

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM)
HOLLAND, Insurance Commissioner,)
)
Petitioner)
)
v.)
)
JOHN J. HAMILTON,)
)
Respondent.)

FILED

APR 22 2009

INSURANCE COMMISSIONER
OKLAHOMA
Case No. 08-1659-DIS

CONSENT AGREEMENT

The State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and Respondent John J. Hamilton, stipulate to the following facts and applicable laws. The parties consent to the entry of this Order.

JURISDICTION AND AUTHORITY

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., including 36 O.S. §§ 4085 et seq. in effect on September 18, 2007.

2. Respondent is currently licensed by the State of Oklahoma as a resident insurance producer holding license number 164280. His address of record is reported as 13903 N. May Avenue, Oklahoma City, Oklahoma 73134.

3. The Insurance Commissioner may issue a civil penalty of up to \$10,000.00 for each violation of the Life Settlement Act pursuant to the provisions of 36 O.S. § 4095.2(F) in effect on September 18, 2007.

FACTS LEADING TO CONSENT AGREEMENT

1. The Oklahoma Insurance Department ("OID") received a call from Frank Kalies ("Kalies") that the Respondent had contacted Kalies after a seminar and set up a meeting to discuss several investment opportunities.

2. The meeting was held in Kalies' home on September 18, 2007, and was attended by Frank Kalies and an OID investigator, Leslie Landwert and Robin Peck.

3. Respondent was licensed as a resident insurance producer license number 164280 but has never been licensed as a life settlement provider pursuant to 36 O.S. § 4087 in effect on September 18, 2007.

4. Respondent went to Kalies' home along with Robin Peck on September 18, 2007, in Shawnee, Oklahoma, and they solicited Kalies to purchase a life insurance policy and informed Kalies that he or his beneficiary could be paid between 3-4 percent of the face value of the new policy upon purchase by investors.

5. On September 18, 2007, Kalies did not have a catastrophic or life-threatening illness or condition.

6. Respondent and Robin Peck informed Kalies that a policy with a face amount of \$1,000,000.00 issued to Kalies would pay between \$30,000.00 and \$40,000.00 to Kalies or his beneficiary upon the sale of the policy to investors.

CONCLUSIONS OF LAW

Respondent agrees to not contest the findings of fact and conclusions of law stated herein and agrees that clear and convincing evidence exists that Respondent violated 36 O.S. § 4087(A) in effect on September 18, 2007, by soliciting an agreement wherein Kalies would be paid compensation for the sale of the life insurance policy and that the solicited agreement was a life settlement contract pursuant to the provisions of 36 O.S. § 4086(4) in effect on September 18, 2007.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and Consented to by the Respondent that he shall be and is hereby fined in the amount of **TWO HUNDRED AND FIFTY and NO/100 DOLLARS (\$250.00)**. Fine is to be paid immediately.

WITNESS My Hand and Official Seal on this 16th day of ~~March~~ ^{April} 2009.




LEAMON FREEMAN
HEARING EXAMINER

VERIFICATION AND CONSENT

I, John J. Hamilton state that I have read this Consent Agreement. The contents and facts set forth in the order are true to the best of my knowledge. I consent to the entry of the Order by the Insurance Commissioner and I waive my right to appeal this Order.



JOHN J. HAMILTON

STATE OF OKLAHOMA
COUNTY OF Oklahoma

This instrument was acknowledged before me on
March 30, 2009 by JOHN J. HAMILTON.



Signature of Notarial Officer

Seal



#01007164

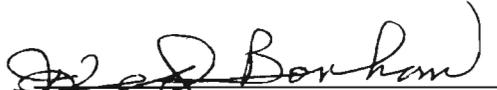
Title

My commission expires April 27, 2009

APPROVED:



Sandra G. LaVene
Assistant General Counsel
Oklahoma Insurance Department



J. Ted Bonham

CERTIFICATE OF MAILING

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Consent Agreement was mailed by certified mail with postage prepaid and return receipt requested on this 22 day of ~~March~~ *April* 2009, to:

John J. Hamilton
13903 N. May Avenue
Oklahoma City, OK 73134

CERTIFIED MAIL NO.

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

J. Ted Bonham
Land Mark Towers West
3555 N.W. 58th Street
Suite 200
Oklahoma City, OK 73112

Rick Wagnon
Anti-Fraud Division

Leah Scoles
Agents Licensing



Sandra G. LaVenue

RECEIVED
OKLAHOMA INSURANCE DEPARTMENT

APR 02 2009

Legal Division

08-1659-DIS

JOHN J. HAMILTON
PH. 405-816-2764
6013 PLUM THICKET RD
OKLAHOMA CITY 73162

Pay to the
Order of

Alabama Dept of Justice
Trustee

03/30/09
Date

\$ *250.00*
Dollars

Security
Features
Details on
Back



**MIDFIRST
BANK**

12040 N. May, Oklahoma City, Oklahoma
www.midfirst.com
405-943-0000

For

[Handwritten Signature]

2754

39-8799/3030
49

AP