

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

IN THE MATTER OF
JOSIE LEMER

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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:

JOSIE LEMER, whose address of record is 309 W. 13th Ave, Mitchell, SD 57301 is an individual who is currently licensed as a resident insurance producer in the State of South Dakota;

The Division alleges the following with regards to JOSIE LEMER:

1. JOSIE LEMER was terminated for cause by an insurer;
2. JOSIE LEMER misrepresented the terms of an actual or proposed insurance contract or application for insurance and made false statements on insurance applications in violation of SDCL §§ 58-30-167(5) and 58-33-37;
3. JOSIE LEMER used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere, in violation of SDCL § 58-30-167(8);
4. Pursuant to SDCL §§ 58-30-167(2), (5), & (8) and 58-33-37, the Director of the Division may revoke JOSIE LEMER's insurance producer and business entity license for violating the insurance laws of South Dakota.

JOSIE LEMER is aware of and understands the nature of these 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;

By the execution of this Consent Order JOSIE LEMER neither admits to nor denies any violations of the laws of the State of South Dakota, but waives her rights to contest the allegations contained in this Consent Order;

In return for JOSIE LEMER agreeing to the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute the final disposition pursuant to SDCL § 1-26-20;

JOSIE LEMER, in lieu of contesting this matter formally, agrees to the revocation of her resident insurance producer license, and agrees to cease the transaction of insurance business in this state;

JOSIE LEMER 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;

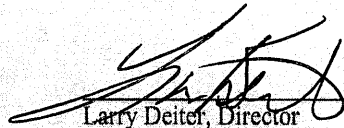
By the execution of this Consent Order, JOSIE LEMER waives her right to contest the allegations contained in this Consent Order in any future licensing proceedings;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that the resident insurance producer license of JOSIE LEMER is hereby revoked; 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 21st day of JUNE, 2023.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, represents that she understands the terms of this Consent Order and the waiver of her due process rights and that she voluntarily enters into this Consent Order.

Dated this 12 day of JUNE, 2023.



JOSIE LEMER