

# STATE OF MISSOURI



RECEIVED  
APR 08 2014

## DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

DEPT OF INSURANCE,  
FINANCIAL INSTITUTIONS &  
PROFESSIONAL REGISTRATION

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

IN RE: MICHAEL HOLMES  
370 CROOKED CREEK VIEW LN  
MOSCOW MILLS, MO 63362

TRACKING ID 204947

### VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Michael Holmes 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 and 375, RSMo, include the supervision and regulation of the business of insurance;

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

WHEREAS, Michael Holmes ("Holmes") is currently licensed as a producer by the Department of Insurance, Financial Institutions and Professional Registration,

pursuant to Chapter 375, RSMo;

WHEREAS, the Consumer Affairs Division has received information concerning Holmes's failure to provide an adequate and timely response, which is a violation of 20 CSR 100-4.100 (2) (A). Holmes is subject to enforcement action by the Director;

WHEREAS, Holmes has been informed of his right to contest any attempt by the Department to discipline his insurance producer license, and states that he understands his rights to contest any such actions;

AND WHEREAS, Holmes 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 laws or regulations by Holmes, 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 Holmes are committed knowingly, intentionally or in conscious disregard of the law, that he failed to provide an adequate, timely response and did not remit insurance premiums and that such conduct violated 20 CSR 100-4.100 (2) (A).

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, Holmes 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.

Holmes 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 February 21, 2014.

The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance laws or regulations by Holmes, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Holmes' 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: 4-4-13

  
\_\_\_\_\_  
Michael Holmes  
License No. 8246487

DATED: 4/8/14

  
\_\_\_\_\_  
Matt Barton, Director  
Consumer Affairs Division

DATED: 4-10-14

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

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