

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

**FILED**  
SEP 24 2013  
INSURANCE COMMISSIONER  
OKLAHOMA

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

Petitioner,

vs.

METRO EXPRESS INSURANCE AGENCY,  
LLC, a licensed insurer in the State of  
Oklahoma,

Respondent.

CASE NO. 13-0755-DIS

**CONDITIONAL ADMINISTRATIVE ORDER  
AND NOTICE OF RIGHT TO BE HEARD**

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

**JURISDICTION**

1. John D. Doak 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. §§ 101-7004.

2. Respondent Metro Express Insurance Agency, LLC ("Respondent") is a licensed insurer in the State of Oklahoma holding license number 0010007059.

**FINDINGS OF FACT**

1. On or about May 17, 2013, an inquiry letter written by Oklahoma Insurance Department ("OID") Consumer Assistance Division employee Carmon Thompson regarding a claim which arose under an insurance contract involving complainant Holly Fraire was forwarded by the OID to Respondent. The OID file number for this matter is #39579.

2. The May 17, 2013 inquiry letter was sent to Respondent's address filed with OID

and contained within the National Association of Insurance Commissioners (“NAIC”) State Based Systems (“SBS”) Database. The SBS-provided mailing address on record for Respondent is listed as 1346 SW 59<sup>th</sup> Street, Oklahoma City, Oklahoma 73119.

3. The thirtieth (30<sup>th</sup>) day after the date of the inquiry was June 16, 2013.
4. As of the date of this Order Respondent has failed to provide a response to the May 17<sup>th</sup> inquiry letter.
5. A copy of the inquiry letter that was not timely responded to by Respondent is attached as “Exhibit A.”

### **CONCLUSION**

The allegations are found to be true and correct and Respondent has violated 36 O.S. § 1250.4(B) by failing to furnish an adequate response to an inquiry from the Commissioner within thirty (30) days from the date of the inquiry.

### **ORDER**

**IT IS THEREFORE ORDERED that Respondent shall provide a response to the inquiry referenced above and is fined in the amount of Five Hundred Dollars (\$500.00). The response and fine are to be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Order.** The \$500.00 civil fine shall be paid by money order or cashiers check.

Respondent is further notified that it may request a hearing within 30 days of the receipt of this Order concerning this action and upon such request the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> Suite 100, Oklahoma City, Oklahoma 73112 and state the basis for requesting the hearing.

If Respondent does not request a hearing within the 30 days allotted this Order shall be a **FINAL ORDER** on the 31<sup>st</sup> day following the receipt of the Order.

WITNESS My Hand and Official Seal this 24<sup>th</sup> day of September, 2013.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

\_\_\_\_\_  
Barron B. Brown  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
(405) 521-2749

**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 24<sup>th</sup> day of September, 2013, to:

Metro Express Insurance Agency, LLC  
ATTN: Braden Garrett  
1346 SW 59<sup>th</sup> St.  
Oklahoma City, OK 73119

CERTIFIED MAIL NO. 7001 0320 0004 4249 7122

and a copy was delivered to:

Carmon Thompson  
Consumer Assistance Division



Barron B. Brown  
Assistant General Counsel



May 17, 2013

METROEXPRESS INSURANCE AGENCY LLC  
1346 SW 59 ST  
OKLAHOMA CITY OK 73119

RE: HOLLY FRAIRE  
OID FILE NUMBER:39579

Dear Mr. Garrett:

Enclosed you will find a copy of a Request for Assistance we have received from the above inquirer. Please review this correspondence and advise this office of your position. We ask that you use our file number on all correspondence concerning this inquiry.

Section 1250.4 (B) of the Oklahoma Insurance Code requires that your company provide this Department with an adequate written explanation regarding your position taken in this matter. Your response must be received by this office no later than thirty (30) days from the date of this letter.

Your response must include the full name of the insuring company and the corresponding NAIC company code. This will ensure that we associate the record of the complaint with the appropriate entity.

We also request that you provide a copy of the policy in question, and further request that you provide a specific contact person who will be handling this matter, their direct telephone number and e-mail address.

Thank you in advance for your assistance and your timely response. This department looks forward to working with you in resolving the insurance problems of this consumer.

Sincerely,

Carmon Thompson  
Claims Analyst  
Consumer Assistance/Claims Division  
Carmon.Thompson@oid.ok.gov  
(405)521-2991 Phone (405) 521-6652 Fax

Enclosure