

**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-2011-116
	)	
SHEILA TRUMPS,	)	
d/b/a POWDER RIVER ABSTRACT	)	<b>CONSENT AGREEMENT AND FINAL</b>
TITLE COMPANY, INC.,	)	<b>ORDER</b>
in her capacity as a licensed insurance	)	
producer, License #3989	)	
	)	
Respondent.	)	

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This Consent Agreement dated this 20<sup>th</sup> day of December, 2011 is between the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), acting pursuant to the authority of the Montana Insurance Code, Mont. Code Ann. § 33-1-101, et seq. (the “Code”) and Sheila Trumps, including her d/b/a Powder River Abstract & Title Company, Inc. (Trumps).

**RECITALS**

WHEREAS, the CSI initiated this case alleging violations of the Code by Trumps constituting insurance fraud pursuant to Mont. Code Ann. § 33-1-1202(4);

WHEREAS, the CSI has engaged in extensive investigation of the allegations contained within the case;

WHEREAS, the CSI and Trumps have agreed that the best interests of the public would be served by entering into the agreements and undertakings specified herein.

NOW THEREFORE, in consideration of the mutual undertakings herein contained, the CSI and Trumps hereby agree to resolve their differences and settle this matter pursuant to the following terms and conditions:

### **SUMMARY OF ALLEGATIONS**

The allegations against Trumps indicate she continued to sell title insurance using blank Stewart Title Guaranty Company (Stewart) policies, retaining all premium amounts after her appointment with Stewart was terminated. The Notice of Proposed Agency Disciplinary Action and Opportunity for Hearing (Agency Action) is attached as Exhibit A.

### **STIPULATIONS AND CONSENTS**

The parties jointly and mutually consent and agree as follows:

A. Trumps admits the allegations contained within the four-corners of the Agency Action. She stipulates and consents to the following:

1. To permanently surrender her Montana insurance producer's license and the agency producer's license.
2. To submit to random, unannounced examinations of her business operations by the CSI to ensure she is no longer engaging in the business of insurance. These examinations shall cease upon the sale of her title business (title plant). Upon the sale of said business, Trumps shall notify the CSI of the date of sale and to whom the business was sold.
3. Trumps paid restitution to Stewart in the amount of \$3,665.34 by check dated July 28, 2011.

4. To comply with the terms and conditions of this Consent Agreement and with the securities laws and regulations of Montana.

5. The applicable statute of limitation pursuant to Mont. Code Ann. § 33-1-707 is tolled for two years from the date of execution of this Consent Agreement with regard to the allegations set forth in the Agency Action. In the event Trumps violates the terms of this Consent Agreement at any time during the two-year tolling period, the CSI reserves the right to seek fines up to \$5,000 for each violation from Trumps.

6. Trumps fully and forever release and discharges the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner), the 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 Agency Action.

B. Based on the foregoing consents and stipulations by Trumps, the CSI agrees as follows:

1. The CSI, pursuant to authority of the Montana Insurance Code and the applicable statutes found in the Montana Administrative Procedures Act, agrees that if the terms and conditions of this Consent Agreement are fully met, the CSI will not initiate any civil, administrative or other judicial proceeding against Trumps regarding the allegations contained in this case. Additionally, pursuant to authority of the Montana Insurance Code and the applicable statutes found in the Montana Administrative Procedures Act, the CSI agrees that if the terms and conditions of this Consent Agreement are fully met, the CSI will not refer this case for criminal prosecution regarding the allegations contained in this case.

C. All parties to this Consent Agreement agree and acknowledge:

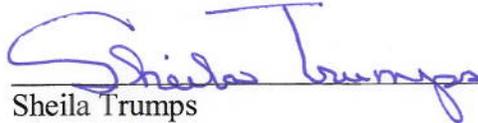
1. This Consent Agreement constitutes the entire agreement between the parties, there being no other promises or agreements, either express or implied.

2. The CSI and Trumps agree that this Consent Agreement shall be incorporated and made a part of the attached Final Order issued by the Commissioner herein.

DATED this 20 day of December, 2011.

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ROBERTA CROSS GUNS  
Attorney for the CSI

SHEILA TRUMPS, and D/B/A  
POWDER RIVER ABSTRACT & TITLE CO., INC.

  
\_\_\_\_\_  
Sheila Trumps

STATE OF MONTANA )  
 ) ss.  
COUNTY OF \_\_\_\_\_ )

SUBSCRIBED AND SWORN to before me this \_\_\_\_\_ day of December, 2011, by  
Sheila Trumps.

\_\_\_\_\_  
Printed Name: \_\_\_\_\_  
Notary Public for the State of: \_\_\_\_\_  
Residing at: \_\_\_\_\_  
My commission expires: \_\_\_\_\_.



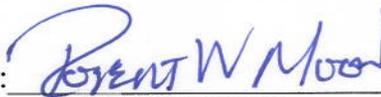
**ORDER**

Pursuant to the authority vested by the Montana Insurance Code, Mont. Code Ann. § 33-1-101, *et seq.*, and upon review of the forgoing Consent Agreement and there appearing to be good cause, and for the purpose of settling this matter prior to a hearing, the Commissioner orders Trumps to perform the terms set forth in the foregoing Consent Agreement, including those found at paragraphs A 1-6.

IT IS ORDERED that the foregoing Consent Agreement between the CSI, Sheila Trumps, and Powder River Abstract & Title Co., Inc. is hereby adopted as if set forth fully here.

Dated this 20<sup>th</sup> day of December, 2011.

MONICA J. LINDEEN  
Commissioner of Securities and Insurance  
Montana State Auditor

By:   
\_\_\_\_\_  
ROBERT W. MOON  
Deputy Insurance Commissioner

Copies to: Roberta Cross Guns  
John Grant