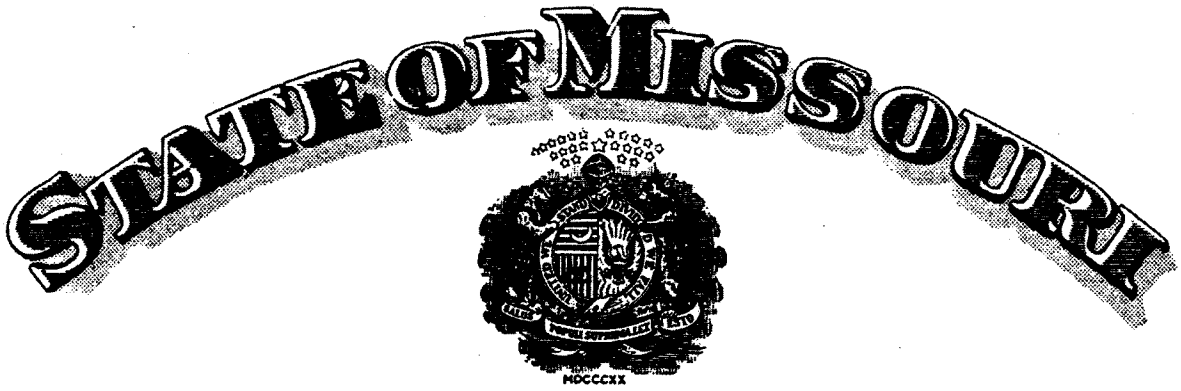


DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:	)	
	)	**Case No. 06-0822276C**
C&M BONDING, INC.	)	
	)	
AND	)	
	)	
CODY W. ICE,	)	
	)	
Respondents.	)	

CONSENT ORDER

DOUGLAS M. OMMEN, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Division of Consumer Affairs, through legal counsel Tamara A. Wallace, and Cody W. Ice as an individual and as President of C&M Bonding, (hereinafter "Respondents") have reached a settlement in this matter and Respondent has consented to the issuance of this Consent Order.

Findings of Fact

1. Douglas M. Ommen is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter,

"Director") whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision, regulation and discipline of bail bond agents and general bail bond agents.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("the Department"), first issued a bail bond agent license (License No. BB 303964) to Cody W. Ice on September 26, 1984. Respondent Ice's bail bond agent license expired on September 26, 2007.

3. The Department issued a general bail bond agent license (License No. GC8004376) to C&M Bonding, Inc. on August 7, 1997. Respondent C&M Bonding, Inc.'s license expired on August 7, 2007.

4. Respondent Ice is currently and at all times relevant, President of Respondent C&M Bonding, Inc., a corporation registered with the Missouri Secretary of State (Charter No. 00437710). Further, Respondent Ice was at all times relevant, an appointed agent, authorized to write upon Respondent C&M Bonding, Inc.'s surety.

5. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this order is in the public interest.

6. On March 21, 2007, the Director, through counsel, filed his First Amended Complaints with the Administrative Hearing Commission, seeking cause to discipline Respondents' respective licenses pursuant to sections, 374.755.1(4) and (6), RSMo (Supp. 2005). See AHC Case Numbers 06-1629 DI and 06-1630 DI.

7. The Director, through counsel, alleged that Respondents obtained or attempted to obtain compensation as a bail bond agent by means of fraud, deception, or misrepresentation, grounds for disciplining Respondents' licenses pursuant to section

374.755.1(4), RSMo (Supp. 2005). The facts of the Director's allegations are stated in the Director's First Amended Complaints and incorporated as to though fully set forth herein.

8. The Director, through counsel, further alleged that Respondents failed to satisfy multiple bond forfeiture judgments, a violation of section 374.783.1, RSMo (Supp. 2005) and grounds for disciplining Respondents' licenses pursuant to section 374.755.1(6), RSMo (Supp. 2005). The facts of the Director's allegations are stated in the Director's First Amended Complaints and incorporated as to though fully set forth herein.

9. Although Respondents received notice and the opportunity to do so, Respondents failed to file an Answer with the Administrative Hearing Commission.

10. On or about July 30, 2007, the Department collected Respondents' statutorily assigned funds in the amount of $25,000 and distributed said funds to the Circuit Court of Texas County to satisfy multiple bond forfeiture judgments entered against Respondents. As a result, Respondent C&M Bonding, Inc. is no longer authorized to conduct bail bond business in the State of Missouri.

11. Without admitting to the allegations raised by the Director or the Consumer Affairs Division, Respondents have stipulated and agreed to waive any rights that he or it may have to a hearing before the Administrative Hearing Commission or the Director and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from any and all liability and claims arising out of, pertaining to or relating to this matter.

12. The Director is authorized to enforce this order and should Respondents fail to comply with the conditions set forth herein, the Director or his successors, without any limitation, may initiate any action authorized by law.

Conclusions of Law

13. The Director is authorized to issue this Consent Order in the public interest pursuant to sections 374.046, and 621.045, RSMo (Supp. 2006), and section 374.280, RSMo (2000).

14. Entry of this Order is in the public interest.

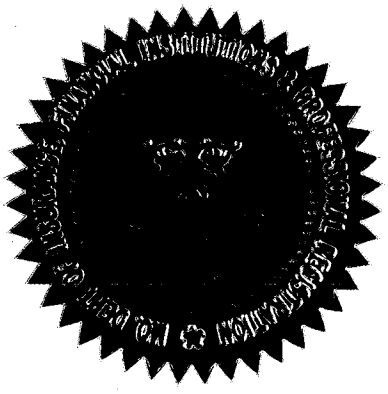
ORDER

IT IS ORDERED THAT Respondent Cody W. Ice's bail bond agent license is hereby revoked.

IT IS FURTHER ORDERED THAT Respondent C&M Bonding, Inc.'s general bail bond agent license is hereby revoked.

EACH signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 20th DAY OF November, 2007.



DOUGLAS M. OMMEN
Director, Missouri Department of
Insurance, Financial Institutions &
Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Cody W. Ice has the right to a hearing, but that Cody W. Ice has waived the hearing and consented to the issuance of this consented ~~to the~~ issuance of this Order.

Cody W. Ice
Respondent

11-1-07
Date

Cody W. Ice, President, C&M Bonding, Inc.

11-1-07
Date

Tamara A. Wallace
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11-19-07
Date