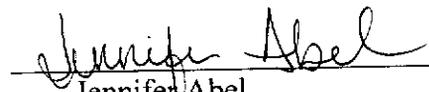


4. A subsequent investigation of Mr. Trusty conducted by The Missouri Department of Insurance revealed:
 - A. Mr. Trusty has been licensed as an insurance producer in Missouri since August 31, 1987.
 - B. Mr. Trusty has not been licensed with the Securities Division of the Secretary of State since October 11, 2002.
 - C. Mr. Trusty is distributing business cards to potential clients which state that Mr. Trusty is a "Certified Senior Advisor" affiliated with "Mark Trusty and Associates."
 - D. Mr. Trusty is using the name "Mark Trusty and Associates" on business envelopes and letterhead.
 - E. Mr. Trusty has never obtained a business entity license to do business under the name "Mark Trusty and Associates."
5. During the course of the investigation conducted by the Missouri Department of Insurance Mr. Trusty stated:
 - A. He discusses tax reduction strategies utilizing fixed annuities and life insurance in his advertising and that he advises seniors why he feels fixed index annuities may be more appropriate for them than variable annuities or mutual funds.
 - B. Approximately two years ago he began using the name "Mark Trusty and Associates" while conducting insurance-related business.
6. On March 13, 2006, the Missouri Department of Insurance sent Mr. Trusty a voluntary forfeiture agreement of \$300 for failing to obtain a business entity license for Mark Trusty and Associates and for acting as a business entity without a valid business entity license. Mr. Trusty failed to respond to the forfeiture letter.
7. On May 26, 2006, Mr. Trusty spoke with Missouri Department of Insurance Investigator Jennifer Abel and advised her that he did not want to pay the forfeiture but instead requested a hearing on the matter. Mr. Trusty also sent Investigator Abel an email restating his desire for a hearing on the matter.

VERIFICATION

Investigator Abel states that the factual allegations contained in this petition are true to the best of the Investigator's knowledge.



Jennifer Abel
Special Investigator