

IN29400/JPB
Ecase1151

State of Minnesota
Dept. of Commerce

AUG 07 2015

Rec'd \$ 7500

STATE OF MINNESOTA
DEPARTMENT OF COMMERCE

In the Matter
of Bankrate, Inc.
an unlicensed entity.

CONSENT ORDER

TO: Bankrate, Inc.
477 Madison Ave., Suite 430
New York, New York 10022

1. Commissioner of Commerce Mike Rothman ("Commissioner") has advised Bankrate, Inc. ("Respondent") that he is prepared to commence formal action pursuant to Minn. Stat. § 45.027 (2014), and other applicable law, against Respondent based on allegations that Respondent, a lead company responsible for obtaining leads and selling leads to insurance companies and producers, developed and uses the website domain government-health-insurance.com, which has the tendency to mislead prospective clients into believing that Respondent may in some manner be connected with the government. By doing so, Respondent is in violation of Minn. Stat. §§ 72A.20, subd. 2 & 18 (b) (2014) and Minn. R. 2790.0500, subp. 1 & 2790.0800, subp.3 (2013).

2. Respondent acknowledges that it has been advised of its 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 it has been represented by legal counsel throughout these proceedings or hereby expressly waives those rights.

3. Respondent has agreed to informal disposition of this matter without a hearing as provided in Minn. Stat. § 14.59 (2014) and Minn. R. 1400.5900 (2013).

4. The following Order is in the public interest.

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Minn. Stat. § 45.027, subd. 6 (2014) that the Respondent shall pay to the state of Minnesota a civil penalty of \$7,500.

IT IS FURTHER ORDERED, that Respondent is prohibited from soliciting Minnesota residents via www.gouvernement-health-insurance.com. Respondent has implemented a system of control as follows:

When a consumer visits the website www.government-health-insurance.com, they will be prompted to input their residential zip code. If a consumer submits a zip code identifying them as a Minnesota resident, they will be diverted to a webpage for Minnesota residents. This webpage will promote the Minnesota based insurance exchange website MNSure.org, as well as other private options. The websites associated with the private options displayed will not be owned or operated by Bankrate, Inc. This webpage will not display Bankrate's form where census and contact info is collected. Thus, Bankrate has implemented processes to prevent access to Minnesota resident's personal and contact information.

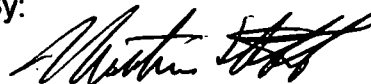
IT IS FURTHER ORDERED, pursuant to Minn. Stat. § 45.027, subd. 5 (2014), that Respondent shall cease and desist from any violations of Minn. Stat. § 72A.20, subd. 2 & 18 (b) (2014) and Minn. R. 2790.0500, subp. 1 & 2790.0800, subp.3 (2013).

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

Dated: 8-12-2015

MIKE ROTHMAN
Commissioner

By:



MARTIN FLEISCHHACKER
Assistant Commissioner-Enforcement
Minnesota Department of Commerce
85 7th Place East, Suite 500
St. Paul, MN 55101
Telephone: (651) 539-1640

CONSENT TO ENTRY OF ORDER

The undersigned, acting on behalf of Bankrate, Inc., states that he/she has read the attached Consent Order; that it knows and fully understands its contents and effect; that he/she is authorized to execute this Consent to Entry of Order on behalf of Respondent; that he/she acknowledges he/she has been advised of Respondent's right to a hearing in this matter, to present argument to the Commissioner and to appeal from any adverse determination after a hearing, and he hereby expressly waives those rights. Respondent further acknowledges that it has been represented by legal counsel throughout these proceedings, or has been advised of its right to be represented by legal counsel, which right he hereby expressly waives; and it 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.

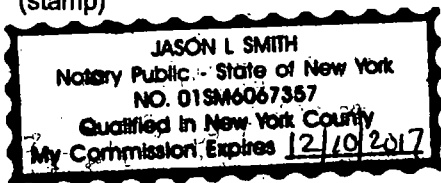
Bankrate, Inc.

By: James Gilman
Its: General Counsel

STATE OF New York
COUNTY OF New York

This instrument was acknowledged before me on August 3, 2017 (date) by James Gilman (name(s) of person(s)) as General Counsel (type of authority, e.g., officer, trustee, etc.) of Bankrate, Inc. (name of party on behalf of whom the instrument was executed).

(stamp)



Jason L. Smith
(Signature of notary officer)
Notary Public
Title (and Rank)
My commission expires: Dec. 10, 2017