

FILED

OCT 23 2026

**INSURANCE COMMISSIONER
OKLAHOMA**

BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

IN RE:

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

Case No. 26-0820-TRN

**OKLAHOMA INSURANCE DEPARTMENT'S MOTION SEEKING
DETERMINATIONS ON OUTSTANDING ITEMS AND APPLICATION TO
SET THE MERITS HEARING DATE ON OR BEFORE DECEMBER 15, 2026**

The Oklahoma Insurance Department ("OID"), by and through its undersigned counsel, respectfully moves the Hearing Examiner to issue determinations on the outstanding matters identified herein and makes application for the hearing on the merits to be reset on or before December 15, 2026, excluding the dates of December 8th-9th due to known conflicts. In support thereof, OID states as follows:

Several matters in this proceeding were fully briefed in late August and early September 2026, yet they remain undecided. The Hearing Examiner was prepared to address the outstanding requests contained in the Office of the Attorney General's ("OAG") Omnibus Motion at the September 4, 2026, Prehearing Conference, and thereafter continued argument on those requests to September 15, 2026. The Affidavit in Support of Disqualification filed by the OAG and Mr. Sullivan on September 10, 2026, prevented those issues from being decided. That request has since been denied, and this matter has been ordered to proceed before Hearing Examiner John D. Miller. The hearing on the merits previously set for October 26, 2026, is now the subject of the OAG and Mr. Sullivan's Motion to Stay Proceedings Pending Original Action in the Supreme Court of Oklahoma, to which OID will respond and object separately.

OID respectfully requests rulings on the following matters:

1. All issues that have not been resolved within the Joint Request of the Oklahoma Attorney General and Bob Sullivan for Production of the Record of the September 4, 2026 Pre-Hearing Conference and of the Designation under 75 O.S. § 316;

2. The OAG Omnibus Motion 2 (Motion for Virtual Attendance Option for the Public), Motion 9 (Motion for Equitable Allocation of Hearing Time), and Motion 11 (Motion for Fair and Impartial Hearing), filed on August 25, 2026, each of which OID opposed in its September 1, 2026, Response;

3. The requests set forth in OID's September 1, 2026, Response that (a) the party bearing the burden of proof present its case in chief first, and (b) evidence and argument be limited to the six competitive insurance market factors outlined in 36 O.S. § 984;

4. Whether Article I or Article II of the Oklahoma Administrative Procedures Act governs these proceedings, as raised in the response filed by NAMIC and APCIA on September 1, 2026;

5. OID's Motion to Dismiss Craig MacIntyre and Bob Sullivan for lack of standing, filed September 3, 2026; and

6. A date certain for the exchange of pre-filed exhibits, consistent with the parties' stipulation to OAG Omnibus Motion 3 (Motion for Advance Disclosure of all Materials the Commissioner or Hearing Examiner Intends to Notice or Consider). The parties exchanged witness lists on September 14, 2026, but no deadline has been established for the exchange of exhibits.

7. A date certain setting deadlines by which to file any motions in limine or other similar evidentiary motions, *Daubert* motions, and expert disclosures.

Each of the foregoing matters is ripe for determination. The parties have fully briefed every point (the scheduling items need only an order) and their respective positions are set forth in the

record. Given the delays that have already occurred, public interest would be better served by an expedient determination on these outstanding matters. Any further hearing on these outstanding matters would add no value. Such a hearing would only involve the restating of arguments already before the Hearing Examiner and would further delay a proceeding that has already been delayed enough. OID respectfully submits that these matters may and should be decided as presented.

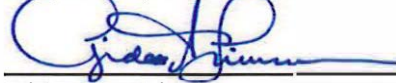
Prompt resolution of these matters is also necessary to permit the parties to prepare for the hearing on the merits. Together, these rulings will determine the proper parties to this proceeding, the procedural framework that governs it, the order and scope of the evidence to be presented, and the schedule for the exchange of exhibits. Until they are resolved, the parties cannot complete their preparation. Determining these matters now will promote an orderly and efficient hearing, regardless of how the pending request for a stay is ultimately resolved.

Finally, it is important the hearing on the merits not be further delayed. All parties have expressed, either in briefs or oral statements before the Hearing Examiner, a desire for this hearing to occur as soon as possible. The current Insurance Commissioner is the person most familiar with the issues to be addressed at the hearing. Allowing this matter to proceed without additional delay will preserve that familiarity and serve the interests of the parties and the public in a timely and well-informed resolution before a new Insurance Commissioner is seated. OID therefore requests that the hearing on the merits be set on a date certain on or before December 15, 2026.

WHEREFORE, premises considered, OID respectfully requests that the Hearing Examiner enter an order (1) determining each of the matters identified above without further hearing on those matters; (2) denying OAG's Omnibus Motions 2, 9, and 11; (3) granting OID's requests regarding the order of presentation and limiting evidence and argument to the competitive insurance market factors set forth in 36 O.S. § 984; (4) granting OID's Motion to Dismiss Craig MacIntyre and Bob

Sullivan for lack of standing; (5) setting a date certain for the exchange of pre-filed exhibits; (6) setting the hearing on the merits on or before December 15, 2026, excluding the dates of December 8th-9th due to known conflicts; and (7) granting such other and further relief as the Hearing Examiner deems just and proper.

Respectfully submitted,



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CERTIFICATE OF SERVICE

I hereby certify that on October 22, 2026, a true and correct copy of the foregoing document was electronically filed with the Oklahoma Insurance Department and further served by email and U.S. Mail, postage prepaid, upon the Oklahoma Attorney General's Office as follows:

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