

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Samuel Ray Neutgens,)	
NPN 16020762,)	CASE NO. AG-12-371
)	
Respondent.)	

Insurance Commissioner Adam Hamm (“Commissioner”) has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department (“Department”) regarding the conduct of Samuel Ray Neutgens, NPN 16020762 (“Respondent”), the Commissioner has considered scheduling a formal hearing to determine whether Respondent’s conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent’s conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(14).

2. N.D.C.C. § 26.1-26-15 states:

26.1-26-15. License requirement - Character. 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.

3. N.D.C.C. § 26.1-26-42 states, in part:

26.1-26-42. License suspension, revocation, or refusal - Grounds. The commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to

issue any license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

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

4. The Commissioner has information that while Respondent was employed with New York Life Insurance Company, he admitted to signing a customer's name to a policy cancellation letter for two term life insurance policies without the customer's knowledge or permission in violation of company policy. On or about August 8, 2011, Respondent resigned from New York Life Insurance Company.

5. On March 30, 2012, the Commissioner sent a letter to Respondent to his last known mailing address on file requesting a written statement explaining the circumstances of the violation and his resignation. The letter was sent by regular postal mailing. A response was requested within 14 days. Respondent failed to respond to the request for information.

6. On April 20, 2012, the Commissioner sent a letter to Respondent to his last known mailing address on file requesting a written statement explaining the circumstances of the violation and his resignation. The letter was sent by certified mail, return receipt requested. On April 25, 2012, the letter was returned to the Department marked "return to sender, unable to forward".

7. On May 8, 2012, the Commissioner sent a letter to Respondent to his resident mailing address requesting a written statement explaining the circumstances of the violation and his resignation. The letter was sent by certified mail, return receipt requested. The letter was delivered on May 11, 2012. A response was requested

within 20 days. Respondent has failed to respond to the request for information within the 20 days.

8. Respondent's actions of forging a customer's signature to a policy cancellation without the customer's knowledge or permission and failing to respond to a request of the Commissioner within 20 days are violations of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(14) and are grounds for revocation of Respondent's individual insurance producer license.

9. 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.

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

11. For purposes of resolving this matter without further administrative proceedings, Samuel Ray Neutgens has agreed to enter into the following order.

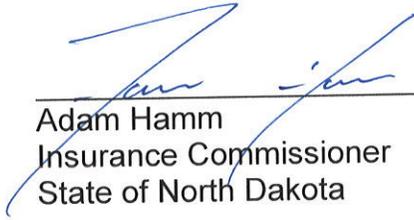
NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

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

2. No administrative fine or other civil penalty is imposed.

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

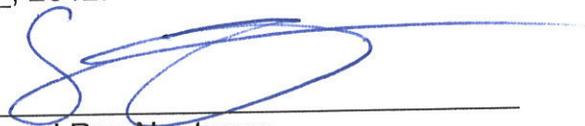
DATED at Bismarck, North Dakota, this 4th day of September, 2012.


Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Samuel Ray Neutgens**, 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 31 day of August, 2012.


Samuel Ray Neutgens

Subscribed and sworn to before me

this 31st day of August, 2012.


Notary Public

My commission expires: Dec 8, 2015

