

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

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
v. )  
 )  
APEO, LLC, a registered professional )  
employer organization in the State of Oklahoma, )  
 )  
Respondent. )

APR 11 2023

INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 23-0157-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, Andrea M. Golden, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.* and Oklahoma Professional Employer Organization Recognition and Registration Act, 40 O.S. §§ 600.1-600.9.

2. APEO, LLC, (“Respondent”) is a registered professional employer organization in the State of Oklahoma, SBS Number 44201297. Its mailing address of record is 281 Sanders Creek Parkway, East Syracuse, New York 13057.

3. The Insurance Commissioner may refuse to register, suspend a registration, revoke a registration, or impose an administrative fine on a professional employer organization that violates any provision of the Oklahoma Professional Employer Organization Recognition and Registration Act. *See* 40 O.S. § 600.9.

### FINDINGS OF FACT

4. Respondent's PEO registration expired on or about August 15, 2022.
5. On or about October 27, 2022, Respondent submitted its Annual Renewal Election or renewal application for professional employer organization ("PEO") registration.
6. On or about February 22, 2023, Respondent reported that it conducted business in Oklahoma from August 15, 2022, through February 22, 2023, while unregistered. During that time, Respondent provided services for two (2) clients. The total production amount related to these services was \$5,334,669.84.
7. Pursuant to 40 O.S. § 600.4, no person shall provide, advertise, or otherwise hold itself out as providing professional employer services in Oklahoma unless registered as a PEO.

### CONCLUSIONS OF LAW

8. Respondent violated 40 O.S. § 600.4 by providing professional employer services in Oklahoma for two (2) clients while its registration as a professional employer organization was expired.

### ORDER

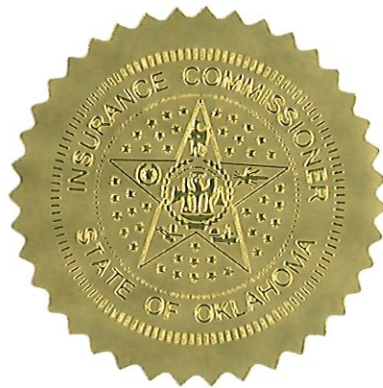
**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that Respondent is **FINED** in the amount of **FIVE THOUSAND DOLLARS (\$5,000.00)** for the violations of 40 O.S. § 600.4. The fine is to be paid within thirty (30) days of receipt of this Order.

**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 (31<sup>st</sup>) day following the date of mailing of this Order. A request for hearing should be in writing addressed to Andrea M. Golden, Oklahoma Insurance Department, Legal Division, 400 N.E. 50<sup>th</sup> St., Oklahoma City, OK 73105. A request for hearing must state the grounds for the request to set aside or modify this Order.

Any such hearing will be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250 *et seq.* If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, then 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 11<sup>th</sup> day of April 2023.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

Andrea M. Golden, OBA #33390  
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**

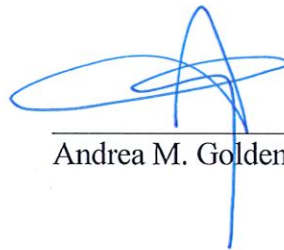
I, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was sent by certified mail with postage prepaid and return receipt requested and electronic mail on this 11<sup>th</sup> day of April 2023, to:

APEO, LLC  
281 Sanders Creek PKWY  
East Syracuse, NY 13057  
melissa.cizmorris@akerman.com  
toni.domres@akerman.com

**CERTIFIED MAIL NO.  
7022 2410 0003 2697 7794**

and a copy was delivered to:

RIS Division



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Andrea M. Goldem



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City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9053

APEO, LLC  
281 Sanders Creek Parkway  
East Syracuse, NY 13057  
SMS/23-0157-DIS (AMG)/  
Cond. Ord.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

APEO, LLC  
281 Sanders Creek Parkway  
East Syracuse, NY 13057  
SMS/23-0157-DIS (AMG)/  
Cond. Ord.



9590 9402 7741 2152 8899 81

2. Article Number (Transfer from service label)

7022 2410 0003 2697 7794

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

X

*[Handwritten Signature]*

- Agent
- Addressee

B. Received by (Printed Name)

*[Handwritten Name]*

C. Date of Delivery

*[Handwritten Date]*

D. Is delivery address different from item 1?  Yes  
If YES, enter delivery address below:  No

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OKLAHOMA INSURANCE DEPARTMENT  
APR 21 2023

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