



**DEPARTMENT OF COMMERCE AND INSURANCE**

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

<b>IN RE:</b>	)	
	)	
<b>ADAM KENNETH DONNELLY,</b>	)	<b>Case No. 2305090687C</b>
	)	
<b>Applicant.</b>	)	

**CONSENT ORDER**

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance, takes up the above matter for consideration and disposition. The Consumer Affairs Division of the Department’s Insurance Divisions, through counsel, and Adam Kenneth Donnelly have reached a settlement in this matter and have agreed to the issuance of this Consent Order.

**FINDINGS OF FACT**

1. Chlora Lindley-Myers is the duly appointed Director of the Missouri Department of Commerce and Insurance (“Director” of the “Department”) whose duties, pursuant to, among others, Chapters 374 and 375, RSMo (2016),<sup>1</sup> include the supervision, regulation, and discipline of insurance producers.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of

<sup>1</sup> All civil statutory references are to the 2016 Revised Statutes of Missouri unless otherwise noted.

conducting investigations into the conduct of insurance producers pursuant to the laws of Missouri and has been authorized by the Director to investigate and initiate actions to enforce the insurance laws of Missouri, including insurance producer license refusal.

3. Adam Kenneth Donnelly (“Donnelly”) is a resident of the state of Pennsylvania with a reported residential, mailing, and business address of 310 Canterbury Drive, Moon Township, Pennsylvania 15108. His reported individual and business email address is adamdonnelly@netzero.com.

4. On or about January 6, 2023, the Department received Donnelly’s electronic application for a non-resident insurance producer license (“Application”).

5. Background Question No. 1B on his Application states:

Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony? You may exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court)

6. Donnelly answered “Yes” to Background Question No. 1B on his Application and provided certain documents to the Department for review.

7. The documents Donnelly provided in response to Background Question No. 1B showed that on May 15, 1995, Donnelly was charged by Information with embezzling money and funds from the bank by which he was employed as a bank teller, in violation of Title 18, United States Code, Section 656<sup>2</sup>, a felony (Count One), and with embezzling money and funds from a second bank by which he was employed as a bank teller, in violation of Title 18, United States

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<sup>2</sup> Citations to the federal criminal code are to the version in effect at the time the crime took place.

Code, Section 656, a felony (Count Two). *United States of America v. Adam K. Donnelly, a/k/a Adam Kenneth Donnelly*, United States Dist. Ct., W.D. Mo, Case No. 4:95CR00082-01-W-2.

8. Additionally, the documents Donnelly provided showed that in 1993, while employed as a bank teller at a bank located in Lee's Summit, Missouri, Donnelly took cash and checks deposited by bank customers, keeping the cash and destroying the checks. Then, in 1994, while employed as a teller at a bank located in Grandview, Missouri, Donnelly again took cash and checks deposited by bank customers, keeping the cash and destroying the checks. *Id.*

9. The documents Donnelly provided further showed that on May 15, 1995, Donnelly pled guilty to Counts One and Two and that on September 7, 1995, the district court found him guilty on both counts and sentenced him to imprisonment for four months, house arrest for four months, supervised probation for three years, and to pay restitution in the amount of \$9,545.23. *Id.*

10. On January 17, 1999, Donnelly completed his term of supervised probation. *Id.*

11. Additionally, Donnelly states that he paid restitution as ordered.

12. Background Question No. 1B1 on his Application asks:

If you have a felony conviction involving dishonesty or breach of trust, have you applied for written consent to engage in the business of insurance in your home state as required by 18 USC 1033?

13. Donnelly answered "Yes" to Background Question No. 1B1.

14. Background Question No. 1B2 on his Application states:

If so, was consent granted? (Attach copy of 1033 consent approved by home state.)

15. Donnelly answered "Yes" to Background Question No. 1B2 and included a copy of a Consent Order, Docket No CW19-11-011, issued by the Insurance Department of the Commonwealth of Pennsylvania ("Pennsylvania") on or about March 28, 2018, pursuant to 18 U.S.C. § 1033.

16. Pennsylvania issued Donnelly an insurance producer license (or its equivalent) at the same time that it issued the Consent Order, Docket No. CW19-11-011.

17. Donnelly understands and agrees that pursuant to § 375.141.1(6), the Director may refuse to issue Donnelly a non-resident insurance producer license because he has been convicted of a felony.

18. Donnelly understands and agrees that pursuant to § 375.141.1(6), the Director may refuse to issue Donnelly a non-resident insurance producer license because he has been convicted of a crime involving moral turpitude.

19. Donnelly understands and agrees that pursuant to § 375.141.1(8), the Director may refuse to issue Donnelly a non-resident insurance producer license because he has used fraudulent and dishonest practices and demonstrated untrustworthiness and financial irresponsibility in the conduct of business in Missouri.

20. Donnelly and the Department desire to settle the allegations raised by the Division.

21. Donnelly acknowledges and understands that he has the right to consult an attorney regarding these matters.

22. Donnelly stipulates and agrees to waive any rights that he may have to a hearing before the Missouri Administrative Hearing Commission or the Director and any rights to seek judicial review or to otherwise challenge or contest the terms and conditions of this Consent Order and forever releases and holds harmless the Department, the Director, her agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

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

license applications and any renewal applications he submits in this state and in other jurisdictions, and that it is his responsibility to comply with the reporting requirements of each jurisdiction in which he may be licensed.

24. All signatories to this Consent Order certify by signing that they are fully authorized, in their own capacities, or by the named parties they represent, to accept the terms and provisions of this Consent Order in their entirety, and agree, in their personal or representative capacities, to be bound by the terms of this Consent Order.

### **CONCLUSIONS OF LAW**

25. Section 375.141.1 provides, in relevant part:

The director may suspend, revoke, refuse to issue, or refuse to renew an insurance producer license for any one or more of the following causes:

(6) Having been convicted of a felony or crime involving moral turpitude;  
[or]

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(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere[.]

26. The facts in the Findings of Fact set out above constitute cause to refuse to issue a non-resident insurance producer license pursuant to § 375.141.1(6) and (8).

27. 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.

28. The terms set forth in this Consent Order are an appropriate disposition of this matter, and issuance of this Consent Order is in the public interest.

### **ORDER**

IT IS THEREFORE ORDERED that the Department will issue a non-resident individual insurance producer license to Donnelly, subject to the conditions set forth herein:

29. Donnelly shall respond to all written inquiries and consumer complaints forwarded or otherwise communicated to him by the Department within five (5) business days of Donnelly's receipt.

30. If Donnelly receives a written complaint that is not communicated to him by the Department, Donnelly shall send a copy of the written complaint and Donnelly's response to said complaint to the Department within five (5) business days of Donnelly's receipt.

31. Within ten (10) days of the date the Director enters this Order, Donnelly shall read and review Chapters 374, 375, 376, 379 and 381 and Missouri Regulations 20 CSR 100; 20 CSR 400; 20 CSR 500 and 20 CSR 700. Once he has completed that review, Donnelly shall complete and return the attached affidavit within twenty-four hours of completing the review to Chelsea Holtmeyer, Special Investigator, Division of Consumer Affairs, Department of Commerce and Insurance, 301 West High Street, Room 530, Jefferson City, Missouri 65101.

32. Donnelly shall report to the Department any violation of or failure to comply with the laws set forth in Chapters 374 or 375 within five (5) business days that Donnelly knows of such violation or failure to comply.

33. Donnelly shall report to the Department any administrative action taken against Donnelly 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.

34. Donnelly shall report to the Department any probation violation, probation revocation, arrest, citation, guilty plea, *nolo contendere* plea, finding of guilt or conviction concerning a felony or misdemeanor within five (5) business days of such occurrence.

35. The special conditions listed in paragraphs 29 through 34 will expire upon the expiration, lapse, termination, revocation, or renewal of Donnelly's insurance producer license,

whichever comes first.

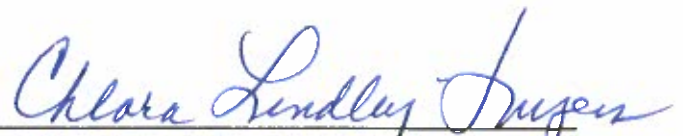
IT IS FURTHER ORDERED that for five (5) years subsequent to the date of this executed Consent Order, Donnelly will voluntarily surrender his license to the Department within thirty (30) days of Donnelly's entry of a guilty plea, *nolo contendere* plea, or finding of guilty or conviction for a felony, regardless of whether sentence is imposed, suspended, or executed.

IT IS FURTHER ORDERED that if Donnelly maintains his non-resident insurance producer license beyond the term of this Consent Order and complies with the terms of this Consent Order, Donnelly may apply to renew his license, and the Director shall consider the renewal application in accordance with the provisions of Chapters 374 and 375 and without regard to his criminal history as set out above in paragraphs 5 through 9.

IT IS FINALLY 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 31<sup>st</sup> DAY OF**

August, 2023.

  
**CHLORA LINDLEY-MYERS, Director**  
Missouri Department of Commerce and  
Insurance



**CONSENT AND WAIVER OF HEARING**

The undersigned persons understand and acknowledge that Adam Kenneth Donnelly may have the right to a hearing, but that Adam Kenneth Donnelly has waived the hearing and agreed to the issuance of this Consent Order.

AK Donnelly  
Adam Kenneth Donnelly  
310 Canterbury Drive  
Moon Township, Pennsylvania 15108

8/9/2023  
Date

~~N/A~~  
~~Counsel for Adam Kenneth Donnelly~~  
~~Bar No.~~  
~~[Address]~~  
~~[Telephone and facsimile numbers]~~  
~~[Email address]~~

~~\_\_\_\_\_~~  
Date

Shelley A. Woods  
Shelley A. Woods  
Counsel for Consumer Affairs Division,  
Missouri Bar No. 33525  
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301 West High Street, Room 530  
Jefferson City, Missouri 65101  
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Facsimile: (573) 526-5492  
Shelley.Woods@insurance.mo.gov

August 18, 2023  
Date





**DEPARTMENT OF COMMERCE AND INSURANCE**

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

In the Matter of:

Adam Kenneth Donnelly

)  
)  
) Case No. 2305090687C  
)  
)

STATE OF )  
) ss.  
COUNTY OF )

**AFFIDAVIT**

Before me, the undersigned authority, personally appeared Adam Kenneth Donnelly, who, being by me duly sworn, deposed as follows:

1. My name is Adam Kenneth Donnelly. I am of sound mind, capable of making this affidavit, and personally acquainted with the facts herein stated.

2. I have as of this date personally read and reviewed Chapters 374, 375, 376, 379 and 381 of the Revised Missouri Statutes and Missouri Regulations 20 CSR 100; 20 CSR 400; 20 CSR 500 and 20 CSR 700, the laws and regulations governing title insurance producers (available on the Department of Commerce and Insurance website at <http://insurance.mo.gov/laws/>.)

3. Further affiant sayeth naught.

  
Adam Kenneth Donnelly

In witness whereof I have hereunto subscribed my name and affixed my official seal this 9 day of August, 2023.

Cecelia J. Vallandigham  
Notary

My commission expires: December 1, 2023

Commonwealth of Pennsylvania - Notary Seal  
Cecelia J. Vallandigham, Notary Public  
Allegheny County  
My commission expires December 1, 2023  
Commission number 1079122  
Member, Pennsylvania Association of Notaries

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