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DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

STATE OF MISSOURI

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DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

Our File Number 09A000045

IN RE: BARBARA A BURGESS
BURGESS & ASSOCIATES LLC
3425 N 21ST ST
OZARK MO 65721

VOLUNTARY FORFEITURE

It is hereby agreed by BARBARA A. BURGESS and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, John M. Huff is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating producers and companies engaged in the business of insurance pursuant to Section 374.085, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to insurance.

WHEREAS, BARBARA A. BURGESS is licensed as an insurance producer by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to

Chapter 375, RSMo;

WHEREAS, the investigation by the Consumer Affairs Division revealed BARBARA A. BURGESS violated our insurance laws and is subject to enforcement action by the Director for the following:

1. Violation of Section 375.936 (4) RSMo and 20 CSR 400-500.100 (3)(A), disseminated and circulated a letter containing false information in a letter with respect to the business of insurance that was untrue, deceptive and misleading, which is grounds for discipline under Sections 375.141.1(2), 375.141.1(7) and 375.145.1 RSMo (Cum. Supp. 2008); and
2. Violation of Section 375.936 (6) (a) RSMo, misrepresented the benefits advantages, conditions and terms of an insurance policy with false advertising, which is grounds for discipline under Sections 375.141.1(2), 375.141.1(7) and 375.145.1 RSMo (Cum. Supp. 2008); and
3. By using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness of financial irresponsibility in the conduct of business in this state or elsewhere, which is grounds for discipline under Sections 375.141.1(8) and 375.145.1RSMo (Cum. Supp. 2008).

WHEREAS, BARBARA A. BURGESS has been informed of the nature of her violations, of her right to counsel and of her right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to discipline her insurance producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that she understands her rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration of any action to revoke or suspend the insurance producer license of BARBARA A. BURGESS or to impose any other penalties provided for by

statute for the above-described violations, after being afforded the opportunity to consult legal counsel, BARBARA A. BURGESS, does hereby voluntarily and knowingly surrender and forfeit the sum of $4,500.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

BARBARA A. BURGESS shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than December 8, 2009.

DATED: 12/04/2009

Barbara A. Burgess
BARBARA A. BURGESS
Producer

DATED: 12/11/2009

Angela L. Nelson
ANGELA L. NELSON
Director
Consumer Affairs Division

DATED: 12-14-09

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

Return to:
Department of Insurance, Financial Institutions & Professional Registration
Attn: Dennis Fitzpatrick
P. O. Box 4001
Jefferson City, MO 65102