

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

JUL 13 2012

INSURANCE COMMISSIONER  
OKLAHOMA

IN RE: APPLICATION FOR CONVERSION )  
OF PREPAID FUNERAL BENEFIT TRUST )  
ACCOUNTS OF PERMIT HOLDER LADUSAU- )  
EVANS FUNERAL HOME, INC. TO INSURANCE )  
FUNDED ACCOUNTS BACKED BY FUNERAL )  
DIRECTORS LIFE INSURANCE COMPANY )

Case No. 12-0522-TRN

**ADMINISTRATIVE ORDER GRANTING CONVERSION**  
**OF PREPAID FUNERAL TRUST ACCOUNTS**  
**TO INSURANCE FUNDED BENEFITS**

The State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner (“the Insurance Commissioner”), hereby approves the conversion of the Prepaid Funeral Benefit Contracts of prepaid funeral trust benefit Permit Holder Ladusau-Evans Funeral Home, Inc. (“the Applicant”) from trust funded to insurance funded for the following good and sufficient reasons:

**JURISDICTION**

1. John D. Doak is the Insurance Commissioner for the State of Oklahoma and as such is charged with regulating and enforcing all provisions of the Oklahoma Insurance Code, Okla. Stat. tit. 36, §§ 101 et seq., including the laws pertaining to regulation of prepaid funeral benefit trust funds and prepaid funeral benefits contracts: Okla. Stat. tit. 36, §§ 6121-6136.18.

2. The Applicant was issued Permit No. 863407 by the Insurance Commissioner pursuant to Okla. Stat. tit. 36, § 6121, authorizing it to contract for prepaid funeral benefits for the purpose of depositing such contract proceeds in a trust fund pursuant to Okla. Stat. tit. 36, § 6125, and to act as trustee for individuals contracting to pre-pay Applicant for funeral merchandise and services.

### **FINDINGS OF FACT**

1. Pursuant to Okla. Stat. tit. 36 § 6136.18, Applicant on or about May 22, 2012, properly filed with the Insurance Commissioner an Application for Conversion from prepaid funeral trust funds to insurance funded accounts issued and backed by Funeral Directors Life Insurance Company, an insurer authorized to do business in Oklahoma under Oklahoma Certificate of Authority No. 3180 (NAIC Code Number. 99775).

2. The Insurance Commissioner believes that this conversion is proper and in the best interests of the prepaid funeral benefits contract holders in question.

### **CONCLUSIONS OF LAW**

1. Pursuant to Okla. Stat. tit. 36 § 6136.18 and OAR 365:25-9-8, the Application of Ladusau-Evans Funeral Home, Inc. for conversion from prepaid funeral trust funds to insurance funded accounts backed by Funeral Directors Life Insurance Company is proper in form and content and contains the following required items: Letters Requesting Approval of Trust Conversion; Written Commitment to Insurance Commissioner; Pre-Conversion Summary; Post-Conversion Summary; Samples of Letters to be Sent to Trust Clients; General Actuarial Statement; Specific Actuarial Statement; and Signature and Certification.

2. The Application for Conversion, being in proper form and content, should be approved.

### **ORDER**

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the Application for Conversion of Ladusau-Evans Funeral Home, Inc from prepaid funeral trust funds to insurance funded accounts issued and backed by Funeral Directors Life

Insurance Company is proper in form and content and IS HEREBY APPROVED.

IT IS FUTHER ORDERED that the Insurance Commissioner retains jurisdiction over the subject matter of this proceeding and over the parties for the purpose of entering such further order(s) or directives as may be deemed necessary and proper and for overseeing the consummation of the process of conversion of trust fund accounts to insured accounts.

WITNESS MY HAND AND SEAL this 10 day of July, 2012.




  
\_\_\_\_\_  
PAUL WILKENING  
First Deputy Insurance Commissioner  
Oklahoma Insurance Department

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing Administrative Order was mailed certified, return receipt requested on this 13<sup>th</sup> day of July, 2012 to:

Ladusau-Evans Funeral Home, Inc  
Joe Highberger, President  
2800 North Van Buren Street  
Enid, Oklahoma 73703-1728

Pat Baxter, Executive Vice President/Chief Operations Officer  
Funeral Directors Life Insurance Company  
Post Office Box 5649  
Abilene, TX 79608

  
\_\_\_\_\_  
KELLEY C. CALLAHAN  
Senior Attorney

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

7001 0320 0004 4250 3625

**OFFICIAL USE**

Postage \$	
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
<b>Total P&amp;c</b>	



Sent To  
 Street, Ap or PO Box  
 City, State

**Ladusau-Evans Funeral Home, Inc.**  
 Joe Highberger, President  
 2800 North Van Buren St.  
 Enid, Ok 73703-1728  
 sms/12-0522-TRN/Admin. Ord.

PS Form 3800, January 2001 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:

Ladusau-Evans Funeral Home, Inc.  
 Joe Highberger, President  
 2800 North Van Buren St.  
 Enid, Ok 73703-1728  
 sms/12-0522-TRN/Admin. Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

B. Received by (Printed Name) C. Date of Delivery

Kenny Lyman 7-14

D. Delivery address different from item 1?  Yes  
 No

YES: Enter delivery address below:  No

OKLAHOMA INSURANCE DEPARTMENT  
 JUL 17 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) 7001 0320 0004 4250 3625

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

7001 0320 0004 4250 3632

OFFICIAL USE

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



**Total Po:** Pat Baxter, Exec VP/CEO  
**Sent To:** Funeral Directors Life Ins. Co.  
 P.O. Box 5649  
 Abilene, TX 79608  
**sms/12-0522-TRN/Admin. Ord.**

PS Form 3800, January 2001 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:

Pat Baxter, Exec VP/CEO  
 Funeral Directors Life Ins. Co.  
 P.O. Box 5649  
 Abilene, TX 79608  
 sms/12-0522-TRN/Admin. Ord.

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  Addressee  
 X *[Signature]*

B. Received by (Printed Name) *Phillips* C. Date of Delivery *7-17-12*

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

OKLAHOMA INSURANCE DEPARTMENT

JUL 23 2012

Legal 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)

7001 0320 0004 4250 3632