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INSURANCE COMMISSIONER
OKLAHOMA

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984 AS TO WHETHER THE OKLAHOMA HOMEOWNERS INSURANCE MARKET IS NONCOMPETITIVE	))))	CASE NO. 26-0820-TRN

RESPONSE OF BOB SULLIVAN IN OPPOSITION TO THE MOTION TO DISMISS PARTIES DUE TO LACK OF STANDING

COMES NOW Bob Sullivan, an interested party to this proceeding pursuant to the Notice of Hearing filed herein on July 14, 2026, by and through his attorney of record, and respectfully submits his response to the Motion to Dismiss Parties Due to Lack of Standing (the "Motion") filed by the Oklahoma Insurance Department (the "Department") on September 3, 2026.

Why Mr. Sullivan Is in This Proceeding

This hearing exists because Bob Sullivan asked for it.

By letter dated February 24, 2026, hand-delivered to the Department on or about March 9, 2026, Mr. Sullivan asked Commissioner Mulready to convene a hearing under 36 O.S. § 984 and OAC 365:1-7-1 to determine whether a reasonable degree of competition exists in Oklahoma's homeowners insurance market. His letter stated — in the Commissioner's own summary of it — that Mr. Sullivan "represents Oklahoma policyholders who intend to participate as parties to the proceedings." Ex. 1, ¶ 11. The Commissioner denied the demand by written order on April 7, 2026, in Case No. 26-0215-COR. The order runs nine pages. Sixteen numbered paragraphs of findings of fact, spread over five of them, address the number of insurers writing in Oklahoma, market share, the Herfindahl-Hirschman Index, the four-firm concentration ratio, five years of combined ratios, and the 2025 rate filings. Ex. 1, ¶¶ 8–23. Two paragraphs of conclusions of law follow, on a single page. Ex. 1, ¶¶ 24–25. In the first of them the Commissioner wrote that "the evidence supports a finding that the Oklahoma homeowners insurance market is competitive," that Mr. Sullivan had "not provided any information or evidence sufficient to establish the burden of proof necessary to overcome the presumption of a competitive market," and — in one sentence, the last of the paragraph — that "[n]or has Mr. Sullivan established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1." Ex. 1, ¶ 24. That is the whole of the standing analysis: one sentence in a nine-page order, entered without a hearing and without a single question put to Mr. Sullivan. Six weeks later the Commissioner announced that he would convene a hearing on the same question, and on July 14, 2026 he issued the Notice of Hearing under the same rule Mr. Sullivan had invoked.

That last sentence matters here, because it shows the Department has held this objection since April. It did not raise it when Mr. Sullivan entered his appearance on August 26. It did not raise it at the August 27 conference. On September 1 it joined Mr. Sullivan in a motion that named him as one of "the Parties." It raised the objection for the first time at approximately 5:00 p.m. on September 3 — after the stipulated briefing on the Attorney General's Omnibus Pre-Hearing Motion had closed, and roughly sixteen hours before the conference at which that motion was to be heard. Its evidence consists of two campaign websites and two LinkedIn pages, downloaded that afternoon.

The Motion should be denied. Mr. Sullivan is the person whose demand produced this proceeding. He is a licensee of this Department whose business is placing the coverage at issue. He is an Oklahoma homeowner who pays the premiums at issue. And Oklahoma law has for more than half a century construed participation in rate proceedings generously — generously enough to admit associations whose members merely "carry insurance" with the affected companies. The standard the Department urges is drawn from cases about who may take an appeal to a court, and it is being urged against two of seven participants in a proceeding where, on the Department's own account, no insurance company has appeared at all.

What the Record Shows

1. By letter dated February 24, 2026, hand-delivered to the Department on or about March 9, 2026, Mr. Sullivan requested a hearing under 36 O.S. § 984 and OAC 365:1-7-1. The

letter set out market-share and concentration data for the Oklahoma homeowners market, compared that data to former Commissioner John Doak's 2016 order finding earthquake insurance to be a noncompetitive line, and stated, as the Commissioner's order recounts, that Mr. Sullivan "represents Oklahoma policyholders who intend to participate as parties to the proceedings." Ex. 1, ¶ 11. The order observes that the letter did not name those policyholders. Mr. Sullivan's participation here does not rest on that representative capacity. He appears in his own right, as the person who demanded this hearing, as a licensee of this Department, and as an Oklahoma homeowner who pays the premiums at issue.

2. On April 7, 2026, in Case No. 26-0215-COR, the Commissioner denied the demand. His conclusions of law state that the evidence "supports a finding that the Oklahoma homeowners insurance market is competitive," that Mr. Sullivan had not carried the burden of proof, and that "[n]or has Mr. Sullivan established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1." Ex. 1, ¶ 24. The Department has therefore had its standing objection in hand since April 7, 2026.

3. On May 20, 2026, the Commissioner announced a hearing on the same question. On July 14, 2026, the Department issued the Notice of Hearing under 36 O.S. §§ 307 and 984 and OAC 365:1-7-1(a), serving it on the Attorney General and on more than one hundred insurers. The Notice invites "all interested parties with a direct, immediate, and substantial interest" in the determination "to participate in the public hearing and offer evidence and argument on the issues involved," and provides that "[p]ersons wishing to participate shall file an entry of appearance by emailing it to OIDlegal@oid.ok.gov." It requires nothing else.

4. The Hearing Examiner's Order of July 29, 2026 set the entry-of-appearance deadline at August 26, 2026, 5:00 p.m., on the Department's own motion. Seven participants appeared on time: the Department, the Attorney General, Mr. Sullivan, Craig MacIntyre, NAMIC, APCIA, and the Oklahoma P&C Advocacy Association. No individual insurance company appeared. The Department has so advised this Court. Department's Response to Omnibus Pre-Hearing Motion at 8.

5. The Attorney General filed his Omnibus Pre-Hearing Motion on August 25, 2026. Mr. Sullivan filed a response supporting it on August 31, 2026. Under the parties' Joint Motion for Clarification and Stipulation, responses were due at noon on September 1 and replies at noon on September 3. The pre-hearing conference was continued to September 4, 2026 at 9:00 a.m.

6. At approximately 5:00 p.m. on September 3, 2026 — after the stipulated briefing had closed, and hours before the conference — the Department filed and served the Motion. Its exhibits are printouts of Mr. MacIntyre's and Mr. Sullivan's campaign websites and LinkedIn profiles, retrieved that same day. The Department offers no affidavit, no licensing record, and no testimony.

7. Mr. Robinson, who appears for the Oklahoma P&C Advocacy Association, asked orally at the September 4 conference that the September 14 hearing be put off. Ex. 2, Tr. 14:9–11. He had filed no written motion and given no notice. Counsel for the Department responded that "[t]he Department has no objection to any motions for a continuance." Ex. 2, Tr. 14:21–15:4. Mr. Sullivan's counsel, the Attorney General, and counsel for NAMIC and APCIA each objected. The Hearing Examiner, who had said before the motion was made that he was "not particularly wanting to move the date or time of the actual hearing itself," Ex. 2, Tr. 14:3–8, granted it. The hearing has been reset to the week of October 26, 2026. Counsel identified Motions 2, 3, 5, 9, and 11 of the Omnibus Pre-Hearing Motion as the matters still in dispute, Ex. 2, Tr. 27:18–20, and the Hearing Examiner reserved ruling on those five until the September 15 setting, Ex. 2, Tr. 30:8–11.

8. The Hearing Examiner set argument on the present Motion for 10:00 a.m. on Tuesday, September 15, 2026, and set the ruling on Motions 2, 3, 5, 9, and 11 for the same setting, "after the hearing on the Motion to Dismiss." Ex. 2, Tr. 30:8–11. He directed that objections to the present Motion be filed by 5:00 p.m. on Thursday, September 10, 2026, and permitted replies to those objections by noon on Monday, September 14, 2026. This response is filed pursuant to that order.

This Hearing Exists Because Mr. Sullivan Asked for It

OAC 365:1-7-1(a) permits the Commissioner to hold a hearing "either upon his/her own motion or upon written demand therefor by any person aggrieved by any act, threatened act, or failure to act of the Insurance Commissioner." Mr. Sullivan invoked that rule. Under subsection (b), the Commissioner was required to "either set down the matter for hearing within thirty (30) days from the receipt of the demand therefor or . . . issue a written order denying hearing." He chose the second course. His order addressed the merits at length and added, in a single sentence, that Mr. Sullivan had not "established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1." Six weeks later the Commissioner convened the same hearing himself, under the same rule, on the same question — and then invited "all interested parties" to appear in it.

The Department is of course free to argue that the April 7 order settled Mr. Sullivan's standing. It has not made that argument, and it could not: the order was entered without a hearing, in a separate cause, on a record Mr. Sullivan never had the opportunity to develop, and the Commissioner thereafter issued a Notice inviting participation on terms that say nothing about injury. What the order does establish is that the Department has known of this objection since April, and chose to raise it on the evening of September 3.

The Department now seeks to exclude Mr. Sullivan from the hearing his demand produced. Its Motion does not mention that he demanded it, and it does not mention the April 7 order. That order matters for two reasons. First, a person whose petition the Commissioner answered at length — with findings on market share, the Herfindahl-Hirschman Index, the four-firm concentration ratio, and five years of combined ratios — is not fairly described as a stranger to the subject. Second, the order shows that the Department has held the objection it now presses since April 7, 2026. It is not newly discovered. It was available on August 26, when Mr. Sullivan entered his appearance; on August 27, at the first conference; and on September 1, when the Department joined him in a motion describing him as one of "the Parties." It surfaced only on the evening of September 3.

Section 984(A) reinforces the point. It places "[t]he burden of proof in any hearing . . . on the party or parties advocating the position that competition does not exist." The statute identifies participants by the position they advance. Mr. Sullivan advances that position and is prepared to carry that burden. To remove him before evidence is taken is not to rule on standing; it is to resolve the merits by subtraction.

The record confirms as much. Undersigned counsel's entry of appearance for Mr. Sullivan has been of record and served on every participant since August 26, 2026, the deadline the Department itself proposed. Two days before it filed this Motion, the Department put its own signature on a Joint Motion for Clarification and Stipulation. That motion opens this way: "COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, the Oklahoma Attorney General, Bob Sullivan, [APCIA], [NAMIC], and Oklahoma P&C Advocacy Association, each appearing by and through their respective counsel, and Craig MacIntyre, appearing pro se (hereinafter, the "Parties")." That motion asked the Hearing Examiner to set deadlines "for all responses" and refers throughout to "the Parties."

A litigant that jointly moves with a person as a co-party on Monday does not credibly contend on Wednesday that the person was never a party at all — least of all on facts it has held since April. The Department was free to raise standing when Mr. Sullivan appeared, at the August 27 conference, or in place of signing the Joint Motion. It did none of those things. It is not necessary to reach waiver or estoppel to see that the Department's own conduct is the best evidence of how it understood the Notice of Hearing it wrote.

He Is a Licensee of This Department and an Oklahoma Policyholder, and Oklahoma Construes Participation in Rate Proceedings Generously

The Department concedes that Mr. Sullivan "is a licensed Oklahoma producer and surplus lines broker." Motion at 2. His livelihood consists of placing property coverage for Oklahoma consumers in the market whose competitiveness is at issue. The determination made here fixes the regime under which every homeowners rate in this state is filed: as the Notice explains, a finding of noncompetitiveness moves insurers from filing within thirty days after the effective date to filing at least thirty days before it. It also determines whether those rates may be found excessive at all. "No rate in a competitive market may be determined to be excessive." 36 O.S. § 985(A)(1). Mr.

Sullivan is also an Oklahoma homeowner who insures his residence and pays those premiums. His affidavit, submitted herewith, sets out both. That a licensee's interest in a regulated line is a cognizable one is not a novel proposition. *Toxic Waste* itself observes that the Legislature "clearly has the authority to grant standing to someone by statute and has done so in other contexts," citing *Northwest Datsun v. Oklahoma Motor Vehicle Commission*, 1987 OK 31, 736 P.2d 516 — a case about a licensed dealer's place in a regulated distribution chain. 890 P.2d at 911. And the Court of Civil Appeals has recognized the interest of insurance producers, against this very Department. In *Dean v. State ex rel. Doak*, 2012 OK CIV APP 105, 292 P.3d 58, licensed producers challenged the Department's construction of the Insurance Code and were held to have standing because they faced a direct danger of injury from the Code's operation as the Department read it — their "very livelihoods are dependent on it." The court reached that result while distinguishing *Heritage Village Apartments*, one of the four cases the Department cites here: the complainant there alleged only a competitive disadvantage from a benefit given to someone else, while the producers in *Dean* invoked a statutory scheme that governed their own conduct. Mr. Sullivan is in the position of the producers in *Dean*.

Oklahoma law does not measure participation in a rate proceeding by the yardstick the Department proposes. The cases that decide who may be heard *before the agency* — as distinct from who may appeal afterward — construe the question broadly. In *Oklahoma State Senate v. State Board for Property & Casualty Rates*, 2000 OK 69, 11 P.3d 1242, the Supreme Court took up participation in a rate proceeding before the Board, a question governed by 36 O.S. § 901.4(C). Under that statute a person aggrieved by a filing already in effect may ask the Board in writing for a hearing on it. Looking back at its own precedent, the Court said it had "broadly applied the concept of standing in a rate hearing." *Id.* ¶ 10. And in *City of Oklahoma City v. Oklahoma Corporation Commission*, 2024 OK 77, ¶ 24, 558 P.3d 1231, the Court held that the Oklahoma Municipal League "possessed standing to participate in the Commission proceeding." Neither case is about an appeal.

The precedent the Court was describing is more generous still. In *Oklahoma State AFL-CIO v. State Board for Property & Casualty Rates*, 1970 OK 3, 463 P.2d 693, a labor federation and a trial lawyers association were held to "have 'standing' to represent their members in connection with the proposed rate increase." *Id.* ¶ 3. The Court did not require proof of the members' interest; it took judicial notice that some of them "carry insurance with companies which seek the rate increases, or will be applicants for insurance coverage by such companies." *Id.* ¶ 5, 463 P.2d at 694–95. The same approach obtains in analogous rate matters. *See State ex rel. Henry v. Sw. Bell Tel. Co.*, 1991 OK 134, ¶ 9, 825 P.2d 1305 (AARP's "membership is composed of individuals who presumably are ratepayers").

If persons who simply carry insurance with the affected companies may be heard through their associations, then the licensed producer who places that insurance, and the homeowner who buys it, may be heard in their own names.

The Department answers that a noncompetitive finding would not immediately lower anyone's premium. Motion at 4. That misdescribes the injury. The injury is the loss of the protection itself — the difference between a market in which rates are reviewable for excessiveness and one in which, by statute, they are not. The Supreme Court has held that precisely such a change supports standing. In *Cox Oklahoma Telecom, LLC v. State ex rel. Oklahoma Corporation Commission*, 2007 OK 55, 164 P.3d 150, the appellees argued that the challenger's injury from an order relaxing regulatory oversight was "speculative and contingent on future events." *Id.* ¶ 6. The Court disagreed: "this potential for economic harm that results from a diminution in regulatory oversight by the Commission gives Cox standing to press for relief." *Id.* ¶ 8. It added that the doctrine "should never be applied mechanistically to bar from the courthouse those who are truly aggrieved." *Id.* ¶ 5. (*Cox* carries a KeyCite caution flag, but what *Oklahoma Gas & Electric Co. v. State ex rel. Oklahoma Corporation Commission*, 2025 OK 15, 565 P.3d 418, modified was how a reviewing court examines a Commission order. It left the standing discussion at ¶¶ 5 through 8 alone.)

The Motion Measures Hearing Participation by the Standard for Taking an Appeal

The authorities the Department marshals are appellate-standing cases. *Heritage Village* was a petition for judicial review under 75 O.S. § 318 and speaks of "a party invoking a court's jurisdiction." 2001 OK CIV APP 4, ¶ 7, 18 P.3d 1085, 1087. *Glass* was a district-court action and asks whether a party may "obtain judicial resolution of the controversy." 1982 OK 2, ¶ 8, 639 P.2d 1233, 1237. *Oklahoma Electric Cooperative* was an appeal from a Corporation Commission order. So was *Cleary Petroleum Corp. v. Harrison*, 1980 OK 188, 621 P.2d 528 — and it is worth pausing on, because it is the source of the formula the Department borrows. *Cleary Petroleum* asks who is an "aggrieved party" entitled to take an appeal from a *judgment*, and answers that a party is aggrieved where the adverse effects of the judgment are "direct, substantial and immediate" rather than contingent on some future event. That is a rule about appellate jurisdiction. The Department has lifted it out of the appellate context and offered it as a condition of appearing at a hearing. None of these four cases concerns who may appear before an agency.

Toxic Waste addresses the relationship between the two directly, and its holding runs the other way. Describing standing to participate, the Court explained that "[t]he Legislature clearly has the authority to grant standing to someone by statute," and that such standing "is not necessarily based on any injury to a property right, constitutional right or other legally recognized right . . . . Merely, it is a legislative policy decision in the context of the OCIWDA qualified interest groups, that request a public hearing, are granted standing to participate in the permitting process." 890 P.2d at 911. The sentence the Department quotes appears a page later, in the Court's discussion of appeals: "the right to protest and submit evidence before an agency does not *ipso facto* grant the protesting party the right to maintain an appeal from the agency decision." *Id.* at 912. That proposition traces to *National Motor Club of Oklahoma, Inc. v. State Insurance Board*, 1964 OK 138, 393 P.2d 511. In both cases the rule runs one way only: participating below does not guarantee review above. Neither case makes the standard for review a condition of participating below.

That one-way structure has been Oklahoma law for sixty years. *National Motor Club* is the model for it. The protestant there did everything a participant does. It appeared before the State

Insurance Board, demanded a hearing, put on its evidence, and objected to the license. Its appeal was dismissed all the same. The Court explained that "[o]ur statutory law specifically prescribes who may appeal from an order of the Board," that "[t]he fact that National appeared before the Board and protested the issuance of the license are not controlling as to who may perfect an appeal," and that "[t]he Board may not grant a party the right to appeal, but such right is granted by legislative enactment." 1964 OK 138, ¶ 23. The Court did not suggest that the protestant should have been kept out of the hearing. It held only that having been in it did not carry him into court. *Roussel v. State ex rel. Grimes*, 1980 OK 101, 614 P.2d 53, carried the rule into an insurance proceeding. A company had taken part in an administrative hearing on an acquisition application. That participation, the Court held, was not a material consideration in deciding whether the company was aggrieved or adversely affected so as to appeal, and the Court kept the Administrative Procedures Act's definition of "party" separate from the standard that governs review. The distinction cuts in Mr. Sullivan's favor. The Court had no trouble treating the hearing participant there as a "party" under 75 O.S. § 250.3 — "a person or agency named and participating . . . in an individual proceeding" — while holding that being a party did not by itself make it aggrieved for purposes of § 318. *Id.* ¶¶ 14–15. Participating makes a party; it does not make an appellant. The Department has the sequence backwards.

This year the Supreme Court made the point unmistakable. The appellant in *Gann v. State ex rel. Oklahoma Corporation Commission*, 2026 OK 24, had stayed out of the Corporation Commission proceeding altogether. He "did not file an entry of appearance or otherwise attempt to intervene at the Corporation Commission." *Id.* ¶ 11. He was aggrieved even so: "[a] ratepayer subject to a ratemaking order is a person aggrieved by the order." *Id.* ¶ 21. If a person who never appeared below is aggrieved for purposes of review, the Department cannot demand a greater showing from a person who did appear, merely to let him in the door. The same paragraph notes that the Attorney General, "who represents and protects the collective interests of all utility consumers of this state in rate-related proceedings, entered an appearance in the proceeding" — and his appearance did not render the individual ratepayer's participation unnecessary there either.

The Department has not identified — and undersigned counsel has not found — any Oklahoma decision holding that a person must demonstrate injury in fact before he may appear at an agency hearing. That is the proposition the Motion requires, and it is unsupported. The Department is the movant here; the burden of supplying that authority is its own.

The facts of *Toxic Waste* are instructive. The group lost because it stayed out of the agency proceeding: "Although taking part in public meetings before OSDH on the matter, TWIG did not request a public hearing, as it would have been allowed to do as a qualified interest group." *Id.* at 909. Having passed up the hearing, it went to court. Mr. Sullivan did the reverse. He demanded the hearing, and when it was noticed he appeared in it. The Department cites the case that rewards what he did as grounds for removing him. On the Department's own lead authority, the single fact that distinguishes a participant who may be heard from one who may not is whether he requested the hearing. Mr. Sullivan requested this one.

The Department may respond that an independent hearing examiner "shall sit as a quasi-judicial officer," 36 O.S. § 319, and that his order is final agency action, 36 O.S. § 313(A). Neither observation reaches the question. The first describes how the officer must decide — impartially, on a record, by findings and conclusions, 36 O.S. § 984(B)(2). The second identifies the order from which review may be taken under 36 O.S. § 320, and so identifies when the Department's cases begin to apply. That time is not now.

NAMIC and APCIA take the opposite view of the proceeding's character, describing it at the September 4 conference as "more of a rule-making proceeding as opposed . . . to an individual proceeding under the APA." Ex. 2, Tr. 17:11–15. Mr. Sullivan does not adopt that characterization. He notes only that the Motion fails under either one. Treat it as an individual proceeding and the Administrative Procedures Act and the Commissioner's rules supply the test, which Mr. Sullivan meets. If instead the proceeding is legislative in character — one that, in the language our Supreme Court adopted from *Prentis v. Atlantic Coast Line Co.*, "looks to the future and changes existing conditions by making a new rule to be applied thereafter," *Cox*, 2007 OK 55, ¶ 11 — then standing doctrine, which exists to identify who may obtain adjudication of a dispute, has no application to it at all. The Department cannot borrow the framework of judicial adjudication for the purpose of excluding participants while the proceeding is described as rule-making for every other purpose.

The Rules That Actually Govern Are the Commissioner's Own

Title 36 O.S. § 313(B) requires that "[i]n the exercise of the powers and the performance of the duties enumerated in this title, the Commissioner shall comply with the procedures of the Administrative Procedures Act." Under the Act, a "party" is "a person or agency named and participating, or properly seeking and entitled by law to participate, in an individual proceeding." 75 O.S. § 250.3. The Department quotes that definition and then applies a different one. The second clause asks whether a person properly sought participation and whether law entitled him to it. Section 309(C) then provides that "[o]pportunity shall be afforded all parties to respond and present evidence and argument on all issues involved." The "aggrieved" limitation the Department presses belongs to 75 O.S. § 318, which governs judicial review of a final order.

The Commissioner's own rules say the same. OAC 365:1-7-4(a): "All hearings shall be open to the public." OAC 365:1-7-4(b): "Any person affected by the hearing shall have the right to appear in person and by counsel," and may "examine and inspect all documentary evidence, may examine witnesses and may present evidence in the party's own behalf." There is no injury requirement in that rule, and no requirement that the person be an insurer.

And the Notice of Hearing set the standard for this proceeding directly: file an entry of appearance. Mr. Sullivan did. Having published that procedure, requested the deadline, accepted seven appearances and appeared at a conference alongside them, the Department is not free to substitute a different test afterward. "Once these rules are in place an agency is required to follow them. Failure to do so can result in an invalidation of the proceeding." *Pub. Serv. Co. of Okla. v. State ex rel. Corp. Comm'n*, 1996 OK 43, ¶ 13, 918 P.2d 733; *accord Cox*, 2007 OK 55, ¶ 18 (an agency "cannot arbitrarily ignore its duly-promulgated procedural rules").

The Department Cannot Be Neutral as to the Outcome and the Policyholders' Representative at the Same Time

The Motion argues that Mr. Sullivan is unnecessary because Oklahoma consumers "are already represented in this matter by the Oklahoma Insurance Commissioner and the Oklahoma Attorney General." Motion at 4. The Department has told this Court something different elsewhere: that it does not advocate a position, and that "[t]he Commissioner has appointed an independent hearing examiner to ensure that an objective determination is made based on the law and evidence presented." Department's Response to Omnibus Pre-Hearing Motion at 7. Both cannot be so. A party that disclaims any position on the outcome is not representing the policyholders who have one. And at the September 4 conference, counsel for the Department advised the Hearing Examiner that the Department "are anticipating that [the Commissioner] may be a witness." Ex. 2, Tr. 24:18–25:3. An agency whose head is an anticipated witness in support of one answer to the question presented is a participant in this proceeding, not a stand-in for those who favor the other answer.

There is a further difficulty with the Department's theory of representation. A determination under § 984 does not end when this hearing does. An order finding the market noncompetitive "shall expire no later than one (1) year after issue unless rescinded earlier by the Commissioner or unless the Commissioner renews" it "after a hearing and a finding." 36 O.S. § 984(A). An order finding the market competitive is equally durable in its effect: while it stands, no homeowners rate in Oklahoma may be found excessive. 36 O.S. § 985(A)(1). And the statutes that give the determination its operative consequences are themselves changing — House Bill 3781, 2026 Okla. Sess. Law Serv. ch. 316, amends 36 O.S. §§ 985, 987, and 989 effective July 1, 2027. Commissioner Mulready's term ends in January 2027. The officeholder who will administer, renew, or rescind the order entered in this proceeding is therefore not the officeholder now said to represent Mr. Sullivan's interests in it.

Nor does the Attorney General's presence answer the question. He has never appeared as counsel for Mr. Sullivan in this proceeding, and nothing in the Notice of Hearing, in the

Commissioner's rules, or in 74 O.S. § 18b(22) makes one participant's appearance a substitute for another's; the authority that section confers is to represent the *collective* interests of insurance consumers. Adequacy of representation is in any event an intervention concept; it is not an element of standing. Oklahoma has never treated the Attorney General's authority as displacing private participation in matters of public concern. "Generally the Attorney General as chief law officer of the State, would be the proper party to maintain litigation to enforce a matter of public interest. However, where the main object of the suit is to vindicate a public right, a court may rightfully take jurisdiction upon the relation of a private citizen . . . ." *State ex rel. Howard v. Okla. Corp. Comm'n*, 1980 OK 96, 614 P.2d 45. Mr. Sullivan relies on *Howard* for that proposition alone. He does not urge it as a general rule of citizen standing, and the Court has declined to extend it that far.

The Motion Rests on No Competent Evidence, and Dismissal on This Record Would Foreclose Review

Contested standing presents a question of fact. That is why *Toxic Waste* reversed and remanded rather than dismissing, so the question could be resolved "in the first instance" on a record. 890 P.2d at 908–09. The Department has offered campaign literature. It has not offered — and did not seek — anything about Mr. Sullivan's licenses, his book of business, his own coverage, or his premiums. It asked him no questions at the August 27 conference. The accompanying affidavit supplies what the Motion omits.

Should the Motion be granted in any part, the manner matters. Review of the final order is confined to the record, 75 O.S. § 321, and under 36 O.S. § 313(A) only the final order signed after hearing is final agency action. An exclusion order entered on the present record would leave a reviewing court nothing to examine, and would leave the person who demanded this hearing without a means of testing the order removing him from it. Mr. Sullivan accordingly requests that, in that event, he be permitted to preserve his showing by formal offer of proof.

If a Standing Showing Is Required, It Must Be Required of Every Participant

Mr. Sullivan does not ask that any participant be dismissed. He asks that all seven be heard. Section 984(B) requires findings on six factors bearing on the structure and performance of a statewide market, and that inquiry is served by a fuller record, not a thinner one.

But the standard the Department proposes cannot be applied to two participants and withheld from the rest. Its stated ground is that Mr. Sullivan and Mr. MacIntyre are "not an insurer or otherwise directly or fiscally impacted by the outcome," Motion at 2, and that participation grounded in "the representation and/or protection of Oklahoma policyholders" is insufficient, Motion at 4. NAMIC is an Indiana nonprofit corporation. APCIA appears through the same counsel. Neither writes homeowners insurance in Oklahoma, neither has a rate on file, and no obligation of either changes if this market is found noncompetitive; §§ 985 through 989 operate on insurers, not on their trade associations. The Oklahoma P&C Advocacy Association describes itself only as "an interested party whose members possess a direct, immediate, and substantial interest," and identifies no member.

The decisive fact is the one the Department itself has reported: "no individual insurance companies have filed EOAs or asked to participate in the Hearing." Department's Response to Omnibus Pre-Hearing Motion at 8. Not one entity whose filings would actually change under a § 984 determination is before this Court. If participation is limited to those the outcome directly and immediately regulates, this proceeding consists of the Department and the Attorney General, and no one else.

Mr. Sullivan does not contend that the associations could not make the showing the Department demands of him. Under Oklahoma law an association's standing "is based upon members of that association possessing standing to sue in their own right," *City of Okla. City*, 2024 OK 77, ¶ 23, 558 P.3d 1231, and *Toxic Waste* framed the inquiry the same way, asking whether the organization "or more probably one or more of its members" was aggrieved. 890 P.2d at 911. The point is narrower and it is this: no member-specific showing has been asked of any association, and the Department offers no principle that would require one of Mr. Sullivan while excusing three organizations. A rule of decision that credits representational participation on the industry side of this proceeding and rejects it on the consumer side is not a rule of decision.

The allocation of hearing time makes the asymmetry concrete. Motion 9 of the Omnibus Pre-Hearing Motion would split the hearing clock between the two positions rather than among the people in the room: half the time to the side arguing that the market is noncompetitive, half to the side arguing that it is not. The Department and the associations want the clock divided by participant instead. Those two positions cannot be held together with this Motion. If time is apportioned per participant, then removing two participants from one side of the question, eleven days before hearing, redistributes the hearing itself. As counsel observed on the record on September 4, "removing two parties from this hearing at this late date is important to the consideration of how time is allocated." Ex. 2, Tr. 16:15–17.

If the Hearing Examiner concludes that a direct, personal, and immediate stake must be shown, Mr. Sullivan respectfully requests that every participant other than the Department and the Attorney General be directed to make that showing, on one schedule and in one round of filings, with notice and an opportunity to be heard. Proceedings of this kind should be conducted so as to avoid "even the appearance of impropriety." *Arbuckle Simpson Aquifer Prot. Fed'n of Okla., Inc. v. Okla. Water Res. Bd.*, 2013 OK 29, ¶ 13. A standing inquiry directed at two of seven participants, on the eve of a hearing, does not meet that description. Mr. Sullivan reserves the right to seek relief as to other participants should the Department's standard be adopted.

Relief Requested

The Commissioner told the public that anyone with an interest in this question could participate by filing an entry of appearance. Mr. Sullivan had already asked him to hold the hearing. He filed his appearance on time. No one objected when he filed it, at the conference that followed the next day, or when the Department signed a joint motion naming him as one of "the Parties." The objection came on the evening of September 3. The law the Department invokes governs appeals to courts; the law that governs here — the Administrative Procedures Act, the

Commissioner's own rules, and the Commissioner's own Notice — entitles Mr. Sullivan to be heard, as it entitles the other six participants to be heard.

WHEREFORE, PREMISES CONSIDERED, Bob Sullivan respectfully requests that the Hearing Examiner deny the Motion to Dismiss Parties Due to Lack of Standing; that the hearing under 36 O.S. § 984 proceed as reset, without further delay; that this Motion be resolved before Motion 9 of the Attorney General's Omnibus Pre-Hearing Motion, which the Hearing Examiner has reserved for the same setting, Ex. 2, Tr. 30:8–11, is taken up, since the allocation of hearing time cannot sensibly be fixed while a motion to remove two participants is pending; that, in the alternative, if a showing of standing is required to participate, every participant other than the Department and the Attorney General be directed to make that showing on a common schedule and in a single round of filings; that, if the Motion is granted in any part, Mr. Sullivan be permitted to preserve his showing by formal offer of proof; and that he be granted such other and further relief as is just, equitable, and proper.

Respectfully submitted,

Michael J. Hunter

Michael J. Hunter, OBA No. 4503
Michael J. Hunter, PLLC
100 N. Broadway, Suite 3020
Oklahoma City, OK 73102
405-985-3828
Mike@mjhlaw.net

Attorney for Bob Sullivan

INDEX OF EXHIBITS

Affidavit of Bob Sullivan	Filed herewith, with its own Exhibits A, B and C
Exhibit A	Letter from Bob Sullivan to Insurance Commissioner Glen Mulready dated February 24, 2026, with the Department's date-stamped delivery receipts of March 9, 2026 (exhibit to the Affidavit)
Exhibit B	Order Regarding Request for Section 984 Hearing, entered April 7, 2026 (Case No. 26-0215-COR) (exhibit to the Affidavit)
Exhibit C	Renewal Declarations, State Farm Fire and Casualty Company Policy No. 36-CN-B111-1, policy period December 12, 2025 to December 12, 2026 (exhibit to the Affidavit)
Exhibit 1	Order Regarding Request for Section 984 Hearing, entered April 7, 2026 (Case No. 26-0215-COR)
Exhibit 2	Transcript of Pre-Hearing Conference held September 4, 2026 (Case No. 26-0820-TRN)

CERTIFICATE OF SERVICE

I, Michael J. Hunter, hereby certify that on this 10TH day of September 2026, a true and correct copy of the above and foregoing *Response of Bob Sullivan in Opposition to the Motion to Dismiss Parties Due to Lack of Standing* was filed with the Oklahoma Insurance Department by electronic mail to OIDlegal@oid.ok.gov, and was served by electronic mail upon:

Nicole M. Nash
Antuanya "Bo" DeBose
Oklahoma Insurance Department, Legal Division
OIDlegal@oid.ok.gov
Nicole.nash@oid.ok.gov
Bo.debose@oid.ok.gov

The Honorable John D. Miller
Independent Hearing Examiner
Oklahoma Insurance Department
[via OIDlegal@oid.ok.gov]

Craig MacIntyre
Oklahoma Insurance Commissioner Candidate
Craigforcommish26@gmail.com

Reggie N. Whitten, OBA No. 9576
Michael Burrage, OBA No. 1350
Blake Sonne, OBA No. 20341
Hannah Whitten, OBA No. 35261
Jake Denne, OBA No. 35097
WHITTEN BURRAGE
512 North Broadway Avenue, Suite 300
Oklahoma City, OK 73102
rwhitten@whittenburragelaw.com
mburrage@whittenburragelaw.com
bsonne@whittenburragelaw.com
hwhitten@whittenburragelaw.com
jdenne@whittenburragelaw.com
Attorneys for the Attorney General of Oklahoma

J. Blake Patton, OBA No. 30673
Caleb E. Evans, OBA No. 36108
GABLEGOTWALS
499 W. Sheridan Ave., Suite 2200
Oklahoma City, OK 73102
bpatton@gablelaw.com
cevans@gablelaw.com

Trent Shores, OBA No. 19705
Jason Seay, OBA No. 22007
GABLEGOTWALS
110 N. Elgin Ave., Suite 200
Tulsa, OK 74120
tshores@gablelaw.com
jseay@gablelaw.com

Walter.gonzales@apci.org
Attorneys for NAMIC and APCIA

Brett Robinson
Oklahoma P&C Advocacy Association
608 E. Eubanks St.
Oklahoma City, OK 73105
brobinson@hbstrategies.us

Michael J. Hunter

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984 AS TO WHETHER THE OKLAHOMA HOMEOWNER'S INSURANCE MARKET IS NONCOMPETITIVE	))))	Case No. 26-0820-TRN

AFFIDAVIT OF BOB SULLIVAN

STATE OF OKLAHOMA
) ss.
COUNTY OF ____________

I, Bob Sullivan, being of lawful age and first duly sworn upon oath, depose and state as follows:

1. I am over the age of eighteen (18) years, am competent to testify to the matters set forth herein, and make this affidavit upon my own personal knowledge. I am a resident of Rogers County, Oklahoma.

2. I am an interested party in this proceeding pursuant to the Notice of Hearing issued July 14, 2026. I filed my entry of appearance in the manner that Notice directed.

3. I am, and have continuously been since 2010, a resident insurance producer licensed by the Oklahoma Insurance Department, License No. 40130425. My lines of authority include Property, Casualty, Life, Accident, and Health

4. I am also, and have continuously been since 2025, a surplus lines broker licensed by the Oklahoma Insurance Department, License No. 40130425.

5. My licenses are current and in good standing. The Oklahoma Insurance Department is the agency that issues, renews, examines, and regulates those licenses.

6. In the ordinary course of my business I place property and casualty insurance, including homeowners and residential property coverage, for Oklahoma consumers and businesses. In calendar year 2025 I placed approximately 250 policies covering Oklahoma residential or commercial property, representing approximately $ 5 million in written premium.

7. The insurers with which I place Oklahoma homeowners and residential property coverage include Travelers, Chubb, Safeco, and numerous others.

8. A determination in this proceeding that the Oklahoma homeowners insurance market is competitive, or is not competitive, directly governs the regulatory environment in which I conduct that business. As the Notice of Hearing states, a determination of noncompetitiveness requires insurers to file rates and supporting information with the Department at least thirty (30) days before the effective date, rather than within thirty (30) days after the effective date. That difference affects when I learn of rate changes affecting my clients, my ability to advise clients in advance of those changes, my ability to market and place coverage on accurate terms, and the availability and pricing of the products I sell.

9. A determination that the market is competitive also forecloses, by operation of 36 O.S. § 985(A)(1), any determination that a homeowners rate in Oklahoma is excessive. The rates at which I am able to place coverage for my clients would therefore be insulated from any excessiveness review for the duration of that determination.

10. I own and reside in a home located in Rogers County, Oklahoma. I insure that home under a homeowners policy issued by State Farm, Policy No. 36CNB1111.

11. My annual homeowners premium for that policy was approximately $ 2,542 for the policy year beginning Dec. 12, 2024, and is approximately

$ 3,256 for the current policy year 2025 an increase of approximately 28 percent. [Attach declarations pages as Exhibit C if available.]

12. I am therefore an Oklahoma homeowners insurance policyholder, and I pay homeowners insurance premiums in the market whose competitiveness is the subject of this proceeding.

13. By letter dated February 24, 2026, hand-delivered to the Oklahoma Insurance Department on or about March 9, 2026, I asked Commissioner Glen Mulready to convene a hearing pursuant to 36 O.S. § 984 and OAC 365:1-7-1 to determine whether a reasonable degree of competition exists in Oklahoma's homeowners insurance market. A true and correct copy of that letter is attached hereto as Exhibit A.

14. That demand set out market-share and concentration data for the Oklahoma homeowners market, compared that data to the findings made by former Commissioner John Doak in his 2016 order determining that earthquake insurance was a noncompetitive line, and stated that I represent Oklahoma policyholders who intend to participate as a party to the proceeding.

15. On April 7, 2026, in Case No. 26-0215-COR, the Commissioner denied that demand by written order. A true and correct copy of that order is attached hereto as Exhibit B. Its conclusions of law state that the evidence "supports a finding that the Oklahoma homeowners insurance market is competitive," that I had "not provided any information or evidence sufficient to establish the burden of proof necessary to overcome the presumption of a competitive market," and that "[n]or has Mr. Sullivan established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1." The Department has thus had the objection it now raises since April 7, 2026.

16. On May 20, 2026, the Commissioner announced that he would convene a hearing on the same question. The Notice of Hearing in this matter issued July 14, 2026, under the same rule I had invoked, OAC 365:1-7-1(a).

17. I made that request on my own behalf and on behalf of Oklahoma policyholders who have communicated to me their concerns regarding the cost and availability of homeowners insurance in this state.

18. I filed my entry of appearance in this proceeding on August 26, 2026, by the deadline set in the Hearing Examiner's Order of July 29, 2026. No party objected to my appearance at that time, at the pre-hearing conference held August 27, 2026, or in the Joint Motion for Clarification and Stipulation filed September 1, 2026, which the Department signed and which identifies me among "the Parties."

19. I intend to participate in the hearing in this matter, to offer evidence and argument directed to the six factors enumerated in 36 O.S. § 984(B)(1), and to assist in carrying the burden of proof allocated by 36 O.S. § 984(A) to the parties advocating that a reasonable degree of competition does not exist.

20. No representative of the Oklahoma Insurance Department has ever asked me about my licensure, my book of business, my homeowners coverage, my premiums, or the policyholders on whose behalf I made the February 24, 2026 demand.

FURTHER AFFIANT SAYETH NOT.

Bob Sullivan

Bob Sullivan

Subscribed and sworn to before me this 10th day of September, 2026.

Notary Public

My Commission Expires: 3-22-27
Commission No.: 134265141

DANIEL MALONE
Notary Public, State of Texas
Comm. Expires 03-22-2027
Notary ID 134265141

BEFORE THE INSURANCE COMMISSIONER OF THE

STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984
AS TO WHETHER THE OKLAHOMA HOMEOWNERS
INSURANCE MARKET IS NONCOMPETITIVE

CASE NO. 26-0820-TRN

EXHIBIT A

Letter from Bob Sullivan to Insurance Commissioner Glen Mulready dated February 24, 2026, with the Department's date-stamped delivery receipts of March 9, 2026

February 24, 2026

Commissioner Glen Mulready

Oklahoma Insurance Department

400 NE 50th St. Oklahoma City, OK 73105

Dear Commissioner Mulready:

There have been numerous news stories regarding the cost of homeowners insurance in Oklahoma in recent months. Media outlets have reported that several studies find that Oklahomans' pay the highest premiums in the country for this coverage. In addition, the Oklahoma Attorney General has begun an investigation into the conduct of insurers who provide this coverage.

Your position on this matter has relied on your allegation that competition exists among insurance companies in the market, proscribing your ability to intervene on behalf of Oklahoma insureds, presumably pursuant to 36 O.S. Section 984, which provides, inter alia, "A competitive market is presumed to exist for a line of insurance unless the Commissioner after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market."

I'm attaching an order issued by a former Commissioner John Doak in 2016 relating to earthquake insurance rates. After a hearing to determine whether competition existed in that marketplace, Doak determined that despite 119 insurers writing earthquake coverage, the four largest writers market share "exceeded 50% at all times for the six years preceding December 31, 2015." His order found that a reasonable degree of competition did not exist, and that earthquake insurance was a noncompetitive line of insurance.

Commissioner Doak's finding is based on market share data eerily similar to that which exists in Oklahoma today in which four major players control over half the homeowners' insurance market. In addition, Doak made his finding of no competition with 119 insurers writing earthquake insurers. Oklahoma has less than 100 companies writing homeowners insurance.

I am formally requesting you hold a hearing pursuant to 36 O.S. Section 984 and OAC 365:1-7-1. I represent Oklahoma policy holders who intend to participate as a party to this proceeding which requires you to consider the following factors:

"a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

EXHIBIT

1

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time."

Pursuant to OAC 365:1-7-1(b) you "shall either set down the matter for hearing within thirty (30) days from the receipt of the demand therefor or shall issue a written order denying hearing."

Respectfully,

Bob Sullivan

Candidate for Oklahoma Insurance Commissioner 2026

Bob Sullivan

10566 S Park Pl

Inola, OK 74036

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK
MAR 09 2026
OKLAHOMA INSURANCE DEPT.

Hon. Glen Mulready

* CARRie

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK
MAR 09 2026
OKLAHOMA INSURANCE DEPT.

Nicole NASH, Esq.

BEFORE THE INSURANCE COMMISSIONER OF THE

STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984
AS TO WHETHER THE OKLAHOMA HOMEOWNERS
INSURANCE MARKET IS NONCOMPETITIVE

CASE NO. 26-0820-TRN

EXHIBIT B

Order Regarding Request for Section 984 Hearing, entered April 7, 2026
(Case No. 26-0215-COR)

FILED

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

APR 07 2026

INSURANCE COMMISSIONER OKLAHOMA

IN RE: Request by BOB SULLIVAN, an Oklahoma resident, for a hearing pursuant to 36 O.S. § 984	)))	Case No. 26-0215-COR

ORDER

The State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, having fully reviewed the correspondence from Mr. Sullivan and comprehensive data relating to the current Oklahoma homeowners' insurance market, finds and orders as follows:

JURISDICTION AND APPLICABLE LAW

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma ("Commissioner") 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. In particular, the Insurance Commissioner has jurisdiction over the Property and Casualty Competitive Loss Cost Rating Act, 36 O.S. §§ 981 – 999, which regulates the use and filing of homeowners insurance rates for the State of Oklahoma.

3. Pursuant to 36 O.S. § 985(A)(1), "No rate in a competitive market may be determined to be excessive. A rate in a noncompetitive market may be determined to be excessive if it is likely to produce a profit that is unreasonably high for the insurance provided."

4. Pursuant to 36 O.S. § 984(A), "A competitive market is presumed to exist for a line of insurance unless the Commissioner, after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market. The burden of proof in any hearing shall be placed on the party or parties advocating the position that competition does not exist. Any ruling that a market is not competitive shall identify the factors causing the market not to be competitive...."

Any such ruling may be challenged and appealed to the Oklahoma County District Court. 36 O.S. § 984(B)(3).

5. "In determining whether a reasonable degree of competition exists within a line of insurance, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time."

36 O.S. § 984(B)(1).

6. No other statute provides any definition or other criteria for measuring and determining whether an insurance market is competitive or noncompetitive.

7. OAC 365:1-7-1(a) states:

> The Insurance Commissioner may hold hearings on any matters within his/her jurisdiction under the Insurance Code, either upon his/her own motion or upon written demand therefor by any person aggrieved by any act, threatened act, or failure to act of the Insurance Commissioner or by any report, regulation, rule or order of the Insurance Commissioner. The written demand for hearing should specify the grounds to be relied upon as a basis for relief demanded at the hearing.

FINDINGS OF FACT

8. On or around March 9, 2026, a letter from Bob Sullivan addressed to the Insurance Commissioner was hand-delivered to the Oklahoma Insurance Department, 400 NE 50th Street, Oklahoma City, OK 73105. Exhibit 1, Letter from Bob Sullivan (Mar. 9, 2026).

9. The letter formally requests that the Insurance Commissioner hold a hearing pursuant to 36 O.S. § 984 and OAC 365:1-7-1 regarding whether a reasonable degree of competition exists within the Oklahoma homeowners insurance market.

10. As support for the request, the letter references "numerous news stories regarding the cost of homeowners insurance in Oklahoma in recent months," media reports that Oklahomans pay highest premiums in the country for homeowners insurance, an investigation by the Oklahoma Attorney General into the conduct of insurers providing homeowners' insurance, and an Order issued by Former Insurance Commissioner John Doak in 2016 relating to earthquake insurance rates.

11. The letter also states Mr. Sullivan represents Oklahoma policyholders who intend to participate as parties to the proceedings but does not name any of those individuals nor explain in what capacity he represents such policyholders.

12. The letter does not include nor cite to any specific supporting evidence, information, or data.

13. The Insurance Commissioner and Oklahoma Insurance Department staff closely monitor and analyze the Oklahoma homeowners insurance market, including its market concentration and rate increases and decreases, through required financial statements and filings, rate filings, market data calls, and other submissions of documents and data. The findings of fact provided herein are based on this data and analysis.

14. On or around September 30, 2025 and October 7, 2025, the Insurance Commissioner

presented at interim studies before the Oklahoma Legislature regarding homeowners insurance rates. Those interim studies also included various presenters representing both insurance companies and consumers.

15. In 2024, around 109 different insurance companies, making up at least fifty-three (53) different group codes, were actively writing homeowners insurance coverage in Oklahoma.

16. No single company—or group of affiliated companies—controls more than 31% of the homeowners insurance market.

17. Well-established economic tools widely accepted by the Department of Justice, the Federal Trade Commission, fellow regulators, and economists evidence that Oklahoma's homeowners insurance market is competitive.

18. The Herfindahl-Hirschman Index, the primary benchmark for measuring market concentration, uses companies' market shares to yield a single score. Markets with scores below 1500 are considered unconcentrated and competitive, while those above 2500 are highly concentrated and non-competitive. Oklahoma's HHI score is 1362. Oklahoma's HHI score has been within a competitive threshold for at least the past five (5) years. See Exhibit 2, Okla. Ins. Dep't, Presentation at September 30, 2025 Legislative Interim Study on Rising Homeowner Insurance Rates, pg. 5; see also Exhibit 3, Insurance Commissioner Glen Mulready, *Economic Indicators Show Oklahoma's Homeowners Insurance Market is Competitive* (Jan. 7, 2026), https://www.oid.ok.gov/getready1_2026/.

19. The CR4, or Four-Firm Concentration Ratio, measures the combined market share of the four largest firms in a given market. Scores 0-40% are considered low concentration. Scores 40-70% are considered medium concentration, and scores 70-100% are considered high concentration. Oklahoma's CR4 score is around 60%. Although less reliable, the CR4 score in combination with

Oklahoma's HHI score helps confirm the competitiveness of the Oklahoma homeowners insurance market. See id.

20. The following chart shows the combined ratios for companies writing homeowners insurance coverage in Oklahoma from 2020 to 2024. In four (4) out of the five (5) years, the top twenty (20) companies issuing homeowners insurance in Oklahoma on average experienced underwriting losses.

Homeowners Combined Ratios for Writers in Oklahoma		
Year	Average of All Companies	Average of Top 20 Companies
2024	108.11%	101.15%
2023	136.55%	134.78%
2022	78.76%	79.77%
2021	100.97%	106.83%
2020	98.64%	101.80%
S&P Global Market Intelligence	Combined Ratio	
2024	109.80%	
2023	136.00%	
2022	83.30%	
2021	103.20%	
2020	101.90%	

Exhibit 2, Okla. Ins. Dep't, Presentation at September 30, 2025 Legislative Interim Study on Rising Homeowner Insurance Rates, pg. 6.

21. In 2025, thirty-three (33) rate changes for homeowners insurance products were filed with the OID by the twenty (20) insurance companies holding the largest market shares of homeowners insurance coverage in Oklahoma. Nineteen (19) of these filings included no overall rate impact increases. Two (2) filings were overall rate impact decreases of -0.5 and -6.2. Fourteen (14)

of these filings included overall rate impact increases ranging from 2.6% to 31.9%—with eleven (11) of these filings being between ten percent (10%) to twenty percent (20%) and six (6) being under ten percent (10%). See Okla. Ins. Dep't, SERFF State Rate Change Report – Homeowners (01/01/2025 to 12/31/2025), https://www.oid.ok.gov/wp-content/uploads/2026/03/2025-HO-SERFF-State-Rate-Change-Report.pdf. Overall, rate increases for 2025 were substantially less than rate increases filed in previous years and reflect a downward trend.[1]

22. The current Oklahoma homeowners insurance market is not similar to the earthquake insurance market that existed in Oklahoma in 2016 for the following reasons. Although more than one hundred (100) companies were actively writing earthquake insurance coverage around 2015 and 2016, that coverage was mostly add-on coverage to existing homeowners insurance. It is also a catastrophic loss coverage, which is significantly different than homeowners insurance coverage. Audio Recording of May 24, 2016 Hearing, Case No. 16-0391-TRN.

23. The earthquake insurance market experienced a significant shift between 2010 to 2015 with more consumers and less business owners purchasing the coverage by 2015. *Id.* In 2010, direct premiums written in Oklahoma were around $6.7 million. By 2015, the direct premium amount written was around $18.8 million. See Exhibit 4, State of Okla., ex rel. John D. Doak to All Licensed Property and Casualty Insurers, et al., Case No. 16-0391-TRN, Notice of Hearing filed (Apr. 18, 2016); see also Exhibit 5, State of Okla., ex rel. John D. Doak to All Licensed Property and Casualty Insurers, et al., Case No. 16-0391-TRN, Order In Re: Earthquake Insurance Rates filed (June 5, 2016). From 2010 to 2015, total premiums written were around $76.3 million while only around $4.3 million was paid out in claims—for a pure direct loss ratio of around three percent (3%).

[1] Rate filings submitted to the Oklahoma Insurance Department are public record upon their effective date and may be viewed electronically by visiting the OID's website at https://www.oid.ok.gov/regulated-entities/rate-and-form-filing/public-rate-and-form-filings/.

Id. Yet, in 2015, earthquake insurance carriers filed twelve (12) rate increase filings ranging from four percent (4%) to three hundred percent (300%). Audio Recording of May 24, 2016 Hearing, Case No. 16-0391-TRN.

CONCLUSIONS OF LAW

24. Taking into consideration the factors listed in 36 O.S. § 984(B)(1) and applying the findings of facts provided above, the evidence supports a finding that the Oklahoma homeowners insurance market is competitive and does not support a hearing pursuant to 36 O.S. § 984. Mr. Sullivan has not provided any information or evidence sufficient to establish the burden of proof necessary to overcome the presumption of a competitive market. Nor has Mr. Sullivan established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1.

25. The evidence establishes that the current Oklahoma homeowners insurance market is not similar to the earthquake insurance market that existed in Oklahoma in 2016. The most significant contributing factor to the determination of a noncompetitive market for earthquake insurance in 2016 was the fact that earthquake carriers were seeking rate increases of four percent (4%) to three hundred percent (300%) despite high profitability over the previous five (5) years and only a 3% direct loss ratio. Those facts contrast greatly with the current homeowners market where rate increases filed range from 2.6% to 31.9% and the top twenty (20) homeowners carriers in Oklahoma have overall experienced underwriting losses over the past five (5) years.

ORDER

IT IS THEREFORE ORDERED that Mr. Sullivan's request for a hearing pursuant to 36 O.S. § 984 and OAC 365:1-7-1 is denied. However, the Insurance Commissioner is extremely focused on protecting Oklahoma consumers on this very important issue. The Insurance Commissioner has been actively and diligently working with the legislature to pursue legislation changes that would offer greater consumer protections in the homeowners insurance market, as well as stabilizing rates, utilizing regulatory measures to assist consumers, investigate, and take enforcement action against homeowners insurance companies that are not in compliance with the law.

WITNESS My Hand and Official Seal this _7__ day of April, 2026.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, Nicole M. Nash, hereby certify that a true and correct copy of the above and foregoing *Order* was sent by certified mail with postage prepaid and return receipt requested and by email on this 7th day of April, 2026, to:

Bob Sullivan
[redacted]

CERTIFIED MAIL NO. 9589 0710 5270 2711 7098 80

Bob Burke
BURKE LAW FIRM
512 North Broadway Avenue, Suite 300
Oklahoma City, OK 73102
405-802-1495
bob@bobburkelaw.com

CERTIFIED MAIL NO. 9589 0710 5270 2711 7098 97

Nicole Nash
Nicole M. Nash

February 24, 2026

Commissioner Glen Mulready

Oklahoma Insurance Department

400 NE 50th St. Oklahoma City, OK 73105

Dear Commissioner Mulready:

There have been numerous news stories regarding the cost of homeowners insurance in Oklahoma in recent months. Media outlets have reported that several studies find that Oklahomans' pay the highest premiums in the country for this coverage. In addition, the Oklahoma Attorney General has begun an investigation into the conduct of insurers who provide this coverage.

Your position on this matter has relied on your allegation that competition exists among insurance companies in the market, proscribing your ability to intervene on behalf of Oklahoma insureds, presumably pursuant to 36 O.S. Section 984, which provides, inter alia, "A competitive market is presumed to exist for a line of insurance unless the Commissioner after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market."

I'm attaching an order issued by a former Commissioner John Doak in 2016 relating to earthquake insurance rates. After a hearing to determine whether competition existed in that marketplace, Doak determined that despite 119 insurers writing earthquake coverage, the four largest writers market share "exceeded 50% at all times for the six years preceding December 31, 2015." His order found that a reasonable degree of competition did not exist, and that earthquake insurance was a noncompetitive line of insurance.

Commissioner Doak's finding is based on market share data eerily similar to that which exists in Oklahoma today in which four major players control over half the homeowners' insurance market. In addition, Doak made his finding of no competition with 119 insurers writing earthquake insurers. Oklahoma has less than 100 companies writing homeowners insurance.

I am formally requesting you hold a hearing pursuant to 36 O.S. Section 984 and OAC 365:1-7-1. I represent Oklahoma policy holders who intend to participate as a party to this proceeding which requires you to consider the following factors:

"a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

EXHIBIT

1

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time."

Pursuant to OAC 365:1-7-1(b) you "shall either set down the matter for hearing within thirty (30) days from the receipt of the demand therefor or shall issue a written order denying hearing."

Respectfully,

Bob Sullivan

Candidate for Oklahoma Insurance Commissioner 2026

Bob Sullivan

18566 S Park Pl

Inola, OK 74036

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK

MAR 09 2026

OKLAHOMA INSURANCE DEPT.

Hon. Glen Mulready

* CARRie

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK

MAR 09 2026

OKLAHOMA INSURANCE DEPT.

Nicole NASh, Esq.

OKLAHOMA INSURANCE DEPARTMENT

SEPTEMBER 2025

Glen Mulready – Insurance Commissioner

INSURANCE COMMISSIONER STATE OF OKLAHOMA

EXHIBIT

2

State Rate Filings

- Prior Approval – 14
- File and Use – 30
- Use and File – 8
- No File - 1

Oklahoma Statutory Reference

OK 36-984

B. 1. In determining whether a reasonable degree of competition exists within a line of insurance, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time.

2. All determinations by the Commissioner shall be made on the basis of findings of fact and conclusions of law.

3. The ruling may be challenged in the district court.

OK 36-985

A.1. No rate in a competitive market may be determined to be excessive. A rate in a non-competitive market may be determined to be excessive if it is likely to produce a profit that is unreasonably high for the insurance provided.

Herfindahl-Hirschman Index (HHI)

"A measure of the state of firms in relation to the industry they are in and is an indicator of the amount of competition among them."

Formula = the sum of the squares of each company's marketshare.

DOJ MEASUREMENT

0 – 1500	Unconcentrated Market (Competitive)
1500 – 2500	Moderately Concentrated
2500+	High Concentration (Non-competitive)

OK HOMEOWNER'S MARKET HHI SCORES

2024	1158
2023	1173
2022	1106
2021	1045
2020	1147

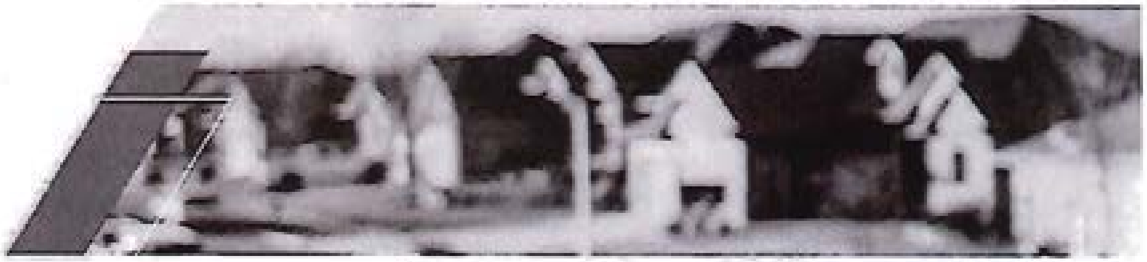
Combined Loss Ratios

HO LOB Combined Ratios for Writers in Oklahoma		
Year	Industry Average by Market Share	Average of Top 20 Companies
2024	108.11%	101.15%
2023	136.55%	134.78%
2022	78.76%	79.77%
2021	100.57%	106.83%
2020	98.64%	101.80%
S&P Global Market Intelligence	Combined Ratio	
2024	109.80%	
2023	136.00%	
2022	83.30%	
2021	103.20%	
2020	101.90%	

OKLAHOMA
INSURANCE
DEPARTMENT

OK READY

STRENGTHEN OKLAHOMA HOMES PROGRAM



23 Contractors 4 Evaluators	3 Pilot Phases	46 homes completed and grants paid
339 applications in process	615 applications available	$446,075.58 paid out in grants

FORTIFIED

On average, Homeowners have saved $730 on their premiums after fortifying their homes.

OKLAHOMA
INSURANCE
DEPARTMENT

WWW.OID.OK.GOV

Oklahoma Insurance Department | Insurance Commissioner Glen Mulready | 800.522.0071

For Immediate Release
January 7, 2026

Economic Indicators Show Oklahoma's Homeowners Insurance Market Is Competitive

By Oklahoma Insurance Commissioner Glen Mulready

Public discussion about Oklahoma's homeowners insurance market has intensified in recent months, with some critics suggesting the market lacks competition. However, objective, well-established economic tools that are widely accepted by the Department of Justice, Federal Trade Commission, fellow regulators, and economists show that the Oklahoma homeowners insurance market is competitive. This isn't determined by rhetoric or perception, and it doesn't mean that premium costs aren't rising or invalidate homeowners' concerns about affordability, which is my top focus along with legislative leaders.

Two of the most commonly used measures of market concentration are the Herfindahl-Hirschman Index (HHI) and the Four-Firm Concentration Ratio (CR4). These tools provide a clear, data-driven way to assess whether a market is competitive or dominated by a small number of firms.

The Herfindahl-Hirschman Index, the primary benchmark for measuring market concentration, uses companies' market shares to yield a single score. Markets with scores below 1500 are considered unconcentrated and competitive, while those above 2500 are highly concentrated and non-competitive. Oklahoma's HHI score is 1362, indicating its homeowners insurance market is clearly competitive by this standard. Oklahoma's score is below this threshold for at least the past five years. The HHI is relied upon by federal entities when evaluating mergers, acquisitions, and potential antitrust concerns.

Less reliable but often cited is the CR4, or Four-Firm Concentration Ratio, that measures the combined market share of the four largest firms in a given market. Scores 0-40% are considered low concentration. Scores 40-70% are considered medium concentration, and scores 70-100% are considered high concentration. Oklahoma's CR4 score is 60%. Used alongside the HHI, it helps confirm whether competition is robust or limited.

When these objective economic tools are applied to Oklahoma's homeowners insurance market, they show a market characterized by multiple active insurers and meaningful consumer choice. No single company—or small group of companies—controls an outsized share of the market. By the standards used nationally and internationally, this reflects a competitive marketplace.

Based on previous news stories, it is important for consumers to know these facts. Insurance market competition is not decided by individual opinions, but by transparent, repeatable economic analysis using metrics that are universally recognized by regulatory authorities.

As critical discussions about insurance affordability and availability continue, grounding the conversation in objective economic analysis—rather than speculation—will help ensure policy decisions are informed by facts rather than perception.

Media questions or comments should be directed to
Chief of Communications, Liz Heigle

EXHIBIT
3

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	)	
To:	)	**Case No. 16-0391-TRN**
All Licensed: Property and Casualty Insurers, Rating and Advisory Organizations Re Earthquake Insurance in the State of Oklahoma.	)	FILED APR 1 3 2016 INSURANCE COMMISSIONER OKLAHOMA

NOTICE OF HEARING

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel, Gordon C. Amini, 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- 7301.

2. Affected by this Notice are licensed insurers, rating and advisory organizations ("insurers") re earthquake insurance covering property located in the State of Oklahoma.

3. The Property and Casualty Competitive Loss Cost Rating Act (36 O.S. §§ 981-999) ("Rating Act") regulates the filing and use of earthquake insurance rates for the State of Oklahoma.

4. In a competitive market, as defined in § 982 of the Rating Act, insurers are permitted to use insurance rates as long as such rates and supplementary rate information are filed with the Commissioner within thirty (30) days following the effective date of the filing.

EXHIBIT 4

PETITIONER EXHIBIT 1

December 31, 2015, indicates that approximately 150 companies offer some form of coverage. Almost all such coverages are provided as an add-on to homeowners insurance and very little coverage is available on a "stand-alone" basis. Because of the prevalence of multi-coverage discounts many policyholders have purchased homeowners, auto, boat, ATV, and umbrella liability from the same company. The difficulty in switching carriers to obtain a better price or lower deductible on earthquake coverage, greatly limits the competitiveness of the earthquake line of insurance.

8. Earthquake insurance, like flood insurance, is protection for homes and businesses against catastrophic damage. Without reasonably priced earthquake insurance, many Oklahomans could not afford to rebuild seriously damaged or destroyed property. Before the current trickle of rate increases becomes a flood, the Commissioner has determined to act proactively to protect the greater public interest in maintaining a viable competitive market for earthquake insurance.

9. Information collected from insurance companies demonstrates that 70% of the earthquake insurance, written in Oklahoma, is concentrated in only a few companies.

10. The Commissioner has, just this week, issued a mandatory call to the companies for detailed earthquake claims data. This data will be carefully reviewed to ensure that consumers are treated fairly.

WHEREFORE, affected insurers are hereby given notice of a hearing to be held at 8:00 a.m. on the 24th day of May 2016, at the Office of the Insurance Commissioner, Five Corporate Plaza, 3625 NW 56th St., Oklahoma City, OK 73112. The purpose of the hearing is to determine whether a reasonable degree of competition exists in the Oklahoma market for earthquake insurance. In determining whether a reasonable degree of competition exists, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage;

b. market shares of the leading writers and the changes in market shares over a reasonable period of time;

c. existence of financial or economic barriers that could prevent new firms from entering the market;

d. measures of market concentration and changes of market concentration over time;

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk; and,

f. the relationship of insurers' costs to revenue over a reasonable period of time.

If after hearing, the Commissioner determines that a reasonable degree of competition does not exist, the Commissioner shall issue an order designating earthquake insurance as a noncompetitive line of insurance in the State of Oklahoma.

The proceedings shall be conducted in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. §§ 301-323. The Commissioner or his designee shall conduct the hearing. A recording of the proceedings will be available upon request. The Insurance Department requests that any person desiring to be heard, provide written notice to Gordon C. Amini, General Counsel, prior to May 17, 2016 at 3625 NW 56th St., Suite 100, Oklahoma City, OK 73112

WITNESS My Hand and Official Seal this 15th day of April, 2016.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Gordon C. Amini, General Counsel
3625 NW 56th St., Suite 100
Oklahoma City, OK 73112
(405) 522-6335

Hearings

2016 ALL PROPERTY AND CASUALTY INSURERS, RATING AND ADVISORY ORGANIZATIONS HEARING ON EARTHQUAKE INSURANCE RATE INCREASES IN THE STATE OF OKLAHOMA

Notice of Hearing Re Earthquake Insurance in the State of Oklahoma

---

2004 STATE BOARD FOR PROPERTY AND CASUALTY RATES HEARING ON WORKERS' COMPENSATION LOSS COSTS

In the matter of the Workers' Compensation Loss Cost Filing by the National Council on Compensation Insurance-File No. 2004-2828C, 04-1041-PRJ, Order and Decision of the Board

SPECIAL MEETING: State Board for Property and Casualty Rates Hearing on Workers' Compensation Loss Costs Scheduled for Thursday, September 23, 2004 at 11:00 am.

August 6, 2004 Scheduling Order in the Matter of the Workers' Compensation Loss Costs Filing by the National Council on Compensation Insurance; File No. 04-1041-PRJ.

INSURANCE COMMISSIONER'S HEARING ON MEDICAL MALPRACTICE LIABILITY INSURANCE RATES:

2008

September 29, 2008 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 08-1541-PRJ.

September 29, 2008 Continuance Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 08-1541-PRJ.

October 3, 2008 Cancellation of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 08-1541-PRJ.

2004

March 26, 2004 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by The Medical Protective Company; File No. 04-0218-PRJ.

March 18, 2004 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company; File No. 04-0218-PRJ.

April 8, 2004 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company; File No. 04-0218PRJ.

October 28, 2004 Final Order in the Matter of the Rate Filing by NCMIC Insurance Company; File No. 04-1243-PRJ.

2003

November 21, 2003 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242PRJ.

November 10, 2003 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242 PRJ

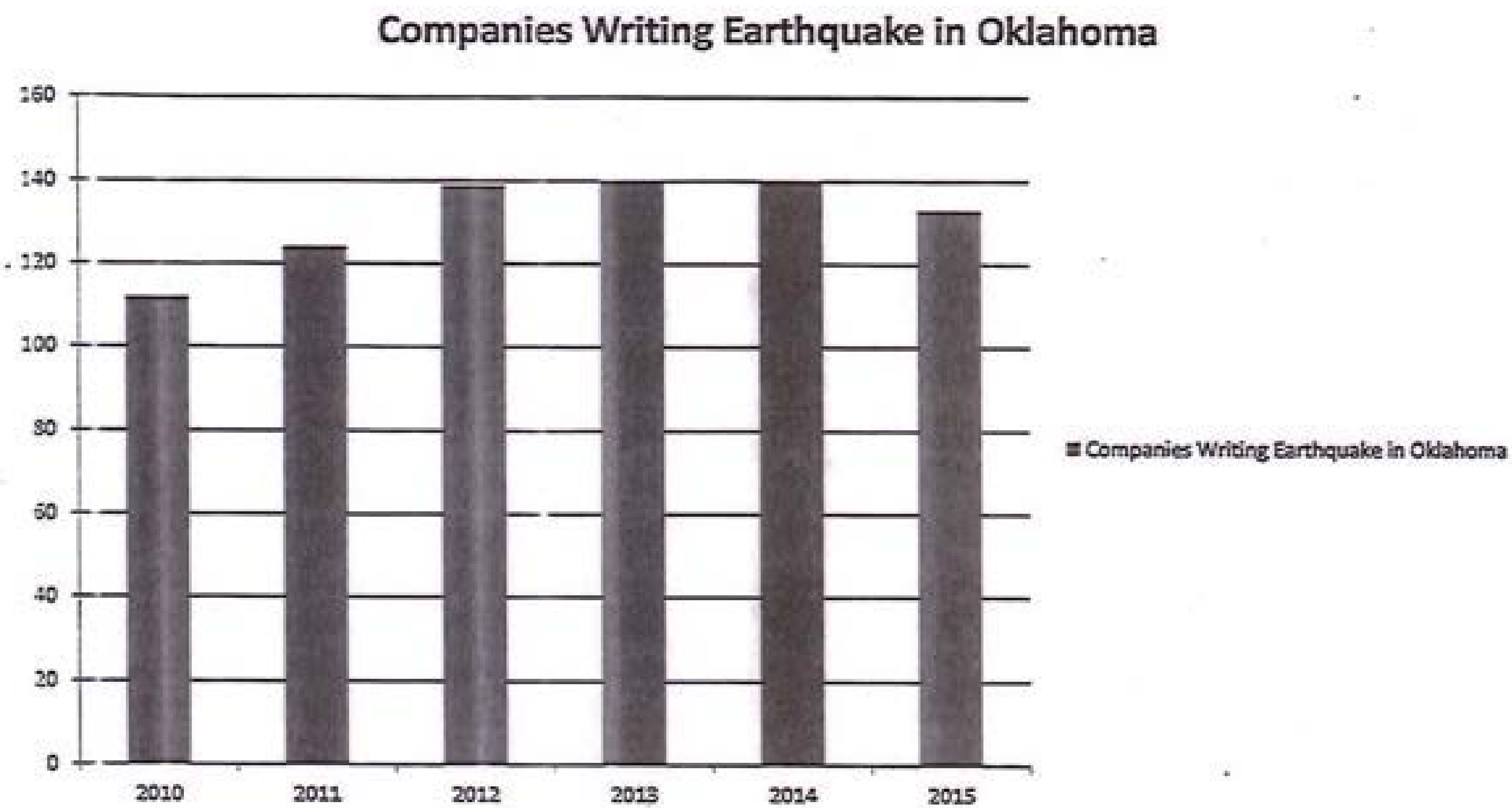
November 14, 2003 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242PRJ.

PETITIONER'S EXHIBIT 3

Oklahoma Earthquake Claims and Market Share Premium Data

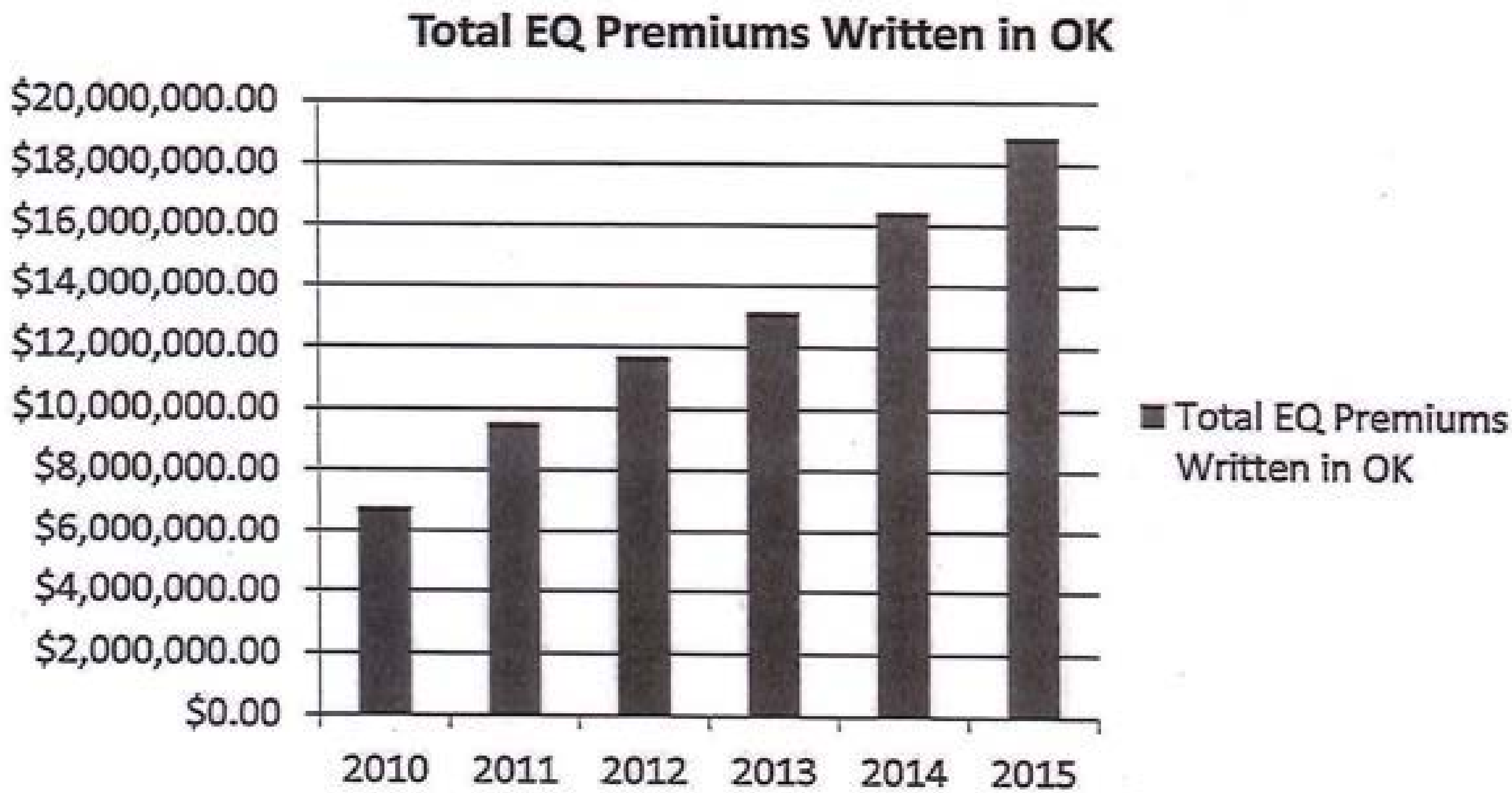
2010 to Present

PETITIONER'S EXHIBIT 3

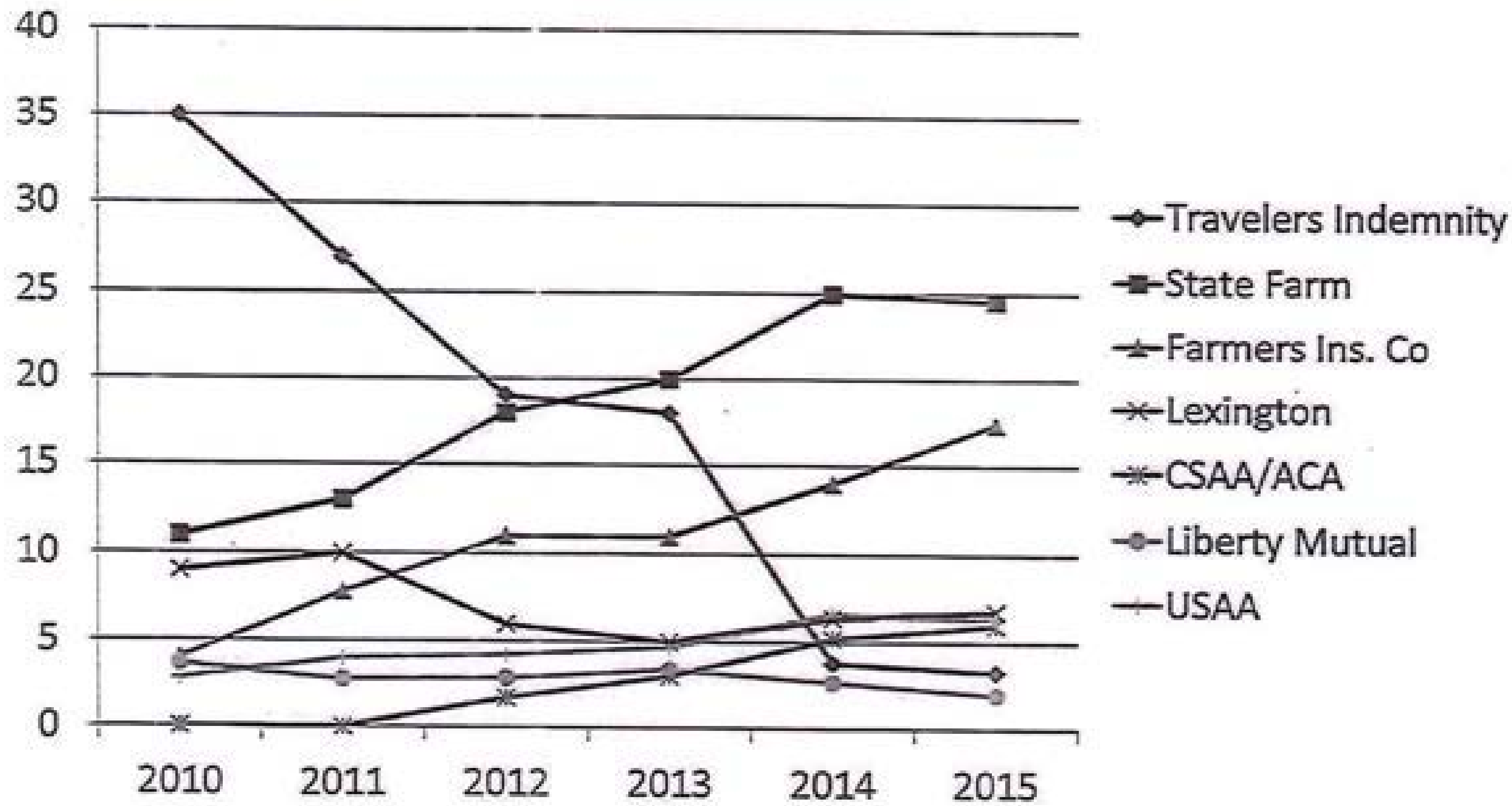


Companies Writing Earthquake in Oklahoma
160
140
120
100
80
60
40
20
0
2010
2011
2012
2013
2014
2015
Companies Writing Earthquake in Oklahoma

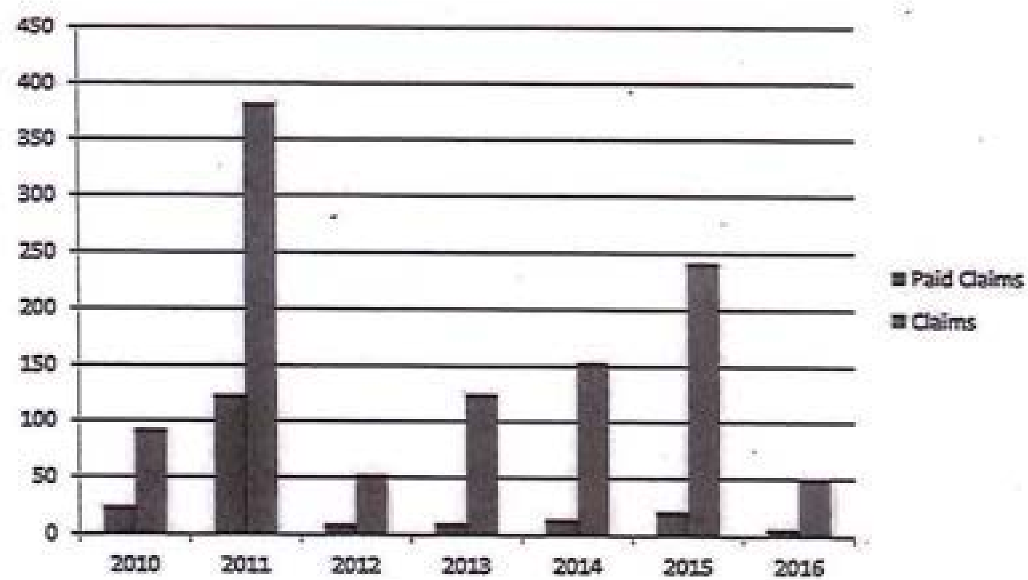
EQ Premiums in OK 2010 to 2015



Consolidation of EQ Premium Market Share into Personal Line Carriers Since 2010

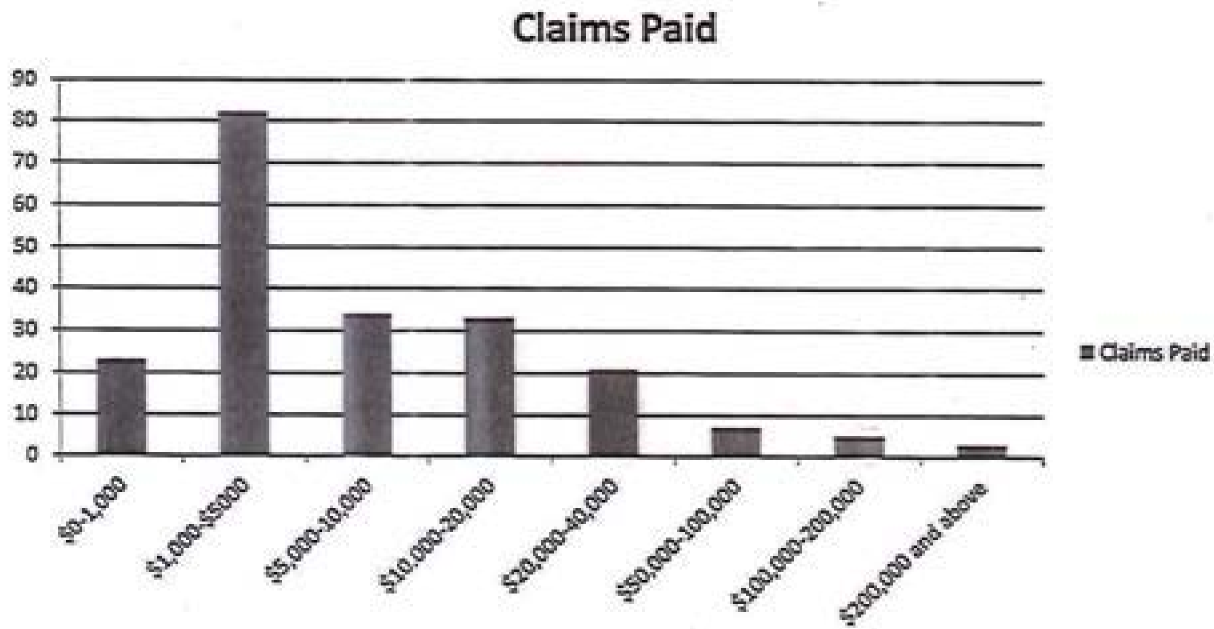


OK Personal Lines Earthquake Claims 2010 to Present

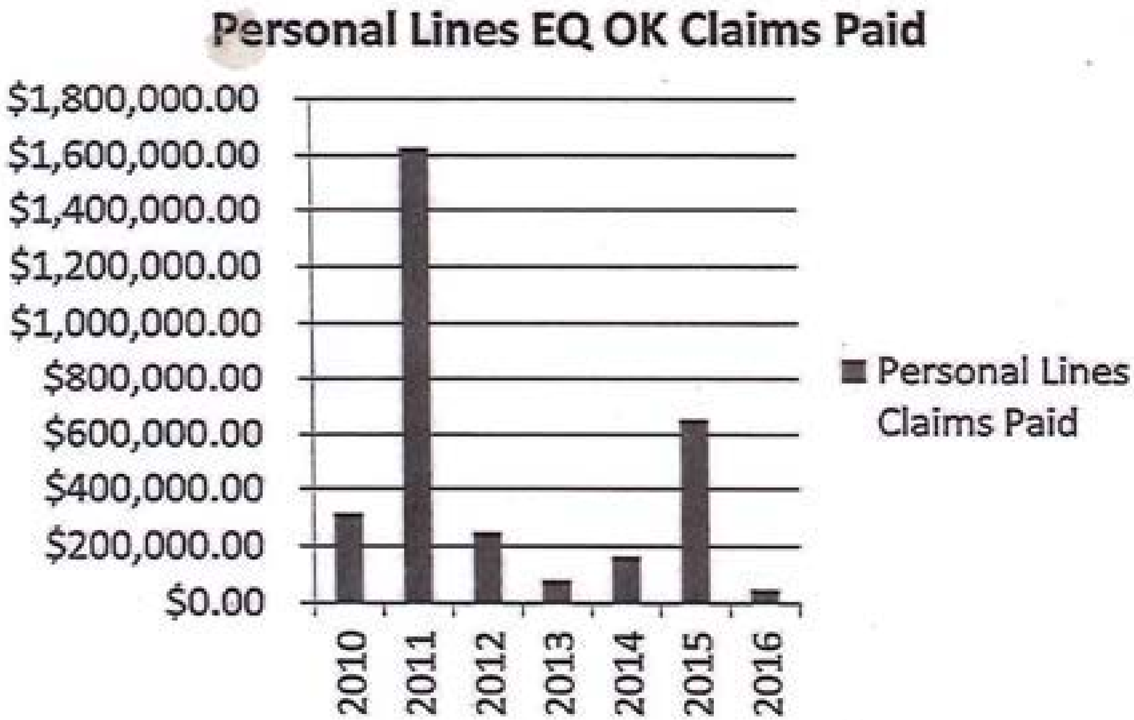


- Out of a total of 1094 claims, only 208 were paid or approximately 19%
- 2011 experienced the most claim activity

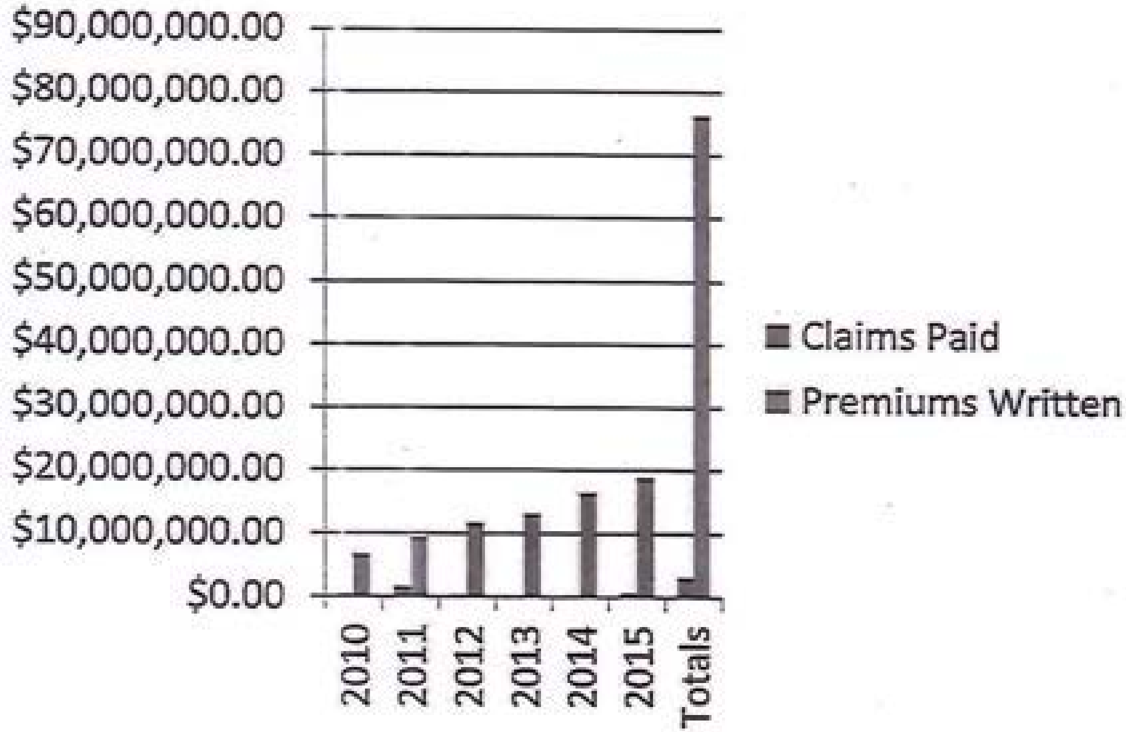
Personal Lines Earthquake Claims Paid



- Approximately half of the 208 paid claims resulted in payments of less than $5,000



Top 1% of Highest and Lowest Paid claims removed for statistical relevance

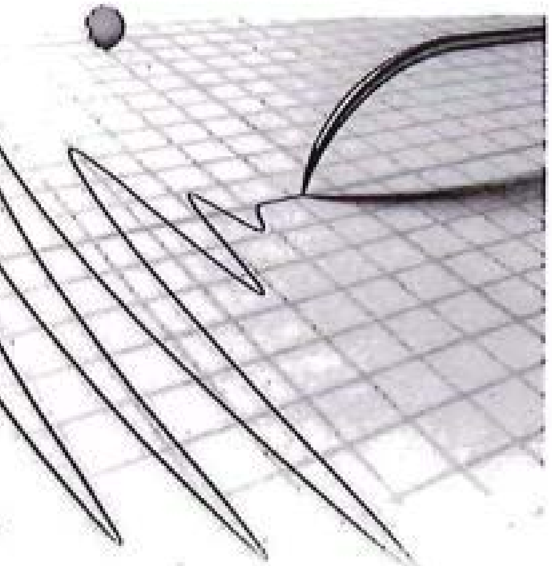


Total Claims Paid 2010 to 2015: $3,081,406
Total Premiums Written 2010 to 2015:
$76,373,494

Key Points

- Claim frequency peaked in 2011
- Market concentration has significantly increased into a handful of personal lines Earthquake carriers
- Current Pure Direct Loss Ratio for all Earthquake Carriers in OK since 2010 is approx. 3%
- Premiums written have far exceeded claims paid
- Paid claims have not shown a trend of severity in OK

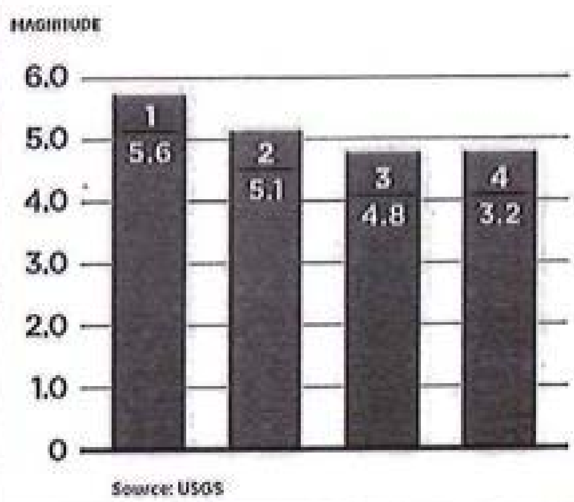
OKLAHOMA EARTHQUAKES



While there are hundreds of earthquakes every year in Oklahoma, they are rarely large enough on the USGS Modified Mercalli Intensity Scale to cause significant property damage.

Oklahoma has had only 2 earthquakes in the past 5 years above 5.0 magnitude, which is the typical threshold for causing property damage according to USGS Modified Mercalli Intensity Scale.

TOP 4 EARTHQUAKES IN OKLAHOMA; PAST 5 YEARS



Source: USGS

1 **Nov. 6, 2011 | 5.6 magnitude**
2.1 miles SW of Wilzetta

2 **Feb. 13, 2016 | 5.1 magnitude**
19.3 miles NW of Fairview

3 **Nov. 5, 2011 | 4.8 magnitude**
1.6 miles W of Wilzetta

4 **Nov. 8, 2011 | 3.2 magnitude**
3.2 miles SW of Wilzetta

continued on back

EXHIBIT
4

PCI

Property Casualty Insurers Association of America

Advocacy. Leadership. Results.

Follow us on Twitter | Like us on Facebook | Visit us at www.pciaa.net

HOW DO YOU MEASURE THE INTENSITY OF EARTHQUAKES?

The table on the right gives intensities that are typically observed at locations near the epicenter of earthquakes of different magnitudes.

MAGNITUDE	TYPICAL MAXIMUM MODIFIED MERCALLI INTENSITY
1.0 — 3.0	I
3.0 — 3.9	II — III
4.0 — 4.9	IV — V
5.0 — 5.9	VI — VII
6.0 — 6.9	VII — IX
7.0 and higher	VIII or higher

Abbreviated Modified Mercalli Intensity Scale

I. Not felt except by a very few under especially favorable conditions.

II. Felt only by a few persons at rest, especially on upper floors of buildings.

III. Felt quite noticeably by persons indoors, especially on upper floors of buildings. Many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibrations similar to the passing of a truck. Duration estimated.

IV. Felt indoors by many, outdoors by few during the day. At night, some awakened. Dishes, windows, doors disturbed; walls make cracking sound. Sensation like heavy truck striking building. Standing motor cars rocked noticeably.

V. Felt by nearly everyone; many awakened. Some dishes, windows broken. Unstable objects overturned. Pendulum clocks may stop.

VI. Felt by all, many frightened. Some heavy furniture moved; a few instances of fallen plaster. Damage slight.

VII. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable damage in poorly built or badly designed structures; some chimneys broken.

VIII. Damage slight in specially designed structures; considerable damage in ordinary substantial buildings with partial collapse. Damage great in poorly built structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned.

IX. Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb. Damage great in substantial buildings, with partial collapse. Buildings shifted off foundations.

X. Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations. Rails bent.

XI. Few, if any (masonry) structures remain standing. Bridges destroyed. Rails bent greatly.

XII. Damage total. Lines of sight and level are distorted. Objects thrown into the air.

Source: United States Geological Survey's (USGS) Earthquake Hazards Program

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

JUN 06 2016

INSURANCE COMMISSIONER OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	)	
To	)	Case No. 16-0391-TRN
All Licensed Property and Casualty Insurers Offering Earthquake Insurance in the State of Oklahoma, Advisory Organizations	)	

ORDER IN RE: EARTHQUAKE INSURANCE RATES

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- 7301.

2. Effected by this Order are licensed insurers ("insurers") offering earthquake insurance covering property located in the State of Oklahoma.

3. The Insurance Commissioner is responsible for enforcing the provisions of the Insurance Code.

4. The Competitive Loss Cost Rating Act (36 O.S. §§ 981-999) ("Rating Act") regulates the filing and use of earthquake insurance rates the State of Oklahoma.

5. In a competitive market, as defined in § 982 of the Rating Act, insurers are permitted to use insurance rates as long as such rates and supplementary rate information are filed with the Commissioner within thirty (30) days following the effective date of the filing.

EXHIBIT 5

6. A competitive market is presumed to exist for a line of insurance unless the Commissioner, after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market.

7. On April 19, 2016, notice was given to all property and casualty insurers and advisory organizations of a hearing pursuant to 36 O.S. § 984 (A) would be held at the Oklahoma Insurance Department, 3624 N.W. 56th St., Ste. 100, Oklahoma City, OK 73112, at 8:00 a.m. on May 24, 2016.

8. On May 24, 2016, at 8:00 a.m., hearing was convened by the Commissioner at the Oklahoma Insurance Department, 3624 N.W. 56th St., Ste. 100, Oklahoma City, OK 73112, at 8:00 a.m. to determine whether the rates for earthquake insurance in Oklahoma were not competitive.

FINDINGS OF FACT

1. Oklahomans have experienced a high volume of earthquakes 2013, 2014 and 2015.

2. The Commissioner has received many inquiries and statements of concern from the public regarding the cost v. benefit of earthquake insurance.

3. In early 2016, the United States Geological Society released a map that purports to show an increased risk of earthquake damage in central and north central Oklahoma.

4. The Commissioner has recently received several filings by insurers seeking to increase the cost and decrease the availability of earthquake coverage.

5. Insurers making such filings have not substantiated their need for increased rates based on objective criteria, such as adverse experience, increased acquisition expense or cost of reinsurance thereby raising the distinct possibly that such rates are excessive.

6. The number of insurers writing earthquake coverage is 119.

7. The majority of earthquake insurance is written as an endorsement to homeowners insurance policies.

8. The market share of the four largest writers of earthquake insurance carriers has exceeded 50% at all times over the six years preceding December 31, 2015.

9. The concentration of the market and the reticence of consumers to lose "package discounts" constitutes an economic barrier that could prevent new firms from entering the market.

10. The long-term profitability for insurers in the market is evidenced by an average loss ratio over the six years preceding December 31, 2015 of approximately 3% is unreasonable.

11. The relationship of insurers' costs to revenue over the six years preceding December 31, 2015 demonstrates that current rates appear to be excessive.

ORDER

IT IS THEREFORE ORDERED that based upon the forgoing findings, a reasonable degree of competition does not exist in the market for earthquake insurance, and such insurance is designated as a noncompetitive line of insurance.

WITNESS My Hand and Official Seal this 6th day of June, 2016.

John D. Doak

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, John D. Doak, hereby certify that a true and correct copy of the above and foregoing Order was mailed by electronic mail, on this 6th day of June 2016, to:

All licensed property and casualty insurers issuing earthquake insurance in the State of Oklahoma.

BEFORE THE INSURANCE COMMISSIONER OF THE

STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984
AS TO WHETHER THE OKLAHOMA HOMEOWNERS
INSURANCE MARKET IS NONCOMPETITIVE

CASE NO. 26-0820-TRN

EXHIBIT C

Renewal Declarations, State Farm Fire and Casualty Company
Policy No. 36-CN-B111-1, policy period December 12, 2025 to December 12, 2026

State Farm Fire and Casualty Company
A Stock Company With Home Offices in Bloomington, Illinois

PO Box 2356
Bloomington IL 61702-2356

StateFarm

H-26-24C7-FB10 F H W

SULLIVAN, ROBERT M & SULIVAN,
JENNIFER
18566 S PARK PL
INOLA OK 74036-3037

RENEWAL DECLARATIONS

AMOUNT DUE: None
Payment is due by TO BE PAID BY MORTGAGEE

Policy Number: 36-CN-B111-1

Policy Period: 12 Months
Effective Dates: DEC 12 2025 to DEC 12 2026
The policy period begins and ends at 12:01 am standard time at the residence premises.

Your State Farm Agent
CORBIN COOPER
12095 S ELM ST
JENKS OK 74037-3689

Phone: (918) 248-2308

Homeowners Policy

Location of Residence Premises
18566 S PARK PL
INOLA OK 74036-3037

Construction: Masonry Veneer
Year Built: 1999

Roof Material: Composition Shingle
Roof Installation Year: 2019

Automatic Renewal
If the **POLICY PERIOD** is shown as **12 MONTHS**, this policy will be renewed automatically subject to the premiums, rules, and forms in effect for each succeeding policy period. If this policy is terminated, we will give you and the Mortgagee/Lienholder written notice in compliance with the policy provisions or as required by law.

IMPORTANT MESSAGES

NOTICE: Information concerning changes in your policy language is included. Please call your agent with any questions.
Coverage A has increased $14,000.00 over last year.
Please help us update the data used to determine your premium. Contact your agent with the year each of your home's utilities (heating/cooling, plumbing, or electrical) and roof were last updated.

PREMIUM

Annual Premium	$3,256.00

Your premium has already been adjusted by the following:

Home Alert Discount	Home/Auto Discount
Claim Record Discount	Loyal Customer

Total Premium	**$3,256.00**

StateFarm

NAMED INSURED	MORTGAGEE AND ADDITIONAL INTERESTS	
SULLIVAN, ROBERT M & SULIVAN, JENNIFER	**Mortgagee** NATIONSTAR MORTGAGE LLC ISAOA/ATIMA PO BOX 7729 SPRINGFIELD OH 45501-7729	Loan Number: 0715033056
	2nd Mortgagee BETTER MORTGAGE CORPORATION C\O SERVBANK ISAOA/ATIMA PO BOX 2828 DAYTONA BEACH FL 32120-2828	Loan Number: 1762052968

SECTION I - PROPERTY COVERAGES AND LIMITS

Coverage	Limit of Liability
A Dwelling	$ 364,000
Other Structures	$ 51,200
B Personal Property	$ 273,000
C Loss of Use	$ 109,200
Additional Coverages	
Arson Reward	$1,000
Bed Bugs	$1,000
Credit Card, Bank Fund Transfer Card, Forgery, and Counterfeit Money	$1,000
Debris Removal	Additional 5% available/$1,000 tree debris
Fire Department Service Charge	$500 per occurrence
Fuel Oil Release	$10,000
Locks and Remote Devices	$1,000
Trees, Shrubs, and Landscaping	5% of Coverage A amount/$750 per item

SECTION II - LIABILITY COVERAGES AND LIMITS

Coverage	Limit of Liability
L Personal Liability (Each Occurrence)	$ 500,000
M Medical Payments to Others (Each Person)	$ 1,000
Additional Coverages	
First Aid Expenses	$ 500
Damage to the Property of Others	$ 1000

INFLATION

Inflation Coverage Index: 352.4

DEDUCTIBLES

Section I Deductible	Deductible Amount
Other Losses 1%	$ 3,640
Wind or Hail 1%	$ 3,640

LOSS SETTLEMENT PROVISIONS

A1 Replacement Cost - Similar Construction

B1 Limited Replacement Cost - Coverage B

StateFarm

FORMS, OPTIONS, AND ENDORSEMENTS

HW-2136	Homeowners Policy
Option ID	Increase Dwlg up to $72,800
Option OL	Ordinance/Law 10%/ $36,400
Option JF	Jewelry and Furs $1,500 Each Article/$2,500 Aggregate
HO-2441.2	Home Systems Protection
HO-2442.2	Service Line Coverage
HO-2444.2	Back-Up Of Sewer Or Drain - 10% of Coverage A/$ 36,400
HO-2310.2	*Amendatory Endorsement *New Form Attached

ADDITIONAL MESSAGES

State Farm® works hard to offer you the best combination of price, service, and protection. The amount you pay for homeowners insurance is determined by many factors such as the coverages you have, the type of construction, the likelihood of future claims, and information from consumers reports.

Other limits and exclusions may apply - refer to your policy

Your policy consists of these Declarations, the Homeowners Policy shown above, and any other forms and endorsements that apply, including those shown above as well as those issued subsequent to the issuance of this policy.

This policy is issued by the State Farm Fire and Casualty Company.

Participating Policy

You are entitled to participate in a distribution of the earnings of the company as determined by our Board of Directors in accordance with the Company's Articles of Incorporation, as amended.

In Witness Whereof, the State Farm Fire and Casualty Company has caused this policy to be signed by its President and Secretary at Bloomington, Illinois.

Michelle Mancias
Secretary

President

StateFarm

Your coverage amount....

It is up to you to choose the coverages and limits that meet your needs. We recommend that you purchase a coverage limit at least equal to the estimated replacement cost of your home. Replacement cost estimates are available from building contractors and replacement cost appraisers, or, your agent can provide an Xactware estimate using information you provide about your home. We can accept the type of estimate you choose as long as it provides a reasonable level of detail about your home. State Farm® does not guarantee that any estimate will be the actual future cost to rebuild your home. Higher limits are available at higher premiums. Lower limits are also available, which if selected may make certain coverages unavailable to you. We encourage you to periodically review your coverages and limits with your agent and to notify us of any changes or additions to your home.

OCT 22 2025

BEFORE THE INSURANCE COMMISSIONER OF THE

STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984
AS TO WHETHER THE OKLAHOMA HOMEOWNERS
INSURANCE MARKET IS NONCOMPETITIVE

CASE NO. 26-0820-TRN

EXHIBIT 1

Order Regarding Request for Section 984 Hearing, entered April 7, 2026
(Case No. 26-0215-COR)

FILED

BEFORE THE INSURANCE COMMISSIONER OF THE APR 07 2026
STATE OF OKLAHOMA

INSURANCE COMMISSIONER
OKLAHOMA

IN RE:	Request by BOB SULLIVAN, an Oklahoma resident, for a hearing pursuant to 36 O.S. § 984	))) Case No. 26-0215-COR

ORDER

The State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, having fully reviewed the correspondence from Mr. Sullivan and comprehensive data relating to the current Oklahoma homeowners' insurance market, finds and orders as follows:

JURISDICTION AND APPLICABLE LAW

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma ("Commissioner") 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. In particular, the Insurance Commissioner has jurisdiction over the Property and Casualty Competitive Loss Cost Rating Act, 36 O.S. §§ 981 – 999, which regulates the use and filing of homeowners insurance rates for the State of Oklahoma.

3. Pursuant to 36 O.S. § 985(A)(1), "No rate in a competitive market may be determined to be excessive. A rate in a noncompetitive market may be determined to be excessive if it is likely to produce a profit that is unreasonably high for the insurance provided."

4. Pursuant to 36 O.S. § 984(A), "A competitive market is presumed to exist for a line of insurance unless the Commissioner, after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market. The burden of proof in any hearing shall be placed on the party or parties advocating the position that competition does not exist. Any ruling that a market is not competitive shall identify the factors causing the market not to be competitive...."

Any such ruling may be challenged and appealed to the Oklahoma County District Court. 36 O.S. § 984(B)(3).

5. "In determining whether a reasonable degree of competition exists within a line of insurance, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time."

36 O.S. § 984(B)(1).

6. No other statute provides any definition or other criteria for measuring and determining whether an insurance market is competitive or noncompetitive.

7. OAC 365:1-7-1(a) states:

> The Insurance Commissioner may hold hearings on any matters within his/her jurisdiction under the Insurance Code, either upon his/her own motion or upon written demand therefor by any person aggrieved by any act, threatened act, or failure to act of the Insurance Commissioner or by any report, regulation, rule or order of the Insurance Commissioner. The written demand for hearing should specify the grounds to be relied upon as a basis for relief demanded at the hearing.

FINDINGS OF FACT

8. On or around March 9, 2026, a letter from Bob Sullivan addressed to the Insurance Commissioner was hand-delivered to the Oklahoma Insurance Department, 400 NE 50th Street, Oklahoma City, OK 73105. Exhibit 1, Letter from Bob Sullivan (Mar. 9, 2026).

9. The letter formally requests that the Insurance Commissioner hold a hearing pursuant to 36 O.S. § 984 and OAC 365:1-7-1 regarding whether a reasonable degree of competition exists within the Oklahoma homeowners insurance market.

10. As support for the request, the letter references "numerous news stories regarding the cost of homeowners insurance in Oklahoma in recent months," media reports that Oklahomans pay highest premiums in the country for homeowners insurance, an investigation by the Oklahoma Attorney General into the conduct of insurers providing homeowners' insurance, and an Order issued by Former Insurance Commissioner John Doak in 2016 relating to earthquake insurance rates.

11. The letter also states Mr. Sullivan represents Oklahoma policyholders who intend to participate as parties to the proceedings but does not name any of those individuals nor explain in what capacity he represents such policyholders.

12. The letter does not include nor cite to any specific supporting evidence, information, or data.

13. The Insurance Commissioner and Oklahoma Insurance Department staff closely monitor and analyze the Oklahoma homeowners insurance market, including its market concentration and rate increases and decreases, through required financial statements and filings, rate filings, market data calls, and other submissions of documents and data. The findings of fact provided herein are based on this data and analysis.

14. On or around September 30, 2025 and October 7, 2025, the Insurance Commissioner

presented at interim studies before the Oklahoma Legislature regarding homeowners insurance rates. Those interim studies also included various presenters representing both insurance companies and consumers.

15. In 2024, around 109 different insurance companies, making up at least fifty-three (53) different group codes, were actively writing homeowners insurance coverage in Oklahoma.

16. No single company—or group of affiliated companies—controls more than 31% of the homeowners insurance market.

17. Well-established economic tools widely accepted by the Department of Justice, the Federal Trade Commission, fellow regulators, and economists evidence that Oklahoma's homeowners insurance market is competitive.

18. The Herfindahl-Hirschman Index, the primary benchmark for measuring market concentration, uses companies' market shares to yield a single score. Markets with scores below 1500 are considered unconcentrated and competitive, while those above 2500 are highly concentrated and non-competitive. Oklahoma's HHI score is 1362. Oklahoma's HHI score has been within a competitive threshold for at least the past five (5) years. See Exhibit 2, Okla. Ins. Dep't, Presentation at September 30, 2025 Legislative Interim Study on Rising Homeowner Insurance Rates, pg. 5; see also Exhibit 3, Insurance Commissioner Glen Mulready, *Economic Indicators Show Oklahoma's Homeowners Insurance Market is Competitive* (Jan. 7, 2026), https://www.oid.ok.gov/getready1_2026/.

19. The CR4, or Four-Firm Concentration Ratio, measures the combined market share of the four largest firms in a given market. Scores 0-40% are considered low concentration. Scores 40-70% are considered medium concentration, and scores 70-100% are considered high concentration. Oklahoma's CR4 score is around 60%. Although less reliable, the CR4 score in combination with

Oklahoma's HHI score helps confirm the competitiveness of the Oklahoma homeowners insurance market. See id.

20. The following chart shows the combined ratios for companies writing homeowners insurance coverage in Oklahoma from 2020 to 2024. In four (4) out of the five (5) years, the top twenty (20) companies issuing homeowners insurance in Oklahoma on average experienced underwriting losses.

Homeowners Combined Ratios for Writers in Oklahoma		
Year	Average of All Companies	Average of Top 20 Companies
2024	108.11%	101.15%
2023	136.55%	134.78%
2022	78.76%	79.77%
2021	100.97%	106.83%
2020	98.64%	101.80%
S&P Global Market Intelligence	Combined Ratio	
2024	109.80%	
2023	136.00%	
2022	83.30%	
2021	103.20%	
2020	101.90%	

Exhibit 2, Okla. Ins. Dep't, Presentation at September 30, 2025 Legislative Interim Study on Rising Homeowner Insurance Rates, pg. 6.

21. In 2025, thirty-three (33) rate changes for homeowners insurance products were filed with the OID by the twenty (20) insurance companies holding the largest market shares of homeowners insurance coverage in Oklahoma. Nineteen (19) of these filings included no overall rate impact increases. Two (2) filings were overall rate impact decreases of -0.5 and -6.2. Fourteen (14)

of these filings included overall rate impact increases ranging from 2.6% to 31.9%—with eleven (11) of these filings being between ten percent (10%) to twenty percent (20%) and six (6) being under ten percent (10%). See Okla. Ins. Dep't, SERFF State Rate Change Report – Homeowners (01/01/2025 to 12/31/2025), https://www.oid.ok.gov/wp-content/uploads/2026/03/2025-HO-SERFF-State-Rate-Change-Report.pdf. Overall, rate increases for 2025 were substantially less than rate increases filed in previous years and reflect a downward trend.[1]

22. The current Oklahoma homeowners insurance market is not similar to the earthquake insurance market that existed in Oklahoma in 2016 for the following reasons. Although more than one hundred (100) companies were actively writing earthquake insurance coverage around 2015 and 2016, that coverage was mostly add-on coverage to existing homeowners insurance. It is also a catastrophic loss coverage, which is significantly different than homeowners insurance coverage. Audio Recording of May 24, 2016 Hearing, Case No. 16-0391-TRN.

23. The earthquake insurance market experienced a significant shift between 2010 to 2015 with more consumers and less business owners purchasing the coverage by 2015. *Id.* In 2010, direct premiums written in Oklahoma were around $6.7 million. By 2015, the direct premium amount written was around $18.8 million. See Exhibit 4, State of Okla., ex rel. John D. Doak to All Licensed Property and Casualty Insurers, et al., Case No. 16-0391-TRN, Notice of Hearing filed (Apr. 18, 2016); see also Exhibit 5, State of Okla., ex rel. John D. Doak to All Licensed Property and Casualty Insurers, et al., Case No. 16-0391-TRN, Order In Re: Earthquake Insurance Rates filed (June 5, 2016). From 2010 to 2015, total premiums written were around $76.3 million while only around $4.3 million was paid out in claims—for a pure direct loss ratio of around three percent (3%).

[1] Rate filings submitted to the Oklahoma Insurance Department are public record upon their effective date and may be viewed electronically by visiting the OID's website at https://www.oid.ok.gov/regulated-entities/rate-and-form-filing/public-rate-and-form-filings/.

Id. Yet, in 2015, earthquake insurance carriers filed twelve (12) rate increase filings ranging from four percent (4%) to three hundred percent (300%). Audio Recording of May 24, 2016 Hearing, Case No. 16-0391-TRN.

CONCLUSIONS OF LAW

24. Taking into consideration the factors listed in 36 O.S. § 984(B)(1) and applying the findings of facts provided above, the evidence supports a finding that the Oklahoma homeowners insurance market is competitive and does not support a hearing pursuant to 36 O.S. § 984. Mr. Sullivan has not provided any information or evidence sufficient to establish the burden of proof necessary to overcome the presumption of a competitive market. Nor has Mr. Sullivan established that he or any other consumer has standing under 36 O.S. § 984 and OAC 365:1-7-1.

25. The evidence establishes that the current Oklahoma homeowners insurance market is not similar to the earthquake insurance market that existed in Oklahoma in 2016. The most significant contributing factor to the determination of a noncompetitive market for earthquake insurance in 2016 was the fact that earthquake carriers were seeking rate increases of four percent (4%) to three hundred percent (300%) despite high profitability over the previous five (5) years and only a 3% direct loss ratio. Those facts contrast greatly with the current homeowners market where rate increases filed range from 2.6% to 31.9% and the top twenty (20) homeowners carriers in Oklahoma have overall experienced underwriting losses over the past five (5) years.

ORDER

IT IS THEREFORE ORDERED that Mr. Sullivan's request for a hearing pursuant to 36 O.S. § 984 and OAC 365:1-7-1 is denied. However, the Insurance Commissioner is extremely focused on protecting Oklahoma consumers on this very important issue. The Insurance Commissioner has been actively and diligently working with the legislature to pursue legislation changes that would offer greater consumer protections in the homeowners insurance market, as well as stabilizing rates, utilizing regulatory measures to assist consumers, investigate, and take enforcement action against homeowners insurance companies that are not in compliance with the law.

WITNESS My Hand and Official Seal this _7__ day of April, 2026.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, Nicole M. Nash, hereby certify that a true and correct copy of the above and foregoing *Order* was sent by certified mail with postage prepaid and return receipt requested and by email on this 7th day of April, 2026, to:

Bob Sullivan
[redacted]

CERTIFIED MAIL NO. 9589 0710 5270 2711 7098 80

Bob Burke
BURKE LAW FIRM
512 North Broadway Avenue, Suite 300
Oklahoma City, OK 73102
405-802-1495
bob@bobburkelaw.com

CERTIFIED MAIL NO. 9589 0710 5270 2711 7098 97

Nicole Nash

Nicole M. Nash

February 24, 2026

Commissioner Glen Mulready

Oklahoma Insurance Department

400 NE 50th St. Oklahoma City, OK 73105

Dear Commissioner Mulready:

There have been numerous news stories regarding the cost of homeowners insurance in Oklahoma in recent months. Media outlets have reported that several studies find that Oklahomans' pay the highest premiums in the country for this coverage. In addition, the Oklahoma Attorney General has begun an investigation into the conduct of insurers who provide this coverage.

Your position on this matter has relied on your allegation that competition exists among insurance companies in the market, proscribing your ability to intervene on behalf of Oklahoma insureds, presumably pursuant to 36 O.S. Section 984, which provides, inter alia, "A competitive market is presumed to exist for a line of insurance unless the Commissioner after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market."

I'm attaching an order issued by a former Commissioner John Doak in 2016 relating to earthquake insurance rates. After a hearing to determine whether competition existed in that marketplace, Doak determined that despite 119 insurers writing earthquake coverage, the four largest writers market share "exceeded 50% at all times for the six years preceding December 31, 2015." His order found that a reasonable degree of competition did not exist, and that earthquake insurance was a noncompetitive line of insurance.

Commissioner Doak's finding is based on market share data eerily similar to that which exists in Oklahoma today in which four major players control over half the homeowners' insurance market. In addition, Doak made his finding of no competition with 119 insurers writing earthquake insurers. Oklahoma has less than 100 companies writing homeowners insurance.

I am formally requesting you hold a hearing pursuant to 36 O.S. Section 984 and OAC 365:1-7-1. I represent Oklahoma policy holders who intend to participate as a party to this proceeding which requires you to consider the following factors:

"a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

EXHIBIT

1

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time."

Pursuant to OAC 365:1-7-1(b) you "shall either set down the matter for hearing within thirty (30) days from the receipt of the demand therefor or shall issue a written order denying hearing."

Respectfully,

Bob Sullivan

Candidate for Oklahoma Insurance Commissioner 2026

Bob Sullivan

18566 S Park Pl

Inola, OK 74036

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK
MAR 09 2026
OKLAHOMA INSURANCE DEPT.

Hon. Glen Mulready

* CARRie

BOB BURKE
512 NORTH BROADWAY AVENUE
SUITE 300
OKLAHOMA CITY, OK 73102

RECEIVED
FRONT DESK
MAR 09 2026
OKLAHOMA INSURANCE DEPT.

Nicole NASh, Esq.

OKLAHOMA INSURANCE DEPARTMENT

SEPTEMBER 2025

Glen Mulready – Insurance Commissioner

EXHIBIT

2

State Rate Filings

- Prior Approval – 14
- File and Use – 30
- Use and File – 8
- No File - 1

OKLAHOMA INSURANCE DEPARTMENT

Oklahoma Statutory Reference

OK 36-984

B. 1. In determining whether a reasonable degree of competition exists within a line of insurance, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage,

b. market shares of the leading writers and the changes in market shares over a reasonable period of time,

c. existence of financial or economic barriers that could prevent new firms from entering the market,

d. measures of market concentration and changes of market concentration over time,

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk, and

f. the relationship of insurers' costs to revenue over a reasonable period of time.

2. All determinations by the Commissioner shall be made on the basis of findings of fact and conclusions of law.

3. The ruling may be challenged in the district court.

OK 36-985

A.1. No rate in a competitive market may be determined to be excessive. A rate in a non-competitive market may be determined to be excessive if it is likely to produce a profit that is unreasonably high for the insurance provided.

Herfindahl-Hirschman Index (HHI)

"A measure of the state of firms in relation to the industry they are in and is an indicator of the amount of competition among them."

Formula = the sum of the squares of each company's marketshare.

DOJ MEASUREMENT

0 – 1500	Unconcentrated Market (Competitive)
1500 – 2500	Moderately Concentrated
2500+	High Concentration (Non-competitive)

OK HOMEOWNER'S MARKET HHI SCORES

2024	1158
2023	1173
2022	1106
2021	1045
2020	1147

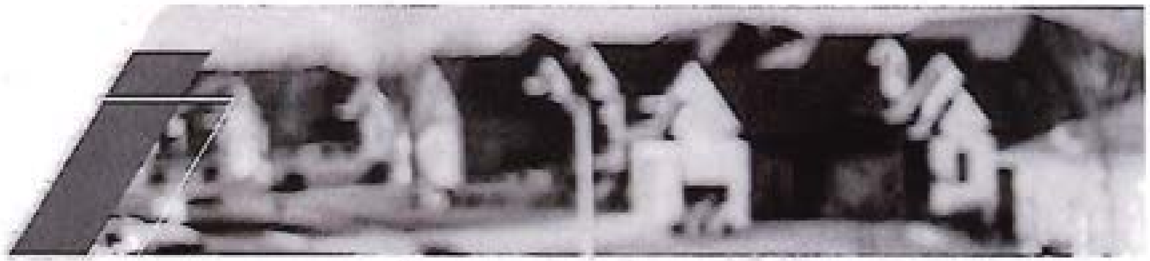
OKLAHOMA INSURANCE DEPARTMENT

Combined Loss Ratios

HO LOS Combined Ratios for Writers in Oklahoma		
Year	Industry Average by Market Share	Average of Top 20 Companies
2024	108.11%	101.15%
2023	136.55%	134.78%
2022	78.76%	79.77%
2021	100.97%	106.83%
2020	98.64%	101.80%
S&P Global Market Intelligence	Combined Ratio	
2024	109.80%	
2023	136.00%	
2022	83.30%	
2021	103.20%	
2020	101.90%	

OK READY

STRENGTHEN OKLAHOMA HOMES PROGRAM



23 Contractors
4 Evaluators

3 Pilot Phases

46 homes completed and grants paid

339 applications in process

615 applications available

$446,075.58 paid out in grants

FORTIFIED

On average, Homeowners have saved $730 on their premiums after fortifying their homes.

OKLAHOMA
INSURANCE
DEPARTMENT

INSURANCE COMMISSIONER
STATE OF OKLAHOMA

WWW.OID.OK.GOV

Oklahoma Insurance Department | Insurance Commissioner Glen Mulready | 800.522.0071

For Immediate Release:
January 7, 2026

Economic Indicators Show Oklahoma's Homeowners Insurance Market Is Competitive

By Oklahoma Insurance Commissioner Glen Mulready

Public discussion about Oklahoma's homeowners insurance market has intensified in recent months, with some critics suggesting the market lacks competition. However, objective, well-established economic tools that are widely accepted by the Department of Justice, Federal Trade Commission, fellow regulators, and economists show that the Oklahoma homeowners insurance market is competitive. This isn't determined by rhetoric or perception, and it doesn't mean that premium costs aren't rising or invalidate homeowners' concerns about affordability, which is my top focus along with legislative leaders.

Two of the most commonly used measures of market concentration are the Herfindahl-Hirschman Index (HHI) and the Four-Firm Concentration Ratio (CR4). These tools provide a clear, data-driven way to assess whether a market is competitive or dominated by a small number of firms.

The Herfindahl-Hirschman Index, the primary benchmark for measuring market concentration, uses companies' market shares to yield a single score. Markets with scores below 1500 are considered unconcentrated and competitive, while those above 2500 are highly concentrated and non-competitive. Oklahoma's HHI score is 1362, indicating its homeowners insurance market is clearly competitive by this standard. Oklahoma's score is below this threshold for at least the past five years. The HHI is relied upon by federal entities when evaluating mergers, acquisitions, and potential antitrust concerns.

Less reliable but often cited is the CR4, or Four-Firm Concentration Ratio, that measures the combined market share of the four largest firms in a given market. Scores 0-40% are considered low concentration. Scores 40-70% are considered medium concentration, and scores 70-100% are considered high concentration. Oklahoma's CR4 score is 60%. Used alongside the HHI, it helps confirm whether competition is robust or limited.

When these objective economic tools are applied to Oklahoma's homeowners insurance market, they show a market characterized by multiple active insurers and meaningful consumer choice. No single company—or small group of companies—controls an outsized share of the market. By the standards used nationally and internationally, this reflects a competitive marketplace.

Based on previous news stories, it is important for consumers to know these facts. Insurance market competition is not decided by individual opinions, but by transparent, repeatable economic analysis using metrics that are universally recognized by regulatory authorities.

As critical discussions about insurance affordability and availability continue, grounding the conversation in objective economic analysis—rather than speculation—will help ensure policy decisions are informed by facts rather than perception.

Media questions or comments should be directed to
Chief of Communications, Liz Heigle

EXHIBIT
3

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	)	
To:	)	**Case No. 16-0391-TRN**
All Licensed: Property and Casualty Insurers, Rating and Advisory Organizations Re Earthquake Insurance in the State of Oklahoma.	)	

FILED
APR 1 4 2016
INSURANCE COMMISSIONER OKLAHOMA

NOTICE OF HEARING

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through counsel, Gordon C. Amini, 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- 7301.

2. Affected by this Notice are licensed insurers, rating and advisory organizations ("insurers") re earthquake insurance covering property located in the State of Oklahoma.

3. The Property and Casualty Competitive Loss Cost Rating Act (36 O.S. §§ 981-999) ("Rating Act") regulates the filing and use of earthquake insurance rates for the State of Oklahoma.

4. In a competitive market, as defined in § 982 of the Rating Act, insurers are permitted to use insurance rates as long as such rates and supplementary rate information are filed with the Commissioner within thirty (30) days following the effective date of the filing.

EXHIBIT 4

PETITIONER EXHIBIT 1

December 31, 2015, indicates that approximately 150 companies offer some form of coverage. Almost all such coverages are provided as an add-on to homeowners insurance and very little coverage is available on a "stand-alone" basis. Because of the prevalence of multi-coverage discounts many policyholders have purchased homeowners, auto, boat, ATV, and umbrella liability from the same company. The difficulty in switching carriers to obtain a better price or lower deductible on earthquake coverage, greatly limits the competitiveness of the earthquake line of insurance.

8. Earthquake insurance, like flood insurance, is protection for homes and businesses against catastrophic damage. Without reasonably priced earthquake insurance, many Oklahomans could not afford to rebuild seriously damaged or destroyed property. Before the current trickle of rate increases becomes a flood, the Commissioner has determined to act proactively to protect the greater public interest in maintaining a viable competitive market for earthquake insurance.

9. Information collected from insurance companies demonstrates that 70% of the earthquake insurance, written in Oklahoma, is concentrated in only a few companies.

10. The Commissioner has, just this week, issued a mandatory call to the companies for detailed earthquake claims data. This data will be carefully reviewed to ensure that consumers are treated fairly.

WHEREFORE, affected insurers are hereby given notice of a hearing to be held at 8:00 a.m. on the 24th day of May 2016, at the Office of the Insurance Commissioner, Five Corporate Plaza, 3625 NW 56th St., Oklahoma City, OK 73112. The purpose of the hearing is to determine whether a reasonable degree of competition exists in the Oklahoma market for earthquake insurance. In determining whether a reasonable degree of competition exists, the Commissioner shall consider the following factors:

a. the number of insurers actively engaged in writing coverage;

b. market shares of the leading writers and the changes in market shares over a reasonable period of time;

c. existence of financial or economic barriers that could prevent new firms from entering the market;

d. measures of market concentration and changes of market concentration over time;

e. whether long-term profitability for insurers in the market is reasonable in relation to industries of comparable business risk; and,

f. the relationship of insurers' costs to revenue over a reasonable period of time.

If after hearing, the Commissioner determines that a reasonable degree of competition does not exist, the Commissioner shall issue an order designating earthquake insurance as a noncompetitive line of insurance in the State of Oklahoma.

The proceedings shall be conducted in accordance with the Oklahoma Administrative Procedures Act, 75 O.S. §§ 301-323. The Commissioner or his designee shall conduct the hearing. A recording of the proceedings will be available upon request. The Insurance Department requests that any person desiring to be heard, provide written notice to Gordon C. Amini, General Counsel, prior to May 17, 2016 at 3625 NW 56th St., Suite 100, Oklahoma City, OK 73112

WITNESS My Hand and Official Seal this 15th day of April, 2016.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Gordon C. Amini, General Counsel
3625 NW 56th St., Suite 100
Oklahoma City, OK 73112
(405) 522-6335

Hearings

2016 ALL PROPERTY AND CASUALTY INSURERS, RATING AND ADVISORY ORGANIZATIONS HEARING ON EARTHQUAKE INSURANCE RATE INCREASES IN THE STATE OF OKLAHOMA

Notice of Hearing Re Earthquake Insurance in the State of Oklahoma

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2004 STATE BOARD FOR PROPERTY AND CASUALTY RATES HEARING ON WORKERS' COMPENSATION LOSS COSTS

In the matter of the Workers' Compensation Loss Cost Filing by the National Council on Compensation Insurance. File No. 2004-2828C, 04-1041-PRJ; Order and Decision of the Board

SPECIAL MEETING: State Board for Property and Casualty Rates Hearing on Workers' Compensation Loss Costs *Scheduled for Thursday, September 23, 2004 at 11:00 am.*

August 5, 2004 Scheduling Order in the Matter of the Workers' Compensation Loss Costs Filing by the National Council on Compensation Insurance; File No. 04-1041-PRJ.

INSURANCE COMMISSIONER'S HEARING ON MEDICAL MALPRACTICE LIABILITY INSURANCE RATES:

2005

September 20, 2005 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 05-1541-PRJ.

September 28, 2005 Continuance Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 05-1541-PRJ.

October 3, 2005 Cancellation of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 05-1541-PRJ.

2004

March 25, 2004 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by The Medical Protective Company; File No. 04-0218-PRJ.

March 18, 2004 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company; File No. 04-0218-PRJ.

April 8, 2004 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company; File No. 04-0218PRJ.

October 28, 2004 Final Order in the Matter of the Rate Filing by NCMIC Insurance Company; File No. 04-1243-PRJ.

2003

November 21, 2003 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242PRJ.

November 10, 2003 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242 PRJ

November 14, 2003 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company; File No. 03-1242PRJ.

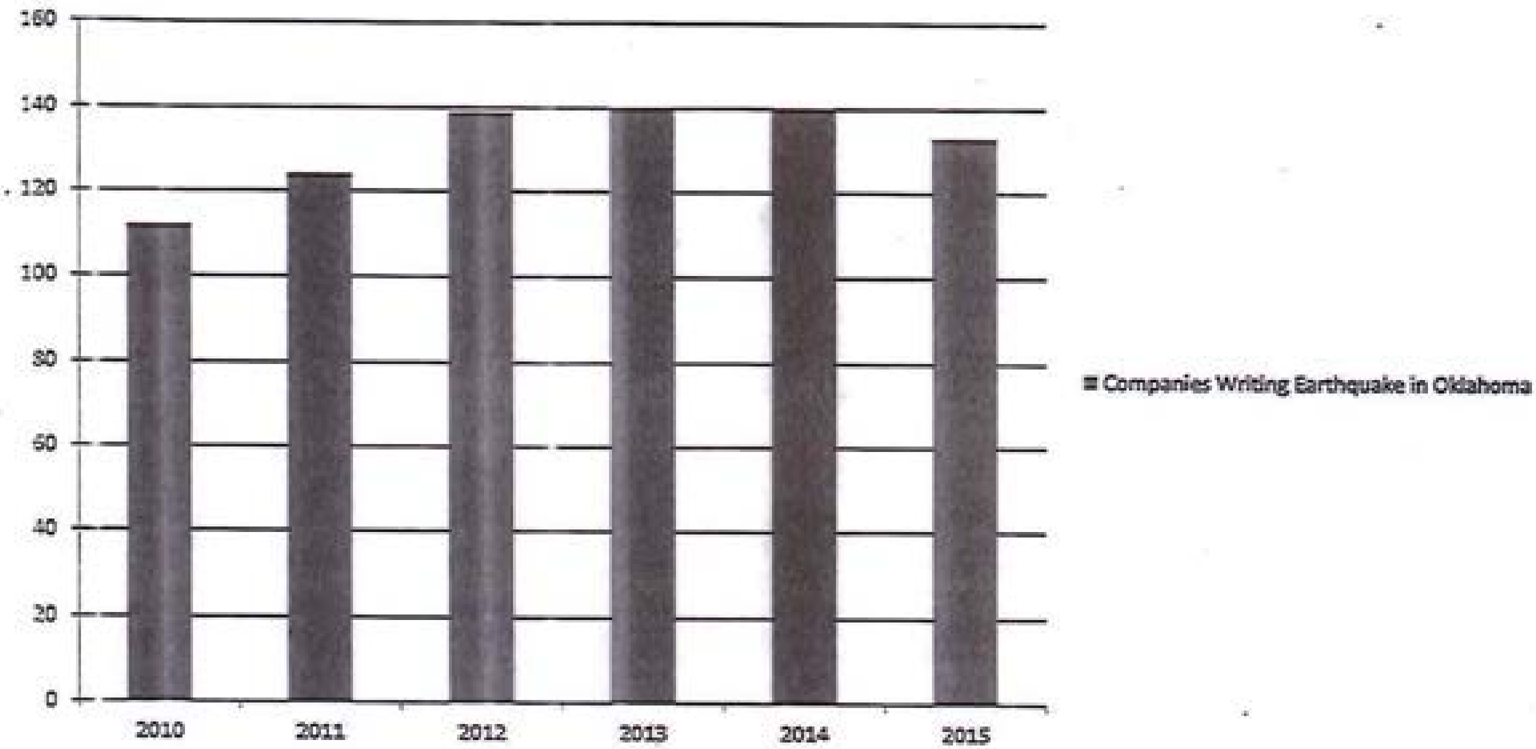
PETITIONER'S EXHIBIT 3

Oklahoma Earthquake Claims and Market Share Premium Data

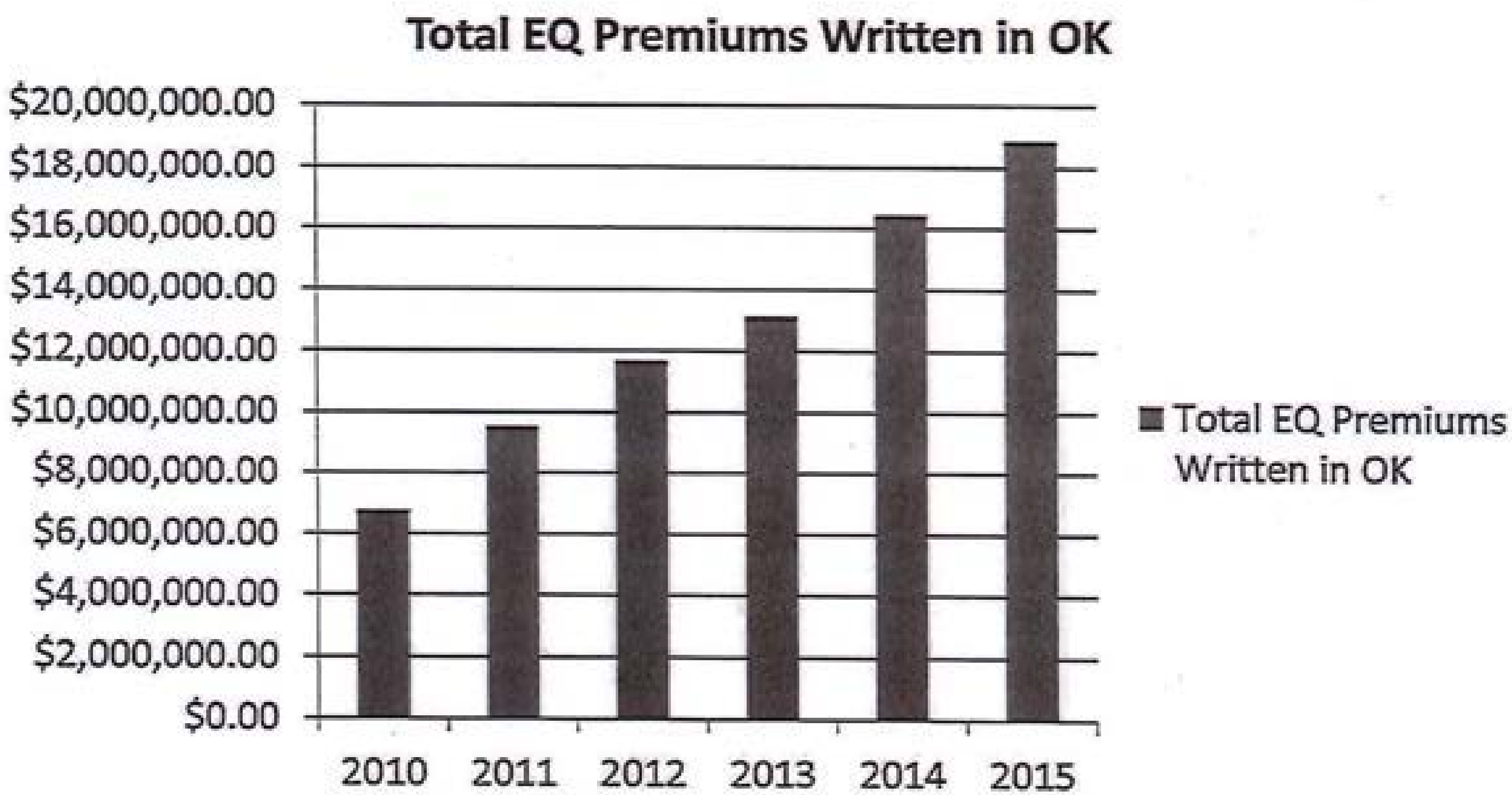
2010 to Present

PETITIONER'S EXHIBIT 3

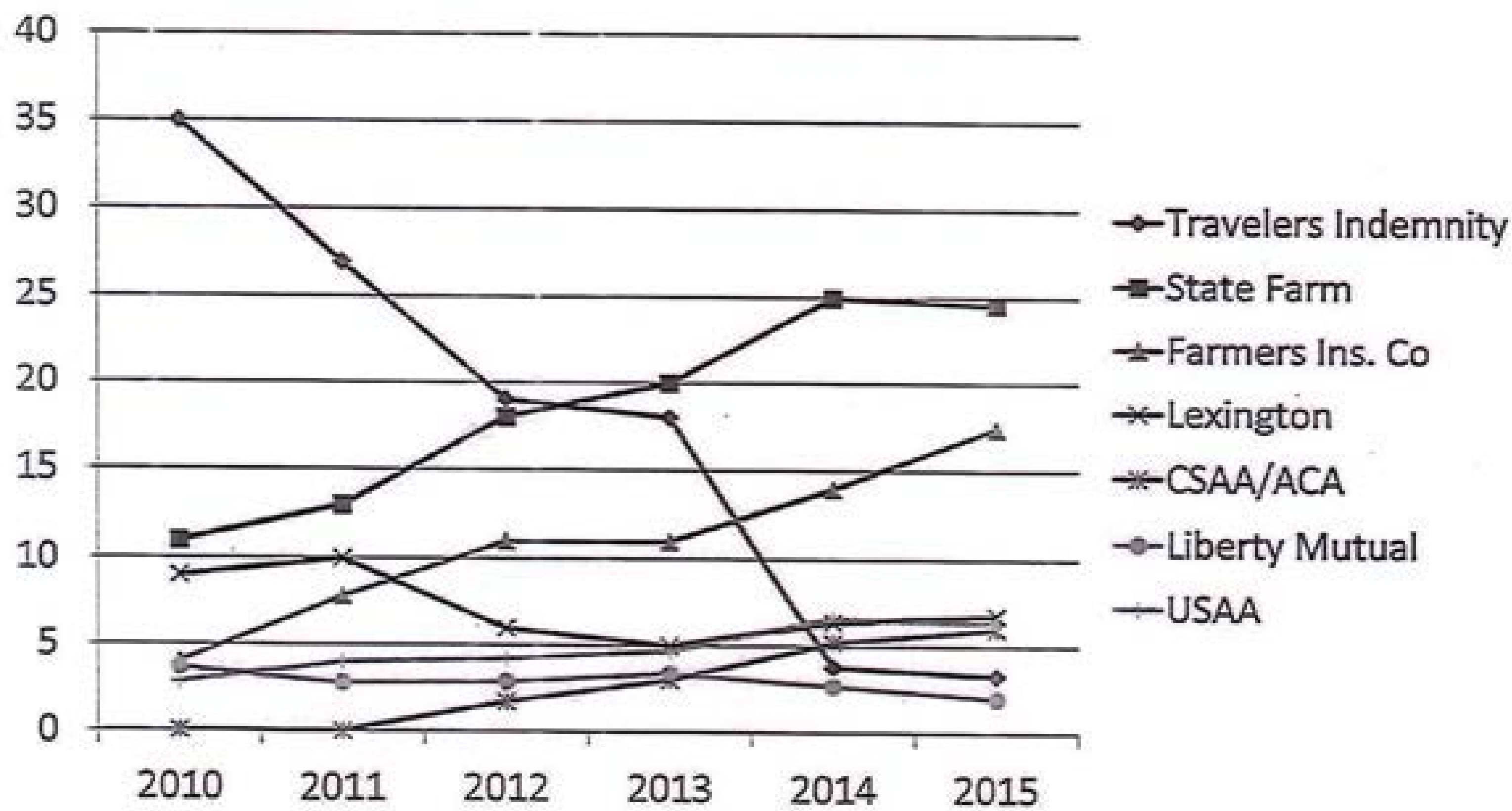
Companies Writing Earthquake in Oklahoma



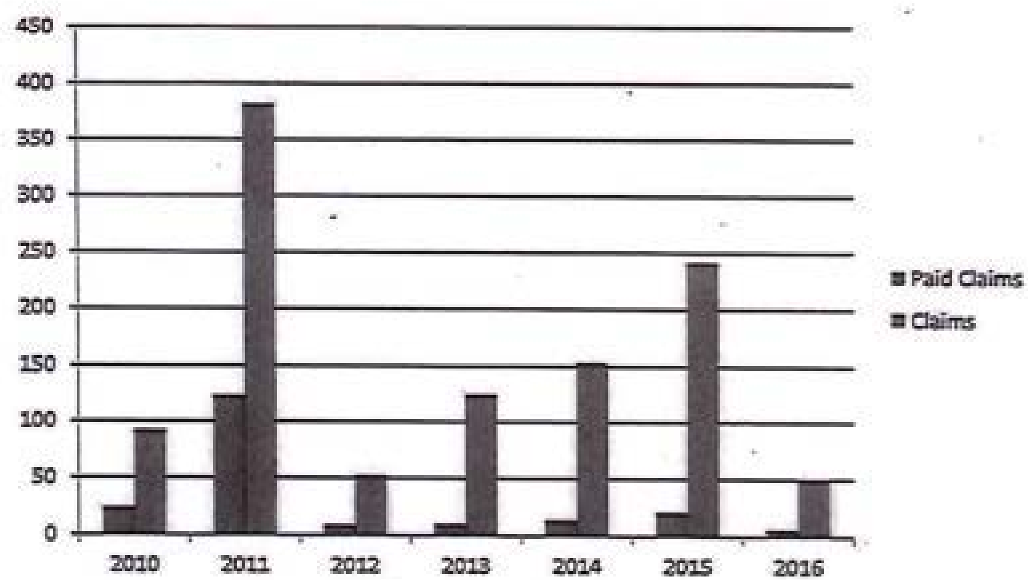
EQ Premiums in OK 2010 to 2015



Consolidation of EQ Premium Market Share into Personal Line Carriers Since 2010

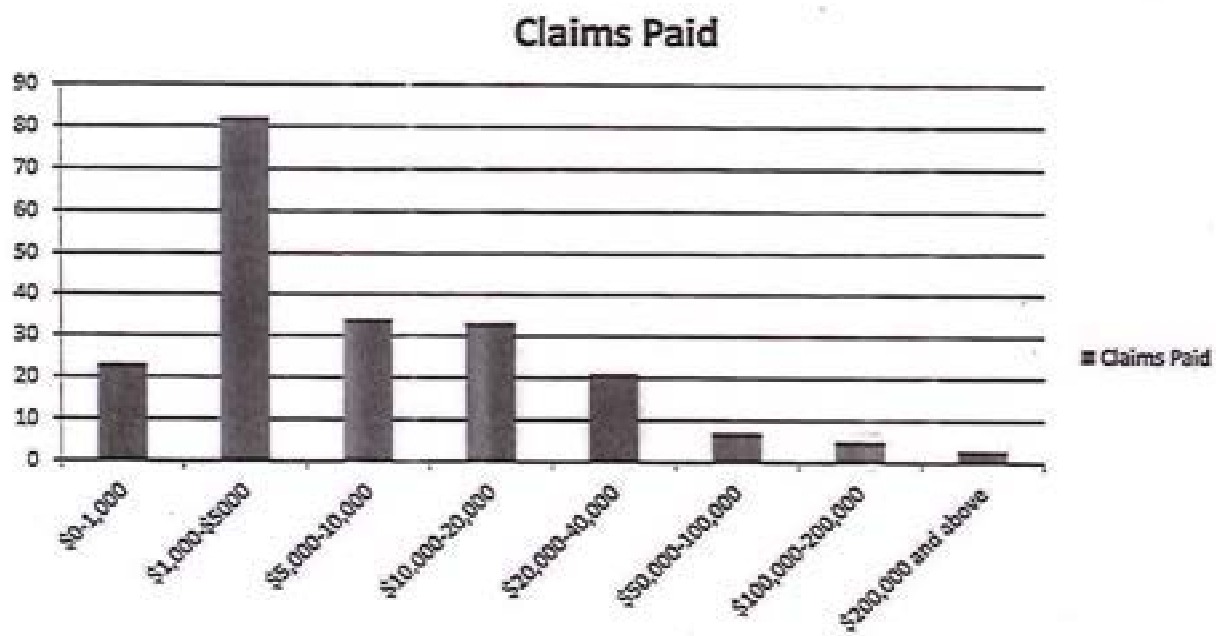


OK Personal Lines Earthquake Claims 2010 to Present

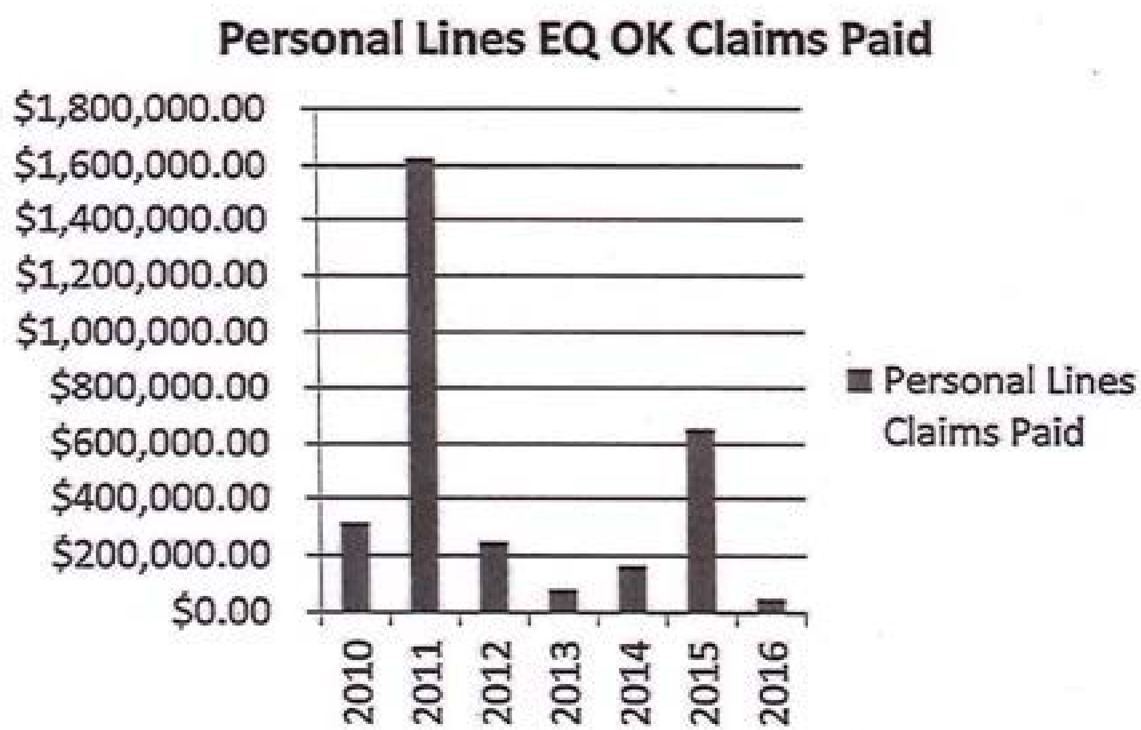


- Out of a total of 1094 claims, only 208 were paid or approximately 19%
- 2011 experienced the most claim activity

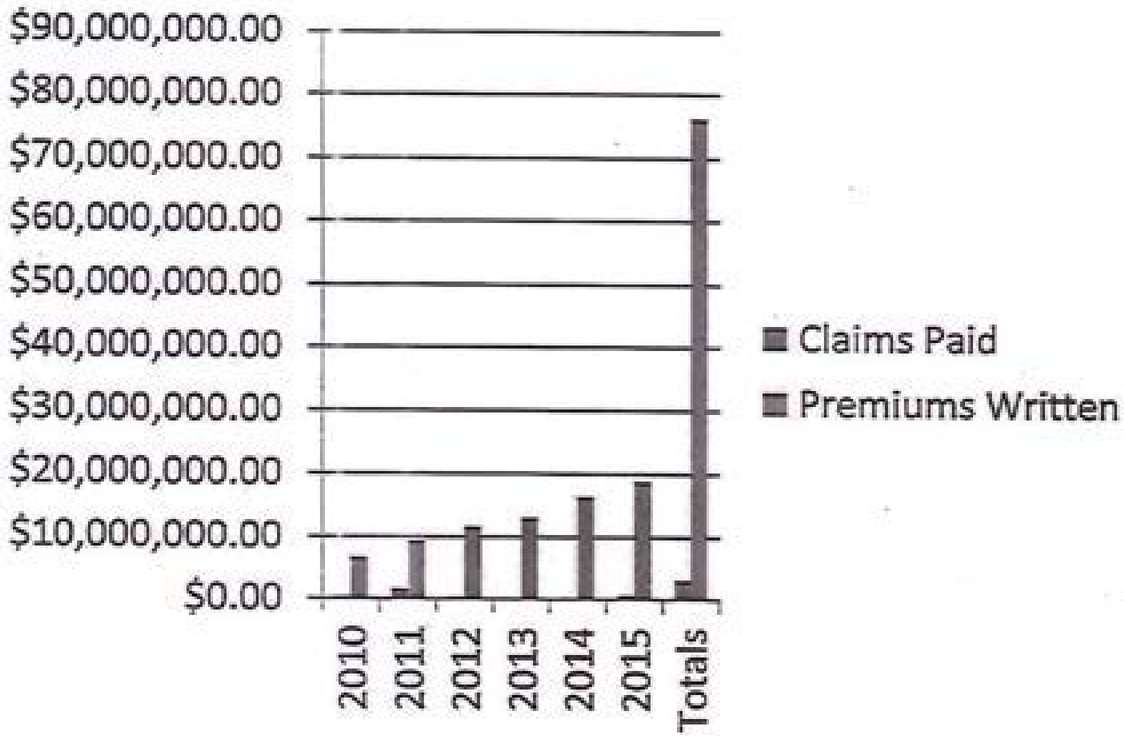
Personal Lines Earthquake Claims Paid



- Approximately half of the 208 paid claims resulted in payments of less than $5,000



Top 1% of Highest and Lowest Paid claims removed for statistical relevance

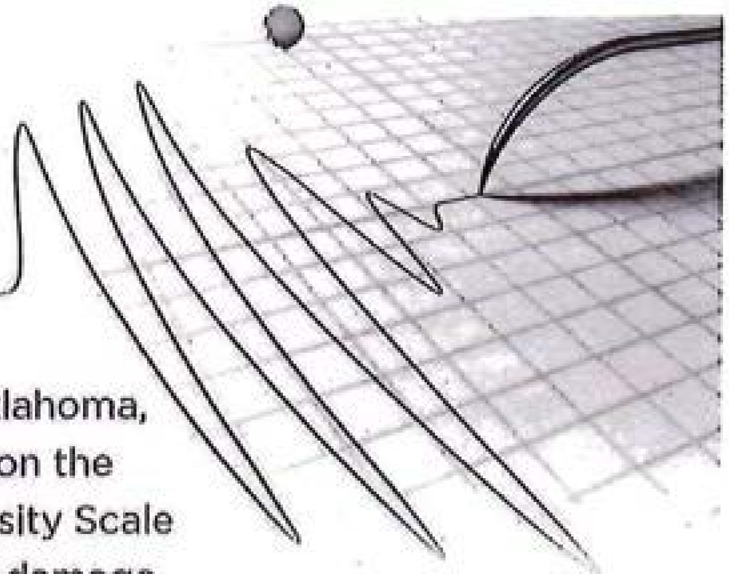


Total Claims Paid 2010 to 2015: $3,081,406
Total Premiums Written 2010 to 2015: $76,373,494

Key Points

- Claim frequency peaked in 2011
- Market concentration has significantly increased into a handful of personal lines Earthquake carriers
- Current Pure Direct Loss Ratio for all Earthquake Carriers in OK since 2010 is approx. 3%
- Premiums written have far exceeded claims paid
- Paid claims have not shown a trend of severity in OK

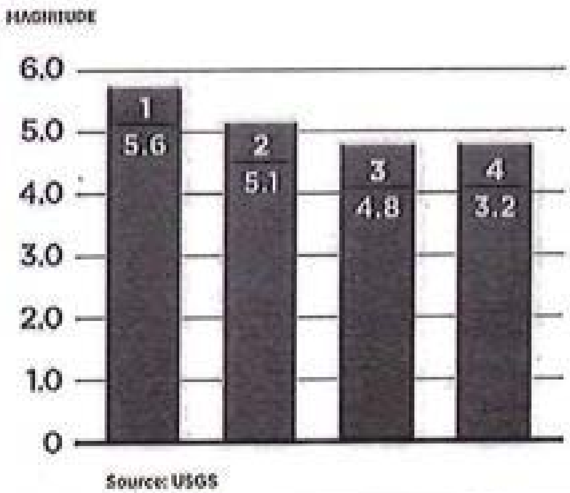
OKLAHOMA EARTHQUAKES



While there are hundreds of earthquakes every year in Oklahoma, they are rarely large enough on the USGS Modified Mercalli Intensity Scale to cause significant property damage.

Oklahoma has had only 2 earthquakes in the past 5 years above 5.0 magnitude, which is the typical threshold for causing property damage according to USGS Modified Mercalli Intensity Scale.

TOP 4 EARTHQUAKES IN OKLAHOMA; PAST 5 YEARS



1 Nov. 6, 2011 | 5.6 magnitude
2.1 miles SW of Wilzetta

2 Feb. 13, 2016 | 5.1 magnitude
19.3 miles NW of Fairview

3 Nov. 5, 2011 | 4.8 magnitude
1.6 miles W of Wilzetta

4 Nov. 8, 2011 | 3.2 magnitude
3.2 miles SW of Wilzetta

continued on back

EXHIBIT
4

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HOW DO YOU MEASURE THE INTENSITY OF EARTHQUAKES?

The table on the right gives intensities that are typically observed at locations near the epicenter of earthquakes of different magnitudes.

MAGNITUDE	TYPICAL MAXIMUM MODIFIED MERCALLI INTENSITY
1.0 — 3.0	I
3.0 — 3.9	II — III
4.0 — 4.9	IV — V
5.0 — 5.9	VI — VII
6.0 — 6.9	VII — IX
7.0 and higher	VIII or higher

Abbreviated Modified Mercalli Intensity Scale

I. Not felt except by a very few under especially favorable conditions.

II. Felt only by a few persons at rest, especially on upper floors of buildings.

III. Felt quite noticeably by persons indoors, especially on upper floors of buildings. Many people do not recognize it as an earthquake. Standing motor cars may rock slightly. Vibrations similar to the passing of a truck. Duration estimated.

IV. Felt indoors by many, outdoors by few during the day. At night, some awakened. Dishes, windows, doors disturbed; walls make cracking sound. Sensation like heavy truck striking building. Standing motor cars rocked noticeably.

V. Felt by nearly everyone; many awakened. Some dishes, windows broken. Unstable objects overturned. Pendulum clocks may stop.

VI. Felt by all, many frightened. Some heavy furniture moved; a few instances of fallen plaster. Damage slight.

VII. Damage negligible in buildings of good design and construction; slight to moderate in well-built ordinary structures; considerable damage in poorly built or badly designed structures; some chimneys broken.

VIII. Damage slight in specially designed structures; considerable damage in ordinary substantial buildings with partial collapse. Damage great in poorly built structures. Fall of chimneys, factory stacks, columns, monuments, walls. Heavy furniture overturned.

IX. Damage considerable in specially designed structures; well-designed frame structures thrown out of plumb. Damage great in substantial buildings, with partial collapse. Buildings shifted off foundations.

X. Some well-built wooden structures destroyed; most masonry and frame structures destroyed with foundations. Rails bent.

XI. Few, if any (masonry) structures remain standing. Bridges destroyed. Rails bent greatly.

XII. Damage total. Lines of sight and level are distorted. Objects thrown into the air.

Source: United States Geological Survey's (USGS) Earthquake Hazards Program

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED

JUN 06 2016

INSURANCE COMMISSIONER

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,	)	
To	)	Case No. 16-0391-TRN
All Licensed Property and Casualty Insurers Offering Earthquake Insurance in the State of Oklahoma, Advisory Organizations	)	

ORDER IN RE: EARTHQUAKE INSURANCE RATES

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- 7301.

2. Effected by this Order are licensed insurers ("insurers") offering earthquake insurance covering property located in the State of Oklahoma.

3. The Insurance Commissioner is responsible for enforcing the provisions of the Insurance Code.

4. The Competitive Loss Cost Rating Act (36 O.S. §§ 981-999) ("Rating Act") regulates the filing and use of earthquake insurance rates the State of Oklahoma.

5. In a competitive market, as defined in § 982 of the Rating Act, insurers are permitted to use insurance rates as long as such rates and supplementary rate information are filed with the Commissioner within thirty (30) days following the effective date of the filing.

EXHIBIT 5

6. A competitive market is presumed to exist for a line of insurance unless the Commissioner, after a hearing, issues an order stating that a reasonable degree of competition does not exist in the market.

7. On April 19, 2016, notice was given to all property and casualty insurers and advisory organizations of a hearing pursuant to 36 O.S. § 984 (A) would be held at the Oklahoma Insurance Department, 3624 N.W. 56th St., Ste. 100, Oklahoma City, OK 73112, at 8:00 a.m. on May 24, 2016.

8. On May 24, 2016, at 8:00 a.m., hearing was convened by the Commissioner at the Oklahoma Insurance Department, 3624 N.W. 56th St., Ste. 100, Oklahoma City, OK 73112, at 8:00 a.m. to determine whether the rates for earthquake insurance in Oklahoma were not competitive.

FINDINGS OF FACT

1. Oklahomans have experienced a high volume of earthquakes 2013, 2014 and 2015.

2. The Commissioner has received many inquiries and statements of concern from the public regarding the cost v. benefit of earthquake insurance.

3. In early 2016, the United States Geological Society released a map that purports to show an increased risk of earthquake damage in central and north central Oklahoma.

4. The Commissioner has recently received several filings by insurers seeking to increase the cost and decrease the availability of earthquake coverage.

5. Insurers making such filings have not substantiated their need for increased rates based on objective criteria, such as adverse experience, increased acquisition expense or cost of reinsurance thereby raising the distinct possibly that such rates are excessive.

6. The number of insurers writing earthquake coverage is 119.

7. The majority of earthquake insurance is written as an endorsement to homeowners insurance policies.

8. The market share of the four largest writers of earthquake insurance carriers has exceeded 50% at all times over the six years preceding December 31, 2015.

9. The concentration of the market and the reticence of consumers to lose "package discounts" constitutes an economic barrier that could prevent new firms from entering the market.

10. The long-term profitability for insurers in the market is evidenced by an average loss ratio over the six years preceding December 31, 2015 of approximately 3% is unreasonable.

11. The relationship of insurers' costs to revenue over the six years preceding December 31, 2015 demonstrates that current rates appear to be excessive.

ORDER

IT IS THEREFORE ORDERED that based upon the forgoing findings, a reasonable degree of competition does not exist in the market for earthquake insurance, and such insurance is designated as a noncompetitive line of insurance.

WITNESS My Hand and Official Seal this 6th day of June, 2016.

JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, John D. Doak, hereby certify that a true and correct copy of the above and foregoing Order was mailed by electronic mail, on this 6th day of June 2016, to:

All licensed property and casualty insurers issuing earthquake insurance in the State of Oklahoma.

BEFORE THE INSURANCE COMMISSIONER OF THE

STATE OF OKLAHOMA

IN RE: HEARING PURSUANT TO 36 O.S. § 984
AS TO WHETHER THE OKLAHOMA HOMEOWNERS
INSURANCE MARKET IS NONCOMPETITIVE

CASE NO. 26-0820-TRN

EXHIBIT 2

Transcript of Pre-Hearing Conference held September 4, 2026
(Case No. 26-0820-TRN)

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF OKLAHOMA

IN RE:	HEARING PURSUANT TO 36 O.S. SECTION 984 AS TO WHETHER THE OKLAHOMA HOMEOWNERS INSURANCE MARKET IS NONCOMPETITIVE	No. 26-0820-TRN

PRE-HEARING CONFERENCE

BEFORE HONORABLE JUDGE JOHN D. MILLER

On September 4, 2026, beginning at 9:05 a.m.

Via Teams

Becky Steinkamp, CSR, RPR
Court Reporter
Professional Reporters
511 Couch Drive, Suite 100
Oklahoma City, Oklahoma 73102
(405) 272-1006

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APPEARANCES

Hearing Examiner for the matter of the Hearing Pursuant to 36 O.S. Section 984 as to Whether the Oklahoma Homeowners Insurance Market is Noncompetitive, No. 26-0820-TRN

Honorable Judge John D. Miller
c/o Sherry Standerfer
OKLAHOMA INSURANCE DEPARTMENT
Legal Division
400 NE 50th Street
Oklahoma City, Oklahoma 73105
(405) 521-2828
OIDlegal@oid.ok.gov

Appearing on behalf of the State of Oklahoma, ex rel. Gentner Drummond, Attorney General

Reggie N. Whitten
Michael Burrage
Hannah Whitten
WHITTEN BURRAGE
512 North Broadway Ave., Suite 300
Oklahoma City, Oklahoma 73102
(405) 516-7800
rwhitten@whittenburragelaw.com
mburrage@whittenburragelaw.com
hwhitten@whittenburragelaw.com

Appearing on behalf of the Oklahoma Attorney General's Office

Cameron Capps
Kristin Siegel
OFFICE OF THE OKLAHOMA ATTORNEY GENERAL
313 NE 21st Street
Oklahoma City, Oklahoma 73105
(405) 521-3921
cameron.capps@oag.ok.gov
kristin.siegel@oag.ok.gov

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CONTINUED APPEARANCES:

Appearing on behalf of the Oklahoma Insurance Department

Bo DeBose
Nicole Nash
OKLAHOMA INSURANCE DEPARTMENT
Legal Division
400 NE 50th Street
Oklahoma City, Oklahoma 73105
(405) 521-2747
bo.debose@oid.ok.gov
nicole.nash@oid.ok.gov

Appearing on behalf of American Property Casualty Insurance Association and National Association of Mutual Insurance Companies, Inc.

J. Blake Patton
Caleb J. Evans
Jason T. Seay
GABLEGOTWALS
BOK Park Plaza
499 W. Sheridan Avenue, Suite 2200
Oklahoma City, Oklahoma 73102
(405) 235-5500
bpatton@gablelaw.com
cevans@gablelaw.com
jseay@gablelaw.com

Appearing on behalf of Bob Sullivan

Michael J. Hunter
MICHAEL J. HUNTER, PLLC
3020 BancFirst Tower
100 N. Broadway
Oklahoma City, Oklahoma 73102
(405) 985-3838
mike@mjhlaw.net

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CONTINUED APPEARANCES:

Appearing on behalf of Oklahoma P&C Advocacy Association

Brett Robinson
608 E. Eubanks Street
Oklahoma City, Oklahoma 73105
(405) 607-4505
brobinson@hbstrategies.us

Also present: Sherry Standerfer, OID
Craig MacIntyre, Observer
Paul Martin, NAMIC
Walter Gonzales, APCIA
Denise Johnson, Observer
Chelsea Stallings, NAMIC
Ryan Kilpatrick, APCIA
Joanna Coll, APCIA
Jerrell Harris, Observer

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PROCEEDINGS

THE COURT: Good morning, everybody morning.

UNIDENTIFIED SPEAKER: Good morning.

THE COURT: Everybody hear me? Anybody not hear me?

UNIDENTIFIED SPEAKER: Good morning.

THE COURT: Okay.

All right. We've got some matters to address this morning. I just want to first of all make sure that I've got a list of those -- let's see.

We've got for the Oklahoma Insurance Department Mr. DeBose and Ms. Nash. You're present; is that correct?

MR. DeBOSE: Yes, sir, Judge.

THE COURT: Ms. Steinkamp, court reporter, present. Welcome.

Mr. Blake Shelton -- I mean, Blake Patton. Excuse me. You are appearing on behalf of counsel for American Property Casualty Insurance Association and National Association of Mutual Insurance Companies, Inc.? Is that correct, Mr. Patton?

MR. PATTON: Yes, Your Honor, along with myself and Mr. Caleb Evans and Jason Seay, and we

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have some client representatives on as well.

THE COURT: Right. Would that be Ms. Stallings and Mr. Gonzales?

MR. PATTON: And Mr. Martin as well, I believe.

THE COURT: Is there a Mr. Martin online?

MR. MARTIN: Good morning, Judge. I'm here.

THE COURT: Okay. All right. And then, let's see.

Good morning, Mr. MacIntyre. How are you, sir?

MR. MacINTYRE: Good morning, Judge. I'm going great. How about you?

THE COURT: Great. I'm doing well. Thank you.

Okay. Let's see.

Good morning, Mr. Hunter. How are you, sir?

MR. HUNTER: Hey, Judge. Good morning.

THE COURT: All right. And then, let's see. We've got Mr. Cameron Capps and Kristin Siegel on behalf of the AG's office; is that correct?

MR. CAPPS: That's correct.

THE COURT: And then we've got, in regards

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to the Whitten Burrage firm, we have -- who's appearing for Whitten Burrage this morning?

MR. WHITTEN: Good morning, Judge. Reggie Whitten, Michael Burrage, and Hannah Whitten, and we're here on behalf of the Oklahoma Attorney General, as well, with --

THE COURT: Right.

MR. WHITTEN: -- Mr. Capps and Ms. Siegel.

THE COURT: Mr. Siegel. Okay.

MS. STANDERFER: Is Mr. Denny on? He was on last time.

THE COURT: Is Mr. Denny on this call also? He was previously.

Mr. Whitten, you said that yourself, Hannah Whitten, and Mr. Burrage are --

MR. WHITTEN: Yes, sir.

THE COURT: -- on behalf of the AG; is that correct? Okay.

MR. WHITTEN: Me, Reggie Whitten, Mike Burrage, Hannah Whitten, Cameron Capps, and Kristin Siegel all for the AG. Thank you.

THE COURT: I think we've got that. Thank you.

All right. I had previously had an appearance from a Dr. Robert Hartwig.

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MR. PATTON: Judge, he is an expert associated with the American Property Casualty Insurance.

THE COURT: Okay. All right. So he's -- okay. He's not -- is he an attorney?

MR. PATTON: No, sir. He's --

THE COURT: Okay.

MR. PATTON: -- a professor --

THE COURT: Okay. All right.

Okay. Anybody I haven't --

MS. STANDERFER: You've got Brett and Mr. MacIntyre.

THE COURT: And Mr. Robinson is present here.

MS. STANDERFER: And Mr. MacIntyre, I believe.

THE COURT: Yes, Mr. MacIntyre, I've addressed him.

MS. STANDERFER: Okay.

MR. MacINTYRE: Yep. I am here.

THE COURT: Anybody else that I've not addressed that is present as a part of this Teams call pretrial conference?

MR. WHITTEN: Judge, we saw some other names up there earlier, but we can't get everybody

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on our gallery view. It doesn't -- our screen --
THE COURT: Right.
MR. WHITTEN: -- isn't big enough.
I think there was some other faces --
THE COURT: I see a Denise Johnson.
MS. STANDERFER: I think she's just here to --
THE COURT: Observe?
MS. STANDERFER: Yeah. She's --
THE COURT: Okay. Just observance?
MS. JOHNSON: Yep.
THE COURT: Okay. Thank you.
MS. COLL: Good morning, sir --
MR. WHITTEN: Yeah, Judge --
THE COURT: Good morning.
MR. WHITTEN: 0for the record -- oh, I'm sorry.
THE COURT: Yes, sir.
MS. COLL: I'm so sorry. Just an observer, Joanna Coll, from APCIA. Just observing.
THE COURT: Okay. Thank you.
MR. KILPATRICK: And same for me, Judge. Ryan Kilpatrick on behalf of APCIA, just observing.
THE COURT: Okay. Thank you.
MR. WHITTEN: Judge, this is Reggie

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Whitten. We were just going to say, for the record, if anybody is observing who has not announced their name and who they are observing on behalf of, we would like to just have that on the record, as well, please.

THE COURT: Absolutely.

All right. Anybody else that's not announced their presence that's just an observer?

(No response)

All right. Hearing none.

All right. Let's do a formal entry.

Comes out of this 4th day September 2026, the matter of Case Number 26-0820-TRN, in reference to Hearing pursuant to 36 Oklahoma Statute Section 984 as to whether the Oklahoma homeowners insurance market is noncompetitive.

This matter has previously been set for pretrial last week, was continued due to filings that have been made in order to give parties opportunity to review those and respond to those. Those responses have been made and are a part of the record of the Oklahoma Insurance Department file.

Having read those, I will state starting out that I have received -- I saw this morning a motion that had been filed last -- yesterday

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afternoon on behalf of the OID that was addressing a Motion to Dismiss Parties Due to a Lack of Standing. I have received that, and that is in regards to whether or not Mr. Sullivan and Mr. MacIntyre have standing as a party to this action.

With the lateness of filing that, what I'm going to do -- Mr. Hunter, on behalf of Mr. Sullivan and Mr. MacIntyre, with this being a holiday weekend, I'm going to ask that any response to that be filed with the Department by noon next Wednesday, which will be the 9th.

And then, upon receipt of those, I will issue a ruling that same day in regards to those motions -- or that motion. Excuse me. In regards specifically to the Motion to Dismiss. But you can file any response to that, Mr. Hunter, on behalf of Mr. Sullivan, Mr. MacIntyre, and yourself with the Department prior to that.

All right. Any questions in regards to that motion?

MS. NASH: Your Honor?

THE COURT: Uh-huh.

MS. NASH: Could the Department just make a statement for the record, please?

THE COURT: Is it in addition to, or does

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it include what your motion --

MS. NASH: It's in addition to.

THE COURT: Okay. All right.

MS. NASH: We would just like to apologize for the late hour filing. We certainly did not mean to appear in any way unprofessional or like we're ambushing. We asked in the motion that it not be considered today and be set for --

THE COURT: Oh, is that right?

MS. NASH: -- another time. We just wanted to ensure that it was before the Court because we thought it might impact the timing decisions that were made today.

THE COURT: Sure.

MS. NASH: But we regret -- I want to take personal ownership. I should have called Mr. Hunter as a professional courtesy, and I want on the record that I apologize for not doing so.

THE COURT: Okay. Thank you.

MR. WHITTEN: Your Honor, this is Reggie Whitten. May I expand, make an inquiry about one thing?

THE COURT: Is it related to that motion?

MR. WHITTEN: It is. I just have a question.

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THE COURT: Okay.

MR. WHITTEN: We are fine with that procedure, of course, but my question is: Will we have an opportunity to have oral argument on their motion? This is such a critically important issue because it may affect us taking issue with other parties.

I don't want to argue the motion now, obviously, but there are --

THE COURT: Yeah. Sure.

MR. WHITTEN: -- parties now who are on this call that we have not objected to, but they're not insureds. They don't own -- they're not paying for homeowners insurance either. Some of these trade associations, if there's a problem with standing for Mr. Sullivan, on behalf of the attorney general, we could advocate that there are problems with other parties. And so we do think oral argument would be very helpful on this issue.

THE COURT: Okay.

MR. ROBINSON: Your Honor, if I may.

THE COURT: Yes. Go ahead, Mr. Robinson.

MR. ROBINSON: I don't know if they can hear me online, but I would also -- along those same lines, would there be an opportunity to reply to any

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responses by Mr. Sullivan or Mr. MacIntyre?

THE COURT: Yeah. We're -- our time docket -- and I'm not -- you know, I'm not particularly wanting to move the date or time of the actual hearing itself, but I want to make sure it's conducted in a fair and impartial way, and any motions, or whatever, are appropriately dealt with and --

MR. ROBINSON: I think now is as good a time as any, as well, but I'd like to offer a motion for a continuance of the September 14th hearing.

THE COURT: Okay.

MR. ROBINSON: I think that with all the things considered -- potential witnesses, trading witnesses, all the things that are set out in the order, as far as Motions in Limine, and such, and all these legal issues that have now been raised in the responses of NAMIC and APCIA and the Department, that I think it would probably serve the public interest to move this hearing to a later date.

THE COURT: Any response from the Department with regards to that?

MR. DeBOSE: The Department has no objection to any motions for a continuance. We understand the concerns and the constrained

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timeline. I mean, we've got a lot of issues here still posed, and it looks like Monday after next we're set to go to hearing, so we understand a motion.

THE COURT: All right.

Mr. Whitten, on behalf -- go ahead.

MR. WHITTEN: Yes, sir. Thank you, sir.

On behalf of the Attorney General, just for the record, this is a matter of critical public interest. It's incredibly important.

We've been preparing for months. We have the four out-of-state expert witnesses that have set their schedule, and one of them cannot physically travel here. That's why we asked for him to appear -- it's Robert Hunter, for him to appear by Zoom.

We've got so much work put into this, and we would strenuously object to moving. There's no reason we can't argue all of these motions easily before the 14th, and, I mean, we're ready to go.

THE COURT: Okay.

Let's see.

MR. ROBINSON: We don't even know who those witnesses are, Your Honor.

THE COURT: Right. They haven't been

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disclosed as part of this pretrial hearing.

MR. WHITTEN: Yes. We're ready to disclose. We just -- the only thing we argue is we simultaneously disclose them. And we're the only party that's disclosed one witness.

THE COURT: Okay.

MR. HUNTER: Judge, may I be heard briefly?

THE COURT: Yes, sir. You may proceed.

MR. HUNTER: So this motion really throws a wrench in the machinery with regard to how we proceed, in my opinion. There's advocacy for a separation of time between parties in between positions. And I don't want to be too melodramatic here, but removing two parties from this hearing at this late date is important to the consideration of how time is allocated.

As far as I'm concerned, this motion is frivolous. The cases that are cited apply to the ability to participate in an appeal, not to participate in a hearing or trial below.

So with regard to a continuance, I also object to that, and I'd, frankly, like to argue this motion today.

THE COURT: Okay. Thank you for your

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position.

MR. HUNTER: Thank you, Judge.

THE COURT: Uh-huh.

MR. PATTON: Judge, if I may, this is Blake Patton on behalf of NAMIC and APCIA. Just for the record, I'd like to note our forceful, full-throated objection to any merits -- continuation of the merits hearing. These are all issues that we believe can be resolved in advance of the hearing. As noted in our papers, we believe this to be more of a rule-making proceeding as opposed --

THE COURT: Right.

MR. PATTON: -- to an individual proceeding under the APA.

Under that framework, we believe this Court is more than able to address these issues, appear, hear testimony on the Section 984 factors, make a decision, and the parties can do what they will with that decision, but we don't think there's any reason or need for a continuance of the merits hearing.

THE COURT: Okay. Thank you, sir.

All right. Anybody else wish to address that?

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MR. WHITTEN: On behalf of the Attorney General, we would be pleased to argue all these motions today. We think they could be argued today.

But, again, going back to the objection to Bob Sullivan. If Bob Sullivan doesn't have standing, then we want to file a motion. Some of these trade associations don't have standing either.

So I -- we had no objection to anybody participating in this. You know, both sides are definitely going to have to make a complete and fair record just in case someone does appeal.

THE COURT: Sure. Well, I anticipate it will be appealed, whatever the decision is.

MR. WHITTEN: Yeah. Well, it's just so hard to put the genie back in the bottle. It would be better to let everybody conduct the hearing, say what they want to say, call the witnesses they want to say.

And then, you know, if there is an appeal, that could all be sorted out later, but to cut parties out on the front end destroys every -- I mean, it puts a reversible error in this thing from the very beginning.

So we're prepared to argue all these motions today if the Court wants to. Or set them --

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we'll bend our schedule if you want to set them after we all agree. That's fine too, Your Honor. Whatever you want to do.

THE COURT: Okay. All right. Thank you.

Any further response?

(No response)

THE COURT: Okay. I'm going to take -- we're going to be in recess for about five minutes here, and then I'll come back and issue a decision.

(Short recess from 9:21 to 9:34 a.m.)

THE COURT: All right. After a short recess, based on the Motion to Continue that's been offered the morning and taken into account, the Motion to Dismiss based on standing of Mr. Sullivan and Mr. MacIntyre, this hearing is entered. In pursuant of a fair and impartial hearing in regards to all these matters, I'm going to issue the following rulings:

I'm going to order that any objections to the standing argument filed by the Department be filed in writing by 5:00 next Wednesday -- excuse me. By 5:00 Thursday, the 10th. If there should be any response to that, it would need to be filed with the Department by noon on Monday the 14th. The Motion to Continue is going to be granted.

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The Court is going to continue oral argument on the Motion to Dismiss for 10:00 a.m., via Teams, on Tuesday, September 15th, and that motion -- oral motion will be heard. Additionally, the Court will proceed to conduct its pretrial in regards to this matter.

After the oral argument on the motions, then I will rule on other motions pending by the parties, which will constitute another pretrial date for the 15th at 10:00 a.m., via Teams. And I will advise the parties, as far as resetting the hearing date, that's going to take consultation with the Capitol people.

And as far as me as the hearing examiner, I'm not looking to limit this hearing to one or two days. If it takes a whole week for relevant evidence to be presented, I'm open to that. So I don't see the need -- which will be addressed in the pretrial in regards to setting time limits and things, any relevant evidence or argument, or whatever, I'm willing to consider in making my decision.

We're roughly looking at the week of October 19th, and I'm asking to see if the whole week is available. I hope it doesn't take that

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long, but if it does, then that's what it's going to be. But I should know next Tuesday when we conduct our 10:00 oral argument on the Motion to Dismiss and the pretrial that should have a new date, time, and location secured.

All right. Noted to the objections of the parties that have expressed their objection to the continuance, that will be noted as a part of the record.

MR. HUNTER: Judge, Mike Hunter here. I will be out of the country on October 19th. Just FYI.

THE COURT: Okay. All right. Mr. Hunter, that -- when will you be back, sir?

MR. HUNTER: I believe that I'm back and hopefully will have my sea legs by the 25th, Your Honor.

THE COURT: Okay.

MR. WHITTEN: Your Honor, Reggie Whitten here. May I ask a question about scheduling?

THE COURT: Yes, sir, you may.

MR. WHITTEN: It's along the same lines as what Mr. Hunter just said. Mr. Burrage and I are set for two trials on the same day --

THE COURT: Yes, sir. Okay.

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MR. WHITTEN: -- in Lawton, and that is November 2. So, for us, we certainly don't want this to push any further --

THE COURT: Sure.

MR. WHITTEN: -- than October because -- I mean, we can't try --

THE COURT: Yes, sir.

MR. WHITTEN: -- two cases at the same time --

THE COURT: Absolutely.

MR. WHITTEN: -- but we will try one of them, I'm pretty sure.

THE COURT: Yeah. Well --

MR. WHITTEN: So we'd love to get it over with in October, if that's possible.

THE COURT: Yes, sir. I'm all in favor of that also, and with Mr. Hunter's conflict and you having a trial the next week, would anybody have a known conflict, provided we can coordinate a room, October 20 -- the week of October 26th? Does anybody have a known conflict that week?

MR. WHITTEN: We'll make it work here.

MR. PATTON: Judge, it works for us. We'll confer with our witness, but that works for us.

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THE COURT: Okay. All right. And I'm willing -- I understand with witnesses' situations, sometimes -- I mean, you don't know at this point in time, and I'm willing, if there is a major conflict, or whatever, to do everything we can to make sure that that gets included in the record, so that's not a problem.

And, like I say, in regards -- we'll be addressing this next week in detail on the 15th in regards to time limits and stuff, but I'm more of the school, if it's relevant, or whatever, I'm not looking to -- I may set some time limits in regards to any opening or closing statements, but in regards to presentation of evidence that's deemed to be relevant to the issues, then I'm not -- however long it takes, I'm willing to listen, so...

MR. PATTON: Yes, sir. Thank you.

MS. NASH: Your Honor?

THE COURT: Yes.

MS. NASH: I have some information on the Commissioner's travel schedule.

THE COURT: Okay.

MS. NASH: The best week of availability for him, if possible for the other parties, would be the week of October 12th through 16th. Is there any

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way to make that timing work?

THE COURT: Well, the only thing with that week is -- I don't think it's a State holiday, but it's Columbus Day and Indigenes People's Day, and it's Thanksgiving in Canada. So I don't want -- if anybody celebrates that date, I'm not necessarily wanting to deprive you of that holiday, but --

MR. ROBINSON: Your Honor, I'm gone most of that week in a client meeting.

THE COURT: Okay.

MR. HUNTER: Your Honor, that's the front end of my time out of the country, so I apologize --

THE COURT: Okay. All right.

MR. HUNTER: -- for not being flexible.

THE COURT: No, no. Congratulations. No need to apologize.

MR. HUNTER: Thank you.

THE COURT: So, Ms. Nash, will you again state -- tell me again the conflict that week?

MS. NASH: I believe the Commissioner is traveling for a conference.

THE COURT: So as far as the Department, or whatever, he's designated, I assume, you, as counsel, to act on behalf of the Department, or whatever. Were you anticipating him to be present

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for the hearing? Is that his desire?

MS. NASH: Yes. And we are anticipating that he may be a witness.

THE COURT: Well, that -- that's important. Okay. So what part of that week is he definitely unavailable?

MS. NASH: The whole week. But we can push to see if we can get some travel arrangements changed.

MR. WHITTEN: Your Honor, may I inquire?

THE COURT: Sure.

MR. WHITTEN: I mean, there's so many moving parts to this --

THE COURT: Absolutely.

MR. WHITTEN: -- and so many witnesses. I mean, it's pretty feasible today -- we do it all the time -- to take a video deposition of one person that's the hang up that can't be there. So it would be real easy to put him on videotape deposition, and then they can play it at trial. I hate to hold the whole thing up.

You know, we had this set for two days, so -- on behalf of the AG, I think we could say Monday, October 12th, Tuesday the 13th, Wednesday the 14th, those are three really good days for us.

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Surely we could finish this then. If the Commissioner wants to testify, he can give video deposition before then. That would be easy to do.

Just like if one of my witnesses couldn't be there, I could always, with the permission of the Court, of course, take his video deposition.

THE COURT: Sure.

MR. WHITTEN: That wouldn't hang it up. I mean, there's so many witnesses involved here, it's almost --

THE COURT: I understand it's a -- it's a -- right. All right.

MR. DeBOSE: Judge, as regards to the potential Commissioner's testimony --

THE COURT: Right.

MR. DeBOSE: -- I definitely understand where opposing counsel is coming from regarding the deposition option; however, I think -- it seems like -- and I don't mean to get into the issue, but it seems like we are all in agreement on allowing some witnesses to testify remotely, so if that is an option we can work out with the Commissioner, we would be open to that. That might be more convenient to us and the parties when it comes to direct and cross-examination.

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THE COURT: And are you referring to the availability for the week of the 26th through the 28th?

MR. DeBOSE: Yes, sir.

THE COURT: Okay. So provided -- okay.

MR. WHITTEN: Well, we agree with Bo that testimony should be able to be given remotely. I share those thoughts. That would be helpful.

THE COURT: That's going to be a part of our pretrial, and that testimony will be -- I'll just tell you, it's going to be allowed. In this day and time, that's part of the motion that we'll specifically address, but for your knowledge, there is no problem with testimony in that capacity, in that manner.

MR. WHITTEN: Judge, can I also inquire? That's very helpful what you just said for us planning. So, as of today, the only motions in our omnibus brief that are disputed are 2, 3, 5, 9, and 11. Would the Court like to -- I think you just resolved one of them, but would the Court like today to hear argument and maybe consider ruling on 2, 3, 5, 9, and 11 so we can get something done while we're all here?

THE COURT: Well, let me address the

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projected date of the hearing first before we do anything further.

In regards to -- based on what has been disclosed, our target date is going to be the week of the 26th of October. And Mr. Whitten, you have, on behalf of the AG's office, felt like you're comfortable that within three full days, we can have all -- if they're full days, that we can accomplish and everybody, at least from your perspective, have an opportunity to present whatever testimony and evidence that was needed?

MR. WHITTEN: I think so. Just speaking for the Attorney General alone --

THE COURT: Right.

MR. WHITTEN: -- I think we can put ours on in one day.

THE COURT: Right. Okay.

Well, and Mr. DeBose, Ms. Nash, on behalf of the Department, do you believe, if we set three days aside and it doesn't take all of that, are you confident that would provide sufficient timing for the presentation of anything the Department wishes to present?

MR. DeBOSE: Yes, sir, Judge.

THE COURT: Okay. And assuming in regards

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to -- there's not been any ruling in regards to the standing by Mr. MacIntyre or Mr. Hunter on behalf of Mr. Sullivan, do you believe that three full days would be sufficient to present anything based on what you know at this point?

MR. HUNTER: Yes, Your Honor.

MR. MacINTYRE: Yes, Your Honor.

THE COURT: Thank you, sir.

And, Mr. Robinson, on behalf of who you're representing, do you feel like three full days --

MR. ROBINSON: Yes, sir.

THE COURT: Okay. And then, let's see.

Mr. Patton --

MR. PATTON: Yes, sir. Same answer.

THE COURT: -- from your perspective, do you think three full days should -- will that question be sufficient timing for everything to be presented that needs to be presented for a determination under this matter?

MR. PATTON: Yes, sir.

THE COURT: Okay. All right.

Who have I missed? Okay.

Okay. So we're going to target the 26th through the 28th for the actual hearing on this matter, subject to approval by -- I assume we'll

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still have it at the Capitol, provided they've got facilities available during that time period, and we'll confirm that. She'll be able to confirm that with the person in charge of that, who is on vacation but should be back next week.

All right. Let me see. Pardon me just a moment.

I'm going to reserve my ruling on the motions 2, 3, 5, 9, and 11 until next Tuesday at 10:00 after the hearing on the Motion to Dismiss. In regards to standing, in regards to them too.

Anything -- so to clarify, any objection to that motion on behalf of either Mr. Sullivan, Mr. MacIntyre, or any of the other parties, needs to be in writing, submitted to the Department by 5:00 next Thursday, the 10th, and then any response to that either by the Department or any other party would be filed with the Department by noon on the 14th, and hearing, via Teams, on that motion and further rulings on the motions pending about the trial will be at 10:00 next Tuesday the 15th.

Anything else --

MR. BURRAGE: May I address one thing with regards to scheduling?

THE COURT: Yes.

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MR. WHITTEN: With regard to the conference on the 15th, I think it might be helpful in knowing what to present at the pretrial or what needs to be done. The sooner we could have the names of the witnesses, the better off we would be.

THE COURT: Well --

MR. BURRAGE: You might want to address that on the 15th, but it would be helpful if we had them prior to the pretrial.

THE COURT: Well, let me ask -- is that your Motion Number 3, Mr. Whitten?

MR. WHITTEN: I think that's right, Your Honor. And the way we look at it, we'd give all of our witnesses' names up today if everyone else would give their names up today. All we wanted was a simultaneous exchange.

But Mr. Burrage is right. With the Internet, you can do a lot of research. So we don't have to just sit around on our hands. We can actually be researching witnesses.

And we just -- you know, due process requires everybody to have the same level playing field --

THE COURT: That's right.

MR. WHITTEN: -- and we're okay giving

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names up, like I said, today. We just want to know who their witnesses are.

THE COURT: Sure. Well, I'll --

MR. PATTON: Judge?

THE COURT: Yes.

MR. PATTON: Blake Patton here. Maybe it's sensible just to build in a witness disclosure deadline as part of the, you know, order that will be issued today. That might make sense.

MR. WHITTEN: And the same goes for exhibits. I agree with Blake. I mean, we do need a date. The sooner is better, but, you know, due process requires no surprise.

THE COURT: Sure.

MR. WHITTEN: And we'll give all our exhibits up simultaneously if they give their --

THE COURT: Well, sure. And we've got -- we've got about a month and a half from our pretrial on the 15th, or whatever.

Mr. DeBose, Ms. Nash, on behalf of the Department, there's no doubt that there will be an order of disclosure of the witnesses, or whatever. Do you have those ready to do? Do you want to argue -- do you want to further clarify that on our hearing on the 15th? If everybody is in agreement,

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there's no problem. If not, I'll issue the ruling on the 15th, but what's the Department's position?

MR. DeBOSE: No. We get the position stated. I don't -- we don't have to wait all the way to the 15th to set that date to exchange. It can be set sometime next week or anytime prior to the 15th. We can agree to that, Judge. No problem.

THE COURT: Okay. All right. The order --

MR. PATTON: Judge, my only -- I'm sorry, Judge. My only add on to that is --

THE COURT: Yes, sir.

MR. PATTON: -- I think it might make sense to bifurcate witness and exhibit disclosures.

THE COURT: Right. Sure.

MR. PATTON: I think we're in the process of working with witnesses, so we may have a better picture of exhibits maybe further down the line.

THE COURT: Okay.

Okay. I'm going to order that the witness list be exchanged by any parties to the matter by noon next Monday, the 14th. And then, in regards to any witness exhibits, or whatever, on the pretrial next Tuesday at 10:00, I'll set a deadline for those exhibits to be exchanged.

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MR. PATTON: Yes, sir.

THE COURT: Anything further that anybody -- needs to be raised at this point or any point for clarification?

MR. WHITTEN: No, sir.

MR. BURRAGE: We're good.

MR. WHITTEN: Thank you.

THE COURT: All right. Thank you very much. Hope y'all have a nice Labor Day weekend, and we'll see you next week.

MR. HUNTER: Thank you, Judge.

MR. DeBOSE: Thank you, Judge.

MR. WHITTEN: Bye, everybody.

(HEARING CONCLUDED AT 9:53 A.M.)

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CERTIFICATE

STATE OF OKLAHOMA)
) SS:
COUNTY OF OKLAHOMA)

I, Becky Dame Steinkamp, Certified Shorthand Reporter within and for the State of Oklahoma, do hereby certify that the above and foregoing hearing was by me taken in shorthand and thereafter transcribed; and that I am not an attorney for nor relative of any of said parties or otherwise interested in the event of said action.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this 8th day of September, 2026.

Becky Dame Steinkamp, CSR, RPR

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