

**OFFICE OF THE MISSISSIPPI SECRETARY OF STATE
REGULATION AND ENFORCEMENT**

IN THE MATTER OF:)	ADMINISTRATIVE
NEW HAVEN MEMORIAL)	PROCEEDING NUMBER:
FUNERAL HOME, INC.)	L-11-0120
PRENEED REGISTRATION:)	
120000379)	

CONSENT AGREEMENT

I. Jurisdiction

Finding it appropriate in the public interest, the Regulation and Enforcement Division of the Office of the Secretary of State of Mississippi (hereafter "Division"), on behalf of the Secretary of State, having the power to administer and to provide for the Mississippi Preneed Cemetery and Funeral Registration Act, Mississippi Code Annotated Sections 75-63-51 to 75-63-75 (hereafter "Act"), and Respondents do hereby enter into this Consent Agreement (hereafter "Agreement"). This Agreement settles all of the Division's allegations of violations of the Act by the Respondents.

II. Agreement

In consideration of a final resolution of the matters set forth in Paragraph I, and of other considerations set out hereinafter, the Division and Respondents hereby agree, stipulate, and undertake as follows:

1. Respondent admits the jurisdiction of the Division as to all parties and matters herein under the authority of the Act.
2. New Haven Memorial Funeral Home Inc., is a preneed establishment registered with the Mississippi Secretary of State's Office, and is located at 703 Philadelphia Road, Dekalb, Mississippi 39328.
3. Respondent hereby admits to the following violation of the Act:

- a. New Haven Memorial Funeral Home Inc., in violation of Mississippi Code Annotated Section 75-63-67, failed to file an annual report in a timely manner. According to the statute, every preneed establishment must file an annual report on or before March 31st of each year. Miss. Code Ann. § 75-63-67(1). The Secretary of State shall impose an administrative fine of One Hundred Dollars (\$100) per day for each day the report is late. New Haven Memorial's annual report was submitted on April 27, 2011.
4. Respondent will remit upon execution of this Agreement an administrative fine to the Secretary of State in the amount of Two Thousand Six Hundred Dollars (\$2,600.00), made payable to the Secretary of State's Office.
 - a. A payment of One Thousand Three Hundred Dollars (\$1,300.00) shall be received by the Secretary of State no later than January 31, 2012.
 - b. A second payment of One Thousand Three Hundred Dollars (\$1,300.00) shall be received by the Secretary of State no later than June 30, 2012.
5. As a result of this Agreement, the Secretary of State agrees not to pursue any further actions against New Haven Memorial regarding the aforementioned violation.
6. Nothing contained herein shall be construed as limiting Respondent's rights to contest any finding or determination made by the Division or by a court concerning an alleged failure by Respondent to comply with any of the terms and provisions of this Agreement.

7. Respondent is aware of its right to a hearing on this matter at which it may be represented by counsel, present evidence, and cross-examine witnesses.

Respondent hereby irrevocably waives the right to such a hearing.

8. Respondent understands that the entry of this Agreement represents the settlement of regulatory claims by the Division against the Respondent.

III. Acknowledgement

The parties acknowledge that they have read this Agreement in its entirety and fully understand the rights, terms, and obligation of each contained therein and they have been vested with the express authority to enter into this agreement. The parties further acknowledge that they have not been threatened or otherwise coerced into entering into this Consent Agreement.

The undersigned hereby acknowledge and agree to the terms and conditions of the foregoing Agreement by written consent.

So Agreed, this the 25th day of Aug, 2011.

NEW HAVEN MEMORIAL FUNERAL HOME, INC.

BY: Reginald S. Brumfield
Reginald S. Brumfield,
President

Date: 08/25/2011

C. DELBERT HOSEMANN, JR.
SECRETARY OF STATE
In his Official Capacity

BY: Amy C. Foster
Amy C. Foster,
Senior Attorney
Regulation and Enforcement

Date: 9.21.11