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Attorney for the Insurance Department

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

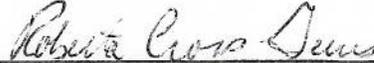
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|                                         |   |                      |
|-----------------------------------------|---|----------------------|
| IN THE MATTER OF:                       | ) | CASE NO. INS-2009-93 |
|                                         | ) |                      |
| NICOLE SIBLEY                           | ) | NOTICE OF FILING     |
| in her capacity as a licensed insurance | ) | CONSENT AGREEMENT    |
| producer, License # 704887,             | ) |                      |
|                                         | ) |                      |
| BRANDON FRENCH                          | ) |                      |
| Individually,                           | ) |                      |
| Respondents.                            | ) |                      |

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The Montana Insurance Department (Department), by and through its legal counsel, Roberta Cross Guns, gives notice that the Department and Respondent Nicole Sibley have entered into a consent agreement and are filing said consent agreement to become part of the record in this matter. The Department and Ms. Sibley have negotiated and signed the agreement, a copy of which is attached hereto as Exhibit A.

DATED this 23<sup>rd</sup> day of September, 2010.

  
\_\_\_\_\_  
ROBERTA CROSS GUNS  
Attorney for Insurance Department

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served on the 23<sup>rd</sup>  
day of September, 2010, by US mail, first-class postage paid, to the following:

Laura Christoffersen  
Christoffersen & Knierim, PC  
PO Box 650  
Culbertson, MT 59218

Nicole Sibley  
701 B 11<sup>th</sup> Avenue NE  
Minot, ND 58703



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Office of the Commissioner of Securities and Insurance

# Exhibit A

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

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|                                         |   |                      |
|-----------------------------------------|---|----------------------|
| IN THE MATTER OF:                       | ) | CASE NO. INS-2009-93 |
|                                         | ) |                      |
| NICOLE SIBLEY                           | ) | CONSENT AGREEMENT    |
| in her capacity as a licensed insurance | ) | RE: NICOLE SIBLEY    |
| producer, License # 704887,             | ) |                      |
|                                         | ) |                      |
| BRANDON FRENCH                          | ) |                      |
| Individually,                           | ) |                      |
| Respondents.                            | ) |                      |

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Consent Agreement dated this 18<sup>TH</sup> day of September, 2010, between the Montana Insurance Department (Department), acting pursuant to the authority of the Insurance Code of Montana, Mont. Code Ann. § 33-1-101 *et seq.* (the Code) and Respondent Nicole Sibley (Sibley).

RECITALS

WHEREAS, the Department performed an investigation of information provided to it by State Farm Insurance that represents the basis for specific claims against Sibley and found evidence to support filing an administrative action against Sibley.

WHEREAS, the Department and Sibley 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 Sibley, as the parties hereto, enter into the following:

## AGREEMENT

A. Without admitting or denying any of the claims outlined in the Department's Notice of Proposed Agency Disciplinary Action (Action) dated April 26, 2010 (attached hereto as Exhibit A), Sibley hereby stipulates and consents to the following:

1. Sibley shall pay a fine of \$500, due and payable within 90 days of the signing of this agreement.
2. Sibley's insurance producer's license shall be suspended for a period of one year. During this period, Sibley shall continue to obtain her required continuing education credits.
3. Sibley shall comply with the terms and conditions of this agreement and with the insurance laws and regulations of Montana.
4. The statute of limitation is tolled for one year from the date of consummation of this agreement with regard to the allegations set forth in the Department's Action. In the event Sibley violates the terms of this agreement or violates the insurance laws of any other state during the one year period, Sibley shall pay a fine to the Commissioner of Securities and Insurance of the Office of the State Auditor's Office in the amount of \$1,000.

B. The parties agree and stipulate as follows:

1. This agreement constitutes the entire agreement between the parties, there being no other promises or agreements, either express or implied. Pursuant to statutory authority, the Department hereby agrees that the Department will not initiate any civil, administrative, or criminal action against Sibley regarding the allegations contained in the Department's Action.
2. Sibley fully and forever releases and discharges the Department, the Commissioner of Securities and Insurance of the Office of the State Auditor (CSI), and all CSI 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 23<sup>rd</sup> day of September 2010.

Roberta Cross Guns  
ROBERTA CROSS GUNS  
Attorney for the Insurance Department

DATED this 20<sup>th</sup> day of September 2010.

Nicole Sibley  
NICOLE SIBLEY

STATE OF North Dakota )  
County of Ward ) ss.

SUBSCRIBED AND SWORN to before me this 20<sup>th</sup> day of September, 2010 by  
Nicole Sibley.

Pamela L. Albright  
Printed Name: Pamela L. Albright  
Notary Public for the State of North Dakota  
Residing at Minot, ND 58701  
My commission expires 6/22/13

