

STATE OF MISSOURI



DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: DAVID EVERINGHAM
1124 ESTERLING STREET
ST. CHARLES, MO 63301

TRACKING ID 199350

VOLUNTARY FORFEITURE AGREEMENT

RECEIVED
SEP 28 2013
DEPT OF INSURANCE
FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION

It is hereby agreed by David Everingham 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" of the "Department"), whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision and regulation of the business of bail bond;

WHEREAS, the Consumer Affairs Division of the Department is charged with investigating bail bond agents engaged in the bail bond business pursuant to Sections 374.085 and 374.190, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to bail bonds;

WHEREAS, David Everingham ("Applicant") has applied to receive a bail bond license with the Department, pursuant to Chapter 374, RSMo;

WHEREAS, the Consumer Affairs Division has received information concerning David Everingham's failure to disclose a 2010 misdemeanor DWI, which is a violation of Section 374.210.1(1), RSMo (Supp. 2012), and subjects David Everingham to enforcement action by the Director;

WHEREAS, David Everingham has been informed of his right to counsel and of his right to contest any attempt by the Department to discipline his bail bond license, and states that he understands his rights to contest any such actions;

AND WHEREAS, David Everingham, acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Director or the Consumer Affairs Division based on an additional violation of the bail bond laws or regulations by David Everingham, in which action the Director or the Consumer Affairs Division alleges that the violations described herein form part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by David Everingham are committed knowingly, intentionally or in conscious disregard of the law, that he failed to report a 2010 misdemeanor and that such conduct violated Section 374.210.1(1), RSMo;

NOW, THEREFORE, in lieu of any recommendation or initiation by the Consumer Affairs Division of any action based on the violation(s) cited in this Agreement, and after being afforded the opportunity to consult legal counsel, David Everingham does hereby voluntarily and knowingly surrender and forfeit the sum of one hundred dollars (\$100.00), such sum to be paid into the State School Moneys Fund

pursuant to Sections 374.046 and 374.280, RSMo.

David Everingham shall submit this sum to the Department by cashier's check or money order made payable to the State School Moneys Fund no later than September 30, 2013.

The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance laws or regulations by David Everingham, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing David Everingham's admissions contained in this Agreement as evidence that the acts described herein form part of a course of conduct, a business practice, or other such series of similar violations, or for purposes of showing that such later alleged acts are committed knowingly, intentionally or in conscious disregard of the law.

DATED: 9/13/13


David Everingham
License No. 0314128
Bail Bond Agent

DATED: 9/26/13


Matt Barton, Director
Consumer Affairs Division

DATED: 9-27-13


John M. Huff, Director
Department of Insurance, Financial
Institutions and Professional
Registration

Return original to:
Les Hogue
Missouri Department of Insurance,
Financial Institutions and Professional Registration
PO Box 4001
Jefferson City, MO 65102