

FILED

SEP 10 2026

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

**INSURANCE COMMISSIONER
OKLAHOMA**

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

**RESPONSE OF THE OKLAHOMA ATTORNEY GENERAL TO THE
DEPARTMENT'S MOTION TO DISMISS PARTIES
FOR LACK OF STANDING**

COMES NOW the State of Oklahoma, ex rel. Gentner Drummond, Attorney General of the State of Oklahoma (the "Attorney General"), a party to this proceeding pursuant to 74 O.S. § 18b(22), and responds to the Motion to Dismiss Parties Due to Lack of Standing filed by the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner (the "Department") on September 3, 2026 (the "Motion").

I. INTRODUCTION AND SUMMARY

1. **The Attorney General opposes the Motion.** He asks that Mr. MacIntyre and Mr. Sullivan remain participants in this proceeding. The question this Court must answer under 36 O.S. § 984 is whether a reasonable degree of competition exists in a market that touches every homeowner in Oklahoma. That question is better answered on a fuller record than a narrower one, and nothing about the participation of two additional individuals impairs the orderly conduct of the hearing.

2. **The Motion applies the wrong legal standard.** Every authority the Department cites addresses standing to invoke a court's jurisdiction — the showing required to obtain judicial review of an agency order under 75 O.S. § 318. None addresses who may participate in an agency proceeding in the first instance. The Department cites no authority holding that a showing of injury

is a precondition to appearing before an Oklahoma agency, and the Attorney General is aware of none. Its authorities run in the opposite direction: they hold that participation below does not, by itself, carry a right of review above.

3. **The Commissioner's own Notice supplies the participation standard, and it was met.** The Notice of Hearing invited "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." Mr. MacIntyre and Mr. Sullivan accepted that invitation and filed timely entries of appearance by the August 26, 2026, deadline the Department itself proposed.

4. **Oklahoma applies a permissive standing analysis in rate proceedings, and has done so for more than fifty years.** That body of authority — which supports the participation of the trade associations now before this Court — supports the participation of Mr. Sullivan and Mr. MacIntyre for the same reasons and by the same logic.

5. **If a stricter test is to be adopted, it cannot be applied to two participants and not to five.** The Attorney General does not ask that any participant be dismissed. But the Motion asks this Court to remove the only two individual participants while leaving untouched three associations, in a proceeding in which — by the Department's own account — not one insurance company has appeared at all. Part V explains why the test the Department proposes, applied evenhandedly, either accommodates everyone or empties the room.

6. **Two procedural matters warrant this Court's attention.** First, the Attorney General, counsel for Mr. Sullivan, and counsel for NAMIC and APCIA all opposed continuing the September 14, 2026 hearing; the sole request came from the Oklahoma P&C Advocacy Association, and the Department — which had told this Court that it did not wish the conference "delayed or continued further," Motion at 6 — stated that it had "no objection." Ex. 2, Tr. 14:9–11,

14:21–15:4. Second, the Omnibus Pre-Hearing Motion filed August 25, 2026, is now largely resolved by stipulation, and the five motions still in dispute stand reserved for the same setting as this Motion. Those matters are addressed in Part VI.

II. THE MOTION APPLIES A JUDICIAL-REVIEW STANDARD TO A QUESTION OF HEARING PARTICIPATION

A. Each authority the Department cites concerns standing to sue, not standing to participate.

7. The Motion’s framework rests on four cases. Each arose from an effort to obtain relief in court, and each states its rule in those terms.

8. *Toxic Waste Impact Group, Inc. v. Leavitt*, 1994 OK 148, 890 P.2d 906, decided whether an organization could appeal the granting of a construction permit under § 318 of the Administrative Procedures Act. The Court framed the burden accordingly: “the party invoking a court’s jurisdiction has the burden of establishing his or her standing (when contested) to pursue the action in court.” *Id.* at 911 (emphasis added). The passage the Department quotes says the same thing: “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. The protesting party must still show it is somehow aggrieved or adversely affected by the administrative order.” *Id.* at 912 (emphasis added). That is a rule about who may appeal. It is not a rule about who may be heard.

9. *Independent School District No. 9 of Tulsa County v. Glass*, 1982 OK 2, 639 P.2d 1233, concerns “invocation of the judicial process.” *Oklahoma Electric Cooperative, Inc. v. State ex rel. Oklahoma Corporation Commission*, 1995 OK 91, 903 P.2d 321, concerns an appeal from a Corporation Commission order and the effect of “a judgment.” *Heritage Village Apartments, Ltd. v. Oklahoma Housing Finance Agency*, 2001 OK CIV APP 4, 18 P.3d 1085, concerns an action filed in district court. None of the four asked who may appear at an agency hearing.

10. The formula the Motion applies confirms the point. Its “direct, immediate, and substantial” test descends from decisions fixing who may take an appeal. In *Cleary Petroleum Corp. v. Harrison*, 1980 OK 188, 621 P.2d 528 — a case *Toxic Waste* itself cites on standing — the Supreme Court held that a party is aggrieved by a judgment where the judgment’s adverse effects are “direct, substantial and immediate” rather than contingent on some future event, and that a party not so affected may not bring an appeal from it. That is a rule of appellate jurisdiction over a district court judgment. Lifting it out of that setting and installing it as a condition of appearing at a public hearing is the error at the center of this Motion.

11. **The distinction is not a technicality.** A person excluded from the hearing cannot build a record; a person who participates and is later found to lack aggrieved status simply cannot appeal. The first deprives this Court of evidence. The second costs no one anything. Where the two standards diverge, the participation standard is necessarily the broader one.

12. **That one-way structure is long settled.** In *National Motor Club*, a protestant appeared before the State Insurance Board, demanded a hearing, presented evidence, and objected to a license — and the Court dismissed its appeal, holding 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, 393 P.2d 511. Nothing in the opinion suggests the protestant should have been excluded from the proceeding; the holding is that his presence in it did not carry him into court. The Court applied the same rule in an insurance context in *Roussel v. State ex rel. Grimes*, 1980 OK 101, 614 P.2d 53, holding that a company’s participation in an administrative hearing on an acquisition application was not a material consideration in

determining whether it was an “aggrieved or adversely affected” party entitled to appeal, and distinguishing the Administrative Procedures Act’s definition of “party” from the standard governing review. *Roussel* is instructive in a second respect. The Court had no difficulty treating the participant there as a “party” within 75 O.S. § 250.3 — “a person or agency named and participating . . . in an individual proceeding” — while holding that party status did not itself confer the aggrieved-or-adversely-affected status § 318 requires for review. *Id.* ¶¶ 14–15. Participation makes a party; it does not make an appellant. The Department’s Motion inverts that order, treating the appellate test as the price of admission.

13. **The Supreme Court applied that structure again this year.** In *Gann v. State ex rel. Oklahoma Corporation Commission*, 2026 OK 24, the appellant sought review of a utility ratemaking order although, as the Court recorded, he “did not file an entry of appearance or otherwise attempt to intervene at the Corporation Commission.” *Id.* ¶ 11. The Court nonetheless found him aggrieved, holding that “[a] ratepayer subject to a ratemaking order is a person aggrieved by the order.” *Id.* ¶ 21. Two things follow, and both are fatal to the Motion. First, the entry of appearance is the mechanism Oklahoma law recognizes for becoming a participant in a rate proceeding — the step Mr. MacIntyre and Mr. Sullivan took and Mr. Gann did not. Second, if the aggrieved-party showing required to *appeal* is satisfied by the bare status of a person subject to the resulting order, the Department cannot coherently demand more than that as the price of *appearing*. Its Motion asks this Court to impose a higher threshold on participation below than the Supreme Court applies to review above.

14. *Gann* bears on a second point as well. The same paragraph records that “[t]he 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.” *Id.* ¶ 11. That is the collective

role 74 O.S. § 18b(22) assigns the Attorney General here — “[t]o represent and protect the collective interests of insurance consumers of this state in rate-related proceedings before the Insurance Commissioner.” The Attorney General’s appearance in *Gann* did not make the individual ratepayer’s participation unnecessary, and it does not do so here.

15. **The direction of that authority matters on a motion to dismiss.** Every case in this line answers the question whether participation suffices to obtain **review**. None answers the question the Department poses — whether injury must be shown to obtain **participation** — and the Department, as movant, has offered no authority that does.

B. Toxic Waste itself preserves broad participation and recognizes participation standing untethered to injury.

16. The Department’s lead case makes the point affirmatively. Discussing the statute at issue there, the Court explained that “[t]he 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. *Toxic Waste*, 890 P.2d at 911. The Court continued: “Such standing is not necessarily based on any injury to a property right, constitutional right or other legally recognized right, which may be done to the qualified interest group. 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.” *Id.* (emphasis added).

17. **Footnote 9 of the same opinion removes any doubt.** The Court observed that the governing act there “allows for the requesting of a public meeting by any person residing or doing business in Oklahoma,” and that “even if it is assumed all persons who participate in the meetings are parties to an individual proceeding, to obtain judicial review under § 318 of the OAPA aggrieved or adversely affected status must be shown.” *Id.* at 912 n.9 (emphasis added). Broad

participation below; a narrower class on review. That is precisely the structure the Department asks this Court to collapse.

18. **The facts of *Toxic Waste* cut against the Motion as well.** TWIG lost because it forwent 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 declined the hearing available to it, TWIG then sought review in court. Mr. MacIntyre and Mr. Sullivan did the opposite. They appeared, on time, and participated. The rule the Department invokes exists to encourage exactly what they did.

C. The Department’s own authority contains the condition that resolves this Motion.

19. The Motion quotes *Glass* for the proposition that “[i]f reliance is not placed on any specific statute authorizing invocation of the judicial process, the question of standing depends upon whether the party has alleged a personal stake in the outcome of the controversy.” Motion at 2–3 (quoting *Glass*, 1982 OK 2, ¶ 8, 639 P.2d at 1237) (emphasis added). The conditional is the operative clause. Where a specific statute supplies the right to participate, the common-law personal-stake inquiry is not the governing test.

20. **Here reliance is placed on specific statutory and regulatory provisions.** Section 984(A) assigns the burden of proof to “the party or parties advocating the position that competition does not exist” — a formulation that identifies participants by the position they advance, not by the injury they can plead. Title 36 O.S. § 313(B) directs that in exercising the powers enumerated in Title 36 “the Commissioner shall comply with the procedures of the Administrative Procedures Act.” OAC 365:1-7-1(a) authorizes hearings on the Commissioner’s own motion or on demand by “any person aggrieved by any act, threatened act, or failure to act of the Insurance Commissioner.” OAC 365:1-7-4(a) provides that “[a]ll hearings shall be open to the public,” and OAC 365:1-7-4(b)

that “[a]ny person affected by the hearing shall have the right to appear in person and by counsel.” And 75 O.S. § 309(C) requires that “[o]ppportunity shall be afforded all parties to respond and present evidence and argument on all issues involved.”

21. **Neither the examiner’s quasi-judicial role nor the finality of his order supplies the missing authority.** It does not assist the Department to observe that an independent hearing examiner “shall sit as a quasi-judicial officer,” 36 O.S. § 319, or that his order is final agency action, 36 O.S. § 313(A). Both are so. Neither speaks to who may appear. Quasi-judicial status prescribes the manner of decision — impartially, on a record, by findings of fact and conclusions of law, 36 O.S. § 984(B)(2). Section 313(A), by designating the final order as the agency action reviewable under 36 O.S. § 320, marks the point at which the standing inquiry the Motion presses becomes relevant. That point has not arrived.

22. **The Motion fails on either characterization of this proceeding.** NAMIC and APCIA describe it, as they did 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. The Attorney General maintains, as he has throughout, that this is a contested individual proceeding governed by Article II of the Administrative Procedures Act. He observes only that the Motion cannot succeed under either characterization. If this is an individual proceeding, the Act and the Commissioner’s rules govern participation and are satisfied. If the proceeding is instead legislative in character — one that “looks to the future and changes existing conditions by making a new rule to be applied thereafter,” *Cox*, 2007 OK 55, ¶ 11 (quoting *Prentis v. Atlantic Coast Line Co.*) — then standing, a doctrine addressed to who may obtain adjudication of a dispute, supplies no test for participation at all.

III. THE COMMISSIONER'S NOTICE ESTABLISHED THE PARTICIPATION STANDARD, AND THE PARTIES RELIED ON IT

23. **Whatever the outer bounds of participation standing, the Commissioner defined the standard for this proceeding himself.** The Notice of Hearing filed July 14, 2026, states that the Commissioner “invites all interested parties with a direct, immediate, and substantial interest in the determination of whether or not the homeowners insurance market in Oklahoma is noncompetitive . . . to participate in the public hearing and offer evidence and argument on the issues involved,” and directs that “[p]ersons wishing to participate shall file an entry of appearance by emailing OIDlegal@oid.ok.gov.”

24. **That is an invitation extended to “interested parties,” conditioned on a single procedural act.** The Department proposed the deadline for that act; this Court set it at August 26, 2026 at 5:00 p.m.; and seven participants met it. The Department does not contend that Mr. MacIntyre or Mr. Sullivan filed late, filed improperly, or misrepresented anything.

25. **The Department has itself treated these participants as parties.** On September 1, 2026 — two days before it filed this Motion — the Department signed a Joint Motion for Clarification and Stipulation beginning: “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 this Court to set deadlines “for all responses,” and refers throughout to “the Parties.” A litigant that jointly moves with a person as a co-party does not persuasively contend two days later that the person was never a party, on facts it has held since April.

26. **The sequence matters.** The Department published the standard, set the deadline, received the entries of appearance, appeared at the August 27 conference alongside these

participants, and raised no objection. It filed this Motion on the evening of September 3, 2026 — the day before the continued pre-hearing conference and eleven days before the scheduled hearing. Participants who accepted a public invitation to appear, and who ordered their affairs around it, were entitled to expect that the announced standard would govern. An agency is required to follow the procedures it promulgates; “[f]ailure 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.

27. **The Attorney General does not contend that the objection is jurisdictionally waived.** Standing may ordinarily be raised at any stage, and this Court may take it up on its own motion. *See Nat’l Motor Club of Okla., Inc. v. State Ins. Bd.*, 1964 OK 138, 393 P.2d 511 (addressing standing though the question was not raised below). The point is one of equity and of weight, not of forfeiture. When an agency writes the participation standard, proposes the deadline, accepts the appearances, signs a joint motion identifying the appearing persons as “the Parties,” and then objects on the eve of the conference — on facts available to it since April — its own construction of its own Notice is the most probative evidence before this Court of what that Notice required. And the timing bears directly on the relief. The Department has held this objection since April 7, 2026. It raised it on the evening of September 3 — after the August 26 deadline for entries of appearance that the Department itself proposed, after the pre-hearing conference held August 27, two days after it signed the Joint Motion identifying both men among “the Parties,” and eleven days before the hearing then set for September 14. An objection surfaced on that schedule is not a reason to shorten the record. It is a reason to resolve the question once, for all participants.

IV. MESSRS. SULLIVAN AND MACINTYRE SATISFY THE STANDARD THE DEPARTMENT PROPOSES

28. Even measured against the Motion’s own test, dismissal is unwarranted on this record.

29. **Mr. Sullivan.** The Department concedes that Mr. Sullivan “is a licensed Oklahoma producer and surplus lines broker.” Motion at 2. A producer’s livelihood consists of selling the very product whose regulatory treatment is at issue. A determination under § 984 changes when and how the rates for that product are filed and whether they may be disapproved as excessive. 36 O.S. §§ 985, 985.1, 987. That is a present business interest in a regulated line, not a speculative one. The Department’s contrary submission — that Mr. Sullivan is “not an insurer,” Motion at 2 — states a criterion the Notice of Hearing never imposed and that, on this record, no participant at all could or has satisfied.

30. **Oklahoma has recognized that interest, in this industry, against this Department.** In *Dean v. State ex rel. Doak*, 2012 OK CIV APP 105, 292 P.3d 58, licensed insurance producers challenged the Insurance Department’s construction of the Insurance Code. The court held they had standing because they faced a direct danger of injury from the Code’s operation as the Department interpreted it — their “very livelihoods are dependent on it.” Notably, the court reached that conclusion while expressly distinguishing *Heritage Village Apartments*, the authority the Department cites here: the complainant in *Heritage Village* alleged only a competitive disadvantage arising from a benefit conferred on others, while the producers in *Dean* invoked a specific statutory scheme governing their own conduct. Mr. Sullivan stands with the producers in *Dean*. He is a licensee of this Department, in the line of insurance whose regulatory treatment is the subject of this hearing.

31. Mr. Sullivan’s connection to this proceeding is also more direct than the Motion acknowledges. It was his request — by letter dated February 24, 2026, hand-delivered on or about March 9, 2026 — that prompted the Commissioner’s April 7, 2026 Order in Case No. 26-0215-COR, and the Commissioner has since convened this hearing on the same question. A person

whose request set this subject in motion, and who then timely appeared when the Commissioner noticed a hearing on it, is not a stranger to the controversy.

32. That order also bears on the timing of the present Motion. Its 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 proportions of that order are worth noting. It runs nine pages. Its findings of fact occupy sixteen numbered paragraphs across five of them, addressing 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. Its conclusions of law occupy two paragraphs on a single page. Ex. 1, ¶¶ 24–25. Standing is one sentence — the last sentence of ¶ 24, entered without a hearing and without any inquiry of Mr. Sullivan. The Department has nonetheless held the objection since April 7, 2026. It did not raise it when Mr. Sullivan entered his appearance on August 26, at the August 27 conference, or in the Joint Motion it signed on September 1. It raised it on the evening of September 3.

33. **Mr. MacIntyre.** The Department concedes that Mr. MacIntyre “has experience working in the insurance industry.” Motion at 2. He is also, like Mr. Sullivan, an Oklahoma consumer of homeowners insurance in a proceeding about the competitiveness of the Oklahoma homeowners insurance market. The Department does not suggest otherwise.

34. **Oklahoma’s rate-proceeding cases answer this question in the administrative forum, and they answer it permissively.** In *Oklahoma State Senate v. State Board for Property & Casualty Rates*, 2000 OK 69, 11 P.3d 1242, the Supreme Court addressed who may be heard in a rate proceeding before the Board — a question governed by 36 O.S. § 901.4(C), which permits a

person aggrieved with respect to a filing then in effect to apply in writing for a hearing on it. Describing its own earlier decision, the Court said it had “broadly applied the concept of standing in a rate hearing.” *Id.* ¶ 10. The Court took the same approach to participation before an agency in *City of Oklahoma City v. Oklahoma Corporation Commission*, 2024 OK 77, ¶ 24, 558 P.3d 1231, where the Oklahoma Municipal League “possessed standing to participate in the Commission proceeding.” Those decisions concern appearing before the agency, not appealing from it.

35. The decision the Court was describing goes further 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 supplied the members’ interest by judicial notice, observing 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 members who merely carry insurance with the affected companies may be heard through their associations — on an interest the Court was willing to notice without proof — then a licensed producer who places that insurance, and an Oklahoma homeowner who buys it, may be heard in their own names.

36. The Department may answer that both decisions arose under 36 O.S. § 901.4(C) and that their generosity is a product of that particular statute. The answer favors the Attorney General rather than the Department. Where the Oklahoma Legislature has addressed participation in a rate proceeding, it has addressed it generously — and it has addressed it here. Section 984(A) identifies the participants in this hearing by the position they advance, “the party or parties advocating the

position that competition does not exist,” not by the injury they can plead. Section 313(B) imports the Administrative Procedures Act. OAC 365:1-7-1(a) permits the hearing to be demanded by “any person aggrieved.” OAC 365:1-7-4(a) makes the hearing public, and OAC 365:1-7-4(b) gives “[a]ny person affected by the hearing” the right to appear in person and by counsel. Nothing in that scheme is narrower than § 901.4(C), and the Department cites no authority holding that § 984 silently imports a common-law injury test that its own rules do not contain.

37. **The “already represented” argument does not hold.** The Department urges that both men, “as Oklahoma insurance consumers, . . . are already represented in this matter by the Oklahoma Insurance Commissioner and the Oklahoma Attorney General.” Motion at 4. The Attorney General appears under 74 O.S. § 18b(22) to represent the collective interests of insurance consumers; he does not appear as counsel for Mr. MacIntyre or Mr. Sullivan, does not speak for their individual interests, and does not consent to being treated as a substitute for their participation. As for the Department, it has elsewhere told this Court 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. A neutral cannot simultaneously be the consumers’ representative. The Department cannot claim neutrality as to the outcome and representation as to the consumers whose participation it seeks to end. At the September 4 conference, moreover, counsel for the Department advised 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 is a participant in the contest, not a substitute for those on the other side of it.

38. **Contingency proves too much.** The Motion argues that a noncompetitive finding “would not immediately or directly result in the reduction of homeowners insurance rates” and that

further proceedings under 36 O.S. § 989(B)(2) would be required. Motion at 4. That is true — and it is equally true of every participant. No insurer's rate is disapproved by this determination either. If contingency defeats participation, it defeats it for everyone whose interest runs through the rate-regulation machinery that a § 984 finding switches on. The Department does not explain why that reasoning stops where it does. And the Supreme Court has declined to treat a change in the intensity of regulatory oversight as too remote to support standing: “this potential for economic harm that results from a diminution in regulatory oversight by the Commission gives Cox standing to press for relief.” *Cox Okla. Telecom, LLC v. State ex rel. Okla. Corp. Comm'n*, 2007 OK 55, ¶ 8, 164 P.3d 150. The doctrine “should never be applied mechanistically to bar from the courthouse those who are truly aggrieved.” *Id.* ¶ 5. The KeyCite caution flag *Cox* carries reflects a modification by *Oklahoma Gas & Electric Co. v. State ex rel. Oklahoma Corporation Commission*, 2025 OK 15, 565 P.3d 418, that goes to the scope and standard of appellate review. The standing analysis at ¶¶ 5 through 8 is undisturbed.

39. **The determination does not end with this hearing, and it does not end with this Commissioner.** Section 984(A) provides that an order finding a 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.” A determination that the market is competitive is no less durable in its consequences: for as long as it stands, 36 O.S. § 985(A)(1) forecloses any finding that a homeowners rate in this state is excessive. And the consequences that attach to the determination are themselves about to change. House Bill 3781, 2026 Okla. Sess. Law Serv. ch. 316, amends 36 O.S. §§ 985, 987, and 989 effective July 1, 2027, and keys the intervals it prescribes for rate filings to the very determination this hearing will make. Whatever this Court decides will therefore be administered — renewed, rescinded, or applied under an amended statute

— by a Commissioner other than the one who convened this hearing. Commissioner Mulready's term ends in January 2027.

40. That sequence answers the Department's contingency argument, and it answers the suggestion that these participants are adequately represented by the officeholder. The Department describes a § 984 determination as too remote to matter to Mr. MacIntyre and Mr. Sullivan. In fact the determination is the first step in a regulatory sequence that runs past the current Commissioner's term, and the Department's own exhibits to this Motion are the two men's campaign materials for the office that will carry it forward. The Attorney General does not suggest that a candidacy is itself a ground of standing, and he does not ask this Court to weigh the election. He asks only that the Department not be permitted to call an interest speculative when the record it has assembled shows the opposite.

**V. IF A STANDING SHOWING IS REQUIRED, IT MUST BE
REQUIRED OF ALL PARTICIPANTS**

41. The Attorney General states plainly at the outset of this Part what he does not seek: he does not ask that NAMIC, APCIA, or the Oklahoma P&C Advocacy Association be dismissed. He would prefer that all seven participants remain. But if this Court concludes that participation in this proceeding requires an affirmative showing of a direct, personal, and immediate stake, that conclusion cannot be confined to the two participants the Department has chosen to name.

42. **The associations are not insurers either.** The Department's stated ground for dismissal is that Mr. MacIntyre and Mr. Sullivan are "not an insurer or otherwise directly or personally impacted by the outcome." Motion at 2. NAMIC and APCIA are trade associations. They do not write homeowners insurance in Oklahoma. They have no rates on file with the Department. No filing obligation of theirs changes if this Court finds the market noncompetitive;

§§ 985 through 989 operate on insurers, not on their trade groups. The Oklahoma P&C Advocacy Association stands in the same position.

43. **The Notice did not name them.** The Notice of Hearing invited participation by “all interested parties with a direct, immediate, and substantial interest . . . including all property and casualty insurers writing homeowners insurance business in Oklahoma and the Oklahoma Attorney General pursuant to 74 O.S. § 18b(22).” The two categories the Commissioner specifically identified were insurers and the Attorney General. The associations are neither. They participate, as Mr. MacIntyre and Mr. Sullivan do, on the strength of the Notice’s broader invitation to “interested parties.”

44. **No insurer is before this Court at all.** The Department has advised that “no individual insurance companies have filed EOAs or asked to participate in the Hearing.” Department’s Response to Omnibus Pre-Hearing Motion at 8. The consequence is that not one entity whose rate filings would actually change under a noncompetitive finding is a participant. If the Motion’s premise is that only those directly and immediately regulated may appear, the proceeding would consist of the Department, the Attorney General, and no one else.

45. **The Department’s own authority frames association standing through members.** *Toxic Waste* analyzed the organization’s standing as depending on whether “it (or more probably one or more of its members) was in fact aggrieved or adversely affected,” and on whether it had shown that it or any of its members “has been or will be adversely affected in any direct, substantial and immediate way.” 890 P.2d at 911, 913. Oklahoma law is to the same effect: “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. No such member-specific showing has been made here by any association — because none has been asked for. The Attorney General does not

suggest the associations could not make one. He observes only that the Motion demands from two individuals a showing it does not demand from three organizations, and offers no principle that distinguishes them.

46. **The asymmetry has a practical consequence.** Removing Mr. MacIntyre and Mr. Sullivan while retaining the associations would leave a proceeding in which the competitive-market position is advanced by three organizations and the noncompetitive position by one office, with the two individual Oklahomans who asked to be heard excluded. That result would be difficult to reconcile with a Notice that called this a “public hearing,” with OAC 365:1-7-4(a), or with the obligation to conduct these proceedings 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.

47. **The allocation of hearing time makes the asymmetry concrete.** Motion 9 of the Omnibus Pre-Hearing Motion asks that time be divided equally between the positions advanced — half to those advocating that the market is noncompetitive, half to those advocating that it is competitive — rather than parceled out by participant. The Department and the associations would allocate by participant instead. That preference cannot be reconciled with this Motion: if time is apportioned per participant, then removing two participants from one side of the question redistributes the hearing itself, in favor of the side that loses no one.

48. **If a showing is required, it should be required once, of everyone, on one schedule.** The Attorney General accordingly requests that any such requirement be imposed uniformly: that every participant other than the Department and the Attorney General be directed to state, on a common schedule and in a single round of filings, the basis on which it claims a direct, immediate, and substantial interest in the determination. That approach resolves the question once, for

everyone, on an equal record — and it avoids the appearance that the standing inquiry has been aimed rather than applied.

49. If, notwithstanding the foregoing, any participant's appearance is to be limited, the Attorney General respectfully submits that the affected participant should be afforded the opportunity to preserve its showing by formal offer of proof. Judicial review of the final order will be confined to the record, 75 O.S. § 321, and under 36 O.S. § 313(A) only the final order signed after hearing constitutes final agency action. An exclusion not reflected in the record would not be meaningfully reviewable.

VI. THE CONTINUANCE AND THE RESERVED OMNIBUS MOTIONS

50. **The continuance was not sought by any party that had prepared to try this case.** At the September 4, 2026 conference, Brett Robinson, appearing for the Oklahoma P&C Advocacy Association, orally moved to continue the September 14 hearing, Ex. 2, Tr. 14:9–11; no written motion had been filed and no notice given. 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 — the day after telling this Court in writing that the Department “does not wish for the scheduled pre-hearing conference to be delayed or continued further and believes any briefing and/or hearing on this matter could be scheduled and addressed after the pre-hearing conference.” Motion at 6. The Attorney General, Mr. Sullivan’s counsel, and counsel for NAMIC and APCIA each objected. The motion was granted and the hearing reset to the week of October 26, 2026.

51. **The Attorney General asks that the hearing proceed as reset.** He has retained out-of-state expert witnesses and prepared market and actuarial evidence, and the public interest in a prompt determination of this question is not served by further postponement occasioned by a motion filed eleven days before the original setting.

52. **The Omnibus Pre-Hearing Motion is now largely resolved, and what remains is set for the same day as this Motion.** That motion was filed August 25, 2026. The Department responded on September 1, 2026, stipulating or agreeing in principle to the substance of Motions 1, 4, 6, 7, 8, and 10. NAMIC and APCIA responded the same day, and the Attorney General replied to both. At the September 4 conference this Court stated that remote testimony “is going to be allowed,” Ex. 2, Tr. 27:9–15, counsel identified Motions 2, 3, 5, 9, and 11 as the matters still in dispute, Ex. 2, Tr. 27:18–20, and this Court reserved ruling on those five “until next Tuesday at 10:00 after the hearing on the Motion to Dismiss,” Ex. 2, Tr. 30:8–11. This Court further ordered witness lists exchanged by noon on Monday, September 14, 2026, and stated that the deadline for exchanging exhibits would be set at the September 15 setting. Ex. 2, Tr. 33:20–25.

53. **Motion 9 and the present Motion should be decided together, and this Motion first.** Motion 9 asks that hearing time be divided between the two positions advanced rather than parceled out among individual participants; the Department and the associations would allocate by participant. That question cannot sensibly be separated from this one. If time is allocated per participant, an order removing two participants from one side of the question redistributes the hearing itself in favor of the side that loses no one. The Attorney General accordingly asks that the present Motion be resolved before Motion 9 is taken up on September 15, 2026, and that any ruling on Motion 9 reflect the composition of the proceeding as this Court leaves it. He remains prepared to stipulate to any extension of the 36 O.S. § 319 deadline that the revised schedule may require.

VII. CONCLUSION

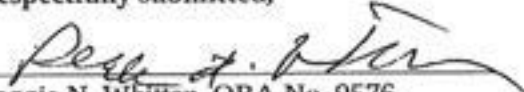
54. **The Department has applied the law of appellate standing to a question of hearing participation, and has applied it to two of seven participants.** The correct answer is the simple

one: this is a public hearing on a market-wide question, the Commissioner invited interested parties to appear, seven did so on time, and all seven should be heard.

WHEREFORE, PREMISES CONSIDERED, the State of Oklahoma, ex rel. the Attorney General, respectfully requests that this Court:

- (a) deny the Motion to Dismiss Parties Due to Lack of Standing;
- (b) in the alternative, if this Court determines that a showing of standing is required to participate in this proceeding, direct that every participant other than the Department and the Attorney General make that showing on a common schedule and in a single round of filings, and defer ruling until all such filings are before this Court;
- (c) permit any participant whose appearance is limited to preserve its showing by formal offer of proof;
- (d) confirm the reset hearing date under 36 O.S. § 984 and permit no further continuance absent good cause shown;
- (e) resolve this Motion before taking up Motion 9 of the Omnibus Pre-Hearing Motion, which this Court has reserved for the September 15, 2026 setting; and
- (f) grant such other and further relief as is just, equitable, and proper.

Respectfully submitted,


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
Office: 405.516.7800
Facsimile: 405.516.7859

rwhitten@whittenburragelaw.com
mburraga@whittenburragelaw.com
bsonne@whittenburragelaw.com
hwhitten@whittenburragelaw.com
jdenne@whittenburragelaw.com
Attorneys for the State of Oklahoma,
ex rel. Gentner Drummond, Attorney General

INDEX OF EXHIBITS

- 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, Reggie N. Whitten, hereby certify that on this 10th day of September 2026, a true and correct copy of the above and foregoing *Response of the Oklahoma Attorney General to the Department's Motion to Dismiss Parties for 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

J. Blake Patton, OBA No. 30673
Caleb E. Evans, OBA No. 36108
GABLEGOTWALS
499 W. Sheridan Ave., Suite 2200
Oklahoma City, OK 73102
bpattton@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, OBA No. 4503
Michael J. Hunter, PLLC
100 N. Broadway, Suite 3020
Oklahoma City, OK 73102
Mike@mjlhlaw.net
Attorney for Bob Sullivan


Reggie N. Whitten

**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
STATE OF OKLAHOMA**

APR 07 2026

IN RE: Request by BOB SULLIVAN, an)
Oklahoma resident, for a hearing)
pursuant to 36 O.S. § 984)

**INSURANCE COMMISSIONER
OKLAHOMA**

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/regulation/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.

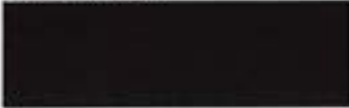



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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



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**

A handwritten signature in cursive script that reads "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,



- 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

Enola, 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.



SEPTEMBER 2025

Glen Mulready – Insurance Commissioner



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	100.97%	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%	



**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**



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



WWW.OID.OK.GOV

Oklahoma Insurance Department | Insurance Commissioner Gan McIlreath | 800.522.0071

MULREADY SAYS GET READY



For Immediate Release:
January 7, 2020

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 Helge



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

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

To:

All Licensed:
Property and Casualty Insurers, Rating and
Advisory Organizations Re Earthquake
Insurance in the State of Oklahoma.

Case No. 16-0391-TRN

FILED

APR 14 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.



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

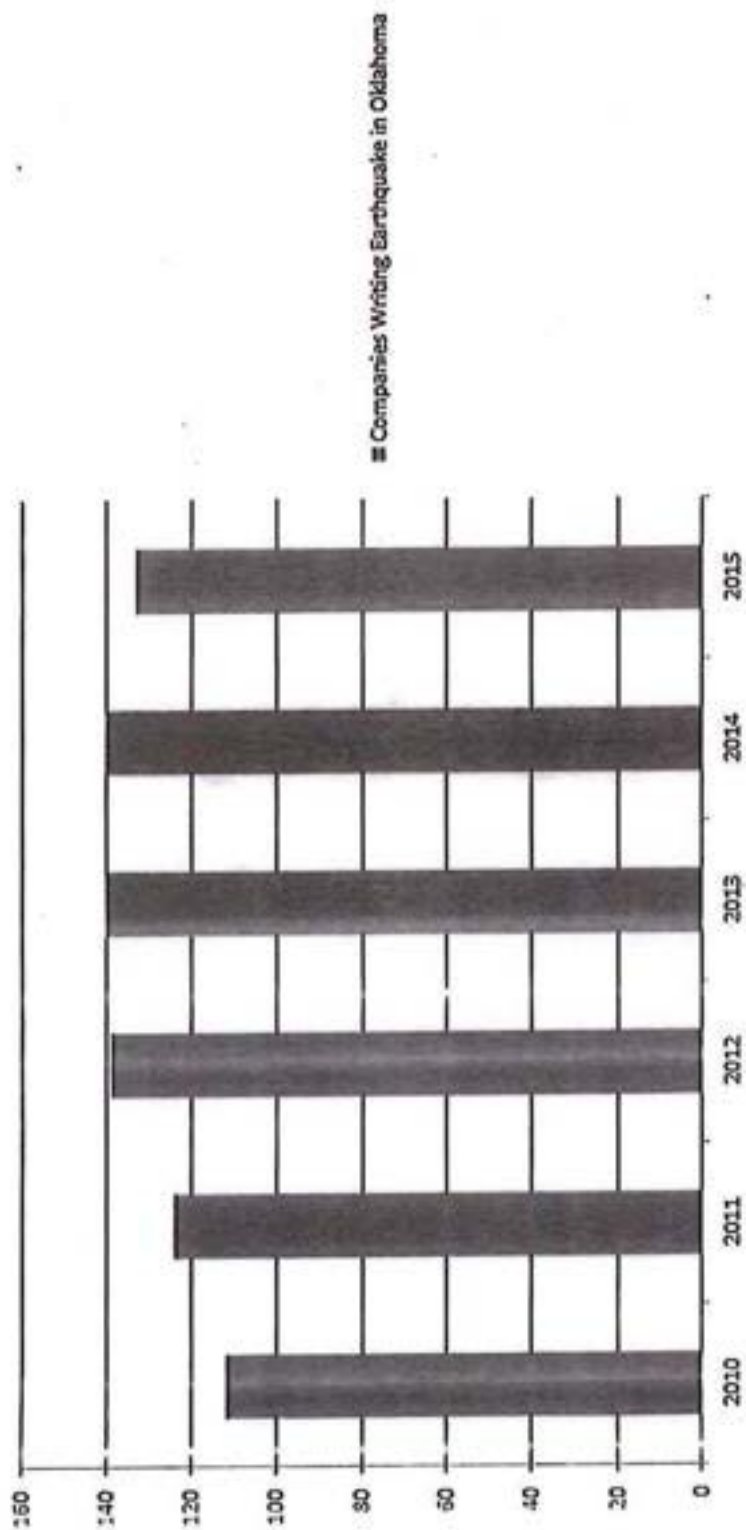
Hearings**2016 ALL PROPERTY AND CASUALTY INSURERS, RATING AND ADVISORY ORGANIZATIONS HEARING ON EARTHQUAKE INSURANCE RATE INCREASES IN THE STATE OF OKLAHOMA**Notice of Hearing Re Earthquake Insurance in the State of Oklahoma**2004 STATE BOARD FOR PROPERTY AND CASUALTY RATES HEARING ON WORKERS' COMPENSATION LOSS COSTS**In the Matter of the Workers' Compensation Loss Cost Filing by the National Council on Compensation Insurance: File No. 2004-28280, 04-1041-PBJ, Order and Decision of the BoardSPECIAL MEETING: State Board for Property and Casualty Rates Hearing on Workers' Compensation Loss Costs Scheduled for Thursday, September 23, 2004 at 11:00 amAugust 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-PBJ**INSURANCE COMMISSIONER'S HEARING ON MEDICAL MALPRACTICE LIABILITY INSURANCE RATES:****2008**September 28, 2008 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company: File No. 08-1541-PBJSeptember 28, 2008 Continuance Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company: File No. 08-1541-PBJOctober 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-PBJ**2004**March 20, 2004 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by The Medical Protective Company: File No. 04-0718-PBJMarch 18, 2004 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company: File No. 04-0718-PBJApril 8, 2004 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Medical Protective Company: File No. 04-0718-PBJOctober 28, 2004 Final Order in the Matter of the Rate Filing by NCMIG Insurance Company: File No. 04-1243-PBJ**2003**November 21, 2003 Final Order in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company: File No. 03-1242-PBJNovember 18, 2003 Notice of Hearing in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company: File No. 03-1242-PBJNovember 14, 2003 Order of Presentation in the Matter of the Medical Malpractice Professional Liability Rate Filing by Physicians Liability Insurance Company: File No. 03-1242-PBJ

Oklahoma Earthquake Claims and Market Share Premium Data

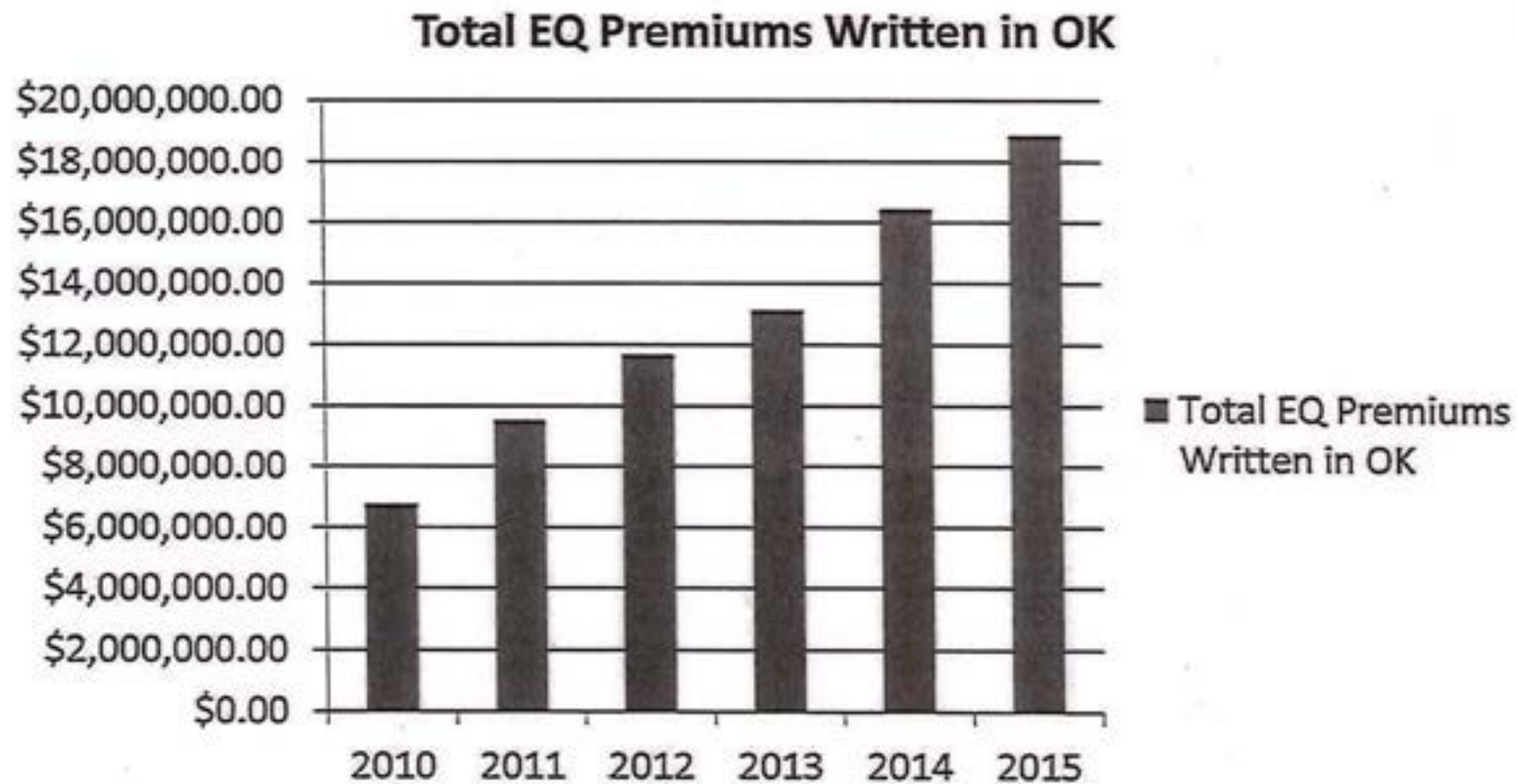
2010 to Present



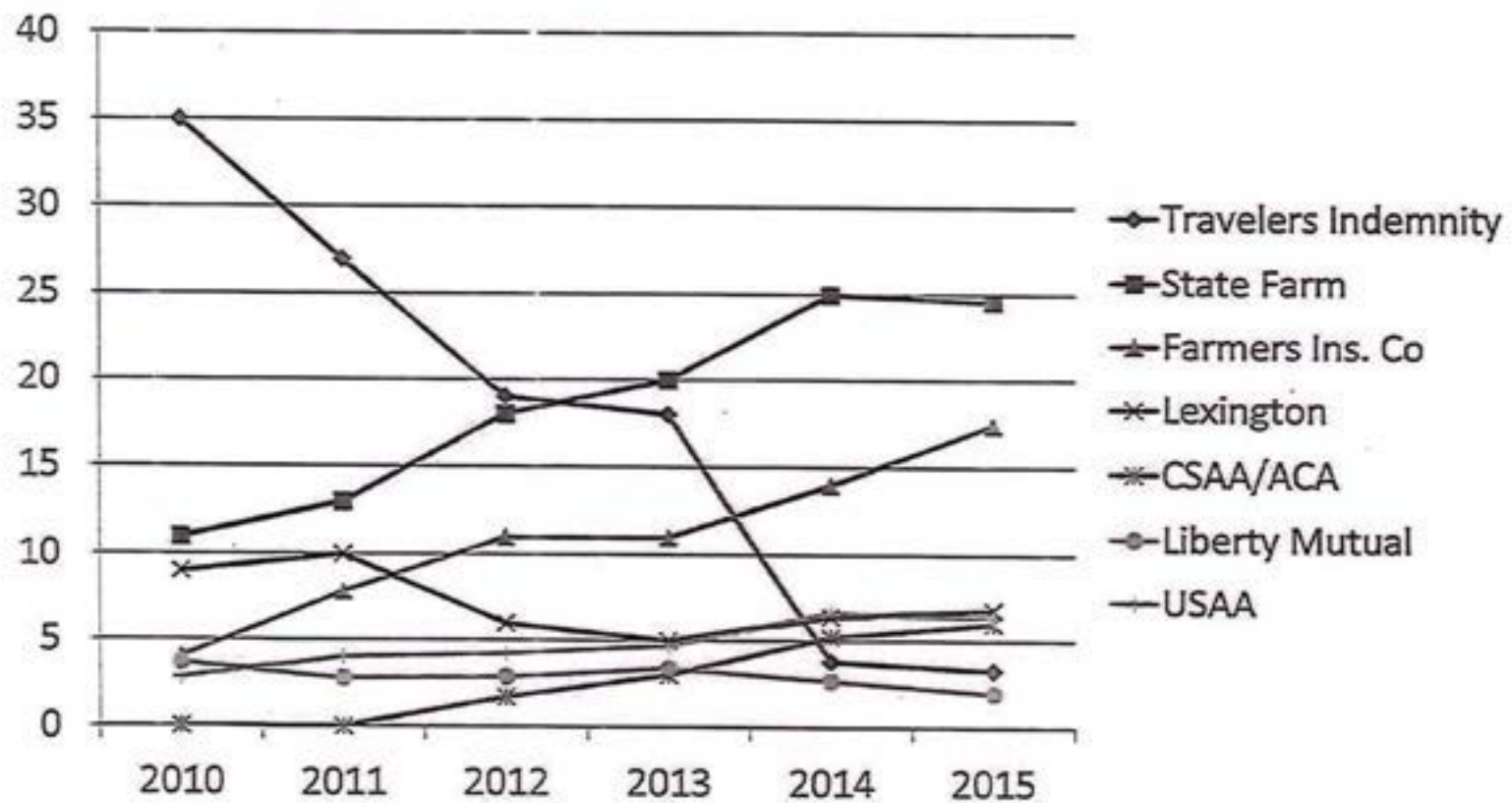
Companies Writing Earthquake in Oklahoma



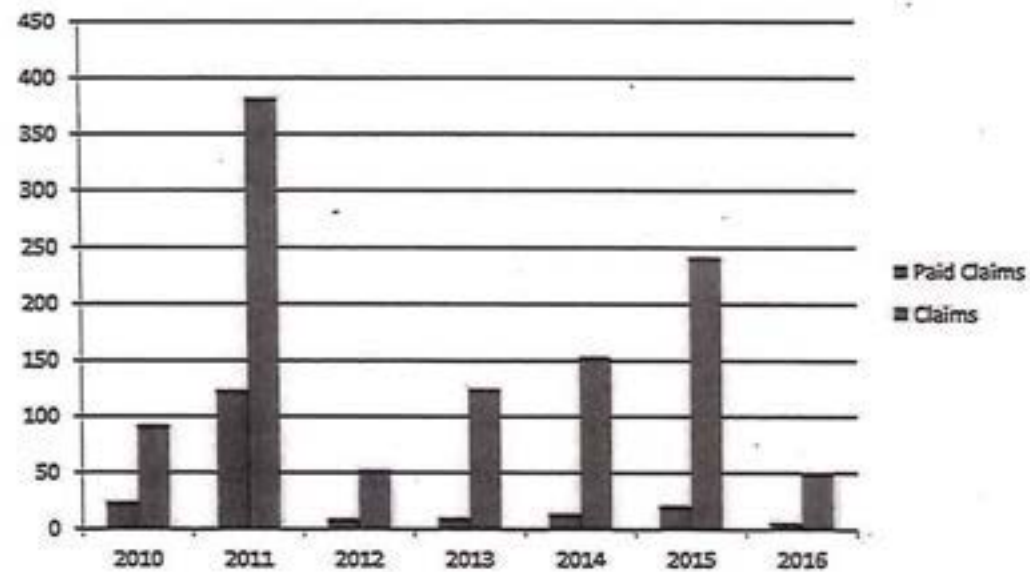
EQ Premiums in OK 2010 to 2015



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

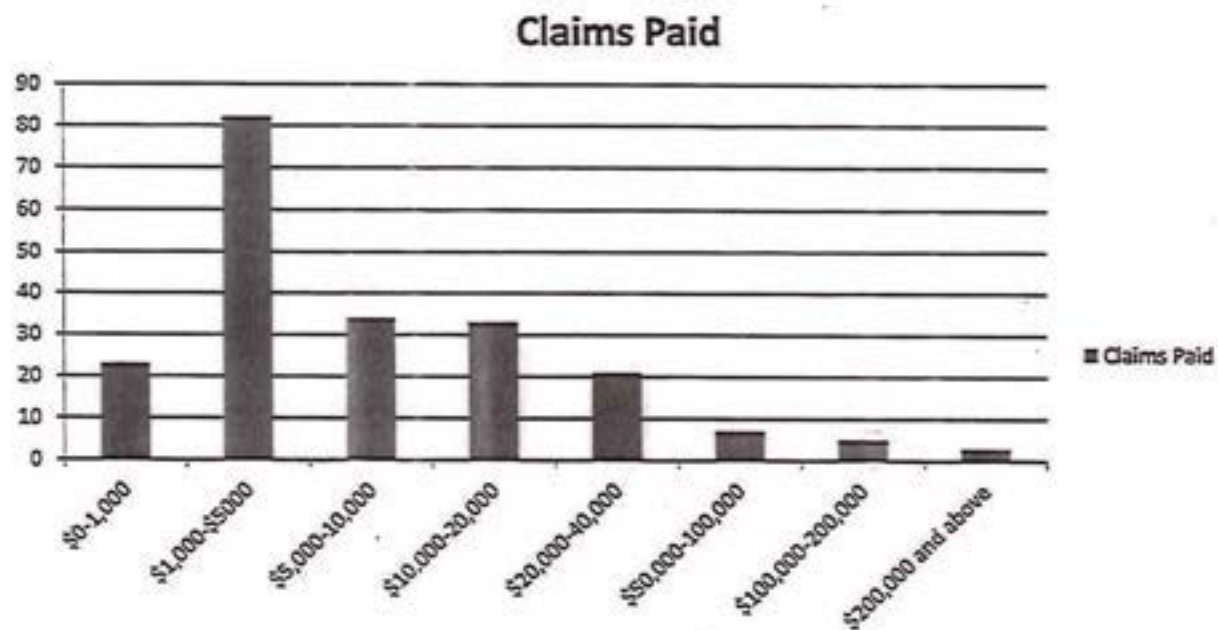


OK Personal Lines Earthquake Claims 2010 to Present



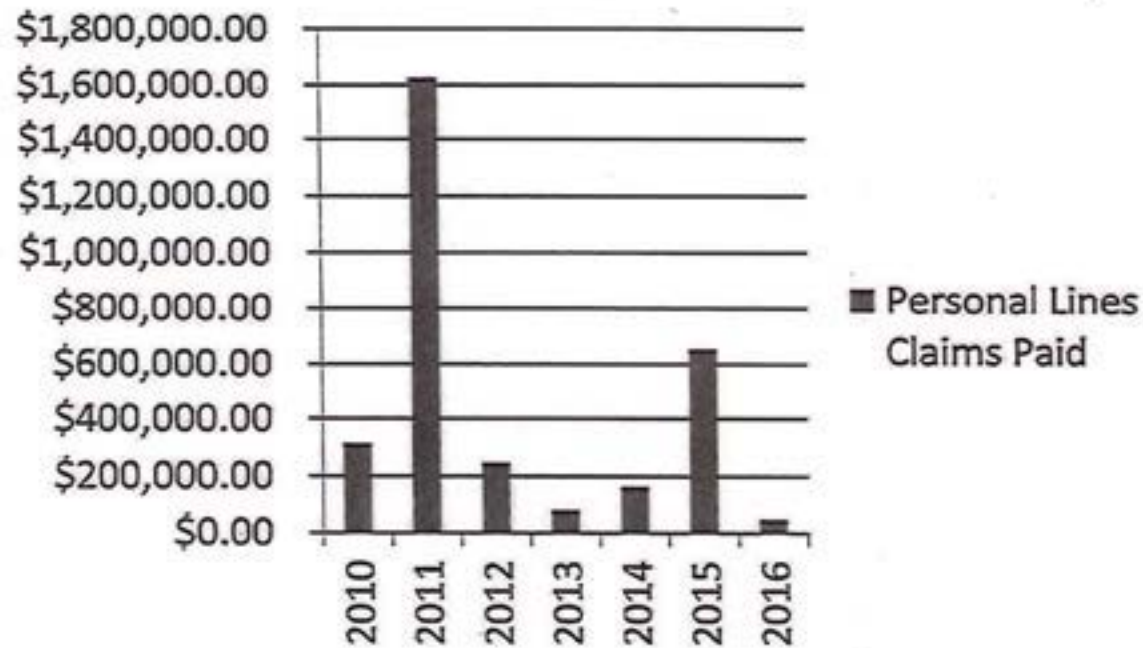
- Out of a total of 1094 claims, only 208 were paid or approximately 19%
- 2011 experienced the most claim activity

Personal Lines Earthquake Claims Paid

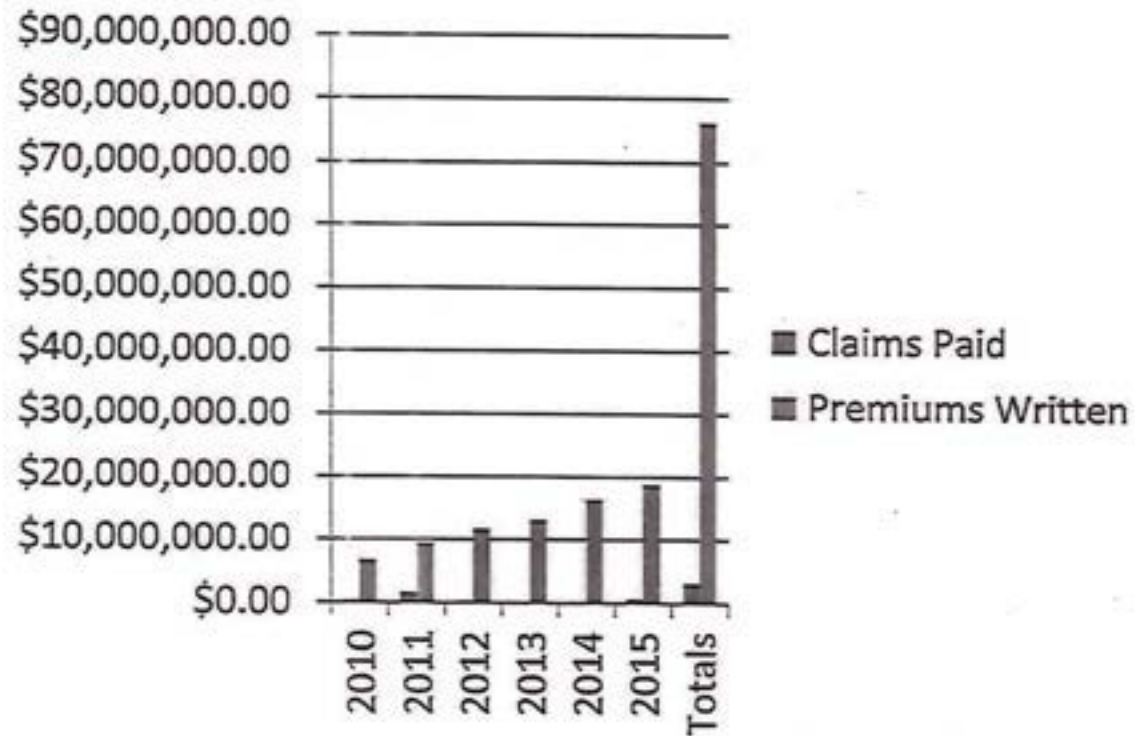


• Approximately half of the 208 paid claims resulted in payments of less than \$5,000

Personal Lines EQ OK Claims Paid



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

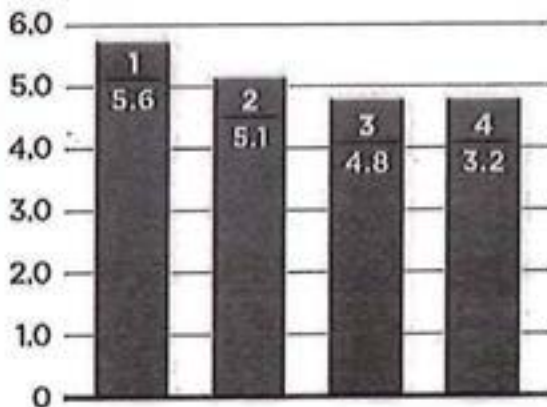
OKLAHOMA EARTHQUAKES

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

MAGNITUDE



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

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.

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.

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

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

Case No. 16-0391-TRN

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

To

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.



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 possibility 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 foregoing 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 2

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

1 BEFORE THE INSURANCE COMMISSIONER
2 OF THE STATE OF OKLAHOMA

3

4 IN RE: HEARING PURSUANT TO)
5 36 O.S. SECTION 984 AS)
6 TO WHETHER THE OKLAHOMA) No. 26-0820-TRN
7 HOMEOWNERS INSURANCE)
8 MARKET IS NONCOMPETITIVE)

9

10

11

12

13

14

PRE-HEARING CONFERENCE

15

BEFORE HONORABLE JUDGE JOHN D. MILLER

16

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

17

Via Teams

18

19

20

21

22

23

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

24

25

PROFESSIONAL REPORTERS

800.376.1006
proreporters.com

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 APPEARANCES

2

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

7

8 Honorable Judge John D. Miller
9 c/o Sherry Standerfer
10 OKLAHOMA INSURANCE DEPARTMENT
11 Legal Division
12 400 NE 50th Street
13 Oklahoma City, Oklahoma 73105
14 (405) 521-2828
15 OIDlegal@oid.ok.gov

16

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

19

20 Reggie N. Whitten
21 Michael Burrage
22 Hannah Whitten
23 WHITTEN BURRAGE
24 512 North Broadway Ave., Suite 300
25 Oklahoma City, Oklahoma 73102
(405) 516-7800
rwhitten@whittenburrage.com
mburrage@whittenburrage.com
hwhitten@whittenburrage.com

26

27 Appearing on behalf of the Oklahoma Attorney
28 General's Office

29

30 Cameron Capps
31 Kristin Siegel
32 OFFICE OF THE OKLAHOMA ATTORNEY GENERAL
33 313 NE 21st Street
34 Oklahoma City, Oklahoma 73105
35 (405) 521-3921
36 cameron.capps@oag.ok.gov
37 kristin.siegel@oag.ok.gov

38

39 (Appearances continued on next page)

40

1 CONTINUED APPEARANCES:

2
3 Appearing on behalf of the Oklahoma Insurance
4 Department

5 Bo DeBose
6 Nicole Nash
7 OKLAHOMA INSURANCE DEPARTMENT
8 Legal Division
9 400 NE 50th Street
10 Oklahoma City, Oklahoma 73105
11 (405) 521-2747
12 bo.debose@oid.ok.gov
13 nicole.nash@oid.ok.gov

14
15 Appearing on behalf of American Property Casualty
16 Insurance Association and National Association of
17 Mutual Insurance Companies, Inc.

18 J. Blake Patton
19 Caleb J. Evans
20 Jason T. Seay
21 GABLEGOTWALS
22 BOK Park Plaza
23 499 W. Sheridan Avenue, Suite 2200
24 Oklahoma City, Oklahoma 73102
25 (405) 235-5500
bpatton@gablelaw.com
cevans@gablelaw.com
jseay@gablelaw.com

18 Appearing on behalf of Bob Sullivan

19 Michael J. Hunter
20 MICHAEL J. HUNTER, PLLC
21 3020 BancFirst Tower
22 100 N. Broadway
23 Oklahoma City, Oklahoma 73102
24 (405) 985-3838
25 mike@mjhllaw.net

23

24

25 (Appearances continued on next page)

1 CONTINUED APPEARANCES:

2 Appearing on behalf of Oklahoma P&C Advocacy
3 Association

4 Brett Robinson
5 608 E. Eubanks Street
6 Oklahoma City, Oklahoma 73105
7 (405) 607-4505
8 brobinson@hbstrategies.us

9 Also present: Sherry Standerfer, OID
10 Craig MacIntyre, Observer
11 Paul Martin, NAMIC
12 Walter Gonzales, APCIA
13 Denise Johnson, Observer
14 Chelsea Stallings, NAMIC
15 Ryan Kilpatrick, APCIA
16 Joanna Coll, APCIA
17 Jerrell Harris, Observer
18
19
20
21
22
23
24
25

1 PROCEEDINGS

2 THE COURT: Good morning, everybody
3 morning.

4 UNIDENTIFIED SPEAKER: Good morning.

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

7 UNIDENTIFIED SPEAKER: Good morning.

8 THE COURT: Okay.

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

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

16 MR. DeBOSE: Yes, sir, Judge.

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

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

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

1 have some client representatives on as well.

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

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

6 THE COURT: Is there a Mr. Martin online?

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

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

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

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

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

17 Okay. Let's see.

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

20 MR. HUNTER: Hey, Judge. Good morning.

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

24 MR. CAPPS: That's correct.

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

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

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

7 THE COURT: Right.

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

9 THE COURT: Mr. Siegel. Okay.

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

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

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

16 MR. WHITTEN: Yes, sir.

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

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

7 THE COURT: Okay.

8 MR. PATTON: -- a professor --

9 THE COURT: Okay. All right.
10 Okay. Anybody I haven't --

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

13 THE COURT: And Mr. Robinson is present
14 here.

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

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

19 MS. STANDERFER: Okay.

20 MR. MacINTYRE: Yep. I am here.

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 on our gallery view. It doesn't -- our screen --

2 THE COURT: Right.

3 MR. WHITTEN: -- isn't big enough.

4 I think there was some other faces --

5 THE COURT: I see a Denise Johnson.

6 MS. STANDERFER: I think she's just here

7 to --

8 THE COURT: Observe?

9 MS. STANDERFER: Yeah. She's --

10 THE COURT: Okay. Just observance?

11 MS. JOHNSON: Yep.

12 THE COURT: Okay. Thank you.

13 MS. COLL: Good morning, sir --

14 MR. WHITTEN: Yeah, Judge --

15 THE COURT: Good morning.

16 MR. WHITTEN: Ofor the record -- oh, I'm

17 sorry.

18 THE COURT: Yes, sir.

19 MS. COLL: I'm so sorry. Just an

20 observer, Joanna Coll, from APCIA. Just observing.

21 THE COURT: Okay. Thank you.

22 MR. KILPATRICK: And same for me, Judge.

23 Ryan Kilpatrick on behalf of APCIA, just observing.

24 THE COURT: Okay. Thank you.

25 MR. WHITTEN: Judge, this is Reggie

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

6 THE COURT: Absolutely.

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

9 (No response)

10 All right. Hearing none.

11 All right. Let's do a formal entry.

12 Comes out of this 4th day September 2026,
13 the matter of Case Number 26-0820-TRN, in reference
14 to Hearing pursuant to 36 Oklahoma Statute Section
15 984 as to whether the Oklahoma homeowners insurance
16 market is noncompetitive.

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

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

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

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

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

19 All right. Any questions in regards to
20 that motion?

21 MS. NASH: Your Honor?

22 THE COURT: Uh-huh.

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

25 THE COURT: Is it in addition to, or does

1 it include what your motion --

2 MS. NASH: It's in addition to.

3 THE COURT: Okay. All right.

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

9 THE COURT: Oh, is that right?

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

14 THE COURT: Sure.

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

19 THE COURT: Okay. Thank you.

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

23 THE COURT: Is it related to that motion?

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

1 THE COURT: Okay.

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

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

10 THE COURT: Yeah. Sure.

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

20 THE COURT: Okay.

21 MR. ROBINSON: Your Honor, if I may.

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

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

1 responses by Mr. Sullivan or Mr. MacIntyre?

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

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

12 THE COURT: Okay.

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

5 THE COURT: All right.

6 Mr. Whitten, on behalf -- go ahead.

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

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

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

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

21 THE COURT: Okay.

22 Let's see.

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

25 THE COURT: Right. They haven't been

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 disclosed as part of this pretrial hearing.

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

6 THE COURT: Okay.

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

9 THE COURT: Yes, sir. You may proceed.

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

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

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

25 THE COURT: Okay. Thank you for your

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 position.

2 MR. HUNTER: Thank you, Judge.

3 THE COURT: Uh-huh.

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

13 THE COURT: Right.

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

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

23 THE COURT: Okay. Thank you, sir.

24 All right. Anybody else wish to address
25 that?

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

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

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

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

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

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

4 THE COURT: Okay. All right. Thank you.
5 Any further response?

6 (No response)

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

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

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

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

18 THE COURT: Okay.

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

21 THE COURT: Yes, sir, you may.

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

25 THE COURT: Yes, sir. Okay.

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

4 THE COURT: Sure.

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

7 THE COURT: Yes, sir.

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

10 THE COURT: Absolutely.

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

13 THE COURT: Yeah. Well --

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

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

17 MR. PATTON: Yes, sir. Thank you.

18 MS. NASH: Your Honor?

19 THE COURT: Yes.

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

22 THE COURT: Okay.

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

1 way to make that timing work?

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

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

10 THE COURT: Okay.

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

13 THE COURT: Okay. All right.

14 MR. HUNTER: -- for not being flexible.

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

17 MR. HUNTER: Thank you.

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 for the hearing? Is that his desire?

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

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

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

10 MR. WHITTEN: Your Honor, may I inquire?

11 THE COURT: Sure.

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

14 THE COURT: Absolutely.

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

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

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

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

7 THE COURT: Sure.

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

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

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

15 THE COURT: Right.

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

1 THE COURT: And are you referring to the
2 availability for the week of the 26th through the
3 28th?

4 MR. DeBOSE: Yes, sir.

5 THE COURT: Okay. So provided -- okay.

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

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

16 MR. WHITTEN: Judge, can I also inquire?
17 That's very helpful what you just said for us
18 planning. So, as of today, the only motions in our
19 omnibus brief that are disputed are 2, 3, 5, 9, and
20 11. Would the Court like to -- I think you just
21 resolved one of them, but would the Court like today
22 to hear argument and maybe consider ruling on 2, 3,
23 5, 9, and 11 so we can get something done while
24 we're all here?

25 THE COURT: Well, let me address the

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

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

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

14 THE COURT: Right.

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

17 THE COURT: Right. Okay.

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

24 MR. DeBOSE: Yes, sir, Judge.

25 THE COURT: Okay. And assuming in regards

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

6 MR. HUNTER: Yes, Your Honor.

7 MR. MacINTYRE: Yes, Your Honor.

8 THE COURT: Thank you, sir.

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

11 MR. ROBINSON: Yes, sir.

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

13 Mr. Patton --

14 MR. PATTON: Yes, sir. Same answer.

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

20 MR. PATTON: Yes, sir.

21 THE COURT: Okay. All right.

22 Who have I missed? Okay.

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

12 Anything -- so to clarify, any objection
13 to that motion on behalf of either Mr. Sullivan,
14 Mr. MacIntyre, or any of the other parties, needs to
15 be in writing, submitted to the Department by 5:00
16 next Thursday, the 10th, and then any response to
17 that either by the Department or any other party
18 would be filed with the Department by noon on the
19 14th, and hearing, via Teams, on that motion and
20 further rulings on the motions pending about the
21 trial will be at 10:00 next Tuesday the 15th.

22 Anything else --

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

25 THE COURT: Yes.

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

6 THE COURT: Well --

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

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

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

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

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

24 THE COURT: That's right.

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

4 MR. PATTON: Judge?

5 THE COURT: Yes.

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

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

14 THE COURT: Sure.

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

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

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

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

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

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

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

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

12 THE COURT: Yes, sir.

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

15 THE COURT: Right. Sure.

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

19 THE COURT: Okay.

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

1 MR. PATTON: Yes, sir.

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

5 MR. WHITTEN: No, sir.

6 MR. BURRAGE: We're good.

7 MR. WHITTEN: Thank you.

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

11 MR. HUNTER: Thank you, Judge.

12 MR. DeBOSE: Thank you, Judge.

13 MR. WHITTEN: Bye, everybody.

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

15

16

17

18

19

20

21

22

23

24

25

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)

1 CERTIFICATE

2 STATE OF OKLAHOMA)
3) SS:
4 COUNTY OF OKLAHOMA)

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

12 IN WITNESS WHEREOF, I have hereunto set my
13 hand and official seal this 8th day of September,
14 2026.



15
16 Becky Dame Steinkamp, CSR, RPR
17
18
19
20
21
22
23
24
25

Word Index

O

ofor

[9:16](#)

I

100

[1:23](#) [3:20](#)

10:00

[20:2](#) [20:10](#)
[21:3](#) [30:10](#)
[30:21](#) [33:24](#)

10th

[19:22](#) [30:16](#)

11

[27:20](#) [27:23](#)
[30:9](#)

12th

[23:25](#) [25:24](#)

13th

[25:24](#)

14th

[14:11](#) [15:20](#)
[19:24](#) [25:25](#)
[30:19](#) [33:22](#)

15th

[20:3](#) [20:10](#)
[23:9](#) [30:21](#)
[31:2](#) [31:8](#)
[32:19](#) [32:25](#)
[33:2](#) [33:5](#)
[33:7](#)

16th

[23:25](#)

19th

[20:24](#) [21:11](#)

2

20

[22:20](#)

2026

[1:14](#) [10:12](#)
[35:13](#)

21st

[2:21](#)

2200

[3:14](#)

235-5500

[3:15](#)

25th

[21:16](#)

26-0820-trn

[1:5](#) [2:4](#) [10:13](#)

26th

[22:20](#) [27:2](#)
[28:5](#) [29:23](#)

272-1006

[1:24](#)

28th

[27:3](#) [29:24](#)

3

300

[2:14](#)

3020

[3:20](#)

313

[2:21](#)

36

[1:4](#) [2:3](#) [10:14](#)

4

400

[2:8](#) [3:6](#)

405

[1:24](#) [2:9](#) [2:15](#)
[2:22](#) [3:7](#) [3:15](#)
[3:21](#) [4:5](#)

499

[3:14](#)

4th

[10:12](#)

5

50th

[2:8](#) [3:6](#)

511

[1:23](#)

512

[2:14](#)

516-7800

[2:15](#)

521-2747

[3:7](#)

521-2828

[2:9](#)

521-3921

[2:22](#)

5:00

[19:21](#) [19:22](#)
[30:15](#)

6

607-4505

[4:5](#)

608

[4:4](#)

7

73102

[1:24](#) [2:15](#)
[3:14](#) [3:21](#)

73105

[2:8](#) [2:22](#) [3:6](#)
[4:4](#)

8

8th

[35:12](#)

9

984

[1:4](#) [2:3](#) [10:15](#)
[17:18](#)

985-3838

[3:21](#)

9:05

[1:14](#)

9:21

[19:10](#)

9:34

[19:10](#)

9:53

[34:14](#)

9th

[11:11](#)

A

ability

[16:20](#)

able

17:17 27:7 30:3	advocate 13:17	28:8 28:20 29:21 30:6 31:13 31:15 32:15 33:4 33:8 34:8	30:14 30:16 30:17 33:21 33:23 34:3 35:9
above 35:6	affect 13:6	allocate 16:17	anything 28:2 28:22 29:4 30:12 30:22 34:2
absolutely 10:6 22:10 25:14	after 15:2 19:2 19:11 20:7 30:10	allow 26:20 27:11	anytime 33:6
accomplish 28:8	afternoon 11:1	almost 26:10	apa 17:15
account 19:13	ag 6:23 7:17 7:21 25:23 28:6	alone 28:13	apcia 4:8 4:10 4:10 9:20 9:23 14:18 17:5
act 24:24	again 18:4 24:18 24:19	always 26:5	apologize 12:4 12:18 24:12 24:16
action 11:5 35:10	agree 19:2 27:6 32:11 33:7	ambush 12:7	appeal 16:20 18:11 18:13 18:19
actual 14:5 29:24	agreement 26:20 32:25	america 3:9 5:21 8:2	appear 2:11 2:18 3:2 3:9 3:18 4:2 5:20 7:2 12:6 15:15 15:15 17:18
add 33:11	ahead 13:22 15:6	announce 10:2 10:8	appearance 7:25
addition 11:25 12:2	all 5:9 5:10 6:9 6:21 7:21 7:24 8:4 8:9 10:7 10:10 10:11 11:19 12:3 14:13 14:15 14:17 15:5 15:19 17:8 17:24 18:2 18:20 18:24 19:2 19:4 19:11 19:17 21:6 21:13 22:16 23:1 24:13 25:16 26:12 26:20 27:24	another 12:10 20:9	appearances 2:1 2:25 3:1 3:25 4:1
address 5:10 8:18 8:22 11:1 17:17 17:24 20:18 23:9 27:13 27:25 30:23 31:7		answer 29:14	apply 16:19
advance 17:9		anticipate 18:12 24:25 25:2	appropriate 14:7
advise 20:11		any 11:9 11:16 11:19 12:6 13:25 14:6 14:10 14:21 14:24 17:7 17:21 19:5 19:19 19:23 20:20 22:1 23:13 23:25 29:1 30:12	approval 29:25
advocacy 4:2 16:12			

argue 13:8 15:19 16:3 16:23 18:2 18:3 18:24 32:24	2:14 avenue 3:14 B	6:5 8:16 17:9 17:10 17:16 21:15 24:20 28:19 29:3	18:15 bpatton@gablela w.com 3:15
argument 13:4 13:19 19:20 20:2 20:7 20:20 21:3 27:22	back 18:4 18:15 19:9 21:14 21:15 30:5	below 16:21	brett 4:3 8:11
around 31:19	bancfirst 3:20	bend 19:1	brief 16:8 27:19
arrangement 25:8	base 19:12 19:14 28:3 29:4	best 23:23	broadway 2:14 3:20
aside 28:20	because 12:12 13:6 22:5	better 18:16 31:5 32:12 33:17	brobinson@hbstr ategies.us 4:5
ask 11:9 12:7 15:14 20:24 21:20 31:30	becky 1:22 35:4 35:15	between 16:13 16:13	build 32:7
associate 8:2	before 1:1 1:13 12:11 15:20 26:3 28:1	bifurcate 33:14	burrage 2:13 2:14 7:1 7:2 7:4 7:15 7:20 21:23 30:23 31:7 31:17 34:6
association 3:10 3:10 4:2 5:21 5:22 13:15 18:7	beginning 1:14 18:23	blake 3:11 5:19 5:19 17:5 32:6 32:11	but 8:25 11:15 12:15 13:3 13:9 13:12 13:24 14:5 14:10 16:15 17:20 18:4 18:20 21:1 21:2 22:11 22:24 23:10 23:13 24:3 24:7 25:7 26:19 27:13 27:21 30:5 31:8 31:17 32:12 33:2
assume 24:23 28:25 29:25	behalf 2:11 2:18 3:2 3:9 3:18 4:2 5:20 6:23 7:5 7:17 9:23 10:3 11:1 11:7 11:16 13:16 15:6 15:8 17:5 18:1 24:24 25:23 28:6 28:18 29:2 29:9 30:13 32:20	bo 3:4 27:6	but
attorney 2:11 2:18 2:21 7:5 8:5 13:16 15:8 18:1 28:13 35:9		bo.debose@oid.o k.gov 3:7	
available 20:25 23:23 27:2 30:2		bob 3:18 18:5 18:5	
ave	believe	bok 3:13	bye 34:13 C
		bottle	

c/o			
2:6			
caleb			
3:12 5:25			
call			
7:12 8:23			
12:16 13:12			
18:17			
cameron			
2:20 6:22			
7:20			
cameron.capps@			
oag.ok.gov			
2:23			
can			
11:15 13:23			
17:9 17:19			
22:19 23:5			
25:7 25:8			
25:20 26:2			
26:22 27:16			
27:23 28:7			
28:8 28:15			
31:18 31:19			
33:6 33:7			
canada			
24:5			
cannot			
15:13			
capacity			
27:14			
capitol			
20:13 30:1			
capp			
2:20 6:22			
6:24 7:8 7:20			
case			
10:13 16:19			
18:11 22:8			
casualty			
3:9 5:21 8:2			
celebrate			
24:6			
certainly			
12:5 22:2			
certificate			
35:1			
certify			
35:4 35:6			
cevans@gablelaw			
.com			
3:16			
change			
25:9			
charge			
30:4			
chelsea			
4:9			
cite			
16:19			
city			
1:24 2:8 2:15			
2:22 3:6 3:14			
3:21 4:4			
clarification			
34:4			
clarify			
30:12 32:24			
client			
6:1 24:9			
close			
23:13			
coll			
4:10 9:13			
9:19 9:20			
columbus			
24:4			
comfortable			
28:7			
commissioner			
1:1 23:21			
24:20 26:2			
26:14 26:22			
company			
3:10 5:23			
complete			
18:10			
concern			
14:25			
concerned			
16:18			
conclude			
34:14			
conduct			
14:6 18:16			
20:5 21:2			
confer			
22:24			
conference			
1:12 8:23			
24:21 31:2			
confident			
28:21			
confirm			
30:3 30:3			
conflict			
22:17 22:19			
			22:21 23:4
			24:19
			congratulations
			24:15
			consider
			20:21 27:22
			consideration
			16:16
			considered
			12:8 14:14
			constitute
			20:9
			constrained
			14:25
			consultation
			20:12
			continuance
			14:11 14:24
			16:22 17:21
			21:8
			continuation
			17:8
			continue
			2:25 3:1 3:25
			4:1 10:18
			19:12 19:25
			20:1
			convenient
			26:24
			coordinate
			22:19
			couch
			1:23
			could
			11:23 13:17
			18:3 18:20

[25:23](#) [26:1](#)
[26:5](#) [31:4](#)

counsel

[5:20](#) [24:24](#)
[26:17](#)

country

[21:11](#) [24:12](#)

county

[35:3](#)

course

[13:3](#) [26:6](#)

court

[1:22](#) [5:2](#) [5:5](#)
[5:8](#) [5:17](#) [5:17](#)
[6:2](#) [6:6](#) [6:9](#)
[6:15](#) [6:21](#)
[6:25](#) [7:7](#) [7:9](#)
[7:12](#) [7:17](#)
[7:22](#) [8:4](#) [8:7](#)
[8:9](#) [8:13](#) [8:17](#)
[8:21](#) [9:2](#) [9:5](#)
[9:8](#) [9:10](#) [9:12](#)
[9:15](#) [9:18](#)
[9:21](#) [9:24](#)
[10:6](#) [11:22](#)
[11:25](#) [12:3](#)
[12:9](#) [12:11](#)
[12:14](#) [12:19](#)
[12:23](#) [13:1](#)
[13:10](#) [13:20](#)
[13:22](#) [14:2](#)
[14:12](#) [14:21](#)
[15:5](#) [15:21](#)
[15:25](#) [16:6](#)
[16:9](#) [16:25](#)
[17:3](#) [17:13](#)
[17:17](#) [17:23](#)
[18:12](#) [18:25](#)
[19:4](#) [19:7](#)
[19:11](#) [20:1](#)
[20:5](#) [21:13](#)
[21:18](#) [21:21](#)
[21:25](#) [22:4](#)
[22:7](#) [22:10](#)
[22:13](#) [22:16](#)
[23:1](#) [23:19](#)
[23:22](#) [24:2](#)
[24:10](#) [24:13](#)
[24:15](#) [24:18](#)

[24:22](#) [25:4](#)
[25:11](#) [25:14](#)
[26:6](#) [26:7](#)
[26:11](#) [26:15](#)
[27:1](#) [27:5](#)
[27:9](#) [27:20](#)
[27:21](#) [27:25](#)
[28:14](#) [28:17](#)
[28:25](#) [29:8](#)
[29:12](#) [29:15](#)
[29:21](#) [30:25](#)
[31:6](#) [31:10](#)
[31:24](#) [32:3](#)
[32:5](#) [32:14](#)
[32:17](#) [33:8](#)
[33:12](#) [33:15](#)
[33:19](#) [34:2](#)
[34:8](#)

courtesy

[12:17](#)

craig

[4:7](#)

critical

[13:5](#) [15:9](#)

cross-

examination

[26:25](#)

csr

[1:22](#) [35:15](#)

cut

[18:20](#)

D

dame

[35:4](#) [35:15](#)

date

[14:4](#) [14:20](#)
[16:16](#) [20:9](#)
[20:12](#) [21:4](#)
[24:6](#) [28:1](#)
[28:4](#) [32:12](#)
[33:5](#)

day

[10:12](#) [11:13](#)
[21:24](#) [24:4](#)
[24:4](#) [27:12](#)
[28:16](#) [34:9](#)
[35:12](#)

days

[20:16](#) [25:22](#)
[25:25](#) [28:7](#)
[28:8](#) [28:20](#)
[29:3](#) [29:10](#)
[29:16](#)

deadline

[32:8](#) [33:24](#)

dealt

[14:7](#)

debase

[3:4](#) [5:14](#) [5:16](#)
[14:23](#) [26:13](#)
[26:16](#) [27:4](#)
[28:18](#) [28:24](#)
[32:20](#) [33:3](#)
[34:12](#)

decision

[12:13](#) [17:19](#)
[17:20](#) [18:13](#)
[19:9](#) [20:22](#)

deem

[23:14](#)

definitely

[18:10](#) [25:6](#)
[26:16](#)

denise

[4:9](#) [9:5](#)

denny

[7:10](#) [7:12](#)

department

[2:7](#) [3:3](#) [3:5](#)
[5:14](#) [10:22](#)
[11:10](#) [11:18](#)
[11:23](#) [14:18](#)
[14:22](#) [14:23](#)
[19:20](#) [19:24](#)

[24:22](#) [24:24](#)
[28:19](#) [28:22](#)
[30:15](#) [30:17](#)
[30:18](#) [32:21](#)
[33:2](#)

deposition

[25:17](#) [25:19](#)
[26:3](#) [26:6](#)
[26:18](#)

deprive

[24:7](#)

designate

[24:23](#)

desire

[25:1](#)

destroy

[18:21](#)

detail

[23:9](#)

determination

[29:19](#)

direct

[26:25](#)

disclose

[16:1](#) [16:3](#)
[16:4](#) [16:5](#)
[28:4](#)

disclosure

[32:7](#) [32:22](#)
[33:14](#)

dismiss

[11:2](#) [11:15](#)
[19:14](#) [20:2](#)
[21:3](#) [30:10](#)

dispute

[27:19](#)

division

2:7 3:5	10:11	8:1 15:12	10:18
docket	error	express	fine
14:3	18:22	21:7	13:2 19:2
doubt	eubank	F	finish
32:21	4:4	face	26:1
down	evans	9:4	firm
33:18	3:12 5:25	facilities	7:1
drive	event	30:2	first
1:23	35:10	factor	5:10 28:1
drummond	every	17:18	five
2:11	18:21	fair	19:8
due	everyone	14:6 18:10	flexible
10:18 11:2	31:14	19:16	24:14
31:21 32:12	everything	far	following
during	23:5 29:17	14:16 16:18	19:18
30:2	evidence	20:11 20:14	forceful
E	20:17 20:20	24:22	17:6
early	23:14 28:11	favor	foregoing
8:25	ex	22:16	35:7
easily	2:11	feasible	formal
15:12	examine	25:16	10:11
easy	2:3 20:14	feel	four
25:19 26:3	exchange	29:10	15:12
end	31:16 33:5	felt	framework
18:21 24:12	33:21 33:25	28:6	17:16
enough	excuse	31:23	frankly
9:3	5:20 11:14	file	16:23
ensure	19:21	10:22 10:25	frivolous
12:11	exhibit	11:6 11:10	16:19
enter	33:14 33:18	11:16 12:5	front
19:15	33:23 33:25	18:6 19:20	18:21 24:11
entry	expand	19:21 19:23	full
	12:21	30:18	28:7 28:8
	expert	filings	

[29:3](#) [29:10](#)
[29:16](#)

full-throated

[17:7](#)

further

[19:5](#) [22:1](#)
[28:2](#) [30:20](#)
[32:24](#) [33:18](#)
[34:2](#)

fyi

[21:12](#)

G

gablegotwal

[3:13](#)

gallery

[9:1](#)

general

[2:11](#) [2:19](#)
[2:21](#) [7:6](#)
[13:17](#) [15:8](#)
[18:2](#) [28:13](#)

genie

[18:15](#)

gentner

[2:11](#)

get

[8:25](#) [22:14](#)
[23:6](#) [25:8](#)
[26:19](#) [27:23](#)
[33:3](#)

gone

[24:8](#)

gonzale

[4:8](#) [6:3](#)

good

[5:2](#) [5:4](#) [5:7](#)
[6:7](#) [6:11](#) [6:13](#)

[6:18](#) [6:20](#) [7:3](#)
[9:13](#) [9:15](#)
[14:9](#) [25:25](#)
[14:6](#)

got

[5:9](#) [5:11](#) [5:13](#)
[6:22](#) [6:25](#)
[7:22](#) [8:11](#)
[15:1](#) [15:17](#)
[10:1](#) [32:17](#)
[32:18](#)

grant

[19:25](#)

great

[6:14](#) [6:15](#)

H

half

[32:18](#)

hand

[31:19](#) [35:12](#)

hang

[25:18](#) [26:8](#)

hannah

[2:13](#) [7:4](#) [7:15](#)
[7:20](#)

hard

[18:15](#)

harris

[4:11](#)

hartwig

[7:25](#)

hate

[25:20](#)

hear

[5:5](#) [5:6](#) [13:24](#)
[17:18](#) [27:22](#)

heard

[16:7](#) [20:4](#)

hearing

[1:4](#) [2:3](#) [2:3](#)
[10:10](#) [10:14](#)
[14:5](#) [14:11](#)
[14:20](#) [15:3](#)
[16:1](#) [16:15](#)
[16:21](#) [17:8](#)
[17:10](#) [17:22](#)
[18:16](#) [19:15](#)
[19:16](#) [20:11](#)
[20:14](#) [20:15](#)
[25:1](#) [28:1](#)
[29:24](#) [30:10](#)
[30:19](#) [32:25](#)
[34:14](#) [35:7](#)

helpful

[13:19](#) [27:8](#)
[27:17](#) [31:2](#)
[31:8](#)

hereunto

[35:11](#)

hey

[6:20](#)

hold

[25:20](#)

holiday

[11:8](#) [24:3](#)
[24:7](#)

homeowner

[1:5](#) [2:4](#) [10:15](#)
[13:14](#)

honor

[5:24](#) [11:21](#)
[12:20](#) [13:21](#)
[15:24](#) [19:2](#)
[21:17](#) [21:19](#)
[23:18](#) [24:8](#)
[24:11](#) [25:10](#)
[29:6](#) [29:7](#)
[31:13](#)

honorable

[1:13](#) [2:6](#)

hope

[20:25](#) [34:9](#)

hopefully

[21:16](#)

hour

[12:5](#)

how

[6:11](#) [6:14](#)
[6:18](#) [16:11](#)
[16:17](#)

however

[23:15](#) [26:18](#)

hunter

[3:19](#) [3:19](#)
[6:18](#) [6:20](#)
[11:7](#) [11:16](#)
[12:16](#) [15:15](#)
[16:7](#) [16:10](#)
[17:2](#) [21:10](#)
[21:10](#) [21:13](#)
[21:15](#) [21:21](#)
[22:17](#) [24:11](#)
[24:14](#) [24:17](#)
[29:2](#) [29:6](#)
[34:11](#)

hwhitten@whitte
nburragelaw.com

[2:17](#)

I

if

[10:2](#) [13:15](#)
[13:21](#) [13:23](#)
[17:4](#) [18:5](#)
[18:19](#) [18:25](#)
[19:1](#) [19:22](#)
[20:16](#) [20:24](#)
[21:1](#) [22:15](#)
[23:4](#) [23:11](#)
[23:24](#) [24:5](#)
[25:8](#) [26:1](#)
[26:4](#) [26:21](#)
[28:8](#) [28:19](#)

31:8 31:14 32:16 32:25 33:1	interest 14:20 15:10	6:7 6:13 6:20 7:3 8:1 8:24 9:14 9:22 9:25 16:7 17:2 17:4 21:10 22:23 26:13 27:16 28:24 32:4 33:7 33:10 33:11 34:11 34:12	28:9
impact 12:12	interested 35:10		leg 21:16
impartial 14:6 19:16	internet 31:18		legal 2:7 3:5 14:17
important 13:5 15:10 16:16 25:5	into 15:17 19:13 26:19	K	level 31:22
include 12:1	involved 26:9	kilpatrick 4:10 9:22 9:23	like 10:4 12:4 12:6 14:10 15:2 16:23 17:6 23:8 26:4 26:19 26:20 27:20 27:21 28:6 29:10 32:1
included 23:6	issue 11:13 13:5 13:6 13:19 14:17 15:1 17:9 17:17 19:9 19:17 23:15 26:19 32:9 33:1	knowledge 27:13	limine 14:16
incredible 15:10		kristin 2:20 6:22 7:20	limit 20:15 20:19 23:10 23:12
indigene 24:4	J	kristin.siegel@oa g.ok.gov 2:23	lines 13:25 21:22
individual 17:14	jason 3:12 5:25	L	list 5:11 33:21
information 23:20	jerrell 4:11	labor 34:9	listen 23:16
inquire 25:10 27:16	joanna 4:10 9:20	lack 11:2	location 21:5
inquiry 12:21	john 1:13 2:6	last 7:11 10:18 10:25	long 21:1 23:15
insurance 1:1 1:5 2:4 2:7 3:2 3:5 3:10 3:10 5:13 5:21 5:22 8:3 10:15 10:22 13:14	johnson 4:9 9:5 9:11	late 11:6 12:5 14:20 16:16 18:20	look 20:15 20:23 23:12 31:13
insured 13:13	jseay@gablelaw.c om 3:16	lawton 22:1	looks 15:2
	judge 1:13 2:6 5:16	least	

lot

[15:1](#) [31:18](#)

love

[22:14](#)

M

machinery

[16:11](#)

macintyre

[4:7](#) [6:11](#) [6:13](#)
[8:12](#) [8:15](#)
[8:17](#) [8:20](#)
[11:4](#) [11:8](#)
[11:17](#) [14:1](#)
[19:15](#) [29:2](#)
[29:7](#) [30:14](#)

made

[10:19](#) [10:21](#)
[12:13](#)

major

[23:4](#)

make

[5:11](#) [11:23](#)
[12:21](#) [14:5](#)
[17:19](#) [18:10](#)
[22:22](#) [23:5](#)
[24:1](#) [32:9](#)
[33:13](#)

making

[20:21](#)

manner

[27:15](#)

many

[25:12](#) [25:15](#)
[26:9](#)

market

[1:6](#) [2:4](#) [10:16](#)

martin

[4:8](#) [6:4](#) [6:6](#)
[6:7](#)

matter

[2:3](#) [5:9](#) [10:13](#)
[10:17](#) [15:9](#)
[19:17](#) [20:6](#)
[29:19](#) [29:25](#)
[33:21](#)

may

[12:21](#) [13:6](#)
[13:21](#) [16:7](#)
[16:9](#) [17:4](#)
[21:20](#) [21:21](#)
[23:12](#) [25:3](#)
[25:10](#) [30:23](#)
[33:17](#)

maybe

[27:22](#) [32:6](#)
[33:18](#)

mburrage@whitt

enburrage@law.co

m

[2:16](#)

mean

[5:19](#) [12:5](#)
[15:1](#) [15:20](#)
[18:22](#) [22:6](#)
[23:3](#) [25:12](#)
[25:16](#) [26:9](#)
[26:19](#) [32:11](#)

meeting

[24:9](#)

melodramatic

[16:14](#)

merit

[17:7](#) [17:8](#)
[17:21](#)

michael

[2:13](#) [3:19](#)
[3:19](#) [7:4](#)

might

[12:12](#) [26:23](#)
[31:2](#) [31:7](#)
[32:9](#) [33:13](#)

mike

[7:19](#) [21:10](#)

mike@mjhlaw.ne

t

[3:22](#)

millar

[1:13](#) [2:6](#)

minutes

[19:8](#)

miss

[29:22](#)

moment

[30:7](#)

monday

[15:2](#) [19:24](#)
[25:24](#) [33:22](#)

month

[15:11](#) [32:18](#)

more

[17:11](#) [17:17](#)
[23:10](#) [26:23](#)

morning

[5:2](#) [5:3](#) [5:4](#)
[5:7](#) [5:10](#) [6:7](#)
[6:11](#) [6:13](#)
[6:18](#) [6:20](#) [7:2](#)
[7:3](#) [9:13](#) [9:15](#)
[10:24](#) [19:13](#)

most

[24:8](#)

motion

[10:25](#) [11:2](#)
[11:14](#) [11:15](#)
[11:20](#) [12:1](#)
[12:7](#) [12:23](#)

[13:5](#) [13:8](#)
[14:10](#) [15:4](#)
[16:10](#) [16:18](#)
[16:24](#) [18:6](#)
[19:12](#) [19:14](#)
[19:25](#) [20:2](#)
[20:4](#) [20:4](#)
[21:3](#) [27:12](#)
[30:10](#) [30:13](#)
[30:19](#) [31:11](#)

motions

[11:14](#) [14:7](#)
[14:16](#) [14:24](#)
[15:19](#) [18:3](#)
[18:25](#) [20:7](#)
[20:8](#) [27:18](#)
[30:9](#) [30:20](#)

move

[14:4](#) [14:20](#)

moving

[15:18](#) [25:13](#)

much

[15:17](#) [34:9](#)

mutual

[3:10](#) [5:22](#)

N

name

[4:8](#) [4:9](#) [8:25](#)
[10:3](#) [14:18](#)
[17:5](#) [31:5](#)
[31:14](#) [31:15](#)
[32:1](#)

nash

[3:4](#) [5:14](#)
[11:21](#) [11:23](#)
[12:2](#) [12:4](#)
[12:10](#) [12:15](#)
[23:18](#) [23:20](#)
[23:23](#) [24:18](#)
[24:20](#) [25:2](#)
[25:7](#) [28:18](#)
[32:20](#)

national

3:10 5:22	noncompetitive	1:4 2:3	9:16 12:9
ne	1:6 2:4 10:16	object	oid
2:8 2:21 3:6	none	13:12 15:18	4:7 11:1
necessarily	10:10	16:23	oidlegal@oid.ok.gov
24:6	noon	objection	gov
need	11:10 19:24	14:24 17:7	2:9
17:21 19:23	30:18 33:22	18:4 18:8	oklahoma
20:18 24:16	nor	19:19 21:6	1:1 1:5 1:24
28:11 32:11	35:9	21:7 30:12	1:24 2:4 2:7
needs	north	observance	2:8 2:8 2:11
29:18 30:14	2:14	9:10	2:15 2:15
31:4 34:3	not	observe	2:18 2:21
new	5:6 8:5 8:21	9:8	2:22 2:22 3:2
21:4	10:2 10:7	observer	3:5 3:6 3:6
next	11:4 12:5	4:7 4:9 4:11	3:14 3:14
2:25 3:25	12:7 12:18	9:20 10:8	3:21 3:21 4:2
11:10 15:2	13:12 13:13	observing	4:4 4:4 5:13
19:21 21:2	13:13 14:3	9:20 9:23	7:5 10:14
22:18 23:9	14:3 16:20	10:2 10:3	10:15 10:22
30:5 30:9	20:15 23:6	obviously	35:2 35:3
30:16 30:21	23:11 23:15	13:9	35:6
33:6 33:22	24:6 24:14	october	omnibus
33:24 34:10	29:1 33:1	20:24 21:11	27:19
nice	15:8	22:5 22:15	online
34:9	note	22:20 22:20	6:6 13:24
nicole	17:6	23:25 25:24	only
3:4	17:10 21:6	28:5	16:3 16:4
nicole.nash@oid.	21:8	off	24:2 27:18
ok.gov	november	31:5	33:10 33:11
3:8	22:2	offer	open
no	now	14:10 19:13	20:17 26:23
1:5 2:4 8:6	13:8 13:11	office	opening
10:9 14:23	14:9 14:17	2:19 2:21	23:13
15:18 18:8	number	6:23 28:6	opinion
19:6 24:15	10:13 31:11	official	16:12
24:15 24:15	O	35:12	opportunity
27:14 32:13	o.s	oh	10:20 13:4
32:21 33:1			13:25 28:10
33:3 33:7			oppose
34:5			17:12 26:17

option
[26:18](#) [26:22](#)

oral
[13:4](#) [13:18](#)
[20:1](#) [20:4](#)
[20:7](#) [21:3](#)

order
[10:19](#) [14:16](#)
[19:19](#) [32:8](#)
[32:22](#) [33:9](#)
[33:20](#)

other
[8:24](#) [9:4](#) [13:6](#)
[13:18](#) [20:8](#)
[23:24](#) [30:14](#)
[30:17](#)

otherwise
[35:10](#)

out
[10:12](#) [10:24](#)
[14:15](#) [18:20](#)
[18:21](#) [21:11](#)
[24:12](#) [26:22](#)

out-of-state
[15:12](#)

over
[22:14](#)

ownership
[12:16](#)

P

p&c
[4:2](#)

papers
[17:10](#)

pardon
[30:6](#)

park

part
[8:22](#) [10:21](#)
[16:1](#) [21:8](#)
[25:5](#) [27:9](#)
[27:12](#) [32:8](#)

participate
[16:20](#) [16:21](#)
[18:9](#)

particularly
[14:4](#)

parts
[25:13](#)

party
[10:19](#) [11:2](#)
[11:5](#) [13:7](#)
[13:11](#) [13:18](#)
[16:5](#) [16:13](#)
[16:15](#) [17:19](#)
[18:21](#) [20:9](#)
[20:11](#) [21:7](#)
[23:24](#) [26:24](#)
[30:14](#) [30:17](#)
[33:21](#) [35:9](#)

patton
[3:13](#) [5:19](#)
[5:23](#) [5:24](#) [6:4](#)
[8:1](#) [8:6](#) [8:8](#)
[17:4](#) [17:5](#)
[17:14](#) [22:23](#)
[23:17](#) [29:13](#)
[29:14](#) [29:20](#)
[32:4](#) [32:6](#)
[32:6](#) [33:10](#)
[33:13](#) [33:16](#)
[34:1](#)

paul
[4:8](#)

pay
[13:13](#)

pending
[20:8](#) [30:20](#)

people
[20:13](#) [24:4](#)

period
[30:2](#)

permission
[26:5](#)

person
[25:17](#) [30:4](#)

personal
[12:16](#)

perspective
[28:9](#) [29:15](#)

physically
[15:13](#)

picture
[33:18](#)

plan
[27:18](#)

play
[25:20](#) [31:22](#)

plaza
[3:13](#)

pleased
[10:2](#)

pllc
[3:19](#)

point
[23:3](#) [29:5](#)
[34:3](#) [34:4](#)

pose
[15:2](#)

position
[16:14](#) [17:1](#)

possible
[22:15](#) [23:24](#)

potential
[14:14](#) [26:14](#)

pre-hearing
[1:12](#)

prepare
[15:11](#)

prepared
[18:24](#)

presence
[10:8](#)

present
[4:7](#) [5:14](#) [5:18](#)
[8:13](#) [8:22](#)
[20:17](#) [24:25](#)
[28:10](#) [28:23](#)
[29:4](#) [29:18](#)
[29:18](#) [31:3](#)

presentation
[23:14](#) [28:22](#)

pretrial
[8:23](#) [10:18](#)
[16:1](#) [20:5](#)
[20:9](#) [20:19](#)
[21:4](#) [27:10](#)
[31:3](#) [31:9](#)
[32:18](#) [33:23](#)

pretty
[22:12](#) [25:16](#)

previous
[7:13](#) [7:24](#)
[10:17](#)

prior
[11:18](#) [31:9](#)
[33:6](#)

probably

10:11 11:19	4:10 9:23	seem	12:16 19:22
12:3 12:9		26:18 26:20	21:2 21:4
15:5 15:25	S	sense	27:7 29:16
17:13 17:24		32:9 33:14	30:5
19:4 19:11	said	sensible	side
21:6 21:13	7:14 21:23	32:7	18:9
23:1 24:13	27:17 32:1	separation	siegel
26:12 26:12	35:9 35:10	16:13	2:20 6:22 7:8
26:15 28:14	same	september	7:9 7:21
28:17 29:21	9:22 11:13	1:14 10:12	simultaneous
30:6 31:12	13:24 21:22	14:11 20:3	16:4 31:16
31:17 31:24	21:24 22:8	35:12	32:16
33:8 33:15	29:14 31:22	serve	sit
34:8	32:10	14:19	31:19
robert	saw	set	situation
7:25 15:15	8:24 10:24	10:17 12:8	23:2
robinson	say	14:15 15:3	some
4:3 8:13	10:1 18:16	15:12 18:25	5:9 6:1 8:24
13:21 13:22	18:17 18:18	19:1 21:24	9:4 13:14
13:23 14:9	23:8 25:23	23:12 25:22	18:6 23:12
14:13 15:23	schedule	28:19 33:5	23:20 25:8
24:8 29:2	15:13 19:1	33:6 33:24	26:21
29:11	21:20 23:21	35:11	someone
room	10:24	setting	18:11
22:19	school	20:19	something
roughly	23:11	share	27:23
20:23	screen	27:8	sometime
rpr	9:1	shelton	33:6
1:22 35:15	sea	5:19	sometimes
rule	21:16	sheridan	23:3
20:8	seal	3:14	soon
rule-making	35:12	sherry	31:4 32:12
17:11	seay	2:6 4:7	sorry
ruling	3:12 5:25	short	9:17 9:19
11:13 19:18	section	19:10 19:11	33:10
27:22 29:1	1:4 2:3 10:14	should	sort
30:8 30:20	17:18		18:20
33:1	secure		
rwhitten@whitte	21:5		
nburrage@law.com			
2:16			
ryan			

speak 28:12 speaker 5:4 5:7 specifically 11:15 27:13 stall 4:9 6:3 standerfer 2:6 4:7 7:10 8:11 8:15 8:19 9:6 9:9 standing 11:2 11:5 13:16 18:6 18:7 19:14 19:20 29:2 30:11 start 10:23 state 1:1 2:11 10:23 24:3 24:19 33:4 35:2 35:5 statement 11:24 23:13 statute 10:14 steinkamp 1:22 5:17 35:4 35:15 still 15:2 30:1 street 2:8 2:21 3:6 4:4	strenuous 15:18 stuff 23:10 subject 29:25 submit 30:15 sufficient 28:21 29:4 29:17 suite 1:23 2:14 3:14 sullivan 3:18 11:4 11:7 11:17 13:16 14:1 18:5 18:5 19:14 29:13 30:13 sure 5:11 12:14 13:10 14:5 18:12 22:4 22:12 23:5 25:11 26:7 32:3 32:14 32:17 33:15 surely 26:1 surprise 32:13	28:4 29:23 team 1:15 8:22 20:3 20:10 30:19 testify 26:2 26:21 testimony 17:18 26:14 27:7 27:10 27:14 28:10 thank 6:15 7:21 7:22 9:12 9:21 9:24 12:19 15:7 16:25 17:2 17:23 19:4 23:17 24:17 29:8 34:7 34:8 34:11 34:12 thanksgiving 24:5 then 6:9 6:21 6:25 11:12 18:6 18:19 19:9 20:8 21:1 23:15 25:20 26:1 26:3 29:12 30:16 33:22 thought 27:8 three 25:25 28:7 28:19 29:3 29:10 29:16 through 23:25 27:2 29:24	throw 16:10 thursday 19:22 30:16 time 7:11 12:10 14:2 14:4 14:10 16:13 16:17 20:19 21:4 22:9 23:4 23:10 23:12 24:12 25:17 27:12 30:2 timeline 15:1 timing 12:12 24:1 28:21 29:17 today 12:8 12:13 16:24 18:3 18:1 18:25 25:16 27:18 27:21 31:14 31:15 32:1 32:9 tower 3:20 trade 13:15 14:14 18:7 transcribe 35:8 travel 15:14 23:21 24:21 25:8 trial 16:21 21:24 22:18 25:20 30:21
--	---	---	--

T

taking

[13:6](#)

target

try

[22:6](#) [22:11](#)

tuesday

[20:3](#) [21:2](#)
[25:24](#) [30:9](#)
[30:21](#) [33:24](#)

two

[16:15](#) [20:15](#)
[21:24](#) [22:8](#)
[25:22](#)

U

uh-huh

[11:22](#) [17:3](#)

unavailable

[25:6](#)

under

[17:15](#) [17:16](#)
[29:19](#)

understand

[14:25](#) [15:3](#)
[23:2](#) [26:11](#)
[26:16](#)

unidentified

[5:4](#) [5:7](#)

unprofessional

[12:6](#)

until

[30:9](#)

up

[8:25](#) [25:18](#)
[25:21](#) [26:8](#)
[31:14](#) [31:15](#)
[32:1](#) [32:16](#)

V

vacation

[30:5](#)

via

[1:15](#) [20:3](#)
[20:10](#) [30:19](#)

video

[25:17](#) [26:2](#)
[26:6](#)

videotape

[25:19](#)

view

[9:1](#)

W

wait

[33:4](#)

walter

[4:8](#)

wanting

[14:4](#) [24:7](#)

way

[12:6](#) [14:6](#)
[24:1](#) [31:13](#)
[33:5](#)

wednesday

[11:10](#) [19:21](#)
[25:24](#)

week

[10:18](#) [20:16](#)
[20:23](#) [20:25](#)
[22:18](#) [22:20](#)
[22:21](#) [23:9](#)
[23:23](#) [23:25](#)
[24:3](#) [24:9](#)
[24:19](#) [25:5](#)
[25:7](#) [27:2](#)
[28:4](#) [30:5](#)
[33:6](#) [34:10](#)

weekend

[11:9](#) [34:9](#)

welcome

[5:18](#)

when

[21:2](#) [21:14](#)
[26:24](#)

where

[26:17](#)

whether

[1:5](#) [2:3](#) [10:15](#)
[11:4](#)

whitten

[2:12](#) [2:13](#)
[2:14](#) [7:1](#) [7:2](#)
[7:3](#) [7:4](#) [7:4](#)
[7:8](#) [7:14](#) [7:15](#)
[7:16](#) [7:19](#)
[7:19](#) [7:20](#)
[8:24](#) [9:3](#) [9:14](#)
[9:16](#) [9:25](#)
[10:1](#) [12:20](#)
[12:21](#) [12:24](#)
[13:2](#) [13:11](#)
[15:6](#) [15:7](#)
[16:2](#) [18:1](#)
[18:14](#) [21:19](#)
[21:19](#) [21:22](#)
[22:1](#) [22:5](#)
[22:8](#) [22:11](#)
[22:14](#) [22:22](#)
[25:10](#) [25:12](#)
[25:15](#) [26:8](#)
[27:6](#) [27:16](#)
[28:5](#) [28:12](#)
[28:15](#) [31:1](#)
[31:11](#) [31:12](#)
[31:25](#) [32:10](#)
[32:15](#) [34:5](#)
[34:7](#) [34:13](#)

whole

[20:16](#) [20:24](#)
[25:7](#) [25:21](#)

why

[15:14](#)

will

[10:23](#) [11:11](#)
[11:12](#) [13:3](#)
[17:20](#) [18:13](#)

[20:4](#) [20:5](#)
[20:8](#) [20:9](#)
[20:10](#) [20:18](#)
[21:8](#) [21:11](#)
[21:14](#) [21:16](#)
[22:11](#) [24:18](#)
[27:10](#) [29:16](#)
[30:21](#) [32:8](#)
[32:21](#)

willing

[20:21](#) [23:2](#)
[23:4](#) [23:16](#)

wish

[17:24](#) [28:22](#)

within

[28:7](#) [35:5](#)

witness

[14:14](#) [14:15](#)
[15:12](#) [15:24](#)
[16:5](#) [18:17](#)
[22:24](#) [25:3](#)
[25:15](#) [26:4](#)
[26:9](#) [26:21](#)
[31:5](#) [31:20](#)
[32:2](#) [32:7](#)
[32:22](#) [33:14](#)
[33:17](#) [33:20](#)
[33:23](#) [35:11](#)

work

[15:17](#) [22:22](#)
[24:1](#) [26:22](#)

working

[33:17](#)

works

[22:23](#) [22:24](#)

would

[6:2](#) [10:4](#) [12:4](#)
[13:19](#) [13:24](#)
[13:25](#) [14:19](#)
[15:18](#) [18:2](#)
[18:15](#) [19:23](#)
[22:18](#) [23:24](#)
[25:18](#) [26:3](#)
[26:23](#) [27:8](#)
[27:20](#) [27:21](#)

[Word Index](#)[Topics](#)[Dates](#)[Entities](#)[Phrases](#)[Exhibits](#)[28:21](#) [29:4](#)[30:18](#) [31:5](#)[31:8](#) [31:14](#)

wrench

[16:11](#)

writing

[19:21](#) [30:15](#)

Y

yes

[5:16](#) [5:24](#)[7:16](#) [8:17](#)[9:18](#) [13:22](#)[15:7](#) [16:2](#)[16:9](#) [21:21](#)[21:25](#) [22:7](#)[22:16](#) [23:17](#)[23:19](#) [25:2](#)[27:4](#) [28:24](#)[29:6](#) [29:7](#)[29:11](#) [29:14](#)[29:20](#) [30:25](#)[32:5](#) [33:12](#)[34:1](#)

yesterday

[10:25](#)

Z

zoom

[15:16](#)

Topics

Appearances of Counsel and Parties

[2:1](#) [5:9](#)

Case No. 26-0820-TRN

[1:5](#) [10:12](#)

Motion to Dismiss for Lack of Standing

[10:24](#) [16:10](#) [18:4](#) [19:11](#) [29:1](#) [30:8](#)

Oral Motion for Continuance of Merits Hearing

[14:9](#) [19:12](#) [21:6](#)

Attorney General's Omnibus Motion

[27:18](#) [30:8](#) [31:7](#)

Scheduling of the Merits Hearing

[14:10](#) [19:25](#) [23:20](#)

Counsel and Witness Scheduling Conflicts

[15:12](#) [21:10](#) [21:19](#) [23:20](#) [24:8](#) [24:11](#)

Deadlines for Filings and Oral Arguments

[11:6](#) [19:19](#) [30:12](#) [33:20](#)

Anticipated Hearing Duration and Time Limits

[20:15](#) [23:8](#) [28:3](#)

Witness and Exhibit Disclosures

[15:12](#) [25:3](#) [31:1](#)

Remote and Video Testimony

[15:13](#) [25:12](#)

Dates

for months

[15:11](#) - preparing for months

last time

[7:11](#) - was on last time

last week

[10:18](#) - pretrial continued last week

yesterday afternoon

[10:25](#) - motion filed yesterday afternoon

September 4, 2026

[1:14](#) - pre-hearing conference began

4th day September 2026

[10:12](#) - formal entry for case

9:05 a.m.

[1:14](#) - pre-hearing conference began

this morning

[5:10](#) - matters to address

[7:2](#) - who appearing this morning

[10:24](#) - saw motion this morning

the morning

[19:13](#) - motion offered the morning

today

[12:8](#) - motion not considered today

[12:13](#) - timing decisions made today

[16:24](#) - argue this motion today

[18:3](#) - motions could be argued

[18:25](#) - argue all motions today

[25:16](#) - feasible today, do it

[27:21](#) - hear argument today

[31:14](#) - give witnesses' names today

[32:1](#) - giving names up today

[32:9](#) - order issued today

as of today

[27:18](#) - only motions in dispute

five minutes

[19:8](#) - recess for five minutes

9:21 to 9:34 a.m.

[19:10](#) - short recess time

9:53 A.M.

[34:14](#) - hearing concluded

Labor Day weekend

[34:9](#) - have nice weekend

this 8th day of September, 2026

[35:12](#) - official seal date

the 9th

[11:11](#) - Wednesday will be 9th

next Wednesday

[11:10](#) - response filed by noon

[19:21](#) - objections filed by 5:00

noon next Wednesday

[11:10](#) - response filed by noon

Thursday, the 10th

[19:22](#) - objections filed by 5:00

[30:16](#) - submitted by Thursday 10th

next Thursday, the 10th

[30:16](#) - objection submitted by 5:00

5:00 Thursday, the 10th

[19:22](#) - objections filed by 5:00

before the 14th

[15:20](#) - argue motions before 14th

Monday after next

[15:2](#) - set to go to hearing

September 14th

[14:11](#) - continuance of hearing

Monday the 14th

[19:24](#) - response filed by noon

[33:22](#) - witness list exchanged by

noon on the 14th

[19:24](#) - response filed by noon

[30:18](#) - response filed by noon

[33:22](#) - witness list exchanged by

noon on Monday the 14th

[19:24](#) - response filed by noon

noon next Monday, the 14th

[33:22](#) - witness list exchanged by

the 15th

[20:3](#) - oral argument on motion

[20:10](#) - another pretrial date set

[23:9](#) - address details on 15th

[30:21](#) - trial motions at 10:00

[31:8](#) - address witnesses on 15th

[31:19](#) - pretrial on the 15th

[32:25](#) - further clarify on 15th

[33:2](#) - issue ruling on 15th

[33:5](#) - set exchange date before

next Tuesday

[20:3](#) - oral argument on motion

[21:2](#) - should know new date

[30:9](#) - reserve ruling until

[30:21](#) - trial motions at 10:00

[33:24](#) - set deadline for exhibits

Tuesday, September 15th

[20:3](#) - oral argument on motion

10:00

[20:10](#) - pretrial date at 10:00

[21:3](#) - conduct 10:00 oral argument

[30:9](#) - reserve ruling until 10:00

[30:21](#) - trial motions at 10:00

[33:24](#) - set deadline at 10:00

10:00 a.m.

[20:2](#) - oral argument for motion

[20:10](#) - another pretrial at 10:00

next Tuesday at 10:00

[30:9](#) - reserve ruling until then
[30:21](#) - trial motions at 10:00
[33:24](#) - set deadline for exhibits

October

[22:5](#) - don't push past October
[22:15](#) - get it over with

Thanksgiving in Canada

[24:5](#) - holiday on hearing week

the week of October 12th through the 16th

[23:25](#) - best week of availability

Monday, October 12th

[25:24](#) - three good days for us

Tuesday the 13th

[25:24](#) - three good days for us

Wednesday the 14th

[25:25](#) - three really good days

October 19th

[21:11](#) - out of country

the week of October 19th

[20:23](#) - roughly looking at week

front end of my time out of the country

[24:11](#) - out of country

the 25th

[21:16](#) - back by the 25th

the week of October 26th

[22:20](#) - known conflict that week

the 26th of October

[28:5](#) - target date for hearing

the week of the 26th through the 28th

[27:2](#) - availability for hearing week

[29:23](#) - target date for hearing

November 2

[22:2](#) - two trials on date

next week

[23:9](#) - addressing in detail
[30:5](#) - person back next week
[33:6](#) - exchange date set
[34:10](#) - see you next week

the next week

[22:18](#) - trial the next week

a month and a half

[32:18](#) - time from pretrial

a whole week

[20:16](#) - hearing takes whole week

most of that week

[24:8](#) - gone in client meeting

one day

[28:16](#) - AG case in one day

one or two days

[20:15](#) - not limiting hearing time

two days

[25:22](#) - hearing set for

three days

[28:19](#) - set three days aside

three full days

[28:7](#) - accomplish within three days

[29:3](#) - sufficient time to present

[29:10](#) - sufficient time to present

[29:16](#) - sufficient timing for everything

three really good days

[25:25](#) - good days for us

Entities

A. Locations

3020 BancFirst Tower

[3:20](#) - Michael J. Hunter

400 NE 50th Street

[2:8](#) [3:6](#) - OKLAHOMA INSURANCE
DEPARTMENT address

499 W. Sheridan Avenue, Suite 2200

[3:14](#) - GABLEGOTWALS address

608 E. Eubanks Street

[4:4](#) - Oklahoma P&C Advocacy

Canada

[24:5](#) - Thanksgiving in Canada

Capitol

[20:13](#) - consultation with Capitol
people

[30:1](#) - have it at Capitol

County of Oklahoma

[35:3](#) - COUNTY OF OKLAHOMA

Lawton

[22:1](#) - two trials... in Lawton

Oklahoma

[1:5](#) - WHETHER THE OKLAHOMA MARKET

[10:14](#) - 36 Oklahoma Statute

[10:15](#) - Oklahoma homeowners
insurance market

Oklahoma City, Oklahoma

[1:24](#) - Professional Reporters

[2:15](#) - WHITTEN BURRAGE

[2:22](#) - OFFICE OF THE OKLAHOMA
ATTORNEY GENERAL

[3:21](#) - 3020 BancFirst Tower

B. Organizations

American Property Casualty Insurance Association

[5:21](#) - counsel for American
Property

[8:2](#) - expert associated with
American Property

APCIA

[4:10](#) - Ryan Kilpatrick, APCIA

[9:20](#) - Joanna Coll, from APCIA

[9:23](#) - on behalf of APCIA

[14:18](#) - responses of NAMIC and
APCIA

[17:5](#) - behalf of NAMIC and APCIA

GableGotwals

[3:13](#) - Caleb J. Evans

Insurance Commissioner

[1:1](#) - BEFORE THE INSURANCE
COMMISSIONER

NAMIC

[4:8](#) - Paul Martin, NAMIC

[14:18](#) - responses of NAMIC and
APCIA

[17:5](#) - on behalf of NAMIC

National Association of Mutual Insurance Companies, Inc.

[3:10](#) - Association and National
Association

[5:22](#) - National Association of
Mutual Insurance Companies

Office of The Oklahoma Attorney General

[2:21](#) - Cameron Capps

[6:23](#) [7:5](#) [7:17](#) [13:17](#) [15:8](#) [18:1](#)
[25:23](#) [28:6](#) - On behalf of Attorney
General

[7:21](#) - all for the AG

[28:13](#) - speaking for Attorney
General

Oklahoma Insurance Department

[2:7](#) - Honorable Judge John D.
Miller

[3:5](#) - Bo DeBose

[4:7](#) - Sherry Standerfer, OID

[5:13](#) - for the Oklahoma Insurance

Department

[10:22](#) - record of Oklahoma Insurance Department

[11:1](#) [28:18](#) [32:21](#) - on behalf of Department

[11:10](#) [19:24](#) [30:18](#) - filed with the Department

[11:18](#) - with the Department

[11:23](#) - Could the Department just make

[14:18](#) - responses of... the Department

[14:22](#) - from the Department

[14:23](#) - Department has no objection

[19:20](#) - filed by the Department

[24:22](#) - as far as Department

[24:24](#) - act on behalf of Department

[28:22](#) - anything Department wishes to present

[30:15](#) - submitted to the Department

[30:17](#) - response... by the Department

[33:2](#) - what's the Department's position

Oklahoma P&C Advocacy

[4:2](#) - Appearing on behalf of

Professional Reporters

[1:23](#) - Becky Steinkamp, CSR, RPR

State of Oklahoma

[2:11](#) - Appearing on behalf of

[35:2](#) - STATE OF OKLAHOMA

[35:5](#) - for the State of Oklahoma

Teams

[1:15](#) [20:3](#) [20:10](#) [30:19](#) - Via Teams

[8:22](#) - part of this Teams call

Whitten Burrage

[2:14](#) - Michael Burrage

[2:16](#) - email addresses listed

[7:1](#) - regards to the Whitten Burrage firm

[7:2](#) - appearing for Whitten Burrage

C. People

Becky Dame Steinkamp, CSR, RPR

[1:22](#) - listed as CSR, RPR

[5:17](#) - Ms. Steinkamp, court reporter

[35:4](#) - I, Becky Dame Steinkamp

Blake Patton

[5:19](#) - appearing on behalf of counsel

[23:17](#) [29:20](#) [34:1](#) - Yes, sir

[5:24](#) - Yes, Your Honor

[6:4](#) - Mr. Martin as well

[8:1](#) - Judge, he is expert

[8:6](#) - No, sir

[8:8](#) - a professor

[17:4](#) - on behalf of NAMIC and APCIA

[17:14](#) - individual proceeding under APA

[22:23](#) - Judge, it works for us

[29:13](#) - Same answer

[32:4](#) - Mr. Patton: Judge?

[32:6](#) - Blake Patton here

[33:10](#) - my only add on

[33:13](#) - bifurcate witness and exhibit disclosures

[33:16](#) - process of working with witnesses

Bo DeBose

[3:4](#) - with Oklahoma Insurance Department

[5:14](#) [28:18](#) - Mr. DeBose and Ms. Nash

[5:16](#) [28:24](#) - Yes, sir, Judge

[14:23](#) - Department has no objection
[26:13](#) - as regards to potential Commissioner's testimony
[26:16](#) - understand where opposing counsel is coming from
[27:4](#) - Yes, sir
[27:6](#) - we agree with Bo
[32:20](#) - on behalf of Department
[33:3](#) - We get position stated
[34:12](#) - Thank you, Judge

Bob Sullivan

[3:18](#) - Appearing on behalf of
[11:7](#) [11:17](#) [29:3](#) [30:13](#) - on behalf of Mr. Sullivan
[13:16](#) [19:14](#) - standing of Mr. Sullivan
[11:4](#) - whether or not Mr. Sullivan
[14:1](#) - responses by Mr. Sullivan
[18:5](#) - objection to Bob Sullivan

Caleb J. Evans

[3:12](#) - with GableGotwals
[5:25](#) - myself and Mr. Caleb Evans

Cameron Capps

[2:20](#) - with Office of The Oklahoma Attorney General
[6:22](#) - Mr. Cameron Capps and Kristin Siegel
[6:24](#) - That's correct
[7:8](#) - with -- Mr. Capps
[7:20](#) - Mike Burrage, Hannah Whitten, Cameron Capps

Denise Johnson

[4:9](#) - Denise Johnson, Observer
[9:5](#) - I see a Denise Johnson
[9:11](#) - Yep

Hannah Whitten

[2:17](#) - email
 hwhitten@whittenburrage.com

[7:4](#) - Michael Burrage, and Hannah Whitten

[7:15](#) - yourself, Hannah Whitten, and Mr. Burrage

[7:20](#) - Mike Burrage, Hannah Whitten

Jason Seay

[5:25](#) - Mr. Caleb Evans and Jason Seay

Jerrell Harris

[4:11](#) - Jerrell Harris, Observer

Joanna Coll

[9:13](#) - Good morning, sir
[9:19](#) - observer, Joanna Coll, from APCIA

John D. Miller

[1:13](#) [2:6](#) - Honorable Judge John D. Miller

Kristin Siegel

[6:22](#) - Mr. Cameron Capps and
[7:8](#) - Mr. Capps and Ms. Siegel
[7:9](#) - Mr. Siegel. Okay
[7:20](#) - Cameron Capps, and Kristin Siegel

Michael Burrage

[2:13](#) - of Whitten Burrage
[7:4](#) - Reggie Whitten, Michael Burrage
[7:15](#) - Hannah Whitten, and Mr. Burrage
[7:20](#) - Me, Reggie Whitten, Mike Burrage
[21:23](#) - Mr. Burrage and I
[30:23](#) - May I address one thing
[31:7](#) - You might want to address
[31:17](#) - Mr. Burrage is right
[34:6](#) - We're good

Michael J. Hunter

[3:19](#) - Appearing on behalf of Bob

Sullivan

[17:2](#) [34:11](#) - Thank you, Judge

[6:18](#) - Good morning, Mr. Hunter

[6:20](#) - Hey, Judge. Good morning

[11:7](#) - Mr. Hunter, on behalf of

[11:16](#) - file any response... Mr. Hunter

[12:16](#) - should have called Mr. Hunter

[16:7](#) - Judge, may I be heard

[16:10](#) - this motion really throws wrench

[21:10](#) - Judge, Mike Hunter here

[21:13](#) - Mr. Hunter, that -- when

[21:15](#) - I believe that I'm back

[21:23](#) - what Mr. Hunter just said

[22:17](#) - Mr. Hunter's conflict

[24:11](#) - front end of my time

[24:14](#) - for not being flexible

[29:2](#) - Mr. MacIntyre or Mr. Hunter

[29:6](#) - Yes, Your Honor

Mr. Denny (Unidentified)

[7:10](#) [7:12](#) - Is Mr. Denny on this call

Mr. Gonzales

[6:3](#) - Ms. Stallings and Mr. Gonzales

Mr. MacIntyre

[6:11](#) - Good morning, Mr. MacIntyre

[19:15](#) [29:2](#) - standing by Mr. MacIntyre

[6:13](#) - Good morning, Judge

[8:12](#) - Brett and Mr. MacIntyre

[8:15](#) - And Mr. MacIntyre, I believe

[8:17](#) - Yes, Mr. MacIntyre

[8:20](#) - Yep. I am here

[11:4](#) - Mr. Sullivan and Mr. MacIntyre

[11:8](#) - and Mr. MacIntyre

[11:17](#) - Mr. Sullivan, Mr. MacIntyre

[14:1](#) - responses by... Mr. MacIntyre

[29:7](#) - Yes, Your Honor

[30:14](#) - either Mr. Sullivan, Mr. MacIntyre

Mr. Robinson (Attorney)

[8:13](#) - And Mr. Robinson is present

[13:21](#) - Your Honor, if I may

[13:22](#) - Go ahead, Mr. Robinson

[13:23](#) - don't know if they can hear

[14:9](#) - think now is good time

[14:13](#) - with all things considered

[15:23](#) - don't even know who

[24:8](#) - Your Honor, I'm gone

[29:9](#) - Mr. Robinson, on behalf of

[29:11](#) - Yes, sir

Ms. Stallings

[6:1](#) - Would that be Ms. Stallings

Nicole Nash

[3:8](#) - email address listed

[5:14](#) [28:18](#) [32:20](#) - Mr. DeBose, Ms. Nash

[11:21](#) [23:18](#) - Your Honor?

[11:23](#) - Department just make a statement

[12:2](#) - It's in addition to

[12:4](#) - apologize for late hour filing

[12:10](#) - We just wanted to ensure

[12:15](#) - But we regret

[23:20](#) - information on Commissioner's travel

[23:23](#) - best week of availability

[24:18](#) - Ms. Nash, will you again state

[24:20](#) - Commissioner is traveling

[25:2](#) - anticipating that he may be

[25:7](#) - The whole week

Paul Martin

[4:8](#) - Paul Martin, NAMIC

[6:4](#) - And Mr. Martin as well

[6:6](#) - Is there a Mr. Martin

[6:7](#) - Good morning, Judge

Reggie Whitten

[2:16](#) - email
 rwhitten@whittenburrage.com

[7:3](#) [9:25](#) [12:20](#) [21:19](#) - Your Honor,
 this is Reggie Whitten

[25:10](#) [27:16](#) - Your Honor, may I
 inquire

[28:12](#) [31:12](#) - I think that's right

[7:14](#) - Mr. Whitten, you said

[7:19](#) - Me, Reggie Whitten

[8:24](#) - Judge, we saw other names

[9:3](#) - isn't big enough

[9:14](#) - Yeah, Judge

[9:16](#) - for the record

[12:24](#) - just have a question

[13:2](#) - We are fine with that

[13:11](#) - parties now who are on

[15:6](#) - Mr. Whitten, on behalf

[15:7](#) - Yes, sir. Thank you, sir

[16:2](#) - Yes. We're ready to
 disclose

[18:1](#) - On behalf of Attorney
 General

[18:14](#) - Yeah. Well, it's just so
 hard

[21:22](#) - along the same lines

[22:1](#) - in Lawton

[22:5](#) - than October because

[22:8](#) - two cases at same time

[22:11](#) - we will try one

[22:14](#) - love to get it over

[22:22](#) - We'll make it work here

[25:12](#) - so many moving parts

[25:15](#) - and so many witnesses

[26:8](#) - That wouldn't hang it up

[27:6](#) - we agree with Bo

[28:5](#) - on behalf of AG's office

[28:15](#) - we can put ours on

[31:1](#) - With regard to the
 conference

[31:11](#) - your Motion Number 3, Mr.
 Whitten

[31:25](#) - okay giving names up

[32:10](#) - same goes for exhibits

[32:15](#) - give all our exhibits

[34:5](#) - No, sir

[34:7](#) - Thank you

[34:13](#) - Bye, everybody

Robert Hartwig

[7:25](#) - appearance from Dr. Robert
 Hartwig

Robert Hunter

[15:15](#) - it's Robert Hunter, for
 him

Ryan Kilpatrick

[4:10](#) - Ryan Kilpatrick, APCIA

[9:22](#) - same for me, Judge

Sherry Standerfer

[4:7](#) - Sherry Standerfer, OID

[7:10](#) - Is Mr. Denny on?

[8:11](#) - You've got Brett

[8:15](#) - And Mr. MacIntyre

[8:19](#) - Okay

[9:6](#) - she's just here to

[9:9](#) - Yeah. She's

The Commissioner (Oklahoma Insurance Department)

[23:21](#) - information on
 Commissioner's travel schedule

[24:20](#) - I believe the Commissioner

is traveling

[26:2](#) - If the Commissioner wants to testify

[26:14](#) - potential Commissioner's testimony

[26:22](#) - work out with the Commissioner

Phrases

A. Objections

"has no objection to any motions for a continuance" (1 occurrences)

[14:23](#)

"we would strenuously object ... we're ready to go." (1 occurrences)

[15:18](#)

"I also object to that ... argue this motion today." (1 occurrences)

[16:22](#)

"forceful, full-throated objection ... of the merits hearing." (1 occurrences)

[17:6](#)

"we had no objection ... someone does appeal." (1 occurrences)

[18:8](#)

"Noted to the objections ... to the continuance" (1 occurrences)

[21:6](#)

B. Qualified Responses

"I believe" (2 occurrences)

[6:5](#) [8:16](#)

"I think" (2 occurrences)

[9:4](#) [9:6](#)

"I don't know" (1 occurrences)

[13:23](#)

"I think now is as good a time as any" (1 occurrences)

[14:9](#)

"I think that with all the things considered ... a later date." (1 occurrences)

[14:13](#)

"We understand the concerns" (1 occurrences)

[14:25](#)

"We don't even know who those witnesses are" (1 occurrences)

[15:23](#)

"in my opinion" (1 occurrences)

[16:12](#)

"we believe can be resolved" (1 occurrences)

[17:9](#)

"we believe this to be more of a rule-making proceeding" (1 occurrences)

[17:10](#)

"we believe this Court is more than able to address these issues" (1 occurrences)

[17:16](#)

"we don't think there's any reason or need for a continuance" (1 occurrences)

[17:20](#)

"We think they could be argued today" (1 occurrences)

[18:3](#)

"I hope it doesn't take that long" (1

occurrences)

[20:25](#)

"I believe that I'm back" (1 occurrences)

[21:15](#)

"I'm pretty sure" (1 occurrences)

[22:12](#)

"you don't know at this point in time" (1 occurrences)

[23:3](#)

"I don't think it's a State holiday" (1 occurrences)

[24:3](#)

"I believe the Commissioner is traveling" (1 occurrences)

[24:20](#)

"we are anticipating that he may be a witness" (1 occurrences)

[25:2](#)

"I think we could say ... three really good days for us." (1 occurrences)

[25:23](#)

"I understand" (1 occurrences)

[26:11](#)

"it seems like" (2 occurrences)

[26:18](#) [26:20](#)

"I don't mean to get into the issue" (1 occurrences)

[26:19](#)

"I think so" (1 occurrences)

[28:12](#)

"I think we can put ours on in one day" (1 occurrences)

[28:15](#)

"I think it might be helpful ... better off we would be." (1 occurrences)

[31:2](#)

"I think that's right" (1 occurrences)

[31:12](#)

"Maybe it's sensible ... That might make sense." (1 occurrences)

[32:6](#)

"I think it might make sense to bifurcate" (1 occurrences)

[33:13](#)

"I think we're in the process ... further down the line." (1 occurrences)

[33:16](#)

C. Record Mechanics

"for the record, if anybody is observing ... on the record, as well, please." (1 occurrences)

[10:1](#)

"make a statement for the record, please?" (1 occurrences)

[11:23](#)

"on the record" (1 occurrences)

[12:17](#)

"just for the record" (2 occurrences)

[15:9](#) [17:6](#)

"we're going to be in recess" (1 occurrences)

[19:8](#)

"(Short recess from 9:21 to 9:34 a.m.)" (1 occurrences)

[19:10](#)

"After a short recess" (1 occurrences)

[19:11](#)

"noted as a part of the record." (1 occurrences)

[21:8](#)

"(HEARING CONCLUDED AT 9:53 A.M.)" (1 occurrences)

[34:14](#)

Exhibits

Motion to Dismiss Parties Due to a Lack of Standing

Introduction: [11:1](#) - OID motion addressing lack of standing

[11:6](#) - response deadline for motion

[11:20](#) - questions regarding motion

[12:1](#) - department apology for late filing

[12:20](#) - inquiry about oral argument

[16:10](#) - motion's impact on proceedings

[16:23](#) - request to argue motion today

[19:12](#) - motion based on standing

[20:1](#) - oral argument on motion

[21:3](#) - oral argument on motion

[30:8](#) - hearing on motion scheduled

Omnibus Brief (Motions 2, 3, 5, 9, and 11)

Introduction: [27:18](#) - disputed motions in omnibus brief

[30:8](#) - ruling reserved for motions

[31:10](#) - question about Motion Number 3