

STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT

In Re: Sam H. Newberry

Docket No.: INS No. 07-048-EP

CONSENT ORDER AND AGREEMENT

FACTS

A. On March 19, 2007, Sam H. Newberry ("Respondent") filed an application for renewal of his non-resident insurance producer license ("Application") through the National Insurance Producer Registry. Under Background Questions, the Respondent answered "No" to question 2, indicating that he had not been involved in an administrative proceeding regarding any professional or occupational license since his last renewal or initial application. In the Attestation Statement, the Respondent certified that the information submitted on the Application was true and complete.

B. Respondent's non-resident insurance producer license was initially issued on June 15, 2001.

C. Through the routine licensing investigation, the following information was found on the NAIC I-Site:

1. On October 30, 2006, the South Dakota Division of Insurance fined the Respondent Two Hundred Fifty Dollars (\$250) under a Consent Order for failure to respond to an inquiry and failure to report another states action against his license.

2. On February 2, 2006, the Georgia Insurance Department took action against the Respondent under a Consent Order for failure to timely file a report.

D. The facts contained in paragraphs A and C above constitute a violation of RSA 402-J:12 I, (a), which states:

"I. The commissioner may place on probation, suspend, revoke, or refuse to issue or renew an insurance producer's license, or may levy a penalty in accordance with RSA 400-A:15, III or any combination of actions for any one or more of the following causes:

(a) Providing incorrect, misleading, incomplete, or materially untrue information in the license application."

AGREEMENT AND ORDER

To resolve this matter, the Respondent consents and agrees to the following Order of the Commissioner:

1. The Respondent knowingly waives the statutory right to notice and hearing on this matter.
2. The Respondent shall pay an administrative penalty in the amount of \$350.00 to the New Hampshire Insurance Department. The Department acknowledges that the Respondent has paid the above penalty prior to the execution of this agreement.
3. This Consent Order and Agreement shall be fully enforceable in any Superior Court in the State of New Hampshire.

IT IS SO ORDERED.

**New Hampshire Insurance Department
Roger Sevigny, Commissioner**

Dated:

4-24-07



Sam H. Newberry

Dated:

6/13/07


