DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	AHC Case No. 11-1680 DI
	)	DIFP Case No. 110718589C
ADAM D. APPELL.	)	

SUMMARY ORDER OF REVOCATION

JOHN M. HUFF, Director of the Missouri Department of Insurance, Financial Institutions, and Professional Registration, hereby issues the following Findings of Fact, Conclusions of Law, and Summary Order of Revocation.

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" of the "Department"). The Director has the duty to administer Chapters 374 and 375 RSMo, which includes the supervision, regulation, and discipline of insurance companies, agencies, and producers licensed to operate and conduct business in the State of Missouri.

2. The Department issued Respondent Adam D. Appell ("Appell"), also

known as Daniel A. Appell, an insurance producer license (No. 8039896) on November 20, 2009. Appell's license is set to expire on November 20, 2011.

3. On August 12, 2011, the Director filed a Complaint before the Administrative Hearing Commission ("AHC"), Case No. 11-1680 DI, against Appell alleging that he has cause to discipline his insurance producer license pursuant to §§ 375.141.1(1), (2), (3), (6), and (9) RSMo Supp. 2010, for:

a. being convicted of four crimes of moral turpitude, two of which were also felonies;

b. failing to disclose his criminal history on his license application;

c. having an insurance producer license denied in one state and revoked in two states;

d. failing to report to the Director license revocations within thirty days of the final resolution of the matters; and

e. failing to respond to a Consumer Affairs Division inquiry.

4. On August 15, 2011 the AHC attempted to serve the Director's Complaint on Appell by certified mail at 1305 Coconino Road, Unit 307, Ames, Iowa 50014, which was unclaimed and returned to the AHC on September 19, 2011.

5. On September 19, 2011, Department paralegal, Kathryn Randolph, attempted to serve the Complaint on Appell by UPS at 1305 Coconino Road, Unit 307, Ames, Iowa 50014-8047. UPS tried delivering the package three times and left notice that Appell could arrange to pick up the package. UPS returned the package to the Department as unclaimed.

6. On October 12, 2011, Randolph attempted to serve Appell by UPS at Appell's last known place of employment, 1200 Locust Street, Department 6340, Des Moines, Iowa 50391-6340. Barb Hoehne with Nationwide Insurance returned the UPS package with a note stating, "This person is no longer with Nationwide."

7. The Department contracted with HPS Process Service to attempt to serve Appell at 1305 Coconino Road, Unit 307, Ames, Iowa 50014. HPS was unable to gain access the building at 1305 Coconino Road, but was able to contact Jensen Property Management, the property manager for 1305 Coconino Road, who stated that Appell no longer rents from them. Appell did not leave a forwarding address.

8. Section 375.141.5 provides:

> Every insurance producer licensed in this state shall notify the director of any change of address, on forms prescribed by the director, within thirty days of the change. If the failure to notify the director of the change of address results in an inability to serve the insurance producer with a complaint as provided by sections 621.045 to 621.198, RSMo, then the director may immediately revoke the license of the insurance producer until such time as service may be obtained.

Conclusions of Law

9. Pursuant to §375.141, the Director has the discretion to discipline Appell's insurance license, including revocation of such license.

10. Pursuant to §375.141.5, such revocation may be immediate when an insurance producer's failure to notify the Director of any change of address within thirty (30) days of the change results in an inability to serve the insurance producer with a complaint as provided by §§621.045 to 621.198 RSMo. Such revocation may be

effective until such time as service may be obtained.

SUMMARY ORDER

IT IS HEREBY ORDERED that the insurance producer license of Adam D. Appell (License No. 8039896) is REVOKED until such time as service of the Complaint filed with the Administrative Hearing Commission on August 12, 2011, Case No. 11-1680 DI, may be obtained or until such time as service of a complaint in a future Administrative Hearing Commission action against Adam D. Appell may be obtained.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 14th DAY OF NOVEMBER, 2011.

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