

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Timmy Lee Everett,)	
NPN 16156356,)	CASE NO. AG-12-356
)	
Respondent.)	

WHEREAS, Respondent Timmy Lee Everett (Respondent), NPN 16156356, is a resident insurance producer licensed in North Dakota pursuant to N.D.C.C. chapter 26.1-26;

WHEREAS, Respondent is aware of the sanctions that the North Dakota Insurance Commissioner (Commissioner) is authorized to take under N.D.C.C. title 26.1 and specifically N.D.C.C. chapter 26.1-26, including suspension or revocation of his license, and imposition of monetary penalties and costs;

WHEREAS, Respondent is advised that the North Dakota Insurance Department (Department) has caused an investigation to be commenced to determine whether or not conditions exist that would authorize the Commissioner to impose sanctions against Respondent as provided in N.D.C.C. title 26.1 and specifically N.D.C.C. chapter 26.1-26; and

WHEREAS, Respondent, for the purpose of resolving all matters raised by the investigation without the necessity of an administrative hearing, agrees to the terms of this Consent Order.

IT IS AGREED by and between Respondent and the Commissioner as follows:

I. Respondent is advised of his statutory right to notice and a hearing on the charges described below and that if sustained on hearing his license may be suspended or revoked and monetary penalties and costs may be imposed on him. Respondent waives notice and hearing.

II. The Commissioner and Respondent stipulate to the following:

1. An investigation was performed by the Department in which witnesses were interviewed, including Respondent, hundreds of pages of documents were reviewed, and representatives of the insurance company with which Respondent was appointed were contacted for information.

2. N.D.C.C. § 26.1-26-15 requires insurance producers to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-42(6) prohibits insurance producers from using fraudulent, coercive, or dishonest practices, or showing oneself to be incompetent, untrustworthy, or financially irresponsible, and N.D.C.C. § 26.1-26-42(9) prohibits an insurance producer from forging the name of another on an application for insurance.

4. 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.

5. It is the Department's position Respondent has violated N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(6) and (9).

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

7. For purposes of resolving this matter, without further administrative proceedings, Timmy Lee Everett and the Commissioner have agreed to enter into the following order.

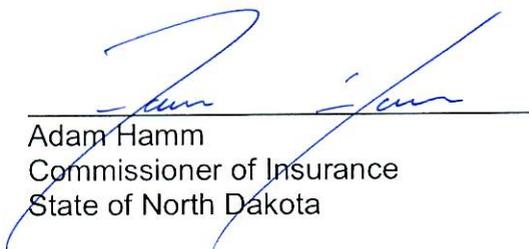
NOW, THEREFORE, IT IS ORDERED THAT:

1. Respondent's resident insurance agent license is hereby **REVOKED** effective upon the Commissioner's execution of this Order.

2. Respondent surrenders any and all licenses issued to him by the Department and consents to the denial of any and all pending applications for licenses by the Department, such surrender and denial having the same force and effect as if the licenses had been revoked or denied after a hearing.

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 27th day of February, 2013.

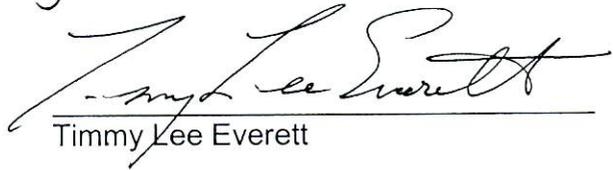

Adam Hamm
Commissioner of Insurance
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Timmy Lee Everett**, 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 of Insurance. 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 26 day of February, 2013.


Timmy Lee Everett

Subscribed and sworn to before me

this 26th day of February, 2013.

Chris Shields
Notary Public

County of Grand Forks
State of North Dakota

My commission expires: 12-5-15

