



## DEPARTMENT OF COMMERCE & INSURANCE

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

IN RE: COTTINGHAM & BUTLER  
INSURANCE SERVICES, INC.  
800 MAIN ST.  
DUBUQUE, IA 52004

TRACKING ID 349168

### VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Cottingham & Butler Insurance Services, Inc. and the Division of Consumer Affairs ("Division") of the Department of Commerce and Insurance, as follows:

WHEREAS, Chlora Lindley-Myers, is the duly appointed Director of the Department of Commerce and Insurance, State of Missouri (hereinafter, "Director" of the "Department"), whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision and regulation of the business of insurance;

WHEREAS, the Division 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, Cottingham & Butler Insurance Services, Inc. ("Cottingham & Butler") has a nonresident business entity producer license with the Department, pursuant to Chapter 375, RSMo;

WHEREAS, the Division has received information concerning possible deficiencies related to Cottingham & Butler's down payment deposit, which might constitute a violation of Sections 375.116.3 and 375.116.4, RSMo (2016), and subjects Cottingham & Butler to enforcement action by the Director;

WHEREAS, Cottingham & Butler has been informed of its right to counsel and of its right to contest any attempt by the Department to discipline its business entity insurance producer license, and states that it understands its rights to contest any such actions;

AND WHEREAS, Cottingham & Butler acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Director or the Division based on an additional possible violation of the insurance laws or regulations by Cottingham & Butler, in which action the Director or the Division alleges that the violations described herein form part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Cottingham & Butler are committed knowingly, intentionally or in conscious disregard of the law, that the Division has alleged that Cottingham & Butler did not disclose a down payment deposit, and that such conduct if proven could constitute a violation of Sections 375.116.3 and 375.116.4, RSMo;

NOW, THEREFORE, in lieu of any recommendation or initiation by the Division of any action based on the violations cited in this Agreement, and after being afforded the opportunity

to consult legal counsel, Cottingham & Butler does hereby voluntarily and knowingly surrender and forfeit the sum of five hundred dollars (\$500), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Cottingham & Butler shall submit this sum to the Department by cashier's check or money order made payable to the State School Moneys Fund no later than January 30, 2020.

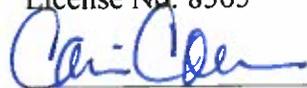
The parties agree that, should the Director or the Division in the future allege an additional violation of the insurance laws or regulations by Cottingham & Butler, nothing in this Agreement shall preclude the Director or the Division from offering Cottingham & Butler's admissions contained in this Agreement in any future allegations of a different violation by Cottingham & Butler of Sections 375.116.3 and 375.116.4, RSMo (2016) of the insurance laws or of regulations cited or defining such section, as evidence for the purpose of showing that:

- a) the acts described herein, together with such additional violations, form part of a conduct, a business practice, or other such series of similar violations; or
- b) that such additional violations are committed knowingly, intentionally or in conscious disregard of the law.

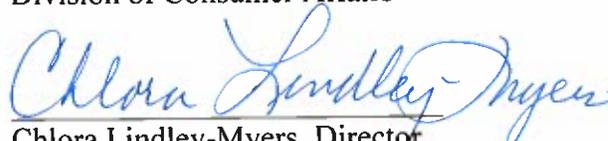
DATED: 1/27/2020

  
By: DAVID O. BECKER  
Its: CEO  
Cottingham & Butler  
Insurance Services, Inc.  
License No. 8365

DATED: 1/30/2020

  
Carrie Couch, Director  
Division of Consumer Affairs

DATED: 1.31.2020

  
Chlora Lindley-Myers, Director  
Department of Commerce and Insurance

Return original to:  
Karen Crutchfield  
Missouri Department of Commerce and Insurance  
PO Box 4001  
Jefferson City, MO 65102