

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

FILED
FEB 05 2013
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, *ex rel.*)
JOHN DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
SIDECARS, INC., a licensed service warranty)
association, # 862876)
)
Respondent.)

Case No. 13-0053-DIS

**CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE
HEARD**

COMES NOW the State of Oklahoma, *ex rel.* John Doak, by and through his undersigned attorney, and alleges and states as follows:

JURISDICTION

1. John 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 Service Warranty Act, 15 O.S. §§ 141.1 et seq.
2. Respondent is a licensed service warranty association in the State of Oklahoma holding license number 862876. Respondent is domiciled in the state of Missouri and has a statutory home office address of 532 South Main Street, Suite Z, Joplin, Missouri 64801.
3. The Insurance Commissioner may levy a fine of up to One Hundred Dollars (\$100.00) a day for each day an association neglects to file the annual statement in the form and within the time provided by the Service Warranty Act 15 O.S. § 141.14(B).

4. If the Respondent requests a hearing in this matter, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and who may preside over the hearing requested by the Respondent.

ALLEGATIONS OF FACT

1. Respondent is a licensed service warranty association in the State of Oklahoma holding license number 862876. Respondent is domiciled in the state of Missouri and has a statutory home office address of 532 South Main Street, Suite Z, Joplin Missouri.

2. Respondent failed to file its 2012 Service Warranty Annual Financial Statement due on or before May 1, 2012, pursuant to the provisions of 15 O.S. § 141.14, and has failed to do so as of the date of this filing.

3. Respondent has failed to place in the trust with the Insurance Commissioner a surety bond issued by an authorized surety as required by 15 O.S. § 141.6(A).

4. The Insurance Commissioner hereby finds that there is clear and convincing evidence that Respondent failed to file its 2012 financial statement on or before May 1, 2012; and that Respondent's conduct not only violates the respective provisions of the Service Warranty Act but also prohibits the Commissioner from determining Respondent's solvency and compliance with the reserve account requirements and other financial provisions of 15 O.S. §141.6.

CONCLUSIONS OF LAW

1. Respondent failed to file its 2012 financial statement in violation of 15 O.S. § 141.14 thereby prohibiting the Commissioner from confirming that the solvency requirements and the reserve and financial requirements set forth in 15 O.S. § 141.6 have been met.

2. Respondent has failed to place in the trust with the Insurance Commissioner a

surety bond issued by an authorized surety as required by 15 O.S. § 141.6(A).

3. Respondent has violated 15 O.S. § 141.5 by failing to furnish the Insurance Commissioner with evidence satisfactory that the management of the association is competent and trustworthy and can successfully manage the affairs of the association in compliance with the law.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraphs, that the Respondent has violated provisions of the Service Warranty Act and as a result, Sidecars, Inc. is **FINED IN THE AMOUNT OF ONE THOUSAND DOLLARS (\$1,000.00)** for violation of the Service Warranty Act and is **ORDERED TO SUBMIT** its 2012 service warranty annual financial statement and a surety bond having a value of not less than 5% of the gross provider fee received, less the claims paid, on the sale of service warranties in this state within **thirty (30) days** of receipt of this order.

IT IS FURTHER ORDERED that unless 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 of this Order. Such request for a hearing, if desired, shall be made in writing, addressed to Julie Meaders, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, Suite 100, Oklahoma City, Oklahoma 73112 and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on any such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §101 *et seq.* and the Oklahoma Administrative Procedures Act 75 O.S. §250 *et seq.*

WITNESS My Hand and Official Seal this 5th day of February 2013.



JOHN D.DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders

Julie Meaders
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING


I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Conditional Order and Notice of Right to be Heard was mailed by certified mail with postage prepaid and return receipt requested on this 5th day of February 2013, to:

Sidecars, Inc.
Paul Griego
532 South Main Street, Suite Z
Joplin, MO 64801

CERTIFIED MAIL NO: 7001 0320 0003 9967 1033

And a copy delivered to:

Lauren Bouse
Financial Division


Julie Meaders
Julie Meaders
Assistant General Counsel

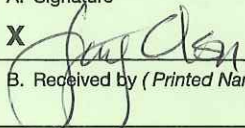
U.S. Postal Service
CERTIFIED MAIL RECEIPT
(Domestic Mail Only; No Insurance Coverage Provided)

7001 0320 0003 9967 1033

OFFICIAL USE

Postage	\$	
Certified Fee		
Return Receipt Fee (Endorsement Required)		
Restricted Delivery Fee (Endorsement Required)		
Total Postage		
Sent To Sidecars, Inc. Paul Griego 532 South Main Street, Suite Z Joplin, MO 64801		
Street, Apt. No., or PO Box No. City, State, ZIP+4 13-0053-DIS/JAM(mt)Con.Adm.Ord.		

PS Form 3800, January 2001 See Reverse for Instructions

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ 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. 	<p>A. Signature <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>X </p> <p>B. Received by (Printed Name) C. Date of Delivery</p> <p style="text-align: right; font-size: 1.5em;">2/7</p> <p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input type="checkbox"/> No</p>
<p>1. Article Addressed to:</p> <div style="border: 1px solid black; padding: 5px; margin: 10px 0;"> <p>Sidecars, Inc. Paul Griego 532 South Main Street, Suite Z Joplin, MO 64801</p> <p>13-0053-DIS/JAM(mt)Con.Adm.Ord.</p> </div>	<p style="text-align: center; font-size: 1.2em;">OKLAHOMA INSURANCE DEPARTMENT</p> <p style="text-align: center; font-size: 1.5em;">FEB 12 2013</p> <p style="text-align: center; font-size: 0.8em;">Legal Division</p> <p>3. Service Type</p> <p><input checked="" type="checkbox"/> Certified Mail <input type="checkbox"/> Express Mail</p> <p><input type="checkbox"/> Registered <input type="checkbox"/> Return Receipt for Merchandise</p> <p><input type="checkbox"/> Insured Mail <input type="checkbox"/> C.O.D.</p> <p>4. Restricted Delivery? (Extra Fee) <input type="checkbox"/> Yes</p>
<p>2. Article Number (Transfer from service label)</p>	<p style="text-align: center; font-size: 1.2em;">7001 0320 0003 9967 1033</p>
PS Form 3811, February 2004 Domestic Return Receipt 102595-02-M-1540	