DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
Virtis Lee Lewis, Jr.,	)	**Case No. 11-1229920C**
	)	
Applicant.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Carolyn H. Kerr, and Virtis Lee Lewis, Jr., through legal counsel Gilbert C. Sison, have reached a settlement in this matter and have consented to the issuance of this Consent Order.

Findings of Fact

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration ("Director" of the "Department") whose duties, pursuant to Chapters 374 and 375, RSMo,[1] include the supervision, regulation and discipline of insurance producers and business entity producers.

[1] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

2. The Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of insurance producers under the insurance laws of this state and is authorized by the Director to investigate and to recommend enforcement action for violations of the insurance laws of this state.

3. The Department issued Virtis Lee Lewis, Jr. ("Lewis") a non-resident insurance producer license (No. 0325889) on March 10, 2004. Lewis' license expired on March 10, 2012.

4. On or about April 17, 2009, an Information was filed against Lewis in the United States District Court, Eastern District of Missouri, alleging, in pertinent part, the following:

* * *

> 8. Beginning no later than on or about November 1, 2007, and continuing until on or about April 25, 2008, within the Eastern District of Missouri and elsewhere, VIRTIS LEWIS, the defendant herein did knowingly and willfully conspire, combine, confederate and agree with persons known and unknown to the government, to commit certain offenses against the United States, to wit (a) manufacturing and possession of counterfeit securities, in violation of Title 18, United States Code, Section 513.
>
> 9. An object of this conspiracy was to obtain money from fraudulent counterfeit checks produced by the defendant and others.
>
> * * *
>
> All in violation of Title 18, United States Code, Section 371.

United States of America v. Virtis Lewis, U.S.D.Ct., E.D. Mo., Case No. 4:09CR00280 DJS.

5. On or about April 17, 2009, Lewis pleaded guilty to felony Conspiracy to Defraud, in violation of 18 USC § 371, in accordance with a Plea Agreement. The court entered a judgment against Lewis and sentenced him to probation for a term of five years and ordered him, along with his co-defendants, to pay restitution in the total amount of $52,840.78. It also assessed a $100 fee against Lewis. *Plea Agreement* and *Judgment*, *United States of America v. Virtis Lewis*, U.S.D.Ct., E.D. Mo., Case No. 4:09CR00280 DJS.

Conclusions of Law

6. Lewis acknowledges and understands that under § 375.141.1(6) the Director may revoke his insurance producer license because Lewis pled guilty to felony Conspiracy to Defraud, in violation of 18 USC § 371, which is a crime involving moral turpitude, while a licensed insurance producer in Missouri.

7. Section 375.141, RSMo[2] provides, in part:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
>
> * * *
>
> (6) Having been convicted of a felony or crime involving moral turpitude[.]

Settlement Terms

8. Lewis acknowledges and understands that he has the right to consult counsel at his own expense.

9. Lewis admits to the facts alleged by the Consumer Affairs Division and outlined in this Consent Order.

10. Lewis agrees that these facts constitute grounds to discipline his non-resident producer license.

11. Lewis stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission or the Director and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director and his agents, and the

[2] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri, unless otherwise noted.

Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

12. Lewis acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Lewis further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications, if required, and that it is his responsibility to comply with the reporting requirements of each state in which he is licensed.

13. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

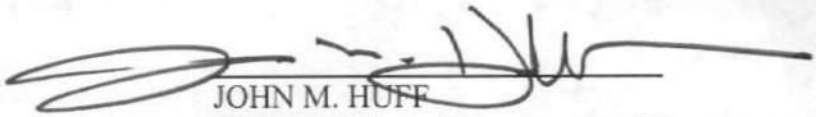
14. The Consumer Affairs Division is authorized to settle this matter, and the Director is authorized to issue this Consent Order in the public interest pursuant to §§ 374.046 and 621.045, RSMo, and § 536.060, RSMo (2000).

15. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED THAT Virtis Lee Lewis, Jr.'s non-resident producer license (#0325889) is hereby revoked.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 30TH DAY OF OCTOBER, 2012.



JOHN M. HUFF
Director, Missouri Department of Insurance,
Financial Institutions and Professional
Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Virtis Lee Lewis, Jr., has the right to a hearing, but that Virtis Lee Lewis, Jr., has waived the hearing and consented to the issuance of this Consent Order.

Virtis Lee Lewis, Jr.
976 A University Dr.
Edwardsville, IL 62025

10/26/2012
Date

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10/29/12
Date