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Attorney for the CSI

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

IN THE MATTER OF:)	CASE NO. INS-2011-50
)	
BARBARA HANTSMAN,)	CONSENT AGREEMENT AND
)	FINAL ORDER
Respondent.)	
)	
)	

This Consent Agreement and Final Order (Agreement) is entered into by 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. (Code), and Barbara Hantsman (Respondent).

RECITALS

WHEREAS, the CSI received an insurance fraud referral from The Standard Insurance Company;

WHEREAS, the referral alleged that Respondent collected disability payments while working at Affordable Insurance of Bozeman from 2008 through 2010;

WHEREAS, the CSI alleged Respondent violated Mont. Code Ann. § 33-1-1202(1) by providing untrue statements to an insurer;

WHEREAS, the CSI and Respondent agree that the best interests of the public would be served by entering into this Agreement;

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, the CSI and the Respondent hereby agree to settle this matter pursuant to the following terms and conditions:

STIPULATIONS AND CONSENTS

I. Without admitting or denying any of the CSI's allegations, Respondent stipulates and consents to the following:

A. Respondent's insurance license shall be suspended for a period of two days effective upon execution of this Agreement. Respondents' insurance license shall be placed on a four-year probationary period.

B. Upon execution of this Agreement, Respondent shall begin repaying The Standard Insurance Company a sum of \$12,913.11 in 48 monthly installments of \$176.53 each. The first submission shall be made by March 1, 2012. If Respondent decides to accelerate these payments, she shall pay the entire remaining amount in one lump sum.

C. Respondent shall submit copies of the monthly checks written to the Standard Insurance Company to the CSI. Should Respondent decide to pay the entire remaining amount owed to The Standard, the four year probationary period shall be reduced to three years. Further monthly reporting of payments shall not be required once the entire balance to be paid has been paid in full. These copies, and any other documents submitted to the CSI under this Consent Agreement and Final Order, shall be sent to the CSI, c/o Legal Secretary, 840 Helena Avenue, Helena, MT 59601. Failure to

timely submit a copy shall result in revocation of Respondent's insurance producer's license.

D. Within two years from the date of this agreement, the Respondent shall attend ten hours of Ethics Continuing Education. This is in addition to Respondent's statutory duties regarding Continuing Education. Within two weeks of attending a Continuing Education course, a copy of the Course Completion Certificate shall be submitted to the CSI.

E. The Respondent fully and forever releases and discharges the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner), the CSI, and all of the CSI's 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 Agreement.

F. The Respondent specifically and affirmatively waives a contested case hearing and all rights to appeal under the Montana Administrative Procedure Act, Mont. Code Ann. § 2-4-101, et seq., and elects to resolve this matter on the terms and conditions set forth herein.

II. All parties to this Agreement stipulate and consent as follows:

A. The Commissioner and the CSI have jurisdiction over the subject matter of the above-entitled proceeding.

B. The CSI hereby agrees that it will not initiate any civil or administrative action against the Respondent regarding the allegations contained in this action for so long as the Respondent adheres to the terms of the Agreement.

C. This Agreement is entered without adjudication of any issue, law, or fact. This Agreement covers the factual allegations addressed above and any transactions arising out of the CSI's file INS-2010-128. It is entered into solely for the purpose of resolving the CSI's allegations and is not intended to be used for any other purpose. For any person or entity not a party to this Agreement, this Agreement does not limit or create any private rights or remedies against the Respondent, limit or create liability of Respondent, or limit or create defenses of Respondent to any claims.

D. The applicable statute of limitation, Mont. Code Ann. § 33-1-707, is tolled for four years from the date of execution of this Agreement with regard to the allegations set forth above. In the event Respondent violates the terms of this Agreement at any time during the two-year tolling period, the CSI reserves the right to seek additional fines.

E. This Agreement constitutes the entire agreement between the parties and no other promises or agreements, either express or implied, have been made by the CSI or by any member, officer, agent, or representative of the CSI to induce Respondent to enter into this Agreement.

F. This Agreement may not be modified orally, and any subsequent modifications to this Agreement must be mutually agreed upon in writing to be effective.

G. This Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner herein.

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

I. The Agreement is a public record under Montana law and, as such, may not be sealed or otherwise withheld from the public.

DATED this 26th day of January, 2012

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

By: 

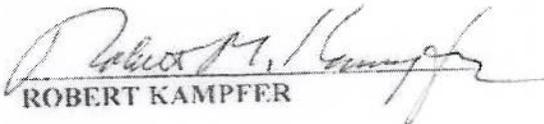
JAMESON C. WALKER
Attorney for the CSI

DATED this 20th day of JANUARY, 2012



BARBARA HANTSMAN

Content approved by Attorney for Respondent:



ROBERT KAMPFER

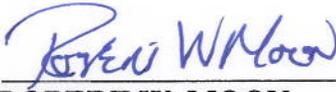
FINAL ORDER

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

IT IS HEREBY ORDERED that the foregoing Consent Agreement between the CSI and Respondent Barbara Hantsman is adopted as if set forth fully herein.

DATED this 26TH day of JANUARY, 2012.

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

By: 
ROBERT W. MOON
Deputy Insurance Commissioner

cc: Jameson C. Walker
Robert Kampfer