



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

FILED

JUN 23 2015

Docketed by *KZ*

IN THE MATTER OF:

CASE NO.: 173857-15-AG

MICHAEL J. SMERIGLIO, III
_____ /

CONSENT ORDER

THIS CAUSE came on for consideration and final agency action. Upon consideration of the record, including the Settlement Stipulation for Consent Order dated May 26, 2015, and being otherwise fully advised in the premises, the Chief Financial Officer finds:

1. The Chief Financial Officer, as agency head of the Florida Department of Financial Services (the "Department"), has jurisdiction over the subject matter of this case and the parties.

2. The entry of this Consent Order and compliance herewith by Michael J. Smeriglio, III (the "Respondent"), license #W101537, shall conclude the administrative proceeding of Case No. 173857-15-AG before the Department.

IT IS THEREFORE ORDERED:

(a) The Settlement Stipulation for Consent Order dated May 26, 2015, and attached hereto as "Exhibit A," is hereby approved and fully incorporated herein by reference.

(b) The Respondent's licensure and eligibility for licensure as an insurance agent within the state are hereby surrendered to the Department. The surrender

shall have the same force and effect as a revocation, and shall constitute a revocation. The Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm. The Respondent shall immediately return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

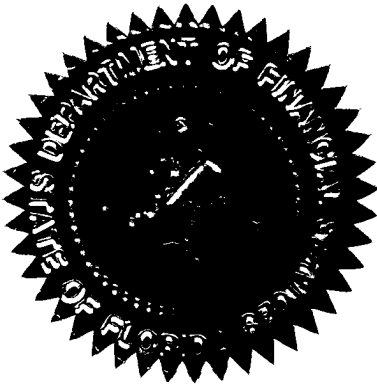
(c) Subsequent to the date of the execution of this Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of this Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.


(d) The Respondent shall be immediately and permanently removed, pursuant to section 624.310, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.

(e) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

(f) If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action. Further, if this order is enforced, then the Respondent shall be subject to contempt sanctions for violating any enforcement order.

DONE and ORDERED this 23rd day of June, 2015.





Gregory Thomas
Director, Agent & Agency Services

Copies Furnished To:

msmeriglio@metlife.com

Michael J. Smeriglio, III
Benedict Financial Group
23 Benedict Place
Greenwich, Connecticut 06830-5321

Michael J. Smeriglio, III
15 Saint Claire Avenue
Old Greenwich, Connecticut 06870-1921

Joseph Corozzo
260 Madison Avenue, 22nd Floor
New York, New York 10016-2401

Greg Thomas, Director
Division of Agent & Agency Services
200 East Gaines Street
Tallahassee, Florida 32399-0320

Complaint & Settlement
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399-0333



CHIEF FINANCIAL OFFICER
JEFF ATWATER
STATE OF FLORIDA

IN THE MATTER OF:

Case No: *173836-15-AG*

MICHAEL J. SMERIGLIO III /

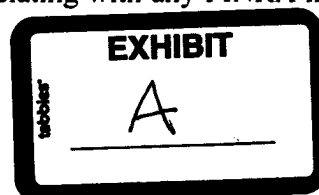
SETTLEMENT STIPULATION FOR CONSENT ORDER

IT IS HEREBY AGREED and STIPULATED by and between Michael J. Smeriglio III (the "Respondent") and the State of Florida, Department of Financial Services (the "Department"), that:

1. The Respondent is currently licensed as a Non Resident Life and Variable Annuity Agent. At all times relevant to the dates and occurrences referred to herein, the Respondent was so licensed in this state.

2. Pursuant to chapter 626, Florida Statutes, the Department has jurisdiction over the Respondent's licensure and eligibility for licensure and appointment in this state and the subject matter of this proceeding.

3. The Department conducted an investigation of the Respondent in his capacity as a licensee. As a result thereof, the Department alleges that on November 3, 2014 the Financial Industry Regulatory Authority (FINRA) issued a letter of Acceptance, Waiver and Consent barring the Respondent from associating with any FINRA member in any capacity for failing to



provide documents and information during an investigation of the allegations that he converted customer funds from a customer's Estate and Trust and he failed to notify the Department of the administrative actions taken against him within thirty (30) days of the final disposition. In order to avoid formal litigation of this matter, the Respondent has determined that it is in his best interests to enter into this Settlement Stipulation for Consent Order.

4. The Respondent voluntarily waives receipt of any notice or charges other than this Settlement Stipulation for Consent Order with respect to his license and disciplinary penalties.

5. The Respondent voluntarily waives receipt of an administrative complaint pursuant to section 120.60(5), Florida Statutes, or any notice or charges other than this Settlement Stipulation for Consent Order with respect to his license and disciplinary penalties.

6. By entering into this Settlement Stipulation for Consent Order and by the filing of a Consent Order in this case, the Respondent and the Department intend to and do resolve all issues pertaining to the license disciplinary administrative penalties to be imposed against the Respondent based on the allegations in paragraph 3 above.

7. Neither party will appeal this Settlement Stipulation for Consent Order or the Consent Order to be issued in this cause, and the parties specifically waive notice of the right to appeal as required by section 120.569(1), Florida Statutes.

8. This document is a public record and contains information which is routinely published by the Department.

9. Each party to this proceeding shall bear its own costs and attorneys fees.

10. This Settlement Stipulation for Consent Order is subject to the approval of the Chief Financial Officer or his designee. Upon his approval, and without further notice, the Chief Financial Officer or his designee may issue a Consent Order providing for the following:

(a) Incorporation by reference of the terms and conditions of this Settlement Stipulation for Consent Order.

(b) The Respondent's licensure and eligibility for licensure as an insurance agent within the state are hereby surrendered to the Department. The surrender shall have the same force and effect as a revocation, and shall constitute a revocation. The Respondent shall not engage in or attempt or profess to engage in any transaction or business for which a license or appointment is required under the Florida Insurance Code or directly or indirectly own, control, or be employed in any manner by any insurance agent or agency or adjuster or adjusting firm. The Respondent shall immediately return to the Department of Financial Services, Bureau of Licensing, 200 East Gaines Street, Tallahassee, Florida 32399-0319, all licenses issued to the Respondent pursuant to the Florida Insurance Code.

(c) Subsequent to the date of the execution of the Consent Order, the Respondent shall not make application to the Department for any license or permit issued under the authority of the Department. Subsequent to the date of the execution of the Consent Order, the Respondent shall be permanently ineligible to receive from the Department any license or permit issued under the authority of the Florida Department of Financial Services.

(d) The Respondent shall be immediately and permanently removed, pursuant to section 624.310, Florida Statutes. The Respondent shall otherwise be immediately and permanently removed and permanently barred from any and all direct or indirect participation in and/or affiliation with, any entity which is licensed or regulated under the Florida Insurance Code, as defined in section 624.01, Florida Statutes, and any individual or entity which is otherwise involved in the business or transaction of insurance.

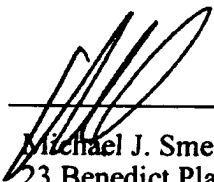
(e) Any person who knowingly transacts insurance or otherwise engages in insurance activities in this state without a license, or while the license is suspended or revoked, commits a felony of the third degree.

(f) If the Department has good cause to believe that the Respondent has violated any condition of the Consent Order, then the Respondent authorizes the Department to seek the immediate enforcement of the order in the Circuit Court of the Second Judicial Circuit, in and for Leon County, in Tallahassee, Florida. If such an enforcement order is granted, then the Respondent agrees that he shall be liable to the Department for all reasonable costs and attorneys fees expended in the enforcement action. Further, if this order is enforced, then the Respondent shall be subject to contempt sanctions for violating any enforcement order.

11. The Respondent certifies that the address and e-mail address below the Respondent's signature are valid addresses.


12. The Respondent agrees that the Consent Order may be sent to the Respondent via the e-mail address below the Respondent's signature.

DATED and SIGNED this 26 day of MAY, 2015



Michael J. Smeriglio III
23 Benedict Place
Greenwich, Connecticut 06830-5321

MSMERIGLIO@METLIFE.COM



Barry K. Lanier, FLMI, CLU
Bureau Chief
Division of Agent & Agency Services
Bureau of Investigation
200 East Gaines Street
Tallahassee, Florida 32399-0320

Joseph Corozzo
260 Madison Avenue, 22nd Floor
New York, New York 10016-2401

Attorney for the Respondent