

FINDINGS OF FACT

The Director **FINDS** that:

Part One: Involved Entities and Persons

1. **AMERICAN GENERAL** was, at all times material herein, a Delaware corporation authorized by the Oregon Secretary of State to conduct business in this state (Secretary of State business registry #104247-94). American General’s principal place of business is 601 NW Second Street, Evansville, Indiana 47708.

2. **AMERICAN GENERAL** was, at all times material herein, licensed by the Director to offer consumer finance loans. The company conducts business from retail branch offices located throughout Oregon. American General’s Salem, Oregon branch office (Oregon Consumer Finance license #0090-019-C) is located at 486 Lancaster Drive, NE, Salem, Oregon 97301. The branch has been continuously licensed to conduct business since September 1, 1989.

3. The manager of **AMERICAN GENERAL**’s Salem, Oregon branch office (hereafter the “branch manager”) conducted business, at all times material herein, from 486 Lancaster Drive, NE, Salem, Oregon 97301.

4. The branch manager was directly supervised by an **AMERICAN GENERAL** district manager (hereafter the “district manager”). The district manager conducted business, at all times material herein, from 675 W. Centennial Boulevard, Springfield, Oregon 97477.

5. **AMERICAN GENERAL** employs field auditors to engage in internal books and records examinations of its branch offices. The American General field auditor (hereafter the “field auditor”) that examined the Salem, Oregon branch office conducted business, at all times material herein, from 601 NW Second Street, Evansville, Indiana 47708.

6. New Beginnings Construction, Inc. (hereafter “New Beginnings Construction”), an Oregon corporation (Oregon Business Registry #508671-84), provides commercial and residential building maintenance services (Oregon Construction Contractors Board #112671).

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1 New Beginnings Construction, at all times material herein, provided building maintenance
2 services to the shopping mall housing the Salem, Oregon **AMERICAN GENERAL** branch
3 office.

4 7. Larry Sisson (hereafter “Sisson”), Steve Larsen (hereafter “Larsen”), and Lonnie
5 Bates (hereafter “Bates”) were, at all times material herein, employees of the Oregon Division of
6 Finance and Corporate Securities. Sisson, Larsen, and Bates conducted business from 350
7 Winter Street, Room 410, Salem, Oregon 97301.

8 **Part Two: AMERICAN GENERAL’s Consumer Finance Business**

9 8. **AMERICAN GENERAL** offers consumer finance loans of \$50,000 or less to
10 members of the public through its retail branch offices.

11 9. An **AMERICAN GENERAL** branch manager is the highest ranking employee
12 working at a branch office on a day to day basis, and is charged with overseeing business
13 operations, authorizing certain loans, and supervising branch employees.

14 10. Members of the public seeking a loan from an **AMERICAN GENERAL** branch
15 office are required to submit a loan application. Information necessary to complete the
16 application (name, residential address, social security number, bank account information, list of
17 references, etc.) is given to a branch office employee. Additionally, American General, after
18 obtaining authorization from the applicant, obtains a credit report to aid its efforts in assessing
19 the creditworthiness of an applicant. Furthermore, as part of the application process American
20 General may also request other documentation (tax returns, employment pay stubs, etc.)

21 11. Documents generated and/or received by **AMERICAN GENERAL** as part of its
22 loan application process, including documents containing sensitive, personal information of
23 customers, are housed at the branch office at which the application was taken.

24 12. Loan customers make payments on loans directly to the **AMERICAN**
25 **GENERAL** branch office at which they applied for their loan. Customers may make payments

26 PAGE 3- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED LICENSURE
OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION REQUIREMENTS NO. CL-07-
0045

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1 in-person at the branch office or submit payments by mail. Payments may be made by personal
2 check.

3 13. **AMERICAN GENERAL** loan customers maintain a strong expectation of
4 privacy in connection with their personal identifying information, and expect the company to
5 take appropriate safeguards to guard this information.

6 **Part Three: The AMERICAN GENERAL Salem, Oregon Branch Office**

7 14. The **AMERICAN GENERAL** branch office in Salem, Oregon is located in a
8 high-traffic “strip mall” on a busy suburban highway. The branch office has ample public
9 parking in an easily accessible parking lot, which also houses a large “dumpster” for use by the
10 strip mall’s tenants.

11 15. The branch manager has worked for **AMERICAN GENERAL** since 1993. Prior
12 to his appointment as branch manger of the Salem branch office in 2002, he served as branch
13 manager of the American General office in Roseburg, Oregon from 1996-2002. The branch
14 manager directly supervises three full-time American General employees.

15 16. An **AMERICAN GENERAL** branch manager is subject to three types of
16 reviews: first, a “quality control review”, conducted by a district manager; second, an “internal
17 audit”, conducted by a field auditor; third, an “annual performance review”, also conducted by a
18 district manager. (The unannounced quality control review focuses largely on the examination of
19 loan documents, while the scheduled annual performance review allows an American General
20 district manager to assess a branch manager’s overall performance over a twelve-month period.)

21 17. The **AMERICAN GENERAL** branch office in Salem, Oregon maintained
22 documents in connection with active loans in unlocked file cabinets. The branch office had a
23 large capacity industrial cross-cutting shredder onsite.

24 18. In 2001, **AMERICAN GENERAL** instructed its branch managers to retain loan
25 files, and all related materials, in connection with customer accounts in which any activity

26 PAGE 4- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED LICENSURE
OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION REQUIREMENTS NO. CL-07-
0045





1 transpired from January 1, 1998 onward, indefinitely. To accommodate this “litigation hold” in
2 his approximately 1400 square foot office, the Salem, Oregon branch manager, unlike some
3 American General branch managers that elected to use offsite storage, housed documents in the
4 back of the branch office.

5 19. The field auditor conducted an audit of **AMERICAN GENERAL**’s Salem,
6 Oregon branch office in March 2007. During the internal audit, the field auditor informed the
7 branch manager that he wanted to inspect some “pays” (files involving loans that had been paid
8 in full). The branch manager escorted the field auditor to the area at the back of the branch office
9 where the documents in question were housed. The field auditor informed the branch manager
10 that the organization of the documents was less than ideal and that, while he would not write him
11 up for it, the branch manager should get some cabinets and organize the documents.

12 20. In March 2007 the district manager attended a conference of **AMERICAN**
13 **GENERAL** district managers. Returning from the conference, the district manager informed the
14 branch manager and other branch office managers that district managers were told that an outside
15 consulting firm had given American General less than stellar marks, compared to its industry
16 peers, on the overall neatness and organization of its branch offices. The district manager
17 directly instructed branch managers to organize their respective branch offices.

18 **Part Four: AMERICAN GENERAL Policy With Respect To Customers’ Personal** 19 **Financial Information**

20 21. **AMERICAN GENERAL** employees are governed by the code of conduct
21 contained in the company’s “American General Financial Services Business Policy” (Policy
22 Number 6101, Release Date February 14, 2006) when “*handling personal information and*
23 *business data collected in the course of conducting business.*”

24 22. **AMERICAN GENERAL** policy notes that, in this context, “*personal*
25 *information may include information about an individual’s identity, such as: Social Security,*

1 identity or passport numbers; **personal financial information related to banking or credit**
2 **information; business plans or health and family matters.**” (emphasis added)

3 23. The **AMERICAN GENERAL** policy governing “office equipment” (Policy
4 Number 2307, Release Date October 5, 2006) states that “*it is AGF’s strategy to provide*
5 *document shredding equipment to help maintain the confidentiality of paper copies of customer*
6 *and company information destined for disposal.*”

7 24. An **AMERICAN GENERAL** staff advisory highlighted employees’ obligation to
8 shred documents containing personal information before disposal (Home Office Bulletin Number
9 444, Release Date July 4, 2005). The bulletin noted that the “*purpose of the in-office shredder is*
10 *to destroy documents that are routinely disposed of and which contain confidential customer and*
11 *company information. Documents such as applications, sales receipts, and any other document*
12 *with customer and company information that would ordinarily be disposed of must be shredded*
13 *before disposal.*”

14 25. The branch manager was cognizant of the **AMERICAN GENERAL** policy with
15 respect to the manner by which documents containing “personal information” of American
16 General customers were to be disposed. Furthermore, the branch manager listened to an
17 American General CD on the subject of “security awareness”, in which this topic was discussed,
18 in his branch office in October 2003 and June 2005.

19 **Part Five: The Branch Manager Was Specifically Warned That “Dumpster Divers” Were**
20 **Obtaining Documents Containing Individuals’ Sensitive Personal Information That Were**

21 **Discarded By The AMERICAN GENERAL Salem, Oregon Branch Office**

22 26. New Beginnings Construction has, since approximately 2001, provided
23 commercial building maintenance services to the shopping mall housing the Salem, Oregon
24 **AMERICAN GENERAL** branch office. (The services were provided under contract to the
25 mall’s landlord, not to American General.) Among other responsibilities, the company cleaned

26 PAGE 6- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED LICENSURE
OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION REQUIREMENTS NO. CL-07-
0045



1 the parking lot, scrubbed graffiti and painted the buildings, and maintained the property's
2 landscaping. To carry out these services a New Beginnings Construction employee was onsite
3 approximately thrice weekly, at varying times of the day.

4 27. New Beginnings Construction found the mall's dumpster to be the source of
5 repeated maintenance related problems. In addition to items placed in the dumpster by mall
6 tenants, members of the public would frequently drive onto the property during the night to place
7 household garbage in the dumpster. When the dumpster overflowed, its cover would not properly
8 close and garbage would be strewn throughout the premises by forces of nature (wind, rain, etc.).

9 28. In an effort to make his job easier, the New Beginnings Construction employee
10 regularly onsite would, when necessary, lift the dumpster's cover and reorganize its contents so
11 that all items could fit securely within the dumpster. However, as the problem grew worse over
12 time, the New Beginnings Construction employee would randomly inspect the dumpster's
13 contents in an effort to ascertain the identity of members of the public placing household garbage
14 in the dumpster.

15 29. While performing his duties, the New Beginnings Construction employee
16 personally observed numerous members of the public physically in or around the dumpster,
17 combing through garbage in search of items or documents. (This practice, increasingly prevalent
18 in this age of identity theft, is known as "dumpster diving.")

19 30. On multiple occasions in 2005 and 2006 the New Beginnings Construction
20 employee inspected bags placed in the dumpster and found intact, cancelled checks made
21 payable from individuals to **AMERICAN GENERAL**. The checks were not altered in any
22 fashion.

23 31. After each such event transpired, the New Beginnings Construction employee
24 approached the branch manager, with whom he would engage in brief pleasantries when
25 encountering him on the premises, to present the checks made payable to **AMERICAN**

26 PAGE 7- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED LICENSURE
OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION REQUIREMENTS NO. CL-07-
0045



1 **GENERAL** he had found in the dumpster. The New Beginnings Construction employee advised
2 the branch manager that he had frequently observed individuals rifling through the dumpster,
3 purposefully looking for documents and information. Acting as a concerned citizen, the New
4 Beginnings Construction employee asked the branch manager to be careful and ensure that
5 checks were shredded.

6 32. The branch manager responded to the New Beginnings Construction employee's
7 comments by thanking him, apologizing, and promising that the problem would be taken care of
8 in the future.

9 **Part Six: AMERICAN GENERAL's Salem, Oregon Branch Office Improperly Releases**
10 **Documents Containing Customers' Sensitive, Personal Information**

11 33. The branch manager's regularly scheduled annual performance review was to take
12 place on April 11, 2007. His district manager was scheduled to conduct the session. Bearing in
13 mind both the internal auditor's recent comments about organizing materials and the district
14 manager's directive to branch managers to clean up their offices, at approximately 3:30 P.M. on
15 April 10, 2007 the branch manager began reorganizing his branch office's back room. As the
16 branch manager testified before the Director, "... and my annual review was the next day... I
17 wanted to have my office nice and clean when [the district manager] came in. I didn't want to
18 have him... getting on my case for...for that. I mean, it's...it's frustrating to go to the back room
19 and try to find paid's when...it's a mess... we're such ...so busy that I didn't get a chance to even
20 get started on it 'til ...the latter part of the afternoon, I'm guessing 3:30, 4 o'clock, somewhere in
21 there...so I was in kind of a rush mode to get this done..."

22 34. As part of his efforts, the branch manager removed certain items from file cabinets
23 and boxes with the aim of sorting and then placing materials into stackable boxes in the back of
24 the branch office. He testified that "I was transferring them out of these shabby looking...paper
25 boxes into these nice boxes...so in doing this I...I created a pretty good...in trying to clean up a

26 PAGE 8- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED LICENSURE
OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION REQUIREMENTS NO. CL-07-
0045



1 *mess, I created a pretty good mess in the back room... that was my...was my big push for that*
2 *afternoon was to get this all completed...and when I was pulling out the...daily reports and the*
3 *ah, journal rolls, in the very back of that...of that cabinet...were the hold check envelopes, the*
4 *green...green hold check envelopes... my immediate reaction when I saw those um...hold check*
5 *envelopes was that this isn't anything that we need to keep, I need to get rid of these...and so I*
6 *took them back into the back room. I put them...in the garbage can...I pulled off the top one that*
7 *I...that I'd seen, just to make sure I looked in it... And as I was basically trying to rush around*
8 *and get things done, I decided, well, whether correct or incorrect at that point, I decided that*
9 *that was not ah, something that I needed to shred..."* The branch manager placed the envelopes
10 in a garbage bin, and that evening a custodian transported the materials to the dumpster in the
11 parking lot of the shopping mall in which the **AMERICAN GENERAL** branch office was
12 located.

13 35. Among the documents in the green envelopes the branch manager threw out were at
14 least seven hundred seventy-three (773) cancelled bank checks made payable to **AMERICAN**
15 **GENERAL** by Oregon residents in connection with the payment of consumer finance loans,
16 some dated as recently as October 2004. The checks, bearing customers' name, address, bank
17 account number, and, on one check, a social security number, were intact and fully legible. The
18 branch manager did not alter, cut, or shred the documents prior to disposal.

19 36. Bank checks contain sensitive personal information which could be used by one
20 seeking to commit identity theft or engage in other criminal activity. An intact cancelled check
21 would provide one intent on wrongdoing with an individual's name, address, the name of the
22 financial institution at which they bank at, and their specific bank account number. (The
23 **AMERICAN GENERAL** customer whose social security number was on his check was at even
24 greater risk of harm.) Equally important, this combination of data could have been used to obtain
25 additional financial information from other sources.

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1 37. On April 10, 2007 the New Beginnings Construction employee regularly onsite was,
2 as described above, inspecting the contents of the mall's dumpster because he noticed a
3 particularly high volume of trash threatening to overflow when he stumbled upon many
4 envelopes, each filled with intact, unaltered cancelled checks made payable from individuals to
5 **AMERICAN GENERAL**. Upset because he believed the branch manager had not heeded
6 multiple warnings from him and uncertain where to turn, the New Beginnings Construction
7 employee contacted a FOX television station affiliate, which in turn reported the incident to the
8 Director.

9 **Part Seven: After AMERICAN GENERAL's Release of Customer Documents**

10 38. On April 12, 2007, after **AMERICAN GENERAL's** disposal of documents
11 containing the personal financial information of hundreds of Oregonians had been publicized by
12 the media, the Director's designee dispatched Sisson, Larsen, and Bates to American General's
13 Salem, Oregon branch office to interview employees and ascertain information about the reason
14 for the release of customers' sensitive personal information.

15 39. Prior to entering the **AMERICAN GENERAL** branch office to interview the branch
16 manager and his direct reports, Sisson, Larsen, and Bates identified and inspected the dumpster
17 into which the documents at issue had been disposed into. They found numerous items that, the
18 branch manager later confirmed, came from American General. The items included, *inter alia*,
19 binders with outdated American General training materials, foreclosure documents – and related
20 attorney fee statements - from the company's collection efforts against delinquent customers, as
21 well as recently submitted payment coupons from current American General customers.

22 40. Despite being fully apprised that customers' sensitive personal information had been
23 placed in a publicly accessible dumpster, neither the district manager nor any other
24 **AMERICAN GENERAL** executive instructed the branch manager or another American
25



1 General employee to inspect or secure the contents of the dumpster until after the Director's
2 designees had departed.

3 **Part Eight: AMERICAN GENERAL Takes Corrective Action**

4 41. On April 20, 2007 **AMERICAN GENERAL** sent a memorandum to all Oregon
5 branch employees and district managers, stating "*The proper handling of customer confidential*
6 *information is vitally important as it represents one of AGFS's most valuable assets... Branches*
7 *are required to take the necessary steps securing customer information while an application is*
8 *taken, after an account is booked, during the required retention period... The destruction of any*
9 *paper or document containing customer information must be handled according to policy. Each*
10 *branch has a paper shredder. The shredder must be used to discard any paper or document*
11 *containing any customer information. Under no circumstances should customer information be*
12 *thrown in the trash can or placed in the dumpster.*"

13 42. On May 14, 2007, **AMERICAN GENERAL** issued a staff advisory (Home Office
14 Bulletin 541) to all personnel asserting that "*Customer information represents one of [American*
15 *General's] most valuable assets. It should be treated with the same caution as cash, checks or*
16 *other valuables.*"

17 43. On November 12, 2007 **AMERICAN GENERAL** revised its record retention policy.
18 A staff advisory (Home Office Bulletin 567) noted that "*documents containing confidential*
19 *customer or company information must be destroyed by shredding... It is absolutely imperative*
20 *that this policy be adhered to. In addition, any document that contains any customer, company,*
21 *or employee's non-public personal information that is being discarded must be shredded and*
22 *never placed in the trash or dumpster...*"

23 44. **AMERICAN GENERAL** described a branch office manager's responsibilities in
24 paragraph 11 of its revised records retention policy (BP 6206). The applicable section of the
25 policy notes that a "*Branch Manager is responsible for ensuring that all branch records and*



1 necessary documents are maintained in an efficient, organized filing system. Certain documents
2 must be maintained on file for specific time periods, after which they may be destroyed. The
3 Branch Manager must ensure that branch files are periodically inspected and that any material
4 no longer required is destroyed. Documents containing confidential customer or company
5 information must be destroyed by shredding.”

6 CONCLUSIONS OF LAW

7 The Director **CONCLUDES** that:

8 45. **AMERICAN GENERAL** is a licensed consumer finance company, and is subject to
9 the mandates of the Oregon Consumer Finance Act, pursuant to ORS 725.010 *et seq.*
10 Furthermore, American General is a “financial institution” for purposes of the Gramm-Leach-
11 Bliley Act, 15 USC 6802.

12 46. Congress enacted the Gramm-Leach-Bliley Act, 15 USC 6801 *et seq.*, in 1999, noting
13 that “it is the policy of the Congress that each financial institution has an affirmative and
14 continuing obligation to respect the privacy of its customers and to protect the security and
15 confidentiality of those customers’ nonpublic financial information.” 15 USC 6801 (a)

16 47. **AMERICAN GENERAL** failed to follow its own promulgated policies and
17 procedures in connection with the disposal of documents containing its customers’ sensitive
18 personal information, which, pursuant to ORS 725.230 (1) (c), constitutes a fact or condition
19 that, if it had existed at the time of the original application for such license, clearly would have
20 warranted the director in refusing originally to issue the license. The Director would have been
21 warranted to refuse to issue the license because said failure constituted an illegal practice or
22 conduct in a business or profession, in violation of ORS 725.145 (2).

23 48. **AMERICAN GENERAL** failed to establish and take reasonable precautions to
24 protect against the improper release of documents containing its customers’ sensitive personal
25 information, which, pursuant to ORS 725.230 (1) (c), constitutes a fact or condition that, if it had

26 PAGE 12- AMERICAN GENERAL FINANCIAL SERVICES, INC. CONSENT TO CONDITIONED
LICENSURE OF BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION
REQUIREMENTS NO. CL-07-0045



1 existed at the time of the original application for such license, clearly would have warranted the
2 director in refusing originally to issue the license. The Director would have been warranted to
3 refuse to issue the license because said failure constituted a dishonest practice or conduct in a
4 business or profession, in violation of ORS 725.145 (2).

5 49. **AMERICAN GENERAL** failed to adequately train and supervise its branch office
6 managers to safeguard its customers’ sensitive personal information, which, pursuant to ORS
7 725.230 (1) (c), constitutes a fact or condition that, if it had existed at the time of the original
8 application for such license, clearly would have warranted the director in refusing originally to
9 issue the license. The Director would have been warranted to refuse to issue the license because
10 said failure constituted a dishonest practice or conduct in a business or profession, in violation of
11 ORS 725.145 (2).

12 **REMEDIES**

13 Therefore, the Director Mandates:

14 50. That the **LICENSE** of each **AMERICAN GENERAL** branch office in the State of
15 Oregon shall be **CONDITIONED** for a **PERIOD OF TWO (2) YEARS OR THE**
16 **COMPLETION OF TWO (2) EXAMINATION CYCLES¹, WHICHEVER COMES**
17 **FIRST**. American General shall be prohibited from **RELEASING ITS CUSTOMERS’**
18 **CONSUMER PERSONAL INFORMATION**, as that term is defined by ORS 646A.602 (2)
19 and (11), **TO THIRD PARTIES** in any manner other than by strictly following Oregon law and
20 its own policies and procedures regarding the handling of said information, including its
21 destruction.

22 51. That, should the Director have cause to believe that, within any **AMERICAN**
23 **GENERAL** branch office in the State of Oregon, within two (2) years from the date of the

24 _____
25 ¹ The Division separately examines individual branch offices in Oregon to ensure compliance
26 with the Oregon Consumer Finance Act. Each branch office undergoes at least one examination
cycle within a two-year period.

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1 Consent To Entry or the completion of two (2) examination cycles, whichever comes first,
2 American General has engaged in any act or omission relating to the handling, storage, disposal
3 or safeguarding of documents (whether in paper, electronic, or other format) containing
4 “consumer personal information” that violates any provision of the Oregon Consumer Identity
5 Theft Protection Act, ORS 646A.600, *et seq.*, or any provision of the Federal Trade
6 Commission’s “Safeguards Rule”, 16 CFR Part 314, promulgated pursuant to the Gramm-Leach-
7 Bliley Act, 15 USC 6801, *et seq.*, then the Director may, after giving American General a fair
8 opportunity to be heard, including with respect to any sanction, remedy, or mitigation issues, (a)
9 suspend or revoke the license of the particular branch office at which the violation has occurred,
10 as the Director deems fair, just, and equitable; (b) impose a civil penalty on American General up
11 to a total of \$75,000, as the Director deems fair, just, and equitable; (c) any combination of (a)
12 and (b) above, as the Director deems fair, just, and equitable. If American General does not agree
13 that a violation as described above has transpired, a contested case hearing will be conducted on
14 that issue. However, American General agrees to act in good faith, and will not deny that a
15 violation as described above has transpired when it would be unreasonable to do so.

16 52. That **AMERICAN GENERAL** shall take additional steps, satisfactory to the
17 Director, to ensure that its employees are apprised, and remain cognizant of, its policies and
18 procedures with respect to the proper destruction of documents containing consumer personal
19 information.

20 53. That **AMERICAN GENERAL** shall, pursuant to the authority contained in ORS
21 725.910, pay the sum of **TWENTY FIVE THOUSAND DOLLARS** (\$25,000) as a civil
22 penalty for violations of the Oregon Consumer Finance Act described herein. Additionally,
23 American General shall pay the sum of **TWENTY FIVE THOUSAND DOLLARS** (\$25,000)
24 to the Department’s Consumer Education Fund, for use in educating Oregon residents about
25 identity theft. Finally, American General shall pay the sum of **TWENTY FIVE THOUSAND**

1 **DOLLARS** (\$25,000) as reimbursement for the cost of the Director's investigation, for a total
2 payment of **SEVENTY FIVE THOUSAND DOLLARS** (\$75,000). Payment in full shall be
3 made prior to Entry.

4 Dated this 29th day of March, 2010 at Salem, Oregon.

5
6 CORY STREISINGER, Director
Department of Consumer and Business Services

7 /s/ David Tatman

8 David C. Tatman, Administrator
9 Division of Finance and Corporate Securities
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1 **CONSENT TO ENTRY**

2 **AMERICAN GENERAL** states: that it has read the foregoing **CONSENT TO**
3 **CONDITIONED LICENSURE OF BRANCH OFFICES AND IMPOSITION OF**
4 **HEIGHTENED SUPERVISION REQUIREMENTS** (the "Consent") and fully understands
5 the contents thereof; that it has been advised of the right to a hearing and of the right to be
6 represented by counsel in this matter; that it, voluntarily, and without any force or duress, agrees
7 to the entry of this Consent, expressly waiving any right to a hearing in this matter; that the
8 Consent contains the complete agreement of the parties, and that no additional promises or
9 assurances have been made to the Respondent by the Division with respect to matters covered by
10 the Consent; that it understands that the Director reserves the right to take further actions to
11 enforce the terms of this Consent or to take appropriate action upon discovery of other violations
12 of the Oregon Consumer Finance Act; and that it will fully comply with the terms and conditions
13 stated herein.

14
15 Respondent further understands that this **CONSENT TO CONDITIONED LICENSURE OF**
16 **BRANCH OFFICES AND IMPOSITION OF HEIGHTENED SUPERVISION**
17 **REQUIREMENTS, AND CONSENT TO ENTRY** is a public document.

18 Dated this 16th day of March 2010.

19
20 For American General Financial Services, Inc.:

21 I, Gary J. English represent that I am Vice President of
22 American General Financial Services, Inc. and that, as such, have been authorized by American
23 General Financial Services, Inc. to enter into this Order for and on behalf of American General
24 Financial Services, Inc.

25 //

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Dated this 16th day of March, 2010.

American General Financial Services, Inc.

By: /s/ Gary J. English

Title: Vice President

Tina L. Burch

(Printed Name of Notary Public)

Notary Public

for the State of: Indiana

My commission expires: 3-21-2014

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