

**In the Matter of the Application for a  
Kansas Nonresident Insurance Producer's  
License of JENNIFER WEBBER  
NPN # 20212724**

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6. On July 20, 2022, Counsel for the Department sent Applicant a Stipulated Order. The Stipulated Order would withdraw Applicant's request for appeal and would allow the decision to deny her application to become final.

7. Counsel for the Department has emailed the Applicant three times about the status of the Stipulated Order and received no response from the Applicant.

8. To this date, Applicant has not communicated with the Department or submitted the Stipulated Order.

### **Applicable Law**

9. Before approving an application for a license, the Commissioner must determine the applicant has not committed any act that is grounds for denial pursuant to K.S.A. 40-4909. See K.S.A. 40-4905(b).

10. Pursuant to K.S.A. 40-4909(d), "Any action taken under this section that affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for a hearing conducted in accordance with the provisions of the Kansas administrative procedures act."

11. Pursuant to K.S.A. 77-520(a), "If a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties written notice of a proposed default order, including a statement of the grounds."

12. Pursuant to K.S.A. 77-520(b), Applicant may file a written motion requesting this proposed default order be vacated stating the grounds relied on within seven (7) days after the service of this proposed default order. The proposed default order shall become effective after expiration of the time within which the party may file a written motion under subsection (b) unless a written motion to vacate the order is filed with the agency within such time. See K.S.A. 77-520(c)

**Conclusions of Law**

13. The Commissioner has jurisdiction over the Applicant as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

14. The Assistant Commissioner of Insurance is acting on behalf of the Commissioner of Insurance as the agency head and is empowered to act as the Presiding Officer and issue a Final Order. See K.S.A. 77-520 (d), 77-547 and 77-514.

15. The Commissioner finds that Applicant has failed to participate in a required stage of an adjudicative proceeding, or to communicate with the Department about the proceedings, and a Proposed Default Order is appropriate and should be served in accordance with K.S.A. 77-520.

**IT IS THEREFORE ORDERED THAT THE APPLICANT MUST SUBMIT A WRITTEN REQUEST TO VACATE THIS PROPOSED DEFAULT ORDER WITHIN SEVEN (7) DAYS OF THE DATE OF THIS ORDER.** If a written request to vacate is not timely received, the Applicant's proceeding will be **DISMISSED**.

**IT IS FURTHER ORDERED THAT** Applicant's failure to file a timely written motion to vacate **WILL RESULT IN THIS ORDER BECOMING EFFECTIVE AS A FINAL ORDER** and Applicant's application for a Kansas nonresident insurance producer's license will be **DENIED**.

**IT IS SO ORDERED THIS 24<sup>th</sup> DAY OF AUGUST 2022, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



VICKI SCHMIDT  
COMMISSIONER OF INSURANCE

BY:   
Barbara W. Rankin  
Assistant Commissioner  
Presiding Officer

### **NOTICE OF RIGHT TO FILE A MOTION TO VACATE**

Pursuant to K.S.A. 77-520(b), Applicant is entitled to file a Motion to Vacate. A Motion to Vacate must be filed within seven (7) days of service of this Proposed Default Order (plus three [3] days for service by mail pursuant to K.S.A. 77-531).

In the event Applicant files a Motion to Vacate pursuant to K.S.A 77-520(b), the Agency Officer to be served on behalf of the Kansas Insurance Department is:

Kimberley Davenport Megrail, Senior Attorney  
Kansas Insurance Department  
1300 SW Arrowhead Road  
Topeka, KS 66604  
[kim.davenportmegrail@ks.gov](mailto:kim.davenportmegrail@ks.gov)

### **NOTICE OF RIGHT TO JUDICIAL REVIEW**

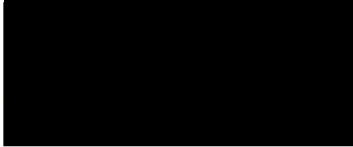
Pursuant to K.S.A. 77-601 through K.S.A. 77-631, Applicant is entitled to judicial review, if this Proposed Default Order becomes a Final Order. The petition for judicial review must be filed within thirty (30) days of service of the date the Proposed Default Order becomes a Final Order (plus three [3] days for service by mail pursuant to K.S.A. 77-531). In the event Applicant files a petition for judicial review pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas Insurance Department is:

Justin L. McFarland, General Counsel  
Kansas Insurance Department  
1300 SW Arrowhead Road  
Topeka, KS 66604

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she served a true and correct copy of the above and foregoing PROPOSED DEFAULT ORDER on this 24<sup>th</sup> day of August 2022, by causing the same to be electronically mailed and placed in the United States Mail, certified mail, return receipt requested and first class postage prepaid addressed to the following:

Jennifer Webber



*Applicant*

And hand-delivered to the following:

Kimberley Davenport Megrail  
Senior Attorney  
Kansas Insurance Department  
1300 SW Arrowhead Road  
Topeka, KS 66604  
*Counsel for the Kansas Insurance Department*

  
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Kathy Letch  
Public Servicer Administrator