

APR 13 2015

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	
)	CONSENT ORDER
PETITIONER,)	
)	
VS.)	CAUSE NO. A-2014
)	
BARKLEY LUNDY, JR.,)	
(NAIC National Producer #660878))	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Department”), by and through its attorney, Robert M. Bell, and Barkley Lundy, Jr. (“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 the Insurance Producers Licensing Act, Neb. Rev. Stat. §§ 44-4047 to 4067.

2. Respondent was a licensed insurance producer under the laws of Nebraska at all times material hereto. Respondent’s insurance producer license expired on October 31, 2014.

STIPULATIONS OF FACT

1. The Department initiated this administrative proceeding by filing a Petition and Notice of Hearing captioned *State of Nebraska Department of Insurance vs. Barkley Lundy, Jr. (NAIC National Producer #660878)*, Cause No. A-2014, on March 27, 2015.

2. The Department mailed a copy of the Petition and Notice of Hearing to the home address Respondent registered with the Department, 2702 Wildhorse Dr., Rapid City, SD 57703,

by certified mail, return receipt requested. Respondent received a copy of the Petition and Amended Notice of Hearing.

3. The Petition alleges that Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(b), 44-4059(1)(i), 44-4065(1) and 44-4059(1)(h) as follows:

- a. On or about August 29, 2014, Respondent signed a “Financial Industry Regulatory Authority Letter of Acceptance, Waiver and Consent NO. 2014041887201,” in which Respondent agreed to sanctions imposed by the Financial Industry Regulatory Authority (“FINRA”).
- b. On or about December 8, 2014, Respondent’s South Dakota insurance producer license was revoked after a disciplinary action filed by the South Dakota Department of Insurance related to Respondent’s demonstrated lack of fitness or trustworthiness, failure to report other state action, and action by the FINRA.
- c. The Department did not receive any reports from Respondent referencing the administrative actions described in paragraphs (a) or (b) within thirty days of the final disposition of the matters.

4. 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.

5. Respondent admits to the allegations alleged in paragraph 3. Respondent consents to the revocation of his Nebraska insurance producer license, #660878.

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 the State of Nebraska Department of Insurance v. Barkley Lundy, Jr. (NAIC National Producer #660878), Cause No. A-2014.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Bruce R. Ramge
BRUCE R. RAMGE
Director of Insurance

4-13-2015
Date

CERTIFICATE OF SERVICE

I hereby certify that fully executed copies of this Consent Order were served upon Respondent as follows:

Via Regular and Certified Mail
Barkley Lundy, Jr.
2702 Wildhorse Dr.
Rapid City, SD 57703

On this 14 day of April, 2015.

Brandis J. Courser