

No. 2023-8338

**Official Order
of the
Texas Commissioner of Insurance**

Date: 11/09/2023

Subject Considered:

Jamison Michael Briggs
[REDACTED]
Fort Worth, TX 76244

Default Order
SOAH Docket No. 454-24-02407.C
TDI Enforcement File No. 28731

General remarks and official action taken:

The subject of this default order is whether an all-lines adjuster license should be issued to Jamison Michael Briggs (Respondent). Respondent did not respond to a Notice of Hearing filed by the Texas Department of Insurance (TDI). This order denies Respondent's license application.

The following findings of fact and conclusions of law are adopted:

Findings of Fact

Failure to Respond to Notice of Hearing

1. On October 13, 2023, TDI filed a Notice of Hearing, attached as Exhibit A, and an Amended Petition, attached as Exhibit B, with the State Office of Administrative Hearings.
2. TDI's factual allegations set out in the attached Notice of Hearing and Amended Petition are incorporated in this order as findings of fact.
3. TDI sent the Notice of Hearing and Amended Petition to Respondent's last known address provided in writing to the department, [REDACTED], Fort Worth,

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Commissioner's Order

Jamison Michael Briggs

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TX 76244. The Notice of Hearing and Amended Petition was also sent by electronic mail.

4. Respondent failed to file a written response to the Notice of Hearing within 20 days of the date the Notice of Hearing and Amended Petition were mailed.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4001.102, 4001.105, 4005.101-4005.105, and 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. TDI provided proper notice of the hearing under 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906; and TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054.
4. Based on Respondent's failure to file a written response to the Notice of Hearing, TDI is entitled to disposition by default under 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. TDI's factual and legal allegations set out in the attached Notice of Hearing and Amended Petition are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.89.

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Commissioner's Order

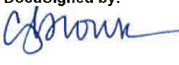
Jamison Michael Briggs

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Order

It is ordered that Jamison Michael Briggs' application is denied. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:

FC5D7EDDFB84F8...

Cassie Brown

Commissioner of Insurance

Prepared and reviewed by:



Nancy Williams, Staff Attorney
Enforcement

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Commissioner's Order
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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

Before me, the undersigned authority, personally appeared Roxanne Rodriguez, who, being by me duly sworn, deposed as follows:

"My name is Roxanne Rodriguez and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Jamison Michael Briggs. I have confirmed that:

- a. The last mailing address provided to the department in writing by Jamison Michael Briggs is [REDACTED], Fort Worth, TX 76244.
- b. The file maintained by Enforcement contains a Notice of Hearing dated October 13, 2023, and an Amended Petition dated October 4, 2023, which were filed together with the State Office of Administrative Hearings on October 13, 2023.
- c. On October 13, 2023, the Notice of Hearing and Amended Petition addressed to Jamison Michael Briggs were mailed certified, return receipt requested, to his last known address.

A copy of the certified mail log maintained by Enforcement is attached as Exhibit C."

DocuSigned by:

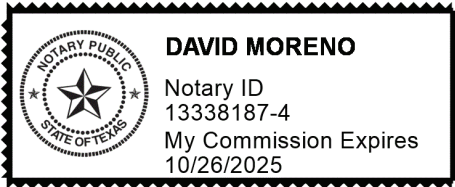
12D896B6DB924A1...
Affiant

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Commissioner's Order
Jamison Michael Briggs
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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 11/2/2023. This notarial act was an online notarization.

Notary Seal



Digital Certificate

DocuSigned by:
David Moreno
455E4109E15D4CD...
Notary Public State of Texas

2023-8338

FILED
454-24-02407
10/13/2023 8:25 AM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
April Bermea , CLERK

ACCEPTED
454-24-02407
10/13/2023 8:29:15 am
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
April Bermea , CLERK

**SOAH DOCKET NO. 454-24-02407
TDI ENFORCEMENT FILE NO. 28731**

TEXAS DEPARTMENT OF INSURANCE,

Petitioner

v.

JAMISON MICHAEL BRIGGS,

Respondent

BEFORE THE STATE OFFICE

OF

ADMINISTRATIVE HEARINGS

NOTICE OF HEARING

The Texas Department of Insurance (TDI) seeks to deny your license application. This Notice of Hearing and the Amended Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by TDI.

A public hearing will be held before an Administrative Law Judge on **February 28, 2024, at 1 p.m.** The hearing will take place via videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted under TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at www.soah.texas.gov, or in printed format upon request to SOAH.

YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT UNDER 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.

EXHIBIT

A

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Notice of Hearing

Jamison Michael Briggs

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IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.

IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING DENIAL OF YOUR LICENSE APPLICATION, IS GRANTED BY DEFAULT.

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) *(by mail, fax, or electronically)*
Docketing Division
State Office of Administrative Hearings
300 West 15th Street, Room 504
P.O. Box 13025
Austin, Texas 78711-3025
(512) 322-2061 (Fax);
www.soah.texas.gov

- (2) *(by mail, fax, or email)*
Chief Clerk
Texas Department of Insurance
P.O. Box 12030, MC GC-CCO
Austin, Texas 78711-2030
(512) 490-1064 (Fax)
chiefclerk@tdi.texas.gov; and

- (3) *(by mail, fax, or email)*
Nancy Williams, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF

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Notice of Hearing

Jamison Michael Briggs

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P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

Receiving Documents Electronically and Filing Documents with SOAH

The State Office of Administrative Hearings (SOAH) offers you the ability to electronically receive orders and other documents issued by SOAH by email instead of by mail. If you want to receive SOAH-issued documents by email, follow the instructions on SOAH's website: www.soah.texas.gov.

A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents or exhibits with SOAH. Instructions on how to file documents and exhibits are on SOAH's website. SOAH's website also includes guidance for representing yourself.

Important Security Notice (for In-Person Hearings ONLY)

ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.

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Jamison Michael Briggs

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If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,



Nancy Williams

State Bar No.24058175

Texas Department of Insurance

Enforcement, MC ENF

P.O. Box 12030

Austin, Texas 78711-2030

(512) 676-6338 (Direct)

(512) 490-1020 (Fax)

nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER

TEXAS DEPARTMENT OF INSURANCE

Enclosure: Amended Petition

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC ENF
Whitney Fraser, Litigation Director, Enforcement, MC ENF
Administrative Review, MC CO-AAL

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Notice of Hearing

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CERTIFICATE OF SERVICE

I, Nancy Williams, certify that a true and correct copy of the *Notice of Hearing and the Amended Petition* were sent as indicated below on this 13th day of October, 2023 to:

Jamison Michael Briggs

[REDACTED]

Fort Worth, TX 76244

Via CM/RRR No.: 9214 8901 9403 8333 6679 89

Via Email:

[REDACTED]



Nancy Williams

FILED 2023-8338
454-24-02407
10/4/2023 1:54 PM
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

ACCEPTED
454-24-02407
10/4/2023 2:10:37 pm
STATE OFFICE OF
ADMINISTRATIVE HEARINGS
Crystal Rosas, CLERK

SOAH DOCKET NO. 454-24-02407
TDI ENFORCEMENT FILE NO. 28731

TEXAS DEPARTMENT OF INSURANCE,

BEFORE THE STATE OFFICE

Petitioner

v.

OF

JAMISON MICHAEL BRIGGS,

ADMINISTRATIVE HEARINGS

Respondent

AMENDED PETITION

The Texas Department of Insurance is seeking to deny Jamison Michael Briggs' license application. The department previously filed an Original Petition and is now amending the petition to correct a typographical error identifying a statutory citation. In support of this amended petition, the department makes the following allegations upon information and belief:

Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102, 4101.051; TEX. OCC. CODE §§ 53.021-53.023; 28 TEX. ADMIN. CODE § 1.502; and TEX. GOV'T CODE §§ 2001.051-2001.178.

Factual Allegations

Application

1. On September 14, 2021, Jamison Michael Briggs (Briggs) submitted an application for an all-lines adjuster license to the Texas Department of Insurance (TDI).
2. On October 25, 2021, TDI sent a letter to Briggs denying his application based on his criminal history. Briggs made a timely request for a hearing on this matter.

EXHIBIT

B

Criminal History

3. On June 9, 2005, Briggs was convicted of four felony offenses for burglary, two counts of theft and identity theft, and two misdemeanor offenses for forgery and theft in the Deschutes County Oregon Circuit Court in case number 05FE0062MA. Briggs was placed on supervised probation for a period of 18 months for the six convictions.
4. On December 20, 2005, Briggs was convicted of violating his probation in case number 05FE0062MA, and his probation was revoked on all six counts. Briggs was sentenced to serve six months on each count concurrently followed by a one-year post-prison supervision period.
5. On December 23, 2005, Briggs was convicted of unlawful possession of methamphetamine, a felony offense, in Deschutes County Oregon circuit court in case number 05FE1876MA. Briggs was sentenced to serve six months incarceration followed by one-year post-prison supervision, concurrent with the above convictions.
6. On June 29, 2009, Briggs was convicted of theft in Deschutes County Oregon circuit court in case number MI091303 and was sentenced to one year probation.
7. On September 19, 2011, Briggs was convicted of unlawful possession of methamphetamine, a felony offense, in the Deschutes County Oregon circuit court in case number 11FE0387. Briggs was placed on supervised probation for a period of 18 months.
8. On November 4, 2013, Briggs was convicted of criminal mischief, a misdemeanor offense, in the Deschutes County Oregon circuit court, in case number MI132200.
9. On April 21, 2014, Briggs was convicted of disorderly conduct, a misdemeanor offense, in the Deschutes County Oregon circuit court, in case number MI140580.
10. On February 13, 2015, Briggs was convicted of theft in the Cowlitz County Oregon district court, in case number CR0142739.

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Amended Petition
Jamison Michael Briggs
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11. On January 4, 2018, Briggs was convicted of harassment, a misdemeanor offense, in the Deschutes County Oregon circuit court, in case number 16CR13038. Briggs was sentenced to 10 days incarceration followed by 18 months probation.
12. On August 27, 2019, Briggs was convicted of driving with a suspended license, a misdemeanor offense, in the Springfield, Oregon municipal court in docket number 1900955.
13. On December 27, 2019, Briggs was convicted of misdemeanor theft in the Springfield, Oregon municipal court in docket number 1909497.

Legal Allegations

1. Briggs committed the following acts for which his license application may be denied under the TEX. INS. CODE § 4005.101(b):
 - a. Briggs engaged in fraudulent or dishonest conduct as contemplated by TEX. INS. CODE § 4005.101(b)(5);
 - b. Briggs has been convicted of a felony as contemplated by Tex. INS. CODE § 4005.101(b)(8).
2. Briggs' license application may be denied under the TEX. OCC. CODE § 53.021 because he has been convicted of an offense that directly relates to the duties and responsibilities of an adjuster, as contemplated by TEX. OCC. CODE § 53.021(a)(1) and 28 TEX. ADMIN. CODE § 1.502 (d)(1).
3. Briggs committed the following acts that TDI considers to be of prime importance in determining fitness for licensure, as codified in TDI rules:
 - a. Briggs committed multiple offenses for which fraud, dishonesty, or deceit is an essential element, as contemplated under 28 TEX. ADMIN. CODE § 1.502(f)(1);
 - b. Briggs committed multiple offenses with the essential elements of robbery, as contemplated under 28 TEX. ADMIN. CODE § 1.502(f)(4)(I);
 - c. Briggs committed multiple offenses with the essential elements of theft, as contemplated under 28 TEX. ADMIN. CODE § 1.502(f)(4)(K).

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Amended Petition
Jamison Michael Briggs
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4. TDI guidelines, 28 TEX. ADMIN. CODE § 1.502(c)-(e), emphasize that TDI:
 - a. considers it very important that the licensees be honest, trustworthy, and reliable;
 - b. may deny a license if TDI determines that the licensee has committed a felony or has engaged in fraudulent or dishonest activity that directly relates to the duties and responsibilities of the licensed occupation; and
 - c. the factors listed in 28 TEX. ADMIN. CODE § 1.502(h) do not outweigh the serious nature of Briggs' criminal offenses, as 28 TEX. ADMIN. CODE § 1.502(f) contemplates.

Relief Sought

If one or more of the above allegations is found to be true, TDI asks the Administrative Law Judge to enter a Proposal for Decision recommending that the commissioner of insurance issue an order:

1. denying Jamison Michael Briggs' license application, and
2. imposing any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully Submitted,



Nancy Williams
State Bar No. 24058165
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 676-6338 (Direct)
(512) 490-1020 (Fax)
nancy.williams@tdi.texas.gov

ATTORNEY FOR THE PETITIONER
TEXAS DEPARTMENT OF INSURANCE

2023-8338

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 80247277
Filing Code Description: Amended Petition
Filing Description: amended petition
Status as of 10/4/2023 2:11 PM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/4/2023 1:54:49 PM	SENT
Nancy Williams		Nancy.Williams@tdi.texas.gov	10/4/2023 1:54:49 PM	SENT
Chief Clerk		ChiefClerk@tdi.texas.gov	10/4/2023 1:54:49 PM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/4/2023 1:54:49 PM	SENT
Jamison MichaelBriggs		[REDACTED]	10/4/2023 1:54:49 PM	SENT

2023-8338

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Mary Ruiz on behalf of Nancy Williams
Bar No. 24058175
Enforcementgeneral@tdi.texas.gov
Envelope ID: 80556090
Filing Code Description: Notice of Hearing
Filing Description: NOH Amend OP
Status as of 10/13/2023 8:30 AM CST

Associated Case Party: chief clerk

Name	BarNumber	Email	TimestampSubmitted	Status
Chief Clerk		ChiefClerk@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT

Associated Case Party: TDI

Name	BarNumber	Email	TimestampSubmitted	Status
Nancy Williams		Nancy.Williams@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT
Texas Department of Insurance		Enforcementgeneral@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT
Whitney Fraser		Whitney.Fraser@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT
Leah Gillum		Leah.Gillum@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT
Jodie Delgado		jodie.delgado@tdi.texas.gov	10/13/2023 8:25:54 AM	SENT

Associated Case Party: JamisonMichaelBriggs

Name	BarNumber	Email	TimestampSubmitted	Status
Jamison MichaelBriggs		[REDACTED]	10/13/2023 8:25:54 AM	SENT

2023-8338



Shipment Confirmation Acceptance Notice

A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 10/13/2023

Shipped From:

Name: MC ENF M RUIZ

Address: 1601 CONGRESS AVENUE SUITE 6 900

City: AUSTIN

State: TX ZIP+4® 78711

Type of Mail	Volume
Priority Mail Express®*	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

Note to RSS Clerk:

1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0047 7951 11

WILLIAMS/28731

EXHIBIT

C



Firm Mailing Book For Accountable Mail

Name and Address of Sender

MC ENF M RUIZ
TEXAS DEPARTMENT OF INSURANCE
1601 CONGRESS AVENUE, SUITE 6.900
AUSTIN TX 78711

Check type of mail or service

- Adult Signature Required
Adult Signature Restricted Delivery
Certified Mail
Certified Mail Restricted Delivery
Collect on Delivery (COD)
Insured Mail
Priority Mail
Priority Mail Express
Registered Mail
Return Receipt for Merchandise
Signature Confirmation
Signature Confirmation Restricted Delivery

USPS Tracking/Article Number

1. 9214 8901 9403 8333 6679 89

WILLIAMS/28731

Addressee (Name, Street, City, State, & ZIP Code TM)

JAMISON MICHAEL BRIGGS

FORT WORTH, TX 76244

Affix Stamp Here

(for additional copies of this receipt).
Postmark with Date of Receipt.

2023-83

Table with columns: Postage, (Extra Service) Fee, Handling Charge, Actual Value, Insured Value, Due Sender if COD, ASR Fee, ASRD Fee, RD Fee, RR Fee, SC Fee, SCRD Fee, SPS Fee. Includes a row for WILLIAMS/28731 with various fee values and a 'Handling Charge' note.

Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee)