

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

FILED
OCT 15 2018
INSURANCE COMMISSIONER
OKLAHOMA

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

vs.

DAVY CLINT ADAMS, a licensed insurance
producer in the State of Oklahoma,
Respondent.

Case No. 18-0752-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, Barron B. Brown, and alleges and states as follows:

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.

2. Davy Clint Adams ("Respondent") is a licensed insurance producer in the State of Oklahoma holding license number 103400.

3. Pursuant to 36 O.S. § 1250.4(B), "[every] agent, adjuster, administrator, insurance company representative, or insurer upon receipt of any inquiry from the Commissioner shall, within (30) days from the date of the inquiry, furnish the Commissioner with an adequate response to the inquiry."

ALLEGATIONS OF FACT

1. On September 6, 2018, an inquiry letter written by Oklahoma Insurance Department ("OID") Consumer Assistance Division employee Jason Johnston regarding a claim which arose under an insurance contract involving a complainant was forwarded by the OID to Respondent. The OID file number for this matter is #70609. A copy of the September 6, 2018 OID inquiry letter is attached as Petitioner's Exhibit A.

2. The September 6, 2018 inquiry letter ("the inquiry letter") was sent to Respondent's address filed with the 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: [REDACTED]
[REDACTED]

3. The thirtieth (30th) day after the date of the inquiry letter was October 6, 2018. However, since that date was a Saturday and, thus, not a normal business day of the OID, Respondent had until conclusion-of-business October 8, 2018 to respond. Respondent failed to provide a response to the inquiry letter on or before October 8, 2018.

4. As of the date of this Order, Respondent has failed to provide a response to the inquiry letter to the OID.

ALLEGED VIOLATIONS OF LAW

1. 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 cashier's check. Failure to comply with this Order or request a hearing within thirty (30) days may result in further administrative action.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of receipt of this Order. A request for hearing should be in writing addressed to Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Oklahoma Insurance Code (36 O.S. §§ 101 et seq.), O.A.C. 365:1-7-1 et seq. and the Administrative Procedures Act (75 O.S. §§ 308a et seq.). If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations 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 15th day of October, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


Barron B. Brown

Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

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, and by electronic mail on this 15th day of October, 2018, to:

Davy Clint Adams



daveadams@allstate.com

CERTIFIED MAIL NO.

9214 8902 0982 7500 0135 58

and a copy was delivered to:

Consumer Assistance Division
Anti-Fraud Unit

A handwritten signature in cursive script that reads "Barron B. Brown".

Barron B. Brown
Assistant General Counsel

Governor
Mary Fallin



Insurance Commissioner
John D. Doak



Oklahoma Insurance Department
State of Oklahoma

Oklahoma Insurance Department
RECEIVED

SEP 17 2018

Consumer Assistance Division

September 06, 2018

DAVY ADAMS
[REDACTED]

RE: JOE MONSEBAIS, POLICY NUMBER
OID FILE NUMBER: 70609

Dear DAVY ADAMS:

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

Section 1250.4 (B) of the Oklahoma Insurance Code requires that you provide this Department with an adequate written explanation regarding the company's 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.

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,

A handwritten signature in black ink, appearing to read "Jason Johnston".

Jason Johnston
Senior Claims Processor Reviewer
Consumer Assistance/Claims Division
jason.johnston@old.ok.gov
(405)521-2991 Fax:(405)521-6652

Enclosure