

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

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

IN RE: DAVID GIANINI  
14 JAQUETTA CT  
ST. PETERS MO 63376

TRACKING ID 322327 E

**VOLUNTARY FORFEITURE AGREEMENT**

It is hereby agreed by David Gianini (“Gianini”) and the Division of Consumer Affairs of the Department of Insurance, Financial Institutions and Professional Registration, as follows:

WHEREAS, Chlora Lindley-Myers, is the duly appointed Director of the Department of Insurance, Financial Institutions and Professional Registration, 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, Gianini has applied to receive a resident MVESC producer license with the Department, pursuant to Chapter 385, RSMo;

WHEREAS, the Division has received information concerning a misstatement on Gianini's application, which is a violation of Section 374.210.1, RSMo (2016), and subjects Gianini to enforcement action by the Director;

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

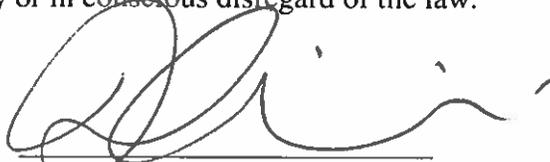
AND WHEREAS, Gianini acknowledges and admits for purposes of this Agreement and for purposes of any future action by the Division based on any additional violation of the insurance laws, MVESC laws, or regulations by Gianini, in which action the Director or the Division alleges that the violation described herein forms part of a course of conduct, a business practice, or other such series of similar violations, or that future violations by Gianini are committed knowingly, intentionally or in conscious disregard of the law, that he provided materially incorrect, misleading, incomplete or untrue information in the license application, and that such conduct violated Section 374.210.1, RSMo (2016);

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, Gianini does hereby voluntarily and knowingly surrender and forfeit the sum of two hundred fifty dollars (\$250.00), such sum to be paid into the State School Moneys Fund pursuant to Sections 374.046 and 374.280, RSMo.

Gianini 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 10, 2018.

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 Gianini, nothing in this Agreement shall preclude the Director or the Division of Consumer Affairs from introducing Gianini'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.

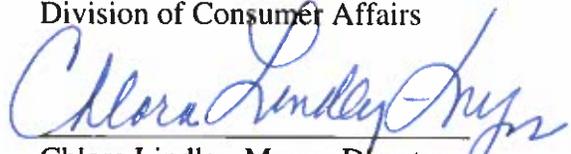
DATED: 8/30/2018

  
David Gianini  
Applicant

DATED: 8/31/18

  
Carrie Couch, Director  
Division of Consumer Affairs

DATED: 09/04/2018

  
Chlora Lindley-Myers, Director  
Department of Insurance, Financial  
Institutions and Professional Registration

Return original to:  
Andrew Engler  
Missouri Department of Insurance,  
Financial Institutions and Professional Registration  
PO Box 4001  
Jefferson City, MO 65102