

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

IN THE MATTER OF SEAN MAYER) 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:

SEAN MAYER, whose address of record is 4700 S. Kyle Ave., Sioux Falls, SD 57103, holds a resident insurance producer license in the State of South Dakota;

SEAN MAYER 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 SEAN MAYER:

- 1) SEAN MAYER placed the signature of a potential client on a claims history report request letter without the potential client's consent. SEAN MAYER believes he had the potential client's consent, but the potential client denies this. SEAN MAYER admits that he failed to obtain written consent from the potential client, which would have alleviated the factual dispute involved in the complaint filed with the South Dakota Division of Insurance. As a result, SEAN MAYER has demonstrated inexperience resulting in incompetence pursuant to SDCL 58-30-167(8).
- 2) Pursuant to SDCL 58-30-167(8), the Director of the South Dakota Division of Insurance may revoke or suspend SEAN MAYER 's resident insurance producer license for the above-cited reason.

SEAN MAYER 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 SEAN MAYER 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, SEAN MAYER waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

SEAN MAYER agrees to pay One Thousand Dollars (\$1,000) 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;


SEAN MAYER 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 SEAN MAYER pay a monetary penalty in the amount of One Thousand Dollars (\$1,000) payable to the South Dakota Division of Insurance for deposit in the general fund of the State of South Dakota and that SEAN MAYER abide by the agreements made by him 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.

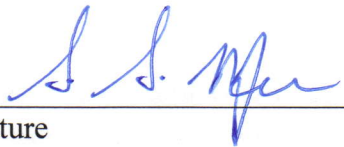
Dated at Pierre, South Dakota this 28th day of March, 2013.



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 March, 2013.



Signature
Sean S. Mayer

Name (typed or printed)