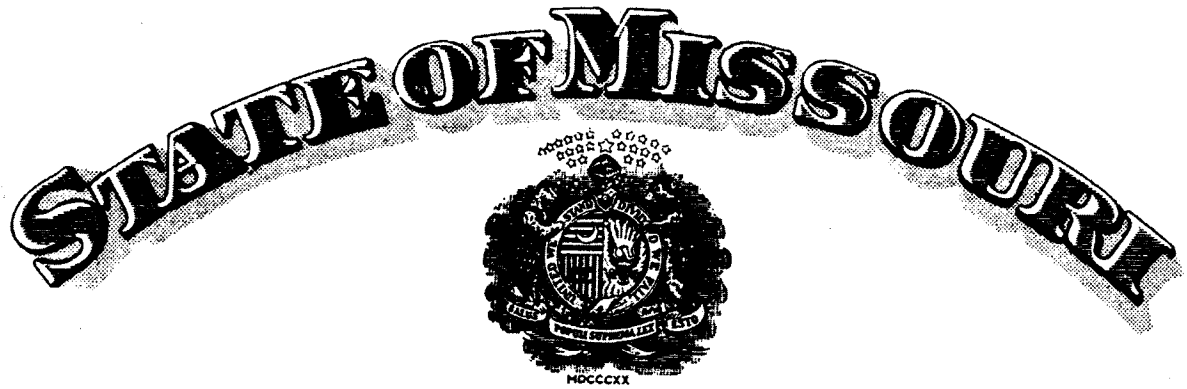

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	**DIFP Case No. 090303339C**
RACHEL A. BOESSEN-CORLEONE	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Tamara W. Kopp, and Rachel A. Boessen-Corleone have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff 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 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. Rachel A. Boessen-Corleone is a licensed insurance producer first licensed by the Department on February 14, 2006. (License No. 365342). Boessen-Corleone's license is set to expire on February 15, 2010.

4. On or about March 2, 2009, the Consumer Affairs Division referred Investigation File Numbers 06A000753 and 08A000243, concerning Boessen-Corleone, to the Director seeking to discipline Boessen-Corleone's insurance producer license.

5. The Consumer Affairs Division alleged that Boessen-Corleone failed to respond to Department two inquiries, and failed to appear or produce documents in response to a subpoena. Further, the Consumer Affairs Division alleged that Boessen-Corleone failed to update her address within 30 days of an address change. Boessen-Corleone admits that the following facts are true:

a. On or about February 7, 2008, Department Investigator, Diana Brady, sent a letter to Boessen-Corleone requiring a response from Boessen-Corleone on or before March 7, 2008 regarding a consumer complaint filed with the Department on behalf of Faye Neuner.

b. Boessen-Corleone failed to respond to Ms. Brady's February 7, 2008 letter.

c. On or about July 16, 2008, Ms. Brady sent a letter to Boessen-Corleone requiring a response from Boessen-Corleone on or before August 15, 2008 regarding a consumer complaint filed with the Department on behalf of Gayrene Stegall.

d. Boessen-Corleone failed to respond to Ms. Brady's July 16, 2008 letter.

e. On or about January 21, 2009, Ms. Brady sent a subpoena, via certified mail, to Boessen-Corleone requiring her attendance and production of documents at the Department office in Jefferson City, Missouri on February 11, 2009.

f. Boessen-Corleone failed to appear as required on February 11, 2009 and failed to produce the required documents. Boessen-Corleone did not contact Ms. Brady to reschedule.

g. On or about January 21, 2009, Ms. Brady sent a subpoena, via certified mail, to Boessen-Corleone requiring her attendance and production of documents at the Department office in Jefferson City, Missouri on February 11, 2009. Ms. Brady sent the subpoena to the address Boessen-Corleone supplied Ms. Brady in March 2008.

h. Boessen-Corleone failed to appear as required on February 11, 2009, failed to produce the required documents, and did not contact Ms. Brady to reschedule.

i. United States Postal Service online tracking for the January 21, 2009 subpoena, sent by certified mail, indicated that Boessen-Corleone's mail has been forwarded to Kansas City, Missouri 64133.

j. Boessen-Corleone failed to notify the Director within 30 days of the address change.

6. On April 21, 2009, the Director filed a Complaint with the Administrative Hearing Commission seeking a finding that cause exists to discipline Boessen-Corleone's insurance producer license pursuant to §§ 375.141.1(2) and 374.210.2, RSMo (Supp.

2008). See *Director of Department of Insurance, Financial Institutions and Professional Registration vs. Boessen-Corleone*, AHC Case No. 09-0529DI.

7. Boessen-Corleone has the right to consult counsel at her own expense.

8. Boessen-Corleone has been advised that she 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 Boessen-Corleone's insurance producer license.

9. Boessen-Corleone stipulates and agrees to waive any rights that she 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 his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. Upon execution of this Consent Order, the Director agrees to dismiss the Complaint filed in *Director of Department of Insurance, Financial Institutions and Professional Registration vs. Boessen-Corleone*, AHC Case No. 09-0529DI.

Conclusions of Law

11. The allegations raised by the Consumer Affairs Division and the Director are true and are grounds to discipline Boessen-Corleone's insurance producer license.

12. Boessen-Corleone's failure to respond to two Department inquiries is a violation of 20 CSR 100-4.100 and grounds to discipline her insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2008).

13. Boessen-Corleone's failure to appear or produce documents when subpoenaed by the Director is grounds to discipline her insurance producer license pursuant to § 375.210.2, RSMo (Supp. 2008).

14. Boessen-Corleone's failure to advise the Director of a change of address within 30 days of such change is a violation of § 375.018, RSMo (Supp. 2008) and grounds to discipline her insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2008).

15. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to § 374.046, RSMo (Supp. 2008).

16. The Director is authorized to enforce this Consent Order and should Boessen-Corleone fail to comply with the conditions set forth herein, the Director or his successors, without any limitation, may initiate any action authorized by law, including referral of this case to criminal prosecutors.

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

ORDER

IT IS ORDERED THAT Rachel A. Boessen-Corleone's insurance producer license (License No. 365342) 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 30th **DAY OF** SEPTEMBER **, 2009.**

JOHN M. HUFF
Director, Missouri Department of
Insurance, Financial Institutions &
Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Rachel A. Boessen-Corleone has the right to a hearing, but that Rachel A. Boessen-Corleone has waived the hearing and consented to the issuance of this Consent Order.

Rachel Corleone — Sept. 25. 2009

Rachel A. Boessen-Corleone — Date
5432 Harvard Avenue
Raytown, Missouri 64133
Telephone: (573) 690-6585

_____ — _____

Counsel for Rachel A. Boessen-Corleone (if any) — Date
Printed Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____
Facsimile: _____

Tamara W Kopp — 9-29-09

Tamara W. Kopp — Date
Counsel for Consumer Affairs Division
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