DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

VOLUNTARY FORFEITURE AGREEMENT

RECEIVED
FEB 18 2009
DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

TO: James Fenberg
Investors Title Company
219 S. Central
Clayton MO 63105

RE: Veronica L. Mattingly, Complainant
Our File #08A000679

DATE: January 13, 2009

It is hereby agreed by Investors Title Company and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, Kip Stetzler is the duly appointed Acting Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapters 374, 375 and 381 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, business entity producers, and companies engaged in the business of insurance pursuant to Sections 374.085 and 375.190, RSMo (2000) and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, Investors Title Company is licensed as a business entity producer by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapters 374, 375 and 381 RSMo;

WHEREAS, the investigation by the Consumer Affairs Division revealed that Investors Title Company violated our insurance laws and is subject to enforcement action by the Director for the following:

1. Investors Title Company failed to disclose a correct vesting against the insured property, therefore violating Section 381.071.1(2) RSMo.
2. Investors Title Company failed to record the insured documents within 5 business days of closing, there violating Section 386.026.1 RSMo.
3. Investors Title Company failed to promptly report to their Underwriter the missed ownership, therefore violating Section 375.141.1(8) RSMo.

WHEREAS, Investors Title Company has been informed of the nature of their violations, their right to counsel, and their right to contest any attempt by the Department of Insurance, Financial Institutions, and Professional Registration to discipline the business entity producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that it understands its rights to contest any such actions;

NOW, THEREFORE, in lieu of the Department of Insurance, Financial Institutions, and Professional Registration of any action to revoke or suspend the business entity producer license of Investors Title Company or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Investors Title Company, does hereby voluntarily and knowingly surrender and forfeit the sum of $3,000.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

Investors Title Company shall submit this sum to the Department of Insurance, Financial Institutions, and Professional Registration, by company check, cashier's check or money order made payable to the Missouri School Fund no later than February 4, 2009.

2/17/09
Dated:

James Fenberg
Investors Title Company

3/3/09
Dated:

Mary Kempker, Division Director

3-4-09
Dated:

~~Kip Stetzler, Acting Director~~ JOHN M. HUFF, DIRECTOR
Missouri Department of Insurance, Financial
Institutions, and Professional Registration

Please submit this form along with payment to:
Missouri Department of Insurance
Attention: Larry Leppard, Title Insurance Investigator II
P O Box 4001
Jefferson City, MO 65102-0690
(573) 526-4252