

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 18608-AG19-0919-127

IN THE MATTER OF:     )

Fredrick J. Goodnight     )  
13547 Guy St                )  
Fishers, IN 46038            )

Respondent.                )

Type of Agency Action: Enforcement     )

Producer's License: 1015438     )

**FILED**

OCT 04 2019

STATE OF INDIANA  
DEPT. OF INSURANCE

**MOTION FOR EMERGENCY SUSPENSION**

The Enforcement Division of the Indiana Department of Insurance ("Enforcement Division"), pursuant to Indiana Code § 4-21.5-4, files its petition for emergency suspension against agent Fredrick J. Goodnight ("Respondent"), and states:

1. Respondent is a resident insurance producer holding license number 1015438 since February 5, 2015.
2. Respondent's license expires on October 31, 2019.
3. On September 6, 2019 the Enforcement Division received a complaint against Respondent from an Indiana consumer ("Complainant").
4. Complainant states that on or about June 15, 2018 Respondent accepted approximately ninety thousand dollars (\$90,000) from Complainant to purchase an annuity, but misappropriated the funds for his personal use.
5. Respondent has not replied to the Department's communication concerning this matter.

6. The Department has serious consumer protection concerns regarding Respondent's competence and trustworthiness.


7. An emergency exists in that Respondent's continued selling of insurance in the state of Indiana with a valid license places him in a position of trust with Indiana consumers and in control of Indiana consumers' financial circumstances.

8. Indiana Code § 27-1-15.6-12(b)(8) authorizes the Commissioner to suspend 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.

9. Indiana Code § 27-1-15.6-12(b)(4) authorizes the Commissioner to suspend an insurance producer's license for improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business.

10. Under Indiana Code § 4-21.5-4-2(a)(1), the Commissioner may, in an emergency, issue orders without notice or an evidentiary proceeding. However, Indiana Code § 4-21.5-4-4 provides that upon issuance of an emergency order, the Respondent may request a hearing as quickly as practicable.


WHEREFORE, the Enforcement Division requests that the Department issue an order suspending the insurance license of Fredrick J. Goodnight under Indiana Code § 4-21.5-4-2, and for all other necessary and proper relief.



Erica J. Dobbs, Attorney #30588-49  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street  
Indianapolis, IN 46204

**Certificate of Service**

I certify that a copy of the foregoing has been served upon the Respondent by United States  
First Class mail, postage prepaid, the same day as filing.

  
Erica J. Dobbs #30588-49

Enforcement Division  
Indiana Department of Insurance  
311 W Washington St, Ste 103  
Indianapolis, IN 46234

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**FINDINGS OF FACT, CONCLUSIONS OF LAW,**  
**AND EMERGENCY ORDER**

The Commissioner of the Indiana Department of Insurance ("Commissioner"), being duly advised, now issues the following Findings of Fact, Conclusions of Law, and Emergency Order:

**Findings of Fact**

1. Fredrick J. Goodnight ("Respondent") is a licensed resident insurance producer, holding license number 1015438 since February 5, 2015.

2. On September 6, 2019 the Enforcement Division received a complaint against Respondent from an Indiana consumer ("Complainant").

3. Complainant states that on or about June 15, 2018 Respondent accepted approximately ninety thousand dollars (\$90,000) from Complainant to purchase an annuity, but misappropriated the funds for his personal use.

4. Respondent has not replied to the Department's communication concerning this matter.

### **Conclusions of Law**

1. An emergency exists such that an emergency order is appropriate under Indiana Code § 4-21.5-4-1, in that Respondent's continued selling of insurance in the state of Indiana with a valid license places him in a position of trust with Indiana consumers and in control of Indiana consumers' financial circumstances.

2. Indiana Code § 27-1-15.6-12(b)(8) authorizes the Commissioner to suspend 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.

3. Indiana Code § 27-1-15.6-12(b)(4) authorizes the Commissioner to suspend an insurance producer's license for improperly withholding, misappropriating, or converting any monies or properties received in the course of doing insurance business.

4. Respondent has misappropriated approximately ninety thousand dollars (\$90,000) of consumer funds for his personal use.

5. This Emergency Order is issued pursuant to Indiana Code § 4-21.5-4-2(a)(1).

**ORDER**

With the Findings of Fact and Conclusions of Law as stated above, the Commissioner now orders:

1. Fredrick J. Goodnight's Indiana Resident Producer License # 1015438 is hereby immediately suspended for ninety (90) days, renewable as necessary per Indiana Code § 4-21.5-4-5.

Under Ind. Code § 4-21.5-4-3, this Emergency Order is effective when issued. Respondent has the right to request a hearing on this Emergency Order by filing a request for a hearing with the Department, and if requested, an evidentiary hearing will be set on the matter as soon as practicable.

**10-4-2019**

Dated

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

Fredrick J. Goodnight  
13547 Guy St  
Fishers, IN 46038

Erica J. Dobbs, Attorney  
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Enforcement Division  
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311 W. Washington St, Ste 103  
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