

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

FILED
APR 04 2019
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,

Petitioner,

vs.

GRAYSON M. PENNINGTON, a licensed bail
bondsman in the State of Oklahoma,

AND

DENNIS L. BERGLAN, a professional
bail bondsman licensed in the state of Oklahoma,

Respondents.

CASE NO. 19-0056-DIS

CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,
by and through counsel, Sara A. Worten, and alleges and states as follows:

JURISDICTION

1. Glen Mulready 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 Greyson M. Pennington ("Pennington") is a licensed bail bondsman in the State of Oklahoma holding license number 100218002. Pennington's address of record is 110 D. 5th Street, Suite 105, Yukon, Oklahoma.

3. Respondent Dennis L. Berglan ("Berglan") is a professional bail bondsman in the state of Oklahoma holding license number 199413. Berglan's address of record is 1945

Exchange Avenue, Oklahoma City, Oklahoma.

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

6. If Pennington or Berglan request a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to *59 O.S. § 1311.1*, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent(s).

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 January 6, 2018, a appearance bonds were executed as follows:

Defendant:	Amanda Denise Hernandez
Case Number(s):	CF-2016-900
City/County:	Canadian County
Surety:	Dennis L. Berglan
Bondsman:	Greyson M. Pennington
Power Number(s):	DB019624 and DB019625
Bond Amount(s):	\$10,000.00

9. On or about September 7, 2018, the Defendant failed to appear and the bonds were declared forfeited. An Order and Judgment of Forfeiture was issued on or about September

12, 2018, by the Canadian County District Court. A true and correct copy of the Order and Judgment of Forfeiture was mailed to Pennington and Berglan with return receipt requested within 30 days after the Order's filing.

10 Pennington received a copy of the Order and Judgement of Forfeiture on October 5, 2018.

11. Berglan received a copy of the Order and Judgment of Forfeiture on October 9, 2018.

12. The 91st day after receipt of the Order and Judgment of Forfeiture was January 4, 2019.

13. The forfeiture was untimely paid on January 29, 2019, and the defendant was not timely returned to custody.

ALLEGED VIOLATIONS OF LAW

14. Respondents have 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. Respondents have violated *59 O.S. 1310(A)(6), (9) and (28)* by failing to comply with Order of Judgement & Forfeiture.

ORDER

IT IS THEREFORE ORDERED that Pennington and Berglan are each **FINED \$250.00**. Both fines 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 will result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless either Pennington or Berglan request a hearing with respect to the Allegations of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31st 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 must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Bail Bond Code, *59 O.S. §§ 1301 through 1341* and the Oklahoma Administrative Procedures Act, *75 O.S. §§ 250 through 324*. If either Pennington or Berglan serve a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will 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 4th day of April 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Sara A. Worton
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 4th day of April 2019, to:

Grayson Michael Pennington
110 S. 5th Street, Suite 105
Yukon, OK 73099-2601


CERTIFIED MAIL NO:
9214 8902 0982 7500 0192 60

Dennis L. Berglan
1945 Exchange Avenue
Oklahoma City, OK 73108-2821

CERTIFIED MAIL NO:
9214 8902 0982 7500 0192 77

and a copy was delivered to:

Renonda Stogsdill
Lewis Garrison
Bail Bonds Division


Sara A. Worten
Assistant General Counsel



19-0056-025
(Pennington) 872W

Date Produced: 04/08/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0192 60. Our records indicate that this item was delivered on 04/05/2019 at 11:17 a.m. in YUKON, OK 73099. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

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:

GRAYSON MICHAEL PENNINGTON
110 S 5TH ST STE 105
YUKON OK 73099-2601

Customer Reference Number: C1307137.7402782



UNITED STATES
POSTAL SERVICE

19-0056 Dis
Berglan (SAW)

Date Produced: 04/15/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0192 77. Our records indicate that this item was delivered on 04/08/2019 at 03:51 p.m. in OKLAHOMA CITY, OK 73108. The scanned image of the recipient information is provided below.

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Delivery Section
[Signature]
[Signature]

Address of Recipient :

1915 Exchange 73108
OK

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:

DENNIS L BERGLAN
1945 EXCHANGE AVENUE
OKLAHOMA CITY OK 73108-2821

Customer Reference Number: C1307137.7402781