

August 9, 2019

SENT VIA CERTIFIED MAIL AND FIRST-CLASS MAIL

Toby Pedford
Every Life Marketing
2630 NW Expressway Suite B
Oklahoma City, OK 73112

7019 0700 0000 9717 3861

RE: Application for Insurance Producer License/Denial

This letter is to notify you that your application for the reinstatement of your nonresident insurance producer's license in South Dakota has been denied. The reason for the denial is as follows:

You applied to renew your individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on April 15, 2019. Your original license was issued on September 11, 2018. In your renewal application you answered "YES" to question 1B, indicating that you have been convicted/plead guilty/currently charged with a felony level offense. You provided documentation showing that on January 31, 2019 you were charged with a felony level DUI offense which resulted in great bodily injury. Your documentation also showed that a preliminary hearing was held on the matter on March 7, 2019. Pursuant to SDCL 58-30-194, you were required to report the pending felony prosecution to the Division within 30 days.

Due to your pending criminal charges and your failure to report the pending action, the Division wrote to you on May 7, 2019 via regular mail and email asking for an explanation of the incident and why the action was not reported. Having failed to receive a response from you, the Division sent you a cite letter via certified mail and email on June 7, 2019, again asking for a written explanation for your pending action, asking why the action was not reported, and also informing you that you had violated SDCL 58-33-66(1) by failing to respond to the Division's first letter within 20 days. Having again failed to receive a response, on July 2, 2019 the Division called your phone number of record, and left you a voicemail, informing you that a response to the two previous letters was required by no later than July 5, 2019. As of the date of this letter, the Division still has not received a response from you and there has been no explanation for your lack of communication with the Division.

Based on the above information, your application is denied because you have been determined not to be in good standing under ARSD 20:06:01:03 and for violating SDCL 58-30-167(2) violating the insurance laws or rules of South Dakota or any other state and for violating SDCL 58-33-66(1) for failing to respond to an inquiry from or failing to supply documents requested by the Division of Insurance within twenty days of receipt of such inquiry or request and for violating SDCL 58-30-167(8) for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence,

untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere and for violating SDCL 58-30-194 for failing to report a felony prosecution within thirty days of the initial pretrial hearing date.

Please note that this denial is considered an administrative action which will be reported to the database maintained by the National Association of Insurance Commissioners. If an administrative action occurs, an insurance producer may be required to report the action to all states in which an insurance license is held and in accordance with the timeframes and requirements of each state.

Pursuant to SDCL § 58-30-168, you may make a written request to the Division of Insurance within thirty (30) days of the date of this denial for a hearing to determine the reasonableness of this decision to deny your application for licensure.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Nelson". The signature is written in a cursive style with a large, stylized "D" and "N".

Daniel R. Nelson, Assistant Director
South Dakota Division of Insurance
Department of Labor and Regulation

Cc: athrasher@prazisbenefits.net