BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,		
Petitioner,		
VS.		
MONICA DEPOR 11 11 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
MONICA REECE, a licensed bail bondsman in		
the State of Oklahoma,	CACENO	12 0204 DIG
AND	CASE NO.	12-0294-DIS
INDIANA LUMBERMENS MUTUAL		
INSURANCE COMPANY, an insurance company		FILED
licensed to act as bail surety in the State of		ADD 0.5 2040
Oklahoma,		APR 05 2012
Respondents.		INSURANCE COMMISSIONER OKLAHOMA

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 counsel and alleges and states as follows:

JURISDICTION

- 1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code 36 O.S. §§ 101-7004 and the Oklahoma Bail Bond Act 59 O. S. §§ 1301-1340.
- 2. Respondent Monica Reece ("Reece") is a licensed bail bondsman in the State of Oklahoma holding license number 100108159.
- Respondent Indiana Lumbermens Mutual Insurance Company ("Indiana Lumbermens")
 is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC
 number 14265.

FINDINGS

1. On or about November 26, 2011, an appearance bond was executed as follows:

Defendant:

Theodus Stroder Jr.

Case Number(s):

CF-2011-1048

City/County:

Muskogee County

Surety:

Indiana Lumbermens Mutual Insurance Co.

Bondsman:

Monica Reece

Power Number(s):

US5-572086

Bond Amount(s):

\$1,083

2. On December 21, 2011, the Defendant failed to appear, and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued by the court on that day and filed in the case. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the forfeiture.

- 3. Reece received a copy of the Order and Judgment of Forfeiture on December 22, 2011.
- 4. Indiana Lumbermens received a copy of the Order and Judgment of Forfeiture on December 27, 2011.
- 5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Reece was Thursday, March 22, 2012. The Defendant was not returned to custody within ninety (90) days of receipt of the Order and Judgment of Forfeiture, nor was deposit in the face amount of the bail bond made to the court clerk on the ninety-first (91st) day.
 - 6. The forfeited bond was paid on March 28, 2012.

CONCLUSIONS OF LAW

The allegations are found to be true and correct, and Respondents have violated 59 O.S. § 1332 by failing to return the defendant within ninety (90) days or remit payment in the face amount

of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture. Under 59 O.S. § 1310(B), any person or entity violating a provision of the Bail Bond Act may be subject to a civil penalty ranging from \$250 to \$2,500.

ORDER

IT IS THEREFORE ORDERED that Monica Reece and Indiana Lumbermens are <u>each</u> fined Three Hundred Dollars (\$300.00).

Respondents are further notified that they may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Oklahoma 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 give an explanation of Respondents' actions described herein and any defenses thereto.

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

WITNESS My Hand and Official Seal this _____ day of April, 2012.

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JOHN D. DOAK INSURANCE COMMISSIONER STATE OF OKLAHOMA

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 ______ day of April, 2012, to:

Monica Reece 313 State Street Muskogee, OK 74403 CERTIFIED MAIL NO: 7001 0320 0004 4250 4424

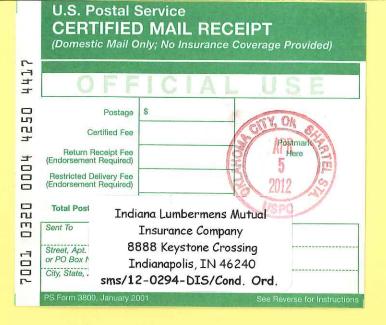
Indiana Lumbermens Mutual Insurance Company 8888 Keystone Crossing Indianapolis, IN 46240

CERTIFIED MAIL NO: 7001 0320 0004 4250 4417

Sherry M. Standerfe

	U.S. Postal Service CERTIFIED MAIL RECEIPT (Domestic Mail Only; No Insurance Coverage Provided)		
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1	PS Form 3800.	Ser Reverse for Instructions	

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
 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. Article Addressed to: 	A. Signature Agent Addressee B. Received by (Printed Name) D. Is delivery address different from Jew 17 RECEIVES, enter delivery address below: SURANCE DEPARTMENT
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SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY	
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