

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE of OKLAHOMA, ex rel. JOHN D. DOAK,)
Insurance Commissioner,)
)
Petitioner,)
v.) Case No. 11-1088-DIS
)
BENCHMARK INSURANCE COMPANY, a)
licensed insurer in the State of Oklahoma,)
)
Respondent.)
)

FILED
FEB 1 8 2012
INSURANCE COMMISSIONER
OKLAHOMA

ADMINISTRATIVE ORDER

On February 1, 2012, the above captioned case came on for hearing at the office of the Oklahoma Insurance Department, 3625 N.W. 56th Street, Suite 100, Oklahoma City, Oklahoma and was concluded on the same date. Oklahoma Insurance Commissioner John D. Doak appointed the undersigned independent hearing examiner to preside at the hearing as a quasi-judicial officer. The hearing was recorded electronically by employees of the Oklahoma Insurance Department. Petitioner was represented by Assistant General Counsel Mark A. Willingham. Respondent was represented by counsel. Exhibits were received and arguments were heard. The hearing examiner finds as follows:

FINDINGS OF FACT

1. The Insurance Commissioner has full power and authority to administer the provisions of the Oklahoma Insurance Code, 36 O.S. §§101-7004. Respondent is a licensed insurer in the State of Oklahoma holding license number 41394.
2. On or about September 28, 2011, an inquiry regarding a claim which arose under insurance an insurance contract was forwarded by the Oklahoma Insurance Department to Respondent.
3. The thirtieth (30th) day after the date of inquiry was October 28, 2011.
4. Respondent failed to provide any response to the inquiry within the thirty (30) day period.

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over this matter pursuant to 36 O.S. § 101 et seq. The proceedings were commenced and conducted in accordance with the applicable provisions of the Oklahoma Administrative Procedures Act 75 O.S. §§ 250-323, and the Oklahoma Insurance Code, 36 O.S. § 101 et seq.

2. Respondent violated 36 O.S. § 1250.4(B) by failing to furnish an adequate response to an inquiry from the Commissioner within thirty (30) days from the date of the inquiry.

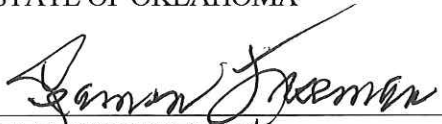
ORDER

IT IS ORDERED that Respondent is fined Five Hundred Dollars (\$500.00). The Fine is to be paid immediately.

WITNESS My Hand and Official Seal this 6th day of February, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


LEAMON FREEMAN
Hearing Examiner

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Administrative Order* was mailed postage prepaid with return receipt requested on this 10th day of February, 2012, to:

William Archibald
Attorney at Law
1715 N. Broadway Ave.
Oklahoma City, Oklahoma 73103

ATTORNEY FOR RESPONDENT

A handwritten signature in black ink, appearing to read 'Mark A. Willingham', written over a horizontal line.

MARK A. WILLINGHAM
Assistant General Counsel
Oklahoma Insurance Department

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11-1088-DIS/MAW(mt)Admin.Order

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