



**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

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

In the Matter of:

JASON STEPHEN SPORE,

Applicant.

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Case No. 120424388C

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 Division of Consumer Affairs, through legal counsel Tammy S. Kearns, and Jason Stephen Spore, 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 and 375, RSMo,¹ include the supervision, regulation and discipline of insurance producers.

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

2. The Consumer Affairs Division of the Department ("Division") has the duty of conducting investigations into the unfair or unlawful acts of insurance producers and companies under the insurance laws of this state and has been authorized by the Director to investigate and initiate actions before the Director to enforce the insurance laws of this state.

3. The Department issued Jason Stephen Spore ("Spore") an insurance producer license (No. 8041223) on December 17, 2009, which he renewed on October 17, 2011. Spore's insurance producer license will expire on December 17, 2013.

4. On or about December 17, 2010, Spore operated a motor vehicle while under the influence of alcohol in violation of § 577.010, RSMo (Supp. 2010).

5. On or about May 9, 2011, Spore was charged with DWI – Alcohol – Persistent Offender, a Class D Felony, in St. Charles County.

6. On or about March 6, 2012, Spore pleaded guilty to DWI – Alcohol – Persistent Offender, a Class D Felony, in violation of § 577.010, RSMo (Supp. 2010). *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.

7. The court sentenced Spore to three (3) years' confinement, but suspended the execution of sentence and placed Spore on supervised probation for five (5) years. As part of his probation, Spore was also ordered to complete the 11th Judicial Circuit DWI Court Program.

8. Spore's probation is scheduled to be completed in March 2017.

9. Spore acknowledges and understands that under § 375.141.1(6) the Director may discipline his insurance producer license for his conviction of a felony.

10. Spore further acknowledges and understands that should he fail to complete the terms of his probation, under § 375.141.1(6), the Director may refuse or discipline

Spore's insurance producer license. *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.

11. Spore acknowledges and understands that he has the right to consult counsel at his own expense, and has retained Mark Sowers, Esq. to represent his interests in this matter.

12. On May 16, 2012, counsel for the Division provided a written description of the specific conduct for which discipline was sought and a citation to the law and rules allegedly violated, together with copies of any documents upon which it based the allegations, and the Division's settlement offer, namely, this Consent Order, in accordance with § 621.045.4(1).

13. Spore has been advised that he may, either at the time the Consent Order is signed by all parties, or within fifteen (15) days thereafter, submit the Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to by the parties to the Consent Order constitute grounds for discipline of Spore's insurance producer license.

14. Except as provided in paragraph thirteen (13) above, Spore 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 Order, and forever releases and holds harmless the Department, the Director and his agents, and the Division of Consumer Affairs from all liability and claims arising out of, pertaining to, or relating to this matter.

15. Spore acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Spore further acknowledges and understands that this administrative action should be disclosed on future

applications and renewal applications and that it is his responsibility to comply with the reporting requirements of each state in which he is licensed.

16. 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

17. The facts admitted by Spore are grounds to discipline his Missouri insurance producer license pursuant to § 375.141.1(6).

18. The Director may impose orders in the public interest under § 374.046.

19. 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 Jason Stephen Spore shall maintain his currently valid insurance producer license subject to the following special conditions:

1. Jason Stephen Spore shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department or a consumer within five (5) business days of receipt. If Spore receives a complaint directly from a consumer, whether written or oral, Spore shall report the complaint in writing to the Consumer Affairs Division within five (5) days of receipt. Spore shall include in such report: 1) a copy of the complaint, if written, or a brief, accurate description of the complaint, if oral; 2) a detailed

explanation of the circumstances surrounding the complaint; and 3) any measures taken or planned to address the conduct described in the complaint.

2. Jason Stephen Spore shall maintain full compliance with all court orders and other requirements relating to *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.
3. Spore shall sign and submit a Statement of Compliance to the Director within thirty (30) days of his completion of probation. Should Spore fail to complete probation, Spore shall notify the Consumer Affairs Division within five (5) business days of the dismissal from or revocation of probation and notify the Consumer Affairs Division of the consequences of such failure, dismissal, or revocation.
4. Jason Stephen Spore shall execute and submit any necessary documents to provide the Department access to Spore's probation and court records, including access to any chemical test results.
5. Jason Stephen Spore shall report to the Consumer Affairs Division any and all of the following incidents involving Spore: probation violation, probation revocation, guilty plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Spore shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.
6. Jason Stephen Spore shall report to the Consumer Affairs Division any administrative action taken against Spore in another jurisdiction or by another

governmental agency in this state within five (5) business days after he receives notification of the initiation of such administrative action.

7. Jason Stephen Spore shall report to the Consumer Affairs Division any violation of or failure to comply with the laws set forth in Chapters 374 and 375 within five (5) business days of such violation or failure to comply.
8. The special conditions listed in paragraphs 1 through 7 will expire upon Jason Stephen Spore's completion of probation associated *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.

IT IS ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Jason Stephen Spore will voluntarily surrender his license to the Department within thirty (30) days of revocation of the probation associated with *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.

IT IS ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Jason Stephen Spore will voluntarily surrender his license to the Department within five (5) business days of Spore's 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 if Jason Stephen Spore maintains his insurance producer license beyond the initial term and complies with the terms of this Consent Order, Spore may apply to renew his license and the Director shall consider the renewal application in accordance with Chapters 374 and 375 without regard to Spore's prior felony, or the underlying conduct, in *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct., Case No. 1111-CR02557-01.

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 and 375 including remedies for violation of, or failure to comply with, the terms of this Consent Order.

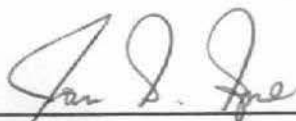
SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 16TH DAY
OF AUGUST, 2012.



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 Jason Stephen Spore has the right to a hearing, but that Jason Stephen Spore has waived the hearing and consented to the issuance of this Consent Order.



Jason Stephen Spore
14 Brandywine Creek Court
St. Charles, MO 63303
Respondent

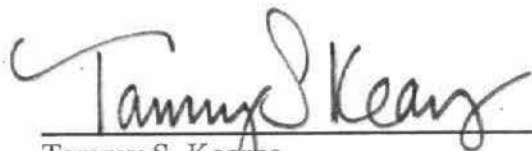
Date



Mark R. Sowers
Counsel for Respondent
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Telephone: (314) 444-1366
Facsimile: (314) 612-1366

Aug. 7, 2012

Date



Tammy S. Kearns
Counsel for Division of Consumer Affairs
Missouri Bar No. 62992
Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65102
Telephone: (573) 751-2619
Facsimile: (573) 526-5492

8/8/12

Date

Missouri Department of Insurance, Financial
Institutions and Professional Registration
Attn: Legal Section
301 West High Street, Room 530
Jefferson City, Missouri 65101

RE: Statement of Compliance
State of Missouri v. Jason Stephen Spore, St. Charles Co. Cir. Ct., Case No. 1111-
CR02557-01
DIFP Case No. 120424388C

I, Jason Stephen Spore, hereby truthfully state under penalty of perjury, that I completed the
probation associated with *State of Missouri v. Jason Stephen Spore*, St. Charles Co. Cir. Ct.,
Case No. 1111-CR02557-01, on _____, 20_____.

Signed: _____ Date _____
Jason Stephen Spore

In witness whereof I have hereunto subscribed my name and affixed my official seal this
____ day of _____, 20_____.

Notary

My commission expires: _____