DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

RECEIVED
MAR 08 2011
DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

In Re: David Malkin
15 Canoe Brook Dr.
Livingston, NJ 07039

Tracking ID 118096

VOLUNTARY FORFEITURE

It is hereby agreed by David Malkin 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) 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 of Insurance, Financial Institutions and Professional Registration is charged with investigating producers and companies engaged in the business of insurance pursuant to Sections 374.085 and 374.190, RSMo 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, David Malkin has a license as a nonresident producer with the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapters 374 and 375, RSMo;

WHEREAS, information has been received by the Consumer Affairs Division that David Malkin failed to report an administrative action within thirty days of the final disposition of the matter, which is a violation of Section 375.141.6, RSMo (Supp. 2010), and David Malkin provided incorrect information on his license renewal application, which is a ground for discipline under Section 375.141.1(1), RSMo (Supp. 2010), subjecting David Malkin to enforcement action by the Director;

WHEREAS, David Malkin has been informed of the nature of the violation, of his right to counsel and of his right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to discipline his license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that he understands his rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration of any action to revoke the license of David Malkin, or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, David Malkin does hereby voluntarily and knowingly surrender and forfeit the sum of $500.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

David Malkin shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than March 17, 2011.

DATED: 3-1-11

David Malkin

DATED: 3/14/2011

Angela L. Nelson,
Director of Division of Consumer Affairs

DATED: 3-18-11

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

Please return original to:
Karen Crutchfield
PO Box 4001
Jefferson City, MO 65102