DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
WILLIAM CODY JORDAN ,	)	**Case No. 12 0305266 C**
	)	
Respondent.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Carolyn H. Kerr, and William Cody Jordan ("Jordan"), have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Director" of the "Department"), whose duties, pursuant to Chapters 374, 375, and 385, RSMo,[1] include the supervision, regulation, and discipline of motor vehicle extended service contract producers.

2. The Department's Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of motor vehicle extended service contract producers

[1] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

under Chapters 374, 375 and 385, and is authorized to investigate and recommend enforcement action, including motor vehicle extended service contract producer license application refusal.

3. On June 26, 2008, Jordan was charged in a three-count Information with one count of the Class C felony of possession of a controlled substance, in violation of §§ 558.011 and 560.011, and two counts of the Class B felony of possession of a Controlled Substance with the intent to distribute, in violation of §§ 558.011.1(2). *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01.

4. On or about October 10, 2008, Jordan pleaded guilty to all three charges. *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01.

5. On or about December 5, 2008, the Court sentenced Jordan to the custody of the Missouri Department of Corrections for a period of seven years on each count, all sentences to run concurrent with each other, to pay court costs, and to successfully complete the 11th Judicial Circuit Drug Court In-Custody Program. *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01

6. Jordan received a suspended execution of sentence, and the Court placed him on probation for a period of five years. *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01

7. Jordan's probation is scheduled to be completed on or about December 5, 2013.

8. Jordan acknowledges and understands that should he fail to complete the terms of that probation, under § 385.209.1(5), the Director may refuse or discipline Jordan's motor vehicle extended service contract producer license. *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01.

9. On or about December 29, 2011, Jordan submitted an Application for Motor Vehicle Extended Service Contract Producer License ("Application") to the Department.

10. Jordan acknowledges and understands that under § 385.209.1(5), the Director may refuse to issue a motor vehicle extended service contract producer license to Jordan because Jordan has been convicted of a felony.

11. Jordan acknowledges and understands that he has the right to consult counsel at his own expense.

12. This Consent Order is entered pursuant to §§ 374.046 and 385.216. As such, any interested person aggrieved by this Consent Order may request a hearing before the Director or review of this Consent Order in a circuit court under § 374.055. Although under the Department's interpretation of the relevant statutes, review of this Consent Order by the Administrative Hearing Commission is not available, Jordan nevertheless may have the right, under § 621.045, to submit this Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to in this Consent Order constitute grounds to refuse Jordan's license.

13. Jordan stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission, the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director and his agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

14. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the

terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

Conclusions of Law

15. The actions admitted by Jordan may be grounds to refuse his Missouri motor vehicle extended service producer license application pursuant to § 385.209.1(5).

16. The Director may impose orders in the public interest under §§ 374.046 and 385.216.

17. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a motor vehicle extended service contract producer license to William Cody Jordan subject to the conditions set forth herein.

IT IS ORDERED that William Cody Jordan shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five business days of receipt. Jordan shall report in writing all consumer complaints, both written and oral, to the Consumer Affairs Division, within five business days of receipt. If a complaint was not communicated to Jordan by the Department, Jordan shall send the Department a copy of the complaint and Jordan's response to the consumer within five business days of receipt.

IT IS ORDERED William Cody Jordan shall maintain full compliance with all court orders and other requirements relating to *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01. Jordan shall sign and submit a Statement of Compliance to the Director within 30 days of his completion of probation. Should

Jordan fail to successfully complete probation, Jordan shall notify the Consumer Affairs Division within 30 days of the dismissal from or revocation of probation and notify the Consumer Affairs Division of the consequences of such failure, dismissal or revocation.

IT IS ORDERED that William Cody Jordan shall execute and submit any necessary documents to provide the Department access to Jordan's probation and court records, including access to any chemical test results.

IT IS ORDERED that William Cody Jordan shall report to the Consumer Affairs Division any and all of the following incidents involving Jordan: probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or misdemeanor. Jordan shall report all such incidents to the Consumer Affairs Division within five business days of their occurrence.

IT IS ORDERED that for five years subsequent to the date of this executed Consent Order, William Cody Jordan will voluntarily surrender his license to the Department within 30 days of Jordan's entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony, regardless of whether sentence is imposed, suspended or executed.

IT IS ORDERED that William Cody Jordan shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Jordan in another jurisdiction or by another governmental agency in this state within five business days after Jordan receives notification of the initiation of such administrative action.

IT IS ORDERED that William Cody Jordan shall report to the Consumer Affairs Division any violation of or failure to comply with the laws set forth in Chapters 374, 375 or 385 within five business days of such violation or failure to comply.

IT IS ORDERED that if William Cody Jordan maintains his motor vehicle extended service contract producer license beyond the initial term and complies with the terms of this Consent Order, Jordan may apply to renew his license and the Dire ctor shall consider the renewal application in accordance with Chapters 374, 375, and 385 without regard to Jordan's prior felony in *State of Missouri v. William Cody Jordan*, Circuit Court of of St. Charles County, Missouri, Case No. 0711-CR01398-01.

IT IS ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374, 375, and 385 including remedies for violation of, of failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 13TH DAY OF APRIL, 2012.

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

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that William Cody Jordan may have a right to a hearing, but that William Cody Jordan has waived the hearing and consented to the issuance of this Consent Order.

William Cody Jordan
17 River Rock Dr.
Moscow Mills, Missouri 63362
Respondent

4-3-12
Date

Counsel for Respondent
Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____

Date

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Missouri Bar No. 45718
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4-9-12
Date