

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

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STATE OF MONTANA,	)	CASE NO. INS-2013-85
	)	
Plaintiff,	)	
	)	
vs.	)	<b>CONSENT AGREEMENT AND FINAL ORDER</b>
	)	
TIM WILLIAMS,	)	
	)	
Respondent.	)	
	)	
	)	

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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 Tim Williams (Respondent).

**RECITALS**

WHEREAS, the CSI filed a Notice of Agency Action June 16, 2014, against Respondent, wherein it alleged various violations of the Montana Insurance Code;

WHEREAS, both parties agreed to extend the hearing date on August 27, 2014, pending negotiations;

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 Respondent hereby agree to settle this matter pursuant to the following terms and conditions:

## STIPULATIONS AND CONSENTS

1. Respondent stipulates and agrees as follows:
  - A. The allegations set forth above are true and correct.
  - B. Respondent shall be fined an amount \$5,000, all of which is suspended, pending compliance with this agreement.
  - C. Respondent's insurance license is voluntarily surrendered. This was done on June 2, 2014.
  - D. Respondent shall comply with the terms and conditions of this Agreement, the Code, and all other regulations of the state of Montana.
  - E. With respect to the Recitals, Respondent specifically and affirmatively waives a contested case hearing and any rights to appeal under the Montana Administrative Procedure Act, Mont. Code Ann. § 2-4-101 et seq. (MAPA). It elects to resolve this matter on the terms and conditions set forth therein.
  - F. Respondent acknowledges and enters into this Agreement voluntarily and without reservation.
  - G. Respondent fully and forever releases and discharges the CSI 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 the Recitals.
2. All parties to this Agreement stipulate and agree as follows:
  - A. The CSI warrants and represents that so long as Respondent adheres to the terms of this Agreement, the CSI will not bring any further action against Respondent

arising from facts known to the CSI as of the date of the Agreement.

B. This Agreement is entered without adjudication of any issue, law, or fact. It is entered solely for the purpose of resolving the matter described in the Recitals 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 alter, limit, or create any private rights or remedies against the parties.

C. This Agreement constitutes the entire agreement between the parties on this matter. No other promises or agreements, either express or implied, have been made between the CSI, or any member, officer, agent, or representative of the CSI, and Respondent related to this matter.

D. This Agreement may not be modified orally. Any subsequent modifications to this Agreement must be in a mutually-agreed writing with the same formality as this Agreement.

E. This Agreement shall be incorporated into and made part of the attached Final Order issued by the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner).

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

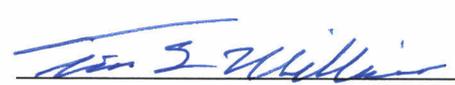
G. This Agreement and Final Order are public records under Montana law and as such may not be sealed or otherwise withheld from the public.

DATED this 26<sup>th</sup> day of January, 2015.

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

By:   
**BRETT O'NEIL**  
Attorney for the CSI

DATED this 22<sup>nd</sup> day of January, 2015.

  
**TIM WILLIAMS**

Approved as to content:   
Robert Whelan, Esq.

**FINAL ORDER**

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

IT IS HEREBY ORDERED, that the forgoing Consent Agreement between the Office of the Commissioner of Securities and Insurance, Montana State Auditor, and Respondent Tim Williams, adopted as set forth fully herein. The June 16, 2014, Proposed Agency Disciplinary Action is hereby dismissed.

DATED this 26<sup>TH</sup> day of January, 2015.

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

By:   
**GREG DAHL**  
Deputy Insurance Commissioner