STATE OF NORTH DAKOTA

BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	**CONSENT ORDER**
Jeremy J. Ripperger,	)	
NPN 8579816,	)	**CASE NO. AG-14-500**
	)	
Respondent.	)	

TO: Jeremy J. Ripperger, 2945 142nd Street South, Glyndon, MN 56547-9557

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 Jeremy J. Ripperger, NPN 8579816 ("Respondent"), who has held a nonresident producer license in North Dakota at all relevant times, the Commissioner has considered initiating administrative proceedings regarding Respondent's conduct as alleged below and regarding the imposition of a civil penalty or any other action the Commissioner deems necessary. Respondent's conduct is alleged to be in violation of N.D.C.C. § 26.1-04-03 and N.D. Admin. Code § 45-06-04-10.

2. N.D.C.C. § 26.1-04-03 states, in relevant part:

> The following are unfair methods of competition and unfair and deceptive acts or practices in the business of insurance:
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> . . .
>
> 2. False information and advertising generally. Making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine, or other publication, or in the form of a notice, circular, pamphlet, letter, or poster, or over any radio station, or in any other way, an advertisement, announcement, or statement containing any assertion,

representation, or statement with respect to the business of insurance or with respect to any person in the conduct of that person's insurance business, which is untrue, deceptive, or misleading.

3. N.D.C.C. § 26.1-26-50 states:

In addition to or in lieu of any applicable denial, suspension, or revocation of a license, any person violating this chapter may, after hearing, be subject to a civil fine not to exceed ten thousand dollars for each violation. The fine may be collected and recovered in the name of the state.

4. N.D. Admin. Code § 45-06-04-02(2) states:

Every insurer, agent, or broker shall establish and at all times maintain a system of control over the content, form, and method of dissemination of all advertisements of its policies. All such advertisements, regardless of by whom written, created, designed, or presented, are the joint and several responsibility of the insurer, agent, broker, or agency form whom such advertisements are prepared.

5. N.D. Admin. Code § 45-06-04-10 states, in relevant part:

1. The full legal name of the actual insurer and insurance agent or agency must be shown in each advertisement. An advertisement may not use a trade name, any insurance group designation, name of the parent company of the insurer, name of a particular division of the insurer or agency, service mark, slogan, symbol or other device in a manner which would have the capacity and tendency to mislead or deceive as to the true identity of the insurer or insurance agent or agency.

. . .

3. Each advertisement must clearly disclose that it is a promotion for an insurance product, company, agent, or agency.

6. N.D. Admin. Code § 45-06-04-12 states:

A violation of this chapter by an insurance company or agent is an unfair method of competition and an unfair or deceptive act or practice in the conduct of the business of insurance, pursuant to North Dakota Century Code section 26.1-04-03.

7. At all times relevant to this Order, Respondent held a nonresident producer license issued by the North Dakota Insurance Department.

8. On or about June 18, 2014, the Department received a complaint regarding disability insurance sold by Respondent.

9. During the Department's investigation, the Department was provided with marketing materials used in the presentation and sale of the disability insurance product.

10. Certain of these materials fail to disclose the insurer, agent or agency.

11. The use of these marketing materials, as discussed above, constitutes violations of N.D.C.C. § 26.1-04-03 and N.D. Admin. Code § 45-06-04-10.

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

13. There are no covenants, promises, undertakings, or understanding other than as specifically set forth in this Order.

14. Respondent consents to the Commissioner's continuing jurisdiction over him regarding any issues which may subsequently arise related to Respondent's activities.

15. For purposes of resolving this matter, without further administrative proceedings, Respondent and the Commissioner have agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine of $300 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 agent or agency holding a license in the State of North Dakota, or by an 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 22nd day of January, 2015.

Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Jeremy J. Ripperger,** 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 signing of this Consent to Entry of Order he voluntarily 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 16th day of January, 2015.

Jeremy J. Ripperger

Subscribed and sworn to before me
this 16th day of January, 2015.

Notary Public
State of North Dakota
County of Cass

TAMIE T. WALSTROM
Notary Public
State of North Dakota
My Commission Expires Mar. 12, 2020

My commission expires: 3-12-2020