

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

**STATE OF OKLAHOMA, ex rel. JOHN DOAK, Insurance Commissioner,** )  
 )  
 )  
 **Petitioner,** )  
 )  
 )  
 **v.** )  
 )  
 **KRISTAL DAWN FOWLER, a licensed insurance adjuster,** )  
 )  
 )  
 )  
 **Respondent.** )

**FILED**

AUG 13 2015

INSURANCE COMMISSIONER  
OKLAHOMA

**Case No. 15-0740-DIS**

**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, Barron B. Brown, 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 licensed by the State of Oklahoma as a resident insurance adjuster holding license number 0100183330. Her address of record with the Oklahoma Insurance Department (“OID”) is 215 W. Lawton, Copan, Oklahoma 74022.
3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew an initial license issued pursuant to the Oklahoma Insurance Adjusters 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. § 6219, § 6220(A) and (B).

## ALLEGATIONS OF FACT

1. On or about February 19, 2014, Respondent applied for a resident insurance adjuster license with the OID. Respondent applied under the name “Kristal Waits.” At the time of her application, Respondent failed to notify the OID Licensing Division of her previous alias, “Kristal Conley.” On the application form, the first question asks the following: “Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?” Respondent answered “no” to this question. A copy of Respondent’s application is attached as Petitioner’s Exhibit A.

2. The application form defines “crime” to include “a misdemeanor, a felony or a military offense.” “Convicted” is defined as “having been found guilty by verdict of a judge or jury, having entered a plea of guilty or nolo contendere or no contest, or having been given probation, a suspended sentence, or a fine.” The application states that individual applicants can only “exclude misdemeanor traffic citations and misdemeanor convictions or pending misdemeanor charges involving driving under the influence (DUI) or driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license and juvenile offenses.”

3. The OID, relying on the information submitted by Respondent in the license application, issued an adjuster license to Respondent.

4. On or about June 22, 2015, the OID discovered that Respondent had previously entered a plea of guilty to a criminal felony charge for arson in the first degree under her previous alias, Kristal Conley. Respondent received a deferred judgment for this charge on or about March 27, 2013 in the District Court of Washington County, State of Oklahoma (Case No.

CF-2011-262). A copy of Respondent's judgment and sentence court documentation is attached as Petitioner's Exhibit B.

5. On or about July 1, 2015, OID Anti-Fraud Investigator Rich Koch ("Koch") contacted Respondent by phone. In the course of that conversation, Respondent acknowledged that she was the same Kristal Conley referenced in the attached court documentation.

#### **ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 6220(A)(1); material misrepresentation or fraud in obtaining an adjuster's license.

2. Respondent violated 36 O.S. § 6220(A)(5); conviction of or pleading guilty or nolo contendere to a felony pursuant to the laws of this state, any other state, the United States, or any foreign country.

#### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Respondent is **CENSURED** and **FINED FIVE HUNDRED DOLLARS (\$500.00)** for material misrepresentation or fraud in obtaining an adjuster's license. **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. Failure to pay the civil fine or request a hearing within thirty (30) days may result in further administrative action.

**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 Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> 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 13<sup>th</sup> day of August, 2015.



JOHN DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

Barron B. Brown  
Assistant General Counsel  
3625 NW 56<sup>th</sup> St., 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 via regular mail and by certified mail, with postage prepaid and return receipt requested, on this 13<sup>th</sup> day of August, 2015, to:

Kristal Dawn Fowler  
215 W. Lawton  
Copan, OK 74022

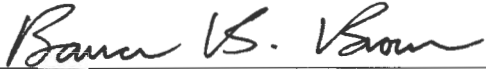
**CERTIFIED MAIL NO. 7015 0640 0004 4933 8965**

and a copy was delivered to:

Nicole Godfrey  
Licensing Division

Consumer Assistance Division

Rick Koch  
Anti-Fraud Division

  
\_\_\_\_\_  
Barron B. Brown  
Assistant General Counsel



**Licensee Background Question History**

<b>Name:</b>	FOWLER KRISTAL	<b>License Type:</b>	Adjuster
<b>Mailing Address:</b>	3901 SE ADAMS ROAD	<b>License Number:</b>	100183330
	BARTLESVILLE OK 74006	<b>NPN:</b>	17195861
<b>Report Date:</b>	07/01/2015	<b>DOB:</b>	06/08/1985
		<b>Application Submission Dates:</b>	From :02/19/2014 To :09/30/2014

**RENEWAL APPLICATIONS**

Background Question Answers not found for Renewal Application!

**ORIGINAL APPLICATIONS**

Submission Date :02/19/2014  
Transaction Number :33244705

1. Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?

No

If you have a felony conviction involving dishonesty or breach of trust, have you applied for written consent to engage in the business of insurance in your home state as required by 18 USC 1033?

N/A

If so, was consent granted? (Attach a copy of 1033 consent approved by home state.)

N/A

2. Have you ever been named or involved as a party in an administrative proceeding including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?

No

3. Has any demand been made or judgment rendered against you or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, for overdue monies by an insurer, insured or producer, or have you ever been subject to a bankruptcy proceedings? Do not include personal bankruptcies, unless they involve funds held on behalf of others.

No

4. Have you been notified by any jurisdiction to which you are applying of any delinquent tax obligation that is not the subject of a repayment agreement?

No

5. Are you currently a party to, or have you ever been found liable in, any lawsuit, arbitrations or mediation proceeding involving allegations of fraud, misappropriation or conversion of funds, misrepresentation or breach of fiduciary duty?

No

6. Have you or any business in which you are or were an owner, partner, officer, director, or member or manager of a limited liability company, ever had an insurance agency contract or any other business relationship with an insurance company terminated for any alleged misconduct?

No

7. Do you have a child support obligation in arrearage?

No

8. In response to a "yes" answer to one or more of the Background Questions for this application, are you submitting document(s) to the NAIC/NIPR Attachments Warehouse?

N/A

9. The Emergency Adjuster license application is only good for 90 days, and must be applied for a specific catastrophe in the State of Oklahoma. Are you applying for an Emergency Adjuster license for a specific catastrophe in the State of Oklahoma?

N/A

10. Are you sponsored by an Oklahoma licensed adjuster?

N/A

11. Did you qualify for this license type by passing an adjuster examination?

N/A

12. BAIL BONDSMAN APPLICANTS: Are you, your spouse, or any person to whom you provide financial support a member of any of the classes of prohibited persons listed in 59 O.S. §1315?

N/A

13. BAIL BONDSMAN APPLICANTS: Have you, your spouse, or any person to whom you provide financial support ever been convicted of, or pled guilty or nolo contendere to, a felony or misdemeanor involving dishonesty or moral turpitude?

N/A



ORIGINAL  
Return To Court Clerk

IN THE DISTRICT COURT OF WASHINGTON COUNTY  
THE STATE OF OKLAHOMA

THE STATE OF OKLAHOMA, )  
Plaintiff, )

vs. )

KRISTAL DAWN CONLEY )

SSN: 447-94-7580 )  
DOB: 06-08-85 )  
Defendant, )

DISTRICT COURT WASHINGTON CO OK  
JUL 1, 2011  
OCT 22 2014  
BY C. Gairnie DEPUTY

Case No. CF-2011-262

FILED

( ) Community Sentence pursuant to 22 O.S. § 988.1 et seq.

DEFERRED JUDGMENT

Now, on this 27<sup>th</sup> day of March, 2013, this matter comes on before the undersigned Judge for sentencing and the Defendant, appears personally and by his/her attorney, Stephen B. Riley, the State of Oklahoma represented by Jared Sigler, and the Defendant, having previously:

- Entered a plea of guilty
- Entered a plea of Nolo Contendere
- Been found guilty by jury
- Been found Guilty by Judge after waiver of jury trial
- Other \_\_\_\_\_

to/of the crime(s) of:	Statutory Reference
Count <u>1</u> : Arson First Degree _____	<u>21</u> O.S. § <u>1401</u>
Count _____: _____	O.S. § _____
Count _____: _____	O.S. § _____
Count _____: _____	O.S. § _____

Committed on or about the 11<sup>th</sup> day of July, 2011.

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Court that the Defendant has entered a plea to the above described offenses and the decision of the Court is to defer the finding of guilt as follows:

LENGTH OF DEFERMENT

- Count 1: Defers sentencing for a term of 10 years w/6 months to serve
- Count \_\_\_\_\_: Defers sentencing for a term of \_\_\_\_\_
- Count \_\_\_\_\_: Defers sentencing for a term of \_\_\_\_\_
- Count \_\_\_\_\_: Defers sentencing for a term of \_\_\_\_\_

under the supervision: Report to jail: Under Advisement

- Oklahoma Department of Corrections, or
- the Washington County Sheriff;

all of said term(s) of probation pursuant to the rules and conditions of probation entered by the court.

- Community sentence pursuant to Community Sentencing Act, 22 O.S. § 988.1 et seq.

These term(s) of deferment are;

- Concurrent, or
- Consecutive \_\_\_\_\_

2013000832



IT IS FURTHER ORDERED, ADJUDGED AND DECREED BY THE COURT that in addition to the preceding terms, the Defendant is also ordered to:

**FINE**

- (X) The defendant shall pay a fine of \$1000.00
  - (X) immediately; or
  - (X) in accordance with schedule(s).
  - ( ) The payment of the fine is suspended.

**COSTS, VCA, RESTITUTION**

- (X) The defendant is to pay a Victim Compensation Assessment of \$500.00.
- (X) The defendant shall pay costs, fees, and restitution in accordance with schedule(s).
- ( ) The defendant shall pay Sheriff Incarceration Fees (SIF) in the amount of \$\_\_\_\_\_ pursuant to 22 O.S. 979a.
- (X) The defendant shall pay Sheriff Incarceration Fees (SIF) pursuant to 22 O.S. 979a. The Washington County Sheriff's Office shall make a return to the Court stating the number of actual days served in the county jail. The Court shall issue an Order entitled Attachment B which shall be made part of this Judgment reflecting the Sheriff Incarceration Fees payable by the defendant as part of the Order Granting Time to Pay Fines and Costs and Requiring Appearance for Non Payment.
  - ( ) The defendant shall report to the District Court of Washington County within 48 hours of release for a hearing on the defendant's ability to pay fines and costs pursuant to Section VIII of the Rules of the Court of Criminal Appeals, 22 O.S., Ch. 18.

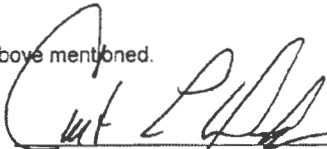
**RULES AND CONDITIONS OF PROBATION**

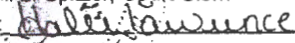

- (X) The rules and conditions of probation as ordered by the court and signed by the defendant, acknowledging his/her understanding of the rules and conditions of probation, are incorporated.

IT IS FURTHER ORDERED that judgment is hereby entered against the Defendant as to the fines, costs, and assessments set forth above.

The Court further advised the Defendant of his/her rights and procedure to appeal to the Court of Criminal Appeals of the State of Oklahoma, and of the necessary steps to be taken by him/her to perfect such appeal, and that if he or she desired to appeal and was unable to afford counsel and a transcript of the proceedings, that the same would be furnished by the State subject to reimbursement of the cost or representation in accordance with Sec. 1335.14 of Title 22

WITNESS my hand the day and year first above mentioned.

  
Curtis L. DeLapp  
Judge of the District Court

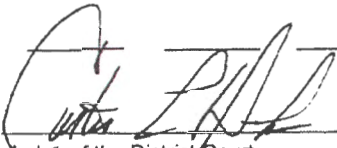
ATTEST: Jill L. Spitzer, Court Clerk  
By:   
Deputy Clerk  


**ATTACHMENT A**

The above Defendant is ordered by the attached Deferred Judgment to repay the Court Fund of Washington County the following dollar amounts representing fines, costs and assessments resulting from his/her conviction. Monies collected shall be applied to the balance due in the order of priority listed on this Attachment. All fines, costs and assessments are due and owing from date of the Deferred Judgment. The Defendant must reappear in this Court for further proceedings within seventy-two (72) hours upon release. Costs, such as appellate proceedings, issuance of bench warrants and transportation costs, may continue to accrue after judgment. Additional costs may be certified by the Court Clerk as they accrue.

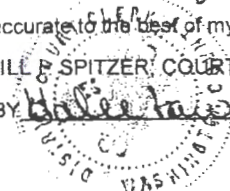
**SCHEDULE OF REIMBURSEMENT**

	COUNT 1:	COUNT 2:	COUNT 3:	COUNT 4:	COUNT 5:	COUNT 6:
1. Court costs	<u>322.20</u>	_____	_____	_____	_____	_____
2. BPD/DPD	_____	_____	_____	_____	_____	_____
3. Fines	<u>\$1000.00</u>	_____	_____	_____	_____	_____
4. Victims Comp	<u>\$500.00</u>	_____	_____	_____	_____	_____
5. Attorney Fees	_____	_____	_____	_____	_____	_____
6. County Sheriff	<u>250.00</u>	_____	_____	_____	_____	_____
7. DA Fee	<u>25.00</u>	_____	_____	_____	_____	_____
8. CLEET/PAX	<u>9.00</u>	_____	_____	_____	_____	_____
9. AFIS/AFIX	<u>5.00</u>	_____	_____	_____	_____	_____
10. Forensic fee	<u>5.00</u>	_____	_____	_____	_____	_____
11. MLFR	<u>10.00</u>	_____	_____	_____	_____	_____
12. TCRF	_____	_____	_____	_____	_____	_____
13. OSBI lab fees	_____	_____	_____	_____	_____	_____
14. DPS	_____	_____	_____	_____	_____	_____
15. Restitution	_____	_____	_____	_____	_____	_____
16. Drug Abuse Ed	_____	_____	_____	_____	_____	_____
17. BOJ	<u>25.00</u>	_____	_____	_____	_____	_____
18. PSI fee	<u>\$250.00</u>	_____	_____	_____	_____	_____
 TOTAL:	<u>2465.20</u>	_____	_____	_____	_____	_____

  
 \_\_\_\_\_  
 Judge of the District Court

I certify that the forgoing figures are true and accurate to the best of my knowledge.

Date: 5/1/13

  
 JILL P. SPITZER, COURT CLERK  
 BY: Hallee Inouance  
 \_\_\_\_\_  
 DEPUTY CLERK

\*\*\* RETURN OF SERVICE \*\*\*

IN THE DISTRICT COURT FOR

WASHINGTON COUNTY

CASE NAME: OTHER

STATE OF OKLAHOMA  
vs  
CONLEY, KRISTAL DAWN

CASE NO: 2013000832

NOTICE RECEIVED: 05/01/2013

STATE OF

COUNTY

I certify that I served a copy of: DEFERRED I&S

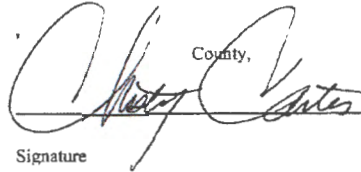
- Petition and Original Notice
- Modification/Application and Notice
- Order to Show Cause
- Order Filed
- Writ
- Other

Served at on 00/00/0000 00:00

Special Instructions:

COUNT 1 ARSON FIRST DEGREE/10 YEARS WITH 6MONTHS UNDER ADVISEMENT.....11/8/13 F&C ARB PAID / PROBATION TERMINATED

Service : 0.00  
 Mileage : 0.00  
 Trust/Copy : 0.00  
 MISC : 0.00  
 TOTAL : 0.00

  
 \_\_\_\_\_  
 Signature Title

Fees charged to/paidby Atty/Party:



**Insurance Commissioner**  
 Oklahoma Insurance Department  
 5 Corporate Plaza  
 3625 N.W. 56th St., Ste. #100  
 Oklahoma City, OK 73112-4511

NMR

15-0740

neopost FIRST-CLASS MAIL  
 08/13/2015  
**US POSTAGE \$001.42<sup>0</sup>**

 ZIP 73112  
 041L12203132

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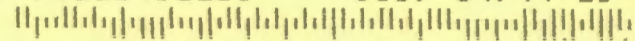


Kristal Dawn Fowler  
 215 W. Lawton  
 Copan, OK 74022

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT

AUG 21 2015

Legal Division

NIXIE 731 DE 1700 0108/18/15  
 RETURN TO SENDER  
 UNDELIVERABLE AS ADDRESSED  
 UNABLE TO FORWARD  
 BC: 73112451125 \*0657-04744-13-39  


731124511  
 740224335



**Insurance Commissioner**  
 Oklahoma Insurance Department  
 5 Corporate Plaza  
 3625 N.W. 56th St., Ste. #100  
 Oklahoma City, OK 73112-4511

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Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage \$ \_\_\_\_\_

Total Postage and Fees \$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and Apt. No., or PO Box # \_\_\_\_\_

City, State, ZIP+4® \_\_\_\_\_

PS Form 3800, April 2015 PSN \_\_\_\_\_

Kristal Dawn Fowler  
 215 W. Lawton  
 Copan, OK 74022  
 rlg/15-0740-DIS(BBB)/C

2015 AUG 20 AM 9 24

|||||  
 Kristal Dawn Fowler  
 215 W. Lawton  
 Copan, OK 74022

RECEIVED  
 OKLAHOMA INSURANCE DEPARTMENT  
 AUG 21 2015  
 Legal Division

NIXIE 731 DE 1700 0108/18/15  
 RETURN TO SENDER  
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 BC: 73112451125 \*0657-04751-13-39

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 0400 5100  
 7015 0640

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Certified Mail Restricted Delivery \$ \_\_\_\_\_

Adult Signature Required \$ \_\_\_\_\_

Adult Signature Restricted Delivery \$ \_\_\_\_\_

Postage

\$ \_\_\_\_\_

**Total Postage and Fees**

\$ \_\_\_\_\_

Sent To \_\_\_\_\_

Street and Apt. No., or PO Box<sup>1</sup>

City, State, ZIP+4<sup>®</sup>

PS Form 3800, April 2015 PSN \_\_\_\_\_

Kristal Dawn Fowler  
215 W. Lawton  
Copan, OK 74022  
rlg/15-0740-DIS(BBB)/C



7015 0640 0004 4933 8965

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS, FOLD AT DOTTED LINE

NMR

**SENDER: COMPLETE THIS SECTION**

- 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.

1. Article Addressed to:

Kristal Dawn Fowler  
215 W. Lawton  
Copan, OK 74022  
rlg/15-0740-DIS(BBB)/Cond. Adm. Ord.



9590 9403 0272 5155 0731 61

2. Article Number (Transfer from service label)

7015 0640 0004 4933 8965

PS Form 3811, April 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature  Agent  
 Addressee

X

B. Received by (Printed Name)

C. Date of Delivery

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

3. Service Type
- Adult Signature
  - Adult Signature Restricted Delivery
  - Certified Mail<sup>®</sup>
  - Certified Mail Restricted Delivery
  - Collect on Delivery
  - Collect on Delivery Restricted Delivery
  - Insured Mail
  - Insured Mail Restricted Delivery (over \$500)
  - Priority Mail Express<sup>®</sup>
  - Registered Mail<sup>™</sup>
  - Registered Mail Restricted Delivery
  - Return Receipt for Merchandise
  - Signature Confirmation<sup>™</sup>
  - Signature Confirmation Restricted Delivery

Domestic Return Receipt