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STATE OF FLORIDA  
OFFICE OF FINANCIAL REGULATION

In Re:

PHILIP COON

Respondent.

Administrative Proceeding No.: 0123-I-7/08

FINAL ORDER

The State of Florida, Office of Financial Regulation ("Office") and Philip Coon ("Respondent") having entered into the attached Stipulation and Consent Agreement ("Agreement"), last dated this 29<sup>th</sup> day of October 2008, resolving and concluding this matter, it is therefore **ORDERED:**

1. The Agreement entered into by the Office and the Respondent, attached hereto, is incorporated herein by reference as if set forth at length.
2. The parties shall comply with the terms and conditions of the incorporated Agreement.
3. The Respondent's mortgage broker license is hereby **IMMEDIATELY REVOKED.**
4. The Respondent is hereby **IMMEDIATELY REMOVED** from any and all positions he holds at any state financial institution, subsidiary, or service corporation.
5. The Respondent is hereby **IMMEDIATELY REMOVED** and **PROHIBITED** from serving in the capacity of a financial institution-affiliated party, as the term is defined in Section 655.005(1)(i), Florida Statutes, for any state financial institution, subsidiary, or service corporation.

6. The Respondent is hereby IMMEDIATELY PROHIBITED from participation in any manner in the affairs of any state financial institution, subsidiary, or service corporation. This prohibition includes, but is not limited to, matters of corporate governance and the following prohibitions regarding stock ownership, transfer, and voting:

(a) The Respondent shall not vote any stock he owns or controls in any state financial institution, subsidiary, or service corporation, without the prior written permission of the Office;

(b) The Respondent shall not solicit, procure, vote, or attempt to vote any proxy, consent, or authorization with respect to any voting rights in any state financial institution, subsidiary, or service corporation;

(c) The Respondent shall not solicit or procure any additional stock in any other state financial institution, subsidiary, or service corporation; and

(d) The Respondent shall not transfer or attempt to transfer: (i) any stock he owns or controls in any state financial institution, subsidiary, or service corporation, without the prior written permission of the Office; or (ii) any proxy, consent, or authorization with respect to any voting rights in any state financial institution, subsidiary, or service corporation, without the prior written permission of the Office.

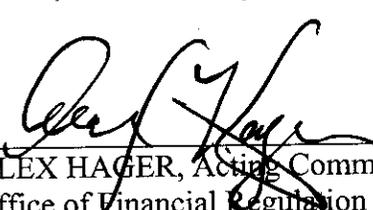
7. The Respondent is hereby IMMEDIATELY REMOVED and PROHIBITED from serving as a consultant or independent contractor, or any other similar position, for any state financial institution, subsidiary, or service corporation, unless, prior to accepting appointment with, and prior to providing any services to, any state financial institution, subsidiary, or service corporation as a consultant or independent contractor, or other similar position:

(a) The Respondent provides a copy of this Order to the chief executive officer of the state financial institution, subsidiary, or service corporation, with which Respondent seeks to serve as a consultant or independent contractor, or other similar position; and

(b) The Respondent, and the chief executive officer and the chairman of the board of directors of the state financial institution, subsidiary, or service corporation with which Respondent seeks to serve as a consultant or independent contractor, or other similar position, provides written notification to the Office describing in detail the duties and responsibilities of the services Respondent desires to provide to the state financial institution, subsidiary, or service corporation; and

(c) The Respondent is authorized by the Office, at its sole discretion, to accept the appointment with the state financial institution, subsidiary, or service corporation, as a consultant or independent contractor, or other similar position.

**DONE AND ORDERED** at Tallahassee, Leon County, Florida this 30<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
ALEX HAGER, Acting Commissioner,  
Office of Financial Regulation

***NOTICE OF RIGHT TO JUDICIAL REVIEW***

A PARTY WHO IS ADVERSELY AFFECTED BY THIS FINAL ORDER IS ENTITLED TO JUDICIAL REVIEW PURSUANT TO SECTION 120.68, FLORIDA STATUTES. REVIEW PROCEEDINGS ARE GOVERNED BY THE FLORIDA RULES OF APPELLATE PROCEDURE. SUCH PROCEEDINGS ARE COMMENCED BY FILING THE ORIGINAL NOTICE OF APPEAL WITH THE AGENCY CLERK, OFFICE OF FINANCIAL REGULATION, LEGAL SERVICES OFFICE, SUITE 526, FLETCHER BUILDING, 200 E. GAINES STREET, TALLAHASSEE, FLORIDA 32399-0379, AND A COPY, ACCOMPANIED BY FILING FEES PRESCRIBED BY SECTION 35.22, FLORIDA STATUTES, WITH THE DISTRICT COURT OF APPEAL, FIRST DISTRICT, 301 MARTIN LUTHER KING, JR., BOULEVARD, TALLAHASSEE, FLORIDA 32399-1850, OR WITH THE DISTRICT COURT OF APPEAL IN THE APPELLATE DISTRICT WHERE THE PARTY RESIDES. THE NOTICE OF APPEAL MUST BE FILED WITHIN 30 DAYS OF RENDITION OF THE ORDER TO BE REVIEWED.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order was sent by certified U.S. Mail, return receipt requested, to Philip Coon, 316 51<sup>st</sup> Street NW, Bradenton, FL 34209 on this 30<sup>th</sup> day of October, 2008.

  
\_\_\_\_\_  
Peter Fisher  
Office of Financial Regulation  
200 East Gaines Street,  
Fletcher, Suite 526  
Tallahassee, FL 32399-0350  
Telephone: (850) 410-9896  
Facsimile: (850) 410-9645  
Counsel for the Office

**STATE OF FLORIDA  
OFFICE OF FINANCIAL REGULATION**

**In Re:**

**PHILIP COON**

**Respondent.**

**Administrative Proceeding No.: 0123-I-7/08**

**STIPULATION AND CONSENT AGREEMENT**

The State of Florida, Office of Financial Regulation (“Office”), and Respondent, Philip Coon (“Respondent”) in consideration of the mutual promises herein, recite, stipulate, and agree as follows:

1. **Jurisdiction:** The Office is the state agency charged with the administration and enforcement of Chapter 494, Florida Statutes (2007), the Financial Institutions Codes, Title 38, Florida Statutes, and the rules promulgated thereunder. The Office has jurisdiction regarding this matter pursuant to Chapter 494, Florida Statutes, and the Financial Institutions Codes.
2. **Findings:** The Office finds and Respondent admits as follows:
  - a. Respondent currently holds an active mortgage broker license with the State of Florida.
  - b. Respondent is a financial institution-affiliated party, as that term is defined in Section 655.005(1)(i), Florida Statutes.
  - c. Respondent is the subject of an open investigation by the Office regarding American Mortgage Link, Inc., specifically IV20070300035.
  - d. Respondent admits to having committed violations of Chapter 494, Florida Statutes, and the Financial Institutions Codes.
3. **Consideration:** The parties agree that the issues raised in this proceeding can be

expeditiously resolved without the expense of litigation and a formal hearing. Therefore, in compromise and settlement of the matters contained herein, Respondent agrees to the following terms:

- a. Respondent agrees to the REVOCATION of his mortgage broker license.
- b. Respondent agrees to the entry of an Order of Removal and Prohibition pursuant to Section 655.037, Florida Statutes.
- c. Respondent agrees to cooperate fully with the State of Florida in the investigation and prosecution of other persons, and to testify, subject to a prosecution for perjury or making a false statement, fully and truthfully before any state court, administrative tribunal, state grand jury, and/or the Office in connection with the charges in this case and other matters, and to be reasonably available for interviews which the State of Florida may require.

4. Final Order: Respondent consents to the issuance by the Office of a Final Order, which incorporates the terms of this Stipulation. Respondent understands and agrees that this Stipulation is subject to the final approval of the Commissioner of the Office of Financial Regulation and the entry of the Final Order adopting same. In the event that the Final Order is not entered, this Stipulation shall be null and void. The Final Order incorporating this Stipulation constitutes final agency action by the Office for which the Office may seek enforcement pursuant to the provisions of Chapters 494, 655, and 120, Florida Statutes.

5. Waiver: By Respondent's consent to the entry of the Final Order with respect to this proceeding, Respondent knowingly and voluntarily waives:

- a. any right to an administrative hearing under Chapter 120, Florida Statutes;
- b. any requirement that the Office's final order contain separately stated Findings of Fact and Conclusions of Law or a Notice of Rights;

c. any right to issuance of a recommended order by an Administrative Law Judge from the Department of Administrative Hearings or a Hearing Officer from the Office; and

d. any and all rights to object to or challenge any term, condition, obligation, or duty expressly created by the Final Order in any judicial proceeding, including but not limited to, an appeal pursuant to Section 120.68, Florida Statutes.

6. Releases: Upon full execution of this Agreement, Respondent waives and releases the Office's agents and representatives, and employees from any and all causes of action that Respondent may have arising from or relating to the subject matter hereof. The Office agrees to accept this release on behalf of itself, its agents, representatives and employees without acknowledging and expressly denying that any such cause or causes of action may exist.

7. Failure to Comply: Respondent acknowledges, concurs and stipulates that Respondent's failure to comply with any of the terms, obligations and conditions of this Stipulation, and the Final Order adopting it is a violation of the written agreement and the Final Order entered pursuant to Chapters 120, 494, and 655, Florida Statutes. Such non-compliance may result in the issuance of an emergency cease and desist order and/or a complaint seeking civil money penalties pursuant to Section 655.041, Florida Statutes. However, nothing herein shall be construed to limit Respondent's right to contest any finding or determination of non-compliance.

8. Attorneys' Fees: Each party herein shall be solely responsible for its attorneys' fees and costs incurred up to and including entry of the Final Order in this matter.

9. Severability: Respondent agrees that if any provision of this Stipulation or the application thereof to any person or circumstance is invalid, the invalidity shall not affect other provisions of the Stipulation or the Final Order adopting it, which shall be given effect without

the invalid provision(s), and to this end, the provisions of this Stipulation are severable.

WHEREFORE, the undersigned parties hereby acknowledge and agree to the terms and conditions of the foregoing Stipulation, subject to final approval by the Commissioner of the Office of Financial Regulation, by written consent on the last date executed below.

BY: PHILIP COON

By:

Signature

Print Name

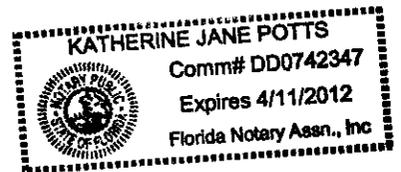
Date

State of Florida  
County of Manatee

Before me, the undersigned notary public, personally appeared Philip Coon, who upon being duly sworn, states that he has read and understands the foregoing Stipulation and voluntarily signed same. Sworn to and subscribed before me this 8<sup>th</sup> day of ~~December~~ October, 2008.

Notary Public

Personally Known  OR Produced Identification \_\_\_\_\_  
Type of Identification Produced \_\_\_\_\_



BY: OFFICE OF FINANCIAL REGULATION,  
DIVISION OF FINANCE

Terence M. Straub  
Director of Finance

Date

BY: OFFICE OF FINANCIAL REGULATION,  
DIVISION OF FINANCIAL INSTITUTIONS

Linda Charity  
Director of Financial Institutions

Date