

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

FILED
AUG 24 2018
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
)
Petitioner,)
vs.)
GREGORY BATES, a licensed bail bondsman in)
the State of Oklahoma,)
)
AND)
)
UNITED STATES FIRE INSURANCE CO.,)
an insurance company licensed to act as)
bail surety in the state of Oklahoma,)
)
Respondents.)

CASE NO. 18-0465-DIS

AMENDED 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, Sara A. Worten, 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. §§ 1301-1341*.

2. Respondent Gregory Bates (“Bates”) is a bail bondsman in the State of Oklahoma holding license number 199085. His address of record is 209 S. Peoria Avenue, Tulsa, Oklahoma 74120.

3. Respondent, United Fire Insurance Company (USFIC”) is an insurance company licensed to act as bail surety in the state of Oklahoma holding NAIC number 21113.

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* and *36 O.S. §§ 619*.

5. If Bates or USFIC requests a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to *59 O.S. § 1311.1 and 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.

6. 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

7. On or about October 29, 2017, an appearance bond was executed as follows:

Defendant:	Ali Al Hussein
Case Number(s):	CF-2017-466
City/County:	Osage County
Surety:	United States Fire Insurance Company
Bondsman:	Gregory Bates
Power Number(s):	U5-20633651
Bond Amount(s):	\$4,000.00

8. On February 8, 2018, 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 March 6, 2018, by the Osage County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Bates and USFIC with return receipt requested within 30 days after the Order's filing.

9. Bates received a copy of the Order and Judgment of Forfeiture on March 7, 2018.

10. USFIC received a copy of the Order and Judgment of Forfeiture on March 13,

2018.

11. The ninety-first (91st) day after receipt of the Order and Judgment of Forfeiture was June 6, 2018.

12. As of the date of the filing of this Conditional Administrative Order, the forfeiture has not been paid. The defendant was not timely returned to custody.

ALLEGED VIOLATIONS OF LAW

13. Bates violated *59 O.S. 1310(A)(2) and (28)*, by failing to return the Defendant to custody within 90 days or remit payment in the face amount of the bond forfeiture within 91 days from receipt of the Order and Judgment of Forfeiture in accordance with the provisions of *59 O.S. § 1332* and *OAC 365:25-5-40* and *365:25-5-41*.

14. USFIC violated *36 O.S. § 619* by failing to comply with *OAC 365:25-5-40* and *365:25-5-41(b)(2)* and as also required by *59 O.S. §1332*.

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.

16. Pursuant to *36 O.S. § 618*, any insurance company violating any provision of any statute for which the Commissioner has jurisdiction may be subject to a civil penalty of not more than \$5,000.00 for each occurrence.

ORDER

IT IS THEREFORE ORDERED that **Bates and USFIC are each FINED \$250.00.** The **fin**es are to be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. Failure to comply with

a proper order of the Commissioner may result in further administrative action.

IT IS FURTHER ORDERED that the face amount of the bond forfeiture shall be deposited with the Osage County District Court Clerk within 30 days of receipt of this Order, should the Court Clerk show the bond outstanding. Failure to do so shall result in the Bates' license being suspended and **CANCELLATION** of USFIC's license privilege and authorization to do business within the State of Oklahoma and **CANCELLATION** of the surety appointment of all surety bondsman agents of USFIC.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless USFIC or Bates request a hearing with respect to the Allegations of Fact set forth above within 30 days of the date of this Order, the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing and addressed to Sara Worten 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.*, the Oklahoma Bail Bond Act, *59 O.S. § 1311.1* and the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250 through 324*. If USFIC or Bates 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 24th day of August, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Sara A. Worten
Assistant General 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 24th day of August 2018, to:

United States Fire Insurance Company
305 Madison Avenue
Morristown, NJ 07962

CERTIFIED MAIL NO. 7017 1450 0002 2806 5109

Gregory Bates
209 S. Peoria Avenue
Tulsa, OK 74120-2613

CERTIFIED MAIL NO. 7017 1450 0002 2806 5116

and a copy was delivered to:

Lewis Garrison
Renonda Stogsdill
Bail Bonds Division


Sara A. Worten

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
 United States Fire Insurance Company
 305 Madison Avenue
 Morristown, NJ 07962
 18-0465-DIS/SAW(mt)
 (Amended Cond.Adm.Ord. & Notice ~8-24-18)

Street and Apt. No., or PO Box
 City, State, ZIP+4®



PS Form 3800, April 2015 PSN 7530-02-000-9047 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. Article Addressed to:

United States Fire Insurance Company
 305 Madison Avenue
 Morristown, NJ 07962
 18-0465-DIS/SAW(mt)
 (Amended Cond.Adm.Ord. & Notice ~8-24-18)

9590 9402 3455 7275 7891 30

2. Article Number (Transfer from service label)
 7017 1450 0002 2806 5109

COMPLETE THIS SECTION ON DELIVERY

A. Signature
 X  Agent
 Addressee

B. Received by (Printed Name)
 Stewart

C. Date of Delivery

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type

Adult Signature Priority Mail Express®

Adult Signature Restricted Delivery Registered Mail™

Certified Mail® Registered Mail Restricted Delivery

Certified Mail Restricted Delivery Return Receipt for Merchandise

Collect on Delivery Signature Confirmation™

Collect on Delivery Restricted Delivery Signature Confirmation Restricted Delivery

Insured Mail

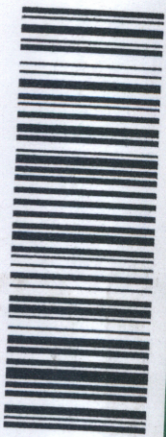
Insured Mail Restricted Delivery (over \$500)

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

Domestic Return Receipt



JOHN D. DOAK
Insurance Commissioner
 Oklahoma Insurance Department
 5 Corporate Plaza
 3625 N.W. 56th St., Ste. #100
 Oklahoma City, OK 73112-4000



7017 1450 0002 2806 5116

NEOPOST FIRST-CLASS MAIL
 08/24/2018
US POSTAGE \$007.41
 ZIP 73112
 041M11276941

ABT
 8/27

Gregory Bates
 209 S. Peoria Avenue
 Tulsa, OK 74120-2613

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

City, State, ZIP+4®
 Street and Apt. No., or PO Box No.
 Sent To
 Total Postage and Fees
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 Extra Services & Fees (check box, add fee as appropriate)
 Certified Mail Fee
 Adult Signature Restricted Delivery \$
 Adult Signature Required \$
 Certified Mail Restricted Delivery \$
 Return Receipt (electronic) \$
 Return Receipt (hardcopy) \$
 Postmark Here

Gregory Bates
 209 S. Peoria Avenue
 Tulsa, OK 74120-2613
 18-0465-D/S(SAW(mt))
 (Amended Cond. Adm. Ord. & Notice ~8-24-18)

OKLAHOMA CITY, OK 73112-4000
 2018
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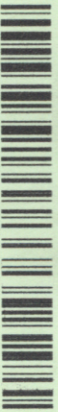
NIXIE 731 SE 1 0109/15/18
 RETURN TO SENDER
 UNCLAIMED
 UNABLE TO FORWARD
 BC: 73112451999 *0357-07543-24-41

® **VIEW CERTIFIED**
 PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT
 OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

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:
 Gregory Bates
 209 S. Peoria Avenue
 Tulsa OK 74120-2613
 18-0465-DISSAM/mt
 (Amended Cond. Adm. Ord. & Notice -8-24-18)



9590 9402 3455 7275 7891 47

2. Article Number (Transfer from service label)
 7017 1450 0002 2806 5116

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature		<input type="checkbox"/> Agent
X		<input type="checkbox"/> Addressee
B. Received by (Printed Name)	C. Date of Delivery	
D. Is delivery address different from item 1? If YES, enter delivery address below: <input type="checkbox"/> Yes <input type="checkbox"/> No		

3. Service Type

<input type="checkbox"/> Adult Signature	<input type="checkbox"/> Priority Mail Express®
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail™
<input checked="" type="checkbox"/> Certified Mail®	<input type="checkbox"/> Registered Mail Restricted Delivery
<input type="checkbox"/> Collect on Delivery	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Collect on Delivery Restricted Delivery	<input type="checkbox"/> Signature Confirmation™
<input type="checkbox"/> Insured Mail	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail Restricted Delivery (over \$500)	

Domestic Return Receipt

RECEIVED
 OKLAHOMA INSURANCE DEPARTMENT
 SEP 18 2018
 MAILROOM

