

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	
Mail Pro Leads, LLC;)	CEASE-AND-DESIST ORDER
)	AND NOTICE OF OPPORTUNITY
Direct Mail Processing, LLC; and)	FOR HEARING
)	
RGI Data Assets, Inc. a/k/a RGI)	CASE NO. CO-24-889
Solutions.)	
)	
Respondents.)	

TO: Direct Mail Processing, LLC, located at 2900 Delk Road, #246, Ste. 700, Marietta, GA, 30067-5350; **Mail Pro Leads, LLC**, located at 2140 S. Dupont Highway, Camden, DE, 19934; and **RGI Data Assets, Inc. a/k/a RGI Solutions**, located at 1355 Terrell Mill Road, Building 1482, Ste. 100, Marietta, Georgia, 30067:

Insurance Commissioner Jon Godfread (“Commissioner”) has determined as follows:

1. The Commissioner has jurisdiction over these parties and proceedings pursuant to N.D.C.C. §§ 26.1-01-03, 26.1-01-03.1, and N.D.C.C. chapter 28-32.
2. The parties in this case include Respondents Mail Pro Leads, LLC (“MPL”), Direct Mail Processing, LLC (“DMP”), and RGI Data Assets, Inc. a/k/a RGI Solutions (“RGI”) (hereinafter collectively referred to as “Respondents”).
3. N.D.C.C. § 26.1-01-03.1 authorizes the Commissioner to issue an Order to cease and desist when it appears any person or business entity is, or has, engaged in an act or practice which violates or may lead to a violation of Title 26 of the North Dakota Century Code.

4. Respondent DMP is a Georgia limited-liability corporation with a principal place of business located at 2900 Delk Road SE, Ste. 700, Marietta, Georgia 30067-5350. DMP is not presently, and at all times relevant to this action, has never been a licensed North Dakota business entity insurance producer. DMP is also not registered with the North Dakota Secretary of State.

5. Respondent MPL is a Delaware Limited Liability Company with a principal place of business located at 2140 South Dupont HWY, Camden, Delaware 19934. MPL is not presently, and at all times relevant to this action, has never been a licensed North Dakota business entity insurance producer. MPL is also not registered with the North Dakota Secretary of State.

6. Respondent RGI is a Georgia corporation with a principal place of business located at 1355 Terrell Mill Road, Bldg. 1482, Ste. 100, Marietta, Georgia 30067. RGI is not presently, and at all times relevant to this action, has never been a licensed North Dakota business entity insurance producer. RGI is also not registered with the North Dakota Secretary of State.

7. North Dakota Century Code Section 26.1-26-03 utilizes the term “person.” The term “person” is defined in North Dakota Century Code to include limited liability companies and corporations. See N.D.C.C. §§ 1-01-49(10) (stating, “. . . [p]erson means an individual, organization, government, political subdivision or government agency or instrumentality) (emphasis added); see also, 1-01-49(7) (stating, “[t]he term “organization” is defined to include a “. . . corporation . . . limited liability company . . . or any legal or commercial entity.”) (emphasis added).

8. North Dakota Rule of Civil Procedure, Rule 4(b)(2) states, in part:

. . . [a] court of this state may exercise personal jurisdiction over a person who acts directly or by an agent as to any claim for relief arising from the person's having such contact with this state that the exercise of personal jurisdiction over the person does not offend against traditional notions of justice or fair play or the due process of the law, under one or more of the following circumstances:

(A) transacting any business in this state;

(B) contracting to supply or supplying service, goods, or other things in this state

N.D.R.Civ.P., Rule 4(b)(2)(A)-(B). All Respondents participated in the creation, compilation, and/or sending the insurance solicitation "T-2" mailers to unsuspecting consumers who are citizens of the state of North Dakota, as illustrated in Exhibit 1, which is attached to this Order. As a result, the Department and North Dakota courts possess personal jurisdiction over the Respondents as they transacted business in North Dakota and contracted to supply lead generation services in North Dakota.

9. The Commissioner has a reasonable basis to believe that Respondents have engaged in, are engaging in, or are about to engage in, an act or practice as more fully described below which violates or may lead to a violation of North Dakota Century Code section 26.1-26-03. It is necessary and appropriate, in the public interest, and for the protection of North Dakota consumers to restrain Respondents' acts and practices.

10. North Dakota Century Code Section 26.1-26-03, which describes circumstances where a person must be licensed as an insurance producer in North Dakota, states:

[n]o person may act as or hold oneself out to be an insurance producer, insurance consultant, or surplus lines insurance producer unless licensed under this chapter. A person may not sell, solicit, or negotiate insurance in this state for any class of insurance unless the person is licensed for that line of authority in accordance with this chapter. Any person willfully violating this section is guilty of a class C felony.

N.D.C.C. § 26.1-26-03 (emphasis added). Respondents are not, nor have they ever been, licensed to engage in the business of insurance within the state of North Dakota. Respondents hold themselves out to potential insurance producer-clients¹ as being in the business of insurance and therefore able to help those clients increase their insurance sales. Therefore, Respondents are responsible for their actions of soliciting insurance without a license in the state of North Dakota.

11. The Commissioner has received information that alleges between August and September of 2022, Respondents sent at least 1,223 “T-2” mailers, which are also known as “lead generators,” to North Dakota consumers in order to assist their insurance producer-clients in the marketing, advertising, solicitation and sale of insurance products within North Dakota. See Exhibit 1.

12. Respondents were providing insurance solicitation services to, and on behalf of, their insurance producer-clients in exchange for a monetary fee. In fact, Respondents’ sole purpose in sending the mailers to consumers was to solicit insurance business. As a result of these acts, Respondents have shown themselves to be in violation of N.D.C.C. § 26.1-26-03.

13. The mailers do not disclose the appropriate information, including the purpose of the mailer, which was to sell life insurance, the affiliation of the companies with licensed insurance producers, or how the consumers’ information would be used once gathered by respondents.

14. Respondent’s conduct as set out above violates N.D.C.C. § 26.1-26-03.

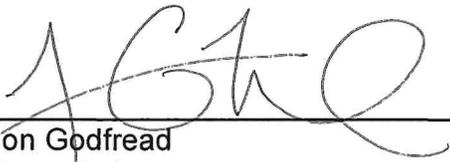
¹ Upon the Department’s information and belief, at least six insurance producer purchased leads from Respondents as a result of Respondents’ illegal mail campaign. The Department did not include information related to those transactions because it is immaterial to the Department’s Order against Respondents.

NOW, THEREFORE, IT IS HEREBY ORDERED pursuant to N.D.C.C. §§ 26.1-01-03.1 that all Respondents, shall immediately **CEASE AND DESIST** from soliciting, advertising, transacting, or otherwise engaging in the business of insurance in the State of North Dakota, either directly or indirectly through named and unnamed persons, entities, agents, or otherwise. This includes the mailing and distribution of mailers, lead cards, or any other advertisement of insurance products on its own behalf or on behalf of others.

IT IS FURTHER ORDERED pursuant to N.D.C.C. § 26.1-01-03.1 that Respondents may make a written request for a hearing on this matter within 30 days of the date of this Order.

If the Respondent fails to request a hearing in writing within 30 days after being served with a copy of this Cease-and-Desist Order, the Commissioner shall make the Cease-and-Desist Order permanent, as the facts require.

DATED this 19th day of June, 2024.



Jon Godfread
Commissioner
North Dakota Insurance Department
600 East Boulevard Avenue, Dept. 401
Bismarck, ND 58505
(701) 328-2440

EXHIBIT 1

6250 S Boyle Ave
Vernon, CA 90058-9847

DATED MATERIAL



**SECOND NOTICE
TIME SENSITIVE**

OPEN IMMEDIATELY
IMPORTANT INFORMATION ENCLOSED

EXCAGE-5

T-2

**2023 BENEFIT INFORMATION
FOR NORTH DAKOTA CITIZENS ONLY**

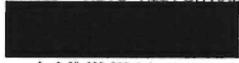
2023

As a resident of North Dakota, you are entitled to more benefits not provided by government funds.
You now have access to a 2023 state-regulated life insurance program which will pay 100% of all final expenses up to \$35,000.
Return this postage paid card within 5 days to request this new benefit information.

Please Respond By Oct. 11, 2022

Complete and return the information below.

NAME	AGE
SPOUSE'S NAME	AGE
STREET ADDRESS (No PO boxes)	
PHONE (With Area Code) () - -	
<small>Not affiliated with or endorsed by any government agency</small>	
 PL91876B238980HK	

014829****AUTO**ALL FOR AADC 580 T44 P1



To opt out of future mailings please visit dmppostout.com and enter this 9 digit code: 850-031-801.



**NO POSTAGE
NECESSARY
IF MAILED
IN THE
UNITED STATES**

BUSINESS REPLY MAIL
FIRST-CLASS MAIL PERMIT NO. 302 KENNESAW, GA

POSTAGE WILL BE PAID BY ADDRESSEE
DIRECT MAIL PROCESSING, LLC
PO BOX 100080
KENNESAW GA 30156-9912