

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
MAR 20 2012
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
ANTONIO D. THOMAS, a licensed)
insurance producer,)
)
Respondent.)

Case No. 11-1133-DIS

CONSENT ORDER

The State of Oklahoma, *ex rel.* John D. Doak, Insurance Commissioner (the “Insurance Commissioner” or “Petitioner”), and the above named Respondent Antonio D. Thomas (“Respondent” or “Thomas”) agree to the entry of this Consent Order and jointly state as follows:

JURISDICTION

1. The Insurance Commissioner has jurisdiction of this cause, pursuant to the Oklahoma Constitution Article VI, § 22, the Oklahoma Insurance Code generally, 36 O.S. §§ 101 et seq., and specifically pursuant to the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1, et seq.

2. Antonio D. Thomas is a licensed resident insurance producer holding license 40110981. His address of record with the Oklahoma Insurance Department is 610 Aspen Drive, Enid, Oklahoma 73703.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act

and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

4. Antonio D. Thomas has been apprised of his rights including the right to a public hearing and has knowingly and freely waived said rights and enters into this Consent Order as a voluntary settlement to the issues and questions raised in the above captioned case.

AGREED FINDINGS OF FACT

1. The Oklahoma Insurance Department received a complaint from William T. Gaynor Jr., Home Office Special Investigations Unit Manager with Loyal American Life Insurance Company, on November 15, 2011. The complaint alleged that Thomas, an appointed agent with the insurer, impersonated several customers during telephone interviews with the insurer that occurred as part of the application process for Medicare supplement insurance.

2. The insurer terminated Thomas's appointment for cause and reported the termination to the Oklahoma Insurance Department as required by 36 O.S. § 1435.16.

3. The insurer provided documentation to the Department that the impersonations were discovered when the insurer was conducting audits of recorded telephone conversations for the purpose of improving customer service. Several of Thomas' customers did not recall speaking with anyone from the insurance company when asked during the investigation.

4. Thomas made a hesitant admission to Robert A. Douglas recruiting and training manager with Loyal American. Thomas stated that the only purpose behind the impersonations was an effort to save time during the application process. No customer was harmed by Thomas' actions.

AGREED CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(8) by using fraudulent, coercive or dishonest practices in the conduct of business in this state.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by Antonio D. Thomas that he is fined in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**, payable to the Oklahoma Insurance Department, in the form of a money order or cashier's check, due upon execution and return of this Consent Order. Thereafter, his insurance producer license may be reinstated.

VERIFICATION AND CONSENT

I, Antonio D. Thomas, state that I have read this Consent Order. The contents and facts set forth in the order are true to the best of my knowledge. I consent to the entry of the Order by the Insurance Commissioner and I waive my right to appeal this Order.

Antonio D. Thomas
ANTONIO D. THOMAS

STATE OF OKLAHOMA
COUNTY OF Garfield

This instrument was acknowledged before me on 3-7-12 by
ANTONIO D. THOMAS

Cristal Saldana
Signature of Notarial Officer

Clerk
Title

My commissions expires:
April 2015



APPROVED:

Julie Meaders
Julie Meaders
Assistant General Counsel
Oklahoma Insurance Department

WITNESS My Hand and Official Seal this 15th day of March 2012



JOHN D. DOAK
INSURANCE COMMISSIONER
OKLAHOMA INSURANCE DEPARTMENT


LEAMON FREEMAN
HEARING EXAMINER

CERTIFICATE OF MAILING

On this 20th day of March, 2012 a true and correct copy of the above and foregoing Consent Order was mailed certified mail, return receipt requested, to:

Antonio D. Thomas
~~610 Aspen Drive,~~ 2105 E. Locust Ave
~~Enid, Oklahoma 73703.~~ Enid, OK 73701

CERTIFIED MAIL NO:
7008 1830 0003 9411 9433

Notification was sent to:

All Appointing Insurers
NAIC/RIRS

A copy was electronically mailed to:

Licensing Division


Julie Meaders

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

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

OFFICIAL USE

7008 1830 0003 9411 9433

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

Postmark
Here

Total Postage &

Antonio D. Thomas
2105 E. Locust Ave
Enid, OK 73701

Sent To

Street, Apt. No.,
or PO Box No.

City, State, ZIP+4

11-1133-DIS/JAM(mt)Cons.Ord.

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 mail piece or on the front if space permits.

1. Article Addressed to:

Antonio D. Thomas
 2105 E. Locust Ave
 Enid, OK 73701

11-1133-DIS/JAM(mt)Cons.Ord.

2. Article Number
(Transfer from service label)

7008 1830 0003 9411 9433

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Randolph Ricc*

Agent

Addressee

B. Received by (Printed Name)

Randolph Ricc

C. Date of Delivery

3/24/12

Delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

RECEIVED
 INSURANCE DEPARTMENT
 MAR 23 2012
 LOG DIVISION