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State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

In the Matter of:	)	
	)	**MDI Case No. 05-1013345C**
EMIL A. DELUCA,	)	
Respondent		

MODIFIED CONSENT ORDER LIMITING BUSINESS UNDER LICENSE

DOUGLAS M. OMMEN, Director of the Department of Insurance, Financial Institutions and Professional Registration, after reviewing the stipulations in this matter and the Respondent's request to modify the prior consent order issued in this matter, hereby issues the following findings of fact, conclusions of law, and order:

Findings of Fact

1. Douglas M. Ommen is the duly appointed director of the Department of Insurance, Financial Institutions and Professional Registration, and successor to W. Dale Finke, (hereinafter, Director) whose duties, pursuant to Chapter 375, RSMo, include supervision, regulation and discipline of insurance producers.

2. Respondent Emil A. DeLuca ("DeLuca") was issued an insurance producer license by the Director, number PR280107, which license was renewed on September 20, 2005.

3. On November 10, 2005, the Director filed a complaint for disciplinary action before the Administrative Hearing Commission. The Division of Consumer Affairs had alleged that on July 9, 1996, DeLuca pled guilty to, and was convicted of, a felony under the laws of the United States, to wit: Concealment of a Felony, in the United States District Court, Eastern

District of Missouri in violation of 18 U.S.C. §4, subjecting him to disqualification under section 375.141.1(6), RSMo Cum. Supp. 2004 from an insurance producer's license.

4. On January 24, 2006, the Director entered a consent order on the stipulation of DeLuca and the Division of Consumer Affairs settling the allegations and matters raised by the Division.

5. On February 15, 2008, DeLuca through counsel requested a modification of the January 24, 2006 consent order to permit employment with and necessary supervision by Norman-Spencer, a business entity producer with a business address of 8075 Washington Village Drive, Dayton, Ohio 45458.

6. DeLuca has consented to the issuance of this order.

7. DeLuca, without any admission of a violation of the insurance laws of this state, has waived the right to a hearing to contest any provision of this order and has stipulated and agreed to the issuance of this order without further proceedings in this matter, agreeing to be fully bound by the terms and conditions specified herein.

8. DeLuca has stipulated and agreed to waive any rights that he may have to seek judicial review or other challenge or contest to the terms and conditions of this order and forever releases and holds harmless the department, the Director and his agents from any and all liability and claims arising out of, pertaining to or relating to this matter.

9. The Director is authorized to enforce this order and should DeLuca fail to comply with the conditions set forth herein, the Director or his successors, without any limitation, may suspend, revoke, or refuse to renew DeLuca's producer license on the ground of his plea of guilty and conviction on July 9, 1996 to the felony of Concealment of a Felony in violation of 18 U.S.C §4.

Conclusions of Law

10. The Director may impose orders in the public interest under §§374.046 and 375.141, RSMo.

ORDER

IT IS NOW, THEREFORE, ORDERED that Emil A. DeLuca is eligible to retain an active producer license in Missouri under the provisions of §375.018, RSMo, subject to compliance with the following conditions:

A. DeLuca remains exclusively associated with Norman-Spencer, a business entity producer with a business address of 8075 Washington Village Drive, Dayton, Ohio 45458;

B. Norman-Spencer maintains an active business entity producer license in this state:

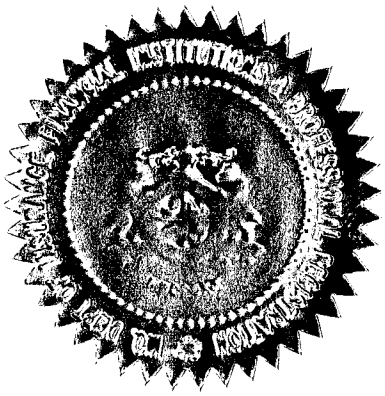
C. Norman-Spencer maintains a system of procedures reasonably designed to detect any failure by DeLuca to comply with the insurance laws and regulations of this state; and

D. No other occurrence or conduct by DeLuca that may serve as grounds for discipline or disqualification under §375.141, RSMo is received by the Director.

IT IS FURTHER ORDERED that subject to compliance with the above conditions, pursuant to the Insurance Fraud Prevention Act of 1994, 18 U.S.C. §1033(e)(2), the Director waives DeLuca's disqualification under federal law.

IT IS FURTHER ORDERED that as of the date of this order, the January 24, 2006 order of the Director is vacated.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 25th DAY OF FEBRUARY, 2008.



DOUGLAS M. OMMEN
Director

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a certified copy of the foregoing document was forwarded by pre-paid first class mail this 25th day of February, 2008, to:

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