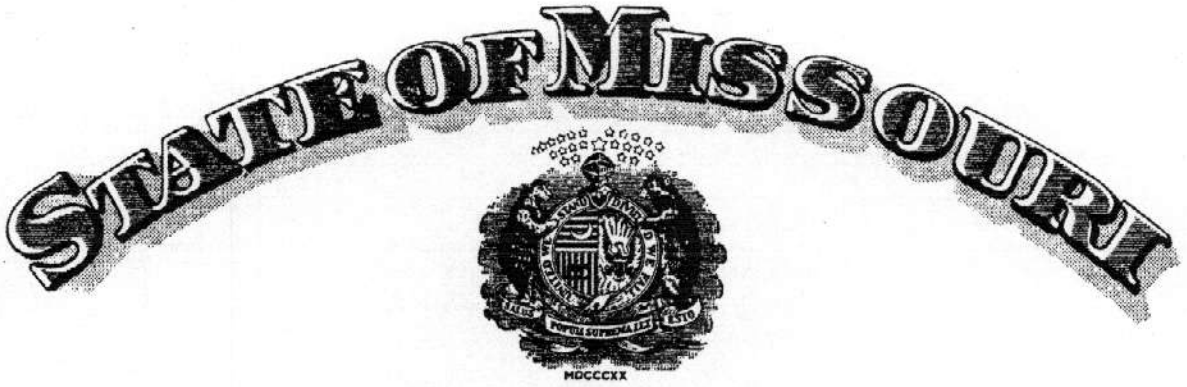


# DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

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|---|---|---|
| **In the Matter of:** | ) | |
| | ) | |
| **HAROLD J. SHIELDS** | ) | |
| | ) | **Case No. 08-0612414X** |
| **Respondent.** | ) | |

## CONSENT ORDER

LINDA BOHRER, Acting 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 W. Kopp, and Harold J. Shields (hereinafter "Respondent"), have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Linda Bohrer is the appointed Acting Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter, "Director") whose duties, pursuant to Chapters 374, 375 and 381, RSMo, include supervision, regulation and discipline of insurance producers.

2. The Consumer Affairs Division has the duty of conducting investigations into the acts of insurance producers under the insurance laws of this state and is authorized

by the Director to investigate and to recommend enforcement action for violations of the insurance laws of this state.

3. The Department issued Respondent an insurance producer license. (License No. PR359847). Such license is currently active and expires December 21, 2010.

4. On or about June 12, 2008, the Department's Consumer Affairs Division referred File Number 08-0612414X, concerning respondent, to the Director seeking to discipline Respondent's insurance producer license.

5. The Consumer Affairs Division alleged that Respondent wrote a check payable to the Department in the amount of two hundred dollars ($200) to renew his insurance producer license. The Department deposited the check and the check was returned to the Department for "Not Sufficient Funds". The Consumer Affairs Division alleged that by writing a bad check, Respondent obtained an insurance license through material misrepresentation or fraud, grounds for discipline pursuant to § 375.141.1(3), RSMo (Supp. 2007).

6. Department staff contacted Respondent by phone on April 1, April 15, and May 15, 2008. On each occasion, Respondent assured the Department that he was going to the post office that day and sending the money to cover the bad check. Thus, Respondent admitted responsibility for writing a check to the Department on an account with insufficient funds.

7. Respondent contacted the Department on June 11, 2008 and said that he will no longer be doing business in Missouri.

8. Respondent has the right to consult counsel at his own expense.

9. Respondent has been advised that he may, either at the time the Consent Order is signed by all parties, or within fifteen (15) days thereafter, submit the Consent Order to the Administrative Hearing Commission for determination that the facts agreed to by the parties to the settlement constitute grounds for disciplining Respondent's license.

10. Respondent stipulates and agrees to waive any rights that he 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 Consent Order and forever releases and holds harmless the Department, the Director and her agents, and the Consumer Affairs Division from any and all liability and claims arising out of, pertaining to or relating to this matter.

**Conclusions of Law**

11. The Director is authorized to settle this matter and the Director is authorized to issue this Consent Order in the public interest pursuant to sections 374.046 (Supp. 2007) and 374.280, RSMo (2000).

12. The Director is authorized to enforce this order and should Respondent fail to comply with the conditions set forth herein, the Director or her successors, without any limitation, may initiate any action authorized by law, including referral of this case to criminal prosecutors.

13. 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.

## ORDER

**IT IS ORDERED THAT** Harold J. Shields' insurance producer license (No. PR359847) 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 15 DAY OF September, 2008.**

Linda Bohrer

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

## CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Respondent Harold J. Shields has the right to a hearing, but that Respondent Harold J. Shields has waived the hearing and consented to the issuance of this Consent Order.

Harold J. Shields
Respondent
400 Continental Blvd., 6th Floor
El Segundo, California 90245

9-11-08
Date

Counsel for Respondent (if any)
Printed Name: _____
Missouri Bar No. _____
Address: _____

Telephone: _____
Facsimile: _____

Date

Tamara W. Kopp
Counsel for Consumer Affairs Division
Missouri Bar No. 59020
Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, MO 65101
Telephone: (573) 751-2619
Facsimile: (573) 526-5492

9-15-08
Date