

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Claudine A. Pierce,)	
NPN 1040253 ,)	CASE NO. AG-13-434
)	
Respondent.)	

TO: Claudine A. Pierce, 50 April Court, Apt. 5, West Warwick, RI 02893

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 Claudine A. Pierce, NPN 1040253 (“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 26.1-26-42(14).

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. § 26.1-26-42 states, in part:

The commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to issue any license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

...

14. The applicant or licensee has refused to respond within twenty days to a written request by the commissioner for information regarding any potential violation of this section.

4. On or about September 16, 2013, the Department was notified by MetLife Insurance Company that Respondent's appointments with Metropolitan Property and Casualty Company and Metropolitan Group Property & Casualty Company had been terminated for cause. The reason for the termination for cause was Respondent was not including resident drivers on some auto policies. An audit showed that Respondent left drivers off some applications that had suspended licenses, allowing her to write some business at a much lower rate.

5. On or about September 23, 2013, a letter was sent to Respondent at her mailing address on file with the Department requesting information relating to the termination for cause. Respondent failed to respond to the Department's request for information. Respondent's failure to respond to a written request for information by the Department within 20 days is a violation of N.D.C.C. § 26.1-26-42(14).

6. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(14) and are grounds for revocation of Respondent's insurance producer license.

7. Respondent acknowledges that at the time of signing the Consent to Entry of Order, she 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.

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

9. 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's nonresident insurance producer license is hereby **REVOKED** effective upon the Commissioner's execution of this Order.
- 2. No administrative fine or other civil penalty is imposed.
- 3. 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 26th day of November, 2013.



 Adam Hamm
 Insurance Commissioner
 State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Claudine A. Pierce**, states that she has read the foregoing Consent Order, that she knows and fully understands its contents and effect; that she

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 she 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 20th day of November, 2013.

Claudine A. Pierce
Claudine A. Pierce

Subscribed and sworn to before me this 20 day of November, 2013.

Sheila M O'Connell
Notary Public SHEILA M O'CONNELL

County of Kent
State of Rhode Island

My commission expires: 10/06/2017

