

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
JUL 06 2022
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
SHAUN COCKERHAM,)
a resident producer,)
)
Respondent.)

Case No. 21-0549-DIS

AMENDED 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, Antuanya “Bo” DeBose, 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, including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 *et seq.*
2. Respondent Shaun Cockerham (“Respondent”) holding license number 3000742418, is licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). His address of record is 1250 Belpine Loop, Broken Bow, Oklahoma 74728.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1435.13(A) and (D).
4. Pursuant to 36 O.S. § 1435.13(D), in addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for

hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. The penalty may be enforced in the same manner in which civil judgments may be enforced.

5. If Respondent requests a hearing in writing in this matter, pursuant to *OAC 365:1-7-1*, the Insurance Commissioner, pursuant to 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.

FINDINGS OF FACT

6. The Anti-Fraud Unit of the Oklahoma Insurance Department received a complaint from American Family Life Assurance Company (“AFLAC”) involving actions by Respondent. The complaint alleged Respondent enrolled a person for insurance coverage with the group plan of an employer the person did not work for. The Oklahoma Insurance Department assigned Investigator Rick Koch (“Investigator Koch”) to the case.

7. In January and February of 2021, Respondent submitted insurance applications for Sandra Lewis (“Insured”). Respondent submitted these applications as part of a group coverage account for Forever Young Cabins, LLC and represented to AFLAC that the Insured was an employee when in fact the Insured never worked for Forever Young Cabins, LLC.

8. In a statement to AFLAC, Respondent states he was just trying to help the Insured obtain AFLAC coverage and that he spoke to his then girlfriend, Teresa Young, owner of Forever Young Cabins, LLC and that she agreed to have the Insured added as an employee as long as the Insured paid the premiums.

9. On or about June 30, 2021, Teresa Young cancelled her AFLAC account after she and Respondent stopped seeing each other romantically, leaving the Insured without coverage.

10. Respondent voluntarily surrendered his resident insurance producer license on June 3, 2021.

11. Pursuant to 36 O.S. §1435.13(F), *“The Insurance Commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by the Oklahoma Producer Licensing Act and this title against any person who is under investigation for or charged with a violation of the Oklahoma Producer Licensing Act or this title even if the person’s license or registration has been surrendered or has lapsed by operation of law.”*

12. Pursuant to the provisions of 36 O.S. §1435.13(A), 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 or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for any one or more of the following causes:

- a. Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;
- b. Using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;

13. In addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.

CONCLUSIONS OF LAW

14. Respondent has violated *36 O.S. §1435.13(A)(5) and §1435.13(A)(8)* by enrolling Sandra Lewis for insurance coverage within the group plan for Forever Young Cabins, LLC and representing to AFLAC that Sandra Lewis was an employee for Forever Young Cabins, LLC when in fact Sandra Lewis never worked for Forever Young Cabins, LLC.

ORDER

IT IS THEREFORE ORDERED that the Respondent is **CENSURED** and **FINED** One Thousand Dollars (\$1,000.00). The fine shall be paid within 30 days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105. 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 the Respondent requests a hearing with respect to the Findings 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 Antuanyia “Bo” DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. 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 Insurance Code, *36 O.S. §§ 101 et seq.*, and the *Oklahoma Administrative Procedures*

Act, 75 O.S. §§ 250 through 324. If the Respondent serves 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 Findings of Fact, Conclusions 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 6th day of July 2022



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
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Bo.debose@oid.ok.gov

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 6th day of July, 2022, to:

Shaun Cockerham
1250 Belpine Loop
Broken Bow, Oklahoma 74728
shauncockerham@live.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0477 75

and a copy was delivered to:

Licensing & Anti-Fraud Division

Antuanya "Bo" DeBose
Assistant General Counsel

PLACE STICKER AT TOP OF ENVELOPE TO THE RIGHT OF THE RETURN ADDRESS. FOLD AT DOTTED LINE

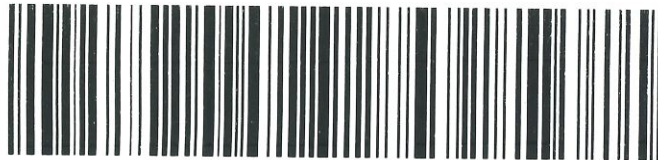
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LEGAL DIVISION

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FORWARD TIME EXP RTN TO SEND
COCKERHAM, SHAUN DALE
1712 AZALEA DR
SAVANNAH TX 76227-7666

RETURN TO SENDER

