

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of

**Ray L. Leatherwood,
NPN 18254628,**

Respondent.

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CONSENT ORDER

CASE NO. AG-17-716

TO: Ray L. Leatherwood, 300 West 89th Terrace, Kansas City, MO 64114

Insurance Commissioner Jon Godfread ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Ray L. Leatherwood, NPN 18254628 ("Respondent"), the Commissioner has considered scheduling a formal hearing to determine whether Respondent's conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent's conduct is alleged to be in violation of N.D.C.C. § 26.1-26-42(1) and (14).

2. 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:

1. A materially untrue statement in the license application.

...

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

3. Respondent has been licensed as a nonresident insurance producer in North Dakota since February 6, 2017.

4. On or about February 9, 2017, the Department received notification that documents were filed in the National Insurance Producer Registry Attachment Warehouse regarding convictions for Possession of Alcohol in 2000, Marijuana Possession in 2001, and DUI in 2008. A review of Respondent's file revealed that the convictions were not disclosed on Respondent's initial nonresident insurance application in North Dakota in 2017. Respondent's failure to disclose the criminal convictions on a license application is in violation of N.D.C.C. § 26.1-26-42(1).

5. On or about February 10, 2017, an email was sent to Respondent requesting information relating to the criminal convictions and why they were not disclosed on Respondent's initial application in 2017. There was no response to the Department's request for information. Respondent's failure to respond to a written request for information by the Department within 20 days is a violation of N.D.C.C. § 26.1-26-42(14).

6. Respondent's actions constitute violations of N.D.C.C. § 26.1-26-42(1) and (14).

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

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

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

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$400 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

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

DATED at Bismarck, North Dakota, this 25th day of May, 2017.



Jon Godfread
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Ray L. Leatherwood**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has

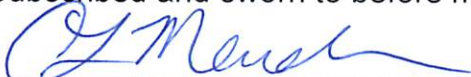
been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives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

DATED this 12 day of May, 2017.



Ray L. Leatherwood

Subscribed and sworn to before me this 12 day of May, 2017.



Notary Public

County of Johnson
State of Kansas

My commission expires:



