

STATE OF MISSISSIPPI
OFFICE OF THE COMMISSIONER OF INSURANCE

COPY

COMMISSIONER OF INSURANCE
PETITIONER

VS.

LICENSE NO. 10060634

JEFFERY JAMES MACDONALD
RESPONDENT

AMENDED ORDER
AND CONSENT DECREE

THIS CAUSE came on for hearing before the Commissioner of Insurance of the State of Mississippi, sitting in a special session in the offices of the Commissioner of Insurance of the State of Mississippi, 10th Floor, Woolfolk State Office Building, 501 North West Street, Jackson, Hinds County, Mississippi on Tuesday, March 2, 2010, at 11:30 a.m. on the Notice of Hearing and Statement of Charges filed against Jeffery James MacDonald ("Respondent"), to hear evidence concerning said complaint. Notice of said hearing was mailed to the Respondent, but the Respondent, or a representative of Respondent, failed to appear and give testimony.

Upon receipt of the Order entered on March 31, 2010, the Respondent contacted the Department, and it was discovered that the Respondent had not received notice of the above hearing. The Department and the Respondent now wish to set aside the previous Order and enter into a consent decree as follows:

STATEMENT OF CHARGES

I.

The Respondent was charged with the following violations of law in the Notice of Hearing and Statement of Charges issued February 5, 2010:

- Miss. Code Ann. Section 83-17-71(1)(a) that such insurance producer has provided incorrect, misleading, incomplete or materially untrue information in the license application.
- Miss. Code Ann. Section 83-17-71(1)(b) that such insurance producer has violated any insurance laws, or violated any regulation, subpoena or order of the commissioner.
- Miss. Code Ann. Section 83-17-71(1)(c) that such insurance producer has obtained or attempted to obtain a license through misrepresentation or fraud.
- Miss. Code Ann. Section 83-17-71(4) provides that the Commissioner of Insurance may in addition to, or in lieu of, the remedies provided in this section, after a hearing, impose an administrative fine of not more than One Thousand Dollars (\$1,000.00) per violation.

NOTICE AND HEARING

II.

That on or about February 5, 2010, the Commissioner of Insurance of the State of Mississippi, or his appointee, pursuant to Miss. Code Ann. § 83-17-71 gave the required notice to the Respondent of the Commissioner's intention to hold a hearing for the purpose of reviewing the status of Respondent's Privilege License to operate as an Insurance Producer in the State of

Mississippi; however the Respondent did not receive said notice. The Respondent, having now been apprised of the charges against him, hereby waives formal notice of the above charges.

FINDINGS OF FACT

III.

1) That as of December 1, 2009, and at all times relevant hereto, the Respondent, Jeffery James MacDonald, held an insurance producer license in the State of Mississippi, License No. 10060634.

2) That on November 1, 2009, the Respondent entered into a Consent Order with the State of Maryland, wherein he was found to have violated the insurance laws of Maryland and was fined Two Hundred and Fifty Dollars (\$250.00).

3) That on December 1, 2009, the Respondent submitted a renewal application to the Mississippi Insurance Department for his non-resident insurance producer license. In that license application, the Respondent responded "no" to the question, "[since] the last renewal ...application in this state, have you...ever been involved in an administrative proceeding regarding any professional or occupational license or registration?" The Respondent responded, "No," to said question. In actuality, the Respondent had entered into the above-mentioned Consent Order with the Maryland Insurance Commissioner.

CONCLUSIONS OF LAW

IV.

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of

Insurance finds that Respondent, Jeffery James MacDonald, has committed the following violations:

1) The Respondent violated the provisions of Miss. Code Ann. §83-17-71(1)(a) (Supp. 2009), by providing incorrect, misleading, incomplete or materially untrue information in the license application, as more particularly described herein in Paragraph III of this Order.

2) The Respondent violated the provisions of Miss. Code Ann. § 83-17-71(1)(b) (Supp. 2009), by violating any insurance laws, or any regulation, subpoena or order of the commissioner, or of the commissioner of any other state, in the commission of the acts that have been more particularly described herein in Paragraph III of this Order.

ORDER


IT IS, THEREFORE, ORDERED:

1) That the Order previously entered herein on March 31, 2010, be and the same hereby is, set aside, and this Amended Order and Consent Decree herein is hereby substituted therefor.

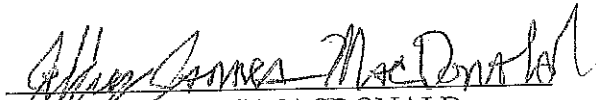
2) That the license renewal application of Respondent, Jeffery James MacDonald, to act as an insurance producer in the State of Mississippi is hereby approved, effective January 1, 2010.

3) That an administrative fine shall be levied against the Respondent in the amount of Five Hundred Dollars (\$500.00). Said fine was paid in full on May 14, 2010.

SO ORDERED, this the 12th day of July, 2010.


MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

AGREED TO BY:


JEFFERY JAMES MACDONALD
17 Godfrey Lane
Ferguson, MO 63135

DATE: 7/1/2010