STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of: DANIEL M. HINRICHS, Respondent.	Case No. ID-16-0310 FINAL ORDER TO CEASE AND DESIST AND ASSESSING CIVIL PENALTY, ENTERED BY CONSENT

WHEREAS the Director of the Department of Consumer and Business Services for the State of Oregon (the "***Director***") has conducted an investigation of certain activities conducted by Daniel M. Hinrichs ("***Respondent***") and the Director has determined that Respondent has violated provisions of the Oregon Consumer Identity Theft Protection Act, ORS 646A.600 to 646A.628 (the "***Act***"); and

WHEREAS Respondent, without admitting or denying the Conclusions of Law stated herein, wishes to resolve and settle this matter with the Director;

NOW THEREFORE, as evidenced by the signature subscribed on this Consent Order, Respondent hereby CONSENTS to entry of this Order to Cease and Desist and other sanctions upon the Director's Findings of Fact and Conclusions of Law as stated hereinafter.

Division of Financial Regulation
Labor and Industries Building
350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387

FINDINGS OF FACT

The Director FINDS that:

1. Respondent obtained from the Iowa District Court for Dubuque County a copy of a certain Disposition and Judgment, entered by the Dubuque County District Court on October 21, 1998 (the "***Judgment***"). The Judgment included the full name and unredacted Social Security number of the defendant named therein (hereinafter the "***Consumer***"). The Social Security number was identified in the Judgment as the "PIN."

2. Respondent was unaware that the Judgment contained the unredacted Social Security number of the Consumer.

3. In or around April 2016, Respondent disseminated the Judgment to various individuals via electronic mail and in person, as well as to various media outlets. Respondent did not redact the Consumer's Social Security number prior to such dissemination.

CONCLUSIONS OF LAW

The Director CONCLUDES that:

4. The Judgment contained "personal information" as defined by ORS 646A.602(11), including the Consumer's name in combination with the Consumer's unredacted Social Security number.

5. Respondent violated ORS 646A.620(1)(c) by making the Judgment available to the public, which contained the unredacted Social Security number of the Consumer.

6. Pursuant to ORS 646A.624(4)(a), a person who violates or who procures, aids or abets in the violation of the Act may be subject to a civil penalty of not more than $1,000 for every violation.

ORDER

Based on the foregoing, the Director issues the following ORDER:

7. In accordance with ORS 646A.624(3), the Director hereby ORDERS Respondent to CEASE AND DESIST from violating the requirements of the Act.

8. In accordance with ORS 646A.624(4), the Director ORDERS Respondent to pay a CIVIL PENALTY of $500 (five hundred dollars) for violating ORS 646A.620(1)(c).

9. The CIVIL PENALTY in the amount of $500 (five hundred dollars) is immediately due and payable at the Director's signing of this Consent Order.

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10. Entry of this Order in no way limits or prevents further remedies, sanctions, or actions which may be available to the Director under Oregon law to enforce this Order, for violations of this Order, for conduct or actions of Respondent or any other parties that are not covered by this Order, or against any party not addressed in this Order.

SO ORDERED this 27th day of July, 2016 in Salem, Oregon.

PATRICK M. ALLEN, Director
Department of Consumer and Business Services

/s/ David C. Tatman
David C. Tatman, Chief of Enforcement
Division of Financial Regulation

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CONSENT TO ENTRY OF ORDER BY DANIEL M. HINRICHS

I, Daniel M. Hinrichs, state that I am a resident of the State of Oregon, that I have read this Consent Order and that I know and fully understand the contents hereof; that the factual allegations stated herein are true and correct; that I have been represented by counsel in this matter; that I have been advised of the right to a hearing; that I voluntarily and without any force or duress consent to the entry of this Consent Order, expressly waiving any right to a hearing in this matter; and that I will fully comply with the terms and conditions of this Consent Order.

I understand that this Consent Order is a public document.

/s/ Daniel M. Hinrichs
Daniel M. Hinrichs

State of Oregon

County of Coos

Signed or attested before me on this 27th day of July, 2016 by Daniel M. Hinrichs.

/s/Stephanie Jo Nicholls

Notary Public – State of Oregon

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