

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

IN THE MATTER OF GREGORY A. ARCHER

)

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:

GREGORY A. ARCHER, whose address of record is 314 13th St., SW #2, Watertown, SD 57201, holds a bail bonds producer license in the State of South Dakota;

GREGORY A. ARCHER 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 GREGORY A. ARCHER:

- 1) GREGORY A. ARCHER engaged in dishonest practices in the conduct of business under his bail bonds license and also demonstrated incompetency and untrustworthiness when he issued a minimum of 39 bail bonds without a valid Power of Attorney in 2011 in violation of SDCL 58-22-21(6), and (8);
- 2) GREGORY A. ARCHER failed to submit the proper bail bond paperwork for at least 39 bail bonds to his employer, Lederman Bonding Co. beginning in 2011 and through the remainder of his employment with Lederman Bonding Co., resulting in Lederman Bonding Co. being unaware of at least 39 bail bonds issued by Gregory A. Archer on behalf of Lederman Bonding Co., which demonstrates incompetency and untrustworthiness in the conduct of affairs under his bail bonds license and a lack in good faith carrying on the bail bond business in violation of SDCL 58-22-21(8);
- 3) GREGORY A. ARCHER knowingly supplied the South Dakota Division of Insurance with false, misleading, or incomplete information when he stated that he issued a valid Power of Attorney with every bond he issued, and that he always submitted the proper bail bond paperwork to his employer, Lederman Bonding Co., in violation of SDCL 58-33-66(2); and
- 4) Pursuant to SDCL 58-22-21(6), 58-22-21(8), and 58-33-66(2) the Director of the South Dakota Division of Insurance may revoke or suspend GREGORY A. ARCHER's bail bonds producer license for the above-cited reasons.

GREGORY A. ARCHER 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 GREGORY A. ARCHER 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;

GREGORY A. ARCHER agrees to the voluntary revocation of his bail bonds producer license pursuant to SDCL 58-22-21 in lieu of contesting this matter formally, and further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

By the execution of this Consent Order and the voluntary revocation of his bail bonds producer license pursuant to this Consent Order, GREGORY A. ARCHER waives his right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

By signing this Consent Order, GREGORY A. ARCHER is not admitting to any wrong doing or violation of the laws of the state of South Dakota;

GREGORY A. ARCHER 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 GREGORY A. ARCHER's bail bonds producer license within the State of South Dakota be revoked, and that GREGORY A. ARCHER 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.

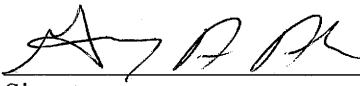
Dated at Pierre, South Dakota this 24th day of September, 2012.



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 23 day of August, 2012.



Signature
Greg Archer
Name (typed or printed)