STATE OF NORTH DAKOTA

BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	**CONSENT ORDER**
Philip Cabaud III,	)	
NPN 8179427,	)	**CASE NO. AG-15-539**
	)	
Respondent.	)	

TO: Philip Cabaud III, Greenhill Insurance Services, LLC, 4801 Woodway Drive, Suite 235W, Houston, TX 77056-1884

Insurance Commissioner Adam Hamm ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Philip Cabaud III, NPN 8179427 ("Respondent"), the Commissioner has considered scheduling a formal hearing to determine whether Respondent's conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent's conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1.

2. N.D.C.C. § 26.1-26-15 requires that an applicant for any license must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-45.1(1) states:

26.1-26-45.1. Reporting of actions.

1. An insurance producer shall report to the commissioner any administrative action taken against

> the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.

4. Respondent has been licensed as a nonresident insurance producer in North Dakota since February 28, 2007.

5. On or about March 25, 2015, Respondent submitted an application to renew a nonresident insurance producer license. During a review of the application, it was discovered that on or about December 16, 2009, Kentucky took administrative action against Respondent's producer license and Respondent paid a $500 fine. The Kentucky administrative action should have been reported to the Department by January 16, 2010, and it was not reported to the Department until August 3, 2010. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

6. During a review of Respondent's renewal application, it was discovered that on or about October 27, 2010, Wisconsin took administrative action against Respondent's producer license and Respondent paid a $500 fine. The Wisconsin administrative action should have been reported to the Department within 30 days and it was not. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

7. During a review of Respondent's renewal application, it was discovered that on or about March 29, 2011, Kentucky took administrative action against Respondent's producer license and Respondent paid a $1,000 fine. The Kentucky administrative action should have been reported to the Department by April 29, 2011,

and it was not reported to the Department until May 3, 2011. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

8. During a review of Respondent's renewal application, it was discovered that on or about June 26, 2012, Virginia revoked Respondent's insurance producer license. The Virginia administrative action should have been reported to the Department by July 26, 2012, and it was not reported to the Department until August 13, 2012. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

9. During a review of Respondent's renewal application, it was discovered that on or about March 12, 2013, New York took administrative action against Respondent's producer license and Respondent paid a $1,000 fine. The New York administrative action should have been reported to the Department by April 12, 2013, and it was not reported to the Department until September 23, 2013. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

10. During a review of Respondent's renewal application, it was discovered that on or about June 8, 2013, Delaware revoked Respondent's insurance producer license. The Delaware administrative action should have been reported to the Department by July 8, 2013, and it was not reported to the Department until December 5, 2013. Respondent's failure to report an administrative action within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

11. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(1).

12. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of the right to a hearing in this matter, to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

13. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

14. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of $600 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

2. The use of this Consent Order for competitive purposes by an insurance producer or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 1st day of May, 2015.

Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Philip Cabaud III**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

DATED this 24th day of April, 2015.

Philip Cabaud III

County of Harris
State of Texas

Subscribed and sworn to before me this 24th day of April, 2015.

Irma Santos Lasanta
Notary Public

My commission expires:

IRMA SANTOS LASANTA
Notary Public, State of Texas
My Commission Expires
April 22, 2017