

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

FILED
SEP 29 2014
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
HERBERT V. FRIEDMAN, INC.,)
a nonresident third-party)
administrator,)
)
Respondent.)

Case No. 14-0939-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 undersigned attorney, Barron B. Brown, 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. Herbert V. Friedman, Inc. is licensed by the State of Oklahoma as a nonresident third-party administrator holding license number 862903. Its address of record is 119 N. Park Ave., Suite 202, Rockville Centre, New York 11570-4113.
3. The Commissioner may censure, suspend or revoke a third-party administrator's license or assess a civil penalty of not less than \$100.00 or more than \$1,000.00 for each occurrence of failing to file an annual report. 36 O.S. § 1452(A).

ALLEGATIONS OF FACT

1. On or before June 1 of each year, all licensed administrators shall file an annual report for the previous calendar year. The report shall have been reviewed by a certified public accountant who shall be independent of the administrator. The report shall be subscribed and sworn to by the president and attested to by the secretary or other proper officers substantiating that the information contained in the report is true and factual concerning each of the plans they administer which are governed pursuant to the Third-Party Administrator Act. 36 O.S. § 1452(A).

2. Respondent's Third-Party Administrator Annual Report was due on or before June 1, 2014. As of the date of this Order, Respondent has failed to file its 2013 Annual Report.

ALLEGED VIOLATIONS OF LAW

1. Respondent is in violation of 36 O.S. § 1452(A) by failing to submit its annual report on or before June 1, 2014.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Herbert V. Friedman, Inc. is **CENSURED AND FINED FIVE HUNDRED DOLLARS (\$500.00)** in failing to submit its 2013 annual report on or before June 1, 2014. **The \$500.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$500.00 civil fine shall be paid by money order or cashier's check.

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 Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, 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 29th day of September, 2014.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown
Barron B. Brown
Assistant General Counsel
3625 N.W. 56th Street, Suite 100
Oklahoma City, OK 73112

CERTIFICATE OF MAILING


I, Barron B. Brown, 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 29th day of September, 2014 to:

Herbert V. Friedman, Inc.
119 N. Park Ave., Suite 202
Rockville Centre, NY 11570-4113

CERTIFIED MAIL NO: 7014 0150 0001 9588 3606

and a copy was delivered to:

DeAnn Robinson/Financial Division



Barron B. Brown
Assistant General Counsel

**U.S. Postal Service™
CERTIFIED MAIL™ RECEIPT**
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OFFICIAL USE

7014 0150 0001 9588 3606

Postage	\$
Certified Fee	
Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & F	Herbert V. Friedman, Inc.
Sent To	119 N. Park Ave., Suite 202
Street, Apt. No.; or PO Box No.	Rockville Centre, NY 11570-4113
City, State, ZIP+4	14-0939-DIS/BBB(mt) (Con.Adm.Ord. / 9-29-14)



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 you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to: OKLAHOMA IN...

Herbert V. Friedman, Inc.
119 N. Park Ave., Suite 202
Rockville Centre, NY 11570-4113
14-0939-DIS/BBB(mt)
(Con.Adm.Ord. / 9-29-14)

2. Article Number
(Transfer from service label)

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) MARINO
C. Date of Delivery 10/2/14

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

OCT 07 2014
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