

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

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IN THE MATTER OF:	)	CASE NO.    INS-2019-73
	)	
	)	
MERVIN GRABER, an Individual (dba) TENNESSEE CHRISTIAN MUTUAL MOTORIST AID.	)	<b>TEMPORARY ORDER TO CEASE AND DESIST AND NOTICE</b>
	)	
	)	
	)	
Respondents.	)	
	)	

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TO:    MERVIN GRABER  
      2420 Mt. Tabor Rd.  
      Whiteville, TN 38075

Pursuant to § 33-1-318, MCA, based on the allegations set forth in the Notice of Proposed Agency Action filed in this matter, it appears to the Commissioner that the Respondent has engaged, is engaged, or is about to engage in acts or practices constituting violations of § 33-1-1302, MCA, and chapters 17 and 18 of the Code.

Pursuant to § 2-4-631(2), MCA, public health, safety, and welfare imperatively requires emergency action, as Montana residents believe they have authorized insurance from Tennessee Christian Mutual Motorist (TCMMA) and/or Mervin Graber when they do not. This puts both the purported insureds and other Montana residents at risk of great financial harm if a driver with

*Temporary Order to Cease and Desist*

an unauthorized insurance policy from TCMMA and/or Mervin Graber were to be involved in an accident.

Therefore, it is hereby **ORDERED** that Respondent shall immediately cease and desist from engaging in further acts or practices constituting violations of § 33-1-1302, MCA, and chapters 17 and 18 of the Code. This includes but is not limited to:

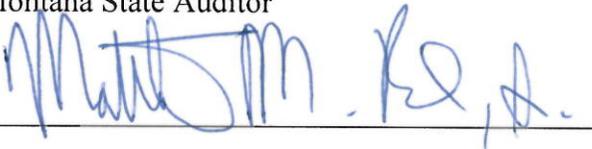
1. Accepting premium payments from Montana residents;
2. Selling, soliciting, or negotiating the sale of any insurance in Montana, whether from authorized or unauthorized insurers;
3. Making any payments on any claims made against a holder of an unauthorized policy; and
4. Providing proofs of insurance or any similar document to any person in Montana.

**PENALTIES**

Pursuant to § 33-1-318, a violation of this Order is a separate violation for which the CSI may impose a fine not to exceed \$25,000 per violation in addition to any other penalties imposed by law.

DATED this 11 day of April, 2019.

**MATTHEW M. ROSENDALE**  
Commissioner of Securities and Insurance,  
Montana State Auditor



A handwritten signature in blue ink, appearing to read 'Matthew M. Rosendale', is written over a horizontal line.

## STATEMENT OF RIGHTS

You are entitled to a hearing to respond to this Order and Notice, and to present evidence and arguments as to why this Order should not be made final. You have a right to be represented by an attorney at any and all stages of this proceeding. **If you wish to challenge the contents of this Temporary Order to Cease and Desist, you must make a written request for a hearing within 15 days of receipt of this document to:**

Benjamin C. Tiller, Attorney,  
Office of the Montana State Auditor,  
Commissioner of Securities and Insurance  
840 Helena Avenue  
Helena, MT 59601

The hearing shall then be held within 20 days of the CSI's receipt of the hearing request, unless the time is extended by agreement of the parties or by order of the hearing examiner. If you do not request a hearing and the CSI orders none, the Temporary Cease and Desist Order shall become permanent.

Should you request a hearing, you have the right to be accompanied, represented, and advised by an attorney. If the attorney you choose has not been admitted to the practice of law in the state of Montana, she or he must comply with the Montana State Bar for appearing pro hac vice and the requirements of *Application of American Smelting and Refining Co.* (1973), 164 Mont. 139, 520 P.2d 103 and *Montana Supreme Court Commission on the Unauthorized Practice of Law v. O'Neil*, 2006 MT 284, 334 Mont. 311, 147 P.3d 200.