DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE:	)	
	)	
RYAN DALE TRIMBLE,	)	**Case No. 150902420C**
	)	
Applicant.	)	

CONSENT ORDER

JOHN M. HUFF, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Mark J. Rachel, and Ryan Dale Trimble have reached a settlement in this matter and have agreed 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, RSMo[1] include the licensure, supervision, regulation, and discipline of insurance producers in the State of Missouri.

2. The Consumer Affairs Division of the Department has the duty of conducting investigations into the qualifications of insurance producer license applicants and has been

[1] All civil statutory references are to the 2000 Missouri Revised Statutes, as updated by the 2013 RSMo Supplement, unless otherwise noted.

authorized by the Director to initiate actions before the Director to enforce the insurance laws of Missouri, including insurance producer license application refusal.

3. On July 30, 2007, Applicant Ryan Dale Trimble ("Trimble") pled guilty to, and was convicted of, Driving While Intoxicated - Alcohol - Persistent Offender, a Class D Felony, in violation of § 577.010.[2] *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 0616-CR04979-01 ("*Trimble I*"). The court sentenced Trimble to four years' incarceration, but suspended execution of the sentence and ordered him to complete three years' supervised probation, from which it discharged him on July 23, 2010. *Id.*

4. On April 12, 2012, Trimble pled guilty to, and was convicted of, Possession of a Controlled Substance Except 35 Grams or Less of Marijuana, a Class C Felony, in violation of § 195.202. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1016-CR05554-01 ("*Trimble II*"). The court sentenced Trimble to six years' incarceration, but suspended execution of the sentence and ordered him to complete four years' supervised probation, from which it discharged him on April 28, 2015. *Id.*

5. On August 23, 2012, Trimble pled guilty to, and was convicted of, Driving While Intoxicated - Alcohol - Aggravated Offender, a Class D Felony, in violation of § 577.010, Operating a Motor Vehicle on a Highway While Drivers License Revoked, a Class D Felony, in violation of § 302.321, and Resisting or Interfering With an Arrest, Detention, or Stop, a Class A Misdemeanor, in violation of § 575.150. *State v. Ryan Dale Trimble*, Jackson Co. Cir. Ct., Case No. 1116-CR01480-01 ("*Trimble III*"). The court sentenced Trimble to terms of incarceration ranging from 120 days to four years, to be served concurrently with one another and with the sentence it imposed in *Trimble II*, but suspended execution of the sentences and ordered him to

[2] All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri pursuant to which each judgment was rendered.

complete terms of probation ranging from two to three years, from which it discharged him on April 28, 2015. *Id.*

6. *Trimble II* and *Trimble III* were criminal prosecutions for felonies and crimes involving moral turpitude.

7. Trimble was formerly licensed by the Department as an insurance producer from May 1, 2008 until May 1, 2012.

8. During his former period of licensure, Trimble reported neither the criminal prosecution of *Trimble II* nor the criminal prosecution of *Trimble III* to the Director.

9. On August 5, 2015, the Department received Trimble's Uniform Application for Individual Producer License/Registration ("Application").

10. Trimble acknowledges and understands that pursuant to § 375.141.1(2) the Director may refuse to issue Trimble a resident insurance producer license because he violated an insurance law, specifically § 375.141.7, when he failed to report to the Director the criminal prosecutions of *Trimble II* and *Trimble III* while previously licensed as an insurance producer.

11. Trimble acknowledges and understands that pursuant to § 375.141.1(6) the Director may refuse to issue Trimble a resident insurance producer license because he has been convicted of felonies and crimes involving moral turpitude, and that each of his convictions constitutes a separate and sufficient cause to refuse licensure. *See Trimble I, Trimble II, and Trimble III.*

12. Jared Arden Cleckner ("Cleckner"), insurance producer license number 8291681, hereby agrees to supervise Trimble and ensure Trimble's compliance with the terms of this Consent Order and Missouri's insurance laws and regulations.

13. Trimble and Cleckner acknowledge and understand that they have the right to consult attorneys at their own expense.

14. Trimble stipulates and agrees to waive any waivable 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 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.

15. Trimble acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Trimble further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and in other jurisdictions, and that it is his responsibility to comply with the reporting requirements of each state in which he may be licensed.

16. 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 representative capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

17. The foregoing facts hereby admitted by Trimble constitute cause for the Director to refuse Trimble's Application pursuant to § 375.141.1(2).

18. The foregoing facts hereby admitted by Trimble constitute cause for the Director to refuse Trimble's Application pursuant to § 375.141.1(6).

19. The Director may issue orders in the public interest pursuant to § 374.046.

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

ORDER

IT IS ORDERED that the Department will issue a resident insurance producer license to Ryan Dale Trimble, subject to the conditions set forth herein and the following special conditions:

1. Jared Arden Cleckner agrees to supervise Ryan Dale Trimble and ensure his compliance with Missouri insurance laws and regulations.

2. Jared Arden Cleckner also agrees to supervise Ryan Dale Trimble's compliance with the terms of this Consent Order. Jared Arden Cleckner agrees to report any violation of the terms of this Consent Order to the Consumer Affairs Division within five (5) business days of first becoming aware of any violation, and shall maintain a system of procedures reasonably designed to detect any failure by Ryan Dale Trimble to comply with the terms of this Consent Order.

3. Jared Arden Cleckner shall notify the Department within five (5) business days of any change to his status as the supervisor of Ryan Dale Trimble.

4. Ryan Dale Trimble is required to enter into a new Consent Order with the Department in order to maintain his resident insurance producer license if, prior to the expiration, renewal, or refusal of Ryan Dale Trimble's resident insurance producer license, Jared Arden Cleckner ceases or becomes unable to act as Ryan Dale Trimble's supervisor pursuant to this Consent Order. Ryan Dale Trimble acknowledges and understands that the issuance of any future

Consent Order or renewal of his resident insurance producer license is at the discretion of the Director, as authorized by Chapters 374 and 375.

5. Ryan Dale Trimble shall report to Jared Arden Cleckner and to the Consumer Affairs Division any violation of or failure to comply with Missouri insurance laws and regulations, including those set forth in Chapters 374 and 375, within five (5) business days of such violation or failure to comply.

6. Ryan Dale Trimble shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.

7. If a consumer complaint is communicated directly to Ryan Dale Trimble, he shall send the Consumer Affairs Division a copy of the complaint and a copy of his response to the consumer within five (5) business days of receipt of the consumer complaint.

8. Ryan Dale Trimble shall report to the Consumer Affairs Division any of the following incidents involving him: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Ryan Dale Trimble shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

9. Ryan Dale Trimble shall report to the Consumer Affairs Division any administrative action taken against him by any other state or federal governmental agency in Missouri or any other jurisdiction within five (5) business days of the final disposition of such administrative action.

10. Ryan Dale Trimble shall voluntarily surrender his resident insurance producer license to the Department within five (5) business days of any of the following incidents involving him: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction

concerning a felony or misdemeanor, regardless of whether any associated sentence is suspended or executed.

11. The special conditions listed in the preceding ten (10) paragraphs will expire upon the earlier of the expiration or renewal of Ryan Dale Trimble's two (2) year resident insurance producer license, or the refusal to renew or revocation of Ryan Dale Trimble's resident insurance producer license.

IT IS FURTHER ORDERED that if Ryan Dale Trimble maintains his resident insurance producer license beyond the initial two (2) year term and complies with the terms of this Consent Order, he may apply to renew his resident insurance producer license and the Director shall consider any renewal application in accordance with Chapters 374 and 375, but without regard to the criminal prosecutions, or the associated conduct, in *Trimble I*, *Trimble II*, and *Trimble III*, and without regard to Trimble's previous violation of § 375.141.7.

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

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 Ryan Dale Trimble has the right to a hearing, but that Ryan Dale Trimble has waived the hearing and agreed to the issuance of this Consent Order.

Ryan Dale Trimble, Applicant
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bigtrim@gmail.com

11-2-15
Date

_____, Missouri Bar #_____
Counsel for Applicant
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Date

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11/2/15
Date

_____, Missouri Bar #_____
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12 November 2015
Date