

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	FINDINGS OF FACT,
	)	CONCLUSIONS OF LAW, AND
Bradley D. Sunderland,	)	ORDER REVOKING LICENSE
NPN 656999,)	
	)	CASE NO. AG-09-255
Respondent.)	

North Dakota Insurance Commissioner Adam Hamm (“Commissioner”) makes the following Findings of Fact, Conclusions of Law and Order pursuant to his authority under N.D.C.C. §§ 26.1-26-42, 28-32-22, and 28-32-39.

PROCEDURAL HISTORY

Respondent holds a North Dakota resident insurance producer license. Respondent also holds insurance producer licenses in other states. In May 2008 and June 2009, two other states took administrative action against Respondent’s licenses, which Respondent did not report to the Commissioner. Respondent’s failure to report the two administrative actions violated N.D.C.C. § 26.1-26-45.1(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.

The Commissioner and Respondent entered into a Consent Order effective October 28, 2009. Respondent undertook in the Consent Order to report all future administrative actions by other states within the time period required by law, and

Respondent further agreed that if he failed to do so, the Commissioner could revoke his license without notice of hearing or issuance of a complaint. The Commissioner has learned that Respondent has not complied with the terms of the 2009 Consent Order. Respondent admits he has not complied with the terms of the 2009 Consent Order. The following Findings of Fact, Conclusions of Law and Order are now entered without a hearing.

FINDINGS OF FACT

1. Respondent presently holds and at all relevant times has held a North Dakota resident insurance producer license. Respondent also holds an insurance producer license in other states. See Affidavit of Kelvin Zimmer.

2. In May 2008 Respondent entered into a Stipulation and Order with the Wisconsin Office of the Commissioner of Insurance to settle an administrative action against Respondent's license for alleged violations of Wisconsin insurance laws ("Wisconsin Order"). The Wisconsin order provided that Respondent pay a fine of \$1,500 and undertake specified actions in the future. A certified copy of the Wisconsin order is attached as Exhibit 1.

3. In June 2009 Respondent entered into a Consent Order with the Delaware Insurance Commissioner by which Respondent was fined \$200 for failing to report the Wisconsin Order to Delaware ("June 2009 Delaware Consent Order"). A certified copy of the June 2009 Delaware Consent Order is attached as Exhibit 2.

4. In October 2009, Respondent entered into a Consent Order with the North Dakota Insurance Commissioner ("2009 Consent Order"). The 2009 Consent Order was based on Respondent's failure to report the Wisconsin Order and the June 2009

Delaware Consent Order. Respondent signed the 2009 Consent Order on October 26, 2009, and the Commissioner signed it on October 28, 2009. The 2009 Consent Order provides in part:

1. Respondent shall pay a fine of \$500 to the Department. Respondent shall pay the fine within 30 days of his signing of this document.

2. Respondent 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 30 days of the final disposition of the matter and must include a copy of the order, consent to order, or other relevant legal documents. If Respondent fails to do so, the Commissioner may revoke, suspend, or take such further action as may be deemed necessary against Respondent's license without notice of hearing or issuance of a complaint.

A certified copy of the 2009 Consent Order is attached as Exhibit 3.

5. On January 22, 2010, Respondent entered into a Consent Order with the South Dakota Division of Insurance based on Respondent's failure to report the 2009 Consent Order within 30 days ("January 2010 SD Order"). A certified copy of the January 2010 SD Order is attached as Exhibit 4. Respondent entered into the January 2010 SD Order less than three months after the 2009 Consent Order took effect. Respondent reported the January 2010 SD Order to the Commissioner on or about December 15, 2010. See Affidavit of Kelvin Zimmer. The report was not made within 30 days of the final disposition of the January 2010 SD Order.

6. On March 8, 2010, Respondent entered into a Stipulation and Order with the Utah Insurance Department based on Respondent's failure to timely report administrative actions in other jurisdictions and on Respondent's missing deadlines and sending incomplete statements to the Utah Insurance Commissioner ("Utah Order"). A

certified copy of the Utah Order is attached as Exhibit 5. Respondent reported the Utah Order to the Commissioner on or about December 15, 2010. See Affidavit of Kelvin Zimmer.

7. On March 30, 2010, Respondent entered into a Settlement Agreement and Consent Order with the Alabama Commissioner of Insurance based on Respondent's failure to timely notify the Alabama Insurance Department of the Wisconsin Order ("Alabama Order"). A certified copy of the Alabama Order is attached as Exhibit 6. Respondent reported the Alabama Order to the Commissioner on or about December 15, 2010. See Affidavit of Kelvin Zimmer.

8. On August 18, 2010, Respondent entered into a Consent Order with the South Dakota Division of Insurance based on Respondent's failure to report the Alabama Order and the Utah Order within 30 days ("August 2010 SD Order"). A certified copy of the August 2010 SD Order is attached as Exhibit 7. Respondent reported the August 2010 SD Order to the Commissioner on or about December 15, 2010. See Affidavit of Kelvin Zimmer.

9. On October 27, 2010, Respondent entered into a Consent Order with the Delaware Insurance Commissioner based on Respondent's failure to timely report administrative action against him in another jurisdiction ("2010 Delaware Order"). A certified copy of the 2010 Delaware Order is attached as Exhibit 2. Respondent reported the 2010 Delaware Order to the Commissioner on or about December 15, 2010. See Affidavit of Kelvin Zimmer.

10. On February 23, 2011, Respondent entered into a Consent Order with the South Dakota Division of Insurance based on Respondent's failure to report the 2010

Delaware Order within 30 days (“February 2011 SD Order”). A certified copy of the February 2011 SD Order is attached as Exhibit 8. Respondent reported the February 2011 SD Order to the Commissioner on or about December 22, 2011. See Affidavit of Kelvin Zimmer.

11. The six administrative actions Respondent failed to report timely to the Commissioner, as set out in Findings of Fact Nos. 5 through 10 above, are compiled as follows:

Date of Administrative Action	State Insurance Regulator	Date Reported to Commissioner
January 22, 2010	South Dakota	December 15, 2010
March 8, 2010	Utah	December 15, 2010
March 30, 2010	Alabama	December 15, 2010
August 18, 2010	South Dakota	December 15, 2010
October 27, 2010	Delaware	December 15, 2010
February 23, 2011	South Dakota	December 22, 2011

12. Respondent admits he did not timely report administrative actions in other states to the Commissioner. See Affidavit of Kelvin Zimmer and attachment.

13. Respondent has repeatedly disregarded his lawful duties to the North Dakota Insurance Commissioner and to regulators in other jurisdictions, as demonstrated by the Consent Orders attached to these Findings of Fact and Conclusions of Law. The 2009 Consent Order had been in effect for approximately four months when Respondent disregarded its terms and his lawful duties to the Commissioner by failing to timely report the January 2010 SD Order.

CONCLUSIONS OF LAW

1. The Commissioner has authority to regulate the conduct of licensees pursuant to N.D.C.C. § 26.1-26-42. The Commissioner has authority to revoke an

insurance producer license for violation of or noncompliance with any insurance laws of this state or a violation of or noncompliance with any lawful rules or orders of the commissioner or of a commissioner of another state. N.D.C.C. § 26.1-26-42(12).

2. N.D.C.C. § 26.1-26-45.1(1) requires a licensee to report an administrative action by another jurisdiction to the Commissioner within 30 days of the final disposition of the matter.

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.

3. The Commissioner may enter into an informal disposition of an administrative action, pursuant to N.D.C.C. § 28-32-22.

28-32-22. Informal disposition. Unless otherwise prohibited by specific statute or rule, informal disposition may be made of any adjudicative proceeding, or any part or issue thereof, by stipulation, settlement, waiver of hearing, consent order, default, alternative dispute resolution, or other informal disposition....

4. The 2009 Consent Order is a lawful order. Respondent's agreement in the 2009 Consent Order that his license could be revoked if he did not comply with its terms is enforceable.

5. Respondent violated the terms of the 2009 Consent Order and N.D.C.C. §§26.1-26-42(12) and 26.1-26-45.1(1) on six occasions when he failed to report

administrative actions taken against his licenses within 30 days of the final disposition of each matter.

6. Revocation of Respondent's North Dakota resident producer license is lawful and appropriate under the circumstances.

ORDER

NOW, THEREFORE, Bradley Sunderland's North Dakota resident insurance producer license is **REVOKED** effective on the date of signing of this Order by the Commissioner.

DATED this 24th day of March, 2014.



Adam Hamm
Commissioner
N.D. Insurance Department
600 East Boulevard Avenue, Dept. 401
Bismarck, ND 58505
(701) 224-8364

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)
)
Bradley D. Sunderland,)
NPN 656999,)
)
Respondent.)

AFFIDAVIT OF
KELVIN ZIMMER

CASE NO. AG-09-255

STATE OF NORTH DAKOTA)
) ss.
COUNTY OF BURLEIGH)

Kelvin Zimmer, being first duly sworn upon oath, deposes and states as follows:

1. I have been employed at the North Dakota Insurance Department as the Director of Producer Licensing since October 3, 2011. I make this Affidavit in support of the Commissioner’s Findings of Fact, Conclusions of Law, and Order in the above-captioned matter.

2. As part of my job duties with the Department, I oversee the Producer Licensing Division, which is the division that handles the ongoing license status of licensed producers. I am responsible for and oversee all documents and correspondence sent from or received by employees of the Department’s Producer Licensing Division. I also review documents and correspondence received by other employees of the Department in connection with producer licensing matters.

3. The Producer Licensing Division of the Department routinely uses the National Insurance Producer Registry (“NIPR”) and documents available from NIPR in the ordinary course of business with respect to monitoring the licensing status in other

jurisdictions of persons who hold North Dakota licenses and in conducting producer licensing investigations. One of NIPR's functions is to collect records of administrative actions taken by the various states against licensees, and to provide a clearinghouse so that state regulators may exchange information and documents pertaining to administrative actions against licensees.

4. The Department also routinely receives information and documents from the National Association of Insurance Commissioners and from the insurance regulators of other states regarding administrative actions taken by the various states against licensees.

5. Records of the Department show Bradley Sunderland has held a North Dakota resident insurance producer license since December 7, 1987.

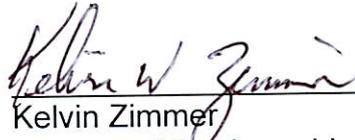
6. Records of NIPR show Bradley Sunderland is licensed in 47 other states as of March 20, 2014.

7. Records of the Department show that after October 28, 2009, Respondent reported these six administrative actions to the Commissioner but did not do so within the 30-day period required by N.D.C.C. § 26.1-26-45.1(1):

Date of Administrative Action	State Insurance Regulator	Date Reported to Commissioner
January 22, 2010	South Dakota	December 15, 2010
March 8, 2010	Utah	December 15, 2010
March 30, 2010	Alabama	December 15, 2010
August 18, 2010	South Dakota	December 15, 2010
October 27, 2010	Delaware	December 15, 2010
February 23, 2011	South Dakota	December 22, 2011

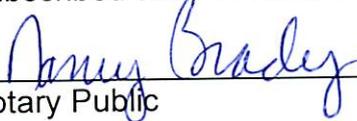
8. The Department's records of its investigation into the conduct of Respondent include a letter from Sean Foss, attorney for Respondent, dated November 27, 2013. The original letter is attached to this affidavit as Attachment A.

DATED this 20 day of March, 2014.



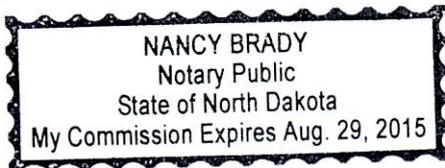
Kelvin Zimmer
Director of Producer Licensing
N.D. Insurance Department
600 East Boulevard Avenue
Bismarck, ND 58505
(701) 328-2440

Subscribed and sworn to before me this 20 day of March, 2014.



Notary Public

My Commission Expires:



KENNELLY O'KEEFFE

ATTORNEYS

Business • Tax • Civil Litigation
Criminal • Family • Bankruptcy
Real Estate • Estate Planning
Probate • Personal Injury • Trials

720 Main Avenue • P.O. Box 2105 • Fargo, ND 58107-2105
701-235-8000 • Fax: 701-235-8023 • www.kennellylaw.com

November 27, 2013

Chris Kennelly	Tracy J. Lyson	Dean A. Rindy
Tim O'Keeffe	Sean T. Foss	Chad Prooski
Tatum O'Brien Lindbo	Bob Stroup II	Sara M. Monson

Via U.S. Mail and Email (mhoberg@nd.gov)

Mary N. Hoberg
North Dakota Insurance Department
600 E. Boulevard Ave., Dept. 401
Bismarck, ND 58505-0320



Re: Bradley Sunderland – Allegation of Unreported Administrative Actions

Dear. Ms. Hoberg

I write in response to your letter to Bradley Sunderland, dated November 8, 2013, and to follow up on my previous letter, dated November 26, 2013. We have completed our investigation into this matter, and it unfortunately appears that the Department is correct in its assessment. Bradley Sunderland acknowledges failing to provide notice to the Department of administrative actions in other states within 30 days of the final disposition of such actions.

As your original letter indicates, Bradley Sunderland did in fact provide notice to the Department regarding the administrative actions in other states, just not within 30 days. Therefore, it is clear that Mr. Sunderland was not attempting to hide or diminish these administrative actions.

Nevertheless, Mr. Sunderland is sorry for the oversight. While Mr. Sunderland hopes that he does not need to inform the Department of any future administrative actions taken in other states, he is committed to establishing better internal controls to ensure that any future actions are reported to the Department within 30 days. In addition, Mr. Sunderland looks forward to working with the Department to establish a reasonable reprimand in light of the accidental failure to provide timely notice.

Thank you for your attention to this matter. I look forward to hearing back from you.



Sincerely,

KENNELLY & O'KEEFFE, LTD.

A handwritten signature in blue ink, appearing to read 'S. T. Foss', with a stylized flourish at the end.

Sean T. Foss

CC: Bradley Sunderland



State of Wisconsin
Office of the Commissioner of Insurance
P.O. Box 7873
Madison, Wisconsin 53707-7873

Certification of the Authenticity of Copy of Document on File

The Commissioner of Insurance of the State of Wisconsin certifies that the attached copy of
Stipulation and Notice of Hearing for
07-C31222

For Bradley D Sunderland

is a true and correct copy of the original now on file with the Office of the Commissioner of Insurance.

Dated at Madison, Wisconsin, this 21st day of February, 2014

Commissioner of Insurance



Sunderland, Bradley David
07-C31222
Ex: Fabry, Renee Atty: Strop, Holly L
Closed: 05-22-2008

OFFICE OF THE COMMISSIONER OF INSURANCE (OCI)

STATE OF WISCONSIN

In the Matter of
Bradley D. Sunderland,
Respondent

STIPULATION and ORDER

Case No. **07-C31222**

WHEREAS, Respondent, Bradley D. Sunderland, 4750 Rose Creek Pkwy, Fargo, North Dakota 58104, (License No. 2372623) is subject to the jurisdiction and control of the Commissioner of Insurance in the State of Wisconsin; and

WHEREAS, The Office of the Commissioner of Insurance (hereinafter the "Commissioner") conducted an investigation of Respondent;

WHEREAS, the Commissioner made allegations of violations of Wisconsin insurance laws, as described in the attached Notice of Hearing in this matter;

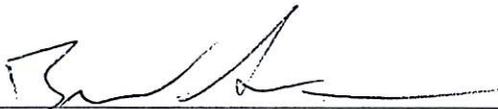
WHEREAS, for the sole purpose of avoiding the time and expense of further litigation and appeals, Respondent and the Commissioner enter into this Stipulation.

NOW THEREFORE, for the sole purpose of resolving this dispute, Respondent and the Commissioner do agree and stipulate to the following terms and conditions:

1. The Respondent agrees to the imposition of a forfeiture of One Thousand Five Hundred dollars (\$1,500) payable to the state of Wisconsin. This forfeiture shall be paid within 30 days of this Stipulation.
2. Respondent agrees that if any payment is not made when due, the Respondent's license will be immediately suspended without a hearing until the overdue amount is paid. The Respondent further agrees that if any payment due remains delinquent for a period of three months, the Respondent's license will be revoked without a hearing and the entire unpaid amount of the forfeiture will be due and payable immediately.
3. The Respondent agrees to cease and desist from signing his name to insurance applications and all other documents related to the sale of insurance products in the state of Wisconsin where his signature is a representation that he was physically present and/or witnessed the signature of another person, unless he is actually physically present for the solicitation and sale, and actually witnesses the consumer's (or any other person's) signature.
4. The Commissioner agrees that any allegations involving Respondent's conduct in signing documents where his signature was a representation that he was physically present and/or witnessed the signature of another person, occurring prior to the effective date of this Stipulation and Order, whether received before or after the Stipulation and Order, is adequately addressed by this Stipulation's terms. Therefore, the Commissioner agrees that the OCI will not institute any enforcement action against the Respondent arising from his conduct in signing documents, as described above, occurring prior to the effective date of this Stipulation and Order

5. Respondent agrees this Stipulation is made without reservation and constitutes a waiver of valuable rights including judicial review of all allegations made in the Notice of Hearing. The Commissioner agrees that this Stipulation is in full and final settlement of the violations by the Respondent alleged herein, and that the Commissioner will not impose any additional administrative action for any allegation that was made or could have been made in this proceeding relating to the transactions in question. The Commissioner may, however, enforce this Stipulation and Order. If the Respondent is involved in a future administrative action, the OCI may attempt to introduce the existence of this Stipulation and Order and the Respondent may object to its introduction.
6. Both parties agree that on the effective date of this Stipulation and Order, this proceeding is dismissed with prejudice and without costs against either party.

5/20/08
Date


Bradley D. Sunderland

5-22-08
Date


Holly L. Strop, Insurance Examiner—Advanced
State Bar # 1038009
Office of the Commissioner of Insurance

ORDER

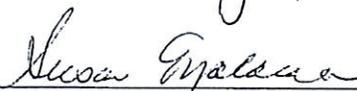
NOW THEREFORE, based upon the consideration of this Stipulation, I hereby Order, pursuant to s. 601.41 (4), Wis. Stat., that:

1. The Respondent shall pay a forfeiture of One Thousand Five Hundred dollars (\$1,500) to the state of Wisconsin. This forfeiture shall be paid within 30 days of the foregoing Stipulation.

2. The Respondent shall cease and desist from signing his name to insurance applications and all other documents related to the sale of insurance products in the state of Wisconsin where his signature is a representation that he was physically present and/or witnessed the signature of another person, unless he is actually physically present for the solicitation and sale, and actually witnesses the consumer's (or any other person's) signature.

3. Respondent shall comply with all agreements made in this Stipulation and Order.

Dated at Madison, Wisconsin, this 22 day of May, 2008.



Susan Ezalarab, Director
Bureau of Market Regulation

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3057398_1



State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Jim Doyle, Governor
Sean Dilweg, Commissioner

Wisconsin.gov

January 15, 2008

Legal Unit
125 South Webster Street • P.O. Box 7873
Madison, Wisconsin 53707-7873
Phone: (608) 267-9586 • Fax: (608) 264-6228
Web Address: oci.wi.gov

CERTIFIED MAIL – RETURN RECEIPT REQUESTED

BRADLEY D SUNDERLAND
THE SUNDERLAND GROUP
4750 ROSE CREEK PKWY
FARGO ND 58104

Re: Case No. 07-C31222
Notice of Hearing

Dear Mr. Sunderland:

Enclosed is a Notice of Hearing. Since an administrative action has been commenced, you should direct all communications regarding this matter to the undersigned OCI attorney.

If you have any questions or wish to request that the prehearing conference be held by telephone, please call me at (608) 261-8283 or e-mail me at holly.strop@wisconsin.gov.

Sincerely,

Holly L. Strop
Attorney
Office of the Commissioner of Insurance

Enclosure

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State of Wisconsin / OFFICE OF THE COMMISSIONER OF INSURANCE

Jim Doyle, Governor
Sean Dilweg, Commissioner

Wisconsin.gov

January 15, 2008

Legal Unit
125 South Webster Street • P.O. Box 7873
Madison, Wisconsin 53707-7873
Phone: (608) 267-9586 • Fax: (608) 264-6228
Web Address: oci.wi.gov

BRADLEY D SUNDERLAND
THE SUNDERLAND GROUP
4750 ROSE CREEK PKWY
FARGO ND 58104

Re: Case No. 07-C31222
Notice of Hearing

Dear Mr. Sunderland:

Enclosed is a Notice of Hearing. Since an administrative action has been commenced, you should direct all communications regarding this matter to the undersigned OCI attorney.

If you have any questions or wish to request that the prehearing conference be held by telephone, please call me at (608) 261-8283 or e-mail me at holly.strop@wisconsin.gov.

Sincerely,

Holly L. Strop
Attorney
Office of the Commissioner of Insurance

Enclosure

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In the Matter of
Bradley D. Sunderland,
Respondent

NOTICE OF HEARING

Case No. **07-C31222**

*** ANSWER is due on:	DATE: February 7, 2008
*** PREHEARING CONFERENCE is scheduled:	DATE: February 20, 2008, at 10:00 a.m. PLACE: OCI, 125 S. Webster St., Madison, WI
*** HEARING is scheduled:	DATE: April 1, 2008, at 9:00 a.m. PLACE: OCI, 125 S. Webster St., Madison, WI

***** PLEASE READ THIS CAREFULLY *****

If you have questions, please call the attorney signing this Notice of Hearing.

You are required by s. Ins 5.13, Wis. Adm. Code, to furnish a written answer to this Notice of Hearing so that OCI receives it by the date specified above. The answer need not be in any particular form, but should briefly state whether you admit or deny each allegation listed below and any defenses you will be raising.

You are required by s. 227.44 (4) (a), Wis. Stat., to appear at the prehearing conference scheduled at the time and place stated above. If you are not able to appear, you must contact the attorney who signed this Notice of Hearing.

A class 2 hearing under ch. 227, Wis. Stat., will be held before Anne Debevoise Ostby, duly appointed Administrative Law Judge, at the time and place stated above, to be continued at any time and place the Administrative Law Judge considers necessary, to consider the matters set forth in this Notice of Hearing.

If you do not answer by the specified date or appear at the prehearing conference or hearing, the Commissioner of Insurance ("Commissioner") may issue an order of forfeiture, suspension or revocation of your insurance license, or other order based on the stated allegations without further notice. This means that you will not be able to contest or challenge the order of the Commissioner.

As a foundation for this proceeding, OCI alleges that:

(1) Bradley D. Sunderland ("Respondent"), 4750 Rose Creek Pkwy, Fargo, North Dakota 58104, at all material time periods was a licensed Wisconsin intermediary agent (License No. 2372623) and subject to the jurisdiction and control of the Commissioner.

(2) Respondent Sunderland is the President of the Sunderland Group, a National Field Marketing Organization providing marketing, sales, and lead generation support to independent insurance agents. Gary Burnham, a Wisconsin licensed intermediary, is an agent contracted to receive such services through the Sunderland Group.

(3) On or about December 20, 2004, Agent Burnham met with Mr. Albert Radwill in Waukesha, WI. At that meeting Mr. Burnham recommended that Mr. Radwill transfer five (5) CDs he held with the Bank of Elmwood (Certificate #s 52755, 52756, 52757, 52758, 52759) into five (5) Allianz MasterDex 10 flexible premium

deferred annuity policies (Policy #s 70218281, 70218284, 70218287, 70218290, 70218297).

(4) Respondent Sunderland signed the Application for Annuity form for policy #70218281, falsely representing to Allianz that he had met with Mr. Radwill and certifying that Mr. Radwill's application for insurance contained accurate information.

(5) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218281 falsely representing to Allianz that same had witnessed Mr. Radwill's signature on January 20, 2004 on this form.

(6) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218281, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on December 20, 2004.

(7) Respondent Sunderland signed an Amendment to the Application regarding policy # 70218281 falsely representing to Allianz that he had presented the Amendment to Mr. Radwill.

(8) Respondent Sunderland signed a Policy Delivery Receipt for policy # 70218281 falsely representing to Allianz that he had delivered Mr. Radwill's policy to him and had provided Mr. Radwill with a contract summary.

(9) Respondent Sunderland signed the Application for Annuity form for policy #70218284, falsely representing to Allianz that he had met with Mr. Radwill and certifying that Mr. Radwill's application for insurance contained accurate information.

(10) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218284 falsely representing to Allianz that same had witnessed Mr. Radwill's signature on January 20, 2004 on this form.

(11) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218284, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on December 20, 2004.

(12) Respondent Sunderland signed an Amendment to the Application regarding policy # 70218284 falsely representing to Allianz that he had presented the Amendment to Mr. Radwill.

(13) Respondent Sunderland signed a Policy Delivery Receipt for policy # 70218284 falsely representing to Allianz that he had delivered Mr. Radwill's policy to him and had provided Mr. Radwill with a contract summary.

(14) Respondent Sunderland signed the Application for Annuity form for policy #70218287, falsely representing to Allianz that he had met with Mr. Radwill and certifying that Mr. Radwill's application for insurance contained accurate information.

(15) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218287 falsely representing to Allianz that same had witnessed Mr. Radwill's signature on January 20, 2004 on this form.

(16) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218287, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on December 20, 2004.

(17) Respondent Sunderland signed an Amendment to the Application regarding policy # 70218287 falsely representing to Allianz that he had presented the Amendment to Mr. Radwill.

(18) Respondent Sunderland signed a Policy Delivery Receipt for policy # 70218287 falsely representing to Allianz that he had delivered Mr. Radwill's policy to him and had provided Mr. Radwill with a contract summary.

(19) Respondent Sunderland signed the Application for Annuity for policy #70218290, falsely representing to Allianz that he had met with Mr. Radwill and certifying that Mr. Radwill's application for insurance contained accurate information.

(20) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218290 falsely representing to Allianz that same had witnessed Mr. Radwill's signature on January 20, 2004 on this form.

(21) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218290, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on December 20, 2004.

(22) Respondent Sunderland signed an Amendment to the Application regarding policy # 70218290 falsely representing to Allianz that he had presented the Amendment to Mr. Radwill.

(23) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218290, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on January 18, 2005.

(24) Respondent Sunderland signed a Policy Delivery Receipt for policy # 70218290 falsely representing to Allianz that he had delivered Mr. Radwill's policy to him and had provided Mr. Radwill with a contract summary.

(25) Respondent Sunderland signed the Application for Annuity form for policy #70218297, falsely representing to Allianz that he had met with Mr. Radwill and certifying that Mr. Radwill's application for insurance contained accurate information.

(26) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218297 falsely representing to Allianz that he had witnessed Mr. Radwill's signature on January 20, 2004 on this form.

(27) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70218297, falsely representing to Allianz that he provided a copy of the form to Mr. Radwill on December 20, 2004.

(28) Respondent Sunderland signed an Amendment to the Application regarding policy # 70218297 falsely representing to Allianz that he had presented the Amendment to Mr. Radwill.

(29) Respondent Sunderland signed a Policy Delivery Receipt for policy # 70218297 falsely representing to Allianz that he had delivered Mr. Radwill's policy to him and had provided Mr. Radwill with a contract summary.

(30) On or about August 24, 2007, Mr. Radwill filed a complaint with the Office of the Commissioner of Insurance regarding the five policies sold to him by Agent Burnham and alleging that Mr. Burnham did not adequately explain the terms of the annuities to him.

(31) After investigating the matter, the Office of the Commissioner of Insurance contacted Respondent Sunderland to inquire about the Radwill documents that were signed by Respondent without him being present at the time of the sales. OCI conducted this telephone interview of Mr. Sunderland in December of 2007.

(32) Respondent Sunderland told the OCI that he was aware of the fact that the documents contained his signature, and confirmed that he was not present during the sales made to Mr. Radwill. At that time Respondent Sunderland falsely represented to the OCI that the Radwill policies were the only policies in Wisconsin written by Agent Burnham that were issued with Respondent Sunderland as the writing agent, without him actually being present at the sale. Respondent also falsely represented to the OCI that Agent Burnham was the only Wisconsin intermediary whose sales he had signed documents for, without being present at the sales.

(33) On or about December 22, 2002, Agent Burnham met with Mrs. Helen Oleniczak in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Oleniczak purchase Allianz policy #70219915.

(34) Respondent Sunderland signed the Application for Annuity form for policy #70219915, falsely representing to Allianz that he had met with Mrs. Oleniczak and certifying that Mrs. Oleniczak's application for insurance contained accurate information.

(35) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70219915 falsely representing to Allianz that same had witnessed Mrs. Oleniczak's signature on December 22, 2002 on this form.

(36) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws forms for policy #70219915 falsely representing to Allianz that he had given the form to Mrs. Oleniczak to fill out, and that he had left a copy of the form for Mrs. Oleniczak as required by Wisconsin law.

(37) Respondent Sunderland signed a Statement of Understanding form regarding policy #70219915, falsely representing to Allianz that he provided a copy of the form to Mrs. Oleniczak on December 22, 2002.

(38) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mrs. Oleniczak was suitable for her financial situation and long term goals.

(2) (39) On or about December 22, 2002, Agent Burnham met with Mr. Edward Oleniczak in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Oleniczak purchase Allianz policy #70221882.

(40) Respondent Sunderland signed the Application for Annuity form for policy #70221882, falsely representing to Allianz that he had met with Mr. Oleniczak and certifying that Mr. Oleniczak's application for insurance contained accurate information.

(41) Respondent Sunderland signed, or had someone sign, two Medallion Signature Guarantees on the Authorization to Transfer Funds forms regarding policy #70221882 falsely representing to Allianz that same had witnessed Mr. Oleniczak's signatures on December 22, 2002 on these forms.

(42) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws forms for policy #70221882 falsely representing to Allianz that he had given the form to Mr. Oleniczak to fill out, and that he had left a copy of the form for Mr. Oleniczak as required by Wisconsin law.

(43) Respondent Sunderland signed a Statement of Understanding form regarding policy #70221882, falsely representing to Allianz that he provided a copy of the form to Mr. Oleniczak on December 22, 2002.

(44) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mr. Oleniczak was suitable for his financial situation and long term goals.

(3) (45) On or about December 20, 2004 Agent Burnham met with Mrs. Lynn Ramin in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Ramin purchase Allianz policy #70218213.

(46) Respondent Sunderland signed the Application for Annuity form for policy #70218213, falsely representing to Allianz that he had met with Mrs. Ramin and certifying that Mrs. Ramin's application for insurance contained accurate information.

(47) Respondent Sunderland signed a Statement of Understanding form regarding policy #70218213, falsely representing to Allianz that he provided a copy of the form to Mrs. Ramin on December 20, 2004.

(48) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70218213 falsely representing to Allianz that same had witnessed Mrs. Ramin's signature on December 20, 2004 on this form.

(49) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws form falsely representing to Allianz that he had given the form to Mrs. Ramin to fill out, and that he had left a copy of the form for Mrs. Ramin as required by Wisconsin law.

(4) (50) On or about March 28, 2005, Agent Burnham met with Mr. Maurice Bell in Milwaukee, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Bell purchase Allianz policy #70268109.

(51) Respondent Sunderland signed the Application for Annuity form for policy #70268109, falsely representing to Allianz that he had met with Mr. Bell and certifying that Mr. Bell's application for insurance contained accurate information.

(52) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70268109 falsely representing to Allianz that same had witnessed Mr. Bell's signature on March 28, 2005 on this form.

(53) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws forms for policy #70268109 falsely representing to Allianz that he had given the form to Mr. Bell to fill out, and that he had left a copy of the form for Mr. Bell as required by Wisconsin law.

(54) Respondent Sunderland signed a Statement of Understanding form regarding policy #70268109, falsely representing to Allianz that he provided a copy of the form to Mr. Bell on March 28, 2005.

(55) Respondent Sunderland signed an Amendment to the Application regarding policy #70268109 falsely representing to Allianz that he had presented the Amendment to Mr. Bell.

(56) On or about April 4, 2005, Agent Burnham met with Mrs. Lorna Pekarske in Appleton, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Pekarske purchase Allianz policy #70272087.

(57) Respondent Sunderland signed the Application for Annuity form for policy #70272087, falsely representing to Allianz that he had met with Mrs. Pekarske and certifying that Mrs. Pekarske's application for insurance contained accurate information.

(58) Respondent Sunderland signed a Statement of Understanding form regarding policy #70272087, falsely representing to Allianz that he provided a copy of the form to Mrs. Pekarske on April 4, 2005.

(59) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mrs. Pekarske was suitable for her financial situation and long term goals.

(60) On or about April 15, 2005, Agent Burnham met with Mr. Anthony Tomka in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Tomka purchase Allianz policy #70281590.

(61) Respondent Sunderland signed the Application for Annuity form for policy #70281590, falsely representing to Allianz that he had met with Mr. Tomka and certifying that Mr. Tomka's application for insurance contained accurate information.

(62) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70281590 falsely representing to Allianz that same had witnessed Mr. Tomka's signature on April 15, 2005 on this form.

(63) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws form falsely representing to Allianz that he had given the form to Mr. Tomka to fill out, and that he had left a copy of the form for Mr. Tomka as required by Wisconsin law.

(64) Respondent Sunderland signed a Statement of Understanding form regarding policy #70281590, falsely representing to Allianz that he provided a copy of the form to Mr. Tomka on April 15, 2005.

(65) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mr. Tomka was suitable for his financial situation and long term goals.

7 (66) On or about May 11, 2005, Agent Burnham met with Mrs. Margaret Dailey in Racine, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Dailey purchase Allianz policy #70294720.

(67) Respondent Sunderland signed the Application for Annuity form for policy #70294720, falsely representing to Allianz that he had met with Mrs. Dailey and certifying that Mrs. Dailey's application for insurance contained accurate information.

(68) Respondent Sunderland signed a Statement of Understanding form regarding policy #70294720, falsely representing to Allianz that he provided a copy of the form to Mrs. Dailey on May 11, 2005.

(69) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mrs. Dailey was suitable for her financial situation and long term goals.

8 (70) On or about May 31, 2005, Agent Burnham met with Mrs. Lorna Pekarske in Appleton, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Pekarske purchase Allianz policy #70308599.

(71) Respondent Sunderland signed the Application for Annuity form for policy #70308599, falsely representing to Allianz that he had met with Mrs. Pekarske and certifying that Mrs. Pekarske's application for insurance contained accurate information.

(72) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70308599 falsely representing to Allianz that same had witnessed Mrs. Pekarske's signature on May 31, 2005, on this form.

(73) Respondent Sunderland signed a Statement of Understanding form regarding policy #70308599, falsely representing to Allianz that he provided a copy of the form to Mrs. Pekarske on May 31, 2005.

(74) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mrs. Pekarske was suitable for her financial situation and long term goals.

9 (75) On or about June 2, 2005, Agent Burnham met with Mrs. Donna Lewis in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mrs. Dailey purchase Allianz policy #70308595.

(76) Respondent Sunderland signed the Application for Annuity form for policy ##70308595, falsely representing to Allianz that he had met with Mrs. Lewis and certifying that Mrs. Lewis' application for insurance contained accurate information.

(77) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy ##70308595 falsely representing to Allianz that same had witnessed Mrs. Lewis' signature on June 2, 2005 on this form.

(78) Respondent Sunderland signed a Statement of Understanding form regarding policy #70308595, falsely representing to Allianz that he provided a copy of the form to Mrs. Lewis on June 2, 2005.

10 (79) On or about June 13, 2005, Agent Burnham met with Mr. Joseph Zember in Union Grove, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Zember purchase Allianz policy #70310420.

(80) Respondent Sunderland signed the Application for Annuity form for policy #70310420, falsely representing to Allianz that he had met with Mr. Zember and certifying that Mr. Zember's application for insurance contained accurate information.

(81) Respondent Sunderland signed, or had someone sign, a Medallion Signature Guarantee on the Authorization to Transfer Funds form regarding policy #70310420 falsely representing to Allianz that same had witnessed Mr. Zember's signature on June 13, 2005 on this form.

(82) Respondent Sunderland signed a Statement of Understanding form regarding policy #70310420, falsely representing to Allianz that he provided a copy of the form to Mr. Zember on June 13, 2005.

11 (83) On or about June 28, 2005, Agent Burnham met with Mr. Robert Ryan in Waukesha, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Ryan purchase Allianz policy #70316396.

(84) Respondent Sunderland signed the Application for Annuity form for policy #70316396, falsely representing to Allianz that he had met with Mr. Ryan and certifying that Mr. Ryan's application for insurance contained accurate information.

(85) Respondent Sunderland signed a Statement of Understanding form regarding policy # 70316396, falsely representing to Allianz that he provided a copy of the form to Mr. Ryan on June 28, 2005.

(86) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws form falsely representing to Allianz that he had given the form to Mr. Ryan to fill out, and that he had left a copy of the form for Mr. Ryan as required by Wisconsin law.

(87) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mr. Ryan was suitable for his financial situation and long term goals.

12 (88) On or about July 21, 2005, Agent Burnham met with Mr. Raymond Duncan in Union Grove, Wisconsin. At that meeting Mr. Burnham recommended that Mr. Duncan purchase Allianz policies #70325975 and #70325981.

(89) Respondent Sunderland signed the Application for Annuity forms for policies #70325975 and #70325981, falsely representing to Allianz that he had met with Mr. Duncan and certifying that Mr. Duncan's applications for insurance contained accurate information.

(90) Respondent Sunderland signed the Important Notice Required by Wisconsin Insurance Laws forms for policies #70325975 and #7032598, falsely representing to Allianz that he had given the forms to Mr. Duncan to fill out, and that he had left a copy of the forms for Mr. Duncan as required by Wisconsin law.

(91) Respondent Sunderland signed Statement of Understanding forms regarding policies #70325975 and #70325981, falsely representing to Allianz that he provided a copy of the forms to Mr. Duncan on July 21, 2005.

(92) Respondent Sunderland signed Annuity Suitability Checklist forms falsely representing to Allianz that he had made determinations that the annuities recommended to Mr. Duncan were suitable for his financial situation and long term goals.

13 (93) On or about October 3, 2007, Agent Brian Whitaker met with Mr. Kenneth Clark in Burlington, Wisconsin. At that meeting Mr. Whitaker recommended that Mr. Clark purchase Allianz policy #70602473.

(94) Respondent Sunderland signed the Application for Annuity form for policy #70602473, falsely representing to Allianz that he had met with Mr. Clark and certifying that Mr. Clark's application for insurance contained accurate information.

(95) Respondent Sunderland signed a Statement of Understanding form regarding policy #70602473, falsely representing to Allianz that he provided a copy of the form to Mr. Clark on October 3, 2007.

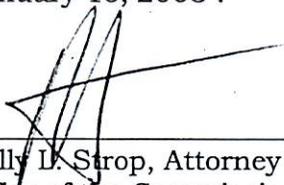
(96) Respondent Sunderland signed an Annuity Suitability Checklist form falsely representing to Allianz that he had made a determination that the annuity recommended to Mr. Clark was suitable for his financial situation and long term goals.

(97) The Compliance Guide at Allianz, of which Respondent Sunderland was, or should have been, aware states that the agent making the sale must complete and sign the application and all related forms and must witness the signatures on those forms by the applicant. It is Allianz's policy that an agent may not sign applications or other forms as a witness unless the agent has physically witnessed the application or forms being signed by the applicant. Agents cannot sign applications or other forms on behalf of another person.

(98) The allegations as set forth in paragraphs (3)-(97) constitute violations of § 628.34(1), Wis. Stats.

The acts of the Respondent as set forth in paragraphs (3)-(97) above indicate that the Respondent is unqualified as an intermediary, or that the Respondent is not of good character, or that the Respondent repeatedly or knowingly violated an insurance statute or rule or valid order of the commissioner, or that the Respondent's methods and practices in the conduct of business endanger, or Respondent's financial resources are inadequate to safeguard, the legitimate interests of the Respondent's customers and the public, and thereby constitute sufficient grounds to: revoke, suspend, or limit in whole or in part the Respondent's permanent insurance intermediary agent license pursuant to s. 628.10, Wis. Stat.; order a forfeiture pursuant to s. 601.64 (3), Wis. Stat., in the amount of twice the profit gained from the violations plus a forfeiture of up to \$1,000 per violation of a statute or order and issue remedial orders pursuant to s. 601.41 (4), Wis. Stat.

Dated at Madison, Wisconsin, on January 15, 2008 .



Holly L. Strop, Attorney
Office of the Commissioner of Insurance
State Bar No. 1038009

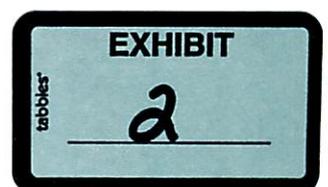


I, Karen Weldin Stewart, Insurance Commissioner of the State of Delaware, do hereby certify that the attached Stipulation and Consent Order on Bradley Sunderland is a true and correct copy of the document signed by the Respondent, Bradley Sunderland.

In witness whereof, I hereunto set my hand and affixed the Official Seal of this Department at the City of Dover, this 6th day of March, 2014



Karen Weldin Stewart, CIR-ML
Insurance Commissioner



3445
5/22/09

BEFORE THE INSURANCE COMMISSIONER

FOR THE STATE OF DELAWARE

IN THE MATTER OF:)	
)	
BRADLEY SUNDERLAND	)	DOCKET NO. 1098-2009
LICENSED INSURANCE PRODUCER,	)	LICENSE NO. 0157512
	)	DE DOI NO. 80861
RESPONDENT.)	

STIPULATION AND CONSENT ORDER

WHEREAS, Bradley Sunderland(hereinafter “Respondent”) is licensed as a producer in the State of Delaware under license number 0157512 and with an address of 2102 Great Northern Drive, Fargo, North Dakota 51802; and

WHEREAS, Respondent has admitted to a violation of 18 Del. C. § 1719 (a) A producer shall report to the Insurance Commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within (30) thirty days of the final disposition of the matter. This report shall include a copy of the order or consent to order, and

WHEREAS, Respondent admits to the violation herein described and desires to resolve the matter without recourse to a formal hearing and to enter into a Stipulation and Consent Order upon the terms and condition set forth:

NOW, THEREFORE, IT IS HEREBY ORDERED AND AGREED by and between Respondent and the Delaware Insurance Department as follows:

1. Respondent waives his right to notice and a hearing.
2. Respondent admits the above-referenced actions.
3. Respondent agrees to cease and desist from further engaging in violations of Title 18 of the Delaware Code.
4. Pursuant to 18 Del. C. § 1712 Respondent's producer license shall be suspended for a period of one year.
5. Respondent understands the Delaware Insurance Department agrees to waive the suspension period upon payment of a fine of Two Hundred Dollars (\$200.00), in accordance with 18 Del. C. § 1712(d).
6. Respondent understands that this action shall be reported to the National Association of Insurance Commissioners Producer Database.
7. Respondent understands that he has a right to be represented by counsel.

DELAWARE INSURANCE DEPARTMENT



Bradley Sunderland
Respondent



Witness to Respondent's Signature



KAREN WELDIN STEWART, CIR-ML
Insurance Commissioner

6-2-09

Date of Commissioner's Signature

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF DELAWARE

IN THE MATTER OF:)
)
 BRADLEY SUNDERLAND) DOCKET NO. 1446-2010
 LICENSED INSURANCE PRODUCER,) LICENSE NO. 0157512
) DE DOI NO. 114279
 RESPONDENT,)

STIPULATION AND CONSENT ORDER

WHEREAS, Bradley Sunderland (hereinafter “Respondent”) is licensed as a producer in the State of Delaware under license number 0157512 and with an address of 2102 Great Northern Drive, Fargo, North Dakota 51802, and

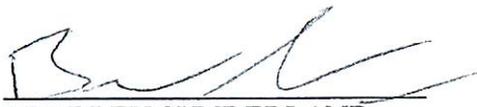
WHEREAS, Respondent has admitted to a violation of 18 Del. C. § 1719 (a) A producer shall report to the Insurance Commissioner any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within (30) thirty days of the final disposition of the matter. This report shall include a copy of the order or consent to order, and

WHEREAS, Respondent admits to the violation herein described and desires to resolve the matter without recourse to a formal hearing and to enter into a Stipulation and Consent Order upon the terms and condition set forth:

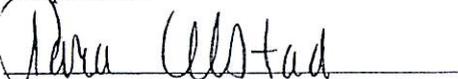
NOW, THEREFORE, IT IS HEREBY ORDERED AND AGREED by and between Respondent and the Delaware Insurance Department as follows:

1. Respondent waives his right to notice and a hearing.
2. Respondent admits the above-referenced actions.
3. Respondent agrees to cease and desist from further engaging in violations of Title 18 of the Delaware Code.
4. Pursuant to 18 Del. C. § 1712 Respondent's producer license shall be suspended for a period of one year.
5. Respondent understands the Delaware Insurance Department agrees to waive the suspension period upon payment of a fine of One Thousand Dollars (\$1000.00), in accordance with 18 Del. C. § 1712(d).
6. Respondent understands that this action shall be reported to the National Association of Insurance Commissioners Producer Database.
7. Respondent understands that he has a right to be represented by counsel.

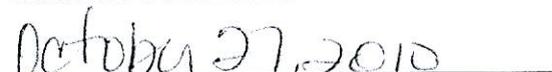
DELAWARE INSURANCE DEPARTMENT



BRADLEY SUNDERLAND
Respondent


Witness to Respondent's Signature

KAREN WELDIN STEWART, CIR-ML
Insurance Commissioner


Date of Commissioner's Signature



North Dakota Insurance Department

Adam Hamm, Commissioner

CERTIFICATION

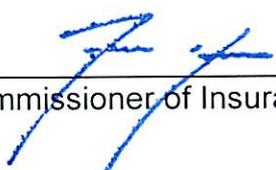
I certify that the attached **Consent Order** in the Matter of Bradley D. Sunderland, dated October 28, 2009, is a true and correct copy of the original now on file in and forming a part of the records of the Department of Insurance.



IN WITNESS, I have hereunto set my hand, and affixed the official seal of this Department at the City of Bismarck, North Dakota, this

March 20, 2014

Date



Commissioner of Insurance

EXHIBIT

tabbles®
3

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	
Bradley D. Sunderland,	)	CONSENT ORDER
NPN 656999,)	
DOB 3/8/1968,	)	CASE NO. AG-09-255
)	
Respondent.)	

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

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Bradley D. Sunderland, NPN 656999, DOB 3/8/1968 ("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.

2. Respondent's conduct is alleged to be in violation of the following state law relating to the regulation of insurance producers:

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.

3. N.D.C.C. § 26.1-26-15 states:

An applicant for any license under this chapter must be deemed by the commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

4. 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:

...

6. In the conduct of affairs under the license, the licensee has used fraudulent, coercive, or dishonest practices, or has shown oneself to be incompetent, untrustworthy, or financially irresponsible.

...

5. Respondent has held a North Dakota resident insurance producer license since December 7, 1987. Respondent is subject to the jurisdiction and control of the Commissioner.

6. The Respondent also holds an insurance producer license in other states. On September 21, 2009, the Department received notice from another state insurance regulator that the Wisconsin and Delaware state insurance regulators had taken action against the Respondent's insurance producer license. Respondent never reported these administrative actions to the Department and the Department was unaware of them until that point.

7. On May 22, 2008, Respondent entered into a stipulation with the Wisconsin Office of the Commissioner of Insurance by which he agreed to pay a fine of

\$1,500 in settlement of an allegation that Respondent had signed documents where his signature was a representation that he was physically present and witnessed the signature of another person when he was not actually physically present.

8. On June 2, 2009, the Delaware Insurance Commissioner entered an order by which Respondent was fined \$200 for failing to report the Wisconsin administrative action.

9. By his actions of failing to report the administrative actions taken by other state insurance regulators, Respondent violated the requirements of N.D.C.C. §§ 26.1-26-45.1(1).

10. The failure to report all administrative actions and to provide the orders, consent orders, or other relevant legal documents was a violation of law. Respondent's failure to comply with this reporting law reflects on his competence, trustworthiness, responsibility, and his personal and business reputation. Respondent's license could be revoked because of his failure to timely report the administrative actions. N.D.C.C. §§ 26.1-26-42 and 26.1-26-45.1.

11. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(6) and 26.1-26-45.1 and are grounds for revocation of Respondent's insurance agent license.

12. Respondent acknowledges that at the time of signing the Consent to Entry of Order, he was aware of or had been advised of his rights 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, Bradley D. Sunderland and the Commissioner have agreed to enter into the following order.

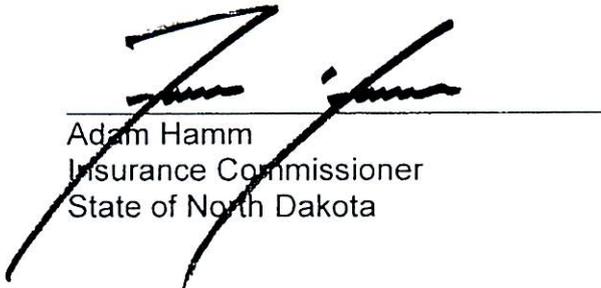
NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent shall pay a fine of \$500 to the Department. Respondent shall pay the fine within 30 days of his signing of this document.

2. Respondent 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 30 days of the final disposition of the matter and must include a copy of the order, consent to order, or other relevant legal documents. If Respondent fails to do so, the Commissioner may revoke, suspend, or take such further action as may be deemed necessary against Respondent's license without notice of hearing or issuance of a complaint.

3. The use of this Consent Order for competitive purposes by an insurance agent 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 28th day of October, 2009.


Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Bradley D. Sunderland**, 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 his right to a hearing in this matter, his right to be represented by legal counsel, his right to present evidence and arguments to the Commissioner, and his 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 hereto, there being no other promises or agreements, either expressed or implied.

DATED this 26th day of October, 2009.

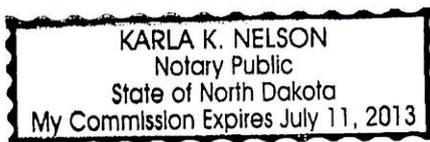

Bradley D. Sunderland

State of North Dakota
County of Cass

Subscribed and sworn to before me
this 26th day of October, 2009.


Notary Public

My commission expires:



State of South Dakota } Division of
County of Hughes } Insurance
I hereby certify that this document is a
true and correct copy of the original as
the same appears on record in my office

S.D. DIVISION OF INSURANCE

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF REVENUE AND REGULATION
STATE OF SOUTH DAKOTA

JAN 21 2010

Co. Ck. # _____

Amount Rec. _____

this 11 day of February, 2014
Merle Scheiber, Director
By: Linda Robinson

IN THE MATTER OF
BRADLEY SUTHERLAND

)
)

CONSENT ORDER

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

BRADLEY SUTHERLAND, whose address of record is 4750 Rose Creek Pkwy., Fargo, ND 58104, is a licensed nonresident insurance agent licensed in the State of South Dakota;

BRADLEY SUTHERLAND is aware that the South Dakota Division of Insurance has conducted an investigation;

The Division of Insurance alleges the following:

- 1) BRADLEY SUTHERLAND was involved in an administrative action in the State of North Dakota in October of 2009.
- 2) BRADLEY SUTHERLAND failed to report the above administrative action to the Director of the South Dakota Division of Insurance within 30 days, a violation of SDCL 58-30-193.
- 3) BRADLEY SUTHERLAND was issued a warning letter from the South Dakota Division of Insurance on August 22, 2008 for failing to disclose a prior administrative; BRADLEY SUTHERLAND was issued another warning letter on July 24, 2009 for failing to report administrative actions from the State of Delaware;
- 4) Pursuant to SDCL 58-30-167 (2), the Director of the South Dakota Division of Insurance may revoke BRADLEY SUTHERLAND'S insurance producer license for the above-cited reason.

BRADLEY SUTHERLAND is aware of and understands the nature of the charges and has been informed that he has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for BRADLEY SUTHERLAND agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, BRADLEY SUTHERLAND waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

BRADLEY SUTHERLAND agrees to pay Two Hundred Fifty Dollars (\$250) pursuant to SDCL 58-30-167 and SDCL 58-4-28.1, in lieu of a Final Order, and further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;



BRADLEY SUTHERLAND waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

BRADLEY SUTHERLAND agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that BRADLEY SUTHERLAND pay a monetary penalty in the amount of Two Hundred Fifty Dollars (\$250) payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota and that BRADLEY SUTHERLAND abide by the agreements made by it in this Consent Order; and it is

FURTHER ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South 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.

IT IS FURTHER ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 22nd day of January, 2010.


Merle Scheiber, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 20th day of January, 2010.

x 
Signature

Brad Sunderland
Name (typed)

President
Title

RECEIVED
FEB 24 2014
Commissioner of Insurance
State of North Dakota



Gary Herbert
Governor

MARK E. KLEINFELD
GRAMA Records Officer

TODD E. KISER
Utah Insurance Department
Insurance Commissioner

STATE OF UTAH, County of Salt Lake, ss: **CERTIFICATE OF AUTHENTICITY**

I, MARK E. KLEINFELD, hereby state that I am the Administrative Law Judge of the Utah Insurance Department, and have held such position since November 24th, 1999; and that as such I am the custodian of all public and "docketed" actions involving both licensed and unlicensed parties or entities.

X That attached hereto is a copy(ies) totaling **eight (8)** page(s), being::
----a copy of a "**STIPULATION AND ORDER**" in a certain administrative proceeding containing **nine (9)** pages being **Docket No. 2010-044-PC**, being Enforcement Case No. 2500, entitled **Utah Insurance Department, Complainant, vs. BRADLEY DAVID SUNDERLAND, Respondent(s)**, including "Certificate(s) of Mailing and certified return receipt requested "green cards"/payment receipts, etc., concerning the named Respondent(s) therein, if applicable----; and/or

X that I hereby certify and attest that the same said total on **eight (8)** page(s) is/are a true and correct copy(ies) of the original document(s) namely, "**STIPULATION AND ORDER**" and or "screen(s)" found in the file(s) and or data bases in the Utah Insurance Department's possession on this **18th day of February, 2014** at Salt Lake City, Salt Lake County, State of Utah and attach the Utah Insurance Department's **SEAL** hereon; and/or:

____ That I have diligently searched the data bases and records of the Utah Insurance Department as concerns _____, License No. _____, as regards _____ such were "purged" or not merged into "new" data bases of the Department; based on the said becoming inactive and then being re-activated his/her/its information other than the afore referenced computer screens were purged and that as of the present date the said is an active resident licensee in good standing with **no** outstanding assessments and or forfeitures due or owing and or **no** outstanding open docketed actions pending or in process----

UTAH INSURANCE DEPARTMENT
BY: Mark E. Kleinfeld
Mark E. Kleinfeld
Administrative Law Judge
Utah Insurance Department
3110 State Office Building
Salt Lake City, Utah 84114
(801) 537-9246
MKleinfeld@utah.gov

State of Utah
Insurance Department



Mark E. Kleinfeld
Administrative Law Judge

Dept. Line: (801) 538-3800
(801) 537-9246

EXHIBIT
5

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone: (801) 538-3872

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

BRADLEY DAVID SUNDERLAND
4750 Rose Creek Pkwy
Fargo, ND 58104
License No. 259668

STIPULATION AND ORDER

Docket No. 2010-044 PC

Enf. Case No. 2500

RECEIVED

MAR 13 2010

STIPULATION

UTAH STATE
INSURANCE DEPT

1. Respondent, Bradley David Sunderland is a non-resident insurance agent licensed in the State of Utah, holding License No. 259688.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent admits the Findings of fact and Conclusions made therefrom;
 - c. Respondent stipulates to the Summary entry of the Order herein which

shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

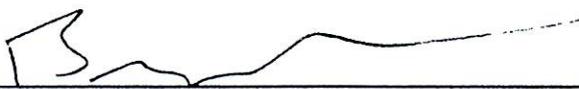
3. Respondent is aware of his right to a hearing at which he may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived his right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to his rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for purpose of disposition of the matter entitled herein.

DATED this 8th day of March, 2010.


BRADLEY DAVID SUNDERLAND


UTAH INSURANCE DEPARTMENT
M. Gale Lemmon
Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Office makes the following Findings of Fact:

FINDINGS OF FACT

1. Respondent Bradley David Sunderland (Sunderland) holds an active non-resident producer's license, and was first licensed by the Department on or about April 11, 2002.

2. On or about September 29, 2008, a Department investigator, Richard Grieser, received a referral from the Producer Licensing Division advising that Respondent had failed to notify the Department of an administrative action taken against his license by the State of Wisconsin.

3. On September 29, 2008, the investigator contacted Respondent Sunderland regarding the failure to report. Respondent stated he was aware of the reporting requirement and assured the investigator such non-reporting would not happen again.

4. Again, on October 15, 2008, in a phone conversation with the investigator, Respondent re-assured the investigator that a future violation would not occur. The investigator issued a verbal warning/admonition to Respondent at that time.

5. On or about July 23, 2009, the investigator received a second Producer Licensing referral in which it was alleged that Respondent had failed to report an administrative action against him by the State of Delaware.

6. On July 30, 2009, in an unsuccessful attempt to reach Respondent, the investigator

spoke with a member of his staff who agreed to provide a statement of circumstances and documentation regarding the Delaware action no later than August 10, 2009.

7. On August 12, 2009, the investigator received email from Sunderland's staff member which included a statement from Sunderland and supporting documents.

8. After several unsuccessful attempts to receive further information from Sunderland, the investigator received an email on August 27, 2009 listing the status on actions taken in other states, but not a complete statement.

9. Respondent Sunderland admits he failed to timely notify the Department of administrative action against him in other jurisdictions, and that he missed deadlines in conveying all requested information to the investigator.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Ann. § 13A-23a-105(2)(b) requires that a licensee shall report to the Commissioner any administrative action taken against the person in another jurisdiction within 30 days of the final disposition of the administrative action.

2. Utah Code Ann. § 13A-2-202(4)(a) and (6) requires that a person reply promptly and in writing or in any other designated form to a reasonable written inquiry from the commissioner, and that all information submitted shall be accurate and complete.

3. By failing to report administrative actions taken against his license in other states, Respondent was in violation of Utah Code Ann. § 13A-23a-105(2).

4. By missing deadlines and sending incomplete statements, Respondent was in violation of Utah Cod Ann. § 31A-2-202 (4)(a) and (6).

5. An administrative forfeiture of \$750.00 and probation for a term of 12 months is appropriate under the circumstances.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent Bradley David Sunderland is assessed a forfeiture of \$750.00 to be paid to the Utah Insurance Department within 30 days of issuance of this Order.

2. Respondent Sunderland is placed on probation for a period of 12 months beginning from the date of this Order. The terms of probation are that Respondent shall pay the administrative forfeiture in a timely manner and shall have no further violations of the Utah Insurance Code or Rules or any order of the Commissioner.

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 11th day of March, 2010.

NEAL T. GOOCH
Acting Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone: (801) 538-3800

CERTIFICATE OF MAILING

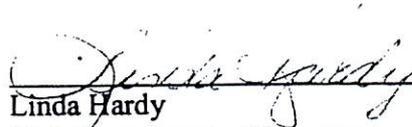
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Bradley David Sunderland
4750 Rose Creek Pkwy
Fargo, ND 58104

DATED this 15th day of March, 2010.



Linda Hardy
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

**UTAH
Invoice**

Printed Date: November 29, 2010

Invoice Date: March 10, 2010
Balance Due: \$0.00
Due Date: April 14, 2010
Invoice ID: 451579

SUNDERLAND BRADLEY DAVID
4750 ROSE CREEK PKWY
FARGO ND 58104

Item Description	Amount
Monetary Penalty Company	\$750.00
Original Amount Due	<u>\$750.00</u>
Payments Received	
3/10/2010 Check	\$750.00
Balance Due	<u>\$0.00</u>

**UTAH
Invoice**

Printed Date: November 29, 2010

Invoice Date: March 10, 2010
Balance Due: \$0.00
Due Date: April 14, 2010
Invoice ID: 451579

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901



ROBERT BENTLEY
GOVERNOR

JIM L. RIDLING
COMMISSIONER

STATE OF ALABAMA
DEPARTMENT OF INSURANCE
201 MONROE STREET, SUITE 502
POST OFFICE BOX 303351
MONTGOMERY, ALABAMA 36130-3351

TELEPHONE: (334) 269-3550

FACSIMILE: (334) 241-4192

INTERNET: www.aldoi.gov

DEPUTY COMMISSIONER
CHARLES M. ANGELL

CHIEF OF STAFF
RAGAN INGRAM

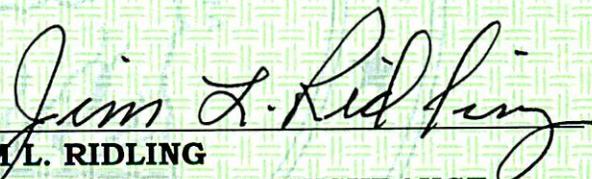
CHIEF EXAMINER
RICHARD L. FORD

STATE FIRE MARSHAL
EDWARD S. PAULK

GENERAL COUNSEL
REYN NORMAN

I, the undersigned, Commissioner of Insurance of the State of Alabama, hereby certify that the document to which this Certification is attached is a true and correct copy of the original now on file in and forming a part of the records of the Department of Insurance.

In witness whereof, I hereto, set my hand and cause to be affixed the Seal of my office in Montgomery, Alabama.


JIM L. RIDLING
COMMISSIONER OF INSURANCE


DATE



**BEFORE THE COMMISSIONER OF INSURANCE
FOR THE STATE OF ALABAMA**

ALABAMA DEPARTMENT OF INSURANCE)	
)	
)	
v.	)	Case No. P-2010-067FM
)	
BRADLEY DAVID SUNDERLAND)	
Alabama producer license 185789)	
NPN 656999)	

**SETTLEMENT AGREEMENT
AND CONSENT ORDER**

This matter comes before the Commissioner of Insurance for the State of Alabama for entry of an order by consent adopting a settlement agreement approved by the Department of Insurance and Bradley David Sunderland ("Licensee").

Consent and Waiver

1. The Department and Licensee agree to the Settlement Agreement and consent to entry of the Order adopting the Agreement so as to permit renewal of Licensee's Alabama insurance producer license and in lieu of further enforcement proceedings by the Department pertaining to the matters addressed herein.

2. Licensee unconditionally WAIVES any right (i) to the filing of a complaint or commencement of formal enforcement action by the Department with respect to the matters addressed in this Agreement and Order; (ii) to a hearing on any matters addressed by the Agreement and Order before the Commissioner of Insurance or his designee; and (iii) to seek relief of any nature and description and irrespective of legal theory in the courts, whether by statutory judicial review or independent action, relating in any way to the matters resolved in the Agreement and Order.

3. Licensee acknowledges that: (i) the Agreement and Order, when entered, will constitute a public record for purposes of any applicable statutes governing access by the public to government records and may appear in the searchable data base of the Department's Internet web-site (www.aldoi.gov); (ii) the substance of the Agreement and Order will be reported to centralized data registries operated under authority of the National Association of Insurance Commissioners; (iii) if licensed in other States, Licensee may be required under the laws and/or regulations of such States to timely report the fact of the Agreement and Order; (iv) Licensee may be required to disclose the fact of the Agreement and Order in connection with future licensing applications in Alabama and in other States; and (v) Licensee may be required by contract to report the fact of the Agreement and Order to insurance companies from which Licensee holds appointments as an insurance producer.

4. This Agreement and Order, when entered, is an "administrative proceeding" or "administrative action" for purposes of licensing or other applications seeking information or disclosure about an "administrative proceeding" or "administrative action" in connection with a professional or occupational license or registration.

5. Licensee has been advised that he may engage and be represented by counsel at his expense in connection with the Agreement and Order.

Stipulations

The Department and Licensee stipulate to the following:

6. At all material times, Licensee has held Alabama non-resident insurance producer license 185789. Pending in the Department is Licensee's application to renew his license [NIPR transaction 117969473].

7. Rule 482-1-054.03 within Alabama Insurance Regulation 482-1-054 requires a licensee to inform the Commissioner within thirty (30) days of the happening of various events, including the imposition of a monetary penalty against the licensee by any other State for any violation of the insurance or insurance related laws of that State. 482-1-054-.03(1)(c).

7. Question (2) of the Uniform Application for Individual Insurance Producer License Renewal/Continuation asks "[h]ave you been named or involved as a party in an administrative proceeding regarding any professional or occupational license or registration, which has not been previously reported to this state?"

8. Licensee answered Uniform Application Question (2) "yes" as part of the pending on-line renewal of his Alabama insurance producer license and disclosed the following administrative proceedings: (1) a stipulation and order with the Office of the Commissioner of Insurance in the State of Wisconsin on or about May 22, 2008, in case 07-C31222 assessing a \$1,500 forfeiture for violation of Wisconsin insurance laws described as signing insurance documents as a witness without witnessing the actual signing of the documents by the applicants; and (2) consent orders involving monetary penalties entered by the States of South Dakota, North Dakota, and Delaware in January, 2010, October, 2009, and June, 2009, respectively, for failure to timely report the Wisconsin action.

9. Licensee was required by Rule 482-1-054-.03(1)(c) to report the Wisconsin action to the Commissioner within thirty (30) days of its happening. The Department has no record of timely notice from Licensee.

11. Under Ala. Code § 27-7-19(a)(9), a violation of an insurance rule or regulation authorizes the Commissioner of Insurance to place on probation, refuse to issue or renew, suspend, or revoke a license and levy a civil penalty not exceeding \$10,000 per violation.

12. Licensee's acceptance of the Agreement and Order is not deemed to be an admission, on Licensee's part, of any violation within the scope of Ala. Code § 27-7-19(a)(9) or any other provision of the Alabama Insurance Code. The Department's acceptance of the Settlement Agreement and Order is not tantamount to a finding of a willful violation by Licensee of Ala. Code § 27-7-19(a)(9) or of any other provision of the Alabama Insurance Code.

Settlement agreement

To resolve this matter without further proceedings, the Department and Licensee agree to the following:

A. With his signed copy of this Agreement and Order, Licensee tenders to the Department *by certified funds or money order* to the Commissioner of Insurance the sum of \$300.00 as reimbursement to the Department for the value of time expended by Department employees and costs incurred in the investigation of the matters made the subject of this Agreement and Order, of which an aggregate amount equal to \$50.00 will be credited to the Department's Examiners Revolving Fund Administrative Settlement-Consumer Education Revenue Source. Said payment is not a fine or civil penalty.

B. Licensee agrees to comply with all relevant provisions of the Alabama Insurance Code and regulations, including, but not limited to, Regulation 482-1-054, while holding an Alabama insurance producer license.

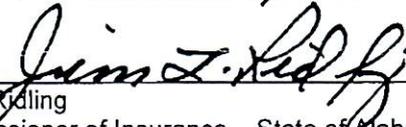
C. Licensee acknowledges that the fact of this Agreement and Order may be taken into account by the Commissioner and the Department in the event Licensee is the subject of future disciplinary proceedings concerning his license.

D. Upon execution of this Agreement and Order by Licensee and receipt of the payment stipulated in Section (A), the Department will cause Licensee's pending application for license renewal to be released and his license renewed. Upon execution of the Order by the Commissioner, the Department will deem this matter concluded.

Order

Based on the foregoing, it is ORDERED that the Stipulations and Settlement Agreement are adopted as an order of the Commissioner of Insurance.

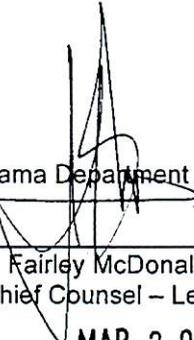
DONE and ORDERED this 30th day of March, 2010.



Jim L. Rydling
Commissioner of Insurance – State of Alabama

[signatures on following page]

AGREED TO BY:


Alabama Department of Insurance

By: _____
J. Fairley McDonald, III
Chief Counsel – Legal Division

Date: MAR 29 2010

Receipt of payment acknowledged:

Certified funds
 Money order

Issuer: Bradley David Sunderland

Instrument no. 543133


Bradley D. Sunderland
Post Office Box 5375
Fargo, North Dakota 58105

Date: 3-26-10

As attorney for Licensee [if any]

Printed name: _____

Address: _____

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF REVENUE AND REGULATION
STATE OF SOUTH DAKOTA

this 11 day of Feb, 2014
Merle Scheiber, Director
By: Jimda Robinson

IN THE MATTER OF
BRADLEY SUNDERLAND

)
)

CONSENT ORDER

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

BRADLEY SUNDERLAND, whose address of record is 4750 Rose Creek Pkwy., Fargo, ND 58104, is a licensed nonresident insurance agent licensed in the State of South Dakota;

BRADLEY SUNDERLAND is aware that the South Dakota Division of Insurance has conducted an investigation;

The Division of Insurance alleges the following:

- 1) BRADLEY SUNDERLAND was involved in an administrative action in the State of Alabama in March 2010.
- 2) BRADLEY SUNDERLAND failed to report the above Alabama administrative action to the Director of the South Dakota Division of Insurance within 30 days, a violation of SDCL § 58-30-193.
- 3) BRADLEY SUNDERLAND was involved in an administrative action in the State of Utah in March 2010.
- 4) BRADLEY SUNDERLAND failed to report the above Utah administrative action to the Director of the South Dakota Division of Insurance within 30 days, a violation of SDCL § 58-30-193.
- 5) BRADLEY SUNDERLAND entered into a Consent Order with the State of South Dakota for failing to report an administrative action in January 2010;
- 6) Pursuant to SDCL § 58-30-167 (2), the Director of the South Dakota Division of Insurance may revoke BRADLEY SUNDERLAND'S insurance producer license for the above-cited reason.

BRADLEY SUNDERLAND is aware of and understands the nature of the charges and has been informed that he has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for BRADLEY SUNDERLAND agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL 1-26-20;



By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, BRADLEY SUNDERLAND waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

BRADLEY SUNDERLAND agrees to pay Five Hundred Dollars (\$500) pursuant to SDCL 58-30-167 and SDCL 58-4-28.1, in lieu of a Final Order, and further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

BRADLEY SUNDERLAND waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

BRADLEY SUNDERLAND agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that BRADLEY SUNDERLAND pay a monetary penalty in the amount of Five Hundred Dollars (\$500) payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota and that BRADLEY SUNDERLAND abide by the agreements made by it in this Consent Order; and it is

FURTHER ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South 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.

IT IS FURTHER ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 18th day of August, 2010.


Merle Scheiber, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 13th day of August, 2010.


Signature
Bradley Sunderland
Name (typed)
President
Title

State of South Dakota } Division of
County of Hughes } Insurance
I hereby certify that this document is a
true and correct copy of the original as
the same appears on record in my office

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF REVENUE AND REGULATION
STATE OF SOUTH DAKOTA

this 11 day of Feb 2014
Merle Scheiber, Director
By: Linda Robinson

IN THE MATTER OF BRADLEY D. SUNDERLAND) CONSENT ORDER

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

BRADLEY D. SUNDERLAND, whose address of record is 4750 Rose Creek Pkwy., Fargo, ND 58104, is an individual who is a nonresident insurance producer in the State of South Dakota;

BRADLEY D. SUNDERLAND is aware that the South Dakota Division of Insurance has conducted an investigation;

The South Dakota Division of Insurance alleges the following with regard to BRADLEY D. SUNDERLAND:

- 1) BRADLEY D. SUNDERLAND failed to report an administrative action taken against his insurance producer license by the State of Delaware to the South Dakota Division of Insurance within 30 days of final disposition in violation of SDCL 58-30-193;
- 2) Pursuant to SDCL 58-30-167(2) and SDCL 58-30-193, the Director of the South Dakota Division of Insurance may revoke or suspend BRADLEY D. SUNDERLAND's insurance producer license for the above-cited reasons.

BRADLEY D. SUNDERLAND is aware of and understands the nature of the allegations and has been informed that he has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for BRADLEY D. SUNDERLAND agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, BRADLEY D. SUNDERLAND waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

By signing this Consent Order, BRADLEY D. SUNDERLAND neither admits to nor denies any violation of the laws of this state;



BRADLEY D. SUNDERLAND agrees to pay Seven Hundred Fifty Dollars (\$750) pursuant to SDCL 58-30-167 and SDCL 58-4-28.1, in lieu of a Final Order, and further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

BRADLEY D. SUNDERLAND agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that BRADLEY D. SUNDERLAND pay a monetary penalty in the amount of Seven Hundred Fifty Dollars (\$750) payable to the **South Dakota Division of Insurance** for deposit in the general fund of the State of South Dakota and that BRADLEY D. SUNDERLAND abide by the agreements made by it in this Consent Order; and it is

FURTHER ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South 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.

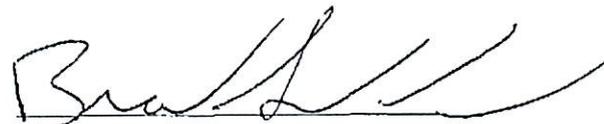
IT IS FURTHER ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 23rd day of February, 2011.


Merle Scheiber, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 17th day of February, 2011.


Signature
Bradley Sunderland
Name (typed or print)