



4. Respondent has been apprised of its rights including the right to a public hearing and has knowingly and freely waived said rights and entered into this Consent Order as a voluntary settlement of the issues and questions raised in the above captioned case.

**STIPULATIONS OF FACT**

5. On or about December 12, 2015, an appearance bond was executed as follows:

Defendant:	Robert Andrew Tubbs
Case Number(s):	CM-1998-1362
City/County:	Payne County
Surety:	American Contractors Indemnity Company
Bondsman:	Misty Dawn Garcia
Power Number(s):	A7-2295925
Bond Amount(s):	\$1,000.00

6. On July 5, 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 July 5, 2016, by the Payne County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Garcia and ACIC with return receipt requested within thirty (30) days after the Order's filing.

7. Garcia received a copy of the Order and Judgment of Forfeiture on August 22, 2016.

8. ACIC received a copy of the Order and Judgment of Forfeiture on August 22, 2016.

9. The ninety-first (91<sup>st</sup>) day after receipt of the Order and Judgment of Forfeiture was November 21, 2016.

10. Neither Garcia or ACIC paid the forfeiture by the ninety-first day. ACIC did pay the forfeiture and notified the Court on March 1, 2017.

11. Pursuant to *36 O.S. § 619*, any insurance company violating any provision of the

Insurance Code 36 O.S. §§ 101 et seq., may be subject to a civil penalty of not more than \$5,000.00 per violation.

**VIOLATIONS OF LAW**

12. Respondent ACIC has violated 36 O.S. § 619 by knowingly failing to comply with any lawful rule or order of the Insurance Commissioner. Specifically, Respondent ACIC knowingly violated *OAC 365:25-5-41(b)(2)* and *365:25-5-44* as well as *59 O.S. § 1332*.

**ORDER AND CONSENT**

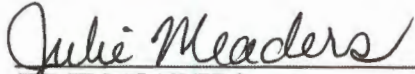
**IT IS THEREFORE ORDERED** by the Insurance Commissioner and **CONSENTED** to by Respondent that it be fined in the amount of Two Hundred Fifty Dollars (\$250.00) for the above described violation of the Oklahoma Bail Bond Code and the Oklahoma Insurance Code. Fine is due and payable to the Oklahoma Insurance Department within thirty (30) days after the date of this Order.

**IT IS FURTHER ORDERED** that this Consent Order is a voluntary settlement of the issues and questions raised in this case between the Petitioner and Respondent American Contractors Indemnity Company. A separate cause of action against Respondent Garcia remains set for hearing.



  
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JAMES MILLS  
CHIEF OF STAFF

APPROVED:



JULIE MEADERS  
ATTORNEY FOR PETITIONER



JOSEPH ROSAS  
ATTORNEY FOR RESPONDENT

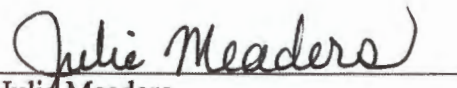
**CERTIFICATE OF MAILING**

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing *Consent Order* was mailed on this 22nd day of March 2017, to:

Joseph Rosas  
American Contractors Indemnity Company  
601 S. Figueroa Street, Suite 1600  
Los Angeles, CA 90017  
[JRosas@hccsurety.com](mailto:JRosas@hccsurety.com)

and a copy was delivered to:

Lewis Garrison  
Bail Bonds Division



Julie Meaders  
Deputy General Counsel