DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

RECEIVED
AUG 29 2008
DEPT. OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

Our File Number 08A000319

IN RE: NICHOLE OVERBEY
3065 WILLIAM ST STE 309
CAPE GIRARDEAU MO 63703

VOLUNTARY FORFEITURE

It is hereby agreed by NICHOLE OVERBEY and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, Linda Bohrer, or her successor, is the duly appointed Acting 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, NICHOLE OVERBEY is licensed as an insurance producer by the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapter 375, RSMo;

WHEREAS, the investigation by the Consumer Affairs Division revealed NICHOLE OVERBEY violated our insurance laws and is subject to enforcement action by the Director for the following:

1. Violation of 20 CSR 700-1.140(2), failed to meet document handling standards of a personal insurance policy and application, which is grounds for discipline under Section 375.141.1(2) RSMo (Cum. Supp. 2007);

2. Signed the name of another to an insurance document related to an insurance transaction, which is grounds for discipline under Section 375.141.1(10) RSMo (Cum. Supp. 2007);

3. Used coercive and dishonest practices, demonstrated incompetence and untrustworthiness in the sale of the Bankers Life & Casualty insurance policy to Donald Hency within the state or elsewhere, which is grounds for discipline under Section 375.141.1(8) RSMo (Cum. Supp. 2007).

WHEREAS, NICHOLE OVERBEY 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 discipline 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 08A000319, 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 NICHOLE OVERBEY or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, NICHOLE OVERBEY, without any admission of a violation of the law, does hereby voluntarily and knowingly surrender and forfeit the sum of $300.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

NICHOLE OVERBEY 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 29, 2008.

DATED: 9-9-08

LINDA BOHRER
Acting Director

DATED: 9/3/08

MARY KEMPKER
Division Director

DATED: 08-26-08

NICHOLE OVERBEY
Producer

Return to:
Department of Insurance, Financial Institutions & Professional Registration
Attn: Dennis Fitzpatrick
P. O. Box 4001
Jefferson City, MO 65102