

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

FILE ;

SEP 06 2016

INSURANCE COMMISSIONER
OKLAHOMA

**STATE OF OKLAHOMA, ex rel. JOHN D.
DOAK, Insurance Commissioner,**)
)
)
Petitioner,)
)
v.)
)
JUSTIN SCOTT WERRBACH, a licensed)
insurance producer in the State of Oklahoma,)
)
)
Respondent.)

Case No. 16-0562-DIS

FINAL ADMINISTRATIVE ORDER

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through his 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., including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.
2. Justin Scott Werrbach (“Respondent”) is a licensed insurance producer in the State of Oklahoma holding license number 0100207101. Respondent’s current address is 10 N. 909 Highland Terrace, Hampshire, Illinois 60140-7519.
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).

4. If the Insurance Commissioner finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to the effect in its order, such action may be ordered pending the outcome of proceedings instituted by the Oklahoma Insurance Department. 75 O.S. §§ 314(C)(2), 314.1; O.A.C. 365:1-7-9(a).

FINDINGS OF FACT

1. On or about September 2, 2015, Combined Insurance Company of America (“Combined”) notified the Oklahoma Insurance Department (“OID”) that, after an internal investigation into Respondent’s business activities, Respondent’s appointment with the company had been terminated for cause due to fraud. A copy of this termination letter is attached as Petitioner’s Exhibit A.

2. During the course of its investigation, Combined reviewed approximately twenty-eight (28) insurance applications for coverage that Respondent had submitted to the company between the dates of July 6, 2015 to August 10, 2015. Through its review, Combined was unable to verify the identity of the policyholders on all 28 applications in question. Respondent failed to provide valid contact information for any of the 28 applicants in question.

3. Combined interviewed Respondent as part of its investigation. In said interview, Respondent admitted to the submission of fraudulent applications for individuals that did not exist. Within that, Respondent also stated that he used his own personal checking account for initial and recurring billing on all 28 applications.

4. Respondent’s prior conduct, as set forth above, shows demonstrable violations of the Oklahoma Producer Licensing Act and, in light of Respondent’s own prior admission to engaging in fraudulent acts in violation of state law, demonstrates a clear and convincing threat to the public welfare.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(7); having admitted or been found to have committed any insurance unfair trade practice or fraud.

2. Respondent violated 36 O.S. § 1435.13(A)(8); using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

3. Respondent violated 36 O.S. § 1435.13(A)(10); forging another’s name to an application for insurance or to any other document related to an insurance transaction.

ORDER

IT IS THEREFORE ORDERED, ADJUGDED, AND DECREED by the Insurance Commissioner that the *Administrative Order of Suspension Instanter* entered in this matter on July 22, 2016, is a **FINAL ADMINISTRATIVE ORDER**, that no hearing was requested and Respondent’s license is hereby **REVOKED**. The **FINE** imposed in the *Administrative Order of Suspension Instanter* **REMAINS DUE AND OWING** in the amount of **ONE THOUSAND DOLLARS (\$1,000.00)**.

WITNESS My Hand and Official Seal this 6th day of September, 2016.



A handwritten signature in black ink that reads "James A. Mills".

James A. Mills
Chief of Staff
Oklahoma Insurance Department

CERTIFICATE OF MAILING

I, Barron B. Brown, hereby certify that a true and correct copy of the above and foregoing *Final Administrative Order* was mailed via certified mail, with postage prepaid and return receipt requested, on this 6th day of September, 2016, to:

Justin Scott Werrbach
10 N. 909 Highland Terrace
Hampshire, IL 60140-7519

CERTIFIED MAIL NO: 7016 0910 0000 5833 5268

and that notification was sent to:


NAIC/RIRS

and to all appointing insurers

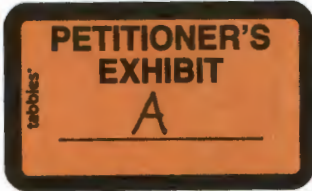
and that a copy was delivered to:

Licensing Division

Anti-Fraud Unit/Investigations Division



Barron B. Brown
Assistant General Counsel



15090400695002

JJM



September 2, 2015

Oklahoma Department of Insurance
Five Corporate Plaza
3625 NW 56th Street, Suite 100
Oklahoma City, OK 731127

Re: Termination for Cause – Justin Werrbach (License # 100207101)

To Whom It May Concern:

Please be advised that Justin Werrbach's (SSN: xxx-xx-0909) employment with Combined Insurance Company of America (62146) terminated for cause due to fraud.

Enclosed please find a copy of the investigation file which led to this decision as well as copies of the applications in question.

If you should require any additional information or have any further questions regarding this matter, I can be contacted directly by phone (312) 351-8197, fax (312) 351-6905 or email andrew.wong@combined.com.

Very truly yours,

Andrew Wong
Licensing Administrator
Combined Insurance

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2

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 - Adult Signature Restricted Delivery \$ _____



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Sent To: Justin Scott Werrbach
 10 N. 909 Highland Terrace
 Hampshire, IL 60140-7519
 City, State, ZIP+4®: rg/16-0562-DIS(BBB)/Final Adm Ord

PS Form 3800, April 2015 PSN 7530-02-000-9053

7016 0910 0000 5833 5268

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:

Justin Scott Werrbach
 10 N. 909 Highland Terrace
 Hampshire, IL 60140-7519
 rg/16-0562-DIS(BBB)/Final Adm Ord



9590 9402 1736 6074 9344 73

2. Article Number (Transfer from service label)

7016 0910 0000 5833 5268

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 [Signature] Addressee

B. Received by (Printed Name) C. Date of Delivery
 Jeff Werrbach 9-16-16

Is delivery address different from item 1? Yes
 No

RECEIVED OKLAHOMA INSURANCE DEPARTMENT

SEP 20 2016

Legal Division

3. Service Type
- Adult Signature
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 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
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 - Priority Mail Express®
 - Registered Mail™
 - Registered Mail Restricted Delivery
 - Return Receipt for Merchandise
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery

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

Domestic Return Receipt