

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF LABOR AND REGULATION
STATE OF SOUTH DAKOTA

IN THE MATTER OF
BLOOMIN' BLINDS FRANCHISE CORP.

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CONSENT ORDER

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

BLOOMIN' BLINDS FRANCHISE CORP. ("BLOOMIN' BLINDS") whose last known address of is 985 E. State Hwy 121, Suite 617, Lewisville, TX 75057, is a corporation based in the state of Texas;

BLOOMIN' BLINDS is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation into their Securities related activities in South Dakota;

The Division has alleged the following:

- 1) BLOOMIN' BLINDS filed their initial franchise and notice filing with the Division on August 27, 2018;
- 2) In reviewing the filings and related documents, it was discovered that BLOOMIN' BLINDS sold an unregistered franchise in South Dakota in 2017, in violation of SDCL § 37-5B-4;
- 3) The above-cited conduct may be grounds for the denial, suspension, and revocation of BLOOMIN' BLINDS's registration and the issuance of a monetary penalty of up to \$5,000 per violation, pursuant to SDCL §§ 37-5B-41 through 37-5B-43;

BLOOMIN' BLINDS is aware of and understand the nature of the charges and have been informed that they have the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order, agree to the waiver of these rights;

In return for BLOOMIN' BLINDS agreeing to the provisions of this Consent Order, the Division agrees not to proceed to a formal hearing and agrees that this Consent Order will constitute an informal disposition of this matter pursuant to SDCL § 1-26-20;

BLOOMIN' BLINDS agrees to a monetary penalty in the amount of \$2,500 pursuant to SDCL § 37-5B-43, in lieu of contesting this matter formally; and

BLOOMIN' BLINDS further agree to conduct themselves in accordance with the laws and regulations of the State of South Dakota; and

BLOOMIN' BLINDS further agree that this Consent Order may be considered for the purpose of determining an appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that BLOOMIN' BLINDS will pay a monetary penalty in the amount of \$2,500 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that BLOOMIN' BLINDS will abide by the agreements made by them in this Consent Order; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 26th day of November, 2018.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of BLOOMIN' BLINDS, represents that they understand the terms of this Consent Order and the waiver of their due process rights and voluntarily enter into this Consent Order.

Dated this 9th day of November, 2018.



Signature of Authorized Representative

Christopher R. Stuart
Printed Name

C.O.O.
Title