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DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

STATE OF MISSOURI

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DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

VOLUNTARY FORFEITURE AGREEMENT

TO: Sandra L. Jerzy, Assistant Regional Counsel
First American Title Insurance Company
27775 Diehl Rd.
Warrenville, IL 60555

RE: Gerald Bittle, Complainant
Our File #08A000804

DATE: April 20, 2010

It is hereby agreed by First American Title Insurance Company 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) whose duties, pursuant to Chapters 374, 375 and 381 RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration is charged with investigating producers, business entity

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, First American Title Insurance Company, holds a Certificate of Authority issued by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapters 374, 375 and 381 RSMo;

WHEREAS, the investigation by the Consumer Affairs Division revealed that First American Title Insurance Company violated our insurance laws and is subject to enforcement action by the Director for the following:

Failure to notify the insured setting forth the reasons that more time is needed to investigate the claim within forty-five (45) days and every forty-five (45) days thereafter being a violation of Section 375.1007 (3) RSMo and 20 CSR 100-1.050 (1) (C).

WHEREAS, First American Title Insurance Company, has been informed of the nature of their violations, their right to counsel, and their right to contest any attempt by the Department of Insurance, Financial Institutions, and Professional Registration to discipline the Certificate of Authority, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that it understands its rights to contest any such actions;

NOW, THEREFORE, in lieu of the Department of Insurance, Financial Institutions, and Professional Registration of any action to revoke or suspend the Certificate of Authority of First American Title Insurance Company, or to impose any other penalties provided for by statute for the above-described violation, after being afforded the opportunity to consult legal counsel, First American Title Insurance Company, does hereby voluntarily and knowingly surrender and forfeit the sum of $1,000.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

First American Title Insurance Company, shall submit this sum to the Department of Insurance, Financial Institutions, and Professional Registration, by company check, cashier's check or money order made payable to the Missouri School Fund no later than May 11, 2010

4-26-2010
Dated:

Sandra L. Jerzy
First American Title Insurance Company

4-30-2010
Dated:

Angela L. Nelson, Division Director

5-3-10
Dated:

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

Please submit this form along with payment to:
Missouri Department of Insurance
Attention: Larry Leppard, Title Insurance Investigator II
P O Box 4001
Jefferson City, MO 65102-0690
(573) 526-3411