

STATE OF INDIANA     )  
                              ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 17905-AD19-0313-032

IN THE MATTER OF:                     )

Andrew S. Bluestone                   )  
320 South Street, Apt. 17A            )  
Morristown, NJ 07960                 )

Applicant.                             )

Type of Agency Action: Enforcement    )

Application ID: 691442                 )

**FILED**

AUG 16 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

The Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Andrew S. Bluestone ("Applicant"), signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of Insurance ("Commissioner") for approval.

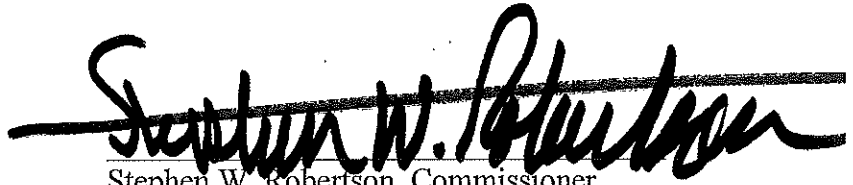
The Commissioner, after reviewing the Agreed Entry, which grants Applicant a one (1) year probationary nonresident license due failing to respond to the Department's request for additional information regarding an informal written complaint Applicant received and self-reported to FINRA, finds it has been entered into fairly and without fraud, duress or undue influence, and is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Applicant's application for a nonresident producer license shall be granted on a probationary basis for one (1) year, beginning the date of this Order.
2. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Applicant's license.
3. During the period of probation, Applicant shall notify the Department every thirty (30) days as to the status of the written complaint. If the written complaint is resolved or dismissed and proof is provided to the Department, this requirement shall terminate.

8-16-2019

Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

Erica J. Dobbs, Attorney  
ATTN: Taylor Peycha, Investigator  
**INDIANA DEPARTMENT OF INSURANCE**  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Andrew S. Bluestone  
320 South Street, Apt 17A  
Morristown, NJ 07960

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**AGREED ENTRY**

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance ("Department"), by counsel, Erica J. Dobbs, and Andrew Bluestone ("Applicant"), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Stephen W. Robertson, Commissioner of the Indiana Department of Insurance ("Commissioner").

WHEREAS, Applicant seeks nonresident producer's licensure;

WHEREAS, the Commissioner entered a Preliminary Administrative Order and Notice of License Denial ("Preliminary Denial") on March 20, 2019 due to Applicant's apparent failure to disclose a pending Financial Industry Regulatory Authority ("FINRA") complaint on his application for licensure;

WHEREAS, an evidentiary hearing was held regarding the Preliminary Denial on June 20, 2019 ("the hearing");

WHEREAS, evidence and testimony provided at the hearing clarified that Applicant does not have any FINRA complaints pending, but rather an informal written complaint Applicant received and self-reported to FINRA per FINRA's rules;

WHEREAS, Applicant failed to provide this clarifying information to the Department in advance of the Commissioner entering his Preliminary Denial despite the Department's requests that he do so;

WHEREAS, Indiana Code § 27-1-15.6-12(b)(1) states, in part, that the Commissioner may deny an insurance producer's license or place an insurance producer on probation for providing incorrect, misleading, incomplete, or materially untrue information in a license application; and

WHEREAS, the Department and Applicant (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. In order to avoid formal litigation in this matter, Applicant has determined that it is in his best interests to enter into this Agreed Entry. As such, Applicant acknowledges that he executes this Agreed Entry with full realization of its contents and effects.
3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter.
4. Applicant knowingly, voluntarily and freely waives the right to a public hearing on this matter, including the right to appear in person before the Commissioner, present evidence, cross-examine witnesses, and present arguments.

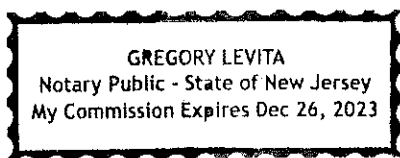
5. Applicant knowingly, voluntarily and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Applicant knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any act or omission as part of the underlying audit, investigation, negotiation, or approval process.
7. Applicant's license shall be granted, and Applicant placed on probation for one (1) year, during which time any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Applicant's license.
8. During the period of probation, Applicant shall notify the Department every thirty (30) days as to the status of the written complaint. If the written complaint is resolved or dismissed and proof of the same is provided to the Department, this requirement shall terminate.
9. Applicant has carefully read and examined this Agreed Entry and fully understands its terms.
10. Applicant has had the opportunity to have this Agreed Entry reviewed by legal counsel of his choosing, at his own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Applicant understands and agrees that the Department cannot give him legal advice.
11. Applicant has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.

12. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent or other representative thereof to induce Applicant to enter this Agreed Entry.
13. The Department agrees to accept Applicant's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Applicant complies with the terms of this Agreed Entry, the Department will not bring any further action against Applicant based on the facts that gave rise to this Agreed Entry.
14. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12.
15. Applicant waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.
16. Applicant acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Applicant to enforce the terms and conditions contained herein.
17. Applicant understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Applicant.
18. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Applicant.

STATE OF NEW JERSEY )  
COUNTY OF Morris ) SS:

Before me a Notary Public for Morris County, State of New Jersey,  
personally appeared Andrew Bluestone, and being first duly sworn by me upon his oath, says that  
the facts alleged in the foregoing instrument are true.

Signed and sealed this 27<sup>TH</sup> day of JULY, 2019.



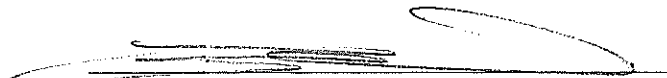
[Signature]  
Notary Signature  
GREGORY LEVITA  
Notary Printed

My Commission expires: 12-26-23


County of Residence: Morris

19. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
20. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not unfairly or illegally prejudice the Commissioner or Applicant from further participation in or resolution of these proceedings.
21. If this Agreed Entry is accepted by the Commissioner, it will become part of Applicant's permanent record and may be considered in future actions brought by the Department or any other regulator against Applicant. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public, and may be reported to the National Association of Insurance Commissioners and published on the Department's website as required.
22. Applicant acknowledges that this is an Administrative Action he may be required to report to other jurisdictions in which he is licensed and on future licensing applications.

8/16/19  
Date Signed

  
Erica J. Dobbs, Attorney #30588-49  
Indiana Department of Insurance

7/27/19  
Date Signed

  
Andrew Bluestone, Applicant



STATE OF INDIANA )  
 )  
COUNTY OF MARION )

BEFORE THE INDIANA  
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CAUSE NUMBER: 17905-AD19-0313-032

IN THE MATTER OF: )

Andrew S Bluestone )  
320 South Street, Apt. 17A )  
Morristown, NJ 07960 )

Respondent )

Type of Agency Action: Enforcement )

Application ID: 691442 )

**FILED**

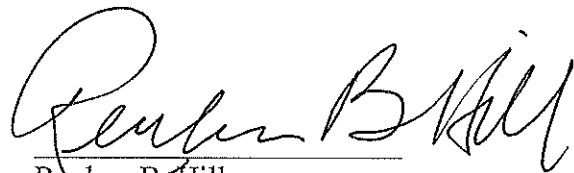
MAY 22 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

### Notice of New Hearing Date

The Administrative Law Judge now being advised of Respondent's request for a continuance of the hearing that is scheduled for May 22, 2019 at 10:00 a.m. The continuance is in order to have representation at hearing; his counsel needs to be admitted to practice in Indiana. The ALJ now GRANTS said continuance and reset this matter for a hearing on June 20, 2019 at 10:00 am p.m.. eastern time.

So Ordered this 22<sup>nd</sup> day of May, 2019.



Reuben B. Hill  
Administrative Law Judge

Distribution:

Andrew S Bluestone  
320 South Street, Apt. 17A  
Morristown, NJ 07960

Erica Dobbs  
311 W. Washington St., Suite 300  
Indianapolis, IN 46204

**BEFORE THE INDIANA  
COMMISSIONER of INSURANCE**

**CAUSE NO: 17905-ADA19-0313-032**

**IN THE MATTER OF:**

**Andrew S. Bluestone**  
320 South Street, Apt 17A  
Morristown, NJ 07960

**Respondent.**

**Type of Agency Action: Enforcement**

Application ID: 691442

**FILED**

APR 29 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

## NOTICE OF HEARING

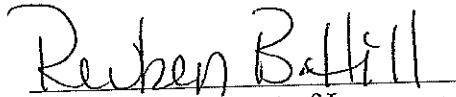
Notice is hereby given, pursuant to Indiana Code § 4-21.5-3 *et seq.*, that an evidentiary hearing will be held on May 22, 2019 at 10:00 A.M./P.M. Eastern Time, at 311 W Washington Street, Suite 103, Indianapolis, Indiana, to determine whether to grant Applicant's request for a nonresident producer's license.

The hearing will be conducted in accordance with the provisions of the Administrative Orders and Procedures Act, codified at Indiana Code § 4-21.5-3 *et seq.* The Commissioner's authority to deny an insurance producer's license is contained in Indiana Code § 27-1-15.6-12.

The issues to be resolved at the hearing are those described in the Preliminary Administrative Order and Notice of License Denial, filed March 20, 2019.

The Indiana Department of Insurance asserts that Applicant has not fully met the requirements of licensure under Indiana Code § 27-1-15.6-12, due to failing to disclose a pending FINRA consumer complaint for a misrepresentation of sale on a variable universal life policy on his application for licensure, in violation of Indiana Code §§ 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(8).

In accordance with Indiana Code § 27-1-15.6-34, the Administrative Law Judge in this matter is:

  
Indiana Department of Insurance  
311 W Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: 317-232-3520

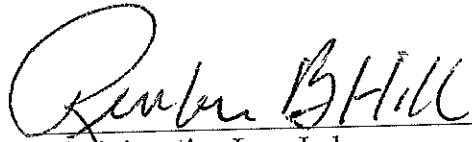
The Department of Insurance will be represented by its counsel, Erica J. Dobbs, who can be reached at:

Indiana Department of Insurance  
311 W Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787  
Telephone: 317-234-5887

A party who fails to attend or participate in a pre-hearing conference, hearing or other later stage of the proceeding, may be held in default or have a proceeding dismissed under

Indiana Code § 4-21.5-3-24.

Dated: 4/29/19

  
Administrative Law Judge  
Indiana Department of Insurance

This Notice has been sent to:

Erica J. Dobbs, Attorney  
ATTN: Dennis Wood, Supervising Investigator  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204-2787

Andrew S. Bluestone  
320 South Street, Apt 17A  
Morristown, NJ 07960

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**FILED**

MAR 20 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code §4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Andrew S. Bluestone ("Applicant") of the following Administrative Order:

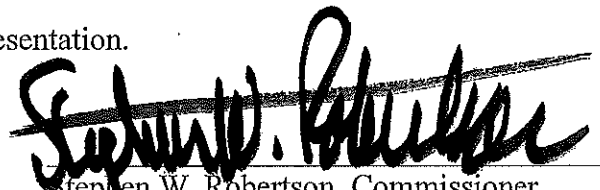
1. Applicant previously held Indiana nonresident producer licensure, under license number 289481N from August 25, 1998 through August 31, 2006.
2. Applicant filed an application to reinstate his nonresident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on January 2, 2019.
3. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
4. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

5. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer's license for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere.
6. Following a review of materials submitted by Applicant in support of his application and a review of public records, the Commissioner being fully advised now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code §§ 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(8) due to failing to disclose a pending FINRA consumer complaint for a misrepresentation of sale on a variable universal life policy.
7. Indiana Code § 27-1-15.6-12(d) provides that the applicant may, not more than sixty-three (63) days after notice of denial of the application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Codes §§ 27-1-15.6-12(b)(1) and 27-1-15.6-12(b)(8) for failing to disclose a pending FINRA consumer complaint of misrepresentation.

**3-20-2019**

Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

Andrew S Bluestone  
320 South Street  
Apartment 17A  
Morristown, NJ 07960

Erica J. Dobbs, Attorney  
ATTN: Taylor Peycha, Insurance Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-8687, fax 317 234-2103