

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

**FILED**

**JUL 25 2018**

**INSURANCE COMMISSIONER  
OKLAHOMA**

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

**Petitioner,**

**vs.**

**DERRICK LOCKE, a licensed insurance  
producer in the State of Oklahoma,**

**Respondent.**

**CASE NO. 18-0441-DIS**

**CONSENT AGREEMENT**

The State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, and Respondent Derrick Locke, stipulate to the following facts and applicable laws. The parties consent to the entry of this Order.

**JURISDICTION AND AUTHORITY**

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 et seq., including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.

2. Derrick Locke ("Respondent") is an Oklahoma licensed resident insurance producer holding license number 100144778. Locke's current mailing address is [REDACTED]

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).

4. Informal disposition of this matter may be made by consent agreement. 75 O.S. § 309(E).

### **STIPULATION OF FACTS**

5. On June 12, 2017, Mr. and Mrs. George Lewis visited the Oklahoma Insurance Department (“OID”) and filed a complaint with the Consumer Assistance Division. Mr. Lewis alleged insurance producer Derrick Locke (“Locke”) incorrectly answered medical questions on Mr. Lewis’ behalf in an electronic life insurance application submitted to Americo Financial Life and Annuity Insurance Company (“Americo”).

6. Specifically, Application Questions #1, #4c and #5c were answered “no” but should have been answered “yes”. Lewis stated he was a lifetime smoker and had had Hepatitis C but the application reflected he was a non-smoker and did not have any type of liver disease. The insurance policy was issued by Americo on August 2, 2016 based on the representations Locke made in the application.

7. Upon receipt of Mr. Lewis’ OID consumer complaint, Americo investigated the matter and thereafter voided the whole life insurance policy and issued Lewis a full premium refund.

8. On January 4, 2017, a life insurance application was submitted for Lisa Nichols to Mutual of Omaha which showed a 50/50 split commission between insurance producers Derrick Locke and Clem Kelly. On January 23, 2017, Mutual of Omaha received a handwritten letter allegedly signed by Derrick Locke and Clem Kelly agreeing that the entire commission be transferred to Locke. On April 6, 2017, Kelly contacted Mutual of Omaha and advised the company that he did not sign the document transferring his commission to Locke.

9. Mutual of Omaha investigated and asked Kelly to sign and return an Affidavit of

Forgery to the Company. Kelly complied. Mutual of Omaha thereafter terminated Locke's appointment for cause on May 3, 2017.

10. On June 6, 2018, OID investigator Rick Wagon interviewed George Lewis. Lewis was adamant that Locke knew he was smoker because he smoked during Locke's sales presentation and told Locke he had had Hepatitis C.

11. On June 6, 2018, Wagon interviewed Clem Kelly. Kelly was adamant that he had not agreed to transfer his commission to Locke because Kelly had made the presentation and worked to obtain the sale.

12. On June 15, 2018, Locke was interviewed by OID investigator Rick Wagon. During the interview, Locke admitted to completing and submitting the Lewis application to Americo. Further, Locke admitted to signing Kelly's name to the commission transfer document submitted to Mutual of Omaha.

#### **CONCLUSIONS OF LAW**

13. Locke has violated the provisions of 36 O.S. § 1435.13(A)(5), intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance.

14. Locke has violated the provisions of 36 O.S. § 1435.13(A) (10), forging another's name to an application for insurance or to any document relating to an insurance transaction.

#### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner and agreed to by Derrick Locke that he is **CENSURED** and **ORDERED** to pay a fine of **SEVEN HUNDRED AND FIFTY DOLLARS (\$750.00)**. Locke's producer license will be reinstated upon payment of the \$750.00 fine.

WITNESS My Hand and Official Seal this 24<sup>th</sup> day of July, 2018.

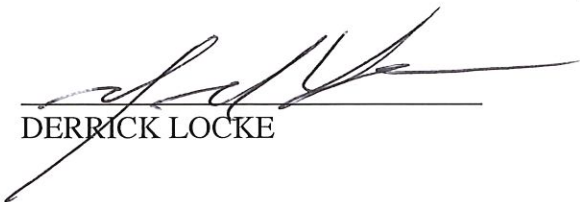


  
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JAMES MILLS  
Chief of Staff  
Oklahoma Insurance Department

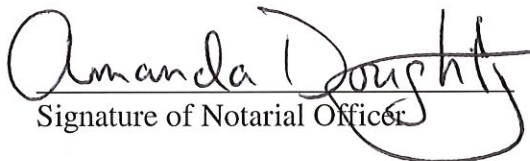
## VERIFICATION AND CONSENT

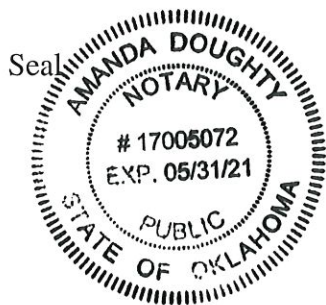
I, Derrick Locke, state that I have read this Consent Agreement. The contents and facts set forth in the order are true to the best of my knowledge. I consent to the entry of the Order by the Insurance Commissioner and I waive my right to appeal this Order.

  
DERRICK LOCKE

STATE OF OKLAHOMA  
COUNTY OF Oklahoma

This instrument was acknowledged before me on 7/13/18 by  
DERRICK LOCKE.

  
Signature of Notarial Officer



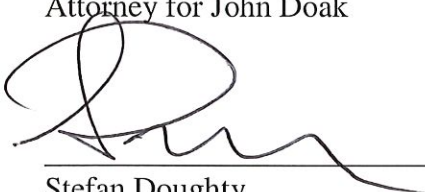
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Title

My commission expires:

5/31/21

APPROVED:

  
Julie Meaders  
Attorney for John Doak

  
Stefan Doughty  
Attorney for Derrick Locke

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Consent Agreement* was mailed by electronic mail ~~and by certified mail, with postage prepaid and return receipt requested~~, on this 25<sup>th</sup> day of July 2018, to the following:

Stephan Doughty  
skdlaw@ymail.com

**CERTIFIED MAILNO:**

and a copy was delivered to:

Richard Wagnon  
Anti-Fraud Unit

  
Julie Meaders