

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

IN THE MATTER OF
DEAN JOHNSON

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)

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:

DEAN JOHNSON, whose address of record is 12 Hub Road, Box Elder, SD 57719-2216, holds a resident insurance producer license in the State of South Dakota;

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

The Division alleges the following with regard to DEAN JOHNSON:

- 1) DEAN JOHNSON solicited applications for insurance prior to being appointed with that company;
- 2) DEAN JOHNSON was compensated for soliciting applications for insurance prior to being appointed with that company;
- 3) Due to the above, DEAN JOHNSON violated SDCL §§ 58-30-172 and 58-30-175;
- 4) Pursuant to SDCL § 58-30-167(2) and (8), the Director of the Division may revoke or suspend DEAN JOHNSON's resident insurance producer license for the above-cited reasons.

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

DEAN JOHNSON agrees to pay \$500 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

DEAN JOHNSON further agrees to conduct himself in accordance with the insurance laws and regulations of the State of South Dakota;

DEAN JOHNSON 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;

DEAN JOHNSON waives his 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 DEAN JOHNSON pay a monetary penalty in the amount of \$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 DEAN JOHNSON 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; 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 27th day of February, 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 22 day of FEBRUARY, 2013.



Signature

DEAN E. JOHNSON
Name (typed or printed)