

**STATE OF VERMONT
DEPARTMENT OF FINANCIAL REGULATION**

IN RE: MICHAEL FISH)	
VT LICENSE # 3367452)	DOCKET NO. 21-020-I
NPN # 18806916)	
)	

DEFAULT JUDGMENT AND ORDER

I. FINDINGS OF FACTS

1. Michael Fish (“Respondent”) recently held Vermont non-resident insurance producer license # 3367452.
2. Respondent’s resident state is New York.
3. License # 3367452 was last renewed on October 3, 2019 and expired on March 31, 2021.
4. Respondent has not sought renewal of license # 3367452.
5. On June 19, 2020, the Insurance Division received a letter from Northwestern Mutual reporting that the company had terminated Respondent’s appointments for cause and allowed him to resign following their discovery that Respondent had pled guilty to three felony charges (“Northwestern Mutual letter”).
6. Included with the Northwestern Mutual letter was a plea agreement Respondent entered into with the U.S. Attorney for the Northern District of New York in April of 2020 in which Respondent pled guilty to three felony charges: one count of Computer Intrusion Causing Damage, one count of Aggravated Identify Theft, and one count of Possession of Child Pornography (“Plea Agreement”).
7. Within the Plea Agreement, Respondent admitted to routinely accessing the network user accounts of female students at the State University of New York at Plattsburgh

without their permission to obtain personal information that he could use to gain access to the students' online accounts and to download nude, sexually explicit, and personally embarrassing photographs and videos.

8. Respondent also admitted in the Plea Agreement to creating collages including the explicit pictures of students along with non-explicit pictures and disseminating and trading these collages and other stolen materials with others, identifying the students by name.

9. On July 16, 2020, the Kansas Commissioner of Insurance issued an order revoking Respondent's Kansas non-resident insurance agent license due to Respondent's conviction of serious felonies identified in the Plea Agreement and his failure to report the conviction to the Kansas Insurance Department.

10. On December 18, 2020, the Commissioner of the New Hampshire Insurance Department issued an order permanently revoking Respondent's New Hampshire non-resident insurance producer license, and imposing a \$5,000 administrative penalty, due to Respondent's felony convictions and failure to report the convictions to the New Hampshire Insurance Department.

11. On January 13, 2021, the Insurance Commissioner of the Connecticut Insurance Department entered a default order revoking Respondent's Connecticut non-resident insurance producer license based on Respondent's failure to report his felony convictions to the Connecticut Insurance Department and failure to respond to the Connecticut Insurance Department's allegations or to update his address.

12. On February 25, 2021, the Insurance Commissioner of the California Department of Insurance entered a summary order revoking Respondent's non-resident insurance agent license due to Respondent's felony convictions, due to Respondent's failure

to report his conviction to the California Department of Insurance, and because it would be against the public interest to permit Respondent to transact insurance in California.

13. As of May 25, 2021, Respondent has not reported the administrative actions taken against him by Kansas, New Hampshire, Connecticut, or California to the Commissioner.

14. As of the effective date of this Default Judgment and Order, more than 30 days after service of the Petition and Notice, no answer, request for a hearing, or other defense to the Petition has been received by the Insurance Division from Respondent.

15. More than 10 days have passed since the Insurance Division filed a motion for default judgment in the above-captioned matter and served the motion on Respondent.

II. VIOLATIONS OF LAW

16. Because Respondent plead guilty to felonies involving the possession of child pornography and the downloading and sharing of private, sexually explicit photographs without consent, Respondent was convicted of felonies involving moral turpitude and a conditional bar to the renewal or relicensure of Respondent's Vermont non-resident insurance producer license is authorized pursuant to 3 V.S.A. § 814(d) and 8 V.S.A. § 4804(a)(7).

17. Because Respondent routinely accessed students' private accounts to obtain their private photographs and videos and later distribute them to others, Respondent has used dishonest practices and shown himself to be untrustworthy in the conduct of his own affairs and a conditional bar to the renewal or relicensure of Respondent's Vermont non-resident insurance producer license is authorized pursuant to 3 V.S.A. § 814(d) and 8 V.S.A. § 4804(a)(9).

18. Because Kansas, New Hampshire, Connecticut, and California have revoked Respondent's non-resident insurance licenses, prevention of the renewal or relicensure of Respondent's Vermont non-resident insurance producer license is authorized pursuant to 3 V.S.A. § 814(d) and 8 V.S.A. § 4804(a)(10).

19. Because Respondent failed to report to the Commissioner the administrative actions taken against him by Kansas, New Hampshire, Connecticut, and California, Respondent violated 8 V.S.A. §4813o and a conditional bar to the renewal or relicensure of Respondent's Vermont non-resident insurance producer license is authorized pursuant to 3 V.S.A. § 814(d) and 8 V.S.A. § 4804(a)(3).


20. Because no answer, request for a hearing, or other defense to the Petition has been received by the Insurance Division from Respondent, and as more than 10 days have passed since the Insurance Division filed a motion for default judgment, the allegations contained in the Petition are treated as proven and a default judgment may be entered in the above-captioned matter, pursuant to Sections 5 and 12 of the Vermont Department of Financial Regulation (formerly known as the Vermont Department of Banking, Insurance, Securities and Health Care Administration) Hearing Procedures, identified as Regulation 82-1.

III. ORDER

21. Based on the findings of fact and conclusions of law identified above, a default order is issued against Respondent and it is hereby ordered that Respondent Michael Fish is barred from obtaining renewal or relicensure of non-resident insurance producer license # 3367452 unless information is provided by Respondent to the Insurance Division sufficient

to overcome the violations identified in this order and the Insurance Division determines
licensure is in the public interest.

Dated at Winooski, Vermont this 9th day of June 2021.

By: 
Michael S. Pieciak
Commissioner of Financial Regulation
Vermont Department of Financial Regulation