

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED
JUN 15 2012
INSURANCE COMMISSIONER
OKLAHOMA

**STATE OF OKLAHOMA, ex rel. JOHN
D. DOAK, Insurance Commissioner,**)
)
)
Petitioner,)
)
v.)

MATHEW BRADLEY MITCHELL,)
)
)
Respondent.)

Case No. 12-0454-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. Mathew Bradley Mitchell is employed in an insurance related business as a financial consultant with BOSC Agency, Inc. His producer license 40003495 lapsed on June 30, 2011. His address of record is 1505 W. Trenton Street, Broken Arrow, Oklahoma 74012.
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).

ALLEGATIONS OF FACT

1. Respondent submitted an application to reinstate his producer license on May 15, 2012. The application stated under Respondent's employment history that he has been employed as a financial consultant with BOSC Agency, Inc. in Tulsa, Oklahoma from August 2008 to the present date.

2. Oklahoma Insurance Department records reveal that Respondent's producer license lapsed on June 30, 2011 for failure to renew.

3. Respondent was required to be licensed while employed in an insurance related business from June 30, 2011 to the present date.

4. Respondent answered the application "no" that he had never been convicted of a crime, had a judgment withheld or deferred, or was currently charged with committing a crime.

5. On Demand Court Records show that Respondent was charged on July 23, 2010 in CM-2010-00561 in Wagoner County, pled guilty and received a two year deferred sentence to be reviewed January 17, 2013.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(1) in providing incorrect, misleading, incomplete or materially untrue information in the license application.

2. Respondent violated 36 O.S. § 1435.4(A) in failing to maintain an active producer license while employed in an insurance-related business, thereby in violation of 36 O.S. § 1435.13(A)(2).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that Respondent violated 36 O.S. § 1435.13(A)(1) and (2) and as a result

Respondent is FINED in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**. **Fine to be paid within thirty (30) days of receipt of this Order.** 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, Suite 100, 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 15th day of June, 2012



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders
Julie Meaders
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma 73112

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 15th day of June, 2012 to:

Mathew Bradley Mitchell
1300 W. Richmond Street
Broken Arrow, OK 74012

CERTIFIED MAIL NO: 7006 2760 0005 6606 3961

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

Licensing Division



Julie Meaders

OFFICIAL USE

Postage \$

Certified Fee

Return Receipt Fee (Endorsement Required)

Restricted Delivery Fee (Endorsement Required)

Postmark Here

JUN 15 2012

Total Postage

Sent To

Street, Apt. No. or PO Box No.

City, State, Zip

Mathew Bradley Mitchell
1300 W. Richmond Street
Broken Arrow, OK 74012

12-0454-DIS/JAM(mt)Con-Adm.Ord.

PS Form 3800, August 2006

See Reverse for Instructions

7006 2760 0005 6606 3961

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

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:

Mathew Bradley Mitchell
1300 W. Richmond Street
Broken Arrow, OK 74012

12-0454-DIS/JAM(mt)Con-Adm.Ord.

2. Article Number

(Transfer from service label)

7006 2760 0005 6606 3961

PS Form 3811, February 2004

Domestic Return Receipt

102595-02-M-1540

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

3. Is delivery address different from item 1? Yes
If Yes, enter delivery address below: No

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

JUL 11 2012

Legal Division

3. Service Type

Certified Mail

Express Mail

Registered

Return Receipt for Merchandise

Insured Mail

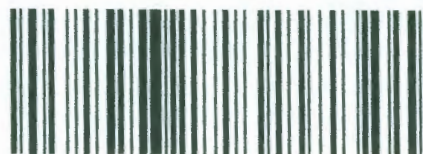
C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

Oklahoma Insurance Department
Legal Division
5 Corporate Plaza
3625 N.W. 56th Street, Suite 100
Oklahoma City, OK. 73112

CERTIFIED MAIL™



7006 2760 0005 6606 3961



U.S. POSTAGE >>> PITNEY BOWES

ZIP 73112 \$ 005.75⁰
02 1W
0001363374 JUN 15 2012

*Notified 6-18
6/29
7/5*

Mathew Bradley Mitchell
1300 W. Richmond Street
Broken Arrow OK 74012

NIXIE 731 4E 1 01 07/08/12 UNC
RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD
BC: 73112451125 *3057-06707-15

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