

JESSE LASLOVICH
NICK MAZANEC
Office of the Montana State Auditor
Commissioner of Securities and Insurance (CSI)
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Helena, MT 59601
(406) 444-2040

Attorneys for the CSI

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

<p>IN THE MATTER OF:</p> <p>RICK WIEDEMAN,</p> <p>Respondent.</p>	<p>CASE NO. SEC-2014-76</p> <p>CONSENT AGREEMENT AND FINAL ORDER</p>
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This Consent Agreement (Agreement) is entered into by the Office of the Montana State Auditor, Commissioner of Securities and Insurance (CSI), acting pursuant to the authority of the Securities Act of Montana, Mont. Code Ann. § 30-10-101 et seq. (Act), and Rick Wiedeman (Respondent) (collectively, the parties).

RECITALS

WHEREAS, at the times relevant to this matter, Respondent was the Vice President and Branch Manager of the Helena, Montana, branch office of First Community Bank;

WHEREAS, the CSI received a consumer complaint alleging Respondent engaged in a securities transaction while on bank premises. Specifically, the consumer stated

Respondent prepared a promissory note and facilitated an investment transaction between two bank customers:

WHEREAS, the promissory note was not registered through the CSI;

WHEREAS, Respondent is not now nor has he ever been registered as a securities salesperson or investment advisor representative with the CSI;

WHEREAS, the CSI alleged Respondent violated § 30-10-201 by transacting securities business while not registered to do so;

WHEREAS, the parties 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 parties agree to settle this matter with the following terms and conditions:

STIPULATIONS AND CONSENTS

1. Without admitting or denying the foregoing CSI allegations, Respondent stipulates and agrees to the following:

A. Respondent shall pay an administrative fine in the amount of \$7,500.00 payable in ten (10) equal monthly installments, without any interest, of \$750.00 with the first payment due no later than August 1, 2015 and a like amount on the first day of each month thereafter with the last payment on May 1, 2016. The fine must be made payable to the State of Montana and sent to:

Office of the Montana State Auditor
Commissioner of Securities and Insurance
c/o Nick Mazanec
840 Helena Avenue
Helena, MT 59601

B. Respondent is permanently banned from transacting securities business in the state of Montana, whether or not licensed to do so, and including, but not limited to, acting as a securities salesperson or investment advisor representative as defined in Mont. Code Ann. § 30-10-103.

C. Respondent shall comply with the terms and conditions of this Agreement, the Act, and all other regulations of the State of Montana.

D. With respect to the Recitals, Respondent specifically and affirmatively waives a contested case hearing and its right to appeal under the Montana Administrative Procedure Act, including Title 2, chapter 4, part 7, and elects to resolve this matter on the terms and conditions set forth in this Agreement.

E. 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 not asserted, known or unknown, foreseen or unforeseen, arising out of the Recitals.

F. Respondent acknowledges that he was advised of the right to be represented by legal counsel and, if represented by legal counsel, that such legal representation was satisfactory.

G. Respondent acknowledges that he has read and understands each term of this Agreement and enters into this Agreement voluntarily and without reservation.

2. All parties to this Agreement stipulate and agree as follows:

A. This Agreement resolves the alleged violation set forth in the Recitals.

B. 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.

C. This Agreement is entered without adjudication of any issue, law, or fact. It is entered solely for the purpose of resolving the matters described in this Agreement and is not intended to be used for any other purpose.

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

E. 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.

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

G. The Order will be an order of the Commissioner and is effective upon signing. The CSI has jurisdiction over the enforcement of the Order, and failure to comply with it may constitute separate violations of the Act, as provided in § 30-10-305, and may result in subsequent legal action by the CSI.

H. The Agreement shall be effective upon signing of the Order.

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

DATED this 1st day of July, 2015.

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

By: 
JESSE LASLOVICH
NICK MAZANEC
Attorneys for the CSI

DATED this 23rd day of June, 2015.


RICK WIEDEMAN
Respondent

APPROVED AS TO FORM this 29th day of JUNE, 2015.

WORDEN THANE P.C.

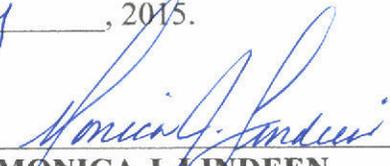
By: 
W. CARL MENDENHALL
Attorneys for Rick Wiedeman

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603 and § 30-10-101 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 Office of the Montana State Auditor, Commissioner of Securities and Insurance, and Respondent, Rick Wiedeman, is adopted as set forth fully herein.

DATED this 1st day of July, 2015.



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

cc: W. Carl Mendenhall, Esq.