

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

**STATE OF OKLAHOMA, ex rel. GLEN** )  
**MULREADY, Insurance Commissioner,** )  
 )  
 **Petitioner,** )  
v. )  
 )  
**MISTY TUCKER PARRINGTON,** )  
a resident producer, )  
 )  
 )  
 **Respondent.** )

**Case No. 23-0667-DIS**

**FINAL ADMINISTRATIVE ORDER**

This matter is a disciplinary proceeding under the Oklahoma Producer Licensing Act. 36 O.S. §§ 1435.1 et seq. On March 26, 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 15, 2023. The hearing was held at the offices of OID before Independent Hearing Examiner John Miller. Present at the hearing was Antuanya “Bo” DeBose, Assistant General Counsel for OID. Respondent Misty Tucker Parrington (“Respondent”) appeared 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 Miller, who shall sit as a quasi-judicial officer pursuant to 36 O.S. § 319.

3. Respondent, holding license number 40151086, 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 PO Box 226, Antlers, Oklahoma 74523-0226.

4. 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).

5. Petitioner afforded Respondent an opportunity for hearing by sending the *Notice* by certified mail return receipt requested and by electronic mail on November 15, 2023. The Notice stated the matters asserted, and stated the time, place and nature of the hearing, cited legal authority and jurisdiction, and referred to particular sections of the statutes involved.

6. The hearing was recorded electronically by an employee of the Oklahoma Insurance Department, Maria Torres.

7. The following exhibits were introduced and admitted:

- a) Petitioner's Exhibit A: Letter from National Indemnity to the OID dated 10/11/23.
- b) Petitioner's Exhibit B: Falsified Loss Run for Zak Cooper Trucking, LLC.
- c) Petitioner's Exhibit C: Falsified Declaration of Coverage for Zak Cooper Trucking LLC.
- d) Petitioner's Exhibit D: Letter from OID to Misty Parrington dated 12/15/22.
- e) Petitioner's Exhibit E: Email response from Misty Parrington dated 12/19/22.
- f) Petitioner's Exhibit F: Email response from Misty Parrington dated 01/09/23.
- g) Petitioner's Exhibit G: Conditional Administrative Order and Notice of Right to be Heard filed 02/13/23.
- h) Petitioner's Exhibit H: Email from Larry Brown to the OID dated 06/08/23.

- i) Petitioner's Exhibit I: Email from Misty Parrington to OID dated 10/24/23.
- j) Petitioner's Exhibit J: Email from Misty Parrington to OID dated 10/24/23.
- k) Petitioner's Exhibit K: Email from Kevin Bogardus to OID dated 03/26/24.
- l) Respondent's Exhibit 1: Billing Statements for Zak Cooper Trucking, LLC.

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

- a) Kevin Bogardus, National Indemnity Group of Insurance Companies Investigator
- b) David Kalbert, Oklahoma Insurance Department, Consumer Assistance Division
- c) Rick Koch, Oklahoma Insurance Department, Anti-Fraud Unit
- d) Misty Parrington, Respondent

9. The OID received a complaint from Zachary Cooper ("Mr. Cooper"), owner of Zak Cooper Trucking LLC regarding improper handling of their policy by the Respondent. (*See Testimony of David Kalbert*).

10. The OID reached out to the Respondent twice, requesting a response to Mr. Cooper's complaint within twenty (20) days. The Respondent submitted two (2) emails stating she would provide a response to the complaint, however failed to do so. (*See Testimony of David Kalbert, Petitioner's Exhibit D, Petitioner's Exhibit E, and Petitioner's Exhibit F*).

11. Respondent was issued a *Conditional Administrative Order and Notice of Right to be Heard* (the "Conditional Order") on February 13, 2023, for failing to adequately provide a response to OID. The Conditional Order ordered the Respondent to pay a two-hundred-dollar (\$200.00) fine and provide a response to Mr. Cooper's complaint within thirty (30) days. The Respondent paid the \$200.00 fine, however still failed to provide the OID with an adequate response regarding Mr. Cooper's complaint. (*See Testimony of David Kalbert and Petitioner's Exhibit G*).



12. The OID then assigned Investigator Rick Koch (“Investigator Koch”) to this matter. The investigation revealed that Respondent gave Mr. Cooper a declaration page and a loss run statement that did not belong to him or Zak Cooper Trucking LLC. The policy number was found to belong to a New York-based trucking company with no relation to Mr. Cooper. (See Testimony of Rick Koch, Petitioner’s Exhibit B, and Petitioner’s Exhibit C).

13. Investigator Koch contacted Investigator Kevin Bogardus with National Indemnity Group of Insurance Companies (“NICO”) regarding the loss run statement and declaration page. NICO examined the declaration page and loss run statement provided to Mr. Cooper by Respondent. The insurance carrier found the declaration page and loss run statement to be falsified. Investigator Kevin Bogardus stated that neither Zak Cooper, nor Zak Cooper Trucking LLC ever had a NICO insurance policy. (See Testimony of Kevin Bogardus, Petitioner’s Exhibit A, Petitioner’s Exhibit B, Petitioner’s Exhibit C, and Testimony of Rick Koch).

14. Investigator Koch reached out to the Respondent for an explanation regarding the policy number listed on the loss run statement and declaration page. Respondent stated a customer service representative made a mistake and offered to provide Investigator Koch documentary evidence of the actual policy number for Mr. Cooper. OID has not received any documentation regarding Mr. Cooper’s NICO policy from Respondent. (See Testimony of Rick Koch, Testimony of Misty Parrington and Testimony of Kevin Bogardus).

15. 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 for:

- a) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

- b) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.
16. Pursuant to 36 O.S. §1435.13(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.

#### CONCLUSIONS OF LAW

17. That OID has jurisdiction over this matter and Respondent pursuant to 36 O.S. § 1435.1 et seq.
18. That Respondent is licensed by the OID as a resident producer pursuant to 36 O.S. § 1435.1 et seq.
19. That Respondent was provided adequate notice and a hearing pertaining to the *Notice of Hearing and Order to Show Cause* filed on November 15, 2023, in accordance with the Oklahoma Insurance Code and the Oklahoma Administrative Procedures Act.
20. Based upon the above provided findings of fact there is clear and convincing evidence to find that Respondent violated 36 O.S. §1435.13(A)(5) & (A)(8) by issuing a falsified loss run statement and declaration page to Zachary Cooper, indicating he had a policy with National Indemnity when there was no such policy.
21. 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 Misty Parrington's resident insurance producer license number 40151086 is hereby **REVOKED**. Respondent is ordered to pay the costs of the proceeding in the amount of Two Hundred Sixty-Five Dollars (**\$265.00**) 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'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.

Done this 3<sup>rd</sup> day of April, 2024.



  
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JOHN MILLER  
INDEPENDENT HEARING EXAMINER  
OKLAHOMA INSURANCE DEPARTMENT

**CERTIFICATE OF MAILING**

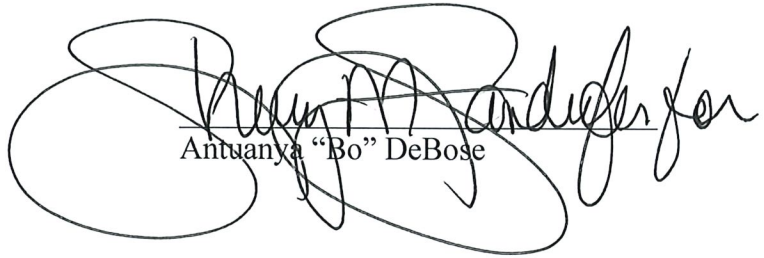
I, Antuanya “Bo” DeBose, hereby certify that a true and correct copy of the above and foregoing *Order* was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 4<sup>th</sup> day of April, 2024 to:

Misty Tucker Parrington  
PO Box 226  
Antlers, Oklahoma 74523-0226  
[Misty.parrington@usi.com](mailto:Misty.parrington@usi.com)  
[mistyparrington@yahoo.com](mailto:mistyparrington@yahoo.com)

**CERTIFIED MAIL**  
**9589 0710 5270 0154 8792 07**

and that a copy was delivered to:

Licensing and Anti-Fraud Division

  
Antuanya “Bo” DeBose