DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: JAMES W. PIERCE
1007 EARLEY LAKE PLACE
BURNSVILLE, MN 55306

TRACKING ID 240255E

VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by James W. Pierce 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 325, 374 and 375, RSMo, include the supervision and regulation of the business of insurance, including public adjusters and public adjuster solicitors;

WHEREAS, the Consumer Affairs Division of the Department is charged with investigating public adjusters engaged in the business of insurance and public adjusting pursuant to Chapter 325 and Sections 374.085 and 374.190, RSMo and is authorized by the Director to

recommend enforcement action under the laws relating to public adjusters and public adjuster solicitors;

WHEREAS, James W. Pierce ("Pierce") has applied for a public adjuster license with the Department, pursuant to Chapters 325, 374 and 375 RSMo;

WHEREAS, the Consumer Affairs Division has received information that Pierce was the subject of an administrative action in the state of Iowa and in the state of Minnesota and failed to disclose those actions on his application for a Missouri public adjuster license, which is grounds for discipline under Section 375.141.1(2) and (3), RSMo (Supp. 2013) and subjects Pierce to enforcement action by the Director;

WHEREAS, Pierce has been informed of his right to counsel and of his right to contest any attempt by the Department to refuse his public adjuster license, and states that he understands his rights to contest any such actions;

AND WHEREAS, Pierce, 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 insurance and/or public adjuster laws or regulations by Pierce, 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 Pierce are committed knowingly, intentionally or in conscious disregard of the law, that he failed to report administrative actions in the states of Iowa and Minnesota, and that such conduct violated Section 325.035.1(2), 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, Pierce does hereby voluntarily and knowingly

surrender and forfeit the sum of five hundred dollars ($500.00), such sum to be paid into the State School Moneys Fund pursuant to Section 374.280, RSMo (Supp. 2013).

Pierce 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 July 9, 2015.

The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance and/or public adjuster laws or regulations by Pierce, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Pierce'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: 6-26-15

James W. Pierce
Public Adjuster Applicant

DATED: 7/6/15

Carrie Couch, Acting Director
Consumer Affairs Division

DATED: 7/8/15

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

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