

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

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IN THE MATTER OF )  
NEFZGER ENTERPRISES, INC. ) 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:

NEFZGER ENTERPRISES, INC. (hereafter "NEFZGER") whose address of record is 524 W. Lake Dr., Lake Norden, SD 57248 holds a resident business entity license in the State of South Dakota;

NEFZGER is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation into its insurance related business in South Dakota;

The South Dakota Division of Insurance alleges the following:

- 1) NEFZGER allowed its business entity license to expire on July 1, 2018;
- 2) NEFZGER continued to operate, and sold or solicited insurance in South Dakota with having an active license, in violation of SDCL § 58-30-143;
- 3) NEFZGER failed to update its mailing address within 30 days of changing the same, in violation of SDCL 58-30-157;
- 4) NEFZGER failed to timely respond to the Division's requests for an explanation, dated March 20, 2019 in violation SDCL §§ 58-33-66 and 58-33-68;
- 5) Any of the above-cited conduct may be grounds for the revocation or suspension of NEFZGER's business entity license pursuant to SDCL §§ 58-30-167(2), 58-30-143, 58-30-157, 58-33-66, and 58-33-68;

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

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

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

NEFZGER 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;

NEFZGER waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures;

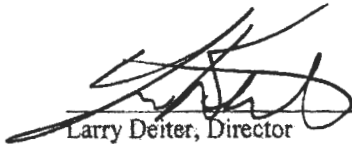
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that NEFZGER pay a monetary penalty in the amount of \$500 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that NEFZGER abide by the agreements made 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

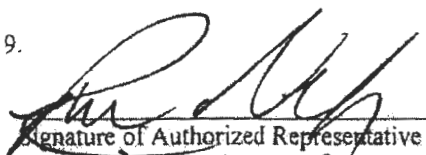
ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 17<sup>th</sup> day of July, 2019.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

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

Dated this 12 day of July, 2019.

  
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Signature of Authorized Representative  
Robin Nefzger  
\_\_\_\_\_  
Printed Name  
President  
\_\_\_\_\_  
Title