

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

IN THE MATTER OF GREAT DIVIDE INSURANCE COMPANY))	CONSENT ORDER
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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:

GREAT DIVIDE INSURANCE COMPANY ("GREAT DIVIDE"), whose address of record is 7233 E. Butherus Dr. Scottsdale, AZ 85260, is an insurance company holding a certificate of authority to transact business in the State of South Dakota;

GREAT DIVIDE is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation of its insurance-related activities in South Dakota concerning a December 2015 assessment for the South Dakota Subsequent Injury Fund pursuant to SDCL §§ 62-4-34.7 and 62-4-35;

The Division has alleged the following:

- 1) The Division issued an assessment for the South Dakota Subsequent Injury Fund ("SIF") on December 23, 2015;
- 2) GREAT DIVIDE did not provide payment of the assessment immediately following receipt of the assessment and did not provide a written response in violation of SDCL § 62-4-35;
- 3) GREAT DIVIDE did not provide a timely response to the Division's February 9, 2016 letter regarding GREAT DIVIDE's failure to pay the assessment or respond to the Division in violation of SDCL §§ 58-33-66 and 58-33-68;
- 4) On March 25, 2016, the Division received the SIF assessment funds without explanation;
- 5) Any of the above-cited conduct may be grounds for the revocation or suspension of GREAT DIVIDE's certificate of authority pursuant to SDCL § 58-6-46;

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

In return for GREAT DIVIDE agreeing to the provisions of this Consent Order, the Division agrees not to proceed to hearing and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

GREAT DIVIDE agrees to a monetary penalty in the amount of \$5,000 pursuant to SDCL § 58-4-28.1, in lieu of contesting this matter formally; and

GREAT DIVIDE further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

GREAT DIVIDE 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 GREAT DIVIDE pay a monetary penalty in the amount of \$5,000 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 should GREAT DIVIDE fail to comply with the provisions of this Order, the Division may seek the suspension or revocation of GREAT DIVIDE's Certificate of Authority at hearing pursuant to SDCL § 58-6-46, or seek other remedies available at law; 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 GREAT DIVIDE abide by the agreement made by it in this Consent Order; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

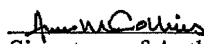
Dated at Pierre, South Dakota this 15th day of April, 2016.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of GREAT DIVIDE, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enter into this Consent Order.

Dated this 11th day of April, 2016.



Signature of Authorized Representative

Ann M. Collins

Printed Name

Asst Treasurer

Title