

# STATE OF MISSOURI



## DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

RECEIVED  
APR 21 2014  
MO. DEPT. OF INSURANCE,  
FINANCIAL INSTITUTIONS &  
PROFESSIONAL REGISTRATION

IN RE: ELIZABETH DIEHL  
5 MOUND ST.  
FENTON MO 63026

TRACKING ID 214856 E

### VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Elizabeth Diehl ("Diehl") 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, 375 and 385 RSMo, include the supervision and regulation of the business of Motor Vehicle Extended Service Contracts ("MVESC");

WHEREAS, the Consumer Affairs Division of the Department is charged with investigating producers and companies engaged in the business of MVESC pursuant to Sections 374.085, 374.190 and 385.216, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to MVESC;

WHEREAS, Diehl has applied to receive a resident MVESC license with the Department, pursuant to Chapter 385, RSMo;

WHEREAS, the Consumer Affairs Division has received information concerning Diehl's failure to disclose that she is currently charged with "DWI - Alcohol - Persistent Offender" a

felony (Case No. 12SL-CR02111-01 *State vs. Elizabeth A. Diehl*) which is a violation of Section 374.210.1(1), RSMo (Supp. 2013), and subjects Diehl to enforcement action by the Director;

WHEREAS, Diehl has been informed of her right to counsel and of her right to contest any attempt by the Department to refuse to issue her MVESC license, and states that she understands her rights to contest any such actions;

AND WHEREAS, Diehl, 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 any additional violation of the insurance laws, MVESC laws, or regulations by Diehl, 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 Diehl are committed knowingly, intentionally or in conscious disregard of the law, that she provided materially incorrect, misleading, incomplete or untrue information in the license application, 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 cited in this Agreement, and after being afforded the opportunity to consult legal counsel, Diehl does hereby voluntarily and knowingly surrender and forfeit the sum of two hundred fifty dollars (\$250.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo. Diehl 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 Friday, April 25, 2014.

The parties agree that, should the Director or the Division in the future allege any additional violation of the insurance laws, MVESC laws, or regulations by Diehl, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Diehl'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: 4-14-14



Elizabeth Diehl  
Applicant

DATED: 4/23/14



~~Matt Barton, Director~~ Carrie Couch, Acting Director  
Consumer Affairs Division

DATED: 4-25-14



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

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