insurance policy would be canceled unless the required compliance recommendations were completed by October 25, 2022. The notice included an incorrect address for Business S. and, as a result, the notice was mistakenly mailed to Business S.'s neighbor.

13. On October 21, 2022, Business S. contacted Global Green to attempt to remedy the issue and learned that Stoll no longer worked for Global Green. A different agent attempted to assist Business S. so that it could come into compliance by October 25, 2022.

14. Ultimately, Business S. was unable to come into compliance with the improvements required by Northfield by October 25, 2022, and Northfield canceled the policy.

15. On December 24, 2022, Business S. filed a complaint with the Division alleging that Stoll and Global Green failed to properly notify it of Northfield's required improvements, resulting in the cancellation of its policy.

Division Communication Attempts

16. On January 26, 2023, a Division investigator emailed Stoll a Request for Information ("RFI") at greg.stoll@ggiausa.com, an email address provided by Stoll and noted in his Division license record. The letter directed Stoll to contact the investigator by February 9, 2023. The Division received no indication that the email failed to be delivered. Stoll did not respond to the email.

17. On February 3, 2023, the investigator emailed the RFI to Stoll at skippytile@me.com, an email address provided by Stoll and noted in his Division license record. The letter directed Stoll to contact the investigator by February 17, 2022. The Division received a notice that the email was not delivered because the email address “couldn’t be found, or is unable to receive mail.”

18. Also on February 3, 2023, the investigator called Stoll at XXX-XXX-3190, a phone number provided by Stoll and noted in his Division license record, and left Stoll a voicemail.

19. On February 7, 2023, the investigator again left a voicemail for Stoll at XXX-XXX-3190.

20. On February 14, 2023, the investigator sent the RFI to skippytile@me.com, as well as four additional emails obtained through a search of public records. One recipient responded, indicating that the email was sent to their email address in error. The Division received no indication that the remaining four emails failed to be delivered. Stoll did not respond to these emails. The investigator also called a phone number identified through the public records search as belonging to Stoll, but the number was not in service.

21. On February 22, 2023, the investigator sent the RFI to Stoll by USPS first-class certified mail at an address provided by Stoll and noted in his Division licensing record, 550 Forest Dr. SE, Cedar Rapids, Iowa 52403. The letter directed Stoll to contact the investigator by March 8, 2023.

22. On March 1, 2023, the Division received confirmation from USPS that the RFI mailed on February 22, 2023, was delivered on February 27, 2023, and signed for by “Gregory Stoll.” To date, Stoll has not responded to the RFI.

23. On March 16 and March 21, 2023, the Division sent administrative subpoenas to Stoll at the 550 Forest Dr. SE address by FedEx delivery directing Stoll to provide the Division with a written and signed statement in this matter. The Subpoenas had a due date of March 30, 2023.

24. On March 20, 2023, the Division received confirmation from FedEx that the March 16 subpoena was delivered and left at the front door of the 550 Forest Dr. SE address.

25. On March 23, 2023, the Division received confirmation from FedEx that the March 21 subpoena was delivered and signed for by “G. Stoll.”

26. To date, Stoll has not responded to the subpoenas.

CONCLUSIONS OF LAW

Cout I: Failure to Cooperate

27. Under Iowa Code § 522B.11(1)(p), a license may be subject to probation, suspension, or revocation and civil penalties may be levied, as provided in Iowa Code § 522B.17, for failing or refusing to cooperate in an investigation.

28. Stoll failed to cooperate with an investigation by the Division regarding the complaint detailed herein. Specifically, Stoll failed to respond to emails from the Division sent on January 26, February 3, and February 14, 2023; phone calls from the Division on February 3 and February 7, 2023; and mailings from the Division on February 22, March 16, and March 21, 2023.

29. Stoll’s failure to cooperate has made it impossible to obtain Stoll’s statement in response to the allegations regarding Stoll’s sales practices.

30. Stoll’s acts and practices have been in violation of Iowa Code § 522B.11(1)(p) subjecting Stoll to probation, suspension, or revocation of Stoll’s insurance producer license, the imposition of a civil penalty, an order requiring Stoll to cease and desist from engaging in such acts or practices, the imposition of costs of the investigation and prosecution of the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 522B.11, 522B.17, and 505.8.

ORDER

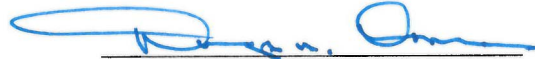
IT IS HEREBY ORDERED that Gregory M. Stoll is in default, pursuant to Iowa Administrative Code rule 191-3.22, and that judgment shall be entered against Stoll in favor of the Division.

IT IS FURTHER ORDERED, pursuant to the powers granted to the Commissioner of Insurance by Iowa Code chapters 507B and 522B:

- A. Gregory M. Stoll's resident insurance producer license is immediately revoked pursuant to Iowa Code § 522B.11;
- B. Gregory M. Stoll is prohibited from selling, soliciting, or negotiating insurance, offering to the public advise, counsel, or services with regard to insurance, or transacting any insurance business in this state pursuant to Iowa Code §§ 505.8(10), 507B.7, and 522B.17 without an insurance producer license;
- C. Gregory M. Stoll shall, within 30 days of this Order, pay as civil penalties in the amount of \$1,000.00, made payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund, to provide funds for insurance enforcement and education pursuant to Iowa Code §§ 505.8, 522B.6(7), 522B.11, and 522B.17;
- D. Gregory M. Stoll shall, within 30 days of this Order, pay as costs of investigation and prosecution in the amount of \$1,170.00, made payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund, to provide funds for insurance enforcement and education pursuant to Iowa Code §§ 505.8, 522B.6(7), 522B.11, and 522B.17; and
- E. These orders may be enforced under Iowa Code chapter 507B and 522B, including but not limited to, Iowa Code §§ 507B.8 and 522B.17(3), and additionally, by any

collection remedies available to the State of Iowa Department of Revenue for unpaid penalties and other ordered monetary amount.

SO ORDERED on this 20th day of November, 2023.



Douglas M. Ommen
Iowa Insurance Commissioner

Copy to:

Joseph A. Fraioli
Iowa Insurance Division
1963 Bell Avenue, Suite 100
Des Moines, Iowa 50315
ATTORNEY FOR THE DIVISION

Gregory M. Stoll
550 Forest Dr. SE
Cedar Rapids, Iowa 52403
RESPONDENT

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause, or their attorney, at their respective addresses disclosed on the pleadings on November 20, 2023.

By: First Class Mail Personal Service
 Restricted certified mail, return receipt Email
 Certified mail, return receipt _____

Signature: /s/ Brooke Hohn
Brooke Hohn

NOTICE OF FINAL ORDER

A default decision becomes final agency action 15 days from the date of the decision was mailed unless a motion to vacate the default decision is filed within that time period. 191 IAC 3.22(3). A motion to vacate must state all the facts upon which the moving party relies to establish good cause for failure to appear or participate at the contested case proceeding. Each fact must be substantiated by at least one affidavit by a person with personal knowledge of the fact, and the affidavit must be attached to the motion.

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that acting as an insurance producer, as defined in Iowa Code Chapter 522B, in violation of this Order, is a felony under Iowa Code 507 A.10, subjecting you to punishment of imprisonment, jail, fines, or any combination of custody and fines.

YOU ARE ALSO NOTIFIED that if you violate this Order, you may be subject to administrative and civil penalties pursuant to Iowa Code 522B.17(3). The Commissioner may petition the district court to hold a hearing to enforce the order as certified by the Commissioner. The district court may assess a civil penalty against you in an amount not less than three thousand dollars but not greater than ten thousand dollars for each violation, and may issue further orders as it deems appropriate.

NOTICE REGARDING REISSUANCE

When this Order becomes final, your insurance producer license will become inactive due to revocation. While your license is inactive, you are prohibited from conducting the business of insurance. Your license will not be active until the Division makes the determination to reissue an insurance producer license by order pursuant to Iowa Administrative Code 191-10.10.

Reissuance of an insurance producer license is subject to the discretion of the Commissioner. Additionally, it will not be granted unless and until you have fully complied with the terms of this Order, made the appropriate application, and paid all applicable fees. If applicable, you may also be required to apply for licensure through the National Insurance Producer Registry (NIPR) and pay all applicable fees.

NOTICE OF FINAL ORDER IMPACT

A final order of license probation, suspension, or revocation or a cease and desist order may adversely affect other existing business or professional licenses and may result in license revocation or disciplinary action.

A final order in an administrative action does not resolve any potential criminal or civil violations or causes of action that might arise from the same or similar conduct that is the subject of this order. It may result in criminal law enforcement authorities, including the fraud bureau of the Iowa Insurance Division, pursuing a criminal investigation or prosecution of potential criminal law violations.