

Cowan had recently purchased the Gwartney Insurance Agency, owned by Respondent Larry Dale Gwartney.

3. Cowan informed OID that he had uncovered a past due billing from Graham-Rogers, Inc. for a Northland Insurance Company commercial truck policy for Michael Bostick. Graham-Rogers, Inc. is the managing general agency for Northland Insurance Company. Cowan contacted Bostick and learned that Bostick possessed a paid receipt and cancelled check confirming he paid \$11,200.00 to Gwartney Insurance.

4. Further investigation revealed Bostick had met Respondent on December 19, 2007 for the purpose of obtaining insurance on his truck. An insurance application was completed and signed by Bostick. Bostick then gave Respondent a personal check in the amount of \$11,200.00 to pay for his commercial truck policy. Respondent deposited the \$11,200.00 check into Gwartney Insurance Agency's bank account at Bank of Locust Grove the same day. The check was presented for payment to First State Bank in Locust Grove on December 21, 2007.

5. The application for Michael Bostick's commercial truck policy was faxed to Graham-Rogers, Inc. on January 2, 2008 from the Gwartney Insurance Agency. The application was reviewed and accepted by Graham-Rogers, Inc. and policy number TN587717 was issued by Northland Insurance Company. Respondent failed to remit Bostick's premium payment to Graham-Rogers, Inc.

6. Respondent was charged with one count of embezzlement on July 16, 2008 in Case Number CF-02-00148 in Mayes County, Oklahoma as a result of his misconduct.

ALLEGED VIOLATIONS OF LAW

1. Such conduct by Respondent as alleged above is in violation of 36 O.S. §§ 1435.13 (A)(4) and 1435.13 (A)(8).

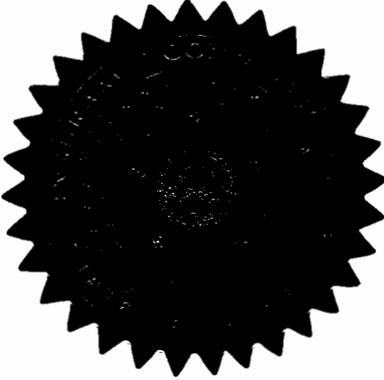
ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. §§ 1435.13 (A)(4) and 1435.13 (A)(8) and has thereby placed the welfare of the public at risk. Emergency action is justified to prevent Respondent from continuing to act as an insurance producer in Oklahoma and therefore **Respondent's license is REVOKED effective immediately.**

IT IS FURTHER ORDERED by the Insurance Commissioner that this Order is conditional. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order shall become a **FINAL ORDER** on the thirty-first day following the date of mailing of this Order. Such request for hearing, if desired, shall be made in writing addressed to Julie Delluomo, Oklahoma Insurance Department, Legal Division, Post Office Box 53408, Oklahoma City, Oklahoma, 73152-3408 and must be served on the Oklahoma Insurance Department within thirty (30) days allotted. The proceedings on any such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et. seq. and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et. seq.

WITNESS My Hand and Official Seal this 29th day of July, 2008.

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



Julie Delluomo

Julie Delluomo
Assistant General Counsel
P.O. Box 53408
Oklahoma City, OK 73152-3408
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I Julie Delluomo, hereby certify that a true and correct copy of the above and foregoing Emergency Revocation Order and Notice of Right to be Heard was mailed by certified mail, postage prepaid with return receipt requested, on this 29th day of July, 2008, to:

Larry Dale Gwartney
P.O. Box 1423
Locust Grove, OK 74352

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

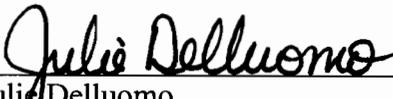
Agents Licensing Division

and

Anit-Fraud Unit/Investigations Division

and that a copy was mailed to:

All Appointing Insurers



Julie Delluomo