

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

AUG 14 2014

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
Petitioner, )  
vs. )  
EUGENE PHILLIPS, a licensed bail bondsman )  
in the State of Oklahoma, )  
Respondent. )

Case No. 14-0806-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 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. §§ 101-7301, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.
2. Respondent Eugene Phillips (“Respondent”) is a licensed bail bondsman in the State of Oklahoma holding license number 40036559.

**FINDINGS OF FACT**

1. Respondent failed to file his June 2014 Safety National Casualty Corporation report with the Oklahoma Insurance Department (“Department”), which was due Tuesday, July 15, 2014.
2. On July 16, 2014, Department staff sent an email to Respondent regarding the failure to file the report.
3. On July 18, 2014, Department staff spoke with Respondent and advised him to file his report.

4. On July 28, 2014, Respondent called the Department and stated he would be filing the report by Tuesday, July 29, 2014.

5. As of this date, the report has not been filed with the Department.

### **CONCLUSIONS OF LAW**

1. Respondent has violated 59 O.S. § 1310(A)(24) for failing to file a report as required by Section 1314.

2. Respondent has violated 59 O.S. § 1314(B), which states that “monthly reports shall be submitted electronically to the Insurance Commissioner by the fifteenth day of each month.”

3. Pursuant to 59 O.S. § 1310(B), “any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence.”

### **ORDER**

**IT IS THEREFORE ORDERED that Eugene Phillips is CENSURED and FINED Two Hundred Fifty Dollars (\$250.00).** 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 Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Dan R. Byrd, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**

**If Respondent does not request a hearing within the thirty (30) days allotted, this Order shall become a FINAL ORDER on the thirty-first (31<sup>st</sup>) day following the receipt of the Order.**

WITNESS My Hand and Official Seal this 14<sup>th</sup> day of August, 2014.



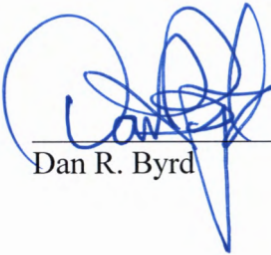
JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Dan R. Byrd  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 522-6330  
Fax (405) 522-0125

**CERTIFICATE OF MAILING**

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 14<sup>th</sup> day of August, 2014, to:

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



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Dan R. Byrd

U.S. Postal Service™  
**CERTIFIED MAIL™ RECEIPT**  
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**OKC, OK 73156-1801**  
**sms/14-0806-DIS/Cond Ord**

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 City, State, ZIP

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 the sender of the mailpiece, or on the front if space permits.

1. Article Addressed to:

*Legal Division*  
**Eugene Phillips**  
**P.O. Box 21801**  
**OKC, OK 73156-1801**  
**sms/14-0806-DIS/Cond Ord**

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature *[Signature]*  Agent  Addressee

B. Received by (Printed Name) *Eugene Phillips* C. Date of Delivery *7-2-14*

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

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) **7014 0150 0001 9588 1701**