

53351 / KRJ

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

State of Minnesota
Dept of Commerce

APR 22 2019

Rec'd \$

5,000

In the Matter of Christopher Neuman Baldwin
Registration No. 4030491

CONSENT ORDER

TO: Christopher Neuman Baldwin
405 Alexander St.
LaCrosse, WI 54601

Commissioner of Commerce Steve Kelley (Commissioner) has determined as follows:

1. The Commissioner has advised Christopher Neuman Baldwin (Respondent) that he is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2018) and other applicable law, against Respondent's debt collector registration based on the following allegations:

- a. Respondent knowingly and willingly accepted an offer from his supervisor to participate in a scheme to defraud their employer. Respondent agreed to receive guaranteed monthly bonus payments, regardless of the amount of money he was owed through his collection efforts, of \$3,000 - \$3,500 as long as he paid his supervisor \$500 in cash each month. Respondent was able to do this because Respondent's supervisor had an independent ability to alter commission payments before checks were processed by the collection agency.
- b. Respondent knowingly and willingly participated in this fraudulent scheme for eleven months. During the continued fraudulent behavior, Respondent received an average of \$1,688 more than he was entitled to each month for his work as a collector. Respondent admitted that because he was going to receive this guaranteed inflated income, he did not work as hard collection on accounts because his income was not based on his performance. The total amount wrongfully received by him as part of this fraud scheme was \$18,563.

collector. Respondent admitted that because he was going to receive this guaranteed inflated income, he did not work as hard collection on accounts because his income was not based on his performance. The total amount wrongfully received by him as part of this fraud scheme was \$18,563.

- c. Respondent knowingly and willingly accepted these inflated checks, then made cash monthly payments of \$500 to his supervisor, which demonstrates that Respondent is untrustworthy, financially irresponsible, or otherwise incompetent or unqualified to act under the authority or license granted by the Commissioner in violation of Minn. Stat. § 45.027, subd. 7(4) (2018).

2. Respondent acknowledges that he has been advised his rights to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing and Respondent hereby expressly waives those rights. Respondent further acknowledges that he has been represented by legal counsel throughout these proceedings, or has expressly waived that right.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided under Minn. Stat. §14.59 (2018) and Minn. R. 1400.5900 (2017).

4. For the purposes of Minn. Stat. § 16D.17 (2018), Respondent expressly waives his right to any notice or opportunity for a hearing on any civil penalty imposed by the Commissioner. Further, Minn. Stat. § 16D.17 (2018) allows the Commissioner to file and enforce the civil penalty imposed by this Order as a judgment against Respondent in district court without further notice or additional proceedings.

5. The civil penalty and/or any resulting judgment arising from this Order is non-dischargeable in any bankruptcy proceeding. See 11 U.S.C. 523(a)(7) (2014) ("A discharge under section 727, 1141, 1228(a), 1228(b), or 1328(b) of this title does not discharge an individual debtor from any debt...to the extent such debt is for a fine, penalty, or forfeiture payable to and for the benefit of a governmental unit, and is not compensation for actual pecuniary loss, other than a tax penalty...").

6. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 45.027, (2018);

that:

A. **IT IS FURTHER ORDERED THAT**, Respondent shall pay a civil penalty of \$15,000 to the State of Minnesota. The Commissioner has stayed \$10,000 of this penalty. Respondent must pay \$5,000 at the time of the Consent to Entry of Order is signed. The stayed portion of the civil penalty may be lifted if Respondent commits further violations of any law, rule, or order related to the duties and responsibilities entrusted the Commissioner. If the Commissioner determines that Respondent has committed further violations of any law, rule, or order over which the Commissioner has authority, the stay shall be lifted and the stayed portion of the penalty shall become effective in addition to any additional administrative action the Commissioner deems appropriate for the new violation(s). If the Commissioner seeks to lift the stay, Respondent may request a hearing to challenge the factual basis for lifting the stay, but may not challenge the amount of the stayed penalty. If the stay has not been lifted by three (3) years after the effective date of this Order, the stayed portion of the civil penalty shall be vacated.

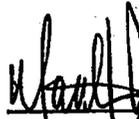
- B. Respondent shall cease and desist from violating any laws, rules, or orders related to the duties and responsibilities entrusted to the Commissioner under Minnesota Statute Chapters 45 and 332; and
- C. Respondent shall pay all investigative costs associated with this investigation not to exceed \$300.

This Order shall be effective upon signature by or on behalf of the Commissioner.

Date: 4/25/2019

STEVE KELLEY
Commissioner

By:



Matthew Watter
Assistant Commissioner of Enforcement
Minnesota Department of Commerce
85 Seventh Place East, Suite 280
St. Paul, MN 55101
(651) 539-1600

CONSENT TO ENTRY OF ORDER

The undersigned, states that he has read this Consent Order; that he knows and fully understands its contents and effect; that he has been advised of the right to a hearing in this matter, to present argument to the Commissioner, and to appeal from any adverse determination after a hearing, and expressly waives these rights. Respondent further acknowledges that he has been represented by legal counsel throughout these proceedings, or has been advised of his right to be represented by legal counsel, which right he hereby expressly waives; and that he consents to entry of this Order by the Commissioner. It is further understood that this Consent Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either express or implied.

Date: 4-18-19

Christopher Baldwin

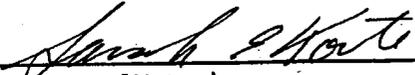
By: 

STATE OF Wisconsin

COUNTY OF La Crosse

Signed or attested before me on April 18, 2019, (Date)

(Notary Stamp)


(Signature of Notary)

My Commission Expires: _____

is permanent

SARAH E. KORTE
Notary Public
State of Wisconsin