

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

IN THE MATTER OF NATIONWIDE
MUTUAL INSURANCE COMPANY

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)

CONSENT ORDER

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

NATIONWIDE MUTUAL INSURANCE COMPANY ("NATIONWIDE"), whose address of record is One Nationwide Plaza, Columbus, OH 43215-0000, has an active certificate of authority in the State of South Dakota;

NATIONWIDE is aware that the South Dakota Division of Insurance ("Division"), part of the South Dakota Department of Labor and Regulation ("DLR"), has conducted an investigation into its insurance-related business;

The Division has alleged the following:

- 1) NATIONWIDE failed to submit a South Dakota First Report of Injury within the 10 day submission period as required in SDCL § 62-6-3 in the case of DLR claim number 1413353;
- 2) NATIONWIDE failed to submit a South Dakota First Report of Injury within the 10 day submission period as required in SDCL § 62-6-3 in the case of DLR claim number 1413418;
- 3) NATIONWIDE failed to submit a South Dakota First Report of Injury within the 10 day submission period as required in SDCL § 62-6-3 in the case of DLR claim number 1413354;
- 4) NATIONWIDE was fined \$100 by the DLR per SDCL § 62-6-3 for failing to submit a South Dakota First Report of Injury within the 10 day submission period in each of the cases described in allegations 1 through 3 above;
- 5) NATIONWIDE was the subject of a 2011 Warning Letter from the Division for a previous violation of SDCL § 62-6-3; and
- 6) The above-cited conduct provides grounds for the suspension or revocation of NATIONWIDE's certificate of authority pursuant to SDCL § 62-6-3 and the authority granted to the Director of the Division in SDCL Title 58;

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

In return for NATIONWIDE 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 the final disposition of this licensing matter pursuant to SDCL § 1-26-20;

NATIONWIDE agrees to pay a \$15,000 monetary penalty pursuant to SDCL §§ 62-6-3 and 58-4-28.1, payable to "South Dakota Division of Insurance" at the time of the completion of this Consent Order; and

NATIONWIDE further agrees to maintain compliance with SDCL § 62-6-3 forthwith;

NATIONWIDE agrees that this Consent Order may be used for the purpose of determining the appropriate sanction in any future actions with the Division regarding any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director; and

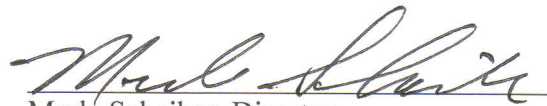
By the execution of this Consent Order, NATIONWIDE waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that NATIONWIDE pay a monetary penalty in the amount of \$15,000 payable to "South Dakota Division of Insurance" for the violations listed above; 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 25th day of July, 2013.



Merle Scheiber, Director
South Dakota Division of Insurance
Department of Labor and Regulation

I, the undersigned, have read and understand the terms of this Consent Order and the waiver of NATIONWIDE's due process rights and it voluntarily enters into this Consent Order.

Dated this 7th day of July, 2013.



Signature of Authorized Representative



Name of Authorized Representative



Title