



## DEPARTMENT OF COMMERCE & INSURANCE

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

IN RE: JOSEPH HENRY SMITH  
1509 WAINSCOTT DRIVE  
O'FALLON, MO 63366

TRACKING ID 364485 E

### VOLUNTARY FORFEITURE AGREEMENT

It is hereby agreed by Joseph Henry Smith ("Smith") and the Consumer Affairs 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, 375 and 385 RSMo, include the supervision and regulation of the business of Motor Vehicle Extended Service Contracts ("MVESC");

WHEREAS, the Division of Consumer Affairs of the Department is charged with investigating producers and companies engaged in the business of MVESC pursuant to Sections

374.085, 374.190 and 385.216, RSMo and is authorized by the Director to recommend enforcement action under the laws relating to MVESC;

WHEREAS, Smith is a licensed MVESC insurance producer with Department, pursuant to 385, RSMO.

WHEREAS, the Division has received information concerning Smith's misstatement on his August 2019 application for a MVESC producer license, in violation of Section 374.210 (1) RSMo and subjects Smith to enforcement action by the director.

WHEREAS, Smith has been informed of his right to counsel and of his right to contest any attempt by the Department to revoke his MVESC license, and states that he understands his rights to contest any such actions;

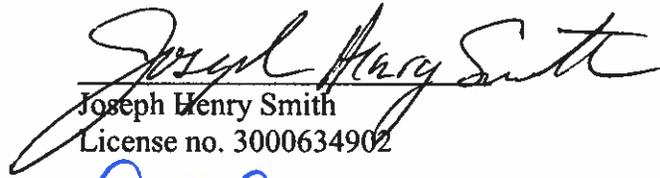
AND WHEREAS, Smith acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Division based on any additional violation of the insurance laws, MVESC laws, or regulations by Smith in which action the Director or the Division alleges that the violation described herein forms part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Smith are committed knowingly, intentionally or in conscious disregard of the law, that he made a misstatement on his license application in violation of Section 374.210.1(1) RSMo.

NOW, THEREFORE, in lieu of any recommendation or initiation by the Division of any action based on the violation cited in this Agreement, and after being afforded the opportunity to consult legal counsel, Smith does hereby voluntarily and knowingly surrender and forfeit the sum of three hundred dollars (\$300.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Smith 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 September 8, 2020. The parties agree that, should the Director or the Division in the future allege any additional violation of the insurance laws, MVESC laws, or regulations by Smith, nothing in this Agreement shall preclude the Director or the Division of Consumer Affairs from introducing Smith's admissions contained in this Agreement as evidence that the acts described herein form part of a course of conduct, a business practice, or other such series of similar violations, or for purposes of showing that such later alleged acts are committed knowingly, intentionally or in conscious disregard of the law.

DATED: 8/26/20

  
Joseph Henry Smith  
License no. 3000634902

DATED: 8/31/20

  
Carrie Couch, Director  
Division of Consumer Affairs

DATED: 9/2/2020

  
Cherie Lindley Myers, Director  
Department of Commerce and Insurance

Return original to:  
Sheri Sloan  
Department of Commerce and Insurance  
PO Box 4001  
Jefferson City, MO 65102