

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

STATE OF OKLAHOMA, ex rel. )  
KIM HOLLAND, Insurance Commissioner, )  
 )  
Petitioner )  
 )  
v. )  
 )  
UNION MUTUAL INSURANCE COMPANY )  
 )  
Respondent. )

**FILED**

APR 29 2009

INSURANCE COMMISSIONER  
OKLAHOMA  
Case No. 08-1707-DIS

**CONSENT AGREEMENT**

COMES NOW the State of Oklahoma, ex rel. Kim Holland, Insurance Commissioner, and the Respondent and enter into this Consent Agreement.

**JURISDICTION**

1. The Insurance Commissioner has jurisdiction of this cause, pursuant to the provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including 36 O.S. § 1250.4.
2. The Respondent, Union Mutual Insurance Company, is a domestic insurer, licensed in the State of Oklahoma, holding certificate of authority number 5119.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. § 619.
4. Respondent has been apprised of its rights, including the right to a public hearing, and has knowingly and freely waived this right and informs the Insurance Commissioner that, without admitting wrongdoing or violation of any statute or law, Respondent does not wish to contest and/or dispute the "FACTS LEADING TO THE

CONSENT ORDER” set forth hereinafter and enters into this Consent Agreement as a voluntary settlement of the issues and questions raised in the above captioned case.

### **FACTS LEADING TO CONSENT ORDER**

1. That Respondent is a domestic insurer, licensed in the State of Oklahoma holding certificate of authority number 5119.
2. That on or about June 27, 2008, Petitioner received a request for assistance (“Complaint”) on behalf of Gay Gibson (“Gibson”).
3. Subsequently, on July 1, 2008, Petitioner sent a letter to Respondent requesting a written explanation as to Respondent’s delay in handling Gibson’s claim and stating that Respondent had twenty (20) days from receipt in which to respond pursuant to 36 O.S. § 1250.4(B). Respondent failed to respond within twenty (20) days as required by 36 O.S. § 1250.4(B).
4. On August 12, 2008, Petitioner sent a second letter to Respondent again requesting information regarding Gibson’s claim. Respondent sent a response but neglected to provide any explanation as to Respondent’s position regarding Gibson’s claim.
5. Petitioner sent a third letter on October 27, 2008, again requesting an explanation as to Respondent’s position regarding Gibson’s claim.
6. The Insurance Department received Respondent’s explanation as to Respondent’s position regarding Gibson’s complaint on November 7, 2008.

### **CONCLUSIONS OF LAW**

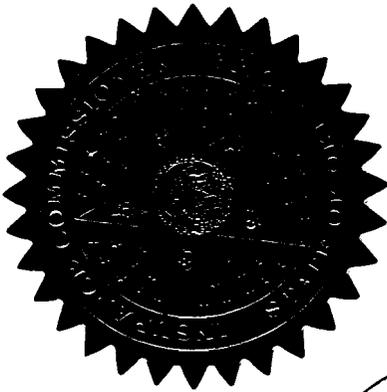
Without admitting wrongdoing or violation of any statute or law, Respondent agrees to not contest the findings of the Oklahoma Insurance Commissioner that clear

and convincing evidence exists that Respondent violated 36 O.S. § 1250.4(B) by failing to provide the Oklahoma Insurance Department an adequate response within twenty (20) days after receipt of an inquiry from the Oklahoma Insurance Commissioner.

**ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner and **CONSENTED** to by the Respondent that the Respondent is hereby **CENSURED**.

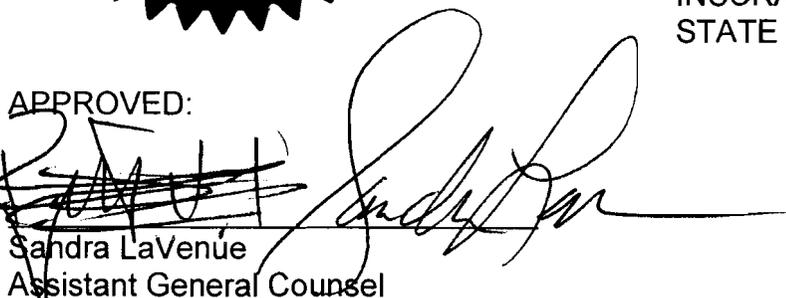
WITNESS My Hand and Official Seal this 29<sup>th</sup> day of April.



KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

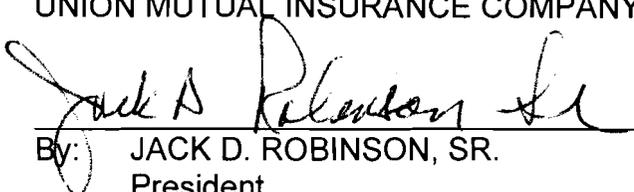
  
KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

APPROVED:

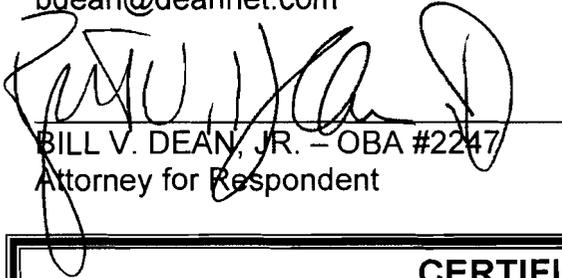
  
Sandra LaVenue  
Assistant General Counsel

Respondent:

UNION MUTUAL INSURANCE COMPANY

  
By: JACK D. ROBINSON, SR.  
President

DEAN & ASSOCIATES, P.C.  
P.O. Box 1060 – 110 W. Main  
Jones, OK 73049-1060  
Phone: (405) 399-9111  
Fax: (405) 399-9110  
bdean@deannet.com



BILL V. DEAN, JR. – OBA #2247  
Attorney for Respondent

**CERTIFICATE OF MAILING**

I, Sandra G. LaVenue, hereby certify that a true and correct copy of the above and foregoing Consent Agreement was mailed via certified mail with postage prepaid and return receipt requested on this 27<sup>th</sup> day of April, 2009, to:

Bill V. Dean, Jr.  
DEAN & ASSOCIATES, P.C.  
P.O. Box 1060 – 110 W. Main  
Jones, OK 73049-1060  
Attorneys for Respondent

CERTIFIED NO. 7006 0810 0002 6164 2492

and that a copy was delivered to:

Chris Van Ess, Director  
Financial Division

Brian Gabbert  
Claims/Consumer Assistance Division



Sandra LaVenue  
Assistant General Counsel