

5. The Insurance Commissioner, pursuant to *OAC 365:1-7-5*, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

FINDINGS OF FACT

6. Pursuant to *36 O.S. §1101(A)*, no person in Oklahoma shall in any manner represent or assist any nonadmitted insurer in the soliciting, procuring, placing, or maintenance of any nonadmitted insurance coverage upon or with relation to any subject of insurance resident, located, or to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Unauthorized Insurers and Surplus Lines Insurance Act.

7. Respondent obtained his Oklahoma surplus lines license on or about June 28, 2021.

8. Respondent submitted his 2021 second quarter report of new surplus lines policies, showing two (2) policies placed with Pinnacle Insurance Solutions prior to Respondent obtaining his Oklahoma surplus lines license.

9. 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:

i. Violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner.

a. 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

10. Respondent has violated *36 O.S. §1435.13(A)(2) and 36 O.S. §1101(A)* by representing Pinnacle Insurance Solutions in the soliciting, procuring, placing, or maintenance of two (2) nonadmitted insurance policies to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Unauthorized Insurers and Surplus Lines Insurance Act;

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **CENSURED** and **FINED** Four Hundred Dollars (**\$400.00**). 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 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 Antuanya “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 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 8th day of September 2021.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Antuanya "Bo" DeBose

Antuanya "Bo" DeBose
Assistant General Counsel
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, Oklahoma, 73105
Tel. (405) 521-2746
Fax (405) 522-0125

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 8th day of September, 2021, to:

Steven V Caggiano
Pinnacle Insurance Solutions, LLC
[REDACTED]
scaggiano@pinnrisk.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0399 23

and a copy was delivered to:

Licensing Division & Financial Division

Antuanya "Bo" DeBose

Antuanya "Bo" DeBose
Assistant General Counsel