

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

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
vs.)
)
LESA GAIL WOODARD , a licensed bail)
bondsman in the State of Oklahoma,)
)
AND)
)
DENNIS LLOYAL BERGLAN , a professional)
bail bondsman licensed in the state of)
Oklahoma,)
)
Respondents.)

CASE NO. 18-0043-DIS

FILED
FEB 27 2018
(INSURANCE COMMISSIONER
OKLAHOMA

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, Sandra G. LaVenue, 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. §§ 101-7401, and the Oklahoma Bail Bond Act, 59 O. S. §§ 1301-1340.

2. Respondent Lesa Gail Woodard ("Woodard") is a licensed bail bondsman in the State of Oklahoma holding license number 100106044.

3. Respondent, Dennis Loyal Berglan ("Berglan"), is a professional bail

bondsman in the state of Oklahoma holding license number 199413.

4. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 59 O.S. §§ 1310 and 1332.

5. Pursuant to 59 O.S. § 1310(B), in addition to any potential denial, censure, suspension, or revocation, any person violating any provision of the Oklahoma Bail Bond Act 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.

6. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

7. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

ALLEGATIONS OF FACT

8. On or about September 2, 2017, an appearance bond was executed as follows:

Defendant:	Eddy Ray Johnson, Jr.
Case Number(s):	CM-2017-2625
City/County:	Oklahoma County
Surety:	Dennis Lloyal Berglan
Bondsman:	Lesa Gail Woodard

Power Number(s): DB 019427
Bond Amount(s): \$2000.00

9. On September 13, 2017, 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 September 21, 2017, by the Oklahoma County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Woodard and Berglan with return receipt requested within thirty (30) days after the Order's filing.

10 Woodard received a copy of the Order and Judgment of Forfeiture on September 22, 2017.

11. Berglan received a copy of the Order and Judgment of Forfeiture on September 25, 2017.

12. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was December 22, 2017.

13. The defendant was not returned to custody by the ninetieth (90th) day and the forfeiture was not paid by the ninety-first (91st) day.

ALLEGED VIOLATIONS OF LAW

14. Respondents Woodard and Berglan have violated 59 O.S. § 1310(A)(2) and (28) by violating the provisions of 59 O.S. § 1332 and by failing to pay fees due to a district court clerk as required by the Oklahoma Bail Bond Act, 59 O.S. § 1301-1341.

15. 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.

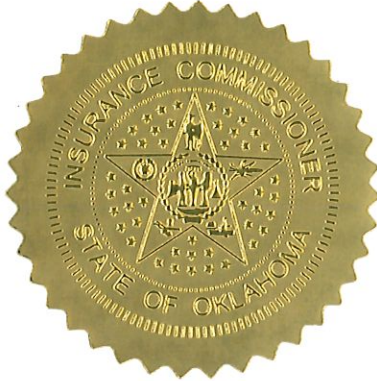
ORDER

IT IS THEREFORE ORDERED that Woodard and Berglan are each **FINED Two Hundred and Fifty Dollars (\$250.00)**. The fines are to be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. If the fines are not paid within thirty (30) days, Respondents' respective licenses will be suspended and shall remain suspended until the fines are paid in full.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Woodard or Berglan requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above shall become a Final Order on the thirty-first (31st) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Sandra LaVenué, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order and shall be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 *through* 324. If either Woodard or Berglan serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a notice of the matters to be reviewed at the hearing and the Allegations of Fact, Alleged Violations of

Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing .

WITNESS My Hand and Official Seal this 27th day of February, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Sandra R", written over a horizontal line.

Sandra LaVenue
Senior Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
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 by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 27th day of February 2018, to:

Lesa Gail Woodard
217 N. Harvey Suite 206A
Oklahoma City, OK 73102


CERTIFIED MAIL NO. 9214 8902 0982 7500 0056 69

Dennis Lloyal Berglan
1945 Exchange Ave
Oklahoma City, OK 73108-2821

CERTIFIED MAIL NO. 9214 8902 0982 7500 0056 76

and a copy was delivered to:

Lewis Garrison
Bail Bonds Division



Sandra LaVenue
Senior Counsel

Date Produced: 03/05/2018

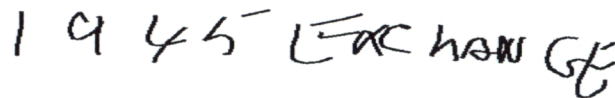
OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0056 76. Our records indicate that this item was delivered on 03/01/2018 at 01:50 p.m. in OKLAHOMA CITY, OK 73108. The scanned image of the recipient information is provided below.

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OKLAHOMA INSURANCE DEPARTMENT:

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206A

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