

2. On December 28, 2015, the Oklahoma State Treasurer charged the EFTs back to the Department as “Not Sufficient Funds”.

3. On December 15, 2015, Respondent submitted to the Department an EFT of One Hundred Eight Dollars and Seventy Cents (\$108.70) for his SIC 19952-November 2015-Amended-01.DBF report.

4. On December 29, 2015, the Oklahoma State Treasurer charged the EFT back to the Department as “Not Sufficient Funds”.

5. On January 4, 2016, Department staff sent letters via email to Respondent requesting that the funds be replaced and a service fee of Twenty-Five Dollar (\$25.00) for each EFT be paid within five days of receipt of the letter.

6. On January 29, 2016, the Department staff received a money order number 102500645 in the amount of Four Hundred Eighteen Dollars and Eighty-Eight Cents (\$418.88) replacing the funds and service fees.

7. Submitting an insufficient electronic funds transfer to the Department is a violation of 59 O.S. § 1310(A)(29). The Department charges a Twenty-Five Dollar (\$25.00) service fee on all insufficient funds.

ALLEGED VIOLATIONS OF LAW

1. Respondent has violated 59 O.S. § 1310(A)(29) by uttering insufficient funds to the Commissioner.

2. Respondent has violated 59 O.S. § 1310(A)(2) by violating a law of this state relating to bail.

3. Pursuant to 59 O.S. § 1310(B), “any person violating any provision of Sections 1301 through 1340 of this title may be subject to a civil penalty of not less than Two Hundred Fifty Dollars (\$250.00) nor more than Two Thousand Five Hundred Dollars (\$2,500.00) for each occurrence.”

ORDER

IT IS THEREFORE ORDERED that Phillip Ray Eggenberg is **CENSURED** and **FINED** Five Hundred Dollars (\$500.00).

Respondent is further notified that he may request a hearing within thirty (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, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**

If Respondent has not paid the fine ordered herein and does not request a hearing within the thirty (30) days allotted, this Order shall become a FINAL ORDER on the thirty-first (31st) day following the receipt of the Order, Respondent’s license shall be immediately suspended, and the fine ordered herein shall be due.

WITNESS My Hand and Official Seal this 19th day of May, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to read "Dan R. Byrd", is written over a horizontal line. The signature is stylized and somewhat illegible.

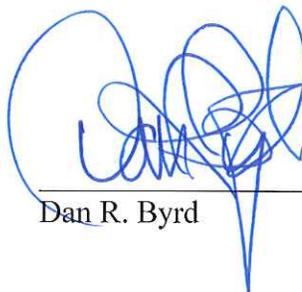
Dan R. Byrd
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Amended Conditional Administrative Order and Notice of Right to Be Heard* was mailed certified, return receipt requested, on this 14th day of May, 2016, to:

Phillip Ray Eggenberg
220 Lake Murray Dr.
Ardmore, OK 73401

**CERTIFIED MAIL NO:
7015 3010 0001 4736 6600**



Dan R. Byrd

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
 Domestic Mail Only

For delivery information, visit our website at www.usps.com

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

Sent To

Street and Apt. No., or PO Box

City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047



Phillip Ray Eggenberg
 220 Lake Murray Dr.
 Ardmore, OK 73401
16-0124-DIS/DRB(mt)
(Amend.Cond.Adm.Ord. & Notice 5-19-16)

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. Phillip Ray Eggenberg
 220 Lake Murray Dr.
 Ardmore, OK 73401
16-0124-DIS/DRB(mt)
(Amend.Cond.Adm.Ord. & Notice 5-19-16)



2. Article Number (Transfer from service label)

7015 3010 0001 4736 6600

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *Joshua Alonzo* Agent Addressee

B. Received by (Printed Name) C. Date of Delivery

RECEIVED BY *Joshua Alonzo* JUN 16 2016

D. Is delivery address different from item 1? Yes No

If YES, enter delivery address below:

OKLAHOMA
 IN 20 2016
 Local 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

Domestic Return Receipt