

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

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IN THE MATTER OF  
JOHN WIMBLEY

)  
)

CONSENT ORDER

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In resolution of the above titled matter and in lieu of administrative action concerning JOHN WIMBLEY's non-resident insurance producer application, the undersigned parties do hereby agree to the following:

JOHN WIMBLEY, whose address of record is 1555 Viewcrest Lane, Burnsville, MN 55306 is a non-resident insurance producer applicant in the State of South Dakota;

JOHN WIMBLEY is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The Division alleges the following with regard to JOHN WIMBLEY:

- 1) JOHN WIMBLEY was charged in Minnesota with the crime of Felony Threats of Violence, on June 15, 2017;
- 2) JOHN WIMBLEY failed to report the felony prosecution to the Director of the Division within 30 days, a violation of SDCL § 58-30-194;
- 3) Pursuant to SDCL §§ 58-30-167(2) and 58-30-194 the Director of the South Dakota Division of Insurance may deny JOHN WIMBLEY 's non-resident insurance producer application for the above-cited reasons;

JOHN WIMBLEY 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 JOHN WIMBLEY agreeing to and complying with the provisions of this Consent Order, the Division agrees not to deny JOHN WIMBLEY's non-resident producer application 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, JOHN WIMBLEY waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

JOHN WIMBLEY agrees to pay \$500 pursuant to SDCL §§ 58-30-167 and 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;

JOHN WIMBLEY further agrees to report the outcome and the final disposition of his pending felony criminal case within 30 day of the final disposition;

JOHN WIMBLEY further 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 JOHN WIMBLEY pay a monetary penalty in the amount of \$500 payable to "South Dakota Division of Insurance" to be submitted with this completed Consent Order for deposit in the general fund of the State of South Dakota; and it is further

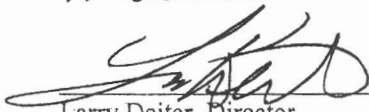
ORDERED that JOHN WIMBLEY abide by the agreements made by him in this Consent Order; and it is further

ORDERED that the non-resident insurance producer application of JOHN WIMBLEY is hereby approved for licensure on 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.

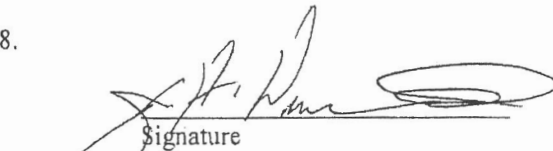
Dated at Pierre, South Dakota this 19<sup>th</sup> day of November, 2018.



Larry Deiter, 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 9<sup>th</sup> day of November, 2018.



Signature

John A. Wimbley  
Name (typed or printed)