

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
MAR 18 2022  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
v. ) Case No. 22-0056-DIS  
 )  
JOHN CALVIN MELOY, III )  
a surplus lines broker in the state of Oklahoma, )  
 )  
Respondent. )

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Andrea M. Golden, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready 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. §§ 101-7401, including the Oklahoma Producer Licensing Act, 36 O.S. §1435.1 et seq., and the Oklahoma Unauthorized Insurers and Surplus Lines Insurance Act, 36 O.S. §1100 et seq..
2. Respondent John Calvin Meloy, III, (“Respondent”), is a non-resident surplus lines broker holding license number 100107225. Respondent’s address of record is 5351 Windrush Fulshear, TX 77441. Respondent’s non-resident license expired August 31, 2021.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 1435.13(A) and (D) and 36 O.S. § 1435.18(D).
4. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.
5. The Insurance Commissioner, pursuant to OAC 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person’s expense, shall cause a full stenographic record of

the proceedings to be made by a competent court reporter.

### **FINDINGS OF FACT**

6. Pursuant to 36 O.S. §1101(A), no person in Oklahoma shall in any manner represent or assist any nonadmitted insurer in the soliciting, procuring, placing, or maintenance of any nonadmitted insurance coverage upon or with relation to any subject of insurance resident, located, or to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Oklahoma Unauthorized Insurers and Surplus Lines Insurance Act.

7. Respondent obtained his Oklahoma surplus lines license on or about June 30, 2011. Respondent's license was properly maintained until it expired on August 31, 2021.

8. Respondent submitted his 2021 fourth quarter report of new surplus lines policies, showing five (5) policies placed with Lloyds of London while Respondent had an expired license.

9. Pursuant to the provisions of 36 O.S. §1435.13:

*A. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for any one or more of the following causes:*

*2. Violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner.*

*D. In addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.*

10. Pursuant to 36 O.S. §1435.18(D), *The provisions of this section shall apply to all licenses under... the Unauthorized Insurers and Surplus Lines Insurance Act, Section 1100 et seq. of this title, the Oklahoma Producer Licensing Act, Section 1435.1 et seq. of this title....*

**CONCLUSIONS OF LAW**

11. Respondent has violated *36 O.S. §1435.13(A)(2) and 36 O.S. §1101(A)* by soliciting, procuring, placing, or maintaining five (5) nonadmitted insurance policies to be performed in Oklahoma without being a surplus lines licensee or broker as defined in the Oklahoma Unauthorized Insurers and Surplus Lines Insurance Act.

**ORDER**

**IT IS THEREFORE ORDERED** that Respondent is hereby **CENSURED** and **FINED** Five Hundred Dollars (**\$500.00**). The fine shall be paid within thirty (30) days of the date of this Conditional Administrative Order and made payable to the Oklahoma Insurance Department. The fine shall be sent to the Oklahoma Insurance Department located at 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within 30 days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the thirty-first (31<sup>st</sup>) day following the date of mailing this Order. A request for hearing should be in writing and addressed to Andrea M. Golden, Oklahoma Insurance Department, Legal Division, 400 NE 50<sup>th</sup> Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, *36 O.S. §§ 101 et seq.*, and the *Oklahoma Administrative Procedures Act*, *75 O.S. §§ 250 through 324*. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 18<sup>th</sup> day of March 2022.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in blue ink, appearing to be "A. Golden", written over a horizontal line.

Andrea M. Golden  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 521-2746  
Fax (405) 522-0125

**CERTIFICATE OF MAILING**

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 18<sup>th</sup> day of March 2022, to:

John Calvin Meloy, III  
5351 Windrush  
Fulshear, TX 77441

**CERTIFIED MAIL NO:  
9214 8902 0982 7500 0447 29**

and a copy was delivered to:

Licensing Division &  
Comptroller Division/Premium & Surplus Lines Tax Division

A handwritten signature in blue ink, appearing to be "A. Golden", written over a horizontal line.

Andrea M. Golden  
Assistant General Counsel



22-0056-D's

AME

Date Produced: 03/28/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0447 29. Our records indicate that this item was delivered on 03/24/2022 at 10:58 a.m. in FULSHEAR, TX 77441. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

5351 Windrush

Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

This USPS proof of delivery is linked to the customers mail piece information on file as shown below:

JOHN CALVIN MELOY III  
5351 WINDRUSH ST  
FULSHEAR TX 77441-4148

Customer Reference Number: C3303075.19281046