In the matter of	)	
	)	**Case No. 050909337C**
MARK S. JANUSZEWSKI	)	
	)	
Respondent.	)	

CONSENT ORDER

Now on this 10th day of April, 2006, the Director of the Missouri Department of Insurance takes up the above matter for consideration and disposition. The Division of Consumer Affairs has recommended disciplinary action against the above cited individual. The Department's Legal Section and Mark S. Januszewski have reached a settlement in this matter and Mr. Januszewski has consented to the issuance of this Consent Order.

I. Findings

1. W. Dale Finke, Director of the Department of Insurance, has jurisdiction over this matter and over the Respondent hereto.

2. Entry of this order is in the public interest because reoccurrence of the conduct prohibited herein may harm the public.

3. The parties have agreed to resolve this matter. Mr. Januszewski, without admitting the allegations raised in this matter, agrees to not contest the sufficiency of terms of this final administrative order.

II. Conclusion of Law

1. The Director is authorized to issue this consent order pursuant to Section 374.040, RSMo.

III. Prohibited Conduct

IT IS NOW, THEREFORE, ORDERED that Mark S. Januszewski shall not:

a. Be named beneficiary for any life insurance policy in violation of 20 CSR 700-1.140(3).

IV. Settlement Terms and Voluntary Forfeiture

IT IS FURTHER ORDERED that Mark S. Januszewski shall settle the case of *Metropolitan Life Insurance Company v. Harley Amidon, Robert Amidon, Sharron Adolfi, Lisa Breshears, the Unknown Heirs of Nofrio S. Internicola and Mark S. Januszewski* (Case No. 4:05-CV-00183-0DS) before the United States District Court for the Western District of Missouri with the aforementioned defendants regarding the life insurance proceeds for Metlife policy number 932 205 170 UM.

IT IS FURTHER ORDERED that Mark S. Januszewski shall pay the amount of three thousand dollars ($3000.00) as a voluntary forfeiture pursuant to Section 374.280, RSMo (2000), payable to the Missouri State School Fund. The Department of Insurance shall forward these funds to the state treasury for the benefit of county and township school funds as provided in Section 374.280.2, RSMo (2000), and Article IX, Section 7 of the Constitution of Missouri.

IT IS FURTHER ORDERED that such payments shall be immediately due and payable and Respondent shall pay the amount ordered above in satisfaction of this order no later than ten (10) days after its issuance. If Mr. Januszewski fails to make the payment under the terms of this provision, the state of Missouri may pursue additional legal remedies to enforce this order and collect the unpaid balance of this order. All payments ordered above shall be delivered to the Missouri Department of Insurance, P.O. Box 4001, Jefferson City, Missouri 65102. Any correspondence and/ or checks shall reference the above cited case number.

IT IS FURTHER ORDERED that upon full compliance with the terms of this Consent Order by Mark S Januszewski, the Missouri Department of Insurance will dismiss, with prejudice, its administrative action *W. Dale Finke v. Mark S. Januszewski* (Case No. 05-1482DI) currently pending before the Administrative Hearing Commission.

SO ORDERED.

4-10-06
Date

W. DALE FINKE
Director
Missouri Department of Insurance

Consented to by:

MARK S. JANUSZEWSKI

By:

ATTORNEY FOR MARK S. JANUSZEWSKI

By:
Dana L. Frese

MISSOURI DEPARTMENT OF INSURANCE

By: