

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

**FILED**

FEB 25 2009

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. KIM )  
HOLLAND, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
LARRY D. ROPER, a licensed Oklahoma )  
Insurance Producer, )  
 )  
 )  
Respondent. )

Case No. 08-1669-DIS

**CONSENT ORDER**

The State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and Respondent Larry D. Roper, 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 the Oklahoma Producer Licensing Act Licensing Act, 36 O.S. §§ 1435.1 et. seq.

2. Respondent is licensed by the State of Oklahoma as a resident insurance producer holding license number 116483. His address of record is 12081 NS 3540, Seminole, Oklahoma 74868.

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

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).

4. Informal disposition of this matter may be made by consent order. 75 O.S. § 309(E).

#### **STIPULATION OF FACTS**

1. Larry Roper (Roper) works at Seminole Insurance Agency, Inc. Roper sold an American Insurance Group (AIG) automobile policy to Lonnie Colston and Regina Sheffield covering three vehicles. The AIG policy cancelled on August 12, 2008, due to non-payment of premium.

2. The Colston's son, Lonnie Joe Colston, was involved in an accident on September 2, 2008, while driving a 1995 Nissan. His passenger, Michael Crawford, was injured. Another vehicle insured by State Farm and driven by Jason Watson was a total loss.

3. Lonnie Joe Colston presented a proof of insurance form to the Oklahoma Highway Patrol (OHP) at the scene of the accident. The proof of insurance was for a Chevrolet, not the 1995 Nissan. Lonnie Joe Colston was issued citation #E732610 by OHP for failure to provide proof of security; 47 O.S. § 7-606.

4. Regina Sheffield (Sheffield) notified Roper on September 3, 2008 that her son had an accident and Roper provided her with an Oklahoma Security Verification Card commencing August 12, 2008.

5. Roper completed the Oklahoma Security Verification Card by hand in Sheffield's presence on September 3, 2008, which showed Lonnie Colston was insured for the 1995 Nissan with TOPA Insurance Company (TOPA) effective August 12, 2008 through February 12, 2009.

6. Janice Keatch, an adjuster with TOPA, telephoned Roper on September 3, 2008, after recording an interview with Sheffield in which Sheffield said Roper provided her with an insurance verification card for insurance that did not exist. Roper admitted to Keatch in the telephone conversation that he provided Sheffield with an insurance verification card for insurance that did not exist.

7. Roper also admitted in an October 8, 2008, interview with Oklahoma Insurance Department investigator Leslie Landwert that he provided Sheffield with an insurance verification card for insurance that did not exist.

8. Sheffield presented the insurance verification card given to her by Roper to show that the vehicle was insured commencing on August 12, 2008 to Hughes County Assistant District Attorney, Linda Evans, on October 7, 2008. Evans dismissed Lonnie Joe Colston's citation for not having insurance on the date of the automobile accident.

9. Sheffield informed Michael Crawford's wife, Linda, that Roper had only given her the insurance verification form to "get out of the ticket". Linda Crawford obtained a copy of the hand-written insurance verification form showing coverage from August 12, 2008 to March 3, 2009 from Assistant District Attorney Linda Evan's office. Crawford telephoned TOPA and was told that the policy was not a good number and that there was no insurance covering the 1995 Nissan.

10. Sheffield informed State Farm on September 12, 2008, that she did not know if she had insurance at the time of the accident. She informed State Farm that her agent had given her an insurance verification card indicating that she did have insurance. State Farm informed Sheffield that her son Lonnie Joe Colston was liable for damages sustained in the accident.

11. Sheffield applied for automobile insurance with TOPA during her visit with Roper on September 3, 2008. TOPA policy #103570044030 was issued effective September 16, 2008. Sheffield paid one month's premium and the policy was later cancelled for non-payment of premium.

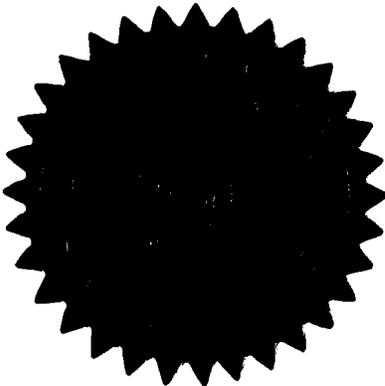
**AGREED CONCLUSIONS OF LAW**

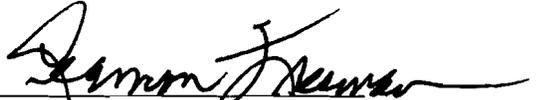
Respondent has violated 36 O.S. § 1435.13(A)(8) by using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state.

**ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner and agreed to by Respondent that Respondent is **CENSURED** and **FINED ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00)** which shall be paid to the Oklahoma Insurance Department. **FURTHER**, Respondent is placed on **PROBATION** until his license renews. The payment of the fine shall reference Respondent's case number 08-1669-DIS, and shall be sent concurrently with this Consent Order to the attention of Julie Delluomo, Assistant General Counsel. Upon execution and the meeting of all the obligations under the Consent Order, a separate order lifting the Administrative Order of Suspension Instantly will be entered.

WITNESS My Hand and Official Seal on this 25<sup>th</sup> day of February, 2009.



  
LEAMON FREEMAN  
HEARING EXAMINER

**VERIFICATION AND CONSENT**

I, Larry D. Roper, state that I have read this Consent Order. 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.

Larry D. Roper  
LARRY D. ROPER

STATE OF OKLAHOMA  
COUNTY OF POTTAWATOMIE

This instrument was acknowledged before me on 2/19/2009 by  
LARRY D. ROPER



Seal

Allan Grubb  
Signature of Notarial Officer

Attorney  
Title

My commission expires:  
1/18/2010

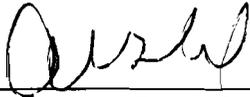
My commissioner number:  
06000716

APPROVED:



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Juli Dellouomo, OBA #14410  
Assistant General Counsel  
Oklahoma Insurance Department



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Allan Grubb, OBA #20228  
Attorney for Respondent  
One West Tenth  
Shawnee, OK 74801

**CERTIFICATE OF MAILING**

I, Julie Delluomo, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed by certified mail with postage prepaid and return receipt requested on this 25 day of Feb, 2009, to:

Allan Grubb  
Attorney for Respondent  
One West Tenth  
Shawnee, OK 74801

**CERTIFIED MAIL NO.**

**7006 0810 0002 6163 6675**

and that a copy was mailed to:

All Appointing Insurers

and that a copy was delivered to:

Agents Licensing Division

and

Anti-Fraud Division

  
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Julie A. Delluomo