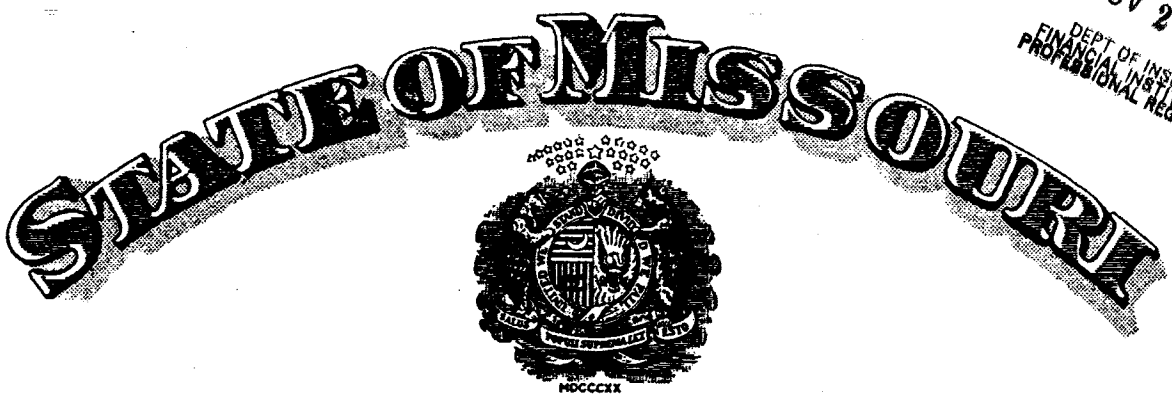
RECEIVED
NOV 26 2008
DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION



DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
USA TITLE LLC,	)	
	)	
And	)	
	)	
WILLIAM E. MCKANRY,	)	**DIFP Case No. 081023525X**
	)	
And	)	
	)	
WILLIAM C. MCKANRY,	)	
	)	
Respondents.	)	

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, USA Title LLC, William E. McKanry, and William C. McKanry have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. Linda Bohrer is the 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. USA Title LLC was organized in Missouri in 2004 to conduct, among other things, title insurance business. (Secretary of State Certificate of Organization LC0626055).

4. The Department issued Respondent USA Title LLC a business entity producer license in 2005. (License No. AG8019335). Such license was not renewed and expired on January 18, 2007.

5. The Department issued Respondent William E. McKanry an insurance producer license in 1994. (License No. PR176057). Such license was not renewed and expired on March 25, 2004.

6. The Department issued Respondent William C. McKanry an insurance producer license in 1995. (License No. AT493742766). Such license was not renewed and expired on January 4, 1999.

7. At all times relevant to this case, Department records show Respondents William E. McKanry and William C. McKanry as Owners or Officers of Respondent USA Title LLC.

8. On or about June 27, 2006, the Consumer Affairs Division referred Investigation File Number 05A000609, concerning Respondents, to the Director seeking to discipline Respondents' respective insurance licenses.

9. The Consumer Affairs Division alleged that Respondents engaged in fraudulent and dishonest practices, misappropriated escrow funds, and demonstrated incompetence, untrustworthiness, and financial irresponsibility in the conduct of their title insurance business. See section 375.141.1(4) and (8), RSMo.

10. An Indictment issued by the United States District Court Eastern District Eastern Division on June 12, 2008, alleged that Respondents William E. McKanry and William C. McKanry as the owners and operators of Respondent USA Title LLC and USA Properties, LLC, conspired to commit bank fraud in violation of Title 18, United States Code, Section 1344, by devising a scheme and artifice to defraud financial institutions of money and property and obtain money by means of false pretenses and material misrepresentations of fact.

11. The Indictment also alleged that Respondents William E. McKanry and William C. McKanry committed mail and wire fraud in violation of Title 18, United States Code, Sections 2, 1341 and 1343.

12. Respondents have the right to consult counsel at their own expense.

13. Respondents have been advised that they 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 Respondents' respective licenses.

14. Respondents stipulate and agree to waive any rights that they 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

15. The allegations raised by the Consumer Affairs Division and the Indictment, if proven, are grounds to discipline Respondents' respective insurance licenses.

16. 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, RSMo (Supp. 2007) and 374.280, RSMo (2000).

17. The Director is authorized to enforce this order and should Respondents 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.

18. 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

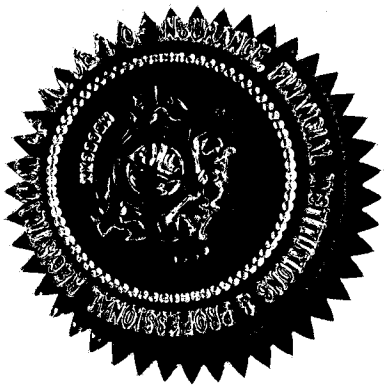
IT IS ORDERED THAT USA Title LLC's business entity producer license (License No. AG8019335) is hereby **REVOKED**.

IT IS ORDERED THAT William E. McKanry's insurance producer license (License No. PR176057) is hereby **REVOKED**.

IT IS ORDERED THAT William C. McKanry's insurance producer license (License No. AT493742766) 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 10th **DAY OF** Dec, **20** 08.



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

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Respondents have the right to a hearing, but that Respondents have waived the hearing and consented to the issuance of this Consent Order.

William E. McAuley

For USA Title, LLC
Respondent
10420 Old Olive Suite 101
St. Louis, MO 63141

11/3/08
Date

Counsel for USA Title, LLC (if any)
Printed Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____
Facsimile: _____

Date

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Respondents have the right to a hearing, but that Respondents have waived the hearing and consented to the issuance of this Consent Order.

William E. McKanry

William E. McKanry
Respondent

11/3/08
Date

Counsel for William E. McKanry (if any)
Printed Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____
Facsimile: _____

Date

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Respondents have the right to a hearing, but that Respondents have waived the hearing and consented to the issuance of this Consent Order.

_____	10/30/08
William C. McKanry Respondent	Date
_____	_____
Counsel for William C. McKanry (if any) Printed Name: _____ Missouri Bar No. _____ Address: _____ _____ Telephone: _____ Facsimile: _____	Date

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Respondents have the right to a hearing, but that Respondents have waived the hearing and consented to the issuance of this Consent Order.

Tamara W Kopp

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

12-3-08

Date