

MAR 27 2019

DEPT OF INSURANCE  
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STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

IN THE MATTER OF:

**BERGER, NATHAN JAMES**  
(National Producer No. 18686397)

No. 19A-004-INS

**CONSENT ORDER**

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Nathan James Berger** ("**Respondent**") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Finding of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent is, and was at all material times, licensed as an Arizona resident insurance producer with a lines of authority in personal lines insurance, National Producer Number 18686397. Respondent's license expires on February 28, 2022.

2. Respondent's addresses of record with the Department are: 5353 W. Bell Rd., Glendale, AZ 85308 (business), 10618 N. 114<sup>th</sup> Dr., Youngtown, AZ 85363 (mailing) and INSURANCELICENSING@CSAA.COM (business e-mail).

3. On or about August 16, 2018, the Superior Court of Arizona, Maricopa County in State of Arizona v. Nathan James Berger, Case No. CR2018-106227 convicted Respondent of Theft, a class 6 undesignated felony.

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1           4.     Respondent failed to report the criminal conviction to the Department  
2 within thirty days.

3   **CONCLUSIONS OF LAW**

4           1.     The Director has jurisdiction over this matter.

5           2.     Respondent's conduct, as described above, constitutes having been  
6 convicted of a felony, within the meaning of A.R.S. § 20-295(A)(6).

7           3.     Respondent's conduct, as described above, constitutes failing, within thirty  
8 days of the filing date of a criminal conviction in any jurisdiction, to report the criminal  
9 conviction to the Director, within the meaning of A.R.S. § 20-301(B).

10          4.     Respondent's conduct, as described above, constitutes a violation of any  
11 provision of Title 20, within the meaning of A.R.S. § 20-295(A)(2).

12          5.     Grounds exist for the Interim Director to suspend for not more than twelve  
13 months or revoke Respondent's insurance producer license, pursuant to A.R.S. § 20-  
14 295(A).

15          6.     Grounds exist, in addition to or instead of any suspension, revocation or  
16 refusal to renew a license, for the Director to impose a civil penalty of not more than  
17 \$250.00 for each unintentional failure or violation, up to an aggregate civil penalty of  
18 \$2,500.00, or impose a civil penalty of not more than \$2,500.00 for each intentional  
19 failure or violation, up to an aggregate penalty of \$15,000.00, pursuant to A.R.S. § 20-  
20 295(F).

21   **ORDER**

22 IT IS HEREBY ORDERED THAT:

23           1.     **Nathan James Berger**, National Producer Number 18686397, shall  
24 immediately pay a civil money penalty of \$500.00 for deposit into the State General  
25 Fund.



1 or criminal proceedings as may be appropriate now or in the future not related to this  
2 matter.

3 7. Respondent acknowledges that this Consent Order is an administrative  
4 action that the Department will report to the National Association of Insurance  
5 Commissioners (NAIC). Respondent further acknowledges that he must report this  
6 administrative action to any and all states in which he holds an insurance license and  
7 must disclose this administrative action on any license application.

8  
9 3-27-2019  
10 Date

Nathan James Berger  
11 Nathan James Berger, NPN 18686397

12  
13 **COPY** of the foregoing delivered by regular mail  
this 29th day of March, 2019, to:

14 Nathan James Berger  
15 5353 W. Bell Rd.  
16 Glendale, AZ 85308  
Respondent

17 Nathan James Berger  
18 10618 N. 114<sup>th</sup> Dr.  
19 Youngtown, AZ 85363  
Respondent

20 **COPY** delivered same date to:

21 Mary Kosinski, Regulatory Legal Affairs Officer  
22 Catherine M. O'Neil, Consumer Legal Affairs Officer  
23 Steven Fromholtz, Assistant Director, Consumer Protection Division  
24 Aqueelah Currie, Licensing Supervisor  
25 Sharyn Kerr, Consumer Protection Division  
Arizona Department of Insurance  
2910 N. 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018-7269

1 **COPY** delivered electronically, same date to:

2 Nathan James Berger  
3 Nathan.Berger@csaa.com  
4 Respondent

5 Nathan James Berger  
6 INSURANCELICENSING@CSAA.COM  
7 Respondent

8   
9 Francine Martinez

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