

STATE OF INDIANA )  
COUNTY OF MARION ) SS:

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

IN THE MATTER OF: )

Amy Knight )  
69493 Taverny Ct. )  
Madisonville, LA 70447 )

Petitioner )

Type of Agency Action: Enforcement )

CAUSE NO.: DOI-0921-002022  
20699-AD21-0629-102

**FILED**

**FEB 28 2022**

**STATE OF INDIANA  
DEPT. OF INSURANCE**

**FINAL ORDER**

On January 10, 2022, the Administrative Law Judge, Ann Pagonis, filed her Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Petitioner by mailing the same to her address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Denial of Petitioner's resident producer license application number 871104 is

**AFFIRMED.**

Under Ind. Code §4-21.5-5-5, Petitioner has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 28 day of February, 2022.

  
Amy L. Beard, Commissioner  
Indiana Department of Insurance

Copies to:

Amy Knight  
69493 Taverny Ct.  
Madisonville, LA 70447

Samantha Aldridge, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

## RECOMMENDED ORDER

Pursuant to IC 4-21.5 this Recommended Order is not final and shall be presented to the ultimate authority for issuance of a final order.



**FILED:** January 10,  
2022

### STATE OF INDIANA OFFICE OF ADMINISTRATIVE LAW PROCEEDINGS

Administrative Cause No.: DOI-0921-002022  
Underlying/State Agency Action No.: : 20699-AD21-0629-102

**Final Agency Authority: Commissioner of the Department of Insurance**

**Amy Knight**  
Petitioner,

**v.**

**Indiana Department of Insurance**  
Respondent.

**Type of Agency Action: Enforcement**

**License Number: 871104**

### FINDINGS OF FACT, CONCLUSIONS OF LAW

#### AND RECOMMENDED ORDER

An evidentiary hearing was held in this matter on November 26, 2021, at 10:00 am EST via telephonic conference. Amy Knight ("Petitioner") did not appear at the evidentiary hearing and the Indiana Department of Insurance ("Respondent") appeared by counsels Samantha Aldridge and Victoria Hastings. The ALJ waited until 10:16 am EST to begin the hearing, at which time, Respondent moved for Petitioner to be held in default.

The ALJ hereby GRANTS Respondent's motion based on the following findings of fact and conclusions of law.

### FINDINGS OF FACT

1. On September 24, 2021, the undersigned ALJ issued a *Combined Notice of ALJ and Filing Procedures and Order Setting Evidentiary Hearing* ("Order") in this matter scheduling an evidentiary hearing ("hearing") for October 26, 2021 at 10:00 am EST to be held by telephonic conference.
2. On September 28, 2021, Respondent, by counsels Victoria Hastings and Samantha Aldridge, filed a *Motion to Vacate and Reset the Hearing*, requesting that the hearing be held sooner than October 26, 2021, in compliance with Indiana Code 27-1-15.6-12(d).
3. On September 29, 2021, the ALJ issued an *Order on Motion to Vacate and Reset Hearing*, scheduling the hearing for October 14, 2021 at 10:00 am EST by telephonic conference.
4. On October 14, 2021, Respondent appeared for the hearing by counsel by telephone. After allowing Petitioner ten (10) minutes to join the telephone conference line, the undersigned ALJ convened the hearing at 10:10 am EST.
5. Respondent entered evidence into the record and moved for the Petitioner to be defaulted. The line remained open until the conclusion of the hearing at approximately 10:30 am and the Petitioner did not join. The ALJ granted Respondent's motion for default.
6. On October 27, 2021, Petitioner notified the ALJ and Respondent that she failed to attend the October 14, 2021 evidentiary hearing in error and requested that a new evidentiary hearing be set in this matter.
7. On October 28, 2021, Respondent, by counsel, filed an objection to Petitioner's request for a new hearing.
8. On October 29, 2021, Petitioner's request was granted over Respondent's objection and an evidentiary hearing was set in this matter for November 16, 2021, at 10:00 am EST.

9. On November 16, 2021, Respondent appeared by counsels Samantha Aldridge and Victoria Hastings and Petitioner did not appear. The ALJ waited until 10:16 am EST to begin the hearing and the conference line was open until 10:20 am EST but Petitioner did not join.
10. Respondent renewed its request for a default order.
11. Petitioner did not file a motion to continue the evidentiary hearing, and there is no indication that service of the order setting the November 16, 2021, evidentiary hearing was not perfected on Petitioner.
12. A *Notice of Proposed Default Order* ("Notice") was issued on November 17, 2021. The Notice set a seven (7) day deadline for Petitioner to file a motion for the case to remain open.
13. Thirty-nine (39) days have passed since the deadline. Petitioner did not respond to the Notice. Petitioner has not moved to continue the deadline, and there is no indication that service of the Notice was not perfected on Petitioner.
14. Any Conclusion of Law that should have been a Finding of Fact is hereby adopted as such.

#### **CONCLUSIONS OF LAW**

1. A Party may be held in default when a Party fails to "to attend or participate in a pre-hearing conference, hearing, or other later stage of the proceeding." Indiana Code 4-21.5-3-24.
2. Petitioner failed to attend the evidentiary hearing, and accordingly, the defaulting of Petitioner is appropriate pursuant to Indiana Code 4-21.5-3-24(a)(4).
3. The person requesting that an agency act has the burden of persuasion and the burden of going forward. Indiana Code 4-21.5-3-14(c). Petitioner requests that Respondent issue a license, therefore Petitioner bears the burden of proof.
4. The undersigned ALJ issued a *Notice of Proposed Default Order* as required by Indiana Code 4-21.5-3-24; however, Petitioner did not file any response to it. Indiana Code 4-21.5-3-24(b). Accordingly, the undersigned ALJ now issues this Default Order. Indiana Code 4-21.5-3-24.

5. Any Finding of Fact that should have been a Conclusion of Law is hereby adopted as such.

**RECOMMENDED ORDER**

**IT IS THEREFORE RECOMMENDED:**

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of the Department of Insurance** that the denial of Amy Knight's resident producer license under license application number 871104 shall be **AFFIRMED**.

**ALL OF WHICH IS ADOPTED** by the Administrative Law Judge and recommended to the **Commissioner of the Department of Insurance** on January 10, 2022. **This recommended order is not final.**

**This matter is now before the ultimate authority, the Commissioner of the Department of Insurance, who has the final authority over this matter and shall review this recommended order then issue a final order to all parties.**

To preserve an objection to this order for judicial review, you must object to the order in a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is filed with the ultimate authority, the Commissioner of the Department of Insurance, within fifteen (15) days from the date of this Order. IC 4-21.5-3-29.

Any questions regarding this matter should now be directed to Dawn Bopp at [dbopp@idoi.in.gov](mailto:dbopp@idoi.in.gov).



Ann Pagonis  
Administrative Law Judge

**Distributed to Parties:**

Victoria Hastings – Attorney for Respondent and served by E-Mail at [vhastings@idoi.in.gov](mailto:vhastings@idoi.in.gov)

Samantha Aldridge – Attorney for Respondent and served by E-Mail at [saldrige@idoi.in.gov](mailto:saldrige@idoi.in.gov)  
Amy Knight – Petitioner and served by U.S. Postal Mail at 69493 Taverny Ct. Madisonville, LA  
70447

**Additional Distribution to Non-Party:**

IDOI Commissioner – Ultimate Authority and served by Dawn Bopp at [dbopp@idoi.in.gov](mailto:dbopp@idoi.in.gov)



STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 20699-AD21-0629-102

IN THE MATTER OF:                     )

Amy Knight                                 )  
69493 Taverny Ct.,                         )  
Madisonville, LA 70447                    )

Applicant.                                 )

Type of Agency Action: Enforcement     )

License Application #: 871104             )

**FILED**

SEP 16 2021

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 Amy Knight ("Applicant") of the following Administrative Order:

1. Applicant filed an application for nonresident producer licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on June 1, 2021.
2. 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.
3. Indiana Code § 27-1-15.6-12(b)(8) provides, in part, that the Commissioner may refuse to issue 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.



4. Indiana Code § 27-1-15.6-12(b)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
5. Following a review of public records, and a review of documents submitted by Applicant in support of her application, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(8) due to her September 18, 2015 conviction for Theft of Goods, a Misdemeanor, in the State of Louisiana.
6. Following a review of public records, and a review of documents submitted by Applicant in support of her application, the Commissioner, being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(1) due to her failure to disclose on her application her September 18, 2015 conviction for Theft of Goods, a Misdemeanor, in the State of Louisiana, and her July 10, 2020 Monetary Penalty issued by the Louisiana Department of Insurance.
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.
8. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby DENIED pursuant to Indiana Codes §§ 27-1-15.6-12(b)(8) and 27-1-15.6-12(b)(1) due to Applicant's criminal history and failure to disclose it and an administrative action on her application. Applicant may reapply for licensure not less than one (1) year from the date of this order.

9/16/21

Date Signed

  
Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution to:

Amy Knight  
69493 Taverny Ct.,  
Madisonville, LA

Victoria Hastings, Attorney  
ATTN: Calla Dain, Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-8687, fax 317 234-2103