



certificate of authority and without complying with specific requirements for authorized insurers, in violation of 36 O.S. § 606 and Article 6 of the Insurance Code, generally.

3. The alleged conduct is an immediate danger to the public or is causing or can be reasonably expected to cause significant, imminent and irreparable public injury.

**IT IS THEREFORE ORDERED** that Respondents and any agents, affiliates, employees, and/or other representatives, both current and successor, whether named or unnamed herein, shall **CEASE & DESIST** from all activities related to doing insurance business in this state, including:

1. The making of or proposing to make as an insurer an insurance contract;
2. The making of or proposing to make, as guarantor or surety, any contract of guaranty or suretyship as a vocation and not merely incidental to any other legitimate business or activity of the guarantor or surety;
3. The taking or receiving of any application for insurance;
4. Maintaining any agency or office where any acts in furtherance of an insurance business are transacted, including but not limited to:
  - a. execution of contracts of insurance with citizens of this or any other state,
  - b. maintaining files or records of contracts of insurance,
  - c. processing of claims, or
  - d. receiving or collection of any premiums, commissions, membership fees, assessments, dues or other consideration for any insurance or any part thereof;
5. The issuance or delivery of contracts of insurance to residents of this state or to persons authorized to do business in this state;

6. Directly or indirectly acting as an agent for, or otherwise representing or aiding on behalf of another, any person or insurer in:

- a. solicitation, negotiation, procurement or effectuation of insurance or renewals thereof,
- b. dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts,
- c. inspection of risks,
- d. fixing of rates or investigation or adjustment of claims or losses,
- e. transaction of matters subsequent to effectuation of the contract and arising out of it, or
- f. in any other manner representing or assisting a person or insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state;

7. Contracting to provide indemnification or expense reimbursement in this state to persons domiciled in this state or for risks located in this state, whether as an insurer, agent, administrator, trust, funding mechanism, or by any other method;

8. The doing of any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance;

9. The doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes; or

10. Any other transactions of business in this state by an insurer.

**IT IS FURTHER ORDERED** Respondents shall leave all records undisturbed in their office until such time as an appropriate examination of such records can be completed by representatives of the Department or other examiners appointed by or cooperating with the Commissioner.

**IT IS FURTHER ORDERED** that this Order is effective immediately and shall continue in full force and effect until further order of the Commissioner. This Order is binding on Respondents, their agents, affiliates, employees and/or other representatives, both current and successor, whether named or unnamed herein.

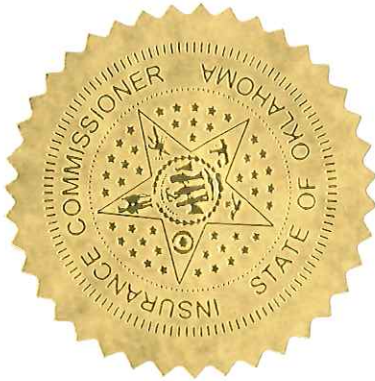
**IT IS FURTHER ORDERED** that notwithstanding any of the above orders to the contrary, Respondents shall pay all valid claims that arise pursuant to coverage purportedly provided under contracts provided herein.

**IT IS FURTHER ORDERED THAT RESPONDENTS ARE HEREBY FINED TEN THOUSAND DOLLARS (\$10,000.00) for engaging in the unauthorized business of insurance.**

Pursuant to 36 O.S. § 6103.6(B), any person affected by this Order and who seeks to contest it, has the right to request a hearing before the Commissioner, or his duly appointed representative, to show cause why this Order should not be affirmed. The person affected must make the request no later than the 30<sup>th</sup> day after the date on which the person receives this Order. The request must be in writing directed to the Commissioner and must state the grounds for the request to set aside or modify the Order. Pending hearing, this Order shall continue in full force and effect unless stayed by the Commissioner. Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. §§ 250 et seq.

**In the event this order is violated, the Commissioner may impose a civil penalty of \$25,000.00 for each act of violation; direct the Respondents against whom the Order is issued to make complete restitution, in the form and amount and within the period determined by the Commissioner to all Oklahoma residents, Oklahoma insureds and entities operating in Oklahoma damaged by the violation or failure to comply, or impose both the penalty and direct restitution.**

WITNESS My Hand and Official Seal this 29<sup>th</sup> day of March, 2011.



A handwritten signature in black ink, appearing to read "Paul Wilkening", written over a horizontal line.

PAUL WILKENING  
DEPUTY INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

**CERTIFICATE OF MAILING**

I, Julie Meaders hereby certify that a true and correct copy of the above and foregoing Emergency Cease and Desist Order was mailed postage prepaid with return receipt requested on this 30<sup>th</sup> day of March, 2011 to:

Eagle Actuary Corporation  
2448 E. 81<sup>st</sup> Street  
Suite 5626  
Tulsa, OK 74137-4309

**CERTIFIED MAIL NO: 7001 0320 0004 0178 6168**

Terry L. McCrackin  
2448 E. 81<sup>st</sup> Street  
Suite 5626  
Tulsa, OK 74137-4309

**CERTIFIED NO: 7001 0320 0004 0178 6175**

and a copy was e-mailed to:

Leah Scoles  
Licensing Division

Rick Wagnon/Robert Lee  
Anti-Fraud Division


Joel Sander  
Financial Division

  
\_\_\_\_\_  
Julie Meaders

**U.S. Postal Service**  
**CERTIFIED MAIL RECEIPT**  
 (Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0004 0178 6168

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage &		

Sent To **Eagle Actuary Corporation**  
 2448 E. 81st Street  
 Suite 5626  
 Tulsa, OK 74137-4309  
*11-0353-UNIT (JAT) (AT)*  
*2009 00958 91X515T0K*

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**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

RECEIVED  
OKLAHOMA INSURANCE DEPARTMENT

APR 13 2011  
Eagle Actuary Corporation  
2448 E. 81st Street  
Suite 5626  
Tulsa, OK 74137-4309  
Legal Division

11-0353-UNI/JAM/MT  
Emg. Cease & Desist Ord.

2. Article Number

(Transfer from service label)

7001 0320 0004 0178 6168

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X Terry L. McCrackin

Agent

Addressee

B. Received by (Printed Name)

Terry L. McCrackin

C. Date of Delivery

D. Is delivery address different from item 1?  Yes

If YES, enter delivery address below:  No

APR 09 2011

3. Service Type

Certified Mail  Express Mail

Registered  Return Receipt for Merchandise

Insured Mail  C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

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