

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

OCT 10 2022

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
MIDDLE STATES INSURANCE)
COMPANY, INC., a licensed insurance)
company in the State of Oklahoma,)
)
Respondent.)

Case No. 22-0609-DIS

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 his attorney, Teresa L. Green, 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 et seq., including 36 O.S. §§ 309.1 through 309.7.

2. The Company is an Oklahoma domestic insurer authorized to transact the following lines of insurance business: accident & health or sickness, casualty (including vehicle), casualty (vehicle only), marine, and property. The Company operates in the State of Oklahoma pursuant to SBS Company Number 44196513 and NAIC Company Code number 31810.

FINDINGS OF FACT

3. On or about June 13, 2022, the Oklahoma Insurance Department issued Order Adopting Report of Examination which ordered Respondent to “file within thirty (30)

days... affidavits executed by each of its directors stating under oath that each director has received a copy of the adopted Report [of Financial Examination] and the related Order.”

4. On or about August 1, 2022, the Oklahoma Insurance Department received the Respondent’s affidavits.

5. Pursuant to *36 O.S. § 309.4(D)(1)*, the company shall file affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report.

6. The Insurance Commissioner may fine any insurer who knowingly and willfully violates the Oklahoma Insurance Code with a civil penalty of not more than \$5,000.00 for each occurrence. *See 36 O.S. § 619(B)*.

CONCLUSIONS OF LAW

6. Respondent violated *36 O.S. § 309.4(D)(1)* by not filing affidavits executed by each of its directors stating under oath that they have received a copy of the adopted report and related orders within thirty (30) days of the issuance of the adopted report when the affidavits were received on August 1, 2022 and the order was issued on June 13, 2022.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated *36 O.S. § 309.4(D)(1)* and as a result **Respondent is FINED** in the amount of **ONE HUNDRED DOLLARS (\$100.00)**. **The Fine is to be paid within thirty (30) days of receipt of this Order.**

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above will become a Final Order on the thirty-first

(31st) day following the date of mailing this Order. A request for hearing should be in writing addressed to Teresa L. Green, Oklahoma Insurance Department, Legal Division, 400 N.E. 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as 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 will be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 10th day of October, 2022.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Teresa L. Green, OBA #32897
Senior Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
Telephone: (405) 521-6654
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

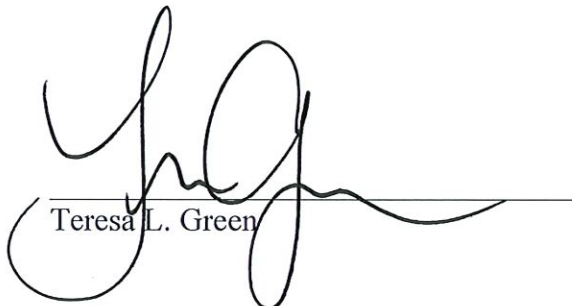
I, Teresa L. Green, hereby certify that a true and correct copy of the above foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed by certified mail, with postage prepaid and return receipt requested, on this 11th day of October, 2022 to:

Middle States Insurance Company, Inc.
907 E. Grand Ave.
Marshall, TX 75670-3556

CERTIFIED MAIL NO. 9214 8902 0982 7500 0496 18

and that a copy was delivered to:

Financial Division

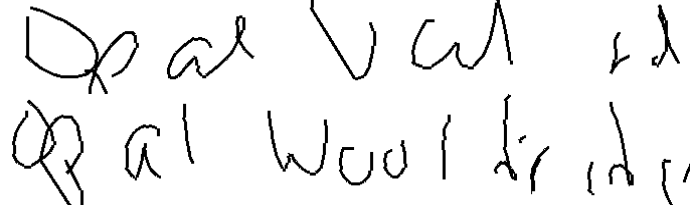

Teresa L. Green



Date Produced: 10/17/2022

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0496 18. Our records indicate that this item was delivered on 10/13/2022 at 01:21 p.m. in MARSHALL, TX 75670. The scanned image of the recipient information is provided below.

Signature of Recipient : 

Address of Recipient : 

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:

MIDDLE STATES INSURANCE COMPANY INC
907 E GRAND AVE
MARSHALL TX 75670-3556

Customer Reference Number: C3738549.22228330
Return Reference Number SMS/22-0609-DIS (TLG)/Cond Ord



Return address:

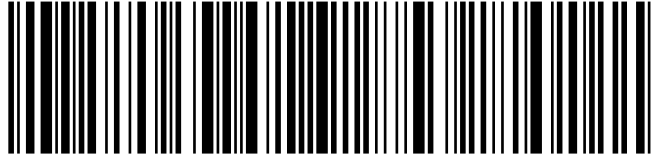
OKLAHOMA INSURANCE DEPARTMENT
5 CORPORATE PLAZA
OKLAHOMA CITY, OK 73112

Recipient address:

MIDDLE STATES INSURANCE COMPANY INC
907 E GRAND AVE
MARSHALL TX 75670-3556

MAILING DATE: 10/11/2022
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USPS CERTIFIED MAIL



9214 8902 0982 7500 0496 18

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USPS Tracking History	Location	Date / Time
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CASE NUMBER: 22-0609-DIS

DEPARTMENT: LEGAL/TLG

SENDER: SMS

CUSTOM 4: CONDITIONAL ADMINISTRATIVE ORDER & NOTICE OF RIGHT TO BE HEARD