

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

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IN THE MATTER OF:	)	Case No.: INS-2013-105
	)	
WILLOUGHBY INSURANCE SERVICES	)	
LLC, d/b/a BAD BOY BAIL BONDS &	)	
SHOT GUN WILLY'S FUGITIVE	)	
RECOVERY SERVICE,	)	<b>CONSENT AGREEMENT AND FINAL</b>
	)	<b>ORDER</b>
WILLIAM A. TOMPKINS, individually,	)	
and in his capacity as an insurance producer,	)	
and	)	
	)	
JOHN J. WILLOUGHBY, individually, and	)	
in his capacity as an insurance producer,	)	
	)	
Respondents.	)	

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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 William A. Tompkins (Respondent).

**RECITALS**

WHEREAS, Respondent is an employee of Willoughby Insurance Services LLC, d/b/a Bad Boy Bail Bonds & Shot Gun Willy's Fugitive Recovery Service (Bad Boy), a bail bond agency licensed in the state of Montana;

WHEREAS, on May 10, 2013, Respondent sold three bail bonds to Bad Boy customers;

WHEREAS, on May 16, 2013, Respondent sold one additional bail bond to a Bad Boy customer;

WHEREAS, on the dates the bonds were sold, Respondent was not licensed to sell surety bonds in the state of Montana;

WHEREAS, the sale of a surety bond in Montana while not properly licensed as an insurance producer violates Mont. Code Ann. § 33-17-201;

NOW, THEREFORE, in consideration of the mutual undertakings contained in this Agreement, the CSI and Respondent enter into the following:

**STIPULATIONS AND CONSENTS**

1. Without admitting or denying any of the CSI's allegations, Respondent stipulates and agrees that within 30 calendar days from the execution of this Agreement, Respondent shall pay a fine of \$500. The fine must be made payable to the State of Montana and sent to the Office of the Commissioner of Securities and Insurance, Montana State Auditor, c/o Nick Mazanec, 840 Helena Avenue, Helena, MT 59601.

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

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

B. Respondent and the CSI agree that this Agreement resolves the matters set forth in the Recitals, and that the CSI has no intention to impose any penalty or fine, or take any other disciplinary action, for the conduct detailed therein.

C. With respect to the Recitals, Respondent specifically and affirmatively waives a contested case hearing and his 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 therein.

D. 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.

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

F. This Agreement constitutes the entire agreement between the parties with respect to the subject matter 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.

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

H. 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), herein.

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

J. 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 August, 2013

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

By:   
\_\_\_\_\_  
**NICK MAZANEC**  
Attorney for the CSI

DATED this 2<sup>nd</sup> day of August, 2013

  
\_\_\_\_\_  
**WILLIAM A. TOMPKINS**

**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 Office of the Commissioner of Securities and Insurance, Montana State Auditor, and Respondent William A. Tompkins is adopted as set forth fully herein.

DATED this 26<sup>th</sup> day of August, 2013.

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

By:   
\_\_\_\_\_  
**ADAM SCHAFFER**  
Deputy State Auditor