

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
JUL 02 2015
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN)
DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
JAKE PATRICK NOE,)
an applicant for a resident limited lines)
insurance producer license,)
)
Respondent.)

Case No. 15-0731-DEN

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his attorney, Dan R. Byrd, and alleges and states as follows:

JURISDICTION

1. John 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. Respondent is an applicant for a resident limited lines insurance producer license in the State of Oklahoma. Respondent's address of record is 430 W. Wekiwa, Ste. H., Sand Springs, OK 74063.

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 applied for a resident limited lines insurance producer license on or about June 24, 2015 with the Oklahoma Insurance Department (OID). On the application form, question 1A asks the following: "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?" Respondent answered "no" to this question.

2. The application provides that individual applicants can only exclude "the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license." Applicants are also permitted to "exclude juvenile adjudications (offenses where you were adjudicated delinquent in a juvenile court)."

3. An On Demand Court Records (ODCR) background check by the OID Licensing Division showed that Respondent had the following on his record in the State of Oklahoma: a plea of nolo contendere to a criminal felony charge that was reduced to a misdemeanor for an assault and battery that occurred on November 10, 2002, which resulted in a finding of guilty with the term of sentencing to be suspended under the supervision of the Division of Probation and Parole of the Oklahoma State Department of Corrections (Tulsa County, Case No. CF-2002-5903). Respondent did not disclose this prior criminal history in the license application.

ALLEGED VIOLATIONS OF LAW

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

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Jake Patrick Noe is **FINED TWO HUNDRED DOLLARS (\$200.00)** for providing incorrect, misleading, incomplete or materially untrue information in the license application. **The \$200.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$200.00 civil fine shall be paid by money order or cashiers check. Respondent's application for a resident limited lines insurance producer license may be granted upon receipt of payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will result in your license application being withdrawn.

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 Dan R. Byrd, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., 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 2nd day of July, 2015.



JOHN DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Dan R. Byrd", is written over a horizontal line.

Dan R. Byrd
Assistant General Counsel
3625 NW 36th St., Suite 100
Oklahoma City, OK 73112

CERTIFICATE OF MAILING

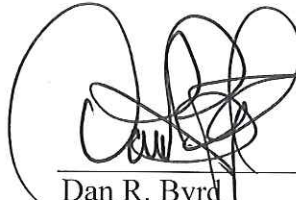
I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail, with postage prepaid and return receipt requested, on this 2nd day of July, 2015, to:

Jake Patrick Noe
430 W. Wekiwa, Ste., H
Sand Springs, OK 74063

CERTIFIED MAIL NO. 7015 0640 0004 4933 9887

and a copy was delivered to:

Karen Wojtek
Licensing Division



Dan R. Byrd
Assistant General Counsel

7015 0640 0004 4933 9887

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City, State, ZIP+4®

Jake Patrick Noe
430 W. Wekiwa Ste. H
Sand Springs, OK 74063
15-0731-DEN/DRB(mt)
(Cond.Adm.Ord.) (7-02-15)

PS Form 3800, April 2015 PSN 7530-02-000-9047 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. 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 X </p> <p><input checked="" type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery 7-2-15</p>
<p>1. Article Addressed to:</p> <p>Jake Patrick Noe 430 W. Wekiwa Ste. H Sand Springs, OK 74063 15-0731-DEN/DRB(mt) (Cond.Adm.Ord.) (7-02-15)</p> <p>9590 9403 0272 5155 1321 58</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes If YES, enter delivery address below: <input checked="" type="checkbox"/> No</p> <p>3. Service Type</p> <p><input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)</p> <p><input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery</p>
<p>2. Article Number (Transfer from service label) 7015 0640 0004 4933 9887</p>	<p>PS Form 3811, April 2015 PSN 7530-02-000-9053 Domestic Return Receipt</p>