

JAN 12 2012

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	
	)	CONSENT ORDER
PETITIONER,	)	
	)	CAUSE NO. A-1932
VS.	)	
	)	
BILL RAYE MARKVE,	)	
NAIC National Producer # 227993	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Michael C. Boyd, and Bill Raye Markve (“Respondent”), mutually stipulate and agree as follows:

JURISDICTION

1. The Department has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44-101.01, and 44-4047 et seq. (Reissue 2010).

2. Respondent was licensed as an insurance agent under the laws of Nebraska at all times material hereto. Respondent’s registered business address with the Department is Bill Markve & Associates, 625 N. Sioux Point Road, P.O. Box 349, Dakota Dunes, SD 57049 and whose registered home address with the Department is 940 Quail Hollow Circle, Dakota Dunes, SD.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a petition styled State of Nebraska Department of Insurance vs. Bill Raye Markve, Cause Number A-1932 on November 28, 2011. A copy of the petition was served upon the Respondent at the Respondent’s business



address registered with the Department by certified mail, return receipt requested and Respondent's home address registered with the Department by First Class U.S. Mail.

2. Respondent violated Neb. Rev. Stat. §§ 44-4065(1) and 44-4059(1)(b) (Reissue 2010) as a result of the following conduct:

- a. The South Dakota Department of Revenue and Regulation Division of Securities ("SD Division of Securities") entered into a Consent Order with Respondent for an administrative action titled In The Matter Of: Billy R. Markve CRD# 1353133. The Consent Order set forth allegations that Respondent engaged in certain actions in violation of South Dakota law to which the Respondent neither admitted nor denied the allegations but agreed to the Consent Order as a settlement of the issues/violations alleged. The Consent Order was entered into August 17, 2009 when it was signed by the Director of the SD Division of Securities and Respondent, and thereafter the administrative action taken against Respondent by the SD Division of Securities was finalized no later than December 17, 2009 (120 days after the entry of the Consent Order when the administrative fine was due and payable.)
- b. Respondent reported the consent order to the Nebraska Securities Bureau on November 20, 2009 and to the NAIC/NIPR Document Warehouse. The Securities Division of South Dakota and QA3 Financial Corp. reported the consent order to all states, the Securities and Exchange Commission and all SROs through the CRD system administered by FINRA. South Dakota made its report on or about September 18, 2009 and QA3 Financial Corp. made its report on October 14, 2009.
- c. Respondent failed to make an individual report to the Department of the administrative action taken by the SD Division of Securities referenced above within thirty days of the final disposition of the administrative action.
- d. As a result of an investigation by the South Dakota Department of Revenue and Regulation Division of Insurance ("SD Division of Insurance") into certain acts of the Respondent and his agency, Bill Markve & Associates ("BM&A"), it entered into a Consent Order with Respondent for an administrative action titled In The Matter Of Bill Markve. The Consent Order set forth allegations that Respondent and BM&A engaged in certain actions in violation of South Dakota law to which the Respondent neither admitted nor denied. The Consent Order was entered into September 17, 2009 when it was signed by the Director of the SD Division of Insurance and Respondent, and therefore this administrative action taken against Respondent by the SD Division of Insurance was finalized no later than December 17, 2009 (3 months after the entry of the Consent Order when the final monthly installment of the administrative penalty was due and payable.)
- e. Respondent reported the consent order to the Nebraska Securities Bureau on November 20, 2009 and to the NAIC/NIPR Document Warehouse. QA3 Financial Corp. reported the consent order to all states, the Securities and Exchange Commission and all SROs through the CRD system administered by FINRA. South Dakota made its report on or about September 18, 2009 and QA3 Financial Corp. made its report on October 14, 2009.

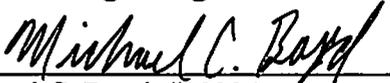
- f. The SD Division of Insurance issued a report to SIRCON on December 17, 2009 after the final payment was made pursuant the order.
  - g. Respondent failed to make an individual report to the Department of the administrative action taken by the SD Division of Insurance referenced above within thirty days of the final disposition of the administrative action.
3. Respondent was informed of his right to a public hearing. Respondent waives that right, and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.
4. Respondent admits the allegations stated in Paragraph 2.

CONCLUSIONS OF LAW

Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§ 44-4065(1) and 44-4059(1)(b) (Reissue 2010).

CONSENT ORDER

It is therefore ordered by the Director of Insurance and agreed to by Respondent Bill Raye Markve, that Respondent shall pay an administrative fine in the amount of five hundred dollars (\$500.00) due within 30 days after the Director of Insurance or his designee approves and signs this consent order. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling the Department to make application for such orders as may be necessary. In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing his signature below.

  
\_\_\_\_\_  
Michael C. Boyd, #10394  
Attorney for Petitioner  
941 O Street, Suite 400  
Lincoln, NE 68508  
(402) 471-2201

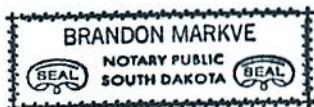
  
\_\_\_\_\_  
Bill Raye Markve,  
Respondent

1-12-2012  
\_\_\_\_\_  
Date

12-27-11  
\_\_\_\_\_  
Date

State of SOUTH DAKOTA )  
County of Union ) ss.

On this 27<sup>th</sup> day of December, 2011, Bill Raye Markve personally appeared before me and read this Consent Order, executed the same and acknowledged the same to be his voluntary act and deed.



[Signature]  
Notary Public

CERTIFICATE OF ADOPTION

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Bill Raye Markve, Cause No. A-1932.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

[Signature]  
BRUCE R. RAMGE  
Director of Insurance

1-12-2012  
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the executed Consent Order was sent to the Respondent, at Bill Markve & Associates, 625 N. Sioux Point Road, P.O. Box 349, Dakota Dunes, SD 57049, by certified mail, return receipt requested on this 12 day of January, 2012.

[Signature]



*[Faint handwritten signature]*  
BRANDON MARQUE  
HOYAY RUILE  
SOUTH DAKOTA

NEBRASKA DEPARTMENT  
OF INSURANCE

JAN 12 2012

RECEIVED

*[Faint handwritten signature]*  
BRANDON MARQUE  
HOYAY RUILE  
SOUTH DAKOTA