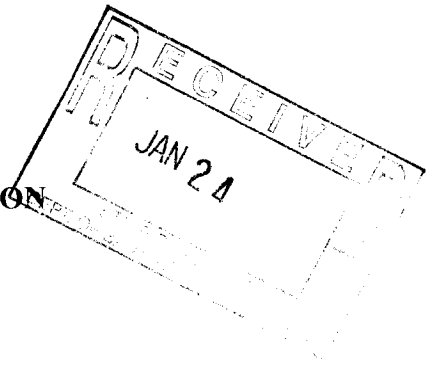


STATE OF VERMONT
DEPARTMENT OF FINANCIAL REGULATION



IN RE: LANCE M. ZEIDMAN)
) DOCKET NO. 12-038-I
)

FINAL DECISION AND ORDER

This matter is a contested administrative case before the Commissioner (“Commissioner”) of the Department of Financial Regulation (“Department”) brought by the Insurance Division (“Division”) of the Department against Lance M. Zeidman (“Respondent”) as initiated by a Petition for Revocation of License dated November 2, 2012 and Amended Petition for Revocation of License dated November 7, 2012. Respondent filed his response which was received by the Department on December 7, 2012.

Attorney Robert V. Simpson, Jr., duly appointed Hearing Officer, heard the contested case on January 7, 2013. Respondent did not appear. The Hearing Officer’s Findings of Fact and Conclusions of Law are set forth in the attached Exhibit 1 and are incorporated in their entirety in this Final Decision. The parties did not file written exceptions, legal briefs or request oral argument before the Commissioner.


Upon consideration of the record in this matter, the Commissioner hereby adopts in their entirety the Hearing Officer’s Proposed Findings of Fact and Conclusions of Law contained in the Proposal for Decision and issues the following **ORDER**:

ORDER

IT IS ORDERED THAT:

1. Judgment on the merits is entered against the Respondent pursuant to 8 V.S.A. § 4804(a)(10).
2. The non-resident producer license of Lance M. Zeidman, #597735, is hereby revoked, effective immediately.
3. Respondent shall, pursuant to 8 V.S.A. § 4806, forthwith deliver his license to the Department by personal delivery or by mail.

Dated at Montpelier, Vermont this 24th day of January, 2013.



Susan L. Donegan, Commissioner
Vermont Department of Financial Regulation



STATE OF VERMONT
DEPARTMENT OF FINANCIAL REGULATION

IN RE: LANCE M. ZEIDMAN)
) DOCKET NO. 12-038-1
)

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND
PROPOSAL FOR DECISION**

On November 2, 2012, the Insurance Division (“Division”) of the Vermont Department of Financial Regulation (“Department”) filed a petition to the Commissioner pursuant to 3 V.S.A. § 814(c), and 8 V.S.A. § 4804, to revoke the non-resident producer license of Respondent, Lance M. Zeidman (“Respondent”). An amended petition was filed on November 7, 2012 to correct a typographical error at paragraph 6 of the original petition.

At the request of the Respondent, a hearing on the merits was held on January 7, 2013 at 1:00 P.M. Robert V. Simpson, Jr., Esq. served as Hearing Officer. The Division was represented by Brenda Luciano, Esq. Respondent did not attend the hearing. At the close of the hearing, the Division submitted Proposed Findings of Fact, Conclusions of Law and Proposal for Decision at the request of the Hearing Officer.

The undersigned submits the following Findings of Fact, Conclusions of Law and Proposal for Decision, which effectively adopt the Division’s proposals, after independent consideration of the evidence admitted at the hearing.

FINDINGS OF FACT

1. Respondent, Lance M. Zeidman, whose address of record is 2269 NE 2nd Avenue, Boca Raton, Florida 33431-8028, was issued a Vermont non-resident producer license #597735, pursuant to the licensing requirements set forth in Chapter 131 of Vermont Statutes Annotated Title 8, which license became effective on September 2, 2009.

2. On April 13, 2012, effective May 1, 2012, the State of Kansas revoked the non-resident producer license held by Respondent in that state due to Respondent's violations of Kansas insurance laws. A certified copy of the Kansas revocation of Respondent's license was admitted into the record as the Division's Exhibit 1.

3. On November 2, 2012, the Division filed a petition to revoke the non-resident producer license of Respondent, a notice of right to request hearing and a certificate of service. Also, on November 2, 2012, the Division served the petition, notice of right to request hearing and certificate of service by certified mail, return receipt requested to Respondent's address of record. The petition, notice of right to request hearing, certificate of service and certified mail return receipt card were admitted as Division's Exhibit 3.

4. On November 7, 2012, the Division filed an amended petition to revoke the non-resident producer license of Respondent, a notice of right to request hearing and a certificate of service. Also on November 7, 2012, the Division served the amended petition, notice of right to request hearing and certificate of service by certified mail, return receipt requested to Respondent's address of record. The amended petition, notice of right to request hearing, certificate of service and certified mail return receipt card were admitted as Division's Exhibit 4.

5. On November 13, 2012, the Division filed and served copies of the amended petition, notice of right to request hearing and certificates of service to Respondent's four active insurers of record: Aetna Life Insurance Company, Kanawha Insurance Company, Time Insurance Company and Humana Insurance Company. The Division mailed copies of the amended petitions, notice of right to request hearing and certificates of service, by

certified mail, return receipt requested, to each of the four active insurers. The amended petition, notice of right to request hearing, certificates of service and the certified mail return receipt cards were admitted as Division's Exhibits 5a, 5b, 5c and 5d.

6. On November 13, 2012, the Division filed and served Respondent with copies of the certificates of service on the four active insurers listed above in paragraph 5. The Division mailed copies of the certificates of service via certified mail, return receipt requested to Respondent's address of record. The certificates of service on the four active insurers and the certified mail return receipt card were admitted as Division's Exhibit 6.

7. On December 6, 2012, Respondent sent an email containing his written responses to the Division's attorney, Ms. Luciano, with the subject line, "Lance Zeidman hearing and response to allegation." On December 7, 2012, the Department received a hard copy of Respondent's written responses. Respondent's written responses were admitted as Division's Exhibit 2.

8. On December 11, 2012, the Order Setting Hearing was sent to the parties, including to the Respondent, and to the undersigned via email by the docket clerk. The Order Setting Hearing was also mailed to the Respondent via U.S. Postal Service, First Class Mail on December 11, 2012. The Order Setting Hearing was admitted as Exhibit 7.

CONCLUSIONS OF LAW

1. Pursuant to 8 V.S.A. § 4804(a)(10), the Commissioner has the power to suspend, revoke or refuse to continue or renew Respondent's non-resident producer license if, after notice and opportunity for hearing, he finds that Respondent's license has been suspended or revoked in another state.

2. Respondent received notice and opportunity to be heard on the Division's petition and amended petition to revoke his non-resident producer license as required by 8 V.S.A. § 4804(a) and 3 V.S.A. § 814 (a) and (c).

3. Respondent's written responses, received by the Department on December 7, 2012, and admitted into the record as Division's Exhibit 2, are deemed to deny the allegations in the Division's petition and amended petition to revoke Respondent's non-resident producer license.

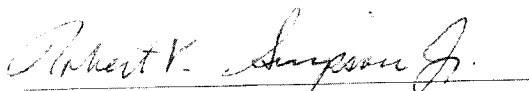
4. The Division has met its burden and proven by a preponderance of the evidence that Respondent's license has been suspended or revoked in any other state as required under 8 V.S.A. § 4804(a)(10).

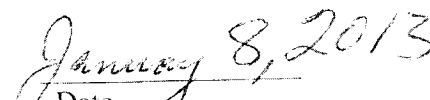
PROPOSED DECISION AND ORDER

The Division has proven that Respondent has violated 8 V.S.A. § 4804(a) (10). Accordingly, the undersigned respectfully recommends that the Commissioner issue an ORDER revoking the Vermont non-resident producer license of Lance M. Zeidman.

RIGHT TO FILE WRITTEN EXCEPTIONS

Any party adversely affected by the proposed decision of the hearing officer shall have 10 days from the date of service of the proposed decision to file written exceptions, legal briefs or request oral argument before the Commissioner. The parties, by written stipulation, may waive these opportunities. Regulation No. 82-1 (Revised), Section 7(c)


Hearing Officer


Date