

BEFORE THE STATE AUDITOR
AND COMMISSIONER OF SECURITIES AND INSURANCE
HELENA, MONTANA

IN THE MATTER OF:)	CASE NO. INS-2006-67
BART MURNION, individually and in his capacity as a Montana licensed insurance producer,)	
Respondent.)	CONSENT AGREEMENT

Consent Agreement dated this 15th day of December 2006, between the Montana Securities Department and Insurance Department ("Departments"), acting pursuant to the authority of the Insurance Code, § 33-1-101 *et. seq.*, and § 2-4-603 Montana Code Annotated; and Respondent Bart Murnion.

RECITALS

WHEREAS, the Insurance Department (Department) issued a Notice of Proposed Agency Disciplinary Action and Opportunity for Hearing (Action) on or about May 9, 2006, alleging violations of the Montana Insurance Code;

WHEREAS, the Department and Murnion agree that the parties' best interests would be served by dismissing the Action and entering into the following specific agreement and undertakings set forth below.

NOW THEREFORE, in consideration of the mutual undertakings established herein, the Departments and Murnion, as the parties hereto, enter into the following:

AGREEMENT

A. Without admitting the allegations and conclusions contained within the four corners of the Action, Murnion hereby stipulates and consents to the following:

1. Respondent Murnion shall relinquish his insurance producer's license upon signing this agreement;
2. Murnion shall be barred from applying for an insurance producer's license in Montana.

B. The Commissioner agrees and stipulates to the following:

1. Upon signing this notarized consent agreement, the Commissioner will file with the hearing examiner the Consent Agreement in regard to all matters now pending before him and seek a dismissal of this case, with prejudice, with respect to the allegations against Murnion, specifically but not limited to, any allegations of fraud and will vacate the Cease and Desist Order issued in this matter.

C. The parties agree and stipulate as follows:

1. The Statute of Limitation is tolled for two (2) years from the date of consummation of this consent agreement with regard to the allegations set forth in the Action. In the event Murnion, violates the terms of this consent agreement or violate the insurance or securities laws of any other state during the two year period, the State Auditor's Office shall seek a fine from Murnion in the amount of \$75,000.

2. Any complaints brought to the Commissioner after the signing of this Agreement that contain allegations of illegal acts by Murnion of a similar or the same nature as the allegations set forth in the Action that occurred prior to the consummation of this Agreement shall not result in further administrative, civil or criminal action by the Commissioner.

3. This Consent Agreement constitutes the entire agreement between the parties, there being no other promises or agreements, either express or implied. Pursuant to statutory authority, the Commissioner hereby agrees that the Commissioner will not initiate any civil, administrative, or criminal action against Murnion regarding the allegations contained in the Action. The Commissioner will not refer the allegations or evidence underlying the allegations for criminal prosecution to any other agency. Murnion fully and forever releases and discharges the Office of the State Auditor, the elected State Auditor and all State Auditor employees from any and all actions, claims, causes of action, demands, or expenses for damages or injuries that may arise from the allegations underlying this Agreement, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the Action.

DATED this 15th day of December 2006.

MONTANA INSURANCE DEPARTMENT

By: Carol Roy
Carol Roy
Deputy Insurance Commissioner

DATED this ____ day of _____ 2005.

BART MURNION

SUBSCRIBED AND SWORN to before me this ____ day of
December 2006.

Notary Public for the State of Montana
Residing at _____, Minnesota
My commission expires _____.

BEFORE THE STATE AUDITOR
AND COMMISSIONER OF SECURITIES AND INSURANCE
HELENA, MONTANA

IN THE MATTER OF:

CASE NO. INS-2006-87

BART MURNION, individually and in his
capacity as a Montana licensed
insurance producer,

CONSENT AGREEMENT

Respondent.

Consent Agreement dated this _____ day of _____ 2006, between
the Montana Securities Department and Insurance Department ("Departments"), acting pursuant
to the authority of the Insurance Code, § 33-1-101 *et. seq.*, and § 2-4-603 Montana Code
Annotated; and Respondent Bart Murnion.

RECITALS

WHEREAS, the Insurance Department (Department) issued a Notice of Proposed
Agency Disciplinary Action and Opportunity for Hearing (Action) on or about May 9, 2006,
alleging violations of the Montana Insurance Code;

WHEREAS, the Department and Murnion agree that the parties' best interests would be
served by dismissing the Action and entering into the following specific agreement and
undertakings set forth below.

NOW THEREFORE, in consideration of the mutual undertakings established herein, the
Departments and Murnion, as the parties hereto, enter into the following:

AGREEMENT

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1. Respondent Murnion shall relinquish his insurance producer's license upon signing this agreement;
2. Murnion shall be barred from applying for an insurance producer's license in Montana.

B. The Commissioner agrees and stipulates to the following:

1. Upon signing this notarized consent agreement, the Commissioner will file with the hearing examiner the Consent Agreement in regard to all matters now pending before him and seek a dismissal of this case, with prejudice, with respect to the allegations against Murnion, specifically but not limited to, any allegations of fraud and will vacate the Cease and Desist Order issued in this matter.

C. The parties agree and stipulate as follows:

1. The Statute of Limitation is tolled for two (2) years from the date of consummation of this consent agreement with regard to the allegations set forth in the Action. In the event Murnion violates the terms of this consent agreement or violate the insurance or securities laws of any other state during the two year period, the State Auditor's Office shall seek a fine from Murnion in the amount of \$75,000.

2. Any complaints brought to the Commissioner after the signing of this Agreement that contain allegations of illegal acts by Murnion of a similar or the same nature as the allegations set forth in the Action that occurred prior to the consummation of this Agreement shall not result in further administrative, civil or criminal action by the Commissioner.

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DATED this ____ day of December 2006.

MONTANA INSURANCE DEPARTMENT

By: _____
 Carol Roy
 Deputy Insurance Commissioner

DATED this 14 day of December 2006.

Bart Murnion
 BART MURNION

SUBSCRIBED AND SWORN to before me this 14th day of December 2006.

Sharon Head
 Notary Public for the State of ~~Montana~~ Virginia
 Residing at Hampton, ~~Minnesota~~ Virginia
 My commission expires MY COMMISSION EXPIRES AUGUST 31, 2009

