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DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

Our File Number 09A000870

IN RE: BRIAN L KIRK
626 S WALNUT
ST ELIZABETH MO 65075

VOLUNTARY FORFEITURE

It is hereby agreed by BRIAN L KIRK 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 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance.

WHEREAS, BRIAN L KIRK 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 BRIAN L KIRK violated our insurance laws and is subject to enforcement action by the Director for the following:

> Violation of Section 375.141.6 RSMo (Cum. Supp. 2009), An insurance producer shall report to the director any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter, which is grounds for discipline under Section 375.141.1(2) RSMo (Cum. Supp. 2009).

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

NOW, THEREFORE, in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration seeking any action against BRIAN L KIRK or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, BRIAN L KIRK, does hereby voluntarily and knowingly surrender and forfeit the sum of $250.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

BRIAN L KIRK 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 February 5, 2010.

DATED: 01-27-2010

BRIAN L. KIRK
Producer

DATED: 2/6/2010

ANGELA L. NELSON
Director, Division of Consumer Affairs

DATED: 2-15-10

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