

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

JUL 11 2008

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. KIM HOLLAND, Insurance Commissioner,

Petitioner

v.

THOMAS P. BRANCH, a licensed resident producer and licensed resident surplus lines broker,

Respondent.

Case No. 08-0639-DIS

FINAL ADMINISTRATIVE ORDER

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, by and through her attorney, Julie Delluomo, and alleges and states as follows:

JURISDICTION AND AUTHORITY

1. Kim Holland 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.

2. Karl F. Kramer is the Deputy Insurance Commissioner of the State of Oklahoma and as such, by order of the Insurance Commissioner, is authorized to issue orders and take actions administering and enforcing the provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the authority to issue orders relating to the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 et seq.

3. Respondent is licensed by the State of Oklahoma as a resident producer and resident surplus lines broker holding license number 160069. His address of record is 6059 East 56th Street, Tulsa, Oklahoma 74135.

4. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Producer Licensing Act and/or may

levy a civil penalty of \$100.00 to \$1,000.00 for each violation of the Producer Licensing Act. 36 O.S. § 1435.13(A).

5. If the Insurance Commissioner finds that the public health, safety or welfare imperatively requires emergency action, and incorporates a finding to the effect in its order, summary suspension of a license may be ordered pending proceedings for revocation or other action. 75 O.S. §§ 314(C)(2), 314.1, OAC § 365:1-7-9(a).

FINDINGS OF FACT

1. Prior to issuance of a license as a surplus lines insurance broker, the applicant shall file with the Commissioner and thereafter, for as long as the license remains in effect, shall keep in force a bond in the amount of not less than Five Thousand Dollars (\$5,000.00) and not more than Forty Thousand Dollars (\$40,000.00) with an authorized corporate surety approved by the Commissioner. 36 O.S. § 1435.22(B)(1).

2. All surety protection required by the provisions of this section is to inure to the benefit of any party aggrieved by the acts of a consultant or surplus lines insurance broker. 36 O.S. § 1435.22(B)(3).

3. 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 or any combination of actions for violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner. 36 O.S. § 1435.13(A)(2).

4. Old Republic Surety Company notified the Commissioner that Bond No. LSC-1144297 on Respondent would be cancelled effective October 10, 2007 at the Respondent's request (Exhibit "A").

5. The Agents Licensing Division of the Oklahoma Insurance Department (the "Department") notified Respondent by letter dated August 29, 2007, sent certified mail, that a surety bond for Respondent's surplus lines insurance broker's license was required no later than September 10, 2007 (Exhibit "B").

6. Respondent failed to provide a surety bond in force with his surplus lines insurance broker's license.

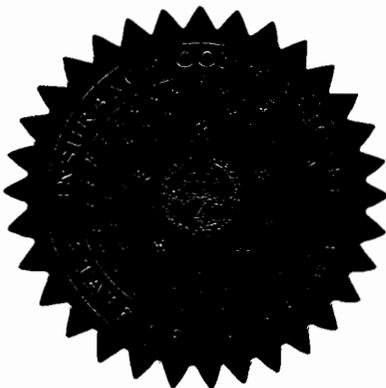
CONCLUSIONS OF LAW

Respondent violated 36 O.S. § 1435.22 (B)(1) for failure to keep a surety bond in force concurrently with his surplus lines broker license.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that the Respondent's surplus lines broker's license is **REVOKED** for violations of 36 O.S. § 1435.22 (B)(1) and that no hearing was requested and therefore the Administrative Order of Suspension Instante and Notice of Right to be Heard entered in this matter on May 9, 2008 is a **FINAL ADMINISTRATIVE ORDER**.

WITNESS My Hand and Official Seal this 11th day of July, 2008.




KARL F. KRAMER
DEPUTY INSURANCE COMMISSIONER
STATE OF OKLAHOMA

CERTIFICATE OF MAILING

I, Julie Delluomo, hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed via certified mail with postage prepaid and return receipt requested on this 11th day of July, 2008, to:

Thomas P. Branch
6059 East 56th Street
Tulsa, OK 74135

CERTIFIED MAIL NO. 7001 0320 0004 0178 9701

Notification was sent to:

NAIC/RIRS

A copy was delivered to:

Sandra Simms
Agents Licensing Division

April Morris
Consumer Assistance/Claims Division



Julie Delluomo
Assistant General Counsel



OLD REPUBLIC

**Old Republic Surety Company
Old Republic Insurance Company
Bituminous Casualty Corporation**

7810 Stemmons, Suite 400
P.O. Box 569480, Dallas, TX 75356-9480
Phone: (214) 634-1900 / Fax: (214) 688-1120
www.orsurety.com

LSC-1144297

OLD REPUBLIC SURETY COMPANY

CANCELLATION NOTICE

OKLAHOMA INSURANCE
DEPARTMENT
P.O. BOX 53408
OKLAHOMA CITY, OK 73152-3408

DATE OF CANCELLATION
8/26/2007

BOND NUMBER: LSC-1144297
DESCRIPTION: SURPLUS LINES INS.
BOND AMOUNT: 5,000

WE, THE ABOVE NAMED SURETY,
ARE TERMINATING OUR LIABILITY
UNDER THE ABOVE REFERENCED
BOND AS OF THE ABOVE
EFFECTIVE DATE.

PRODUCER

HARRIS, GLENN & ASSOC., INC.
P O BOX 14790
OKLAHOMA CITY, OK 73113-0790

**RECEIVED BY
AGENT LICENSING
JUL 16 2007
OKLAHOMA
INSURANCE DEPARTMENT**

CANCELLATION IS AT AGENT'S REQUEST.

BY Mary Sheekels
ATTORNEY IN FACT

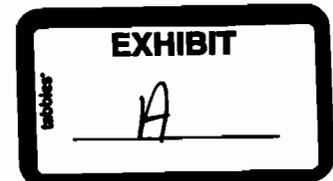
160069

PRINCIPAL

BRANCH, THOMAS P., III
6059 EAST 56 STREET
TULSA, OK 74135

599761

PROCESSED 7/11/2007





OKLAHOMA INSURANCE DEPARTMENT
STATE OF OKLAHOMA

August 29, 2007

Certified Mail
7001 0320 0004 2325 8629

Thomas P. Branch
6059 E. 56th St.
Tulsa, OK 74135

Re: Surety Bond for Surplus Lines License #160069 (old #S99761)

Dear Mr. Branch:

Our records indicate you do not have a current bond.

Please send your bond with a copy of this letter by September 10, 2007. If you do not respond by this date, this matter will be referred to our Legal division and your license may be subject to revocation or suspension.

Mail to: Oklahoma Insurance Department
Attn: Jan Sinn – Agents Licensing
PO Box 53408
Oklahoma City, OK 73152-3408

If you have any questions, feel free to contact me.

Sincerely,

Jan Sinn

Jan Sinn
Administrative Officer
Agents Licensing Division
405-521-3916 Fax: 405-522-3642
jansinn@insurance.state.ok.us

