STATE OF MISSOURI

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

RECEIVED
JAN 06 2016
MO. DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN RE: RICHARD WESTERMAYER
917 KINSTERN DR.
DES PERES, MO 63131

TRACKING ID 257408

VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Richard Westermayer 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, Richard Westermayer ("Westermayer") has a resident individual producer license with the Department, pursuant to Chapter 375, RSMo;

WHEREAS, the Consumer Affairs Division has received information concerning Westermayer's failure to report a criminal prosecution for a felony within thirty days of the initial pretrial hearing date, which is a violation of Section 375.141.7, RSMo (Supp. 2013), and subjects Westermayer to enforcement action by the Director;

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

AND WHEREAS, Westermayer 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 Westermayer, in which action the Director or the Consumer Affairs Division alleges that the violation described herein forms part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Westermayer are committed knowingly, intentionally or in conscious disregard of the law, that he failed to report any criminal prosecution for a felony within thirty days of the initial pretrial hearing date and that such conduct violated Section 375.141.7, RSMo;

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, Westermayer does hereby voluntarily and knowingly surrender and forfeit the sum of $250.00 (two hundred fifty dollars), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Westermayer 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 January 4, 2016.

The parties agree that, should the Director or the Division in the future allege a different violation of the insurance laws or regulations by Westermayer, nothing in this Agreement shall preclude the Director or the Consumer Affairs Division from introducing Westermayer's 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: 12/30/15

Richard Westermayer
License No. 8308080

DATED: 1/08/16

Carrie Couch, Director
Consumer Affairs Division

DATED: 1/11/16

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

Return original to:
Karen Crutchfield
Missouri Department of Insurance,
Financial Institutions and Professional Registration
PO Box 4001
Jefferson City, MO 65102