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Office of the Commissioner of Securities and Insurance  
Montana State Auditor  
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Attorney for Securities and Insurance Departments

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-2009-93
	)	
NICOLE SIBLEY	)	MOTION TO ADOPT
in her capacity as a licensed insurance	)	CONSENT AGREEMENT;
producer, License # 704887,	)	MOTION TO VACATE HEARING
	)	
BRANDON FRENCH	)	
Individually,	)	
Respondents.	)	

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The Montana Insurance Department (Department), by and through its legal counsel, Roberta Cross Guns, respectfully requests the hearing examiner to adopt the consent agreement entered into between the Department and Brandon French as final resolution of this matter as it relates to Respondent French. A copy of the consent agreement is attached hereto as Exhibit A. The Department and Mr. French negotiated the agreement and have signed the agreement.

WHEREFORE, the Department prays the hearing examiner will adopt the consent agreement between the Department and Mr. French as final resolution of this matter as it relates to Mr. French.

DATED this 17<sup>th</sup> day of November 2010.

  
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Roberta Cross Guns  
Attorney for Insurance Department

CERTIFICATE OF SERVICE

I hereby certify that a true and accurate copy of the foregoing was served on the 17<sup>th</sup> day of November, 2010, by US mail, first-class postage paid, to the following:

Laura Christoffersen  
Christoffersen & Knierim, P.C.  
20 Broadway  
P.O. Box 650  
Culbertson, MT 59218

Nicole Sibley  
701 B 11<sup>th</sup> Avenue NE  
Minot, ND 58703

Roberta Cross Lewis

# **EXHIBIT A**

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-2009-93
NICOLE SIBLEY	)	CONSENT AGREEMENT
in her capacity as a licensed insurance	)	RE: BRANDON FRENCH
producer, License # 704887,	)	
BRANDON FRENCH	)	
Individually,	)	
Respondents.	)	

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Consent Agreement dated this 10<sup>th</sup> day of Nov., 2010, between the Montana Insurance Department (Department), acting pursuant to the authority of the Insurance Code of Montana, Mont. Code Ann. § 33-1-101 *et seq.* (the Code) and Respondent Brandon French (French).

RECITALS

WHEREAS, the Department performed an investigation of information provided to it by State Farm Insurance that represents the basis for specific claims against French and found evidence to support filing an administrative action against French.

WHEREAS, the Department and French agree that the parties' best interests would be served by entering into the following specific agreement and undertakings set forth below.

NOW THEREFORE, in consideration of the mutual undertakings established herein, the Department and French, as the parties hereto, enter into the following:

## AGREEMENT

A. Without admitting or denying any of the claims outlined in the Department's Notice of Proposed Agency Disciplinary Action (Action) dated April 26, 2010 (attached hereto as Exhibit A), French hereby stipulates and consents to the following:

1. French shall pay a fine of \$500, due and payable upon signing of this agreement.
2. French shall comply with the terms and conditions of this agreement and with the insurance laws and regulations of Montana.
3. The statute of limitation is tolled for one year from the date of consummation of this agreement with regard to the allegations set forth in the Department's Action. In the event French violates the terms of this agreement or violates the insurance laws of any other state during the one year period, French shall pay a fine to the Commissioner of Securities and Insurance of the Office of the State Auditor's Office in the amount of \$1,000.

B. The parties agree and stipulate as follows:

1. This agreement constitutes the entire agreement between the parties, there being no other promises or agreements, either express or implied. Pursuant to statutory authority, the Department hereby agrees that the Department will not initiate any civil, administrative, or criminal action against French regarding the allegations contained in the Department's Action.

2. French fully and forever releases and discharges the Department, the Commissioner of Securities and Insurance of the Office of the State Auditor (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 Action.

DATED this 10<sup>th</sup> day of June 2010.

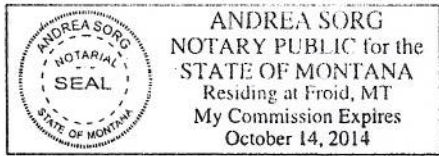
Roberta Cross Guns 11/17/2010  
ROBERTA CROSS GUNS  
Attorney for the Insurance Department

DATED this 10<sup>th</sup> Nov. day of June 2010.

Brandon French  
BRANDON FRENCH

STATE OF Montana )  
County of Rosevelt ) ss.  
)

SUBSCRIBED AND SWORN to before me this 10<sup>th</sup> Nov. day of June, 2010 by Brandon French.



Andrea Sorg  
Printed Name: Andrea Sorg  
Notary Public for the State of Montana  
Residing at Froid, Montana  
My commission expires October 14, 2014