



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

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

IN RE: DAVID A. NOYES & CO.
209 SOUTH LASALLE ST
CHICAGO, IL 60604

TRACKING ID: #189994 (e)

RECEIVED
APR 29 2013
MO. DEPT. OF INSURANCE,
FINANCIAL INSTITUTIONS &
PROFESSIONAL REGISTRATION

VOLUNTARY FORFEITURE

It is hereby agreed by David A. Noyes & Co. ("Noyes") and the Consumer Affairs Division of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, John M. Huff is the duly appointed 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 and is authorized by the Director to recommend enforcement action under the laws relating to insurance;

WHEREAS, Noyes currently has a business entity producer (BEP) renewal application pending with the Department of Insurance, Financial Institutions and Professional Registration, pursuant to Chapter 375, RSMo;

WHEREAS, the application to renew Noyes' BEP license was submitted on February 26, 2013, and after requests were made for additional information, the completed application was received on February 28, 2013.

WHEREAS, in the "Background Questions" section of the application, question #2 was answered "No" which asks, "Has the business entity or any owner, partner, officer or director, or manager or member of a limited liability company, been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding regarding any professional or occupational license, or registration, which has not been previously reported to this insurance department?"

WHEREAS, information has been received by the Consumer Affairs Division concerning Noyes' failure to disclose a 2011 administrative action against its BEP license from the state of Florida Department of Financial Services, in which Noyes' incurred a \$15,000.00 monetary penalty. This action should have been disclosed in the above referenced application. The failure to disclose such information is a ground for discipline under Section 375.141.1(1) RSMo (Supp. 2012) thereby subjecting Noyes to enforcement action by the Director;

WHEREAS, Noyes has been informed of the nature of these violations, of its right to consult counsel, and of its right to contest any attempt by the Department of Insurance, Financial Institutions and Professional Registration to discipline Noyes' BEP license, or to recover whatever penalties or other monetary relief as may be provided for by statute, and states that Noyes understands its right to contest any such actions;

NOW, THEREFORE, in lieu of the institution by the Department of any action to refuse the renewal of the insurance license of David A. Noyes & Company, or to impose any other penalties provided for by statute for the above-described violations, after being afforded the opportunity to consult legal counsel, Noyes does hereby voluntarily and knowingly surrender and forfeit the sum of five hundred dollars (\$500.00), such sum to be paid into the Missouri State School Fund pursuant to Sections 374.046 and 374.280, RSMo.

Noyes 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 **Wednesday, May 22, 2013**.

DATED: 04/25/2013



Lowry H. Bayley, CEO
David A. Noyes & Company
License# 8071951

DATED: 5.6.13



Matt Barton, Division Director
Consumer Affairs Division

DATED: 5-7-13



John M. Huff, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

Return to:
Missouri Department of Insurance,
Financial Institutions and Professional Registration
Attn: E.J. Jackson, Investigator
P O Box 690
Jefferson City, MO 65102



Lakeside Bank
www.LakesideBank.com

CASHIER'S CHECK

100/ES 4/29

3045317

NOTICE TO CUSTOMER
The Purchase of an Indemnity Bond will be required before this check will be replaced or refunded in the event it is lost, misplaced or stolen.

DATE 04/25/2013

2-150/710

***\$500.00

***Five Hundred Dollars and Zero Cents

PAY
TO THE
ORDER
OF

MISSOURI STATE SCHOOL FUND



Remitter: David A Noyes & Co

Ch... [Signature]
AUTHORIZED SIGNATURE

⑈ 3045317⑈ ⑆ 071001504⑆ 0000073010⑈