

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

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
Petitioner,)
)
vs.)
)
TINA GANTHER, a licensed bail bondsman)
in the State of Oklahoma,)
)
AND)
)
SENECA INSURANCE COMPANY, INC.,)
an insurance company licensed to act as)
bail surety in the state of Oklahoma,)
)
Respondents.)

FILED

DEC 22 2016

INSURANCE COMMISSIONER
OKLAHOMA

CASE NO. 16-0901-DIS

CONSENT AGREEMENT

COMES NOW Sandra G. LaVenu, Senior Counsel for the Oklahoma Insurance Department ("OID"), Tina Ganther ("Ganther") and Seneca Insurance Company, Inc., ("Seneca"), who stipulate and agree to the following findings of fact and conclusions of law.

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 Bail Bond Code, 59 O.S. §§ 1301-1341.
2. Respondent Ganther is a licensed bail bondsman in the State of Oklahoma holding license number 199264.
3. Respondent Seneca is an insurance company licensed to act as bail

surety in the state of Oklahoma holding NAIC number 10936.

4. Respondents Ganther and Seneca have been apprised of their rights including the right to a public hearing and have knowingly and freely waived these rights and enter into this Consent Agreement as a voluntary settlement of the issues and questions raised in the above captioned case.

STIPULATION OF FACTS

5. On or about May 20, 2016, an appearance bond was executed as follows:

Defendant:	Jimmy Brown
Case Number(s):	CF-2010-639
City/County:	Oklahoma County
Surety:	Seneca Insurance Company, Inc.
Bondsman:	Tina Ganther
Power Number(s):	S06 02525736
Bond Amount(s):	\$2,000.00

6. On May 25, 2016, the Defendant failed to appear and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on June 8, 2016, by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Ganther and Seneca with return receipt requested within thirty (30) days after the Order's filing.

7. Ganther received a copy of the Order and Judgment of Forfeiture on June 9, 2016.

8. Seneca received a copy of the Order and Judgment of Forfeiture on June 13, 2016.

9. The Defendant was not returned to custody within ninety (90) days of the receipt of the Order and Judgment of Forfeiture.

10. The Bond Forfeiture in the amount of \$2,000.00 was due no later than September 8, 2016, and was not paid until October 14, 2016.

AGREED CONCLUSIONS OF LAW

11. Respondents Ganther and Seneca agree not to contest the findings of the Oklahoma Insurance Commissioner that clear and convincing evidence exists that Respondents violated 59 O.S. § 1332 by failing to return the Defendant to custody 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.

12. Pursuant to 59 O.S. § 1310(B), any bondsman violating a provision of the Bail Bond Act, 59 O.S. §§ 1301-1341, may be subject to a fine of not less than \$250.00 but not more than \$2,500.00 per violation.

AGREED ORDER

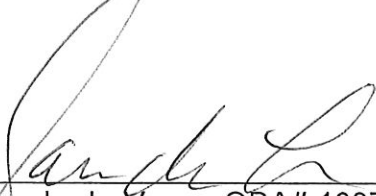
IT IS THEREFORE ORDERED by the Insurance Commissioner and **Consented** to by Respondents Ganther and Seneca that each are assessed a civil fine in the amount of **Seven Hundred and Fifty Dollars (\$750.00)**. The payments shall reference Respondents' case number 16-0901-DIS, and are due upon entry of this Consent Agreement.

WITNESS My Hand and Official Seal this 20 ^{December} day of ~~November~~, 2016.



Stephan Mathis
STEPHAN MATHIS
HEARING EXAMINER

APPROVED:



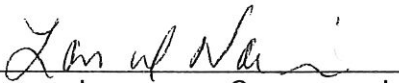
Sandra LaVenue OBA# 13372
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Jeffrey Eulberg
Eulberg Law Office
Attorney for Respondents
925 NW 6th St.
Oklahoma City, OK 73106
Tel. (405) 232-3450



Tina Ganther
Respondent



Seneca Insurance Company, Inc.

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *CONSENT AGREEMENT* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 22nd day of ~~November~~ December 2016, to:


Jeffrey Eulberg
Eulberg Law Office
Attorney for Respondents
925 NW 6th St.
Oklahoma City, OK 73106
Tel. (405) 232-3450

Certified Mail No.
7016 0910 0000 5833 5660

CERTIFIED MAIL NO.

and a copy was delivered to:

Anna Denman
Bail Bonds Division



Sandra LaVendue
Senior Counsel

0995 1048 0000 0160 9102

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
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Certified Mail Fee \$ _____

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Jeffrey Eulberg
Eulberg Law Office
925 NW 6th St.
OKC, OK 73106
sms/16-0901-DIS/Const Agmt

PS Form 3800, April 2015 PSN

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:

Jeffrey Eulberg
Eulberg Law Office
925 NW 6th St.
OKC, OK 73106
sms/16-0901-DIS/Const Agmt



9590 9402 1736 6074 9326 39

2. Article Number (Transfer from service label)

7016 0910 0000 8401 5660

COMPLETE THIS SECTION ON DELIVERY

A. Signature  Agent
 Addressee

B. Received by (Printed Name) R J Adams C. Date of Delivery 12/23/16

3. Delivery address different from item 1? Yes
 No
If delivery address different from item 1, print delivery address below:

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT
DEC 29 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, July 2015 PSN 7530-02-000-9053

Domestic Return Receipt