RECEIVED
AUG 28 2007
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:
MARK ROBERT WERNER
ADDRESS: 2127 GOLDEN AVENUE
SPRINGFIELD, MO 65807

Our File Number 06A000385

VOLUNTARY FORFEITURE

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

WHEREAS, Douglas M. Ommen is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, State of Missouri (hereinafter, Director) whose duties, pursuant to Chapter 375, RSMo, include the supervision and regulation of the business;

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, Mark Werner is licensed as an insurance producer by the

Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapter 375, RSMo;

WHEREAS, information has been received by the Consumer Affairs Division concerning Mark Werner, which alleges that cause exists to discipline the producer's license of Mark Werner, as follows:

- **Section 375.141.1 (2) RSMo (Cum Supp 2006)** Violated regulation **20 CSR 400-5.700 (4) (A)** by failing to provide sufficiently complete and clear content in an accident and sickness insurance advertisement.
- **Section 375.141.1 (2) (Cum Supp 2006)** Violated regulation **20 CSR 400-5.700 (5) (A) 1 and 2 and 8** by using deceptive words or phrases in an accident and sickness insurance advertisement.
- **Section 375.141.1 (2) (Cum Supp 2006)** Violated regulation **20 CSR 400–5.700 (12) (A)** by not including the name of the actual insurer in the advertisement and by not listing the form numbers of the advertised policy.

subjecting him to enforcement action by the Director;

WHEREAS, Mark Werner 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 complete settlement of the investigation in File Number 06A000385, 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 Mark Werner or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Mark Werner, 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.

Mark Werner 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 30, 2007.

DATED: September 4, 2007

DOUGLAS M. OMMEN
Director

DATED: 8/27/07

Mark R. Werner
Producer's Name

DATED: 8/30/07

Kathyrn L. R. Turner
Consumer Affairs Division Counsel