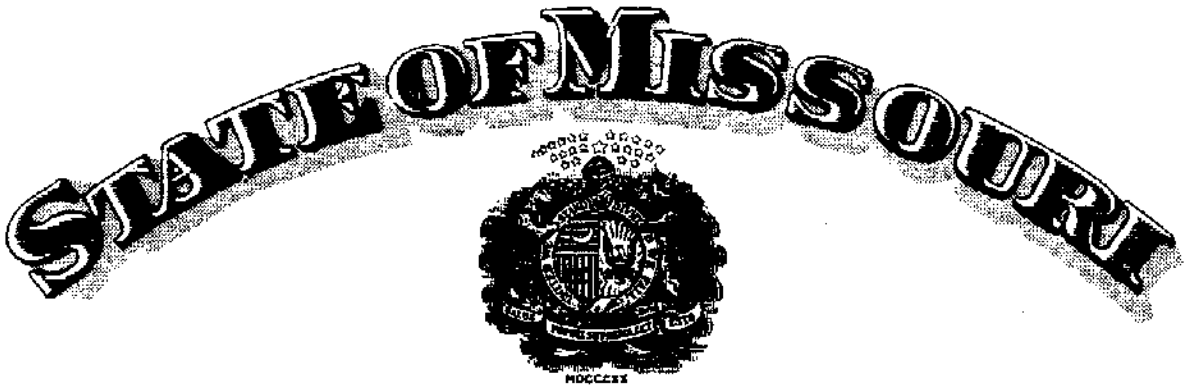


DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
LAWRENCE J. RUEMKER,	)	**Case No. 09-1116769C**
	)	
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 legal counsel Kristen E. Paulsmeyer, and Lawrence J. Ruemker, 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") whose duties, pursuant to Chapters 374 and 375, RSMo,[1] include the supervision, regulation and discipline of insurance producers and business entity producers.

2. The Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of insurance producers under the insurance laws of this state and is

[1] All statutory references are to the 2010 Supplement to the Revised Statutes of Missouri unless otherwise noted.

authorized by the Director to investigate and to recommend enforcement action for violations of the insurance laws of this state.

3. The Department of Insurance, Financial Institutions and Professional Registration ("Department") originally issued Lawrence J. Ruemker ("Ruemker") an insurance producer license (No. 0287316) on April 17, 1980. The license remains active and expires on April 17, 2012.

4. On or about March 6, 2001, the Family Court of St. Louis County Circuit Court, State of Missouri, ordered Ruemker to pay $425.00 per month for child support for four children. *Donna Ruemker v. Lawrence Reumker*, No. 00FC-010057.

5. On or about August 27, 2007, Ruemker pleaded guilty to three counts of the Class D Felony of Criminal – Non Support for the offense date of January 1, 2006 through December 31, 2006, in St. Louis County Circuit Court, State of Missouri. *State of Missouri v. Lawrence J. Ruemker*, No. 06CR-4322.

6. On or about September 27, 2007, the St. Louis County Circuit Court suspended the imposition of sentence on the three counts of the Class D Felony of Criminal – Non Support, placed Ruemker on five years probation, and ordered him to pay court costs.

7. As a condition to his probation, the Court ordered Ruemker to pay the sum of $600 per month ($425/current and $175/arrearage) beginning November 15, 2007.

8. Ruemker failed to report to the Director the Class D Felony of Criminal – Non Support within thirty days as required by § 375.141.7.

9. On or about April 23, 2009, Ruemker was called for a Probation Revocation Hearing and Judgment in St. Louis County Circuit Court, State of Missouri. *State of Missouri v. Lawrence Ruemker,* Case No. 2106R-4322.

10. On or about April 23, 2009, the St. Louis County Circuit Court held a probation revocation hearing as a result of Ruemker's failure to pay child support which was a condition of his probation. *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322. The Court sentenced Ruemker to one year in the Department of Justice Services for St. Louis County for each count, with the sentences of each count to be served concurrently. The court suspended execution of sentence on each count and placed Ruemker on five years probation.

11. As a condition to his probation, the Court ordered Ruemker to pay the sum of $600 per month ($425/current and $175/arrearage) for child support beginning June 1, 2009.

12. Section 375.141 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:
>
> * * *
>
> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;
>
> * * *
>
> (6) Having been convicted of a felony or crime involving moral turpitude;
>
> * * *
>
> (13) Failing to comply with an administrative or court order imposing a child support obligation[.]
>
> * * *
>
> 7. Within thirty days of the initial pretrial hearing date, a producer shall report to the director any criminal prosecution for a felony or a crime involving moral turpitude of the producer taken in any jurisdiction. The report shall include a copy of the indictment or information filed, the order resulting from the hearing and any other relevant legal documents.

13. Ruemker acknowledges and understands that under § 375.141.1(13) that the Director may revoke his insurance producer license for Ruemker's failure to comply with an administrative or court order imposing a child support obligation.

14. Ruemker acknowledges and understands that under § 375.141.1(6) that the Director may revoke his insurance producer license for Ruemker being found guilty of the Class D Felony of Criminal – Non Support.

15. Ruemker acknowledges and understands that under § 375.141.1(2) the Director may revoke his insurance producer license for Ruemker's failure to report to the Director the felony prosecution of criminal – non support within thirty days of the initial pretrial hearing date as required by § 375.141.7.

16. On or about February 10, 2011, counsel for the Consumer Affairs Division sent documentation which described the specific conduct for which discipline was sought and citation to the law and rules allegedly violated, along with documents which were the basis thereof. Ruemker was advised that Ruemker had sixty (60) days to review and consider the proposed settlement offer.

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

18. Ruemker acknowledges and understands that he has been advised that he may, either at the time the settlement agreement is signed by all parties, or within fifteen (15) days thereafter, submit the agreement to the Administrative Hearing Commission for determination that the facts agreed to by the parties to the settlement constitute grounds for disciplining Ruemker's license.

19. Except as provided in paragraph 18, above, Ruemker 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 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.

20. 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

20. The actions admitted by Ruemker are grounds to discipline his Missouri insurance producer license pursuant to §§ 375.141.1(2), 375.141.1(6), and 375.141.1(13).

21. The Director may impose orders in the public interest under § 374.046.15.

22. 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

IT IS SO ORDERED that Lawrence J. Ruemker shall pay the amount of two hundred fifty dollars ($250.00) as a forfeiture as authorized by § 374.046.15, RSMo and pursuant to § 374.280 RSMo, payable to the Missouri State School Fund for the above-described violations, after being afforded the opportunity to consult legal counsel. The Director shall forward these funds to the state treasury for the benefit of school fund as provided in §§ 374.049.11 RSMo, 374.280.2 RSMo, and Article IX, Section 7 of the Constitution of Missouri.

IT IS FURTHER ORDERED that such payment shall be due immediately and payable by money order or cashier's check to the Missouri State School Fund, and shall be forwarded with this executed Consent Order to the attention of Kristen E. Paulsmeyer, Missouri Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City, Missouri, 65102. Any correspondence and/or money order or cashier's checks shall reference the case name and number appearing at the top of this Order.

IT IS FURTHER ORDERED that if Lawrence J. Ruemker fails to make payment in accordance with the terms of this Consent Order, the state of Missouri, the Director or the Department may pursue additional legal remedies.

IT IS FURTHER ORDERED that Lawrence J. Ruemker shall maintain full compliance with child support obligations as required by all court orders, including but not limited to the terms of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322.

IT IS FURTHER ORDERED and Lawrence J. Ruemker acknowledges and agrees that if at any time he fails to timely make any child support payment required under the conditions of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322, or required by any other court or administrative body, then Ruemker will be deemed to have failed to satisfy the conditions of this Consent Order and such failure shall be grounds for discipline of his insurance producer license.

IT IS FURTHER ORDERED AND AGREED that Lawrence J. Ruemker, by signing this Consent Order, authorizes the Department to obtain from the Missouri Department of Social Services, Family Support Division, records of Ruemker's payment history showing compliance or non-compliance with his child support obligations. Ruemker agrees that he intends his signature below as a release of such records to the Department.

IT IS FURTHER ORDERED that Lawrence J. Ruemker shall report to the Department of Insurance, Financial Institutions and Professional Registration any violation of the terms and conditions of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322, within five business days of said violation.

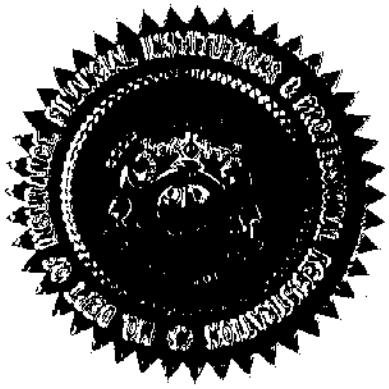
IT IS FURTHER ORDERED AND AGREED that Lawrence J. Ruemker, by signing this Consent Order, authorizes any agent or employee of the Board of Probation and Parole to discuss his case and his personal information including the release of records showing compliance or noncompliance with probation terms and conditions with a representative of the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration. Ruemker agrees that he intends his signature below as a release of such records to the Department.

IT IS FURTHER ORDERED that Lawrence J. Ruemker shall report to the Department of Insurance, Financial Institutions and Professional Registration when he completes his probation and has been discharged from probation by the Court in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322 within thirty (30) days of receiving notification of such a finding.

IT IS FURTHER ORDERED AND AGREED that for ten years subsequent to the date of this executed Consent Order, Lawrence J. Ruemker shall voluntarily surrender his license to the Department of Insurance, Financial Institutions and Professional Registration within thirty (30) days of a finding by any court that Ruemker has violated the terms of his probation in *State of Missouri v. Lawrence Ruemker*, No. 2106R-4322 or within thirty (30) days of Ruemker's entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony, crime of moral turpitude, or failure to pay child support.

IT IS FURTHER ORDERED that the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374 and 375, RSMo.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 19TH DAY OF APRIL, 2011.



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

Lawrence J. Ruemker
P.O. Box 4352
St. Louis, Missouri 63123

4-6-2011
Date

Respondent

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

Date

Kristen E. Paulsmeyer
Counsel for Consumer Affairs Division
Missouri Bar No. 56458
Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: (573) 751-2619
Facsimile: (573) 526-5492

4/13/11
Date