



NEW YORK STATE  
DEPARTMENT OF FINANCIAL SERVICES  
ONE STATE STREET PLAZA  
NEW YORK, NEW YORK 10004

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In the Matter of the Applications  
and/or Licenses of

**MICHAEL PATRICK FISH,**

Respondent.

**CITATION**

**VIDEOCONFERENCE  
HEARING**

Docket No. 2021-0009-C  
Event Number: 161 591 2170  
Event Password: 67Mr3rXms5W

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**TO THE ABOVE-NAMED RESPONDENT:**

**PLEASE TAKE NOTICE THAT** you are cited to appear on the 9<sup>th</sup> day of December, 2021, at 10:00 a.m. to show cause why all licenses issued to you by the New York State Department of Financial Services (“Department”) should not be suspended or revoked, and why all pending applications for licensure or renewal thereof should not be denied, or a monetary penalty imposed, by reason of the charge(s) and specification(s) hereinafter set forth. The Hearing will be held via videoconference, via Webex. **The Event Number for this Hearing is 161 591 2170, and the Event Password is 67Mr3rXms5W.**

Pursuant to the First Amendment to Part 2 of Title 23 of the Official Compilation of Codes, Rules and Regulations of the State of New York (23 NYCRR §2.19), you may object to having the Hearing conducted via videoconference by sending a written notice of the objection to the hearing officer by first class mail or overnight mail to Videoconference Coordinator, Office of General Counsel, New York State Department of Financial Services, One State Street, New York, NY 10004, or via electronic mail to VideoHearings@dfs.ny.gov. The written notice of objection must be received at least five business days before the date set for the hearing. A copy of 23 NYCRR §2.19 is attached to this Citation.

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You are instructed to go to the Department's website, at [https://www.dfs.ny.gov/reports and publications/public hearings](https://www.dfs.ny.gov/reports_and_publications/public_hearings), to learn how the hearing will be conducted and what you will need to do in order to appear at your Videoconference Hearing. **At least 48 hours prior to your hearing, you will need to conduct a test to ensure that you can connect to the Videoconference Hearing. Instructions for testing can be found at [https://www.dfs.ny.gov/reports and publications/public hearings](https://www.dfs.ny.gov/reports_and_publications/public_hearings). If you wish to introduce any documents at the Hearing, you must email them at least 24 hours prior to the start of the Hearing to [VideoHearings@dfs.ny.gov](mailto:VideoHearings@dfs.ny.gov), and include a brief description of each document and your Event Number. You may also request disclosure of the evidence that the Department will introduce at the Hearing by sending an email to [VideoHearings@dfs.ny.gov](mailto:VideoHearings@dfs.ny.gov). Include in your request your name, the date of the Hearing, and your Event Number.**

If you have any questions with regard to connecting or are unable to connect to your Videoconference Hearing, call the Department Help Desk at 212-709-7777 or email [ServiceDesk@dfs.ny.gov](mailto:ServiceDesk@dfs.ny.gov).

## CHARGE I

### **RESPONDENT HAS DEMONSTRATED UNTRUSTWORTHINESS AND/OR INCOMPETENCE TO ACT AS AN INSURANCE PRODUCER WITHIN THE MEANING OF SECTION 2110(a)(4) OF THE INSURANCE LAW.**

#### Specification A

1. On March 10, 2019, Respondent knowingly caused the transmission of a program, information, code, and command, and as a result of such conduct, intentionally caused damage without authorization to a protected computer. The offense caused loss to the State University of New York at Plattsburg ("SUNY-PB"). As a consequence of the foregoing conduct, on May 19, 2020, in the United States District Court for the Northern District of New York, Respondent pled guilty to Computer Intrusion Causing Damage, a felony, in violation of Title 18, United States Code, Section 1030(a)(5)(A).

#### Specification B

2. On March 10, 2019, Respondent, while committing the felony referenced in paragraph 1 of this Citation, knowingly transferred, possessed, and used, without lawful authority, the computer network username, and the computer network password of A.V., a female college student at SUNY-PB. As a consequence of the foregoing conduct, on May 19, 2020, in the United States District Court for the Northern District of New York, Respondent pled guilty to Aggravated Identify Theft, a felony, in violation of Title 18, United States Code, Section 1028A.

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### Specification C

3. The crimes Respondent committed referenced in paragraphs 1 and 2 of this Citation were part of a course of criminal conduct engaged in by Respondent while he was an undergraduate student at SUNY-PB and then a law student at Albany Law School. Between 2016 and 2019, Respondent routinely accessed computer accounts belonging to dozens of female SUNY-PB students. Respondent did not have permission from these students or from SUNY-PB to access these accounts. Respondent accessed these accounts to obtain personal information, which Respondent used to gain access to other online accounts, such as Snapchat, Facebook, Google, and iCloud, from which Respondent downloaded sexually explicit and personally embarrassing photographs and videos. Respondent then traded those stolen photographs and videos with others online.

### Specification D

4. On March 19, 2019, Respondent did knowingly possess material that contained images of child pornography. As a consequence of the foregoing conduct, on May 19, 2020, in the United States District Court for the Northern District of New York, Respondent pled guilty to Child Pornography, a felony, in violation of Title 18, United States Code, Section 2252A.

### Specification E

5. On May 19, 2020, in the United States District Court for the Northern District of New York, Respondent was arraigned on an Information charging Respondent with Computer Intrusion Causing Damage, Aggravated Identify Theft, and Child Pornography, as set forth in paragraphs 1, 2 and 4 of this Citation. Respondent violated Section 2110(j) of the Insurance Law in that Respondent failed to report the aforementioned criminal prosecution to the Superintendent of Financial Services within thirty days of the initial pretrial hearing date.

### Specification F

6. On or about June 19, 2020, Northwestern Mutual notified the Department that it had terminated Respondent's appointment as an agent for cause, effective June 17, 2020, based on Respondent pleading guilty to three felonies. In connection with an investigation of this termination, the Department sent Respondent letters of inquiry dated June 23, 2020, August 19, 2020, September 16, 2020, and January 6, 2021. Respondent failed to respond to the Department's letters, thereby hampering and impeding the Department's investigation.

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Specification G

7. On or about July 16, 2020, Respondent's license as an insurance agent was revoked by the Commissioner of Insurance of the State of Kansas, who found that the insurable interests of the public are not properly served under Respondent's license.

Specification H

8. On or about October 10, 2020, Respondent's license as an insurance producer was revoked by the Massachusetts Division of Insurance, pursuant to a Settlement Agreement.

Specification I

9. Respondent violated Section 2110(i) of the Insurance Law in that he failed to report to the Superintendent the administrative action taken against Respondent in the State of Kansas, referenced in paragraph 7 of this Citation, within thirty days of the final disposition of the matter.

Specification J

10. Respondent violated Section 2110(i) of the Insurance Law in that he failed to report to the Superintendent the administrative action taken against Respondent in Massachusetts, referenced in paragraph 8 of this Citation, within thirty days of the final disposition of the matter.

**CHARGE II**

**RESPONDENT HAS VIOLATED SECTION 2110(j) OF THE INSURANCE LAW**

11. The allegations set forth in paragraph 5 of this Citation are repeated and re-alleged as if fully set forth herein.

**CHARGE III**

**RESPONDENT HAS HAD AN INSURANCE PRODUCER LICENSE DENIED, SUSPENDED OR REVOKED IN ANOTHER STATE WITHIN THE MEANING OF SECTION 2110(a)(9) OF THE INSURANCE LAW.**

12. The allegations set forth in paragraphs 7 and 8 of this Citation are repeated and re-alleged as if fully set forth herein.

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**CHARGE IV**

**RESPONDENT HAS VIOLATED SECTION 2110(i) OF THE INSURANCE LAW**

13. The allegations set forth in paragraphs 9 and 10 of this Citation are repeated and re-alleged as if fully set forth herein.

**PLEASE TAKE FURTHER NOTICE THAT:**

(A) According to the records of the New York State Department of Financial Services, Michael Patrick Fish was licensed as an agent under Section 2103(a) of the Insurance Law until said license expired on July 14, 2021.

(B) This citation is issued pursuant to Section 2110 of the Insurance Law and Sections 304-a, 305 and 306 of the Financial Services Law, and notice of this hearing is given to Respondent in accordance with Section 304 of the Financial Services Law.

(C) Respondent's attention is directed to a statement in plain language, attached hereto, entitled "Summary of Hearing Procedures", summarizing the provisions of Title 23, Part 2 of the Official Compilation of Codes, Rules and Regulations of the State of New York (23 NYCRR 2). This statement contains important information concerning your rights and the Department's hearing procedures and should be read carefully. A copy of 23 NYCRR § 2.19 is attached hereto; a copy of the balance of 23 NYCRR 2 will be furnished upon request.

(D) Should Respondent fail to appear at the time and place fixed for the hearing or any adjourned date thereof, the hearing will proceed as scheduled and the disciplinary action, if any, may result in the imposition of a monetary penalty or in the suspension or revocation of any licenses and/or the denial of all pending applications for licenses or renewal thereof.

Dated: New York, NY  
November 4, 2021

NEW YORK STATE DEPARTMENT OF FINANCIAL SERVICES

By: Michael S. Formichelli  
Michael S. Formichelli  
Associate Attorney  
(212) 480-5250

**BY CERTIFIED MAIL AND REGULAR MAIL:**

In the Matter of Michael Patrick Fish

Michael Patrick Fish

[REDACTED]

Michael Patrick Fish

[REDACTED]

By email: [REDACTED].[com](#)