

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

IN THE MATTER OF)
AMERITAS INVESTMENT COMPANY, 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:

AMERITAS INVESTMENT COMPANY, LLC (“AMERITAS”) whose address of record is PO BOX 5507 Lincoln, NE 68505-0507, is a Limited Liability Company based in the state of Nebraska;

AMERITAS is aware that the South Dakota Division of Insurance (“Division”) has conducted an investigation into their securities activities and sales in South Dakota;

The Division has alleged the following:

- 1) AMERITAS did not detect, document, and/or retain records of two former registered representatives who performed impermissible outside securities transactions, in violation of SDCL §§ 47-31B-411 and ARSD 20:08:03:08;
- 2) Unbeknownst to AMERITAS, two registered representatives sold unapproved promissory notes, which were later determined to be a Ponzi scheme, with losses by South Dakota investors exceeding \$2,200,000;
- 3) The above-cited conduct may be grounds for the denial, suspension, and revocation of AMERITAS’s registration and the issuance of a monetary penalty of up to \$10,000 per violation, pursuant to SDCL §§ 47-31B-102, 47-31B-301, 47-31B-306, 47-31B-603, and 47-31B-604;

AMERITAS is aware of and understand the nature of the charges and have been informed that it has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order, agree to the waiver of these rights;

By the execution of this Consent Order AMERITAS neither admits to nor denies any violations of the laws of the State of South Dakota, but waive its rights to contest the allegations contained in this Consent Order;

In return for AMERITAS agreeing to the provisions of this Consent Order, the Division agrees not to proceed to a formal hearing and agrees that this Consent Order will constitute an informal disposition of this matter pursuant to SDCL § 1-26-20;

AMERITAS agrees to a monetary penalty in the amount of \$20,000 pursuant to SDCL § 47-31B-604, in lieu of contesting this matter formally; and

AMERITAS further agrees that this Consent Order may be considered for the purpose of determining an 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;

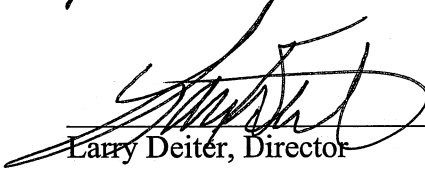
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that AMERITAS will pay a monetary penalty in the amount of \$20,000 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that AMERITAS will abide by the agreements made by it in this Consent Order; and it is further

ORDERED that this consent order is necessary and appropriate in the public interest and is consistent with the purposes fairly intended by the policy and provisions of SDCL 47-31B; and it is further

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

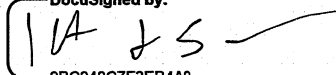
Dated at Pierre, South Dakota this 9th day of April, 2021.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of AMERITAS, represents that 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 24th day of March, 2021.

DocuSigned by:


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Signature of Authorized Representative

Kurt Shallow

Printed Name

President, AIC

Title