DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In the Matter of:	)	
	)	
Cory R. Youngcourt,	)	**Case No. 12-0313291C**
	)	
Respondent.	)	

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 counsel Mary S. Erickson, and Cory R. Youngcourt, have reached a settlement in this matter and have consented to the issuance of this Consent Order.

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, 375, and 385 RSMo,[1] include the supervision, regulation, and discipline of motor vehicle extended service contract producers.

2. The Department's Consumer Affairs Division ("Division") has the duty of conducting investigations into the acts of motor vehicle extended service contract producers

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

under Chapters 374, 375, and 385, and is authorized to investigate and recommend enforcement action, including motor vehicle extended service contract producer license application refusal.

3. On or about May 18, 2000, Youngcourt was charged by Indictment with Felony Conspiracy to Possess With the Intent to Distribute MDMA (methylenedioxymethamphetamine), in violation of 21 U.S.C. §§ 841(a)(1) and 846, in the United States District Court, Eastern District of Missouri.

4. On November 3, 2000, Youngcourt pleaded guilty to Felony Conspiracy to Possess With the Intent to Distribute MDMA and was sentenced to three years' probation. *United States v. Corey* [sic] *Youngcourt*, U.S.D.Ct., E.D. Mo., No. 4:00CR425 JCH.

5. On December 13, 2011, Youngcourt submitted an Application for Motor Vehicle Extended Service Contract Producer License ("Application") to the Department.

6. Youngcourt acknowledges and understands that under § 385.209.1(5), the Director may refuse to issue a motor vehicle extended service contract producer license to Youngcourt because Youngcourt has been convicted of a felony.

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

8. This Consent Order is entered pursuant to §§ 374.046 and 385.216. As such, any interested person aggrieved by this Consent Order may request a hearing before the Director or review of this Consent Order in a circuit court under § 374.055. Although under the Department's interpretation of the relevant statutes, review of this Consent Order by the Administrative Hearing Commission is not available, Youngcourt nevertheless may have the right, under § 621.045, to submit this Consent Order to the Administrative Hearing Commission

for a determination that the facts agreed to in this consent order constitute grounds to refuse Youngcourt's license.

9. Youngcourt stipulates and agrees to waive any waivable rights that he may have to a hearing before the Administrative Hearing Commission, 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 Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

10. 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.

Conclusions of Law

11. The actions admitted by Youngcourt may be grounds to refuse his Missouri motor vehicle extended service producer license application pursuant to § 385.209.1(5).

12. The Director may impose orders in the public interest under §§ 374.046 and 385.216.

13. 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 the Department will issue a motor vehicle extended service contract producer license to Cory R. Youngcourt subject to the conditions set forth herein.

IT IS ORDERED that Cory R. Youngcourt shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five business days of receipt. Youngcourt shall report in writing all consumer complaints, both written and oral, to the Consumer Affairs Division, within five business days of receipt. If a complaint was not communicated to Youngcourt by the Department, Youngcourt shall send a copy of the complaint and Youngcourt's response to the consumer within five business days of receipt.

IT IS ORDERED that Cory R. Youngcourt shall report to the Consumer Affairs Division any and all of the following incidents involving Youngcourt: probation violation, probation revocation, arrest, citation, guilty plea, nolo contendere plea, finding of guilt or conviction concerning a felony or misdemeanor. Youngcourt shall report all such incidents to the Consumer Affairs Division within five business days of their occurrence.

IT IS ORDERED that for five years subsequent to the date of this executed Consent Order, Cory R. Youngcourt will voluntarily surrender his license to the Department within 30 days of Youngcourt's entry of a guilty plea, nolo contendere plea, finding of guilt or conviction for a felony, regardless of whether sentence is imposed, suspended or executed.

IT IS ORDERED that Cory R. Youngcourt shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Youngcourt in another jurisdiction or by another governmental agency in this state within five business days after Youngcourt receives notification of the initiation of such administrative action.

IT IS ORDERED that Cory R. Youngcourt shall report to the Consumer Affairs Division any violation of or failure to comply with the laws set forth in Chapters 374, 375 or 385 within five business days of such violation or failure to comply.

IT IS ORDERED that if Cory R. Youngcourt maintains his motor vehicle extended service contract producer license beyond the initial term and complies with the terms of this Consent Order, Youngcourt may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374, 375, and 385 without regard to Youngcourt's prior felony in *United States v. Corey* [sic] *Youngcourt*, U.S.D.Ct., E.D. Mo., No. 4:00CR425 JCH.

IT IS ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374, 375, and 385 including remedies for violation of, of failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 14TH DAY OF APRIL, 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 Cory R. Youngcourt may have a right to a hearing, but that Cory R. Youngcourt has waived the hearing and consented to the issuance of this Consent Order.

4-4-12

Cory R. Youngcourt
225 Corisande Hills Road
Fenton, MO 63026
Respondent

Date

Counsel for Respondent
Name: _____
Missouri Bar No. _____
Address: _____
_____
Telephone: _____

Date

4/11/12

Mary S. Erickson
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Missouri Bar No. 42579
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Date