

MIKE WINSOR
Office of the Commissioner of
Securities & Insurance
840 Helena Avenue
Helena, MT 59601
(406) 444-2040

Attorney for the Department of Insurance

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
OFFICE OF THE STATE AUDITOR
STATE OF MONTANA**

IN THE MATTER OF)	
THE AMACORE GROUP INC.,)	CASE NO.: INS-2009-75
)	
Respondent.)	CONSENT AGREEMENT AND
)	FINAL ORDER
)	

This Consent Agreement dated this 16th day of June, 2010, is between the Montana Insurance Department ("Department"), acting pursuant to Mont. Code Ann. § 2-4-603 and the authority of the Insurance Code, Mont. Code Ann. § 33-1-101, *et. seq.*, and Amacore Group, Inc. ("Respondent").

RECITALS

WHEREAS, the Department issued a Temporary Order to Cease and Desist and Opportunity for Hearing ("Order") and a Notice of Proposed Agency Action and Opportunity for Hearing ("Notice") against the Respondent on March 19, 2010, alleging that Respondent violated Mont. Code Ann. § 33-38-105(1) by selling medical care discount cards in Montana without holding a certificate of authority as a medical care discount card supplier.

WHEREAS, the Allegations of Fact and Conclusions of Law contained in the Order and Notice are incorporated herein by reference.

WHEREAS, the Respondent neither admits nor denies the Allegations of Fact and Conclusions of Law contained in the Order and Notice.

WHEREAS, the Respondent has fully cooperated with the Department and has made full refunds to Montana consumers.

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

NOW THEREFORE, in consideration of the mutual undertakings established herein, the Department and the Respondent enter into the following:

AGREEMENT

1. The above recitals are true and correct and are incorporated herein by reference.
2. The Respondent acknowledges the Commissioner of Securities and Insurance, Office of the State Auditor (the "CSI"), and the Department have jurisdiction over the subject matter of the above entitled proceeding.
3. The Respondent acknowledges it was advised of its option to be represented by legal counsel, has consulted with legal counsel regarding this Consent Agreement, and is satisfied with the services of its legal counsel.
4. The Respondent acknowledges that it has read and understands each term of this Consent Agreement and it enters into this Consent Agreement voluntarily and without reservation.

5. The Respondent stipulates and agrees with the Department that this Consent Agreement resolves alleged violations set forth in the Order and Notice.

6. The Respondent and the Department hereby acknowledge and agree that this Consent Agreement constitutes the entire agreement between the parties and that no other promises or agreements, either express or implied, have been made by the Department or by any member, officer, agent, or representative of the Department to induce the Respondent to enter into this Consent Agreement.

7. Any notice provided for in this Consent Agreement and any other communication between the Department and the Respondent are legally sufficient if given in the following manner:

(a) Notice to the Department may be given by mailing the notice by United States mail, postage paid and addressed to the Department as follows:

Mike Winsor
Montana State Auditor's Office
840 Helena Avenue
Helena, MT 59601

(b) Notice to Respondent may be given by mailing the notice by United States mail, postage paid and addressed as follows:

Angelina M. Whittington
Attorney at Law
4371 Lynx Paw Trail
Valrico, FL 33596

(c) Either party shall give to the other party notice of change of address, or the substitution of counsel, for the giving of notices in the manner provided in this Consent Agreement, if applicable.

8. With respect to the Order and Notice, the Respondent specifically and affirmatively waives a contested case hearing and elects to resolve this matter on the terms and conditions set forth herein.

9. The Respondent fully and forever releases and discharges the CSI, Department, and all Department employees and agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this administrative action and the Factual Allegations and Conclusions of Law contained in the Order and Notice and incorporated by reference in this Consent Agreement.

10. The parties acknowledge and agree that this Consent Agreement may not be modified orally, and any subsequent modifications to this Consent Agreement must be mutually agreed upon in writing to be effective.

11. The Department and the Respondent agree that this Consent Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

12. The Respondent further understands that, upon the signing of the Final Order by the Commissioner or her representative, this Consent Agreement and Final Order will be an order of the CSI and failure to comply with it may constitute a separate violation of the Montana Insurance Code, as provided in Mont. Code Ann. § 33-1-318, and may result in subsequent legal action by the Department.

13. Upon execution of this Consent Agreement and full payment of an administrative fine as set forth in Paragraph 16 below, the Department will fully and forever release and discharge Respondent, Respondent's employees, and Respondent's agents from any and all

actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of this administrative action and the Factual Allegations and Conclusions of Law contained in the Order and Notice and incorporated by reference in this Consent Agreement and will not commence any further administrative, civil, or other legal action based upon the allegations set forth in the Order and Notice that occurred prior to the execution of this Consent Agreement.

14. This Consent Agreement shall be effective upon signing of the Final Order.

15. The Respondent acknowledges that this Consent Agreement and Final Order are public records under Montana law and as such may not be sealed or otherwise withheld from the public.

16. The Department and the Respondent further agree as follows:

(a) The Department and the Respondent hereby stipulate and agree to the imposition of an administrative fine upon the Respondent in the amount of Fifty Thousand Dollars (\$50,000.00) of which Thirty Thousand Dollars (\$30,000.00) shall be suspended subject to full performance of this Consent Agreement and continuing compliance with the Montana Insurance Code. Respondent shall pay the remaining non-suspended portion of the fine, *to wit*: Twenty Thousand Dollars (\$20,000.00) as set forth in Paragraph 15(b) below.

(b) Respondent shall make four monthly installment payments of Five Thousand Dollars (\$5,000).

(i) The first payment shall be due within ten (10) days of the effective date of the Final Order as set forth in Paragraph 14 above;

- (ii) the remaining payments shall be due not later than the 15th day of each consecutive month thereafter until the entire fine is paid in full; and
- (iii) checks should be payable to the Montana State Auditor's Office and sent to the Commissioner of Securities and Insurance, Office of the State Auditor, Attention: Mike Winsor, 840 Helena Avenue, Helena, MT 59601.

17. Additionally, the Respondent agrees to refrain from engaging in the following conduct in the state of Montana without first applying for and receiving appropriate licensure from the Department:

- (a) engaging in or transacting the business of insurance including: offering of association memberships, insurance, and/or medical care discount card products, the collection of premiums, membership fees, or other consideration, issuance of insurance and insurance-related products, advertising to or soliciting Montana residents by email, facsimile, telephone, mail, internet or any other means so as to induce Montana residents to purchase any form of insurance, association membership, or medical care discount card product under any of the identified business organizational titles or under any other name or organization;
- (b) participating in any act of an insurance producer or an insurance company in soliciting insurance business in the state of Montana,
- (c) participating in any act of a third-party administrator in the state of Montana; and
- (d) engaging in any other act, practice, or course of business that violates any section of the Montana Insurance Code.

DATED this 15th day of June, 2010.


Mike Winsor
Attorney for the Department of Insurance

DATED this 15th day of June, 2010.

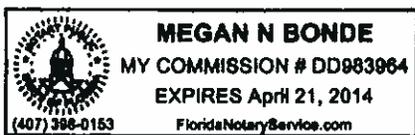
AMACORE GROUP, INC.

By: [Signature]

Its: PRESIDENT FOR AGI

STATE OF Florida)
)ss.
County of: Orange)

SUBSCRIBED and SWORN to before me this 15 day of June, 2010.



[Signature]
(Signature)

Megan N Bonde
(Printed name)

Notary Public for the State of: Florida
Residing at: Orange County
My Commission Expires: April 21, 2014

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603, and the Montana Insurance Code, Mont. Code Ann. § 33-1-101, *et seq.*, and upon review of the foregoing Consent Agreement and Final Order and good cause appearing therefor,

IT IS ORDERED that the foregoing Consent Agreement between the Department and the Respondent is hereby adopted as if set forth fully herein.

DATED this 16th day of June, 2010.

MONICA J. LINDEEN
Commissioner of Securities and Insurance

By: Robert W Moon
ROBERT W. MOON
Deputy Commissioner of Insurance

cc: Mike Winsor, Insurance Department
Respondents