

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

IN THE MATTER OF
BRITTNEY MCCUTCHEON

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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:

BRITTNEY MCCUTCHEON, whose address of record is 814 Barrel Pt., San Antonio, TX, 78251-3284, is a nonresident insurance producer licensed in the State of South Dakota;

BRITTNEY MCCUTCHEON is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation;

The Division alleges the following:

- 1) BRITTNEY MCCUTCHEON was terminated for cause from Garrison Property Casualty Insurance Company, United Services Automobile Association, USAA Casualty Insurance Company, and USAA General Indemnity Insurance Company (collectively "USAA") on February 26, 2020.
- 2) The Division received a letter from a USAA representative on April 26, 2020, explaining that the termination was due to alleged misappropriation of funds of customer accounts.
- 3) As a result of the alleged misappropriation of funds, BRITTNEY MCCUTCHEON was charged with two felonies in the state of Texas.
- 4) The Division wrote BRITTNEY MCCUTCHEON at her address of record on May 20, 2020, and requested an explanation of the events. The Division did not receive a response, so it wrote BRITTNEY MCCUTCHEON again on June 19, 2020. BRITTNEY MCCUTCHEON provided a response on June 22, 2020 but did not address all of the Division's questions.
- 5) Pursuant to SDCL 58-30-167(4) and (8), SDCL 58-30-194, SDCL 58-33-66(1), and SDCL 58-33-98, the Director of the Division may revoke BRITTNEY MCCUTCHEON's insurance producer license for any one of the above-cited reasons.

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

In return for BRITTNEY MCCUTCHEON agreeing to the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing on February 3, 2021, and agrees that this Consent Order will constitute the final disposition of this matter pursuant to SDCL § 1-26-20;

BRITTNEY MCCUTCHEON agrees, in lieu of contesting this matter formally, to the revocation of her nonresident insurance producer's license and to cease the transaction of insurance business in this state;

BRITTNEY MCCUTCHEON further agrees that this Consent Order may be considered in any future licensing procedures with the South Dakota Division of Insurance and 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;

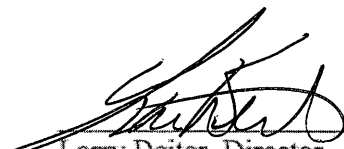
By the execution of this Consent Order, BRITTNEY MCCUTCHEON waives her right to contest the allegations contained in this Consent Order in any future licensing proceedings;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that the nonresident insurance producer's license of BRITTNEY MCCUTCHEON is hereby revoked, and that BRITTNEY MCCUTCHEON cease the transaction of insurance business in South Dakota; 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.

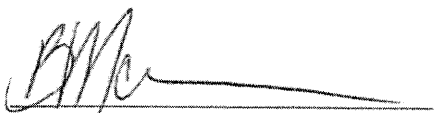
Dated at Pierre, South Dakota this 19th day of January, 2021.



Larry Deiter, Director
South Dakota Division of Insurance

I have read and understand the terms of this Consent Order and the waiver of my due process rights and voluntarily enter into this Consent Order.

Dated this 18 day of January, 2021.



Signature
Brittney McCutcheon
Name (Print)