



Department of Justice

Office of Consumer Protection

P. O. Box 200151
Helena, MT 59620-0151
(406) 444-4500 or (800) 481-6896

Bond No. _____

**STATE OF MONTANA
TELEMARKETING REGISTRATION
SURETY BOND**

KNOW ALL BY THESE PRESENTS: That we, _____
(Seller or Telemarketer)

whose address is: _____, as Principal,
(Address of Seller or Telemarketer)

and _____
(Name of Surety)

whose address is _____
(Address of Surety)

(City) (State) (Zip) (Phone Number)

A surety company authorized to transact surety business and with a Best's rating of no less than A- in the State of Montana, as Surety, is held and firmly bound unto the State of Montana in the sum of FIFTY THOUSAND DOLLARS (\$50,000) in lawful money of the United States of America, for the payment of which, well and truly to be made, we bind ourselves, our heirs, executors, administrators, successors and assigns, jointly, severally and firmly by these presents:

The condition of this obligation is such that the bond must provide for the indemnification to the State of Montana and only to the State of Montana for any person suffering a loss as the result of a violation by the principal of Title 30, Chapter 14, Part 14, MCA, the Montana Telemarketing Registration and Fraud Prevention Act.

The surety shall pay to the State of Montana any loss for any person suffering a loss as the result of violation of this part upon receipt of written notification thereof by the State of Montana. The aggregate liability of the surety upon this bond shall in no event exceed the penal sum of the bond, regardless of the number of years that such bond is in force.

The surety may for any cause cancel the bond upon giving a 60-day written notice by certified mail to the applicant and to the department. Unless the bond is replaced by that or another surety before the expiration of the 60-day notice of cancellation, the registration of the seller or telemarketer must be treated as lapsed. The surety bond must remain in effect for one year from the period the telemarketer ceases to operate in the State of Montana.

Any business required under the Montana Telemarketing Registration and Fraud Prevention Act to file a bond with registration application may file, in lieu of the bond, a certificate of deposit, or government bond in the amount of \$50,000. The department shall hold the cash, certificate of deposit or government bond (United States bond, treasury note, or other public debt obligation of the United States that is unconditionally guaranteed as to both interest and principal by the United States) for one year from the period the telemarketing business ceases to operate in the State of Montana or registration lapses, in order to pay claims made against the telemarketing business for its activities during its period of operation in the State of Montana.

The registration of a telemarketing business must be treated as lapsed if at any time the amount of the bond, cash, certificate of deposit, or government bond falls below the amount of \$50,000. The aggregate liability of the surety company to the State of Montana for all persons injured by a seller's or telemarketer's violation may not exceed the amount of the bond. This bond may be renewed from term to term by continuation certificate executed by Surety hereon, regardless of the number of years in force.

The following constitute a violation of the Montana Telemarketing Registration and Fraud Prevention Act:

- failure to register, maintain or renew a registration;
- failure to meet the surety bond requirement if required to provide a bond;
- including any false or misleading information on registration application; and
- misrepresenting that a seller or telemarketer is registered.

Effective date of this bond is: _____

Expiration date of this bond is: _____

WITNESS our hands and official seals this _____ day of _____, yr. _____.

PRINCIPAL OWNER (signature)

Typed Name

SURETY (signature)

Typed Name

By: _____
ATTORNEY IN FACT

MONTANA RESIDENT AGENT

ATTACH POWER OF ATTORNEY

Corporate Seal of Surety