

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

FILED
JAN 27 2016
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
vs.)
)
RUSSEL GLASS, a licensed bail bondsman in the)
State of Oklahoma,)
AND)
CRUM & FORSTER INDEMNITY COMPANY,)
an insurance company licensed to act as bail)
surety in the State of Oklahoma,)
Respondents.)

CASE NO. 16-0103-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 Russel Glass (“Glass”) is a licensed bail bondsman in the State of Oklahoma holding license number 199472.
3. Respondent Crum & Forster Indemnity Company (“CFIC”) is an insurance company licensed to act as bail surety in the State of Oklahoma holding NAIC number 31348.

FINDINGS OF FACT

1. On or about August 11, 2015, an appearance bond was executed as follows:

Defendant: Kristofer Smith
Case Number(s): CM-2015-2606
City/County: Oklahoma County Court Clerk
Surety: Crum & Forster Indemnity Company
Bondsman: Russel Glass
Power Number(s): C5-70191608
Bond Amount(s): \$4000

2. On September 15, 2015, the Defendant failed to appear, and the bond was orally declared forfeited. An Order and Judgment of Forfeiture was filed by the court on September 18, 2015. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Respondents with return receipt requested within thirty (30) days after the Order's filing.

3. Glass received a copy of the Order and Judgment of Forfeiture on September 25, 2015.

4. CFIC received a copy of the Order and Judgment of Forfeiture on October 1, 2015.

5. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture by Respondents was Friday, December 25, 2015, which was a holiday. Per Rule the due date was Monday, December 28, 2015, however, the Court Clerk's office was closed due to bad weather so the due date was Tuesday, December 29, 2015.

6. As of the date of this Order, the bond forfeiture has not been paid or otherwise set aside or the bond exonerated.

7. The Defendant was not returned to custody within 90 days, nor was the face amount of the forfeited bond deposited with the Court Clerk within 91 days, after receipt of the Order and Judgment of Forfeiture by Respondents.

8. The bond was reported.

CONCLUSIONS OF LAW

1. The allegations are found to be true and correct, and Respondents have violated 59 O.S.

§ 1332(D) by failing to return the Defendant within ninety (90) days or remit payment in the face amount of the bond forfeiture within ninety-one (91) days from receipt of the Order and Judgment of Forfeiture.

2. Pursuant to 59 O.S. § 1310(B), any bondsman or company violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1340, may be subject to a fine of not less than \$250 but not more than \$2,500.

3. Pursuant to 59 O.S. § 1332(D)(4)(a), when a surety company does not properly deposit with the court clerk the face amount of the forfeited bond, the Commissioner shall “cancel the license privilege and authorization of the insurer to do business within the State of Oklahoma and cancel the surety appointment of all surety bondsman agents of the insurer.

ORDER

IT IS THEREFORE ORDERED that Russel Glass and Crum & Forester Indemnity Company are each **CENSURED** and **FINED** Fine Hundred Dollars (\$500.00).

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Oklahoma County Court Clerk (or the bond forfeiture otherwise set aside or the bond exonerated) within thirty (30) days of receipt of this Order. Failure to do so shall result in the **CANCELLATION** of Crum & Forster Indemnity Company’s license privilege and authorization to do business within the State of Oklahoma and **CANCELLATION** of the surety appointment of all surety bondsman agents of Crum & Forster Indemnity Company.

Respondents are further notified that they 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, Assistant General Counsel, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and **give an explanation of Respondents' actions alleged herein and any defenses thereto.**

If Respondents do not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31st day following the receipt of the Order, and the fines ordered herein shall be due.

WITNESS My Hand and Official Seal this 27th day of January, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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

CERTIFICATE OF MAILING

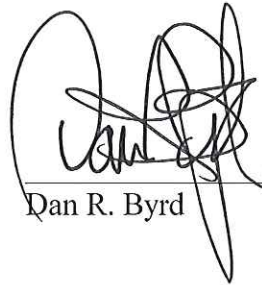
I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 27th day of January, 2016, to:

Russel Glass
408 W. Pennsylvania Ave.
Chickasha, OK 73018-2447

**CERTIFIED MAIL NO:
7015 0640 0002 7406 5777**

Crum & Forster Indemnity Company
c/o Fairmont Specialty
Attn: Dee Evans
10350 Richmond Ave., Suite 300
Houston, TX 77042

**CERTIFIED MAIL NO:
7015 0640 0002 7406 5784**



Dan R. Byrd

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Certified Mail Fee \$
 Extra Services & Fees (check box, add fee as appropriate)
 Return Receipt (hardcopy) \$
 Return Receipt (electronic) \$
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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®

Crum & Forster Indemnity Company
 c/o Fairmont Specialty
 Attn: Dee Evans
 10350 Richmond Ave., Suite 300
 Houston, TX 77042
 16-0103-DIS/DRB(mt)
 (Cond. Adm. Ord. & Notice-1-27-16)

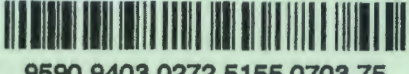
PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 0640 0002 7406 5784

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:
 Crum & Forster Indemnity Company
 c/o Fairmont Specialty
 Attn: Dee Evans
 10350 Richmond Ave., Suite 300
 Houston, TX 77042
 16-0103-DIS/DRB(mt)
 (Cond. Adm. Ord. & Notice-1-27-16)



9590 9403 0272 5155 0703 75

2. Article Number (Transfer from service label)
 7015 0640 0002 7406 5784

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee
Debra Samuel

B. Received by (Printed Name) C. Date of Delivery
 Debra Samuel 2/1/16

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

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 FEB 05 2016
 Legal Division

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

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

Domestic Return Receipt

U.S. Postal Service™
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OFFICIAL USE

Certified Mail Fee
 \$ _____

Extra Services & Fees (check box, add fee as appropriate)

Return Receipt (hardcopy) \$ _____

Return Receipt (electronic) \$ _____

Certified Mail Restricted Delivery \$ _____

Adult Signature Required \$ _____

Adult Signature Restricted Delivery \$ _____



Postage
 \$ _____

Total Postage and Fees
 \$ _____

Russel Glass
 408 W. Pennsylvania Ave.
 Chickasha, OK 73018-2447
16-0103-DIS/DRB(mt)
(Cond. Adm. Ord. & Notice-1-27-16)

Sent To

Street and Apt. No., or PO Box #

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

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 Number (Transfer from service label)
7015 0640 0002 7406 5777

Russel Glass
 408 W. Pennsylvania Ave.
 Chickasha, OK 73018-2447
16-0103-DIS/DRB(mt)
(Cond. Adm. Ord. & Notice-1-27-16)



9590 9403 0272 5155 0703 68

2. Article Number (Transfer from service label)
7015 0640 0002 7406 5777

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X *Russel Glass* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery
 Russel Glass 2-10-16

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

FEB 12 2016

Legal Division

3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Insured Mail Signature Confirmation Restricted Delivery (over \$500)

Insured Mail Restricted Delivery (over \$500)

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

Domestic Return Receipt

7015 0640 0002 7406 5777