

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

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
  **Petitioner,** )  
v. )  
 )  
ALEXIS KENNEDY, )  
a resident producer, )  
 )  
& )  
 )  
ERICA DANIELLE CURTISS, )  
a resident producer, )  
 )  
  **Respondent(s).** )

Case No. 23-0102-DIS

**FILED**

APR 26 2024

**INSURANCE COMMISSIONER  
OKLAHOMA**

**FINAL ADMINISTRATIVE ORDER**

This matter is a disciplinary proceeding under the Oklahoma Producer Licensing Act. 36 O.S. §§ 1435.1 et seq. On April 25, 2024, a show cause hearing was held at the Oklahoma Insurance Department (“OID”) on OID’s *Notice of Hearing and Order to Show Cause* (“Notice”), filed November 29, 2023. The hearing was held at the offices of OID before Independent Hearing Examiner John Miller. Present at the hearing were Antuanya “Bo” DeBose, Assistant General Counsel for OID. Respondent Alexis Kennedy (“Respondent Kennedy”) and Respondent Erica Danielle Curtiss (“Respondent Curtiss”) both appeared via teleconference software, pro se.

Witnesses were sworn and testified, exhibits were admitted, and argument of the parties heard.

**FINDINGS OF FACT**

1. That OID has jurisdiction over the subject matter of this action pursuant to 36 O.S. §§ 101-7401, including the Oklahoma Producer Licensing Act, 36 O.S. §1435.1 et seq.

2. That the Insurance Commissioner has the authority to render an Order concerning the above styled matter and has lawfully appointed Independent Hearing Examiner, John D. Miller, who sat as a quasi-judicial officer pursuant to 36 O.S. § 319.

3. Respondent Kennedy holds license number 3000605843 and was licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). Her address of record is 12700 E 100<sup>th</sup> Street North Apartment 15104, Owasso, Oklahoma 74055-9327.

4. Respondent Curtiss holds license number 3000831144 and is licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). Her address of record is 12700 East 100<sup>th</sup> Street North Apartment 15104, Owasso, Oklahoma 74055-9327.

5. 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 36 O.S. § 1435.13(A) and (D).

6. Petitioner afforded both Respondents an opportunity for hearing by sending the *Notice* by certified mail return receipt requested on November 29, 2023. The *Notice* states the matters asserted, states the time, place and nature of the hearing, cites legal authority and jurisdiction, and refers to particular sections of the statutes involved.

7. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department.

8. The following exhibits were introduced and admitted:

a) Petitioner's Exhibit A: Rita Webb's Bank Draft Notification from Community State Bank

b) Petitioner's Exhibit B: Sherman Webb's Written Statement of Unauthorized Debit

- c) Petitioner's Exhibit C: Notice of policy surrender from Mutual of Omaha to Rita Webb
- d) Petitioner's Exhibit D: Rita Webb's Forged Surrender Letter to Mutual of Omaha
- e) Petitioner's Exhibit E: American Amicable Life Insurance Application for Rita Webb
- f) Petitioner's Exhibit F: American Amicable Life Insurance Application for Judith Sparkman
- g) Petitioner's Exhibit G: Respondent Kennedy's Termination for Cause
- h) Petitioner's Exhibit H: American Amicable Life Insurance Application for Jesse Cuzick
  - 1. Exhibit H-1: Obituary for Jesse Cuzick
- i) Exhibit I: American Amicable Life Insurance Application for Rozetta Childers
  - 1. Exhibit I-1: Obituary for Rozetta Childers
- j) Exhibit J: American Amicable Life Insurance Application for Larry Moran
  - 1. Exhibit J-1: Obituary for Larry Moran
- k) Exhibit K: American Amicable Life Insurance Application for Rose Smith
  - 1. Exhibit K-1: American Amicable Life Insurance Cancellation for Rose Smith

9. The following witnesses were sworn and testified under oath:

- a) Sherman Webb, Rita Webb's son / Power of Attorney
- b) Marie McNorton, Judith Sparkman's daughter / Power of Attorney
- c) Jon Huntington, OID Anti-Fraud Division
- d) Rick Koch, OID Anti-Fraud Division
- e) Alexis Kennedy, Respondent
- f) Erica Danielle Curtiss, Respondent



10. The OID Anti-Fraud Unit received two (2) complaints alleging Respondent Kennedy submitted two (2) life insurance applications for two (2) elderly consumers who did not know about, consent or authorize the policies. (See Testimony of Sherman Webb, Testimony of Marie McNorton, Testimony of Jon Huntington, and Testimony of Rick Koch).

11. OID interviewed Sherman Webb (“Mr. Webb”) concerning an American Amicable Life Insurance Company (“AAL”) life insurance policy for his mother, Rita Webb. Mr. Webb informed OID that he has power of attorney over his mother’s financial and decision-making affairs. On or about November 9, 2022, Mr. Webb received notification from Community State Bank that an auto-draft had been established on his parents account. Mr. Webb determined the auto-draft was premium payment for a life insurance policy in the name of Rita Webb with AAL. Mr. Webb contacted Community State Bank and was able to get the auto-draft stopped. Mr. Webb informed the OID that his mother is in a nursing home and could not have requested the policy. Additionally, Rita Webb already had life insurance with Mutual of Omaha. (See Testimony of Sherman Webb, Testimony of Jon Huntington, Testimony of Rick Koch, Petitioner’s Exhibit A, and Petitioner’s Exhibit B).

12. On or about December 12, 2022, Rita Webb received a letter from Mutual of Omaha acknowledging the surrender of her life insurance policy. Mr. Webb immediately contacted Mutual of Omaha and was informed Mutual of Omaha received a surrender notice signed by Rita Webb. Mr. Webb obtained a copy of the surrender form and determined the signature bearing his mother’s name was a forgery. Mr. Webb then contacted AAL and learned the surrender form had been submitted by Respondent Kennedy. (See Testimony of Sherman Webb, Testimony of Jon Huntington, Testimony of Rick Koch, Petitioner’s Exhibit C and Petitioner’s Exhibit D).

13. The OID received a second complaint regarding Respondent Kennedy from Marie “Dolly” McNorton (“Dolly”). Dolly informed the OID that she received an auto-draft notification regarding her mother, Judith Sparkman’s bank account for a life insurance policy with AAL. Dolly states her mother is elderly, disabled, and did not request the AAL policy. Dolly contacted AAL regarding the auto draft and was informed the application for the policy was submitted by Respondent Kennedy. Dolly also confirmed that the signature on the AAL policy purportedly for her mother was not her mother’s signature. (See Testimony of Marie McNorton, Testimony of Rick Koch, and Petitioner’s Exhibit F).

14. OID Investigator Rick Koch (“Investigator Koch”) contacted AAL and received a copy of Respondent Kennedy’s termination for cause which listed three (3) additional life insurance policies written for deceased individuals and one (1) policy cancellation submitted by a policyholder declaring that her policy was fraudulent. AAL determined all four (4) total policies were submitted under Respondent Kennedy’s agent number. (See Testimony of Rick Koch, and Petitioner’s Exhibit G).

15. Respondent Kennedy submitted a life insurance policy to AAL on or about December 16, 2022 for Jesse Walter Cuzick, however Jesse Walter Cuzick passed away May 26, 2020. (See Testimony of Rick Koch, Petitioner’s Exhibit H and Petitioner’s Exhibit H-1).

16. Respondent Kennedy submitted a life insurance policy to AAL on or about November 10, 2022 for Rozetta Childers, however Rozetta Childers passed away May 25, 2021. (See Testimony of Rick Koch, Petitioner’s Exhibit I and Petitioner’s Exhibit I-1).

17. Respondent Kennedy submitted a life insurance policy to AAL on or about December 13, 2022 for Larry Moran, however Larry Moran passed away April 20, 2021. (See Testimony of Rick Koch, Petitioner’s Exhibit J and Petitioner’s Exhibit J-1).

18. Respondent Kennedy submitted a life insurance policy to AAL on October 13, 2022 for Rose Smith. On November 11, 2022, Rose Smith submitted a cancellation form to AAL stating the policy was fraudulent and issued without her permission. (See Testimony of Rick Koch, Petitioner's Exhibit K and Petitioner's Exhibit K-1).

19. Investigator Koch contacted Respondent Kennedy and inquired about the AAL policy for Rita Webb. Respondent Kennedy informed Investigator Koch that she conducted the transaction by phone and that Respondent Curtiss obtained the surrender form. Respondent Kennedy admitted signing Rita Webb's name to the application submitted to AAL. Respondent Kennedy also stated she did not complete the replacement notice and statement required by Oklahoma statute. (See Testimony of Rick Koch, Testimony of Alexis Kennedy and Petitioner's Exhibit E).

20. Investigator Koch asked Respondent Kennedy about the transaction involving Judith Sparkman. Respondent Kennedy stated she received verbal authorization from Judith Sparkman to sign her name to the AAL policy application and a bank draft authorization. Respondent Kennedy admitted she never met with Judith Sparkman in person and that the entire transaction was done over the phone. (See Testimony of Rick Koch, Testimony of Alexis Kennedy and Petitioner's Exhibit F).

21. Respondent Kennedy admitted she submitted the AAL Life Insurance applications for Jesse Cuzick, Rozetta Childers, Larry Moran and Rose Smith. Respondent Kennedy signed these policy applications and did not attempt to contact the alleged policyholders until after she submitted the applications to AAL. (See Testimony of Alexis Kennedy, Petitioner's Exhibit G through K).

22. Investigator Koch contacted Respondent Curtiss and interviewed her. Respondent Curtiss stated Dallas and Rita Webb were her previous clients and that she sold Rita Webb her Mutual of



Omaha Life Insurance policy. Respondent Curtiss subsequently left the agency in which she was employed, Strong Family Financial, and stopped receiving commissions for Rita Webb's Mutual of Omaha Life Insurance policy. Respondent Curtiss admitted to submitting the surrender form to Mutual of Omaha and signing Rita Webb's name. Respondent Curtiss stated she never spoke to or met with Rita Webb prior to submitting the surrender form, but stated she acted on information provided by Respondent Kennedy. (*See Testimony of Rick Koch, Testimony of Alexis Kennedy, Testimony of Erica Curtiss, and Petitioner's Exhibit D*).

### CONCLUSIONS OF LAW

23. That OID has jurisdiction over this matter and the Respondent(s) pursuant to 36 O.S. § 1435.1 et seq.

24. That Respondent(s) are licensed by the OID as resident producers pursuant to 36 O.S. § 1435.1 et seq.

25. That the Respondent(s) were provided adequate notice and a hearing pertaining to the Notice of Hearing and Order to Show Cause filed on November 29, 2023, in accordance with the Oklahoma Insurance Code and the Oklahoma Administrative Procedures Act.

26. Based upon the above provided findings of fact there is clear and convincing evidence to find that:

- a) Respondent Kennedy violated 36 O.S. §1435.13(A)(5), intentionally misrepresenting the terms of an insurance application by submitting three (3) life insurance applications for three (3) consumers who did not know about, consent or authorize the policies. Respondent Kennedy additionally submitted three (3) life insurance policies for deceased individuals.

- b) Respondent Kennedy violated 36 O.S. §1435.13(A)(8), demonstrating fraudulent and dishonest practices, and showing untrustworthiness by submitting three (3) life insurance applications for three (3) consumers who did not know about, consent or authorize the policies. Respondent Kennedy additionally submitted three (3) life insurance policies for deceased individuals.
- c) Respondent Kennedy violated 36 O.S. §1435.13(A)(10), by forging six (6) policy holder signatures on six (6) applications and submitting those applications to AAL.
- d) Respondent Curtiss violated 36 O.S. §1435.13(A)(10), by forging Rita Webb's signature on a surrender form and submitting the form to Mutual of Omaha.
- e) Respondent Kennedy violated 36 O.S. §4035 and §4036 by failing to deliver the required statement and notice to Rita Webb and Judith Sparkman.

27. 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. 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, also 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.

### **ORDER**

**IT IS THEREFORE ORDERED** that Respondent Alexis Kennedy's resident insurance producer license number 3000605843 is hereby **REVOKED**. Respondent Kennedy is ordered to pay costs of the proceeding in the amount of One Hundred Sixty-Eight Dollars and Eighty-Eight Cent (**\$168.88**) and is fined Five Thousand Dollars (**\$5,000.00**). The Insurance Commissioner shall notify all appointing insurers of the revocation and shall notify the Central Office the National



Association of Insurance Commissioners of Respondent Kennedy's revocation. The fine and costs shall be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Order. The fine shall be made payable to the Oklahoma Insurance Department and 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** that Respondent Erica Danielle Curtiss' resident insurance producer license number 3000831144 is hereby **REVOKED**. Respondent Curtiss is ordered to pay costs of the proceeding in the amount of One Hundred Sixty-Eight Dollars and Eighty-Eight Cent (**\$168.88**) and is fined One Thousand Dollars (**\$1,000.00**). The Insurance Commissioner shall notify all appointing insurers of the revocation and shall notify the Central Office the National Association of Insurance Commissioners of Respondent Curtiss' revocation. The fine and costs shall be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Order. The fine shall be made payable to the Oklahoma Insurance Department and 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.

Done this 26<sup>th</sup> day of April, 2024.



  
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JOHN D. MILLER  
INDEPENDENT HEARING EXAMINER  
OKLAHOMA INSURANCE DEPARTMENT

**CERTIFICATE OF MAILING**

I, Antuanya “Bo” DeBose, hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 30<sup>th</sup> day of April, 2024 to:

Alexis Kennedy  
12700 East 100<sup>th</sup> Street North Apartment 15104  
Owasso, Oklahoma 74055-9327  
Akayfab24@gmail.com

**CERTIFIED MAIL**  
**9589 0710 5270 0154 8794 29**

Erica Danielle Curtiss  
12700 East 100<sup>th</sup> Street North Apartment 15104  
Owasso, Oklahoma 74055-9327  
Ecurt2486@gmail.com

**CERTIFIED MAIL**  
**9589 0710 5270 0154 8794 36**

and that a copy was delivered to: Licensing and Anti-Fraud Division



Antuanya “Bo” DeBose