

NORTH CAROLINA DEPARTMENT OF INSURANCE  
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA  
COUNTY OF WAKE

BEFORE THE  
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

THE LICENSURE OF  
JOSHUA OLDHAM  
(NPN# 17737932)

Respondent.

ORDER AND  
FINAL AGENCY DECISION

Docket Number: 2296

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THIS MATTER was heard on July 16, 2025 and on January 21, 2026, by the undersigned Hearing Officer, as designated by the Commissioner of Insurance pursuant to N. C. Gen. Stat. § 58-2-55. The administrative hearing was held in the hearing room of the North Carolina Department of Insurance, located at 3200 Beechleaf Court, Raleigh, North Carolina.

Petitioner, Agent Services Division of the North Carolina Department of Insurance (“Petitioner” or “ASD”), was represented by Assistant Attorney General, Nicholas B. Sorensen. Melody Hocutt, Complaint Analyst with ASD (“ Ms. Hocutt”), appeared and testified on behalf of Petitioner. Respondent, Joshua Oldham, (“Respondent”) failed to appear and was not represented by counsel at the hearing.

On July 16, 2025, the undersigned Hearing Officer accepted and considered testimony and evidence offered by ASD in support of the Petition at the hearing. See Pet’r Ex. 1. Pet’r’s Exs. 1-18 were admitted into evidence.

Following the hearing on November 12, 2025, the undersigned Hearing Officer entered in a Continuance Order after finding improper service of the initial Notice of Administrative Hearing and the case was continued for a date and time set in a new Notice of Administrative Hearing. The subsequent Notice of Administrative Hearing was issued on November 19, 2025.

Service of the Notice and Petition for the January 21, 2026 Administrative Hearing, providing Respondent with due notice of the hearing, was deemed perfected on November 23, 2025, respectfully, at Respondent’s address on record, pursuant to N.C. Gen. Stat. §58-2-69(e).

The Petition for Administrative Hearing alleged that Respondent was subject to administrative action pursuant to N.C. Gen Stat. §§ 58-33-46(a)(1) and 58-33-46(a)(3) for license application misrepresentations, N.C. Gen Stat. § 58-33-46(a)(2) for violating N.C. Gen Stat. § 58-33-32(k), N.C. Gen Stat. § 58-33-46(a)(9) for having had a license denied for reasons substantially similar to those listed in N.C. Gen Stat. § 58-33-46(a), and pursuant to N.C. Gen Stat. §§ 58-33-46(a)(6) and 58-33-46(a)(17) due to a prior felony conviction. *See* Pet'r Ex. 1.

On January 21, 2026, ASD moved, pursuant to 11 N.C.A.C 1.0423(a), for the imposition of sanctions due to Respondent's failure to appear at the hearing. Petitioner's motion for sanctions is GRANTED and, in the Hearing Officer's discretion, the allegations contained in ASD's Petition for Administrative Hearing are taken as true and deemed proved without further evidence, and the petition, and the relief requested by ASD, is granted. Notwithstanding this, Pet'r's Exs. 1-18 were admitted into evidence.

BASED UPON careful consideration of the evidence, arguments presented at the hearing by ASD, and upon the entire record in the proceeding, the Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

### **FINDINGS OF FACT**

1. The North Carolina Department of Insurance ("NCDOI" or "Department") is a state agency responsible, in accordance with Chapter 58 of the North Carolina General Statutes, for the enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers.

2. Licensees provide addresses to the Commissioner pursuant to N. C. Gen. Stat. § 58-2-69(b). Respondent provided the following address to the Commissioner (*see* Pet'r's Exs. 1-4):

JOSHUA OLDHAM  
2409 GREYTWIG DRIVE  
KOKOMO, IN 46902-4520

3. Copies of the Notice of Hearing and Petition were deposited on November 19, 2025, in the United States Postal Service ("USPS"), for mailing by certified mail, return receipt requested, and by first class mail. The Notice was mailed to the address listed in the preceding finding which was provided by Respondent to the Commissioner and contained in the licensing records of Petitioner. The first-class U.S. Mail was not returned. *See* Pet'r's Ex. 2.

4. On November 18, 2003, Respondent pled guilty to felony Battery in Case No. 49G04-0306-FC-103399 before the Marion Superior Court, Criminal District 4,

in Marion County, Indiana. *See* Pet'r's Ex. 8.

5. On February 13, 2018, Respondent applied to the Insurance Commissioner of California ("California") for a non-resident license to act as a personal-lines broker.

6. On March 6, 2019, California denied Respondent's request for an unrestricted license and instead issued Respondent a restricted license due to his prior felony conviction. *See* Pet'r's Ex. 12.

7. On March 13, 2019, California entered the restricted license as an administrative action into the Regulatory Information Retrieval System ("RIRS") report for Respondent maintained by the National Association of Insurance Commissioners ("NAIC"). RIRS is an electronic database identifying administrative actions against individuals based on national producer numbers ("NPN".) Respondent's NPN is 17737932. *See* Pet'r's Ex. 5.

8. On March 13, 2019, Respondent uploaded a copy of the California action into the NIPR attachment warehouse. This warehouse is an electronic database maintained by the NAIC which allows for producers, or people on their behalf, to upload documents pertaining to applications and reporting requirements which can be viewed by state insurance commissioners across the country.

9. On February 6, 2024, Respondent applied to the Kansas Insurance Department ("Kansas") for a non-resident insurance producer license. On his application, Respondent was asked "have you ever been convicted of a felony had a judgment withheld or deferred, or are you currently charged with committing a felony?" Respondent answered 'no,' despite having the November 18, 2003, felony conviction. On his Kansas application, Respondent was also asked "Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?" Respondent answered "No," despite his 2019 California administrative action. *See* Pet'r's Exs. 8 and 11-12.

10. On February 6, 2024, Respondent applied to the Department for a non-resident insurance producer license with a personal line of authority. The application included a certification that all the information submitted was true and complete, subject to perjury and an acknowledgement that submitting false information could subject Respondent to license denial or revocation. *See* Pet'r's Ex. 6.

11. On his application, Respondent was asked "have you ever been convicted of a felony had a judgment withheld or deferred, or are you currently charged with committing a felony?" Respondent answered 'no,' despite having the November 18, 2003, felony conviction. *See* Pet'r's Exs. 6 and 8.

12. On his application, Respondent was asked “Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?” Respondent answered “No,” despite his 2019 California administrative action. *See* Pet’s Exs. 6, 8, and 12.

13. Respondent was granted a non-resident insurance producer license (“License”) in North Carolina on February 9, 2024 with a personal line of authority. *See* Pet’s Ex. 3.

14. On February 23, 2024, Kansas issued a Decision on License Application in regard to Respondent’s February 6, 2024, Kansas application. The decision denied Respondent’s license application. Kansas cited the misrepresentation of Respondent’s prior conviction and administrative action from California as grounds for denial pursuant to K.S.A. § 40-4909(a)(1). This Kansas statute authorized license denial if the applicant “provided incorrect, misleading, incomplete, or untrue information in the license application.” *See* K.S.A. § 40-4909(a)(1).

15. Lindsay Melgarejo (“Ms. Melgarejo”) was a Complaint Analyst with ASD and, as part of her job responsibilities, she handled enforcement files for ASD. Enforcement files include responding to complaints and handling Personalized Information Capture System’s Alerts (“PIC Alerts”) received through the NAIC system. PIC Alerts are sent to NCDOI by NAIC if another state takes Administrative Action against a North Carolina licensee and enters the information into the system.

16. Kansas sent a PIC alert out alerting Petitioner to the Kansas License Denial. Kansas later entered this decision as an administrative action onto Respondent’s RIRS report on August 9, 2024. Ms. Melgarejo was assigned to handle an enforcement case in response to the PIC alert. *See* Pet’s Exs. 5 and 18.

17. Ms. Melgarejo kept and maintained a case enforcement summary which documented actions taken during her investigation and handling of the enforcement case file. This documentation was maintained by Petitioner and accessible for subsequent complaint analysts assigned to the matter. *See* Pet’s Ex. 18.

18. Ms. Melgarejo, during her investigation of the enforcement file, reviewed various documents relating to Respondent. These documents included Respondent’s state-based system licensee summaries (*see* Pet’s Ex. 3), Respondent’s NAIC’s state licensing reports from the Producer Database (*see* Pet’s Ex. 4), Respondent’s reports listed on RIRS (*see* Pet’s Ex. 5), copies of Respondent’s prior License application (*See* Pet’s Ex. 6), Respondent’s NIPR attachment warehouse (*see* Pet’s Ex. 7), and records uploaded by Respondent into the warehouse (*see* Pet’s Exs. 8-10).

19. Ms. Melgarejo determined from her review of Kansas' administrative action and Respondent's uploads into the NIPR attachment warehouse, that Respondent had a felony criminal conviction and prior administrative action which had not been reported on his North Carolina license application. See Pet'r's Exs. 6-12.

20. On May 13, 2024, Melgarejo e-mailed Respondent requesting a written response and documentation relevant to the Kansas denial. The e-mail was sent to Respondent at [joldham@geico.com](mailto:joldham@geico.com), the business e-mail reported by Respondent to the Commissioner. Copies were also e-mailed to [cwlicensingbackground@geico.com](mailto:cwlicensingbackground@geico.com) and [kgosman@geico.com](mailto:kgosman@geico.com). See Pet'r's Exs. 3 and 13.

21. In her initial e-mail, Ms. Melgarejo cited N.C. Gen. Stat. § 58-33-32(k) and Respondent's legal obligation to report administrative actions within thirty days of final disposition. Ms. Melgarejo notified Respondent in the correspondence that the Kansas action had not been reported. Ms. Melgarejo also noted that it appeared Respondent had failed to disclose his 2003 felony conviction on his North Carolina license application. Respondent did not reply to this e-mail or report the Kansas action. See Pet'r's Ex. 13.

22. On May 28, 2024, Ms. Melgarejo e-mailed a second request for response to the same three e-mail addresses as the first request had been sent. Respondent did not reply to this e-mail. See Pet'r's Ex. 14.

23. On July 19, 2024, Ms. Melgarejo mailed and e-mailed an informal conference notice to Respondent's addresses of record. The letter informed Respondent that since he had answered 'no' on his application when asked "have you ever been convicted of a felony had a judgment withheld or deferred, or are you currently charged with committing a felony?," that he may be subject to administrative action pursuant to N.C. Gen. Stat. §§ 58-33-46(a)(1) and (3) for failing to disclose his prior felony conviction. Additionally, it was alleged that Respondent appeared in violation of N.C. Gen. Stat. § 58-33-32(k) for failing to report, and provide a copy of, the Kansas administrative action, a violation of insurance law as contemplated by N.C. Gen. Stat. § 58-33-46(a)(2). See Pet'r's Exs. 3, 6, and 15.

24. The informal conference notice also informed Respondent that a Telephonic Informal Conference had been scheduled for August 13, 2024, at 11:30 a.m., to discuss these allegations further. Ms. Melgarejo identified a primary home contact phone number of 317-532-7212 and a primary work phone number of 317-814-0424 and requested a response on which number Respondent would prefer to be contacted at for the conference. See Pet'r's Exs. 3 and 15.

25. On August 5, 2024, Respondent e-mailed Ms. Melgarejo to notify her that he would attend the informal conference using his primary home contact number, 317-532-7212.

26. Ms. Melgarejo and her supervisor, Nadine Scott, held the telephonic informal conference with Respondent on August 13, 2024, at 11:30 a.m. as stated in the Informal Conference Notice. During the conference, Respondent admitted to the existence of the Kansas action and that he had not reported the action to the Commissioner. Respondent offered no reason for why he had failed to timely report the Kansas action. *See Pet'r's Ex. 18.*

27. On August 13, 2024, following the informal conference, a copy of the Kansas administrative action was uploaded into Respondent's NIPR attachment warehouse on his behalf. *See Pet'r's Exs. 7 and 11.*

28. On August 13, 2024, following the informal conference, a personal statement made by Respondent was uploaded into the NIPR attachment warehouse on his behalf. Respondent wrote that his employer had advised him to respond 'no' on the application questions regarding his prior felony and administrative action despite this being incorrect. *See Pet'r's Exs. 7 and 9.*

29. On August 15, 2024, a letter of explanation signed by Dakota Johns was submitted into the NIPR attachment warehouse on Respondent's behalf by Amy Cline, a GEICO licensing technician and Respondent's authorized submitter. Dakota Johns had been the one who submitted Respondent's February 6, 2024, license application. *See Pet'r's Exs. 6, 7 and 10.*

30. In November of 2024, the enforcement case was transferred to Melody Hocutt ("Ms. Hocutt"). Ms. Hocutt assumed charge of the investigation and was given access to the case enforcement summary, notes, and records from previous actions, correspondence, and records kept and maintained by Ms. Melgarejo during the course of her investigation. *See Pet'r's Ex. 18.*

31. On December 10, 2024, Ms. Hocutt sent via e-mail and USPS first class mail, a letter to Respondent informing him that Petitioner would be seeking an administrative hearing. *See Pet'r's Ex. 17.*

BASED UPON the foregoing Findings of Fact, the undersigned Hearing Officer makes the following:

## CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. The Notice of Administrative Hearing (“Notice”) contained the date, hour, place, and nature of the hearing which was held on January 21, 2026. This Notice included a citation of specific statutes and rules involved in this matter and statements of the facts alleged by Petitioner. *See* Pet’r’s Ex. 1.

3. Notice of this hearing was sent by first class USPS mail to Respondent at the residential address which had been provided by Respondent to the Commissioner, 2409 Greytwig Drive, Kokomo, Indiana 46902-4520, pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e). The first-class U.S. Mail sent on November 19, 2025, was not returned. *See* Pet’r’s Ex. 2.

4. Respondent was properly served with the Notice of Administrative Hearing and Petition for Administrative Hearing in this matter, pertaining to this January 21, 2026, administrative matter, pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e).

5. By failing to appear at the hearing, Respondent is subject to a sanction under 11 N.C.A.C. 1.0423(a) and the undersigned concludes that the appropriate sanction is to take the allegations contained in ASD’s Petition for Administrative Hearing to be true and deemed proved without further evidence, and to grant the petition. Notwithstanding this, the undersigned admitted Petitioner’s exhibits 1-18 into evidence.

6. N.C. Gen. Stat. § 58-33-46(a)(1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee provides materially incorrect, misleading, incomplete, or materially untrue information in a license application.

7. On his February 6, 2024, license application, Respondent was asked “have you ever been convicted of a felony had a judgment withheld or deferred, or are you currently charged with committing a felony?” Respondent answered ‘no’ on the application. This answer was materially incorrect and untrue because Respondent had a felony conviction from Indiana dated November 18, 2003. *See* Pet’r’s Exs. 6 and 8.

8. On this application, Respondent was also asked “Have you ever been named or involved as a party in an administrative proceeding, including FINRA

sanction or arbitration proceeding regarding any professional or occupational license or registration?" Respondent answered "No," despite his 2019 California administrative action. *See* Pet'r's Exs. 6 and 12.

9. Respondent's non-resident North Carolina insurance licenses should be revoked, in part, pursuant to N.C. Gen. Stat. § 58-33-46(a)(1) as he provided materially incorrect, misleading, incomplete, or materially untrue information in his February 6, 2024, North Carolina license application by failing to disclose his 2003 felony conviction and his 2019 California administrative action.

10. N.C. Gen. Stat. § 58-33-46(a)(3) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee obtains or attempts to obtain a license through misrepresentation or fraud.

11. Respondent was granted his license from the Commissioner on February 9, 2024. The Commissioner granted this application in reliance on the representations and certifications by Respondent that he had provided true and accurate responses on his February 6, 2024, license application. However, as found in the preceding sections, Respondent misrepresented a criminal conviction and a prior administrative action on the application in question. *See* Pet'r's Exs. 3, 6, 8, and 12.

12. Respondent's non-resident North Carolina insurance licenses should be revoked pursuant to N.C. Gen. Stat. § 58-33-46(a)(3) because Respondent obtained his North Carolina insurance producer license by falsely certifying that he had never been convicted of a felony or been a party to an administrative action, which misrepresentations were reasonably relied upon by the Department.

13. N.C. Gen. Stat. § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee is found to have violated any insurance law of this or any other state, violated any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violated any rule of the FINRA.

14. N.C. Gen. Stat. § 58-33-32(k) states that "A producer shall report to the Commissioner any administrative action taken against the producer in another state or by another governmental agency in this State within 30 days after the final disposition of the matter. As used in this subsection, "administrative action" includes enforcement action taken against the producer by the FINRA. This report shall include a copy of the order or consent order, and other information or documents filed in the proceeding necessary to describe the action."

15. The Commissioner deems an action reported pursuant to N.C. Gen. Stat. § 58-33-32(k) when a copy of the action in question is either sent directly to the

Department or is uploaded into the NIPR attachment warehouse.

16. On February 23, 2024, Kansas issued a Decision on License application which denied Respondent's request for a non-resident insurance producer license in that state. This decision was reported to the NAIC as an administrative action from the state. Kansas reported February 23, 2024, as the date of final disposition. *See* Pet'r's Exs. 5 and 11.

17. On May 13, 2024, Petitioner notified Respondent that the Kansas action remained unreported and requested a copy of the administrative action for its records. *See* Pet'r's Ex. 13.

18. The Kansas action was reported by Respondent through the NIPR attachment warehouse on August 13, 2024. The report date was one hundred and seventy-two (172) days after the final disposition of the Kansas action. Additionally, the report date was ninety-two (92) days after Petitioner had requested a copy of the Kansas action from Respondent. *See* Pet'r's Exs. 7, 11, and 13

19. The undersigned finds that Respondent violated N.C. Gen. Stat. § 58-33-32(k) when he failed to report the Kansas Decision on License Application, within thirty (30) days of the action's final disposition.

20. Respondent's violation of N.C. Gen. Stat. § 58-33-32(k) is a violation of this state's insurance law as contemplated by N.C. Gen. Stat. § 58-33-46(a)(2). Therefore, the undersigned has additional grounds to revoke Respondent's non-resident insurance producer license pursuant to N.C. Gen. Stat. § 58-33-46(a)(2).

21. N.C. Gen. Stat. § 58-33-46(a)(6) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee has been convicted of a felony or a misdemeanor involving dishonesty, a breach of trust, or moral turpitude.

22. Respondent's non-resident North Carolina insurance license is subject to revocation pursuant to N.C. Gen. Stat. § 58-33-46(a)(6) because Respondent was convicted of felony battery in Indiana on November 18, 2003. *See* Pet'r's Ex. 8.

23. N.C. Gen. Stat. § 58-33-46(a)(17) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license for any cause for which issuance of the license could have been refused had it then existed and been known to the Commissioner at the time of issuance.

24. Respondent's non-resident North Carolina insurance license is subject to revocation pursuant to N.C. Gen. Stat. § 58-33-46(a)(17) because Respondent's

license could have been refused at the time of application if the 2003 felony criminal conviction had been known to the Commissioner at the time of issuance pursuant to N.C. Gen. Stat. § 58-33-46(a)(6) as previously found by the undersigned.

25. N.C. Gen. Stat. § 58-33-46(a)(9) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee has “an insurance producer license, or its equivalent, denied, suspended, or revoked in any other jurisdiction for reasons substantially similar to those listed in this subsection.”

26. Substantial similarity is a standard lower than ‘identicalness’ which requires the trier of law to compare the elements of the out of state law with the elements of the North Carolina law. *See State v. Sanders*, 367 N.C. 716, 766 S.E.2d 331 (2014).

27. The February 23, 2024, Kansas Decision on License Application cited K.S.A. § 40-4909(a)(1) as grounds for denial of Respondent’s license. This Kansas law states that “the Commissioner may deny or refuse to renew an application for a license if the applicant has provided incorrect, misleading, incomplete, or untrue information in the license application.” Kansas found that Respondent had failed to disclose prior administrative actions, including the 2019 California action, and his prior 2003 felony conviction from Indiana on his February 6, 2024, Kansas application.

28. As previously discussed, N.C. Gen. Stat. § 58-33-46(a)(1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew a license if a licensee provides materially incorrect, misleading, incomplete, or materially untrue information in a license application.

29. N.C. Gen. Stat. § 58-33-46(a)(1) and K.S.A. § 40-4909(a)(1) are substantially similar, to the point of near identicalness, in that they both provide the prospective insurance commissioners with the authority to deny a license if ‘incorrect, misleading, incomplete, or untrue information is included in the license application. The two laws even share the same subsection letter and number in their prospective statutes with both deal with grounds for administrative action by the prospective insurance agencies.

30. Respondent’s non-resident North Carolina insurance license is subject to revocation pursuant to N.C. Gen. Stat. §§ 58-33-46(a)(9) on the grounds that his license was denied in Kansas for reasons substantially similar to those found in 58-33-46(a)(1).

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

**ORDER**

It is ORDERED that Respondent's insurance producer license issued by the North Carolina Department of Insurance is hereby **REVOKED** effective as of the date of the signing of this Order.

This 3 day of March, 2026.



Amy Funderburk  
Hearing Officer  
N.C. Department of Insurance

## APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N. C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N. C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the County where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11 NCAC 1.0413 and N.C.G.S. § 1A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N. C. Gen. Stat. § 150B-46 describes the contents of the Petition and requires service of the Petition on all parties. The mailing address to be used for service on the Department of Insurance is: Amy Funderburk, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have this day served the foregoing **ORDER and FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; and via first class U.S. Mail to the Respondent at the address the licensee provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69, via courtesy e-mail to Respondent and via State Courier and courtesy e-mail to Attorney for Petitioner addressed as follows:

JOSHUA OLDHAM  
2409 GREYTWIG DRIVE  
KOKOMO, IN 46902-4520  
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This the 3<sup>rd</sup> day of March, 2026



Raheema I. Moore  
Clerk of Court for Administrative Hearings  
Paralegal III  
N.C. Department of Insurance  
General Counsel's Office  
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