

**BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI**

FILED

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ADMINISTRATIVE HEARING
COMMISSION

LINDA BOHRER, Acting Director)
Department of Insurance, Financial)
Institutions & Professional Registration)
State of Missouri,)

Petitioner,)

vs.)

CAROL J. BLACK,)

Respondent.)

Serve:)

Carol J. Black)

1410 Radcliff Dr.)

Festus, Missouri 63348)

Case No.:

060415327C

COMPLAINT

LINDA BOHRER, Acting Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, through counsel, complains and requests the Administrative Hearing Commission find that cause exists for disciplinary action against Respondent, Carol J. Black, because:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Acting Director ("Director") of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, whose duties include, pursuant to chapters 374 and 375, RSMo, the regulation, supervision, and discipline of insurance producers.
2. The Missouri Department of Insurance, Financial Institutions, and Professional Registration ("the Department"), originally issued an insurance producer license to Carol J.

Black ("Respondent") on January 12, 2001, which the Department subsequently renewed until it expired on January 15, 2007 (License No. PR104432).

3. The Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo (2000).

COUNT I

4. Respondent entered a plea of guilty to a felony or a crime of moral turpitude. Such is ground for discipline of Respondent's insurance producer license pursuant to § 375.141.1(6), RSMo (Supp. 2007).

5. The facts are as follows:

- a. On March 9, 2006, Respondent voluntarily entered into a Plea Agreement, Guidelines, Recommendations and Stipulations with the United States Attorney for the Eastern District of Missouri.
- b. On June 2, 2006, in the United States District Court for the Eastern District of Missouri, (Case No. 4:06CR4CDP), Respondent pleaded guilty to a violation of 18 U.S.C. § 2314, felony Interstate Transportation of Stolen Money. Respondent was sentenced to 12 months and one day federal incarceration with three years supervised release.

COUNT II

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

7. Respondent misappropriated funds received in the course of doing insurance business. Such is a ground for discipline of Respondent's insurance producer license pursuant to § 375.141.1(4), RSMo (Supp. 2007).

8. The facts are as follows:

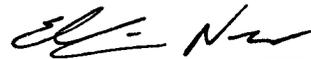
- a. Capital Title Company, Inc. (Capital Title) was licensed by the Department as a business entity producer (License No. AG00674) from July 2, 1990 until that license expired on July 2, 2006.
- b. Respondent was the Arnold, Missouri branch manager for Capital Title.
- c. Respondent executed a scheme to embezzle and steal money from the Capital Title entities by writing a series of checks on the various Capital Title entity accounts made payable in the name of a relative of Respondent.
- d. Respondent caused the checks to be written as a part of the scheme to be deposited into an account maintained by Respondent.
- e. Respondent agreed that the amount of loss caused to Capital Title by her scheme to embezzle and steal money was one hundred thousand dollars (\$100,000.00).
- f. In the March 9, 2006 Plea Agreement, Guidelines, Recommendations and Stipulations, Respondent stipulated to the facts contained in paragraphs 8.b. through 8.e., above.

COUNT III

9. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 4 through 8.
10. Respondent used fraudulent and dishonest practices and demonstrated untrustworthiness in the conduct of business in this state. Such is a ground for discipline of Respondent's insurance producer license pursuant to § 375.141.1(8), RSMo (Supp. 2007).

WHEREFORE, based on the foregoing, Petitioner respectfully requests the Commission make findings of fact and conclusions of law stating that Petitioner has established cause to discipline Respondent's insurance producer license pursuant to §§ 375.141.1(4), 375.141.1(6), and 375.141.1(8), RSMo (Supp. 2007).

Respectfully submitted,



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