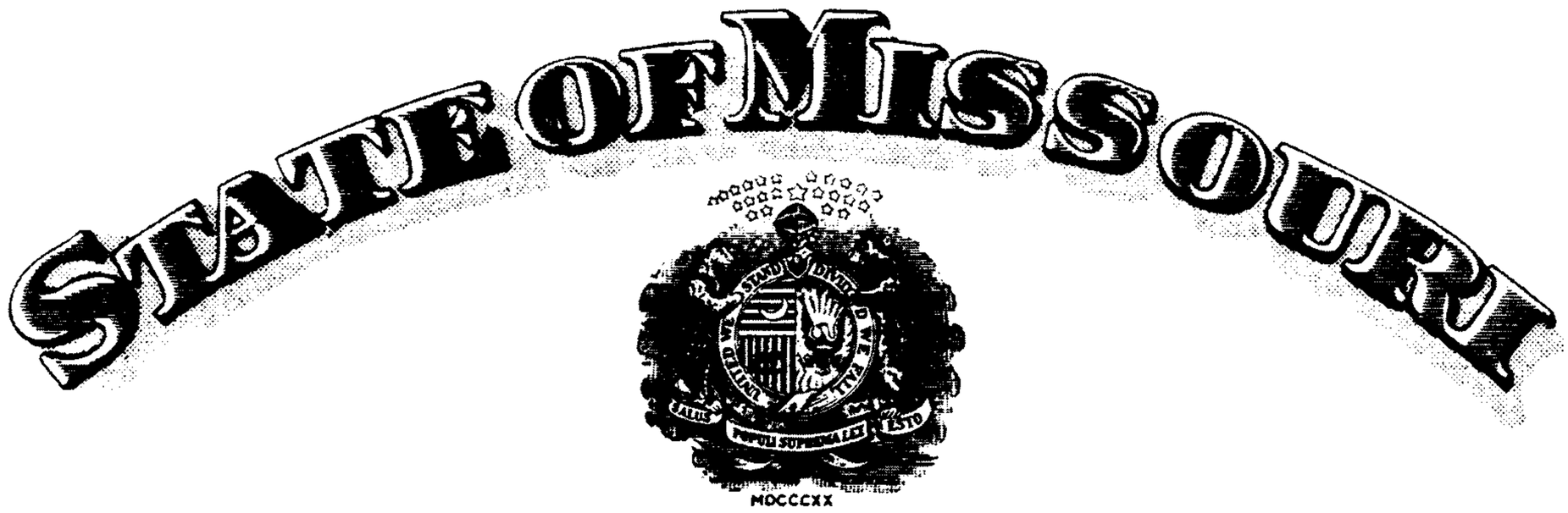


DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	**Case No. 09-0921705C**
Robert L. Hoffman,	)	
	)	
Respondent.	)	

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 Elfin Noce, and Robert L. Hoffman ("Respondent") have reached a settlement in this matter and the parties have consented to the issuance of this Consent Order.

Findings of Fact

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 supervision, regulation and discipline of insurance producers.

2. The Consumer Affairs Division of the Department of Insurance, Financial Institutions, and Professional Registration ("Consumer Affairs Division") has the duty of conducting investigations into the unfair or unlawful acts of insurance companies and producers under the insurance laws of this state and has been authorized by the Director to initiate this action before the Director to enforce the insurance laws of this state.

3. 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 because reoccurrence of the conduct prohibited herein may harm the public.

4. The Department issued Respondent Robert L. Hoffman an insurance producer license (No. 0218099) on June 24, 1998; such license has been renewed and will expire on June 24, 2010.

5. On or about September 4, 2009, the Consumer Affairs Division referred Investigations File No. 09A000212, concerning Respondent, to the Director seeking to discipline Respondent's license.

6. The Consumer Affairs Division and Respondent agree to the following facts:

a. On or about May 4, 2009, the State of Kansas revoked Respondent's Kansas insurance agent license.

b. Respondent did not report the revocation of his Kansas insurance agent license to the Director within 30 days of its final disposition.

7. Section 375.141.1(9), RSMo (Supp. 2008), states that the Director may suspend, revoke, or refuse to issue or refuse to renew an insurance producer license for having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory.

8. Section 375.141.6 states that an insurance producer shall report to the Director any administrative action taken against the producer in another jurisdiction within 30 days of the final disposition of the matter.

9. Section 375.141.1(2) states that the Director may suspend, revoke, or refuse to issue or refuse to renew an insurance producer license for violating any insurance laws.

10. On or about January 8, 2010, counsel for the Consumer Affairs Division sent documentation which described the specific conduct for which discipline was sought and citation to the law and rules allegedly violated, along with documents which were the basis thereof. Respondent was advised that Respondent had 60 days to review the documentation and consider the proposed settlement offer.

11. Respondent acknowledges that he understands that he has the right to consult an attorney at his own expense.

12. Respondent acknowledges that he has been advised that he may, either at the time the settlement agreement is signed by all parties, or within 15 days thereafter, submit the agreement 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.

13. Respondent stipulates and agrees to waive any rights that he may have to a hearing before the Administrative Hearing Commission, the Director, Department, or Consumer Affairs Division and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from any and all liability and claims arising out of, pertaining to or relating to this matter.

14. 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.

Conclusion of Law

15. The revocation of Respondent's insurance producer license, or its equivalent, by the state of Kansas is cause to discipline Respondent's Missouri insurance producer license under § 375.141.1(9), RSMo (Supp. 2008).

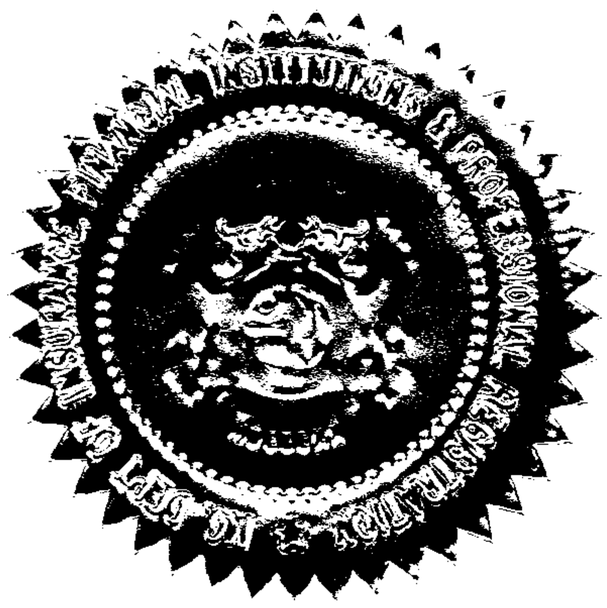
16. Respondent's failure to report the revocation of his Kansas insurance producer license, or its equivalent, within 30 days of final disposition of the matter is a violation of § 375.141.6, RSMo (Supp. 2008), and cause to discipline Respondent's Missouri insurance producer license under § 375.141.1(2), RSMo (Supp. 2008).

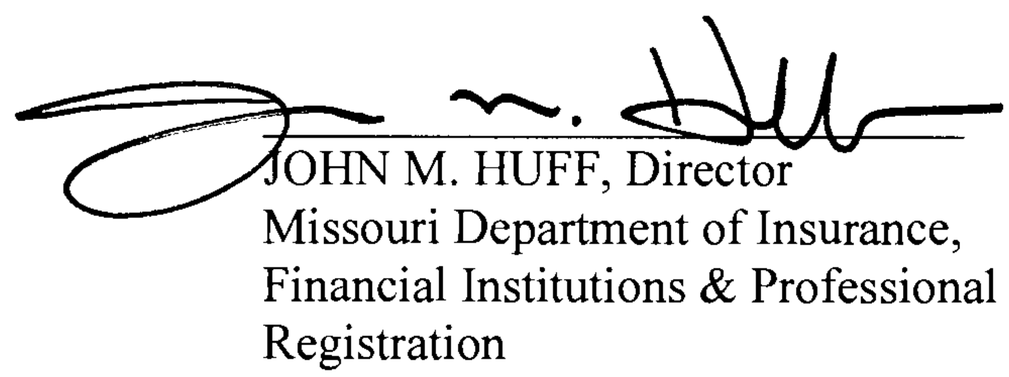
17. The Consumer Affairs Division is authorized to settle this matter and the Director is authorized to issue this Consent Order in the public interest pursuant to §§ 374.046, 375.141, and 621.045, RSMo (Supp. 2008).

Settlement Terms

IT IS ORDERED THAT Respondent Robert L. Hoffman's insurance producer license (No. 0218099) is hereby REVOKED.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 1ST DAY OF FEBRUARY, 2010.





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

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Robert L. Hoffman has the right to a hearing, but that Robert L Hoffman has waived the hearing and consented to the issuance of this Order.

Robert L. Hoffman
Respondent
9946 Riley Street
Overland Park, Kansas 66212

Jan 11, 2010
Date

Name: _____
Counsel for Robert L. Hoffman, if any
Missouri Bar Number: _____
Firm: _____
Address: _____
_____
Telephone: _____
Facsimile: _____

_____
Date

Elin Noce
Counsel for the Consumer Affairs Division
Missouri Bar # 57682
Missouri Department of Insurance, Financial
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Fax: (573) 526-5492

1/13/10
Date