

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

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IN THE MATTER OF  
MAXIMUM SENIOR BENEFITS

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CONSENT ORDER

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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:

MAXIMUM SENIOR BENEFITS (“MSB”), whose address of record is 901 West Gooseneck Drive, Elk Ridge, Utah 84651, is an applicant for a business entity license to transact business in the State of South Dakota;

MSB is aware that the South Dakota Division of Insurance (“Division”) has conducted an investigation of its insurance-related activities in South Dakota;

The Division has alleged the following:

- 1) MSB submitted a business entity license application on July 5, 2018;
- 2) MSB provided information on its application that it was the subject of administrative actions in the State of Washington on November 7, 2016 and the State of Alaska on January 1, 2018;
- 3) MSB disclosed it was the subject of an additional administrative action on September 5, 2018 in the State of Washington;
- 4) MSB distributed lead cards in South Dakota without a South Dakota business entity license;
- 5) Pursuant to SDCL §§ 58-30-167(2) and 58-30-143, the Director of Division may deny MSB’s application for any of the above-cited reasons

MSB is aware of and understands the nature of the charges and has been informed that it has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order waives these rights;

In return for MSB agreeing to the provisions of this Consent Order, the Division agrees not to proceed to hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

MSB agrees to a monetary penalty in the amount of \$2,500 pursuant to SDCL §§ 58-30-167, 58-30-143, and 58-4-28.1, in lieu of contesting this matter formally; and

MSB further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

MSB 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;

MSB waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that MSB pay a monetary penalty in the amount of \$2,500 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further


ORDERED that MSB abide by the agreements made by it in this Consent Order; and it is further

ORDERED that the business entity license application from MSB as amended to date is approved for licensure as of the effective date of 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; and 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 6<sup>th</sup> day of November, 2018.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

The undersigned, on behalf of MAXIMUM SENIOR BENEFITS, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enter into this Consent Order.

Dated this 30<sup>th</sup> day of October, 2018.

  
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Signature of Authorized Representative  
Justin W. Haskell  
\_\_\_\_\_  
Printed Name  
CEO  
\_\_\_\_\_  
Title