

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

IN THE MATTER OF  
KELLIE J. RODD

)  
)

CONSENT ORDER

In resolution of the above matter and in lieu of a formal hearing, the undersigned parties do hereby agree to the following:

KELLIE J. RODD, whose address of record is 800 East Bridge St., Redwood Falls, MN 56283, holds a non-resident insurance producer license in the State of South Dakota;

KELLIE J. RODD is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The Division alleges the following:

- 1) KELLIE J. RODD knowingly made false statements or representations on six annuity policy applications for South Dakota residents when she and Mr. Henry T. Werth, a licensed South Dakota insurance producer, listed KELLIE J. RODD as the insurance agent for said annuity policies despite said policies being sold personally by Mr. Werth in violation of SDCL § 58-33-37;
- 2) KELLIE J. RODD failed to comply with a Consent Order effective April 9, 2012 by failing to remit payment of the monetary penalty within the deadline, a violation of SDCL § 58-30-167(2);
- 3) Pursuant to SDCL §§ 58-30-167(2), and 58-33-37, the Director of the Division may revoke KELLIE J. RODD's non-resident insurance producer license for the above-cited reasons.

KELLIE J. RODD is aware of and understands the nature of the charges and has been informed that she has the right to counsel, hearing, and appeal and that by agreeing to and signing this Consent Order, waives these rights;

In return for KELLIE J. RODD agreeing to the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute the final disposition pursuant to SDCL § 1-26-20;

KELLIE J. RODD agrees, in lieu of contesting this matter formally, to the voluntary revocation of her non-resident insurance producer's license and to cease the transaction of insurance business in this state;

By the execution of this Consent Order, KELLIE J. RODD waives her right to contest the allegations contained in this Consent Order in any future licensing procedures;

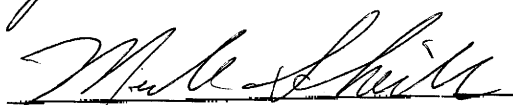
KELLIE J. RODD agrees that this Consent Order may be considered in any future licensing procedures with the Division and for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that the resident insurance producer's license of KELLIE J. RODD is hereby revoked; 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 31<sup>st</sup> day of July, 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 31 day of July, 2012.

  
Signature  
Kellie J. Rodd  
Name (Print)