

2. On January 9, 2012, Department staff sent an email to Respondent.
3. On January 27, 2012, Department staff sent Respondent a letter, via certified mail, informing him of the unpaid amount and that a \$25.00 service fee was being assessed. The letter also instructed that \$3.00 for the amount of the EFT and \$25.00 for the service fee, for a total of \$28.00, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter.
4. Respondent received the letter on January 30, 2012.
5. As of the date of this Conditional Order, Respondent has not responded to the email or the letter from the Department and has not replaced the insufficient funds.

Insufficient Funds #2

6. On December 15, 2011, Respondent submitted an insufficient electronic funds transfer ("EFT") to the Oklahoma Insurance Department ("Department") in the amount of \$775.01 for payment of his November 2011 Safety National Casualty Corporation report reviewal fees and okgov.com fee.
7. On January 9, 2012, Department staff sent an email to Respondent.
8. On January 27, 2012, Department staff sent Respondent a letter, via certified mail, informing him of the unpaid amount and that a \$25.00 service fee was being assessed. The letter also instructed that \$775.01 for the amount of the EFT and \$25.00 for the service fee, for a total of \$800.01, be paid to the Department by cashier's check or money order within five (5) days of receipt of the letter.
9. Respondent received the letter on January 30, 2012.
10. As of the date of this Conditional Order, Respondent has not responded to the email

or the letter from the Department and has not replaced the insufficient funds.

Insufficient Funds #3

11. On January 15, 2012, Respondent submitted an insufficient electronic funds transfer (“EFT”) to the Oklahoma Insurance Department (“Department”) in the amount of \$454.25 for payment of his December 2011 Safety National Casualty Corporation report reviewal fees and okgov.com fee.

12. On January 31, 2012, Department staff sent Respondent a letter, via certified mail, informing him of the unpaid amount and that a \$25.00 service fee was being assessed. The letter also instructed that \$454.25 for the amount of the EFT and \$25.00 for the service fee, for a total of \$479.25, be paid to the Department by cashier’s check or money order within five (5) days of receipt of the letter.

13. Respondent received the letter on February 6, 2012.

14. As of the date of this Conditional Order, Respondent has not responded to the letter from the Department and has not replaced the insufficient funds.

CONCLUSION OF LAW

Respondent acted in violation of 59 O.S. § 1310(A)(27) by uttering insufficient funds to the Insurance Commissioner. Respondent acted in violation of 59 O.S. § 1310(A)(21) by failing to respond to a properly mailed notification within a reasonable amount of time.

ORDER

IT IS THEREFORE ORDERED that Eugene Phillips is fined Two Hundred Fifty Dollars (\$250.00). Respondent is further ordered to replace all funds owed to the Department as set forth above. The total amount currently due the Department is One Thousand Three

Hundred Dollars and Twenty-Six Cents (\$1,307.26). This is in addition to the \$250 fine ordered herein.

Respondent is further notified that he may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Michael P. Copeland, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing. **Such written request shall include an explanation of Respondent's actions described herein and any defenses thereto.**

If Respondent does not request a hearing within the 30 days allotted, this Order shall be a FINAL ORDER on the 31st day following the receipt of the Order and the fine ordered herein shall be due.

WITNESS My Hand and Official Seal this 27th day of March, 2012.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Michael P. Copeland", written over a horizontal line.

Michael P. Copeland
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF SERVICE

I 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 certified, return receipt requested on this 27th day of March, 2012, to:

Eugene Phillips
P.O. Box 21801
Oklahoma City, OK 73156-1801

**CERTIFIED MAIL NO:
7006 2760 0005 6605 6581**



Sherry Standerfer

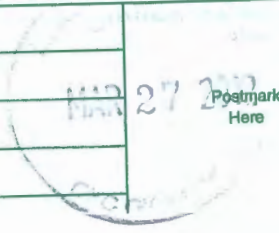
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Sent To Eugene Phillips
 Street, / P.O. Box 21801
 or PO B OKC, OK 73156-1801
 City, Stz sms/12-0261-DIS/Cond. Ord.

PS Form 3800, August 2006

See Reverse for Instructions

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:
 OKLAHOMA INSURANCE DEPARTMENT
 Eugene Phillips
 P.O. Box 21801
 OKC, OK 73156-1801
 sms/12-0261-DIS/Cond. Ord.

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
 X [Signature]
 B. Received by (Printed Name) Eugene Phillips
 C. Date of Delivery 4-5-12
 Is delivery address different from item 1? Yes No
 If YES, enter delivery address below:
 APR 09 2012
 Legal Division
 3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7006 2760 0005 6605 6581