DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In re:	)	
	)	**Case No.: 140107010C**
Nadia T. Cavner,	)	
	)	
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 Shelly Krueger, and Respondent, Nadia T. Cavner, through counsel, David Cosgrove, 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 and 375,[1] include the supervision, regulation and discipline of insurance producers.

[1] All civil statutory references are to Revised Statutes of Missouri (2000) as updated by 2013 Supplement unless otherwise noted.

2. The Consumer Affairs Division ("Division") has the duty, charged by the insurance laws of this state, to conduct investigations into the acts of insurance producers under the insurance laws of this state and is authorized by the Director to initiate actions necessary to enforce the insurance laws of this state including the revocation of insurance producer licenses.

3. The Department first issued Respondent Nadia T. Cavner ("Cavner") an individual resident insurance producer license on December 28, 1992. After multiple renewals, this license expired on December 28, 2014 (License Number 0169769).

4. On April 12, 2013, Cavner pled guilty in the United States District Court, Western District of Tennessee, to a federal felony, in violation of 18 U.S.C. § 2261(A) and (2).[2] The court sentenced Cavner to five (5) years' probation and ordered Cavner to, *inter alia*: complete six (6) months' Home Detention, enroll in Moral Reconation Therapy, complete four (4) hours of Community Service each month during the first two (2) years of probation, have no contact with P.M., K.S., or their family members, and pay a criminal monetary penalty of $100.00.[3]

5. On May 30, 2014, the Financial Industry Regulatory Authority ("FINRA") barred Cavner from association with any FINRA member in any capacity, pursuant to FIRNA Rule 9552(h).[4] Cavner failed to appeal FINRA's permanent Bar from Association and therefore this administrative action is final.[5]

6. Cavner did not report the administrative action, specifically FINRA's permanent Bar from Association, taken against her by FINRA to the Director within thirty (30) days of the final disposition of the matter.

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[2] All references to criminal statutes are to those contained in the version of the United States Code under which the federal court rendered judgment.
[3] *U.S. v. Nadia Cavner*, U.S. Dist. Ct., (W.D. Tenn.) Case No. 2:13-CR-20135.
[4] *Bar from Association with any FINRA Member, Nadia Treza Cavner*, CRD No. 2292105, Matter Nos. 2013037030001 and 20130372218.
[5] *Id.*

7. Cavner's individual resident insurance producer license is subject to discipline pursuant to § 375.141.1(6) because she has been convicted of a federal felony, in violation of 18 U.S.C. § 2261(A) and (2).[6]

8. Cavner's individual resident insurance producer license is subject to discipline pursuant to § 375.141.1(2) because she failed to report FINRA's administrative action against her to the Director within thirty (30) days of the final disposition of the matter, in violation of a Missouri insurance law, namely § 375.141.6.

9. Cavner agrees that the facts contained in this Consent Order constitute grounds to discipline her individual resident insurance producer license pursuant to § 375.141.1(2) and (6).

10. Cavner and the Division desire to settle the allegations raised by the Division.

11. Cavner acknowledges and understands she has the right to consult counsel at her own expense, and is represented by David Cosgrove.

12. Cavner has been advised that she may, either at the time the Consent Order is signed by all parties, or within 15 days thereafter, submit the Consent Order to the Administrative Hearing Commission for determination that the facts agreed to by the parties to the Consent Order constitute grounds for disciplining Cavner's Missouri insurance producer license.

13. Except as provided in paragraph 12 above, Cavner stipulates and agrees to waive any rights that he may have to a hearing before the Administrative Hearing Commission or the Director and any rights to seek judicial review or other challenge or contest of the terms and conditions this Consent Order and forever releases and hold harmless the Department, the Director, his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

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[6] *U.S. v. Nadia Cavner*, U.S. Dist. Ct., (W.D. Tenn.) Case No. 2:13-CR-20135.

14. Cavner acknowledges and understands that this Consent Order is an administrative action and that the Department will report it to other states. Cavner further acknowledges and understands that this administrative action should be disclosed on her future applications and renewal applications and that she is responsible for complying with the reporting requirements of each state in which she is licensed.

15. 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

16. Section 375.141 RSMo (Supp. 2013) provides, in relevant part:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
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> * * *
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> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or another insurance commissioner in another state; [or]
>
> * * *
>
> (6) Having been convicted of a felony or crime involving moral turpitude[.]
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> * * *
>
> 4. The director may also revoke or suspend pursuant to subsection 1 of this section any license issued by the director where the licensee has failed to renew or has surrendered such license.
>
> * * *

6. An insurance producer shall report to the director any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report shall include a copy of the order, consent order or other relevant legal documents.

17. The expiration of Cavner's individual resident insurance producer license does not deprive the Director of jurisdiction to discipline Cavner's license. Section 375.141.4.

18. The allegations raised by the Division, and admitted to herein by Cavner are grounds to discipline her individual resident insurance producer license pursuant to § 375.141.1(2) and (6).

19. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 621.045, and 536.060 RSMo 2000.

20. 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.

SETTLEMENT TERMS AND ORDER

Nadia T. Cavner, by signing this Consent Order, consents to revocation of her individual resident insurance producer license (License No. 0169769).

Nadia T. Cavner, by signing this Consent Order, further agrees not to apply for renewal of her Missouri individual resident insurance producer license, either personally or via an authorized submitter for a period of five (5) years following the execution of this Consent Order. Subsequent to the five (5) year period after execution of this Consent Order, Cavner may submit an individual resident insurance producer application to the Department. Upon receipt of such application, if any, the Director shall consider the application in accordance with Chapters 374 and 375, and nothing in this Consent Order limits or constrains the Director from exercising his authority or discretion under Missouri's insurance laws.

IT IS ORDERED THAT Nadia T. Cavner's Missouri individual resident insurance producer license (No. 0169769) is hereby **REVOKED**.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 25th **DAY OF** NOVEMBER, **2015.**

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 Respondent has the right to a hearing, but that Respondent has waived the hearing and consented to the issuance of this Consent Order.

11-13-2015
Date

Nadia T. Cavner
c/o Cosgrove Law Group, LLC
7733 Forsyth Blvd.
Suite 1675
St. Louis, MO 63105

RESPONDENT

11-17-2015
Date

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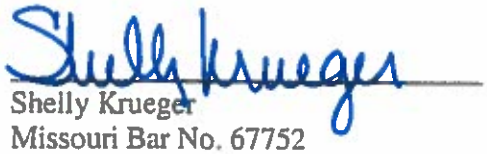

11-17-2015
Date

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