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FEB 24 2015

Department of Insurance
State of Idaho

Attorneys for Idaho Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

IDAHO DEPARTMENT OF INSURANCE,

Complainant,

vs.

TONY SCOTT SELLERS, an individual
holding Idaho Resident Insurance Producer
License No. 61424,

Respondent.

Docket No. 18-2972-14

STIPULATION AND FINAL ORDER

STIPULATION

The Idaho Department of Insurance (hereinafter "Department") and Respondent TONY SCOTT SELLERS (hereinafter "Sellers") hereby agree and stipulate as follows:

1. The Director of the Department has jurisdiction over this matter pursuant to Title 41, Idaho Code.

2. On October 28, 2014, the Department filed and served a Verified Complaint and Notice of Right to Hearing (hereinafter “Verified Complaint”) on Sellers.

3. On or about November 14, 2014, Sellers filed a Response to Verified Complaint and Request for Hearing.

4. The Department alleges in the Verified Complaint that Sellers violated Idaho Code § 41-1016(1)(h) by “[u]sing fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility, or being a source of injury and loss to the public or others, in the conduct of business in this state or elsewhere.”

5. In addition, the Department alleges in the Verified Complaint that Sellers violated Idaho Code § 41-1021(1) when Sellers failed to report to the Department the governmental action in the case of *Department of Finance v. Sellers* within thirty (30) days after entry of the final order.

6. The parties hereto believe that this matter may be settled by a negotiated and stipulated settlement and that, upon entry of the Final Order in this matter, all claims and issues relating hereto shall be fully and finally settled subject to the terms of this Stipulation and the Final Order.

7. In consideration of the foregoing recitals, the Department and Sellers agree:

a. That Sellers admits to one (1) violation of Idaho Code § 41-1016(1)(h).

b. That the Director of the Department may enter the Final Order attached hereto, which provides as follows:

(i) That the Stipulation be adopted in full and incorporated into the Final Order;

- (ii) That Sellers' Idaho Resident Insurance Producer License No. 61424 be revoked for a period of five (5) years from the date of entry of the Final Order, at which time Sellers may submit application for an Idaho insurance producer license;
- (iii) That an administrative penalty be imposed against Sellers in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00), which shall be suspended for a period of five (5) years from the date of entry of the Final Order; and,
- (iv) That the Department shall not consider any application from Sellers for an Idaho insurance license until the expiration of five (5) years from the date of entry of the Final Order and until the administrative penalty has been paid in full.

8. Before executing this Stipulation, Sellers has had the opportunity to review this Stipulation with his attorney and to seek appropriate advice and counsel relating thereto.

9. The terms of this Stipulation are appropriate and proper under the circumstances referenced herein; and the parties hereto have entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights they may be waiving thereby.

10. The parties hereto waive their right to notice and hearing at which they may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

11. The parties hereto have reviewed the proposed Final Order and agree as to its form and that said Final Order may be submitted to the Director of the Department for his review and signature.

IT IS SO AGREED.

DATED THIS _____ day of February, 2015.

RESPONDENT

By: _____

TONY SCOTT SELLERS

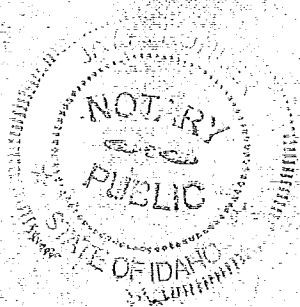
STATE OF IDAHO)

: ss.

County of Conneville)

On this 20th day of February, 2015, before me, the undersigned Notary Public, personally appeared TONY SCOTT SELLERS, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.



Notary Public

Residing at _____

My commission expires 6-18-2015

STIPULATION AND FINAL ORDER APPROVED AS TO FORM:

By: _____


Jay A. Kohler, Esq.

Attorney for Tony Scott Sellers

IT IS SO AGREED.

DATED THIS 24th day of February, 2015.

STATE OF IDAHO
DEPARTMENT OF INSURANCE


By: 
GINA MCBRIDE
Bureau Chief, Consumer Services Bureau

STATE OF IDAHO)
 : ss.
County of Ada)


On this 24th day of February, 2015, before me, the undersigned Notary Public, personally appeared GINA MCBRIDE, proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument, and acknowledged to me that she executed the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.




Notary Public of Idaho
Residing at BOISE
My commission expires 30 Oct 2019

STIPULATION AND FINAL ORDER APPROVED AS TO FORM:

By:  2.24.2015
John C. Keenan
Deputy Attorney General
Attorneys for Idaho Department of Insurance

FINAL ORDER

The parties hereto, namely the Idaho Department of Insurance and TONY SCOTT SELLERS, having entered into the foregoing Stipulation, and the form of the order having been approved, the Director, having reviewed the same, does hereby find that there is a factual basis for entry of a Final Order herein and does hereby conclude that TONY SCOTT SELLERS did violate title 41, Idaho Code, as stated in the Stipulation;

NOW, THEREFORE, based on the foregoing and in consideration of the premises,

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that Idaho Resident Insurance Producer License No. 61424 issued to TONY SCOTT SELLERS is hereby REVOKED for a period of five (5) years after the date of entry of this Final Order;

IT IS FURTHER ORDERED that an administrative penalty in the amount of Seven Thousand Five Hundred Dollars (\$7,500.00) is hereby imposed on TONY SCOTT SELLERS, and that said penalty shall be suspended for a period of five (5) years after the date of entry of this Final Order;

IT IS FURTHER ORDERED that the Idaho Department of Insurance shall not consider any application from Sellers for an Idaho insurance license until the expiration of five (5) years from the date of entry of this Final Order and until the administrative penalty has been paid in full.

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IT IS SO ORDERED.

DATED THIS 24th day of February, 2015.

STATE OF IDAHO
DEPARTMENT OF INSURANCE

By 

THOMAS A. DONOVAN
Acting Director

NOTIFICATION REGARDING REPORTABLE PROCEEDINGS

This is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies of which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's online searchable database. Be aware that this proceeding must be disclosed on any license application and must be reported to any and all states in which you hold an insurance license.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 34th day of February, 2015, I caused to be served a true copy of the foregoing STIPULATION AND FINAL ORDER by the method indicated below, and addressed to each of the following:

Jay A. Kohler
Attorney at Law
482 Constitution Way, Suite 313
Idaho Falls, Idaho 83402-3537

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Athene Annuity & Life Assurance Company
400 Brookfield Parkway
P.O. Box 1389
Greenville, SC 29607-5718

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Delaware Life Insurance Company
One Sun Life Executive Park DL 1165
Wellesley Hills, MA 02481

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Equitrust Life Insurance Company
7100 Westown Parkway, Suite 200
West Des Moines, IA 50266-2521

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Fidelity Security Life Insurance Company
3130 Broadway
Kansas City, MO 64111-2452

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Great American Life Insurance Company
301 East Fourth Street
Cincinnati, OH 45202

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Regence BlueShield of Idaho, Inc.
1602 21st Avenue
Lewiston, ID 83501-4061

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Security Benefit Life Insurance Company
One Security Benefit Place
Topeka, KS 66636-0001

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Standard Life Insurance Company of Indiana
c/o Noble Administrators
8365 Keystone Crossing
Indianapolis, IN 46240

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

The State Life Insurance Company
One American Square
Indianapolis, IN 46282-0001

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

United American Insurance Company
3700 S. Stonebridge Drive
McKinney, TX 75070-5934

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

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700 W. State Street, 3rd Floor
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Boise, ID 83720-0043

☐ first class mail
☐ certified mail
☒ hand delivery
☐ via facsimile

Teresa Jones