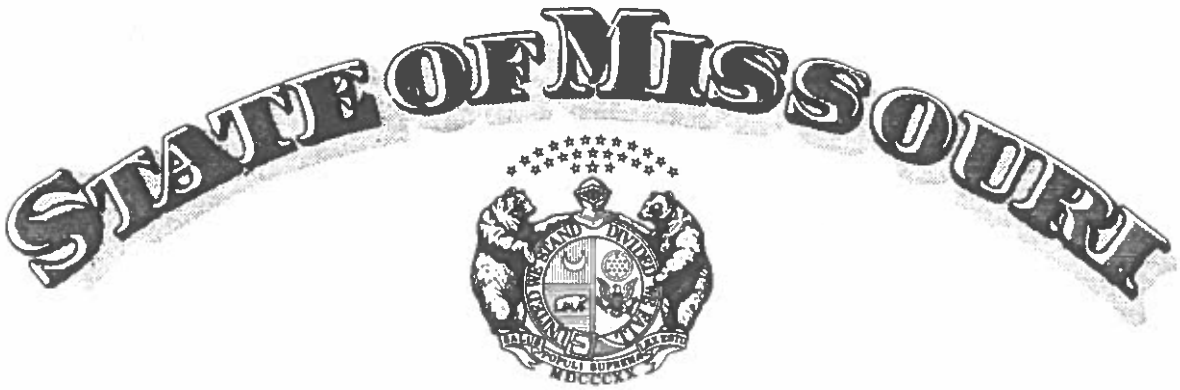

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	**Case No. 150825410C**
	)	
ANGALINE RYAN	)	**and**
	)	
	)	**Case No. 150825411C**

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 Angaline Ryan have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (the "Director" of the "Department"), whose duties, pursuant to Chapters 374, 375, and 381 RSMo,[1] include the supervision, regulation and discipline of insurance producers and business entity producers.

2. The Department's Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of insurance producers and business entity producers under the

[1] All statutory references are to the 2013 Supplement to the Revised Statutes of Missouri unless otherwise noted.

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. Angaline Ryan ("Ryan") is a Missouri resident with a residential and business address of 112 East Main, West Plains, Missouri 65775. Ryan is licensed as an insurance producer (No. 0177245) and such license is set to expire August 29, 2016.

4. Regional Title, Inc. ("Regional") was previously licensed as a business entity producer with a business and mailing address of 112 East Main, West Plains, Missouri 65775. Regional's business entity producer license (No. 0003381) expired September 8, 2015 and the Director refused to renew Regional's license on November 6, 2015. Ryan was Regional's president and designated qualified principal.

5. Between 2007 and 2011, Regional and/or Ryan failed to pay employees' income, Social Security, and Medicare taxes to the Internal Revenue Service. Instead, Ryan used that money for ongoing business expenses.

6. The United States Department of the Treasury, Internal Revenue Service, filed several notices of Federal Tax Liens providing notice to the public that taxes had been assessed against Regional and a demand had been made for payment, but such taxes remained unpaid. The taxes were for Form 940 and Form 941 income, Social Security, and Medicare taxes.

7. As of March 24, 2014, Regional owed the Internal Revenue Service $96,051.73 for unpaid taxes and penalties. On April 2, 2014, Ryan, on behalf of Regional, entered into an Installment Agreement with the Internal Revenue Service whereby Regional's bank account would be debited $200 twice a month to satisfy the tax obligation.

8. Ryan and Regional continued their licensure subject to a Consent Order issued by Director John M. Huff on April 1, 2015. In the Consent Order, Ryan and Regional

acknowledged and agreed that pursuant to § 375.141.1(4) and (8), the Director has grounds to discipline or refuse to renew their respective licenses because by failing to pay taxes and instead using the money for ongoing business expenses, that Ryan and Regional improperly withheld, misappropriated, or converted moneys received in the course of doing insurance business and that thereby Ryan and Regional demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state. *In the Matter of: Angaline Ryan and Regional Title Inc.*, Case No. 140219226C.[2] Terms of the Consent Order include, in part:

a. Ryan and Regional shall report to the Division within five (5) business days of knowledge that any underwriter contracted with Regional is terminating such contract and provide the Division all documents relating to the termination.

b. Ryan and Regional shall report to the Division any and all of the following incidents involving Ryan or Regional: arrest, guilty plea, nolo contendere plea, *Alford* Plea, finding of guilt, or conviction concerning a felony or misdemeanor. Ryan and Regional shall report all such incidents to the Division within five (5) business days of their occurrence.

c. If Ryan or Regional violate or otherwise fail to comply with the terms and conditions of the Consent Order or Missouri insurance law, the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374, 375, and 381.

9. On or about July 8, 2015, the Howell County Sheriff arrested Ryan. In a Complaint filed July 10, 2015 in the Circuit Court of Howell County, Missouri, the State of Missouri charged that Ryan committed the following crimes:

[2] Although the Consent Order issued by the Director lists this case number, the correct case number is Case No. 140929680C.

a. Count I: In violation of § 565.050, RSMo (Supp. 2014), committed the Class A Felony of Assault in the First Degree, punishable upon conviction under § 558.011, RSMo (Supp. 2014), in that on or about April 13, 2015, in the County of Howell, State of Missouri, Ryan knowingly caused serious physical injury to Tammy Hathcock by shooting her.

b. Count II: In violation of § 571.015, RSMo, committed the Felony of Armed Criminal Action, punishable upon conviction under § 571.015.1, RSMo, in that on or about April 13, 2015, in the County of Howell, State of Missouri, Ryan committed the Felony of Assault in the First Degree charged in Count I by, with and through, the knowing use, assistance and aid of a deadly weapon.

State v. Ryan, Howell Co. Cir. Ct., Case No. 15AL-CR00827.

10. Neither Ryan nor Regional reported Ryan's arrest to the Division within five (5) business days of such arrest. By failing to report the arrest to the Division within five (5) business days of the arrest, both Ryan and Regional violated the Consent Order.

11. Effective July 13, 2015, Alliant National Title Insurance Company ("Alliant") terminated its underwriting contract with Ryan and Regional. Alliant notified Ryan and Regional via letter from Alliant dated July 10, 2015. Neither Ryan nor Regional reported this termination to the Division within five (5) business days as required by the Consent Order. In fact, neither Ryan nor Regional ever reported the termination to the Division.

12. By failing to report the underwriting contract termination with five (5) business days of becoming aware of such termination, both Ryan and Regional violated the Consent Order.

13. Ryan acknowledges and agrees that pursuant to § 375.141.1(4) and (8), the Director has grounds to discipline or refuse to renew her license because by failing to pay taxes and instead

using the money for ongoing business expenses, that Ryan improperly withheld, misappropriated, or converted moneys received in the course of doing insurance business and that thereby Ryan demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state.

14. Ryan acknowledges and agrees that pursuant to § 375.141.1(2), the Director has grounds to discipline or refuse to renew her license because by failing to report Ryan's arrest and the underwriting contract termination, Ryan violated an order of the Director, namely the Consent Order issued in *In the Matter of: Angaline Ryan and Regional Title Inc.*

15. Ryan acknowledges and understands that she has the right to consult counsel at her own expense.

16. Ryan further acknowledges that she has been advised that she may, either at the time the Consent Order is signed by all parties, or within 15 days thereafter, submit the Consent Order to the Administrative Hearing Commission for determination that the facts agreed to by the parties to the Consent Order constitute grounds to discipline Ryan's license.

17. Except as provided in paragraph 16, above, Ryan stipulates and agrees to waive any waivable 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.

18. Ryan acknowledges and understands that this Consent Order is an administrative action and it will be reported by the Department to other states. Ryan further acknowledges and understands that this administrative action should be disclosed on future applications and

renewal applications in this state and in other jurisdictions and that it is her responsibility to comply with the reporting requirements of each state in which she is licensed.

19. Ryan and the Division desire to settle the allegations raised by the Division.

20. On or about December 21, 2015, counsel for the Division provided a written description of the specific conduct for which discipline was sought and a citation to the law and rules allegedly violated, together with copies of any documents upon which it based the allegations, and the Division's settlement offer, namely, this Consent Order, in accordance with § 621.045.4(1). Counsel for the Division further advised Ryan that she had sixty (60) days to review the relevant documents and consider the proposed settlement offer in accordance with § 621.045.4(2).

21. 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.

Conclusions of Law

22. The allegations raised by the Division, and admitted herein by Ryan, are grounds to discipline Ryan's license under § 375.141.1(2), (4) and (8).

23. Section 375.141 provides in relevant part as follows:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
>
> * * *
>
> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;
>
> * * *

(4) Improperly withholding, misappropriating or converting any moneys or properties received in the course of doing insurance business;

* * *

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere[.]

24. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

25. 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:

Angaline Ryan's insurance producer license No. 0177245 is hereby REVOKED.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 2nd DAY OF March, 2016.

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

CONSENT AND WAIVER OF HEARING

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

Angaline Ryan
112 East Main
West Plains, Missouri 65775

2/10/2016
Date

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2/22/16
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2-29-16
Date