

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**  
MAY 15 2013  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.  
DOAK, Insurance Commissioner,

Petitioner,

v.

FERNANDO ESPINOZA, JR.,  
a licensed producer

Respondent.

Case No. 13-0483-DIS

**ORDER OF LICENSE PROBATION**

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner,  
by and through his undersigned counsel and alleges and states as follows:

**JURISDICTION**

1. John D. Doak 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.

2. Fernando Espinoza, Jr. is a licensed insurance producer holding license #108773.

His address of record is

3. 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 up to \$1,000.00 for each occurrence of a violation of the Oklahoma  
Insurance Code. 36 O.S. § 1435.13(A) and (D).

## **FINDINGS OF FACT**

1. 18 U.S.C. § 1033 and 36 O.S. § 401 state that no person who has been convicted of any criminal felony involving dishonesty or breach of trust shall engage or participate in the business of insurance unless the person has the written consent of the Insurance Commissioner.

2. Fernando Espinoza, Jr. was initially licensed as an insurance producer on May 23, 2007. He applied for renewal of his license which expires May 31, 2013 on May 6, 2013.

3. The application asks the question "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" Espinoza answered the question "yes".

4. If the question is answered "yes" the applicant must provide a written statement explaining the circumstances of the incident; a copy of the charging document; and a copy of the official document demonstrating resolution of the charges or any final judgment.

5. Espinoza complied with these requirements and provided the Information document in Case No. CF-2013-2116 showing he was charged by the Oklahoma Attorney General with seven counts of workers compensation fraud and one count of obtaining money under false pretenses in Oklahoma County. The Information was filed April 5, 2013.

6. Espinoza provided a written statement that the matter was disputed and still pending. He further stated that because the matter was still pending he could not provide a document demonstrating the final outcome of the criminal matter.

### CONCLUSIONS OF LAW

Espinoza complied with Insurance Code requirements by disclosing the current charges against him. The Insurance Commissioner may place a licensee on probation pending the outcome of a criminal matter. 36 O.S. § 1435.13(A).

### ORDER

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that Espinoza is granted a producer license on a probationary status pending final resolution of criminal case CF-2013-2116. Upon resolution of the criminal case, Espinoza is **ORDERED** to report the final outcome immediately to the Commissioner. If convicted of any felony involving a crime of dishonesty, his license will thereafter be **REVOKED**.

**WITNESS** My Hand and Official Seal this 14<sup>th</sup> day of May, 2013.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
Julie Meaders

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**CERTIFICATE OF MAILING**

I, Julie Meaders, hereby certify that a true and correct copy of the above and foregoing Order of License Probation was mailed on this 15<sup>th</sup> day of May, 2013 to:

Fernando Espinoza, Jr.  
AARVIN Insurance Services



and that notification was sent to:

NAIC/IRIS

and that a copy was delivered to:

Licensing Division

  
Julie Meaders