

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

IN THE MATTER OF)
TRUSTAGE INSURANCE AGENCY LLC) 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:

TRUSTAGE INSURANCE AGENCY LLC, (TRUSTAGE) whose address of record is 2000 Heritage Way, Waverly, IA 50677, holds a business entity license in the State of South Dakota;

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

TRUSTAGE engages in direct mail marketing of accidental death insurance products in the State of South Dakota;

The Division alleges the following:

- 1) TRUSTAGE published, disseminated, circulated, or placed before the public an advertisement, announcement, or statement containing untrue, deceptive, or misleading assertions, representations, or statements; in violation of SDCL §§ 58-33-6 and 58-33A-10;
- 2) Any of the above-cited conduct may be grounds for the revocation or suspension of TRUSTAGE's business entity license pursuant to SDCL §§ 58-30-167(2), 58-33-6, and 58-33A-10;

TRUSTAGE is aware of and understands the nature of the allegations and has been informed that it 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 TRUSTAGE 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, TRUSTAGE waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

TRUSTAGE further agrees to refrain from using marketing materials that include a header directing the recipient to "sign and return" a "statement of benefits";

TRUSTAGE further agrees to refrain from using outer mail envelopes labeled "Urgent" or that may be misleading to the recipient as to the sender of the enclosed materials;

TRUSTAGE further agrees to pay a monetary penalty of \$15,000 pursuant to SDCL §§ 58-30-167 and 58-4-28.1, in lieu of an administrative hearing and Final Decision;

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

TRUSTAGE 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;

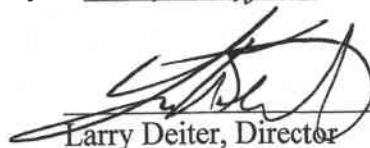
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that TRUSTAGE pay a monetary penalty in the amount of \$15,000 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that TRUSTAGE 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 18th day of March, 2019.



Larry Deiter, Director
South Dakota Division of Insurance

[Signature of Respondent on following page]

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

Dated this 14 day of March, 2019.



Signature of Authorized Representative

Natalie R. Crain

Printed Name

VP, Consumer Market & Insights

Title