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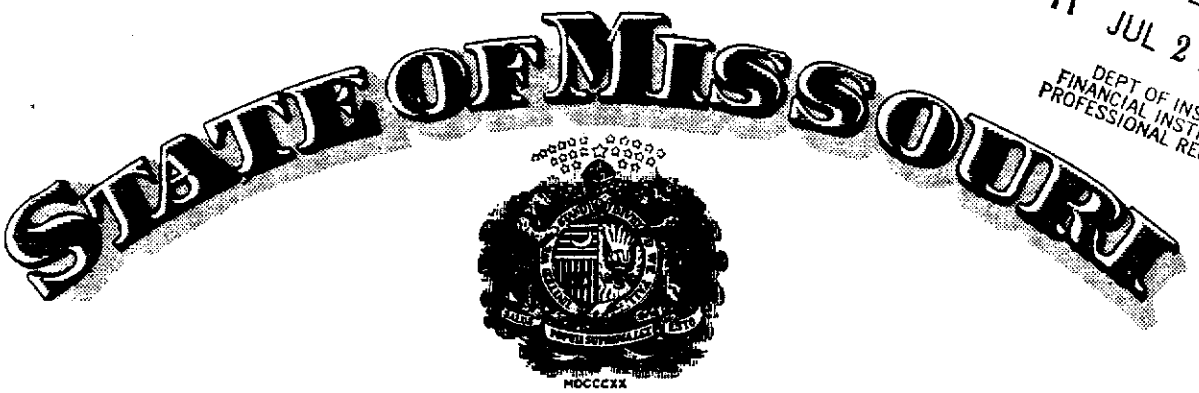
DEPT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION



DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE: SCOTT E.H. SMITH
4154 TOWNE GREEN CIRCLE
ADDISON, TX 75001

Our File Number 09A000441

VOLUNTARY FORFEITURE

It is hereby agreed by Scott E.H. Smith 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, the insurance producer license of Scott E.H. Smith is currently

expired, but application is pending 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 the license of Scott E.H. Smith, which alleges that Scott E.H. Smith, failed to notify the Department of Insurance, Financial Institutions and Professional Registration of a 2008 license denial in the state of Wisconsin, which is a violation of Section 375.141.6, RSMo (Cum. Supp. 2008) and subjects him to enforcement action by the Director;

WHEREAS, information has been received by the Consumer Affairs Division concerning the license of Scott E.H. Smith, which alleges that Scott E.H. Smith failed to disclose on his 2006 Missouri non-resident application an administrative action in the state of Texas, wherein the state of Texas determined that Scott E.H. Smith had materially misrepresented the terms and conditions of insurance policies and was ordered him to pay a $7,000 administrative penalty, which subjects him to enforcement action by the Director under Section 375.141.1(1), RSMo (Cum. Supp. 2008);

WHEREAS, Scott E.H. Smith has been informed of the nature of his violations, of his right to counsel and of his right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration, to discipline his insurance producer license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that he understands his 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 refuse to renew the

insurance producer license of Scott E.H. Smith or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Scott E.H. Smith, 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 (Cum. Supp. 2008).

Scott E.H. Smith 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 August 3, 2009.

DATED: 8-5-09

JOHN M. HUFF
Director

DATED: 7/21/2009

Scott E.H. Smith

DATED: 7/29/2009

Angela L. Nelson
Director of Consumer Affairs Division