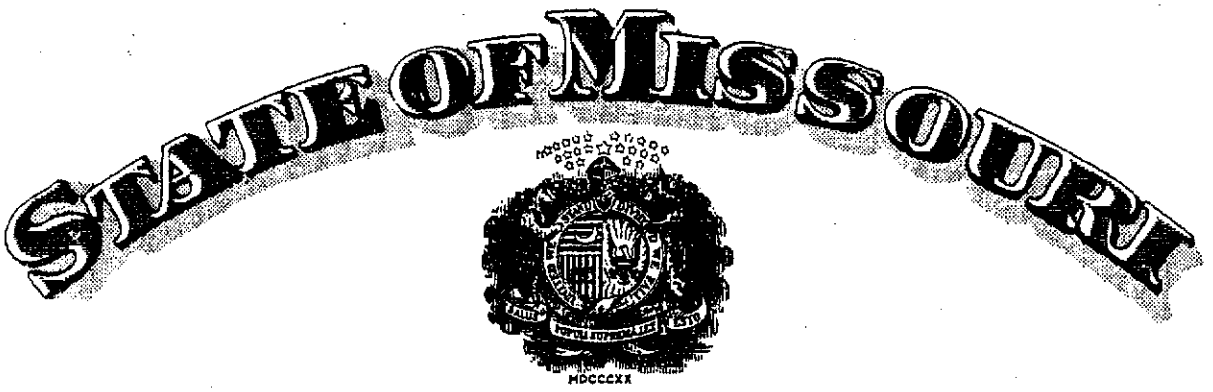


# DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: SHMARA SIMMONS
4522 RICHMOND PLACE
FLORISSANT MO 63034

Our File Number 09A000177

## VOLUNTARY FORFEITURE

It is hereby agreed by Shmara Simmons 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 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance.

WHEREAS, Shmara Simmons currently has a resident insurance producer renewal application pending with the Department of Insurance, Financial Institutions and

Professional Registration;

WHEREAS, information has been received by the Consumer Affairs Division concerning a regulatory action against Shmara Simmons, which alleges Shmara Simmons was issued a probationary license by the state of Indiana in October 2005, which she failed to report to the state of Missouri. The probationary license was issued to Simmons based on a 1994 forgery conviction, which was ultimately removed from Simmons' record. Simmons' probationary status required Simmons' employer, GMAC, to report quarterly to the Indiana Department of Insurance regarding Simmons' employment. Simmons' employment with GMAC ended in March 2006 and only one (1) report was filed by GMAC with the Indiana Department of Insurance. Due to the failure of GMAC and Simmons to report, Simmons' producer license was revoked by the Indiana Department of Insurance in April 2007. Simmons failed to report the license probation in 2005 and revocation of her license in the state of Indiana in 2007, which are a violation of Section 375.141.6, RSMo (Cum. Supp. 2008), and subjects Simmons to enforcement action by the Director;

WHEREAS, Shmara Simmons has been informed of the nature of her violations, of her right to counsel and of her right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to refuse her insurance producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that she understands her rights to contest any such actions;

NOW, THEREFORE, in complete settlement of the investigation in File Number 09A000177, in lieu of the institution by the Department of Insurance, Financial

Institutions and Professional Registration of any action to refuse the insurance producer application of Shmara Simmons or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Shmara Simmons, without any admission of a violation of the law, does hereby voluntarily and knowingly surrender and forfeit the sum of five hundred dollars ($500), such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

Shmara Simmons 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 May 29, 2009.

DATED: ~~May 14, 2009~~ MAY 29, 2009

JOHN M. HUFF
Director

DATED: May 14, 2009

Shmara Simmons

DATED: 5/28/09

Mary Kempker
Director
Consumer Affairs Division

Please submit this agreement along with payment to:
Missouri Department of Insurance
Attention: Carrie Couch, Special Investigator
PO Box 4001
Jefferson City, MO 65102
(573) 526-3410