

number 31348. Crum & Forster's mailing address of record with the Oklahoma Insurance Department is 305 Madison Ave., Morristown, NJ 07962.

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 *36 O.S. § 619*.

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 \$250.00 nor more than \$2,500.00 for each occurrence.

6. Pursuant to *36 O.S. § 619*, in addition to or in lieu of any applicable revocation or suspension of an insurer's certificate of authority, any insurer who knowingly and willfully violates this Code may be subject to a civil penalty of not more than \$5,000.00.

7. On or about October 23, 2017, an appearance bond was executed as follows:

Defendant:	Arlis Edmon McGough
Case Number(s):	CF-2008-7679
City/County:	Oklahoma County
Surety:	Crum & Forster Indemnity Company
Bondsman:	Debra Barry
Power Number(s):	CF5-70279364
Amount	\$2,000.00

8. On May 29, 2019, the Defendant failed to appear and the court issued a bench warrant and the bond was declared forfeited. An Order and Judgment of Forfeiture was issued and filed in the case on June 11, 2018 by the Oklahoma County Court Clerk. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Barry and Crum & Forster with return receipt requested within 30 days after the Order's filing

9. Barry received a copy of the Order and Judgment of Forfeiture on June 27, 2018.

10. Crum & Forster received a copy of the Order and Judgment of Forfeiture on June

14, 2018.

11. The 91st day after receipt of the Order and Judgment and of Forfeiture was September 26, 2018.

12. On September 27, 2018, the Oklahoma County Court Clerk sent notice to the Oklahoma Insurance Department that neither Barry nor Crum & Forster either returned the defendant to custody or paid the bond forfeiture by the 91st day.

13. The forfeiture was untimely paid, and the defendant was not timely returned to custody.

CONCLUSIONS OF LAW

14. Barry has 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*.

15. Crum & Forster has 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*.

ORDER AND CONSENT

IT IS THEREFORE ORDERED by the Insurance Commissioner and CONSENTED to by the Respondents that the Respondents are hereby FINED in the amount of \$250.00 each. The fines are to be paid to the Oklahoma Insurance Department no later than December 20, 2018, by money order or cashier's check.



WITNESS My Hand and Official Seal this 2nd day of November 2018.

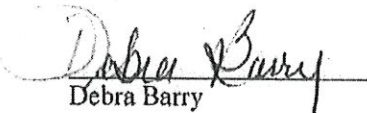


JOHN D. MILLER
Hearing Examiner

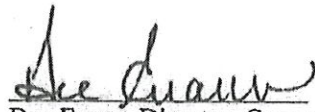
APPROVED:



Sara A. Witten



Debra Barry



Dee Evans, Director, Crum & Forster Indemnity Company

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Consent Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 4th day of December 2018 to:

Debra Barry
P.O. Box 1785,
Oklahoma City, Oklahoma 73101-1785

CERTIFIED MAIL NO.

9214 8902 0982 7500 0151 25

Crum & Forster Indemnity Company
305 Madison Ave.
Morristown, NJ 07962.

CERTIFIED MAIL NO.

and a copy was delivered to:

9214 8902 0982 7500 0151 32

Lewis Garrison
Bail Bonds Division



Sara A. Worten
Assistant General Counsel



Date Produced: 12/17/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0151 25. Our records indicate that this item was delivered on 12/15/2018 at 11:29 a.m. in OKLAHOMA CITY, OK 73102. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be "Debra Barry".

Address of Recipient :

A handwritten address in black ink, appearing to be "PO Box 1785".

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

DEBRA BARRY
PO BOX 1785
OKLAHOMA CITY OK 73101-1785

Customer Reference Number: C1113080.6397299



Date Produced: 12/17/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0151 32. Our records indicate that this item was delivered on 12/10/2018 at 08:04 a.m. in MORRISTOWN, NJ 07960-4085. The scanned image of the recipient information is provided below.

Signature of Recipient :

A handwritten signature in black ink, appearing to be "Crum & Forster".

Address of Recipient :

A handwritten address in black ink, appearing to be "Crum & Forster".

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

CRUM & FORSTER INDEMNITY COMPANY
305 MADISON AVE
MORRISTOWN NJ 07960-6117

Customer Reference Number: C1113080.6397300