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DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: DAN MCNERNEY
801 GRAY OAK DRIVE
COLUMBIA, MO 65201

Our File Number 09A000066, 09A000195

VOLUNTARY FORFEITURE

It is hereby agreed by Dan McNerney, President of Senior Benefit Services 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 and 375, 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 and companies engaged in the business of insurance pursuant to Section 374.085, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to insurance.

WHEREAS, Dan McNerney, is licensed as an insurance producer and Senior Benefit Services is not licensed by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapters 374 and 375, RSMo;

WHEREAS, information has been received by the Consumer Affairs Division concerning failure to obtain a Business Entity License for Senior Benefit Solutions, a violation of Sections 375.015.2 and 375.141.1(2) RSMo (Cum. Supp. 20078), subjecting Dan McNerney to enforcement action by the Director;

WHEREAS, Dan McNerney and Senior Benefit Services have been informed of the nature of their violations, of their right to counsel and of their right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to discipline their insurance producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that they understand their rights to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration of any action to revoke or suspend the insurance producer license of Dan McNerney and Senior Benefit Services or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Dan McNerney and Senior Benefit Services, do hereby voluntarily and knowingly surrender and forfeit the sum of $3000.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

Dan McNerney or Senior Benefit Services shall submit this sum to the Department of Insurance, Financial Institutions and Professional Registration, by cashier's check or money order made payable to the Missouri State School Fund no later than March 17, 2010.

DATED: 3/15/10

Dan McNerney, President
Senior Benefit Services

DATED: 3/17/2010

Angela Nelson, Division Director
Consumer Affairs Division

DATED: 3-18-10

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

Return to:
Diana Brady
Missouri Department of Insurance, Financial
Institutions and Professional Registration
P O Box 4001
Jefferson City, MO 65102-4001