

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

**STATE OF OKLAHOMA, *ex rel.*** )  
**KIM HOLLAND, Insurance Commissioner,** )  
 )  
**Petitioner,** )  
 )  
**v.** )  
 )  
**INTERSTATE ADMINISTRATIVE SERVICES,** )  
**INC., a licensed Service Warranty** )  
**Association in the State of Oklahoma # 2405** )  
 )  
**Respondent.** )

**FILED**

AUG 19 2008

**INSURANCE COMMISSIONER  
OKLAHOMA**

Case No. 08-1240-DIS

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

COMES NOW the State of Oklahoma, *ex rel.* Kim Holland, and alleges and states as follows:

**JURISDICTION**

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, OKLA. STAT. TIT. 36 §101 through § 7004.
2. If a hearing is requested by the Respondent, the Insurance Commissioner, pursuant to OKLAHOMA ADMINISTRATIVE CODE § 365:1-7-5, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.
3. If the Respondent requests a hearing in this matter, the Insurance Commissioner, pursuant to OKLA. STAT. TIT. 36 § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and who may preside over the hearing requested by the Respondent.

## ALLEGATIONS OF FACT

1. That the Respondent is a licensed service warranty association in the State of Oklahoma holding certificate of authority number 2405.
2. That the Respondent failed to properly and timely submit its 2007 annual statement to the Department on or before February 29, 2008.
3. That the Respondent's annual statement was submitted on or about August 6, 2008.

## VIOLATIONS OF LAW

1. Respondent violated OKLA. STAT. TIT. 36 § 6615 (A) by failing to properly and timely submit its 2007 annual statement to the Department on or before February 29, 2008.
2. Pursuant to OKLA. STAT. TIT. 36 § 6615 (B), the Commissioner may levy a fine of up to One Hundred Dollars (\$100.00) for each day the Respondent neglected to file its annual statement in the form and within the time provided by the Service Warranty Insurance Act.

## ORDER

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated OKLA. STAT. TIT. 36 § 6615 (A) and is fined in the amount of **FIVE THOUSAND NO/100 DOLLARS (\$5,000.00)**. **Fine to be paid immediately.**

**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 of this Order. Such request for a hearing, if desired, shall be made in writing, addressed to Jane L. Pennington, Assistant General Counsel, Oklahoma Insurance

Department, Legal Division, P.O. Box 53408, Oklahoma City, Oklahoma 73152-3408 and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on any such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, OKLA. STAT. TIT. 36 §§ 101 through 7004 and the Oklahoma Administrative Procedures Act, OKLA. STAT. TIT. 75 §§ 250 through 327. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as a 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 19<sup>th</sup> day of August, 2008.



KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
JANE L. PENNINGTON  
Assistant General Counsel

## CERTIFICATE OF MAILING

I, Jane L. Pennington, 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 19<sup>th</sup> day of August, 2008, to:

Thomas R. Scanlon, Esquire  
Interstate Administrative Services, Inc.  
333 Earle Ovington Blvd., Ste. 700  
Uniondale, NY 11553

CERTIFIED NO. 7006 0810 0002 6162 6638

Grace Baker  
Interstate Administrative Services, Inc.  
333 Earle Ovington Blvd., Ste. 700  
Uniondale, NY 11553

CERTIFIED NO. 7006 0810 0002 6162 6645

and a copy was delivered to:

Dwight DeJear  
Senior Management Analyst  
Financial Division

  
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JANE L. PENNINGTON  
Assistant General Counsel