

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

DEC 15 2020

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

INSURANCE COMMISSIONER
OKLAHOMA

Petitioner,

v.

Case No. 20-0578-DEN

CATHERINE MAY BOYD, applicant for bail
bondsman license in the State of Oklahoma

Respondent.

FINAL ADMINISTRATIVE ORDER

This matter is a denial proceeding under the Oklahoma Bail Bond Act. 59 O.S. §§ 1301-1341. The Oklahoma Insurance Department (“OID”) notified Respondent by letter dated October 20, 2020, that her application for her bail bond license was denied under 59 O.S. § 1310 (A) (3) for making a material misstatement, misrepresentation, or fraud in obtaining the license based upon her response to Question 3 of the NIPR resident license application which she filled out on-line as a part of her application process with the Oklahoma Insurance Department’s Bail Bond Division. Respondent requested a formal administrative hearing before an independent hearing examiner concerning the matter on or about November 17, 2020.

On this December 15, 2020, a show cause hearing was held on the OID’s Notice of Hearing and Order to Show Cause (“Notice”), filed on December 4, 2020. The hearing was held via Uber Conference by agreement of the parties before Independent Hearing Examiner John D. Miller (“Hearing Examiner”). Present at the hearing were Teresa L. Green, Assistant General Counsel for the OID, and Lewis Garrison, Director of OID Bail Bond Division. Respondent appeared with her legal counsel, Stratton Taylor and Mark H.

Ramsey. Michial (“Mike”) Taylor appeared to testify as witness for Respondent.

Upon consideration of the evidence, the Hearing Examiner makes the following findings of fact and conclusions of law.

FINDINGS OF FACT

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 Bail Bondsman Act, 59 *O.S. §§ 1301 et seq*, including licensing.

2. Respondent Catherine May Boyd (“Respondent”) is an applicant for a bail bondsman license to provide cash and surety bail in the State of Oklahoma. Her address of record is P.O. Box 975, Sallisaw, OK 74955-0975.

3. The Insurance Commissioner may refuse to issue a license issued pursuant to 36 *O.S. § 1310* on certain statutory grounds and denied Respondent’s request for licensure on October 20, 2020.

4. Petitioner afforded Respondent an opportunity for hearing after reasonable notice was given to the Respondent and her legal counsel.

5. The Insurance Commissioner, pursuant to 36 *O.S. § 319*, appointed an independent hearing examiner who sits as a quasi-judicial officer. The Insurance Commissioner appointed John D. Miller to hear the case as the independent hearing examiner.

6. The hearing was recorded electronically by an employee of the OID and was conducted by agreement of the parties via Uber conference. Neither party requested a full stenographic record of the proceedings.

7. The parties both stipulated to the admission of the exhibits submitted by

each party and those exhibits were introduced and admitted:

8. The following witnesses were sworn and testified under oath:

- a) Lewis Garrison, Director of Oklahoma Insurance Department Bail Bond Division.
- b) Michial ("Mike") Taylor, President of Blackjack Bond, Inc., a foreign corporation from Nevada.
- c) Respondent, Catherine May Boyd

9. Respondent completed as a part of her application for a bail bondsman license, an electronically submitted NIPR questionnaire on or about July 20, 2020, which was received by the OID on August 2, 2020. On the NIPR application form, background question 3 asked Respondent:

"Has any demand been made or judgment rendered against you or any business in which you are or were an owner, partner, officer or director, or member or manager of a limited liability company, for overdue monies by an insurer, insured or producer, or have you ever been subject to a bankruptcy proceeding? Do not include personal bankruptcies, unless they involved funds held on behalf of others.

Respondent answered "No" to this question.

10. The OID through its own research found three civil Oklahoma district court judgments of record where a Catherine Boyd was listed as the Defendant. Upon inquiry of Respondent and her counsel, it was established that only one of the cases involved the Respondent. That case was Sequoyah County Oklahoma District Court case CJ-2007-145 in which Plaintiff, Blackjack Bonding, Inc., received a default judgment in the amount of \$43,253.92 against the Respondent which was default judgment was reinstated by the Sequoyah County District Court on September 24, 2007.

11. The OID requested additional information from Respondent regarding the civil cause of action. Respondent submitted to the OID her own Affidavit of Identity, but

it did not state the relationship of Respondent to the Plaintiff, Blackjack Bonding, Inc. Respondent also submitted the Petition in the case but she did not submit to the OID the simple promissory note underlying the civil action prior to the denial of the application.

12. Based upon the failure of Respondent's to disclose this judgment, the OID Bail Bond Division on or about October 20, 2020, denied Respondent's request for licensure as the non-disclosure of the Sequoyah County case was deemed to constitute "a material misstatement, misrepresentation, or fraud in obtaining the license".

13. Respondent provided no other information regarding her relationship with Blackjack Bonding, Inc. nor what the loan was for prior to the denial of her application.

14. Respondent and Michial Taylor, President of Blackjack Bond, Inc. testified they were brother and sister and that Respondent had worked for and was currently employed by him for another entity owned by him.

15. Michial Taylor testified that Blackjack Bond, Inc. was a Nevada corporation that did not do business in Oklahoma.

16. Respondent and Michial Taylor, President of Blackjack Bond, Inc. testified that the promissory note of \$26,500.00 and another three loans of \$5,000.00 each which were not evidenced by a promissory note which was the basis of the Sequoyah County judgment, were personal loans to Respondent to help her with a divorce that she was going through and with living expenses.

17. Respondent and Michial Taylor testified that the monies involved in the civil judgment obtained by Blackjack Bonding, Inc. against the Respondent were totally personal in nature and that were not related to bail bonds or insurance.

18. Additionally, Respondent and Mr. Taylor testified that the judgment rendered

against her was not for overdue monies by an insurer, insured or producer and that Respondent has not been involved individually or in any business in which she is or was an owner, partner, officer or director, or member or manager of a limited liability company.

CONCLUSIONS OF LAW

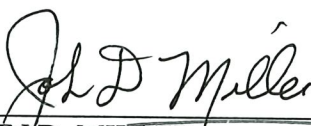
19. Based upon all the testimony and evidence presented at this hearing, this Hearing Examiner finds that Respondent's answer to Question 3 of the NIPR electronic application for bail bond licensure was not a material misstatement, misrepresentation, or fraud in the obtaining of a license under *59 O.S. § 1310 (A)(3)*.

ORDER

IT IS THEREFORE ORDERED that the Department of Insurance Bail Bondsman's Division's denial of Respondent Catherine May Boyd's application for a bail bondsman license for cash and surety is **VACATED**.

WITNESS My Hand and Official Seal this 15th day of December 2020.





JOHN D. MILLER
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

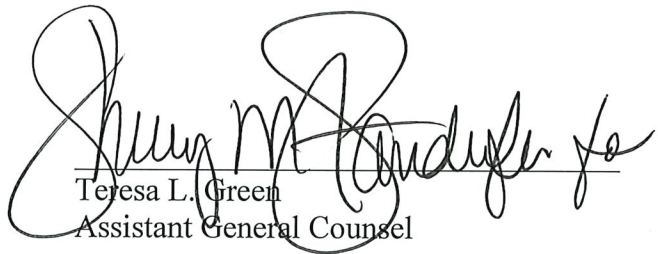
I hereby certify that a true and correct copy of the above and foregoing *Final Administrative Order* was mailed by certified mail, return receipt request, on this 5th day of January, 2021, to:

Stratton Taylor
Mark H. Ramsey
Taylor, Foster, Mallett, Downs, Ramsey & Russell
P.O. Box 309
Claremore, OK 74018-0309
CERTIFIED CASE NO. 9214 8902 0982 7500 0332 35

Catherine May Boyd
P.O. Box 975
Sallisaw, OK 74955-0975
CERTIFIED CASE NO. 9214 8902 0982 7500 0332 42

And a copy was delivered to:

Bail Bond Division
Oklahoma Insurance Department


Teresa L. Green
Assistant General Counsel

Date Produced: 01/11/2021

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Monica Scott

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CLAREMORE, OK 74018-0309

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MARK H RAMSEY
TAYLOR FOSTER MALLETT DOWNS RAMSEY & RUSSELL
PO BOX 309
CLAREMORE OK 74018-0309

Customer Reference Number: C2450396.14076685

Return Reference Number SMS/20-0578-DEN (TLG)/Final Admin Ord



Return address:

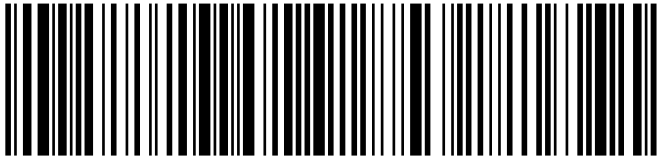
OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

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MARK H RAMSEY
TAYLOR FOSTER MALLETT DOWNS RAMSEY & RUSSELL
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CLAREMORE OK 74018-0309

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ORIGIN ACCEPTANCE	OKLAHOMA CITY,OK 73105	01/06/2021 21:58
PROCESSED THROUGH USPS FACILITY	OKLAHOMA CITY,OK 73107	01/06/2021 23:13
DEPART USPS FACILITY	OKLAHOMA CITY,OK 73107	01/07/2021 07:41
PROCESSED THROUGH USPS FACILITY	TULSA,OK 74141	01/07/2021 13:32
AVAILABLE FOR PICKUP	CLAREMORE,OK 74018	01/08/2021 07:49
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CASE NUMBER: 20-0578-DEN
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CATHERINE MAY BOYD
PO BOX 975
SALLISAW OK 74955-0975

Customer Reference Number: C2450396.14076686

Return Reference Number SMS/20-0578-DEN (TLG)/Final Admin Ord

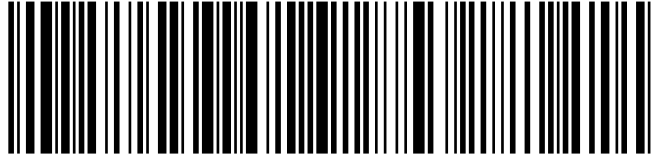
**Return address:**

OKLAHOMA INSURANCE DEPARTMENT
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OKLAHOMA CITY, OK 73112

**Recipient address:**

CATHERINE MAY BOYD
PO BOX 975
SALLISAW OK 74955-0975

MAILING DATE: 01/06/2021
DELIVERY DATE: 02/01/2021

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USPS Tracking Label Number: 9214 8902 0982 7500 0332 42

USPS Tracking History	Location	Date / Time
PRE-SHIPMENT INFO SENT USPS AWAITS ITEM	OKLAHOMA CITY,OK 73105	01/06/2021 15:36
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INSURANCE
DEPARTMENT

Legal Division
Insurance Commissioner Glen
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Oklahoma City, OK 73105

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