

BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

W. DALE FINKE, Director
Department of Insurance, Financial
Institutions and Professional Registration

Petitioner,

v.

Lisa A. White

Respondent.

Serve at:

Lisa A. White
312 W. Washington
Freeberg, IL 62243
618-539-5399

FILED

OCT 12 2006

ADMINISTRATIVE HEARING
COMMISSION

CASE NO. 06-0309147C

COMPLAINT

W. Dale Finke, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Petitioner”), through counsel, complains and requests the Administrative Hearing Commission find that cause exists for disciplinary action against the insurance producer license of Lisa A. White (“Respondent”) because:

1. Petitioner is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (the “Department”) whose duties, pursuant to RSMo Chapters 374 and 375, include the supervision and regulation of insurance producer licenses.

2. At all times mentioned herein, Respondent was a licensed insurance producer (license #PR274563) in the State of Missouri. Respondent’s insurance producer license was suspended on November 11, 2004 for want of tax compliance, and has since expired on July 18, 2006.

3. At all times mentioned herein, Respondent was employed as an insurance producer and account services representative by C.J. Thomas Company, Inc., a licensed business entity insurance producer (license # AG83998) in the State of Missouri (hereinafter "C.J. Thomas"), located at 800 St. Louis Union Station, St. Louis, Missouri 63103-2257.

4. This Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo (2005).

COUNT I

5. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 1-4.

6. Respondent has improperly withheld, misappropriated or converted moneys or properties received in the course of doing insurance business, a ground for discipline under § 375.141.1(4), RSMo (Cumulative Supp. 2005).

7. The facts are as follows:

a. From approximately May 2, 2005 through August 24, 2005, Respondent engaged in the business of insurance as an employee of C.J. Thomas.

b. From approximately May 2, 2005 through August 24, 2005, Respondent caused C.J. Thomas' computerized accounting system to divert credits, originally intended to be applied to active insurance accounts, to an expired account for "R.L. Whitsen," a prior client of C.J. Thomas. Such diverted credits then caused C.J. Thomas' accounting department to issue refund checks payable to "R.L. Whitsen" in the amount of the original credits. Accounting personnel brought each such credit check to one of several C.J. Thomas Employees for their signatures, and once signed, delivered each check to Respondent for subsequent mailing to the payee.

c. Respondent and/or Respondent's husband, Rick White, modified the payee line of each check to read "R.L. White" and thereafter cashed same at one of two locations, as reflected by the endorsements shown on the reverse side of each check. The endorsements read as follows: (1) "BARNETT'S MKT. 2600 Virginia St. Louis, MO 63118"; or (2) "CITIZENS COMMUNITY BANK MASCOUTAH, IL." A summary of the pertinent information reflected by each check is attached hereto as Exhibit A.

8. As a result of the foregoing, grounds exist to discipline Respondent's license under § 375.141.1(4), RSMo (Cumulative Supp. 2005).

COUNT II

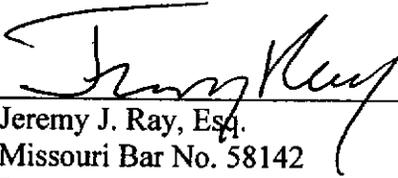
9. Petitioner realleges and expressly incorporates the allegations in paragraphs 5-8.

10. Respondent has used fraudulent, coercive or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, a ground for discipline under § 375.141.1(8), RSMo (Cumulative Supp. 2005).

11. As a result of the foregoing, sufficient grounds exist for disciplining Respondent's insurance producer license pursuant to § 375.141.1(8), RSMo (Cumulative Supp. 2005).

WHEREFORE, based on the foregoing, Petitioner respectfully requests that the Commission make findings of facts and conclusions of law stating that Petitioner has established cause to discipline the insurance producer license of Respondent.

Respectfully submitted,



Jeremy J. Ray, Esq.
Missouri Bar No. 58142
Department of Insurance, Financial
Institutions and Professional Reg.
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ATTORNEY FOR PETITIONER
W. Dale Finke, Director
Missouri Department of Insurance,
Financial Institutions and
Professional Registration

EXHIBIT A

DETAILED SUMMARY OF CHECKS ISSUED AND NEGOTIATED BY LISA A. WHITE AND/OR RICK WHITE

	Check No.	Date Issued	Endorsed By	Cashed By	Amount in \$ USD
1	25903	5/2/05	Rick White and Lisa White	Community Bank	994.00
2	25945	5/9/05	Rick White	Community Bank	548.00
3	26312	6/24/05	Rick White	Community Bank	384.00
4	26323	6/27/05	Rick White	Community Bank	468.00
5	26340	6/29/05	Rick White	Community Bank	242.00
6	26365	7/5/05	Rick White	Barnett's Market	3,674.35
7	26486	7/18/05	Rick White	Barnett's Market	1,848.00
8	26532	7/25/05	Rick White	Community Bank	2,217.00
9	26590	8/1/05	Rick White	Community Bank	2,633.00
10	26635	8/8/05	Rick White	Barnett's Market	1,822.00
11	26700	8/12/05	Rick White	Barnett's Market	2,855.00
12	26762	8/18/05	Rick White	Barnett's Market	1,922.00
13	26781	8/22/05	Rick White and Lisa White	Barnett's Market	695.00
14	26803	8/24/05	Rick White	Barnett's Market	1,859.00
			Total		\$22,161.35