

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

FILED
SEP 30 2019
INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner,

v.

**CHRISTOPHER SCOTT WHITAKER,
an applicant for a resident insurance
producer license in the State of Oklahoma,**

Respondent.

Case No. 19-0617-DEN

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 his counsel, Barron B. Brown, and alleges and states as follows:

JURISDICTION AND AUTHORITY

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1-1435.41.

2. Christopher Scott Whitaker ("Respondent") is an applicant for a resident insurance producer license in the State of Oklahoma.

3. Pursuant to 36 O.S. § 1435.13(A) and (D), the Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act and/or may levy a fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence of a violation of 36 O.S. § 1435.13(A)(1) through (A)(14).

ALLEGATIONS OF FACT

1. On September 10, 2019, Respondent applied for a resident insurance producer license with the Oklahoma Insurance Department ("OID"). On the application form, question 1a asks the following: "Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?" Respondent answered "**no**" to this question.

2. With respect to question 1a, the application form provides that individual applicants can only "[. . .] exclude the following misdemeanor convictions or pending misdemeanor charges: traffic citations, driving under the influence (DUI), driving while intoxicated (DWI), driving without a license, reckless driving, or driving with a suspended or revoked license." The application form also allows an applicant to "[. . .] exclude juvenile adjudications (offenses where [the applicant was] adjudicated delinquent in a juvenile court)."

3. A background check conducted by the OID's Licensing Division showed that Respondent previously entered a nolo contendere plea to one (1) criminal misdemeanor count of embezzlement by employee, for which he received a deferred judgment, in *State of Oklahoma v. Christopher Scott Whitaker*, Case No. CM-2002-429 (Oklahoma County District Court).

ALLEGED VIOLATIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(1) by providing incorrect, misleading, incomplete or materially untrue information in the license application.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is **FINED ONE HUNDRED DOLLARS (\$100.00)**. **The \$100.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$100.00 civil fine shall be

paid by money order or cashier's check. Respondent's application for a resident insurance producer license may be granted upon receipt of payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will result in Respondent's license application being withdrawn.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of receipt of this Order. A request for hearing should be in writing addressed to Barron B. Brown, 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.

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), O.A.C. 365:1-7-1 et seq., and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as 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 30th day of September, 2019.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Barron B. Brown

Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th St., Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Barron B. Brown, 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 certified mail, with postage prepaid and return receipt requested, on this 30th day of September, 2019, to:

Christopher Scott Whitaker
11008 E 118th St N
Collinsville, OK 74021

CERTIFIED MAIL NO.

9214 8902 0982 7500 0239 77

and a copy was delivered via electronic mail to:

Licensing Division



Barron B. Brown
Assistant General Counsel



19-DET-DEIN
BBB

Date Produced: 10/07/2019

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0239 77. Our records indicate that this item was delivered on 10/03/2019 at 08:27 a.m. in COLLINSVILLE, OK 74021. The scanned image of the recipient information is provided below.

Signature of Recipient :

Delivery section
Chris Whitaker

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:

CHRISTOPHER SCOTT WHITAKER
11008 E 118TH ST N
COLLINSVILLE OK 74021-4829

Customer Reference Number: C1649751.9087112