

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

AUG 04 2008

INSURANCE COMMISSIONER
OKLAHOMA

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

Petitioner)

v.)

Case No. 08-1143-DIS

CLINT MARCUM INSURANCE
AGENCY, INC., a licensed Oklahoma
Insurance Producer,)

Respondent.)

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

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

1. Kim Holland 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.*

2. 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 and/or may levy a fine up to \$1,000.00 for each occurrence of a violation
of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

2. Respondent is licensed by the State of Oklahoma as a resident insurance
producer holding license number 7505.

ALLEGATIONS OF FACT

1. Respondent Clint Marcum Insurance Agency, Inc. is licensed by the State of Oklahoma as a resident insurance producer holding license number 7505. Its address of record is P.O. Box 8888, Durant, Oklahoma 74702.

2. Respondent's insurance license lapsed on June 30, 2003. Respondent made no attempt to reinstate said license until recently notified of its lapsed license by an appointing insurer.

3. *A person shall not sell, solicit or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with the Oklahoma Producer Licensing Act. 36 O.S. § 1435.4. "Person" means an individual or business entity. 36 O. S. § 1435.2(16).*

CONCLUSIONS OF LAW

1. Respondent has violated 36 O.S. § 1435.4 by selling, soliciting or negotiating insurance in this state without an insurance license.

2. Respondent has violated 36 O.S. § 1435.13(A)(2) by violating insurance law 36 O.S. § 1435.4.

ORDER

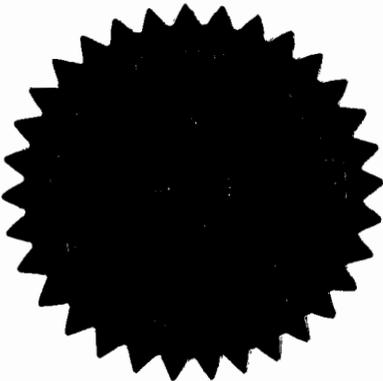
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 1435.4 and 36 O.S. § 1435.13(A)(2) and as a result **Respondent is CENSURED AND FINED** in the amount of **TWO THOUSAND DOLLARS FIVE HUNDRED (\$2500.00)**. **Reinstatement of license subject to fine being 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 Allegations 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 shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Julie Delluomo, Oklahoma Insurance Department, Legal Division, Post Office Box 53408, Oklahoma City, Oklahoma 73152-3408. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing

WITNESS My Hand and Official Seal this 4th day of August 2008.

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA





Julie Delluomo
Assistant General Counsel
P.O. Box 53408
Oklahoma City, Oklahoma 73152
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 Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail with postage prepaid and return receipt requested on this 5th day of August 2008, to:

Clint Marcum Insurance Agency, Inc.
P.O. Box 8888
Durant, Oklahoma 74702

CERTIFIED MAIL NO. 7001 0320 0004 0179 0103

and that notification was sent to:

NAIC/RIRS

and that a copy was mailed to:

All Appointing Insurers

and that a copy was delivered to:

Agents Licensing Division


Julie Delluomo