

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

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

In the Matter of:

PIERRE D. THOMPSON,

Applicant.

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Case No. 180718784C

CONSENT ORDER

Chlora Lindley-Myers, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through counsel Shelley A. Woods, and Pierre D. Thompson have reached a settlement in this matter and consent to the issuance of this Consent Order.

1. Chlora Lindley-Myers 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 385 RSMo,¹ include

¹ All civil statutory references are to the Revised Statutes of Missouri 2016, RSMo 2016, unless otherwise noted.

the supervision, regulation, and discipline of Motor Vehicle Extended Service Contract (“MVESC”) producers.

2. The Consumer Affairs Division of the Department has the duty, charged by the MVESC laws of this state, to conduct investigations into the acts of MVESC producers and is authorized by the Director to initiate actions necessary to enforce the MVESC laws of this state, including the discipline of MVESC producer licenses and refusal of MVESC producer license applications.

3. On or about March 14, 2018, the Department received Pierre D. Thompsons’s (“Thompson”) Application for MVESC Producer License (“Application”).

4. On the Application, Thompson disclosed a felony conviction and later provided court records revealing that on February 21, 2013, Thompson had been convicted, upon a plea of guilty, of a Class C felony, Possession of a Controlled Substance, and a Class A Misdemeanor, Possession of Up to 35 Grams of Marijuana. *State v. Pierre Thompson*, City of St. Louis Cir. Ct., Case No. 0922-CR05450-01. On that same date, the court sentenced Thompson to four years incarceration with the Department of Corrections, suspended execution of the sentence and placed Thompson on three years supervised probation on the felony charge and one year incarceration, suspended execution of the sentence and placed Thompson on two years probation on the misdemeanor charge, to run concurrently with the sentence imposed on the felony charge. *Id.*

5. On February 20, 2015, the Department of Corrections, Board of Probation and Parole, released Thompson, early, from its supervised probation.

6. Thompson acknowledges and understands that the Director may refuse to issue him an MVESC producer license pursuant to § 385.209.1(5) because Thompson has been convicted of a felony.

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

8. Thompson stipulates and agrees to waive any waivable rights to a hearing before the Administrative Hearing Commission or the Director, any waivable rights to seek judicial review, and any waivable rights to challenge or contest the terms and conditions of this Consent Order. Thompson further stipulates and agrees to forever release and hold harmless the Department, the Director and her agents, and the Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

9. Thompson acknowledges and understands that this Consent Order is an administrative action and that the Department will report it to other states. Thompson further acknowledges and understands that this administrative action should be disclosed on his future applications and renewal applications and that he is responsible for complying with the reporting requirements of each state in which he may be licensed.

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

1. The facts above, which are admitted by Thompson, are grounds to refuse his Application pursuant to § 385.209.1(5).

2. Section 385.209 provides, in relevant part:

1. The director may suspend, revoke, refuse to issue or refuse to renew a registration or license under sections 385.200 to 385.220 for any of the following causes, if the applicant or licensee or the applicant's or licensee's subsidiaries or affiliated entities acting on behalf of the applicant or licensee in connection with the applicant's or licensee's motor vehicle extended service contract program has:

* * *

(5) Been convicted of any felony[.]

3. The foregoing facts hereby admitted by Thompson constitute cause for the Director to refuse Thompson's Application pursuant to § 385.209.1(5).

4. The Director is authorized to settle this matter and issue this Consent Order in the public interest pursuant to §§ 374.046, 536.060, and 621.045.

5. 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 an MVESC producer license to Pierre D. Thompson subject to the terms set forth herein and the following special conditions:

1. Thompson shall report to the Consumer Affairs Division any violation of or failure to comply with Missouri MVESC regulations and Missouri MVESC

laws, in particular those set forth in Chapter 385, within five (5) business days of such violation or failure to comply.

2. Thompson shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100.
3. If a consumer complaint is communicated directly to Thompson, Thompson shall send the Consumer Affairs Division a copy of the complaint and a copy of Thompson's response to the consumer within five (5) business days of receipt of the consumer complaint.
4. Thompson shall report to the Consumer Affairs Division any and all of the following incidents involving Thompson: the first court hearing or appearance in any criminal proceeding, guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction for a felony or misdemeanor. Thompson shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.
5. Thompson shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Thompson in another jurisdiction or by another governmental agency in this state within the five (5) business days after Thompson receives notification of the initiation of such administrative action.
6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of expiration, lapse, termination, revocation, or renewal of Thompson's MVESC producer license, whichever occurs first.

IT IS FURTHER ORDERED that, for five (5) years subsequent to the date that Pierre D. Thompson is issued an MVESC producer license, Pierre D. Thompson will voluntarily surrender his MVESC producer license to the Department within five (5) business days of Thompson entering a guilty plea, entering a nolo contendere plea or *Alford* plea, being found guilty, or being convicted of a felony, regardless of whether the sentence is suspended or executed.

IT IS FURTHER ORDERED that if Pierre D. Thompson fully complies with the terms of this Consent Order, Chapter 385, and the regulations promulgated pursuant thereto, Thompson may apply to renew his MVESC producer license, and the Director shall consider Thompson's renewal application in accordance with Chapter 385 without regard to Thompson's prior felony conviction in *State v. Pierre Thompson*, City of St. Louis Cir. Ct., Case No. 0922-CR05450-01, or the underlying conduct.

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

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 27th
DAY OF September, 2018.



Chlora Lindley-Myers
CHLORA LINDLEY-MYERS, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Pierre D. Thompson may have a right to a hearing but that Pierre D. Thompson waives the hearing and consents to the issuance of this Consent Order.



Pierre D. Thompson
12451 Horizon Village
St. Louis, Missouri 63138
Applicant

8/9/18

Date

Counsel for Applicant

Name: _____

Missouri Bar No.: _____

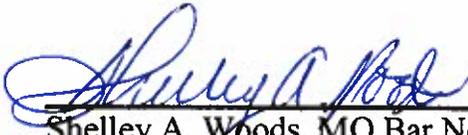
Address: _____

Telephone: _____

Facsimile: _____

Email: _____

Date



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8/13/2018

Date