FILED

JAN 15 2025

INSURANCE COMMISSIONER
OKLAHOMA

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner,	)	
Petitioner,	)	
v.	)	**Case No. 25-0002-DIS**
KODY GRUENKE, A Non-Resident Insurance Producer,	)	
Respondent.	)	

CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Tyler P. Trammell, and alleges and states as follows:

JURISDICTION

1. The Insurance Commissioner of the State of Oklahoma, Glen Mulready, (herein referred to as "Commissioner"), is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, including the Unfair Claims Settlement Practices Act, 36 O.S. §1250.1 et seq.

2. Kody Gruenke ("Respondent"), is a Non-Resident Insurance Producer, holding NPN No. 20434056 and Oklahoma License No. 3002385779, authorized to sell Accident & Health or Sickness and Life insurance in the State of Oklahoma. Respondent's mailing address of record is [redacted].

3. If the Respondent requests a hearing in writing pursuant to OAC 365:1-7-1, the Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

FINDINGS OF FACT

4. On or about October 17, 2024, the Consumer Assistance Division of the Oklahoma Insurance Department ("OID") emailed a letter to Respondent requesting the Respondent provide an adequate response for OID file number 124433 within twenty (20) days of receipt pursuant to 36 O.S. § 1250.4. The letter was emailed to Respondent's email address of record: [redacted]

5. On or about November 8, 2024 a second letter was emailed to the Respondent stating that they were in violation of 36 O.S. § 1250.4 for failure to furnish an adequate response within 20 calendar days. The letter was emailed to [redacted]

6. On or about November 12, 2024, Respondent submitted a response to the October 17, 2024, and November 8, 2024, requests from OID.

7. Pursuant to 36 O.S. §1250.4(B),

> "Any person subject to the jurisdiction of the Commissioner, upon receipt of any inquiry from the Commissioner shall, within twenty (20) calendar days from the date of receipt of the inquiry, furnish the Commissioner with an adequate response to the inquiry. The Commissioner may, upon good cause shown and on a case-by-case basis, extend the time allowed for a response for up to seven (7) additional calendar days. Any inquiry or response subject to this subsection shall be delivered electronically."

8. Pursuant to 36 O.S. §1250.4(D), the Commissioner may subject the insurer to discipline for any violation of 36 O.S. §1250.4, including a civil penalty of not less than One Hundred Dollars ($100.00) nor more than Five Thousand Dollars ($5,000.00).

CONCLUSIONS OF LAW

9. Respondent has violated 36 O.S. §1250.4(B) by failing to furnish an adequate response to two (2) inquiry letters from the Commissioner within twenty (20) calendar days from the date of the inquiry.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby FINED in the amount of ONE HUNDRED DOLLARS ($100.00). The fine shall be paid within 30 days of the date of this Conditional Administrative Order. The fine amount may be paid online at the Department's Legal Division homepage found at https://www.oid.ok.gov/about-oid/divisions-programs/legal-division/ or may be sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105 by check or money order, made payable to the Oklahoma Insurance Department with the case number 25-0002-DIS in the Memo line. 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 thirty (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 Tyler P. Trammell, 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 thirty (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 10th day of January, 2025.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Digitally signed by Tyler P. Trammell
Date: 2025.01.10 08:22:32 -06'00'

Tyler P. Trammell, OBA No. 32885
Assistant General Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
(405) 521-6695 (Office)
Tyler.Trammell@oid.ok.gov

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 15th day of January, 2025, to:

Kody Gruenke
[redacted]

CERTIFIED MAIL NO. 9589 0710 5270 2178 8017 69

and a copy was delivered to:

Consumer Assistance Division

Digitally signed by Tyler P. Trammell
Date: 2025.01.10 08:22:50 -06'00'

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