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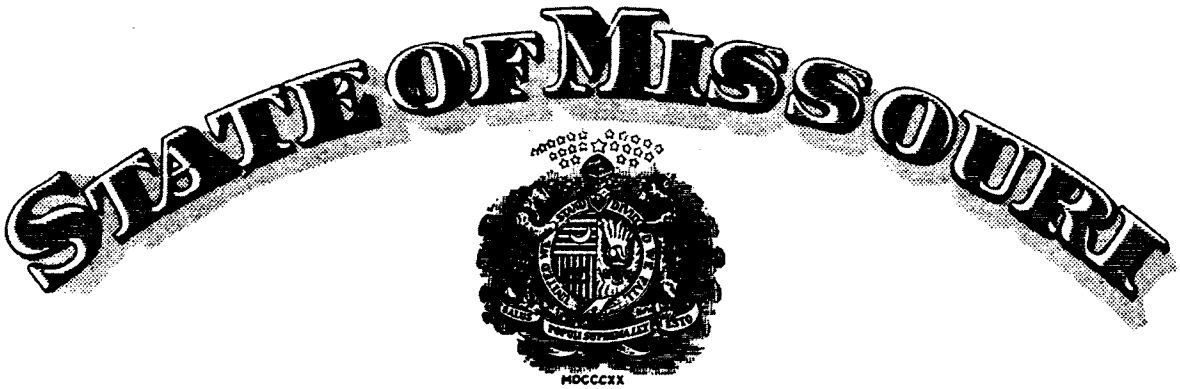
STATE OF MISSOURI



DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	**AHC Case No. 08-1325 DI**
	)	**DIFP Case No. 07-1012371C**
WILLIAM D. MONTGOMERY	)	

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 William Montgomery ("Montgomery") an insurance producer license on November 7, 1974, which was subsequently renewed until it expired on April 12, 2009.

3. The Director filed his Complaint with the Administrative Hearing Commission on July 17, 2008 seeking a finding that sufficient cause existed for disciplining Montgomery's insurance producer license, based on information and allegations that he pleaded guilty to two felonies and failed to report the prosecution of those felonies to the Director and was thus subject to discipline under § 375.141.1(2) and 375.141.1(6), RSMo (Supp. 2008).

4. On January 5, 2009, a hearing was held on the Director's Complaint before the Administrative Hearing Commission. Montgomery was not present for the hearing.

5. On March 2, 2009, the Administrative Hearing Commission issued its Decision, finding cause to discipline the insurance producer license of Montgomery pursuant to §§ 375.141.1(2) and 375.141.1(6), 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 Montgomery a notice of disciplinary hearing to be held at 9:30 a.m. on May 6, 2009, in the offices of the Director, 301 West High Street, Room 530, Jefferson City, Missouri.

7. The disciplinary hearing was held at 9:30 a.m. on May 6, 2009, in the officers of the Director, 301 West High Street, Room 530, Jefferson City, Missouri. Montgomery 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 Montgomery's insurance producer license be revoked.

8. The Department hereby adopts and incorporates the March 2, 2009, Decision of the Administrative Hearing Commission referenced herein and does hereby find in accordance with the same.

Conclusions of Law

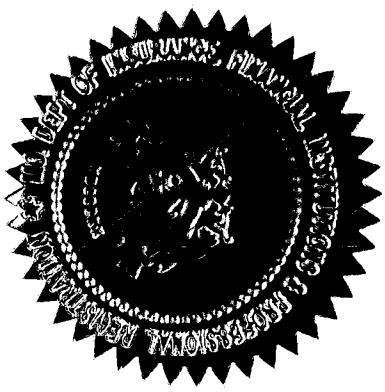
9. Pursuant to §§ 375.141 and 621.110, RSMo (2000), the Director has the discretion to discipline Montgomery's insurance producer license, including revocation of such license.

10. Based on the nature and severity of the aforementioned conduct, sufficient grounds exist for revoking the insurance producer license of Montgomery pursuant to §§ 375.141.1(2) and 375.141.1(6), RSMo (Supp. 2008).

ORDER

Based on the evidence presented and the recommendation of the Department to revoke, the insurance producer license of William D. Montgomery is hereby revoked. So recommended by the Hearing Officer this 6th day of May 2009.

Andy Heitmann, Hearing Officer

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 6th DAY OF MAY, 2009.

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