DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
Dominic Isiah Madison,	)	**Case No. 12-0327322C**
	)	
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 Kristen E. Paulsmeyer, and Dominic Isiah Madison, 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 or about August 22, 2008, Dominic Isiah Madison ("Madison") pleaded guilty to the Class C Felony of Involuntary Manslaughter in the 1st degree in violation of § 565.024. *State v. Dominic I. Madison*, St. Louis Co. Cir. Ct., 07SL-CR7335.

4. On or about August 22, 2008, the court sentenced Madison to the custody of the Department of Corrections for a period of five years, suspended the execution of sentence, and placed him on probation for a period of three years.

5. On or about August 21, 2011, Madison was discharged from probation.

6. On or about December 2, 2011, Madison submitted an Application for Motor Vehicle Extended Service Contract Producer License ("Application") to the Department.

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

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

9. 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, Madison 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 Madison's license.

10. Madison 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.

11. 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

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

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

14. 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 Dominic Isiah Madison subject to the conditions set forth herein.

IT IS ORDERED that Dominic Isiah Madison 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. Madison 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 Madison by the Department, Madison shall send a copy of the complaint and Madison's response to the consumer within five business days of receipt.

IT IS ORDERED that Dominic Isiah Madison shall report to the Consumer Affairs Division any and all of the following incidents involving Madison: probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or misdemeanor. Madison 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, Dominic Isiah Madison will voluntarily surrender his license to the Department within 30 days of Madison'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 Dominic Isiah Madison shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Madison in another jurisdiction or by another governmental agency in this state within five business days after Madison receives notification of the initiation of such administrative action.

IT IS ORDERED that Dominic Isiah Madison 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 Dominic Isiah Madison maintains his motor vehicle extended service contract producer license beyond the initial term and complies with the terms of this Consent Order, Madison may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374, 375, and 385 without regard to Madison's prior felony or the underlying conduct in *State v. Dominic I. Madison*, St. Louis Co. Cir. Ct., 07SL-CR7335.

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 1ST DAY OF MAY, 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 Dominic Isiah Madison may have a right to a hearing, but that Dominic Isiah Madison has waived the hearing and consented to the issuance of this Consent Order.

_____ 4-23-12
Dominic Isiah Madison Date
13 Blanchette Drive
Florissant, MO 63031
Respondent

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

_____ 4/26/12
Kristen E. Paulsmeyer Date
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