



DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:)
)
SAMUEL LEVI SADLER,) Case No. 12-0509395C
)
Respondent.)

FIRST AMENDED 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 Tammy S. Kearns, and Samuel Levi Sadler (“Sadler”), 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, 375, and 385 RSMo,¹ include the supervision, regulation, and discipline of motor vehicle extended service contract producers.

2. The Department’s Consumer Affairs Division (“Division”) has the duty of conducting investigations into the acts of motor vehicle extended service contract producers

¹ All statutory references are to RSMo (2000) as updated by RSMo (Supp. 2011) unless otherwise noted.

under Chapters 374, 375, and 385, and is authorized to investigate and recommend enforcement action, including motor vehicle extended service contract producer license application refusal.

3. On or about November 3, 2003, Sadler pleaded guilty to Burglary – 2nd Degree, a Class C Felony, in violation of § 569.170. The court sentenced Sadler to five (5) years' confinement, but suspended the execution of sentence and placed Sadler on supervised probation for five (5) years. *State of Missouri v. Samuel Levi Sadler*, St. Charles Co. Cir. Ct., Case No. 02CR130719-01.

4. On or about November 3, 2003, Sadler entered an Alford Plea to Tampering With Motor Vehicle, Airplane, Motor Boat, Etc. – 1st Degree, a Class C Felony, in violation of § 569.080. The court sentenced Sadler to five (5) years' confinement, but suspended the execution of sentence and placed Sadler on supervised probation for five (5) years. *State of Missouri v. Samuel Levi Sadler*, St. Charles Co. Cir. Ct., Case No. 02CR130627-01.

5. On November 2, 2008, Sadler was discharged from probation in case numbers 02CR130719-01 and 02CR130627-01. However, Sadler is currently on probation as a result of a 2010 misdemeanor charge of Unlawful Use of Drug Paraphernalia, in which the court suspended the imposition of sentence and placed Sadler on supervised probation for two (2) years. *State of Missouri v. Samuel Levi Sadler*, Lincoln Co. Cir. Ct., Case No. 10L6-CR00111.

6. Sadler's probation is scheduled to be completed on May 9, 2013.

7. On or about December 29, 2011 Sadler submitted an Application for a Motor Vehicle Extended Service Contract Producer License ("Application") to the Department.

8. On or about August 3, 2012, the Department and Sadler entered into a Consent Order in this case.

9. This First Amended Consent Order, once issued by the Director, will replace the Consent Order entered in this case on August 3, 2012, and the August 3, 2012 Consent Order will become null and void.

10. Sadler acknowledges and understands that under § 385.209.1(5), the Director may refuse to issue a motor vehicle extended service contract producer license to Sadler because Sadler has been convicted of two felonies.

11. John Inez Velasco ("Velasco"), General Manager of Motor Vehicle Solutions, agrees to supervise Sadler and ensure his compliance with Missouri's insurance laws and regulations in Chapters 374, 375, and 385, and more specifically with Missouri's motor vehicle extended service contract laws and regulations, as well as the terms of this Consent Order.

12. Velasco's supervisory term will end upon the earlier of the expiration or renewal of Sadler's two (2) year producer license or the revocation of Sadler's producer license.

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

14. This Consent Order is entered pursuant to §§ 374.046 and 385.216. As such, any interested person aggrieved by this Consent Order may request a hearing before the Director or review of this Consent Order in a circuit court under § 374.055. Although under the Department's interpretation of the relevant statutes, review of this Consent Order by the Administrative Hearing Commission is not available, Sadler nevertheless may have the right, under § 621.045, to submit this Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to in this Consent Order constitute grounds to refuse Sadler's producer license.

15. Sadler stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission, 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.

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

Conclusions of Law

17. The actions admitted by Sadler may be grounds to refuse his Missouri motor vehicle extended service contract producer license application pursuant to § 385.209.1(5).

18. The Director may impose orders in the public interest under §§ 374.046 and 385.216.

19. 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.

ORDER

IT IS ORDERED that the Department will issue a motor vehicle extended service contract producer license to Samuel Levi Sadler subject to the conditions set forth herein.

IT IS ORDERED that this First Amended Consent Order, once issued by the Director, will replace the Consent Order entered in this case on August 3, 2012, and the August 3, 2012 Consent Order will become null and void.

IT IS ORDERED that John Inez Velasco, General Manager of Motor Vehicle Solutions, agrees to supervise Samuel Levi Sadler and ensure his compliance with Missouri's insurance laws and regulations listed in Chapters 374, 375, and 385, and with Missouri's motor vehicle extended service contract laws and regulations.

IT IS ORDERED that Samuel Levi Sadler shall report to the Consumer Affairs Division any violation of or failure to comply with the laws and regulations set forth in Chapters 374, 375, or 385 within five (5) business days of such violation or failure to comply. Sadler shall also immediately report said violation or failure to comply with Chapters 374, 375, and 385 to John Inez Velasco, who is required to report Sadler's violations or failures to comply to the Consumer Affairs Division within five (5) days of first becoming aware of such violation.

IT IS ORDERED that John Inez Velasco also agrees to supervise Samuel Levi Sadler's compliance with the terms of this Consent Order. In doing so, Velasco agrees to report any violations of the terms of this Consent Order to the Consumer Affairs Division within five (5) business days of first becoming aware of such violation and shall maintain a system of procedures reasonably designed to detect any failure of Sadler to comply with this Consent Order.

IT IS ORDERED that Samuel Levi Sadler shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five (5) business days of receipt. Sadler shall immediately report in writing all inquiries and consumer complaints, both written and oral, to John Inez Velasco, and Velasco shall also respond to the Consumer Affairs Division or consumer within five (5) business days of receipt. If a complaint was not communicated to Sadler by the Department, Sadler shall send the

Department a copy of the complaint and Sadler's and Velasco's responses to the consumer within five (5) business days of receipt.

IT IS ORDERED that John Inez Velasco's supervisory term will end upon the earlier of the expiration or renewal of Sadler's two (2) year producer license or the revocation of Sadler's producer license. Velasco shall notify the Department within five (5) business days of any change to his status as the supervisor of Sadler.

IT IS ORDERED that Samuel Levi Sadler shall maintain full compliance with all court orders and other requirements relating to *State of Missouri v. Samuel Levi Sadler*, Lincoln Co. Cir. Ct., Case No. 10L6-CR00111. Sadler shall sign and submit a Statement of Compliance to the Director within 30 days of his completion of probation. Should Sadler's probation be revoked, Sadler shall notify the Consumer Affairs Division within five (5) business days of the revocation of probation and notify the Consumer Affairs Division of the consequences ordered by the court.

IT IS ORDERED that Samuel Levi Sadler shall execute and submit any necessary documents to provide the Department access to Sadler's probation and court records, including access to any chemical test results.

IT IS ORDERED that Samuel Levi Sadler shall report to the Consumer Affairs Division any and all of the following incidents involving Sadler: probation violation, probation revocation, guilty plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Sadler shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

IT IS ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Samuel Levi Sadler will voluntarily surrender his producer license to the Department

within five (5) business days of Sadler's entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony, regardless of whether sentence is imposed, suspended, or executed.

IT IS ORDERED that Samuel Levi Sadler shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Sadler in another jurisdiction or by another governmental agency in this state within five (5) business days after Sadler receives notification of the initiation of such administrative action.

IT IS ORDERED that if Samuel Levi Sadler maintains his motor vehicle extended service contract producer license beyond the initial term and complies with the terms of this Consent Order, Sadler may apply to renew his producer license and the Director shall consider the renewal application in accordance with Chapters 374, 375, and 385 without regard to Sadler's prior felonies, or the underlying conduct, in *State of Missouri v. Samuel Levi Sadler*, St. Charles Co. Cir. Ct., Case No. 02CR130719-01 and *State of Missouri v. Samuel Levi Sadler*, St. Charles Co. Cir. Ct., Case No. 02CR130627-01.

IT IS ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374, 375, and 385 including remedies for violation of, or failure to comply with, the terms of this Consent Order.

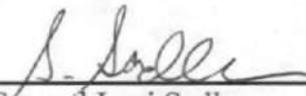
SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 26th DAY OF SEPTEMBER, 2012.




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 Samuel Levi Sadler may have a right to a hearing, but that Samuel Levi Sadler has waived the hearing and consented to the issuance of this Consent Order.



Samuel Levi Sadler
4 East Crestview Drive
O'Fallon, MO 63366
Telephone: (636) 980-6556
Respondent

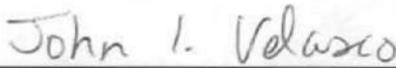
9-21-12

Date

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

Telephone: _____
Facsimile: _____

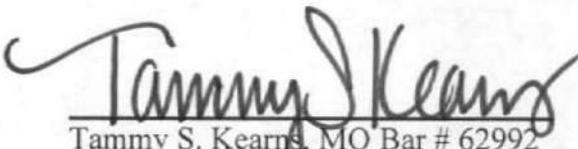
Date



John Inez Velasco, General Manager
of Motor Vehicle Solutions and
Supervisor of Samuel Levi Sadler
1278 Jundermann Road, Suite A
St. Peters, MO 63376
Telephone: (636) 229-5053
Facsimile: _____

9-21-12

Date



Tammy S. Kearns, MO Bar # 62992
Counsel for Consumer Affairs Division
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

9/25/2012

Date