

STATE OF OHIO
DEPARTMENT OF INSURANCE
 50 WEST TOWN STREET
 3RD FLOOR, SUITE 300
 COLUMBUS, OHIO 43215

In re Suitability of:	:	JILLIAN FROMENT
	:	Director/Superintendent
JOSEPH V. COPPLOE	:	
NPN: 1926035	:	
TO BE LICENSED AS AN	:	MICHELLE DELERY STRATMAN
INSURANCE AGENT IN THE	:	Hearing Officer
STATE OF OHIO	:	

ORDER

After consideration of the Hearing Officer's written Report and Recommendation, objections to the Report and Recommendation, the transcript of testimony and evidence, and in accordance with Revised Code ("R.C.") 119.09 and 3905.01 through 3905.99, the recommendation of the Hearing Officer to revoke the insurance agent license of Joseph V. Copploe ("Copploe"), is confirmed and approved.

The record reflects that on or about December 3, 2018, the Ohio Department of Insurance ("Department") issued Copploe a Notice of Opportunity for Hearing ("Notice"), advising that it intended to suspend, revoke, or refuse to renew his license as an insurance agent in the State of Ohio and/or impose any other sanction authorized by 3905.14(D), including civil penalties and/or administrative costs. The notice alleged that on or about February 7, 2017 Copploe forged a signature on a policy surrender form and submitted the form to an insurance carrier. Additionally, he called Lincoln Financial Group and impersonated a policy holder.

The record further reflects that Copploe was provided notice of the hearing date, time, and location and he not did appear,. Evidence was submitted into the record establishing that on or about February 7, 2017 Copploe forged a signature on a policy surrender form that was submitted it to an insurance carrier. Additionally, Copploe called Lincoln Financial Group and impersonated a policyholder. (Tr. 15:17-25, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27:1-23; State's Ex. A, B, C, D, E, F, G, H, I, J, K.)

The Hearing Officer concluded that, based on the findings, Copploe violated R.C. 3905.14(B)(9), which provides that the Superintendent may revoke the license of any agent for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of business in this state or elsewhere. Additionally, the Hearing Officer concluded that Copploe violated R.C. 3905.14(B)(26) which provides that the Superintendent may revoke the license of any agent for submitting or using a document in the conduct of the business of insurance when the person knew or should have known that the document contained a writing that was forged as defined in R.C. 2913.01; and Copploe violated 3905.14(B)(11) which provides that the Superintendent may revoke the license of any agent for forging or causing the forgery of an application or any document related to or used in an

insurance transaction. The hearing officer recommended Copploe's resident insurance agent license be revoked.

Attached hereto and incorporated herein is the Report and Recommendation of the Hearing Officer.

NOW THEREFORE, IT IS ORDERED:

Upon consideration of the record, including the Hearing Officer's written Report and Recommendation, objections to the Report and Recommendation, the transcript of testimony and evidence, the Hearing Officer's recommendation is hereby confirmed and approved. The insurance license of Joseph V. Copploe is hereby revoked.

This Order is effective immediately and is hereby entered into the Journal of the Ohio Department of Insurance, signed this 11th day of June, 2019, in Columbus, Ohio.



JILLIAN FROMENT
Director/Superintendent

NOTICE OF APPELLATE RIGHTS

This Order may be appealed by filing a Notice of Appeal with the Ohio Department of Insurance ("Department"), Attn: Hearing Program Administrator, 50 West Town St., Suite 300, Columbus, Ohio 43215, setting forth the order appealed from and stating that the Department's Order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal may, but need not, set forth the specific grounds of the appeal beyond the statement that the Department's Order is not supported by reliable, probative, and substantial evidence and is not in accordance with law. The Notice of Appeal shall also be filed by the party desiring the appeal with the appropriate court of common pleas. Such Notice of Appeal shall be filed within fifteen (15) days after the mailing of the Department's Order as provided in R.C. 119.12. In filing a Notice of Appeal with the Department or court, the notice that is filed may be either the original notice or a copy of the original notice.

CERTIFICATE OF SERVICE

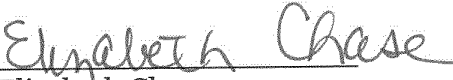
The undersigned hereby certifies that a true copy of the foregoing Order was sent this 12 day of June, 2019, by certified mail, return receipt requested, to Respondent:

Joseph V. Copploe
823 Illinois Ave
McDonald, Ohio 44437

and sent via email to:

Attorney General of Ohio

By: Crystal R. Richie, Principal Assistant Attorney General
Crystal.Richie@Ohioattorneygeneral.gov
On behalf of the Ohio Department of Insurance


Elizabeth Chase
Hearing Administrator

In the Matter of:

Hearing No.: LGL201805-023

The Suitability of Joseph V. Copploe to Be

Michelle Delery Stratman, Esq.

NPN # 1926035

Hearing Officer

Licensed As An Insurance Agent

In The State of Ohio,

Respondents

HEARING OFFICER'S REPORT

AND

RECOMMENDATION

Appearances: For Ohio Department of Insurance (DOI): Ms. Crystal Richie, Assistant Attorney General, 30 East Broad Street, 26th floor, Columbus, Ohio 43215

Mr. James R. Burkart, Staff Attorney, Ohio Department of Insurance

Mr. Kevin Selcer, Investigator, Ohio Department of Insurance

Joseph V. Copploe, Respondent, Not Present at Hearing

I. BACKGROUND

This is an administrative proceeding under Ohio Revised Code (ORC) Chapter 119 pursuant to ORC Title 39. Respondent ("Copploe") requested a hearing after Department of Insurance ("DOI") notified him it intended to refuse to issue him any license. After Copploe requested a hearing, DOI appointed the undersigned to serve as hearing officer in this matter. A hearing was held on April 11 at 10:00 A.M. This report is based on the evidence presented at the hearing.

II. EVIDENCE EXAMINED

DOI introduced Exhibits A through K inclusive, which were admitted into evidence through testimony that represented that the records were used in the ordinary course of business and were a true and accurate copy of the original documents.

State's Exhibit A, the Notice of Opportunity for Hearing in this matter, including certified mail receipts from the U.S. Postal Service.

State's Exhibit B, Copploe's request for a hearing.

State's Exhibit C, Notice and Order to Continue Formal Hearing, including certified mail receipts from the U.S. Postal Service.

State's Exhibit D, Consumer Complaint

State's Exhibit E, Application for Life Insurance Annuity and Policy

State's Exhibit F, Lincoln Financial Surrender Request Form

State's Exhibit G, Affidavit of Anna M. Duchene

State's Exhibit H, Transcript of audio from February 14, 2017

State's Exhibit I, Transcript of audio from February 27, 2017

State's Exhibit J, Transcript of audio from February 27, 2017

State's Exhibit K, Transcript of audio from March 20, 2017

Copploe was not present at the hearing and therefore did not provide testimony for this matter. After the hearing, however, within the time frame allowed Mr. Copploe did submit documents that were taken into consideration by the hearing officer. Mr. James Burkart and Mr. Kevin Selcer were both present at the hearing and provided testimony for this matter.

The undersigned considered all the above testimony and reviewed all the above described exhibits as well as the transcript of the hearing. Based on said reviews, the undersigned concludes as follows:

III. FINDINGS OF FACTS

DOI gave Copploe notice of the opportunity for a hearing (State Ex. A) and of the hearing date (State Ex. C). Copploe had requested a hearing following receipt of the notice of opportunity (State Ex. B).

Count One, On or about February 7, 2017 Copploe forged a signature on a policy surrender form.

Count Two, The allegations in Count One are hereby restated as if fully rewritten herein.

Count Three, The allegations in Count One are hereby restated as if fully rewritten herein.

Count Four, On or about February 14, 2017 and February 27, 2017 Copploe called Lincoln Financial Group and impersonated a policyholder.

IV. CONCLUSIONS OF LAW

DOI, among other duties, is charged with issuing and renewing insurance licenses in the State of Ohio pursuant to ORC Title 39.

Ohio Revised Code Section 3905.14 (B) (9) provides that the Superintendent may revoke the license of any agent for using fraudulent coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility, in the conduct of business in this state or elsewhere. This corresponds with Count Four and Count One and was proven through exhibits and testimony.

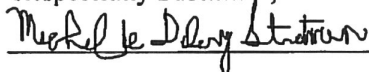
Ohio Revised Code Section 3905.14 (B) (11) provides that the Superintendent may revoke the license of any agent for forgoing or causing the forgery of an application for insurance or any document related to or used in an insurance transaction. This corresponds to Count Three and was proven through exhibits and testimony.

Ohio Revised Code 3905.14 (B) (26) provides that the Superintendent may revoke the license of any agent for submitting or using a document in the conduct of the business of insurance when the person new or should have known that the document contained a writing that was forged as defined in RC2913.01. This corresponds to Count Two and was proven through exhibits and testimony.

V. RECOMMENDATION

The undersigned recommends that Joseph V. Copploe's license be revoked. In review of the documents Mr. Copploe had turned in after the hearing Mr. Copploe claims that he did not forge the signature, but that the signature was signed originally on a different date and that he had just filled it in, which was a different date than the client originally had signed, which is in itself a dishonest practice. Given the evidence and testimony I don't find his written statements to be credible in addition the original signature and the surrender application signature which is in question do not look alike. Lastly, there was a voice recording of Mr. Copploe calling in to Lincoln Financial Group and he clearly is impersonating the client and even suggests in his phone conversation what if someone else had signed the form, which seems to suggest that someone other than the client may have signed the form.

Respectfully Submitted,



Michelle Delery Stratman

(#0075585)

Hearing Officer

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Delaware, Ohio 43015

(614) 296-5887

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