

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
OCT 26 2011
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
HERBERT V. FRIEDMAN, INC.,)
a nonresident Third Party)
Administrator,)
)
Respondent.)

Case No. 11-1016-DIS

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through his attorney, Julie Meaders, and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq.

2. Herbert V. Friedman, Inc. is licensed by the State of Oklahoma as a nonresident third-party administrator holding license number 9679. Its address of record is 119 N. Park Avenue, Suite 202, Rockville Centre, NY 11570-4113.

3. The Commissioner may censure, suspend, revoke or fine a third-party administrator for acting as a third party administrator in Oklahoma without licensure. 36 O.S. § 1450.

ALLEGATIONS OF FACT

1. No person shall act or present himself or herself to be a third party administrator in this state, unless the person holds a valid license as an administrator, which is issued by the Insurance Commissioner.

2. Respondent failed to renew its third party administrator license upon expiration February 28, 2011. Respondent filed its 2010 annual report on or before June 1, 2011 pursuant to 36 O.S. § 1452 showing collection of approximately \$10,000.00 in Oklahoma premiums for the previous calendar year.

ALLEGED VIOLATIONS OF LAW

1. Any person who is acting as or presenting himself or herself to be an administrator without a valid license shall be subject to a fine of not less than One Thousand Dollars (\$1,000.00) nor more than Ten Thousand Dollars (\$10,000.00) for each occurrence.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Herbert V. Friedman, Inc. is **FINED ONE THOUSAND DOLLARS (\$1,00.00)** for acting as a third party administrator in Oklahoma without licensure. **The \$1,000.00 fine is to be paid within thirty (30) days** from issuance of this Order made payable to the Oklahoma Insurance Department. Respondent's license will be reinstated upon payment of the fine.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above

shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 26th day of October, 2011



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders

Julie Meaders
Assistant General Counsel
3625 N.W. 56th Street
Oklahoma City, OK 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail with postage prepaid and return receipt requested on this 26th day of October, 2011 to:

Herbert V. Friedman, Inc.
119 N. Park Avenue, Suite 202
Rockville Centre, NY 11570-4113

CERTIFIED MAIL NO: 7008 1830 0003 9411 9792

and a copy was delivered to:

DeAnn Robinson/Financial Division



JULIE MEADERS
ASSISTANT GENERAL COUNSEL

U.S. Postal ServiceTM
CERTIFIED MAILTM RECEIPT

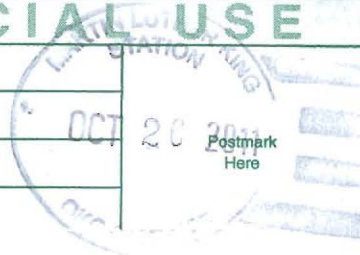
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at www.usps.com

OFFICIAL USE

7008 1830 0003 9411 9792

| | |
|---|----|
| Postage | \$ |
| Certified Fee | |
| Return Receipt Fee (Endorsement Required) | |
| Restricted Delivery Fee (Endorsement Required) | |



Total Postage &

Sent To _____
Street, Apt. No.,
or PO Box No. _____
City, State, ZIP+4 _____

Herbert V. Friedman, Inc.
119 N. Park Avenue, Suite 202
Rockville Centre, NY 11570-4113

{1-1016-DIS/JAM(mt) Cond.Admin.Ord.

PS Form 3800, August 2006

See Reverse for Instructions