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Attorney General

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**FILED**  
**AUG 02 2021**  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

NOVA PATHFINDER LIMITED, a Nevada  
nonprofit corporation, holding Idaho  
Nonresident Producer Entity License  
No. 844241,

Respondent.

Docket No. 18-3929-21

**ORDER OF DEFAULT  
REVOKING IDAHO  
NONRESIDENT PRODUCER  
ENTITY LICENSE**

The Director of the Idaho Department of Insurance (“Director”) having reviewed the record herein; and NOVA PATHFINDER LIMITED (“RESPONDENT”), who currently holds Idaho Nonresident Producer Entity License No. 844241, having been lawfully served the Verified Complaint for Revocation of Nonresident Producer License and Notice of Right to Hearing (“Verified Complaint”), a copy of which is attached hereto as Exhibit A and incorporated herein, and having failed to file an answer thereto and having failed to request a hearing regarding said

Verified Complaint; and the Director having found as a result thereof that RESPONDENT has waived its rights regarding the opportunity for hearing; and in consideration of the above;

IT IS HEREBY ORDERED that Idaho Nonresident Producer Entity License No. 844241 issued to RESPONDENT is REVOKED effective immediately.

IT IS FURTHER ORDERED that an administrative penalty in the total amount of Two Thousand Dollars (\$2,000) is imposed against NOVA in accordance with Idaho Code § 41-1016(1)(b) based on NOVA's violations of Idaho Code § 41-247 for failing to respond to Department inquiries as alleged in the Verified Complaint.

IT IS FURTHER ORDERED that NOVA shall not be issued a new license under title 41, Idaho Code, for a period of three (3) years from the date of revocation, after which time, NOVA shall be required to show good cause why the prior revocation shall not be deemed a bar to the issuance of a new license, in accordance with Idaho Code § 41-1026(3).

IT IS SO ORDERED.

DATED this 2 day of August, 2021.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



DEAN L. CAMERON  
Director

## **NOTIFICATION REGARDING REPORTABLE PROCEEDINGS**

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's online searchable database. Be aware that you may be required to disclose this proceeding on any license application, and you may be required to report this action to any and all states in which you hold an insurance license.

## **NOTIFICATION OF RIGHTS**

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 2nd day of August, 2021, I caused a true and correct copy of the foregoing ORDER OF DEFAULT REVOKING IDAHO NONRESIDENT PRODUCER ENTITY LICENSE to be served upon the following by the designated means:

NOVA Pathfinder Limited  
5739 Kanan Road, Ste. 336  
Agoura, CA 91301-1601

- first class mail
- certified mail
- hand delivery
- via facsimile

NOVA Pathfinder Limited  
1710 E. Pebble Road, Bldg. A  
Las Vegas, NV 89123-3260

- first class mail
- certified mail
- hand delivery
- via facsimile

NOVA Pathfinder Limited  
9120 Double Diamond Pkwy  
Reno, NV 89521

- first class mail
- certified mail
- hand delivery
- via facsimile

Clyde Daniel Mead  
10436 Kestrel Rise Road  
South Jordan, UT 84009

- first class mail
- certified mail
- hand delivery
- via facsimile

John C. Keenan  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

- first class mail
- certified mail
- hand delivery

  
Pamela Murray

LAWRENCE G. WASDEN  
Attorney General

JOHN C. KEENAN – ISB No. 3873  
State of Idaho  
Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
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[john.keenan@doi.idaho.gov](mailto:john.keenan@doi.idaho.gov)

FILED  
JUL 07 2021  
Department of Insurance  
State of Idaho

*Attorneys for Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
STATE OF IDAHO**

In the Matter of:

NOVA PATHFINDER LIMITED, a Nevada  
nonprofit corporation, holding Idaho  
Nonresident Producer Entity License  
No. 844241,  
Respondent.

Docket No. 18-3929-21

**VERIFIED COMPLAINT FOR  
REVOCATION OF NONRESIDENT  
PRODUCER LICENSE AND NOTICE  
OF RIGHT TO HEARING**

The Idaho Department of Insurance (“Department”), by and through its attorney of record, John C. Keenan, Deputy Attorney General, does hereby complain and allege as follows:

1. The Director of the Department (“Director”) has jurisdiction in the state of Idaho over matters involving insurance regulation and licensing, in accordance with title 41, Idaho Code.
2. This administrative proceeding is brought under the provisions of the Idaho Insurance Code, Idaho Code § 41-101 *et seq.*, including but not limited to Idaho Code § 41-213, which authorizes the Department to initiate a contested case against a producer, wherein the Director may, after an opportunity for a hearing, impose a penalty under Idaho Code § 41-

**VERIFIED COMPLAINT FOR REVOCATION OF NONRESIDENT PRODUCER LICENSE AND  
NOTICE OF RIGHT TO HEARING – 1**

**EXHIBIT**

    A    

exhibitsticker.com

1016(1)(b), not to exceed one thousand dollars (\$1,000) for each violation, and may refuse to continue or suspend or revoke a producer's license, if he finds that the insurer has violated or failed to comply with any lawful order of the director, or relevant provision of title 41, Idaho Code.

3. Idaho Code § 41-117 provides that each instance of violation may be considered a separate offense.

### **RESPONDENT**

4. NOVA PATHFINDER LIMITED (hereinafter "NOVA"), a Nevada nonprofit corporation, holds Idaho Nonresident Producer Entity License No. 844241, issued by the Director to NOVA on April 22, 2021.

### **FACTUAL ALLEGATIONS**

5. Section 41-247, Idaho Code, states that,

[t]he director shall have the power to direct an inquiry in writing to any persons subject to his jurisdiction with respect to any insurance transaction or matter relative to a subject of insurance resident, located, or to be performed in this state. The person to whom such an inquiry is addressed shall upon receipt thereof promptly furnish to the director all requested information which is in his possession or subject to his control.

6. On or before March 29, 2021, the Department received information that NOVA may be marketing health plans in the state of Idaho without being properly licensed as a producer under title 41, chapter 10, Idaho Code.

7. Based on that information, on or about March 29, 2021, the Department sent an inquiry via email to NOVA, asking it to provide details as to its operations, products and coverage plans that it had previously offered or sold or was currently offering or selling within the state of Idaho.

8. The Department sent the inquiry to NOVA to determine whether NOVA was engaging in the business of insurance in Idaho without being properly licensed, and to determine

whether insurance products and coverage plans, if being offered in Idaho, had been properly filed with the state of Idaho in accordance with Idaho Code § 41-1812.

9. On April 5, 2021, a Department staff member spoke with Laura Fay, chief executive officer of NOVA, about the Department's March 29, 2021, inquiry and when NOVA intended to respond.

10. Laura Fay stated that NOVA would provide a complete response to the Department's inquiry "very soon."

11. On or about April 14, 2021, the Department received an application from Clyde D. Mead for an Idaho nonresident producer license. The Department issued Idaho Nonresident Producer License No. 842608 to Mead on April 15, 2021.

12. On or about April 21, 2021, the Department received an application from NOVA for an Idaho nonresident producer entity license. The Department issued Idaho Nonresident Producer Entity License No. 844241 to NOVA on April 22, 2021. Department records reflect that Clyde D. Mead is the designated licensed producer responsible for NOVA's compliance with the insurance laws and rules of the state of Idaho in accordance with section 41-1007(2), Idaho Code.

13. After several weeks of the Department's inquiry remaining unanswered, and after exchange of email correspondence with NOVA, on April 27, 2021, Department staff granted NOVA an extension to respond to its inquiry to May 11, 2021.

14. On May 24, 2021, the Department noted that NOVA had still failed to respond to its inquiry of March 29, 2021, despite ongoing conversations and email communications.

15. On May 24, 2021, the Department commenced a formal investigation of NOVA, and sent an additional letter of inquiry under section 41-247, Idaho Code, by U.S. Mail to Laura

Fay, chief executive officer of NOVA, requesting NOVA to respond to certain questions in writing by no later than June 7, 2021.

16. As of the undersigned date, NOVA has failed to respond to the Department's March 29, 2021, inquiry and has failed to respond to the Department's May 24, 2021, inquiry.

17. NOVA's failure to respond to the Department's two inquiries constitutes two violations of Idaho Code § 41-247, and gives the Department cause to seek action against NOVA's Idaho producer license as well as the imposition of administrative penalties pursuant to Idaho Code § 41-1016(1)(b).

#### **PRAYER FOR RELIEF**

Based on the foregoing facts as alleged, the Department prays for relief as follows:

1. For a finding of fact that NOVA failed to timely respond to the Department's inquiries of March 29, 2021 and May 24, 2021;

2. For a conclusion of law that NOVA violated section 41-247 on two (2) occasions when it failed to respond to the Department's inquiries.

3. For imposition of an administrative penalty of \$1,000 per violation in accordance with Idaho Code § 41-1016(1)(b), for a total penalty of Two Thousand Dollars (\$2,000).

4. For revocation of the Nonresident License Producer License No. 842608 held by NOVA, in accordance with Idaho Code § 41-1016(1)(b).


5. For an order that NOVA shall not be issued a new license under title 41, Idaho Code, for a period of three (3) years from the date of revocation, after which time, NOVA shall be required to show good cause why the prior revocation shall not be deemed a bar to the issuance of a new license, in accordance with Idaho Code § 41-1026(3).

6. For such other relief that is deemed just under the circumstances.



DATED this 7 day of July, 2021.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL

  
\_\_\_\_\_  
JOHN C. KEENAN  
Deputy Attorney General


**VERIFICATION**

STATE OF IDAHO            )  
                                      : ss.  
County of Ada            )


ERIC FLETCHER, Company Activities Bureau Chief, Department of Insurance, State of Idaho, being first duly sworn, deposes and says:

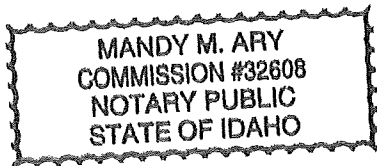
I have read the foregoing Complaint and know the contents thereof and the same are true to the best of my knowledge and belief.

Dated this 7 day of July, 2021.

  
\_\_\_\_\_  
ERIC FLETCHER

SUBSCRIBED AND SWORN to before me, the undersigned Notary Public for the state of Idaho, this 7<sup>th</sup> day of July, 2021.

  
\_\_\_\_\_  
Notary Public for Idaho  
My Commission Expires 7/24/24



**NOTICE OF RIGHT TO A HEARING**

TO: **NOVA PATHFINDER LIMITED**, a Nevada nonprofit corporation:

THE RESPONDENT IS HEREBY NOTIFIED, pursuant to Idaho Code § 41-232A(2), that a written request for a hearing must be filed and served upon the Department within twenty-one (21) days after service of this Complaint. Failure to file and serve a written request for a hearing upon the Department within the twenty-one (21) day time period shall be deemed a waiver of the opportunity for a hearing and to contest the allegations in the Complaint, pursuant to Idaho Code § 41-232A(2).

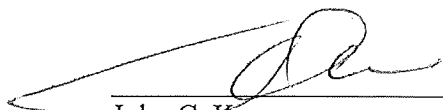
Any written request for a hearing shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

A copy shall also be provided to the Department's counsel in this matter, John C. Keenan, Deputy Attorney General, at the following address:

John C. Keenan  
Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

In lieu of holding a hearing, this matter may be resolved by negotiation, stipulation, agreed settlement, or consent order, pursuant to Idaho Code § 67-5241. Should you wish to discuss this matter, please contact the undersigned deputy attorney general.

  
\_\_\_\_\_  
John C. Keenan

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 17<sup>th</sup> day of July, 2021, I caused a true and correct copy of the foregoing VERIFIED COMPLAINT FOR REVOCATION OF NONRESIDENT PRODUCER LICENSE AND NOTICE OF RIGHT TO HEARING to be served upon the following by the designated means:

NOVA Pathfinder Limited  
5739 Kanan Road, Ste. 336  
Agoura, CA 91301-1601

- first class mail
- certified mail
- hand delivery
- email

NOVA Pathfinder Limited  
1710 E. Pebble Road, Bldg. A  
Las Vegas, NV 89123-3260

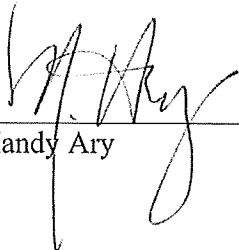
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9120 Double Diamond Pkwy  
Reno, NV 89521

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- email

Clyde Daniel Mead  
10436 Kestrel Rise Road  
South Jordan, UT 84009

- first class mail
- certified mail
- hand delivery
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\_\_\_\_\_  
Mandy Ary