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Office of the Commissioner of Securities and
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Attorney for the CSI

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

IN THE MATTER OF:)	CASE NO. INS-2014-12
)	
BROWN AND RIDING INSURANCE)	CONSENT AGREEMENT AND
SERVICES INC.,)	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, (Code), and Brown and Riding Insurance Services, Inc. (Respondent).

RECITALS

WHEREAS, the CSI determined that Respondent had not filed two Surplus Lines Insurance policies in Montana;

WHEREAS, when notified, Respondent filed the policies with the CSI;

WHEREAS, Respondent did not timely pay \$6,951 in premium taxes to the State of Montana for the above-referenced insurance policies;

WHEREAS, Respondent subsequently paid \$6,951 in premium taxes;

WHEREAS, the CSI alleged that Respondent violated § 33-2-312;

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

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

A. Within thirty business days from the execution of this Agreement, Respondent shall pay a fine of \$1,000. The fine should be made payable to the "State of Montana" and sent to the CSI, c/o Jameson C. Walker, Attorney, 840 Helena Avenue, Helena, MT 59601.

B. The parties shall comply with the terms and conditions of this Agreement.

C. The parties fully and forever release and discharge the other party, its employees and its 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.

D. Respondent specifically and affirmatively waives a contested case hearing and all rights to appeal under the Montana Administrative Procedure Act, § 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 of Securities and Insurance, Montana State Auditor (Commissioner), and the CSI have jurisdiction over the subject matter of the above-entitled proceeding.

B. Under authority of the Code, the CSI hereby agrees that it will not initiate any civil or administrative action against Respondent regarding the allegations contained in this action.

C. This Agreement is entered without adjudication of any issue, law or fact. 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 Respondent. This includes limiting or creating liability of Respondent, or limiting or creating defenses of Respondent, to any claims.

D. The applicable statute of limitation, § 33-1-707, is tolled for two 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. 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 17th day of April, 2014

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

By: _____

J C Walker
JAMESON C. WALKER
Attorney for the CSI

DATED this 1ST day of APRIL, 2014

**BROWN AND RIDING INSURANCE
SERVICES INC.**

By: _____

Its: _____

A Kendall

CFO

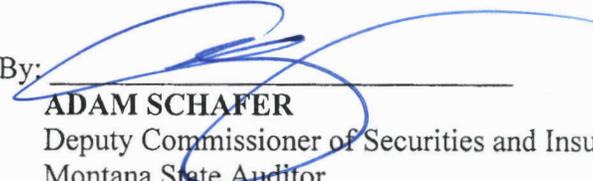
FINAL ORDER

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 is adopted as if set forth fully herein.

DATED this 17th day of April, 2014.

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

By: 
ADAM SCHAFER
Deputy Commissioner of Securities and Insurance,
Montana State Auditor

cc. Jameson C. Walker
Brown and Riding Insurance Services, Inc.