

SEP 22 2026

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

INSURANCE COMMISSIONER
OKLAHOMA

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

**THE OKLAHOMA INSURANCE DEPARTMENT'S RESPONSE OPPOSING THE
DISQUALIFICATION OF THE INDEPENDENT HEARING EXAMINER AND THE
INSURANCE COMMISSIONER**

The State of Oklahoma, *ex rel.* Glen Mulready, Insurance Commissioner (the "Department" or the "OID"), by and through counsel, Antuanya "Bo" DeBose and Nicole Nash, hereby responds to the "Joint Affidavit of the Oklahoma Attorney General and Bob Sullivan in Support of Disqualification of the Independent Hearing Examiner and of the Insurance Commissioner Pursuant to 75 O.S. § 316" (the "Affidavit"), filed on September 10, 2026, and states as follows:

I. THERE ARE NO GROUNDS TO DISQUALIFY THE INDEPENDENT HEARING EXAMINER

1. **Administrative hearing examiners are presumed to be capable of judging a proceeding fairly.** Pursuant to 75 O.S. § 316, the determination at issue is whether the appointed hearing examiner is able "to give a fair and impartial hearing." Administrative proceedings are unique in that the state agency who acts as a party advocating a certain position in the hearing is also the adjudicating body and forum of that hearing. Oklahoma law permits the hearing examiner of an administrative hearing to be the head of the agency, a third-party appointed by the head of the agency, or even another staff member of the agency appointed by the head of the agency. See 75 O.S. §§ 250.3(7), 313 and 316; 36 O.S. §§ 307 and 319. The Oklahoma Supreme Court has held that this is not a violation of due process. Lowrey v. Hodges, 1976 OK 132, ¶ 23, 555 P.2d 1016, 1024.

. . . due process is not necessarily denied by the fact that the hearing is before the same authority which has preferred the charges upon which the hearing is had, or by the fact that the trier of the fact has personal knowledge of the matter in issue or has expressed an opinion that the conduct in question is illegal. The combination in the same person of the functions of investigation or advocacy and the function of deciding is a recognized evil which, to some extent, the specific provisions of the Federal Administrative Procedure Act ameliorate, and even where such a statute does not apply, such a combination of functions has been held not to support a claim of denial of due process of law.

Id. at ¶ 23, 1024 (citing 2 Am.Jur.2d, Administrative Law, s 413). In Wilson, the Oklahoma Supreme Court held the fact that an agency investigates, prosecutes, and adjudicates a matter does not violate due process. Wilson v. Oklahoma Horse Racing Comm'n, 1996 OK 3, ¶ 13, 910 P.2d 1020, 1023 (citing Withrow v. Larkin, 421 U.S. 35, 46–47, 95 S.Ct. 1456, 1463–64, 43 L.Ed.2d 712 (1975)). “Agency administrators are presumed to be capable of judging a particular controversy fairly, on the basis of its own circumstances.” Id. Parties challenging the impartiality of a hearing examiner must therefore bear the burden of overcoming this presumption. The Parties in this case have not done so.

2. **State agency hearings are held at state facilities.** The Department’s administrative hearings are routinely held at the OID building (400 NE 50th Street, Oklahoma City, Oklahoma). This arrangement is not foreign to other Oklahoma state agencies and there is no statute, regulation or case law that suggests this arrangement is improper. It is not uncommon for most state agencies to hold administrative hearings at their own facilities, including but not limited to the Oklahoma State Department of Education (OSDE), the Oklahoma Corporation Commission (OCC), the Oklahoma State Department of Health (OSDH), and the Oklahoma Workers Compensation Commission (OWCC). On September 4, 2026, Independent Hearing Examiner John Miller (the “Hearing Examiner”) appeared via Microsoft Teams from the second (2nd) floor conference room of the OID building for the scheduled pre-hearing conference (“PHC”).

3. **Staff assistance is allowed.** It is a common and recognized practice in Oklahoma agency administrative proceedings for agency staff to assist independent hearing examiners during administrative hearings, subject to important limitations designed to preserve impartiality and due process. There are several examples in Oklahoma law where this practice has been formally recognized. The Oklahoma Administrative Procedures Act (“OAPA”), specifically 75 O.S. § 313, prohibits ex parte communications “in connection with any issue of law” but permits the decisionmaker of a hearing to “have the aid and advice of one or more personal assistants.” In Arbuckle, the Oklahoma Water Resources Board's procedural rules (OAC 785: 4-3-4) expressly provide that the hearing examiner may designate any Board staff member to assist the hearing examiner in the conduct of the proceedings. Arbuckle Simpson Aquifer Protection Federation of Okla., Inc. v. Okla. Water Resources Bd., 343 P.3d 1266, 1268 (2013). Similarly, the Oklahoma Department of Rehabilitation Services' administrative rules provide that once selected, the impartial hearing officer will assume responsibility for arranging and conducting the fair hearing with the assistance of agency staff as necessary. See OAC 612: 10-1-6. While staff assistance during administrative hearings is permitted, it must not compromise the hearing examiner's impartiality. The Oklahoma Supreme Court in Arbuckle addressed a situation where the Oklahoma Water Resources Board acted as a conduit for favorable witnesses to present further unchallenged testimony to the hearing examiner without notice to the other parties. Id. at 1271. The court in Arbuckle found that this arrangement allowed one to question the hearing officer's impartiality, and that such ex parte communications between the hearing officer and agencies serving as witnesses created the impression of partiality on the part of the hearing officer. Id. at 1271. Those facts do not exist in this case. And importantly, despite these findings, the Oklahoma Supreme Court held, “We do not hold that the hearing officer failed to provide a fair and impartial hearing

during the MAY proceeding in question, and *will not require her disqualification* and a restart of the proceedings.” Id. at ¶ 16, 1272 (emphasis added).

During OID administrative hearings, Sherry Standerfer acts as the administrative court clerk for the Department. In that capacity, Ms. Standerfer files and maintains the administrative court records, records the administrative hearings, and assists the hearing examiners with scheduling and other administrative functions. Ms. Standerfer has performed these duties for the Department for thirty (30) years and is experienced and trained on the duty to not discuss or attempt to influence in any way the decisions of a hearing examiner on any legal issue arising in an administrative proceeding. See Exhibit D: Affidavit of Sherry Standerfer. Ms. Standerfer did not engage in any ex parte communications with Judge Miller relating to the merits of any decision in this case. Id. The fact that she communicates with Judge Miller outside the record regarding administrative functions cannot be construed as creating the appearance of partiality or grounds for recusal. Setting such a precedent would call into question the validity of administrative hearings across the State. As stated above, it is a common and recognized practice allowed by Oklahoma law for agency staff to provide administrative support to hearing examiners.

4. **Parties were invited to attend the PHC in person or virtually.** Pursuant to the “Order of Continuance” filed September 1, 2026, the PHC previously scheduled for August 27, 2026 at 9:30 am was continued until September 4, 2026 at 9:00 am via Microsoft Teams. The Microsoft Teams invite sent to all parties stated “[a] conference room at the OID has been reserved. If you would like to attend in person, you may do so. If you prefer to attend via TEAMS, the correct link is below.” See Exhibit A: Microsoft Teams Invite. All seven (7) of the parties to this matter appeared at the September 4th PHC; six (6) parties appeared virtually and Brett Robinson, attorney for the Oklahoma P&C Advocacy Association (the “P&C Association”)

appeared in person. Both attorneys for the Department appeared from Antuanya “Bo” DeBose’s office on the first (1st) floor of the OID building via Microsoft Teams and remained downstairs before, during, and after the pre-hearing conference. See Exhibit B: Affidavit of Antuanya “Bo” DeBose; Exhibit C: Affidavit of Nicole Nash. Counsel for the Department did not have any communications, directly or indirectly, with the hearing examiner except for statements made during the hearing in the presence of all the other parties. Counsel for the Oklahoma Attorney General (the “OAG”) and counsel for Bob Sullivan (“Mr. Sullivan”), who chose not to attend the September 4th PHC in person, cannot now allege that improper conduct occurred during a recess of the hearing, or that “[n]o participant appearing remotely could see or hear anything that occurred during the recess,” or that “no party knows whether Ms. Standerfer remained with the Hearing Examiner during it, or whether anything was said to him concerning the continuance.” See The Affidavit, ¶ 19. No ex parte communication, or other improper conduct occurred during the recess of the PHC, and the Affidavit has supplied nothing but speculation to support that claim. See Exhibit D: Affidavit of Sherry Standerfer.

5. An adverse ruling is insufficient to claim a fair and impartial hearing cannot be afforded.

a. Ruling on the continuance request. The Hearing Examiner stated during the September 4th PHC that he was “not particularly wanting to move the date or time of the actual hearing itself, but I want to make sure it’s conducted in a fair and impartial way.” Tr. 14: 2-8. This statement by the Hearing Examiner was not a ruling and was made before hearing from the parties. Counsel for the P&C Association orally moved for a continuance of the September 14, 2026 hearing on the merits. Tr. 14: 9-20. Four (4) of the parties objected to the request for continuance, while the Department offered no objection. After

hearing the position of each party, the Hearing Examiner took a brief recess, then issued the ruling reflected in the “Order of Continuance” filed September 10, 2026. A single ruling from a hearing examiner, made after hearing from all the parties, is not improper. The fact that ruling was over the objection of certain parties is not grounds for the Hearing Examiner to disqualify himself. The OAG and Mr. Sullivan even acknowledge in the Affidavit that the ruling alone is not an abuse of discretion and insufficient to request the disqualification of the Hearing Examiner. See The Affidavit, ¶ 22.

b. **The recess.** The OAG and Mr. Sullivan have offered no evidence that any ex-parte communication occurred with the Hearing Examiner during the September 4th PHC. The fact is the OAG and Mr. Sullivan cannot offer any evidence to that effect because no ex-parte communication occurred. As previously stated, both counsel for the Department appeared from Antuanya “Bo” DeBose’s office on the first (1st) floor of the OID building via Microsoft Teams and remained downstairs before, during, and after the pre-hearing conference. See Exhibit B: Affidavit of Antuanya “Bo” DeBose; Exhibit C: Affidavit of Nicole Nash; Exhibit D: Affidavit of Sherry Standerfer. No members of the Department had any improper ex parte communications with the hearing examiner.

6. The Hearing Examiner’s Engagement. Pursuant to 36 O.S. § 319, “[i]n conducting any hearing pursuant to the Insurance Code, the Insurance Commissioner may appoint an independent hearing examiner who shall sit as a quasi-judicial officer.” (emphasis added). This appointment authority is reinforced by 36 O.S. § 307, which provides that the Commissioner shall hear all matters either in person, by authorized disinterested employees, or by hearing examiners appointed by the Commissioner for that purpose. The OAG has similar authority pursuant to OAC 75: 1-5-8(a), which states in part “[e]very hearing before the Office of the Attorney General shall

be conducted by the Attorney General or designated Hearing Officer . . .” Further, pursuant to OAC 75: 1-5-9(a), “[t]he Attorney General shall appoint at least one individual who is a licensed attorney to act as the Administrative Hearing Officer in individual proceedings filed before the Office of the Attorney General. The Administrative Hearing Officer shall conduct fair and impartial hearings and take all necessary action to avoid delay in the disposition of all proceedings . . .” Additionally, it should be noted that the OAG receives and reviews the OID’s hearing examiner’s contracts pursuant to 74 O.S. § 20i. The OAG received and did not disapprove the contract of the Hearing Examiner currently assigned to this matter, effective July 1, 2026 through June 30, 2027. *See Exhibit E: July 30, 2026 letter from the OAG and Exhibit F: Oklahoma Attorney General - 20i Attorney Listing.* That means the Hearing Examiner’s contract was approved while this current administrative proceeding was ongoing, and the contract is not set for renewal until next year, once the next Oklahoma Insurance Commissioner is in office. Alleged bias due to pecuniary interest, if any, lies in favor of the next insurance commissioner who will be charged with renewing the contracts for the Department’s hearing examiners, not the current insurance commissioner. Lastly, asking for a Hearing Examiner to be disqualified due to being contracted with the OID is illogical. The Affidavit appears to acknowledge that at ¶ 26, which states “[m]ovants do not ask this Court to hold that every contract examiner is disqualified in every case . . .” *See* The Affidavit, ¶26.

7. The Department’s Motion to Dismiss. The Department’s “Motion to Dismiss Parties due to Lack of Standing” (the “Motion to Dismiss”) was filed September 3, 2026. The Motion to Dismiss was not untimely, late, or in violation of any scheduling order issued by the court. Unlike the Affidavit, which must be filed upon discovery, the issue of standing can be raised at any time. *See Wells Fargo Bank, N.A. v. Heath*, 2012 OK 54, ¶¶ 8–9 and 12, 280 P.3d 328, 332–334 (“Standing may be raised at any stage of the proceeding, and when raised, the party invoking

the court's jurisdiction has the burden of establishing his or her standing."'). The Motion to Dismiss clearly states the Department did not intend for the motion to be heard at the PHC scheduled for September 4, 2026. Despite this, counsel for Mr. Sullivan stated he was ready to argue the Motion to Dismiss during the September 4th PHC and the OID did not object. However, the Hearing Examiner set a briefing schedule for the Motion to Dismiss, along with setting September 15, 2026 at 10:00 am as the date for oral argument regarding the motion. The OAG's and Mr. Sullivan's Affidavit prevented oral argument from occurring on September 15, 2026, along with argument regarding the other pending motions in this matter. The Hearing Examiner's decision to continue the 36 O.S. § 984 hearing and schedule briefing allowed fair opportunity for all parties to be heard on the Motion to Dismiss, and there is no indication that the Hearing Examiner acted in an unfair or impartial manner regarding this issue.

II. THE ISSUE OF DISQUALIFICATION OF THE HEARING EXAMINER MUST BE DETERMINED BY THE ADMINISTRATIVE HEAD OF THE AGENCY

8. **The administrative head of the agency.** Pursuant to 75 O.S. § 316, when a party requests the disqualification of a hearing examiner or agency member ". . . [t]he issue shall be determined promptly by *the administrative head of the agency*, or, if it affects a member or members of the agency, by the remaining members thereof, if a quorum" (emphasis added). The latter part of that provision referencing a quorum is inapplicable here, therefore this disqualification is statutorily required to be decided by the administrative head of the agency. In this case, the administrative head of the Insurance Department is the Insurance Commissioner pursuant to 36 O.S. § 301, and he is required to rule on this issue. However, 36 O.S. § 319 states "[i]n conducting any hearing pursuant to the Insurance Code, the Insurance Commissioner may appoint an independent hearing examiner who shall sit as a quasi-judicial officer." See also 36 O.S. § 307. The Insurance Commissioner has the authority to appoint another independent hearing

examiner to hear the issue(s) raised in the Affidavit to determine if there are grounds to disqualify the current Hearing Examiner pursuant to 75 O.S. § 316.

III. THERE ARE NO GROUNDS FOR DISQUALIFICATION OF THE INSURANCE COMMISSIONER

9. **The Insurance Commissioner is not presiding over this matter.** As allowed by 36 O.S. § 319, the Insurance Commissioner has appointed and delegated all of his authority to the Hearing Examiner to hear this matter and therefore is not presiding over the case on the merits in any capacity. This fact is important and distinguishes this case from the Wilson case cited in the Affidavit. See The Affidavit, ¶ 29. In Wilson, the Court ruled that one of the stewards of the three-person Oklahoma Horsing racing Commission Board of Stewards should have recused himself. Wilson v. Oklahoma Horse Racing Comm'n, 1996 OK 3, ¶ 15, 910 P.2d 1020, 1023. In Wilson, horse trainer Jack Wilson ("Wilson") requested a hearing regarding the suspension of his license. Prior to the hearing, Wilson moved to disqualify the Board of Stewards. Steward Charlie Cox, who had participated in the investigation against Wilson, did not disqualify. A hearing on the allegations was set before a three-person Board of Stewards, presided over by Steward Charlie Cox. At that hearing Wilson called Steward Charlie Cox as a witness. Steward Cox was sworn, testified both on direct and cross-examination, then resumed presiding over the hearing. Id. at 1022. This current matter is distinguishable from Wilson because the Insurance Commissioner is not presiding over the hearing in this case and he has appointed the Hearing Examiner to do so.

The fact that the Insurance Commissioner is not presiding over this matter also makes this case distinguishable from Staton v. Mayes, 552 F.2d 908 (10th Cir. 1997) and Cinderella Career & Finishing Sch., Inc. v. F.T.C., 425 F.2d 583 (D.C. Cir. 1970). Pursuant to 36 O.S. § 313(A), a final order signed by an independent hearing examiner, after hearing, shall be final agency action. Therefore, the Insurance Commissioner has no authority to interfere with a final agency order

issued by the independent Hearing Examiner. Even the Affidavit acknowledges this fact. See The Affidavit, ¶ 44 (“The Hearing Examiner, and not the Commissioner, is the decisional officer in this proceeding. 36 O.S. §§ 313(A), 319. His order after hearing is final agency action, and the Commissioner has no power to review it.”)

10. Testimony by an agency head is not barred. The OAPA does not prohibit the head of an agency from testifying in an administrative hearing conducted by that agency, and the statutory framework expressly contemplates the administrative head's active participation in individual proceedings. The OAPA grants broad authority to compel and present witness testimony in individual proceedings. Pursuant to 75 O.S. § 315(A), the agency conducting any individual proceeding or investigation has the power to require the furnishing of such information, the attendance of such witnesses, and the production of such books, records, papers or other objects as may be necessary and proper for the purposes of the proceeding or investigation. This language confirms that the Insurance Commissioner is a recognized participant in the hearing process with authority to compel witness attendance — and by extension, there is no statutory bar on the administrative head serving as a witness. 75 O.S. § 316 states a hearing examiner or agency member shall withdraw from any individual proceeding in which he cannot accord a fair and impartial hearing or consideration. However, that provision is inapplicable in this case, as the Insurance Commissioner is not presiding over this matter and has removed himself from any decision-making role. As shown on the Department’s witness list, the Insurance Commissioner is being called as a fact witness to testify.

11. Prior statements or actions are not sufficient grounds for disqualification. The fact that the Commissioner engaged in constitutionally protected political activities by supporting an insurance commissioner candidate that is no longer in the election race, and the fact that the

Insurance Commissioner has issued a ruling on the subject of this matter in a completely separate case, are irrelevant to the current proceeding. In this proceeding, the independent hearing examiner must issue a ruling based on the evidence presented at the hearing on the merits.

IV. THE HEARING ON THE MERITS SHOULD PROCEED WITHOUT FURTHER DELAY

12. Any successor hearing examiner is statutorily required to be selected by the Insurance Commissioner. The OAG's and Mr. Sullivan's request that the parties confer and select a new hearing examiner is unsupported by law. 75 O.S. § 316 states in part that the disqualification issue "... shall be determined promptly by the *administrative head of the agency*, or, if it affects a member or members of the agency, by the remaining members thereof, if a quorum." (emphasis added). Additionally, 36 O.S. § 319 states "[i]n conducting any hearing pursuant to the Insurance Code, the Insurance Commissioner may appoint an independent hearing examiner who shall sit as a quasi-judicial officer." The statutes are clear that the administrative head of the OID, the Insurance Commissioner, is required to either rule on the Affidavit himself, or designate another independent hearing examiner rule on the matter of disqualification.

V. CONCLUSION

The facts of what took place at the September 4th PHC are simple. A party requested a continuance of the September 14, 2026 hearing on the merits, multiple parties objected to the request, and after taking a brief recess, the hearing examiner chose to grant the request for continuance. No ex-parte communications took place during the recess and the Affidavit's claim that such conduct occurred is meritless. It should also be noted that the OAG and Mr. Sullivan did not raise these concerns of partiality after the August 27, 2026 pre-conference hearing, which was also held remotely with Ms. Standerfer in the presence of the Judge, and expressed no concern

regarding the Hearing Examiner's ability to accord a fair and impartial hearing until their objection at the September 4, 2026 PHC was overruled. An adverse ruling is insufficient to claim a fair and impartial hearing cannot be afforded.

WHEREFORE, the Department respectfully asks that the Affidavit be denied in its entirety and that this matter proceed on the merits before Independent Hearing Examiner John Miller.

**GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA**

AS DeBose

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CERTIFICATE OF MAILING

I, Antuanya "Bo" DeBose, hereby certify that a true and correct copy of the above and foregoing *Response* was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested, along with electronic mail on this 23 day of September, 2026 to:

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Michael Burrage, OBA No. 1350
Blake Sonne, OBA No. 20341
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Attorney for Bob Sullivan



Antuanya "Bo" DeBose

Accepted

26-0820-TRN/In Re: Hearing Pursuant to 36 O.S. § 984 as to Whether the Oklahoma Homeowners Insurance Market is Noncompetitive/(Prehearing Conference)(Miller)(SMS)/sstanderfer 08272026

Sensitivity

Sherry Standerfer; OID DOCKET2 Cal; Judge John Miller; Bo DeBose; Nicole Nash; mike@mjlhlaw.net; rwhitten@whittenburrage.com; mburraga@whittenburrage.com; Blake Sonne; Hannah Whitten; +10 others

Tracking

Fri 9/4/2026 9:00 AM - 1:00 PM

Scheduler

2026-07-14 26-0820-TRN N... 5 MB

2026-07-14 26-0820-TRN N... 5 MB

2026-07-29 26-0820-TRN N... 3 MB

2026-08-25 26-0820-TRN N... 7 MB

2026-12-26 26-0820-TRN N... 999 KB

5 attachments (21 MB)

Save all to OneDrive - State of Oklahoma

Download all

OID 2 North Conference Room Declined

OID 2 North Conference Room Declined

Teams meeting

Meeting recap

File

Transcript

View recap

48m 47s

A conference room at the OID has been reserved. If you would like to attend in person, you may do so. If you prefer to attend via TEAMS, the correct link is below.

Microsoft Teams meeting

Join: <https://teams.microsoft.com/meet/281488125014081?p=yXBiuWazXaibySWJec>

Meeting ID: 281 488 125 014 081

Passcode: pA9CX9mG

[Need help?](#) | [System reference](#)

Tracking

Organizer

Sherry Standerfer

Sent on Thursday, 8/27/2026 at 12:13 PM

Attendees

You responded "Accept"

Accepted: 9

OID DOCKET2 Cal Required

Bo DeBose Required

mike@mjlhlaw.net Required

rwhitten@whittenburrage.com Required

bpatton@gablelaw.com Required

tshores@gablelaw.com Required

jseay@gablelaw.com Required

brobinson@hbstrategies.us Required

Denise Johnson Optional

Declined: 1

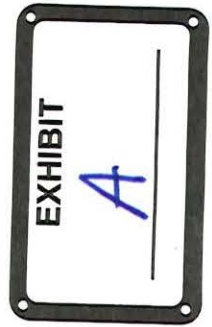
OID 2 North Conference Room

Didn't respond: 10

JM Judge John Miller Required

NN Nicole Nash Required

M mburraga@whittenburrage.com



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

AFFIDAVIT OF ANTUANYA DEBOSE

I, Antuanya "Bo" DeBose, of lawful age, being first duly sworn upon oath, state:

- 1) I reside in Canadian County, Oklahoma.
- 2) I am Deputy General Counsel at the Oklahoma Insurance Department ("OID").
- 3) I am one of two attorneys of record for the OID in OID case number 26-0820-TRN.
- 4) On September 4, 2026, I appeared virtually for the pre-hearing conference ("PHC")
scheduled in OID case number 26-0820-TRN *via Microsoft Teams*.
- 5) I attended the September 4th PHC virtually from my office on the first (1st) floor of the OID
building, alongside General Counsel Nicole Nash.
- 6) I remained in my office prior to, during, and after the September 4th PHC.
- 7) I have never, directly or indirectly, communicated ex parte with Hearing Examiner John
Miller regarding any matters in 26-0820-TRN.
- 8) All of my communication with the Hearing Examiner has been done on the record, in the
presence of the other parties. **FURTHER, Affiant sayeth not.**

ASDeBose
ANTUANYA "BO" DEBOSE

Subscribed and sworn before me on this 22nd day of September 2026.

My Commission No.: 23015625

Expiration Date: 11/30/2027



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

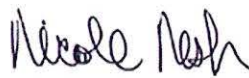
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 MARKET IS NONCOMPETITIVE)

AFFIDAVIT OF NICOLE NASH

I, Nicole Nash, of lawful age, being first duly sworn upon oath, state:

- 1) I reside in Oklahoma County, Oklahoma.
- 2) I am General Counsel at the Oklahoma Insurance Department ("OID").
- 3) I am one of two attorneys of record for the OID in OID case number 26-0820-TRN.
- 4) On September 4, 2026, I appeared virtually for the pre-hearing conference ("PHC")
scheduled in OID case number 26-0820-TRN via Microsoft Teams.
- 5) I attended the September 4th PHC virtually alongside Deputy General Counsel Antuany
"Bo" DeBose, from his office on the first (1st) floor of the OID building.
- 6) I remained in Deputy General Counsel's office prior to, during, and after the September 4th
PHC.
- 7) I have never, directly or indirectly, communicated ex parte with Judge John Miller
regarding any matters in 26-0820-TRN.

FURTHER, Affiant sayeth not.



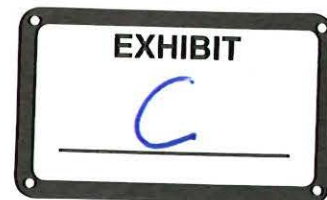
NICOLE NASH

Subscribed and sworn before me on this 22 day of September 2026.



NOTARY PUBLIC

My Commission No.: 23015625
Expiration Date: 11/30/27



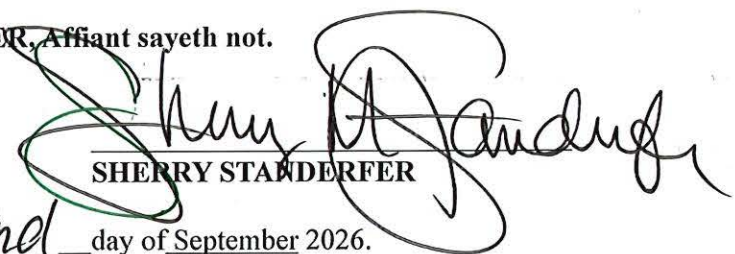
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 MARKET IS NONCOMPETITIVE)

AFFIDAVIT OF SHERRY STANDERFER

I, Sherry Standerfer, of lawful age, being first duly sworn upon oath, state:

- 1) I reside in Cleveland County, Oklahoma.
- 2) I am a Legal Assistant at the Oklahoma Insurance Department ("OID").
- 3) I also act as the OID's administrative court clerk. In that capacity, I file and maintain the administrative court records, record the administrative hearings, and assist the hearing examiners with scheduling and other administrative functions.
- 4) I have performed administrative court clerk duties for the Department for thirty (30) years and I am experienced and trained to not discuss or attempt to influence in any way the decisions of a hearing examiner on any legal issue arising in an administrative proceeding.
- 5) On September 4, 2026, as the OID's administrative court clerk, I assisted Independent Hearing Examiner John Miller appear virtually from the second (2nd) floor of the OID building for the pre-hearing conference ("PHC") scheduled in OID case number 26-0820-TRN *via Microsoft Teams*. I also recorded the audio from the September 4th PHC for the administrative record.
- 6) None of my communications with OID Hearing Examiners involve decision making or the merits of the case.
- 7) None of my communications with the Hearing Examiner during the September 4th PHC involved any of his decision making or rulings. **FURTHER, Affiant sayeth not.**


SHERRY STANDERFER

Subscribed and sworn before me on this 22nd day of September 2026.

EXHIBIT

0

Maria Torres
NOTARY PUBLIC

My Commission No.: 23015625

Expiration Date: 11/30/2027





July 30, 2026

VIA EMAIL

Sherry Standerfer
Insurance Department
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Oklahoma City, OK 73105
Sherry.Standerfer@oid.ok.gov

Re: Request for Legal Representation by Private Attorney

Dear Ms. Standerfer:

This is your documentation that the Office of the Attorney General acknowledges receipt of you 20i-2 contract number **F-27 018**.

Law Firm: Bethany Legal Services, PLLC
Attorney Name(s): John Miller
Contract Amount: \$19,999.99
Contact Start Date: 07/01/2026

Claim: Contractor serves as Hearing Office for administrative hearings pursuant to the Administrative Procedures Act and Titles 36 and 59 of the Oklahoma Statutes.

If you have any questions, please do not hesitate to contact me or my assistant, Leesa Myers at 522-2946.

Sincerely,

A handwritten signature in blue ink, appearing to read "R. Baze", is positioned above the typed name.

Ron Baze
Deputy Attorney General, Litigation
Oklahoma Attorney General



Oklahoma Office of the Attorney General



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Brady Smith Law, PLLC

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EXHIBIT

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Philip Peisch

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