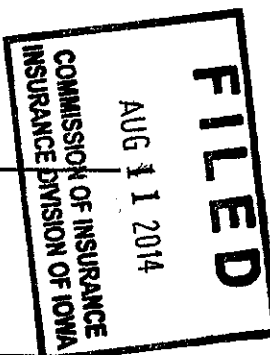


BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)
)

JOHN WILLIAM PRIBIL)

DIVISION FILE NO.: 83575



**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 March 22, 2013, Respondent John William Pribil ("Pribil") applied for a renewal of his 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, Pribil designated the Commissioner as an agent for service of process.
3. Pribil renewed his insurance producer license from the State of Iowa on April 1, 2013 and was assigned national producer number 10162238.
4. As a licensed insurance producer, Pribil is required to keep his address current. Pribil's last recorded address in his license record is 1890 NE 211th Terrace, Miami, FL 33179-1527.
5. On June 21, 2013, Pribil was terminated for cause by his insurer, Golden Rule Insurance Company, for reapplying for appointment with the insurer with an application

containing a social security number not belonging to him. According to the insurer, Pribil admitted to using the fraudulent social security number. Pribil also admitted to buying a social security number from a third party to assist him in fixing his credit.

6. On September 13, 2013, the Kentucky Department of Insurance issued an Order of Revocation to revoke the non-resident producer license of Pribil. The revocation was based on Pribil's false information in an application to the insurer by using a fraudulent social security number.

7. According to the NAIC State Producer Licensing Report database, administrative action has been taken against Pribil in the following states:

a. On November 21, 2013, the Illinois Division of Insurance issued a final order revoking the non-resident insurance producer license of Pribil and assessing a \$5,000 civil penalty;

b. On December 3, 2013, the Arkansas Insurance Department issued a final order revoking the non-resident insurance producer license of Pribil;

c. On December 4, 2013, the Maine Department of Professional and Financial Regulation, Bureau of Insurance, issued a final order revoking the non-resident insurance producer license of Pribil;

d. On January 22, 2014, the Texas Department of Insurance issued a final order revoking the non-resident insurance producer license of Pribil;

e. On January 28, 2014, the California Department of Insurance issued a final order revoking the non-resident insurance producer license of Pribil;

f. On February 14, 2014, the Louisiana Department of Insurance issued a final order revoking the non-resident insurance producer license of Pribil; and

g. On May 3, 2014, the South Dakota Division of Insurance issued a final order revoking the non-resident insurance producer license of Pribil.

8. Pribil failed to report the administrative actions taken against him by other jurisdictions to the Division within thirty days of the final disposition of the matter pursuant to Iowa Code § 522B.16 (2013).

9. On April 4, 2014, the Division sent a letter to Pribil requiring a written explanation to information that he failed to report an administrative action initiated against him in another state. A written response to the letter was required on or before April 25, 2014, but Pribil did not respond.

10. On June 20, 2014, the Division filed a statement of charges against Pribil.

11. Pursuant to Pribil's consent to service of process, the Commissioner was served with the statement of charges on July 1, 2014. The Commissioner issued a Notice of Hearing scheduling a contested case for August 12, 2014.

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

13. On July 5, 2014, Pribil accepted the notice of hearing and statement of charges by restricted certified mail delivery from the United States Postal Service. The hearing on the matter was set for August 12, 2014.

14. Pribil has not filed an answer, nor any other responsive pleading to the statement of charges.

15. On July 28, 2014, the Insurance Division mailed a motion for entry of default judgment to Pribil's address of record.

16. Pribil has not filed any response to the motion for entry of default judgment.

Conclusions of Law

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

18. 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). Pribil has not filed an answer and has not resisted the Division's motion for default judgment.

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

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

21. Pribil failed or refused to cooperate in an investigation by the Division in violation of Iowa Code § 522B.11(1)(q) (2013).

22. Pribil provided incorrect, misleading, incomplete, or materially untrue information in the license application in violation of Iowa Code § 522B.11(a) (2013).

23. Pribil failed to report to the commissioner any 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).

24. Pribil has violated the insurance laws or regulations of a commissioner of another state in violation of Iowa Code § 522B.11(b) (2013).

25. 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 and 522B.17.

26. 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 John William Pribil is in Default.

IT IS FURTHER ORDERED that an order of revocation is entered against John William Pribil 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 John William Pribil 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 John William Pribil shall pay to the State of Iowa, Insurance Division, a civil penalty in the amount of \$1,000.

Dated this 11th date of August, 2014.



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.