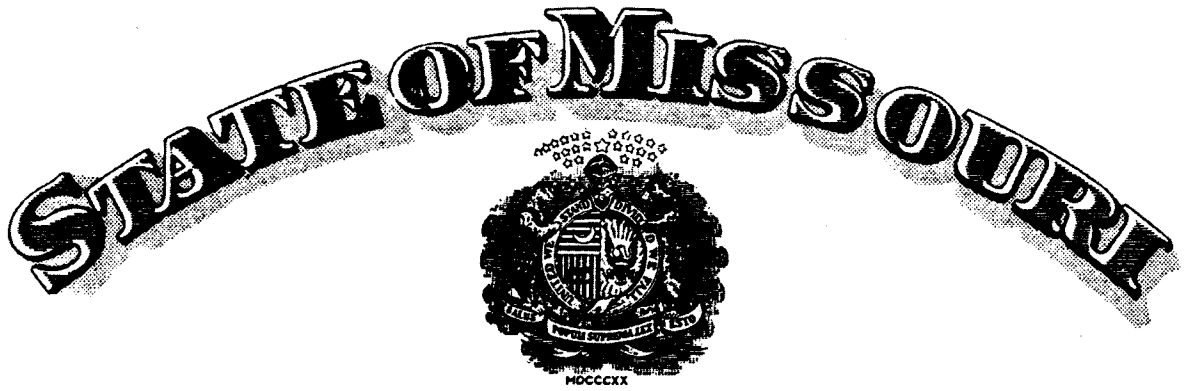


DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	**AHC Case No. 08-0612 DI**
	)	**DIFP Case No. 070924365C**
MELISSA L. PELL	)	

FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER OF DISCIPLINE

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, hereby makes the following Findings of Fact, Conclusions of Law, and Order.

Findings of Fact

1. John M. Huff is the duly appointed Director ("Director") of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department") whose duties, pursuant to Chapters 374 and 375, RSMo, include supervision, regulation and discipline of insurance producers.

2. The Department issued Melissa L. Pell ("Pell") an insurance producer license on February 16, 2001. Her license expired on February 16, 2009.

3. The Director filed his Complaint with the Administrative Hearing Commission on April 2, 2008 seeking a finding that sufficient cause existed for disciplining Pell's insurance producer license, based on information and allegations that her insurance producer license, or its equivalent, had been revoked in New York, Virginia, Massachusetts, and Iowa, that her insurance producer license had been disciplined in Kentucky, and that she failed to report the actions from Virginia, Massachusetts, Iowa, and Kentucky within thirty days of the final disposition of the matter and was thus subject to discipline under § 375.141.1(2) and 375.141.1(9), RSMo (Supp. 2008).

4. On September 29, 2008, a hearing was held on the Director's Complaint before the Administrative Hearing Commission. Pell was not present for the hearing.

5. On January 14, 2009, the Administrative Hearing Commission issued its "Decision", finding cause to discipline the producer license of Pell pursuant to §§ 375.141.1(2) and 375.141.1(9), RSMo (Supp. 2008) and certified the record of its proceeding to the Director pursuant to § 621.110, RSMo (2000).

6. Thereafter, the Director mailed to Pell a notice of disciplinary hearing to be held at 9:30 a.m. on April 22, 2009, in the offices of the Director, 301 West High Street, Room 530, Jefferson City, Missouri.

7. Pell did not appear at the disciplinary hearing. At the hearing, counsel for the Department of Insurance presented the decision, record and order of the Administrative Hearing Commission and recommended to the Hearing Officer that Pell's insurance producer license be revoked.

8. The Department hereby adopts and incorporates the January 14, 2009, "Decision"

of the Administrative Hearing Commission referenced herein and does hereby find in accordance with the same.

Conclusions of Law

9. Pursuant to §§ 375.141 and 621.110, RSMo (2000), the Director has the discretion to discipline Pell's insurance producer license, including revocation of such license.

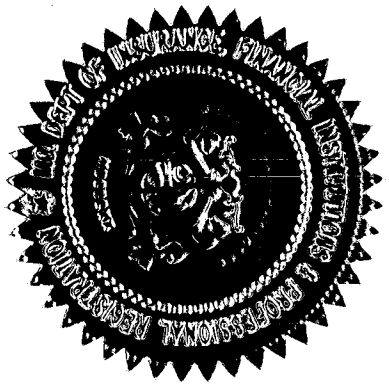
10. Based on the nature and severity of the aforementioned conduct, sufficient grounds exist for revoking the insurance producer license of Pell pursuant to §§ 375.141.1(2) and 375.141.1(9), RSMo (Supp. 2008).

ORDER

Based on the evidence presented and the recommendation of the Department to revoke, the insurance producer license of Melissa L. Pell is hereby revoked. So recommended by the Hearing Officer this 30th day of April 2009.

Larry L. McCord, Hearing Officer

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 30th DAY OF APRIL, 2009.



John M. Huff, Director
Missouri Department of Insurance,
Financial Institutions & Professional
Registration