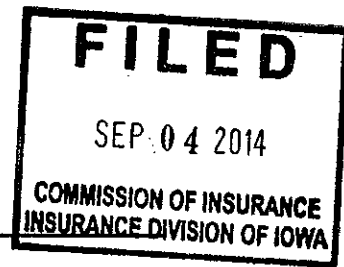


BEFORE THE IOWA INSURANCE COMMISSIONER



IN THE MATTER OF )

CHRISTOPHER KOPATZ )

) DIVISION FILE NO.: 84412  
)

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**DEFAULT ORDER OF REVOCATION, CEASE AND DESIST  
AND CIVIL PENALTY**

Now therefore, the Commissioner of Insurance, being fully advised in the premises, issues the following findings of fact, conclusions of law and order of revocation, cease and desist and civil penalty:

**Findings of Fact**

1. On January 11, 2013, Respondent Christopher Kopatz ("Kopatz") applied for a non-resident producer license by submitting through the National Insurance Producer Registry a Uniform Application for Individual Insurance Producer License ("Application").
2. In submitting the Application, Kopatz designated the Commissioner as an agent for service of process.
3. Kopatz was issued his non-resident insurance producer license from the State of Iowa on January 11, 2013 and was assigned national producer number 14298714.
4. As a licensed insurance producer, Kopatz is required to keep his address current. Kopatz's last recorded address in his license record is 9216 Silverstone Lane, Verona, WI 53593-9192.
5. On June 10, 2014, the Division was notified that the Commonwealth of Virginia, State Corporation Commissioner, had issued an order revoking Kopatz's license to transact the business of insurance as an insurance agent on April 14, 2014. The action

was taken against Kopatz for his failure to report within 30 calendar days an administrative action taken against him by the State of California.

6. On June 10, 2014, the Division sent a letter to Kopatz notifying him of his failure to report the revocation of his non-resident producer license within 30 calendar days of the final disposition of an administrative action pursuant to Iowa Code § 522B.16 (2013) and Iowa Administrative Rule 191-10.13.

7. On June 25, 2014, the Division's letter to Kopatz, sent to his last known mailing address, was returned as undeliverable by the U.S. Post Office.

8. On July 18, 2014, the Division filed a statement of charges against Kopatz.

9. Pursuant to Kopatz's consent to service of process, the Commissioner was served with the statement of charges on July 21, 2014. The Commissioner issued a Notice of Hearing scheduling a contested case for September 19, 2014.

10. The Commissioner mailed notification of the statement of charges and the notice of hearing to the last known address provided by Kopatz in his licensing record.

11. On August 7, 2014, the Commissioner's restricted certified mailing, containing the Notice of Hearing and Statement of Charges, sent to Kopatz's last known mailing address was returned as undeliverable with no known forwarding address.

12. On August 12, 2014, the Insurance Division mailed a motion for entry of default judgment to Kopatz's address of record.

13. Kopatz has not filed any response to the motion for entry of default judgment.

### Conclusions of Law

14. The Commissioner may consider a motion unresisted, if no response is timely filed. 191 IAC 3.15(2). Kopatz has not filed a timely written response to the Division's motion for entry of default judgment. The motion is unresisted.

15. A party to a contested case action may move for default against a party when the party fails to file a required pleading or has failed to appear after proper service. 191 IAC 3.22(2). Kopatz has not filed an answer and has not resisted the Division's motion for default judgment.

16. Under Kopatz's consent to service of process, Kopatz was properly served as required by 191 IAC 3.5(1). As a licensed producer, Kopatz is required to maintain a current address in his license record. 191 IAC 10.12(2).

17. The Division's motion for default should be granted.

18. Kopatz failed to notify the Division within thirty days of an address change as required by Iowa Administrative Rule 191-10.12(2).

19. Kopatz failed to report to the commissioner an administrative action taken against him in another jurisdiction within thirty days of the final disposition of the matter in violation of Iowa Code § 522B.16 (2013) and Iowa Administrative Rule 191-10.13.

23. The violation of Iowa Code Chapter 522B and applicable rules is grounds for revocation, suspension, censure, and/or the imposition of a civil penalty and an order requiring such person to cease and desist from the acts, methods or practices stated in this statement of charges pursuant to Iowa Code §§ 522B.11, 522B.16 and 522B.17.

24. This hearing procedure was governed by Iowa Code §§ 17A.12, 522B.11 and 522B.17; and 191 IAC Ch. 3.

**ORDER**


IT IS HEREBY ORDERED that Christopher Kopatz is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against Christopher Kopatz and his Iowa insurance producer license is hereby REVOKED. The Insurance Division shall take any steps necessary to implement this decision.

IT IS FURTHER ORDERED that Christopher Kopatz shall cease and desist from engaging in any of the acts, methods or practices determined as violations herein or from transacting the business of insurance in this state.

IT IS FURTHER ORDERED that Christopher Kopatz shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$1,000.

Dated this 4<sup>th</sup> date of September, 2014.



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NICK GERHART  
Commissioner of Insurance

## **NOTICE**

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.