

BEFORE THE DIRECTOR OF THE DEPARTMENT OF FINANCE
OF THE STATE OF IDAHO

In the Matter of:)	Docket No. 2012-7-09
)	
Robert E. Kern)	CONSENT ORDER OF CONDITIONAL
Request for Order of Conditional Agent)	BROKER-DEALER AGENT REGISTRATION
Registration Pursuant to Idaho)	
Code §30-14-412(a))	
_____)	

With respect to Section 30-14-412 under the Idaho Uniform Securities Act (2004)(IUSA), an order issued under this chapter may condition the agent registration of an applicant if the Director finds that the order is in the public interest and grounds for conditioning the applicant's agent registration is found under Section 30-14-412(d) of Idaho Code. Robert E. Kern and OneAmerica Securities, Inc agree to the following as it pertains to the conditional broker-dealer agent registration of Kern.

I.

FINDINGS OF FACT

1. On July 11, 2012, OneAmerica Securities, Inc., a broker-dealer registered in Idaho beginning September 1998, submitted to the Department an application for broker-dealer agent registration on behalf of Robert E. Kern.
2. Kern is a licensed insurance agent in Idaho. He has previously been registered in Idaho as a broker-dealer agent from December 2003 until December 1, 2011.
3. On November 17, 2011, FINRA suspended Kern for thirty (30) days and he was fined \$5,000 for violation of NASD Rule 2110 for improperly scanning an answer key to a state long-term care insurance continuing education examination and distributing this information to an

employee of the member firm and another individual not associated with the firm. Without admitting or denying the allegations, Kern consented to the described sanctions and entry of findings.

4. In 2011, while an agent with MML Investor Services, LLC. , Mr. Kern admitted to impersonating a client in order to obtain information about the client's annuity contract. Kern did not have the client's permission to access their account. Kern subsequently called the client and revealed the impersonation. Several days later, the client requested that his client relationship with Kern be terminated. On November 11, 2011 Mr. Kern was permitted to resign from his broker-dealer.

5. On April 24, 2012 FINRA suspended Kern in all capacities for thirty (30) business days, and he was fined \$5,000 for violations of FINRA Rule 2010 as noted in paragraph 4 above. Without admitting or denying the allegations, Kern consented to the described sanctions and entry of findings.

6. The events noted in paragraphs 3 and 5 above provide grounds under Section 30-14-412(d)(5)(C) of the IUSA for the conditional registration of Kern as a broker-dealer agent.

II.

CONDITIONS

The Director finds it is in the interest of Idaho citizens to conditionally register Kern as a broker-dealer agent. Kern understands and agrees that his registration as a broker-dealer agent will be conditioned upon the following terms for three (3) years following the date of his registration. Failure to comply with any of the conditions is grounds for revocation of his registration under Section 30-14-412 of the IUSA.

7. Kern, through his broker-dealer OneAmerica Securities, Inc., will provide a detailed report to the Department within five (5) business days of the occurrence of any verbal or written customer complaint, or of any violation under the IUSA.

8. Mr. Jeff Erekson, the designated supervisory principal for the office from which Kern will work, or any subsequent supervisory principal, will directly be responsible for reviewing and signing off on all trades, suitability determinations, recommendations, and correspondence by Kern. In addition, OneAmerica Securities, Inc.'s compliance department will also oversee Kern's activities.

9. Kern will not have custody of any client assets or discretionary authority over any client accounts.

10. Kern will complete a FINRA sponsored continuing education ethics training sometime during his conditional registration. Kern and OneAmerica Securities, Inc. will provide written notification to the Department within thirty (30) days after Kern completes the training.

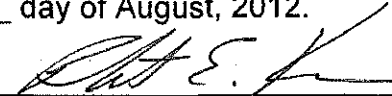
11. Each year on the anniversary date of this order, OneAmerica Securities, Inc. will provide a report to the Department stating whether any occurrences as described in paragraphs 7 and 8 have taken place.


12. Should Kern violate the terms of this Order at any time during its effectiveness, the Department will have grounds under Section 30-14-412(d) of the IUSA to revoke the broker-dealer agent registration of Kern. Should OneAmerica Securities, Inc. violate the terms of this order as it pertains to the firm, the firm will be subject to administrative or other action by the Department.


13. Kern waives notice and opportunity for hearing under I.C. § 30-14-604(b) and (c),

5240 et. seq.

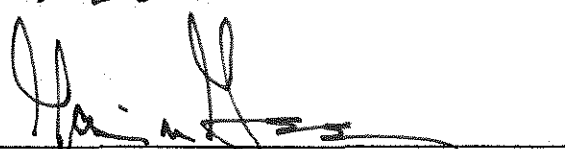
DONE AND DATED at Boise, Idaho this 30th day of August, 2012.


ROBERT E. KERN

 9/4/2012
ONEAMERICA SECURITIES, INC.


MARILYN T. CHASTAIN
Bureau Chief, Securities Bureau

IT IS SO ORDERED This 6th SEPTEMBER day of August, 2012


GAVIN M. GEE
Director of Finance

