BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF
JOSHUA P. AUTHEMENT
LICENSE NO. 276819

A.I.D. NO. 2010- 023

CONSENT ORDER

On this day, Jay Bradford, Arkansas Insurance Commissioner ("Commissioner"), and Joshua P. Authement ("Respondent") agree to enter this Consent Order for the reasons stated below. The Respondent neither admits nor denies the findings of fact or conclusions of law set forth below. From the facts and laws before the Commissioner, he finds:

FINDINGS OF FACT

1. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code Ann. §23-61-103 and the authority take administrative action on the producer license issued to Respondent under Ark. Code Ann. §§ 23-60-108, 23-64-216, and 23-64-512.
2. Respondent is licensed as a resident producer and holds producer license #275052.
3. Respondent over the course of time during 2008 and 2009 was involved with the development and/or marketing of a program entitled Voluntary Income Protection. Jason Carnley and Robert Snow were also involved in the

development and marketing of this program. This Program was not an insurance policy issued by an authorized insurance company or exempt from the Department's jurisdiction.

4. The Program was marketed to railroad workers in Arkansas and other states beginning in October of 2008 and terminating in April of 2009.

5. The Voluntary Income Protection program was patterned after a job income protection program offered by the Brotherhood's Relief and Compensation Fund ("BR&CF"). The BR&FC is benevolent society offering benefits to railroad workers. Respondent and the other identified individuals made an attempt to determine whether the VIP program was subject to the regulation of the Arkansas Insurance Department. They were informed by the Department that the BR&CF Program was not subject to the Department's jurisdiction. These parties assumed that all similar programs, including the VIP program, were also exempt from our jurisdiction. However, the VIP program was not connected to a fraternal or benevolent society.

VIOLATIONS

Respondent is in violation of:

6. Ark. Code Ann. § 23-64-504(E) which defines as a fraudulent insurance act the transaction of the business of insurance in violation of the laws requiring a license or a certificate of authority.

CONCLUSIONS OF LAW

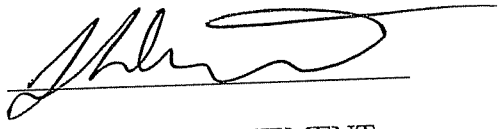
7. For the above actions, Respondent is in violation of Ark. Code Ann. §§ 23-60-109 and 23-64-512.

8. All licenses issued to Respondent by the Department should be placed in probationary status for a period as provided in Ark. Code Ann. §23-64-216(a). The probationary period shall begin as of the date this Order is signed.

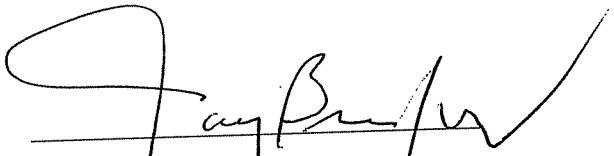
THEREFORE, it is hereby ORDERED AND AGREED that:

All licenses issued by the Department to Jason P. Carnley shall be placed in a probationary status for a period of one year.

IT IS SO ORDERED THIS 12th day of February, 2010.



JOSHUA P. AUTHEMENT



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS