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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

IN RE: ELIBERTO GRACIA JR
6855 SW 120 ST
MIAMI FL 33156

Our File Number 180913

VOLUNTARY FORFEITURE

It is hereby agreed by ELIBERTO GRACIA, JR. 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, ELIBERTO GRACIA, JR. is a non-resident licensed 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 ELIBERTO GRACIA, JR. has violated insurance laws by providing materially incorrect information in the licensing application, by failing to respond to an inquiry, and is subject to enforcement action by the Director for the following:

> Violation of 20 CSR 100-4.100 (2) (A) by failing to provide to the consumer affairs division, an adequate response to the inquiry within twenty (20) days from the date the inquiry was mailed.
>
> Grounds for discipline exist under Section 375.141.1 RSMo (Supp. 2012), the director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
> (1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application; and
> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state.

WHEREAS, ELIBERTO GRACIA, JR. 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 of any action to revoke or suspend the insurance producer license of ELIBERTO GRACIA, JR. or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, ELIBERTO GRACIA, JR., does hereby voluntarily

and knowingly surrender and forfeit the sum of $350.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

ELIBERTO GRACIA, JR. 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 26, 2012.

DATED: 12/18/12

ELIBERTO GRACIA, JR.
License No. 373640

DATED: 12/26/12

MATT BARTON
Director, Division of Consumer Affairs

DATED: 1.2.13

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

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