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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

In Re: David Pennington III
PO Box 709
Dalton, GA 30722

File Number 08A001017

## VOLUNTARY FORFEITURE

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

WHEREAS, Kip Stetzler 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 Sections 374.085 and 374.190, RSMo 2000 and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, David Pennington III has applied to renew his license as an insurance producer with 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 which alleges that David Pennington III failed to report an administrative action within thirty days of the final disposition of the matter, in violation of Section 375.141.6, RSMo (Cum. Supp. 2007), subjecting David Pennington III to enforcement action by the Director;

WHEREAS, David Pennington III has been informed of the nature of the violation, 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 license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that he understand his rights to contest any such actions;

NOW, THEREFORE, in complete settlement of the investigation in File Number 08A001017 in lieu of the institution by the Department of Insurance, Financial Institutions and Professional Registration of any action to deny the renewal license of David Pennington III, or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, David Pennington III does hereby voluntarily and knowingly surrender and forfeit the sum of $250.00, such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

David Pennington III 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 February 4, 2009.

DATED: 1-30-09

Kip Stetzler
Acting Director

DATED: 1/21/09

David Pennington III
Producer

DATED: 1/29/09

Mary Kempker
Director of Consumer Affairs

Please return original to:
Karen Crutchfield
PO Box 4001
Jefferson City, MO 65102