

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

FILED

JAN 30 2009

INSURANCE COMMISSIONER
OKLAHOMA

Case No. 08-1776-DIS

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

 Petitioner)

v.)

UNITED SERVICES AUTOMOBILE)
ASSOCIATION,)

 Respondent.)

CONSENT AGREEMENT

The Petitioner, the State of Oklahoma, ex rel. Kim Holland, and the Respondent, The United Services Automobile Association ("USAA"), enter into this Consent Order as a voluntary settlement of the issues raised in the above styled matter.

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, 36 O.S. § 101 et seq., including 36 O.S. § 619(A)(1) and (2),

2. Respondent, USAA is a foreign insurer, licensed in the State of Oklahoma, holding certificate of authority number 4575.

3. Respondent has been informed of its rights, including its right to a public hearing and has knowingly and freely waived said rights and enters into this Consent Order as a voluntary settlement to the issues and questions raised in the

above styled case.

STIPULATIONS OF FACT

1. Respondent is a foreign insurer, licensed producer in the State of Oklahoma holding certificate of authority number 4575.

2. On April 29, 2008, a Subpoena Duces Tecum ("Subpoena") was issued and mailed to USAA ordering that documents in reference to a claim filed by Gabriel Meranto, including but not limited to the adjuster's notes and investigative notes, be presented to Petitioner no later than May 27, 2008. USAA failed to appear at the offices of Petitioner and failed to provide any response or documents in reference to the Subpoena.

3. On July 2, 2008, the subpoena issued on April 29, 2008, was again faxed to USAA and again USAA failed to provide any documents or respond to Petitioner's request for documents.

4. USAA provided some of the documents requested in the Subpoena on August 29, 2008, but failed to provide the adjuster's notes or the investigative notes.

5. A letter was mailed on October 16, 2008, by certified mail to USAA again requesting the adjuster's notes.

6. Petitioner received copies of the requested adjusters notes on December 19, 2008.

CONCLUSIONS OF LAW

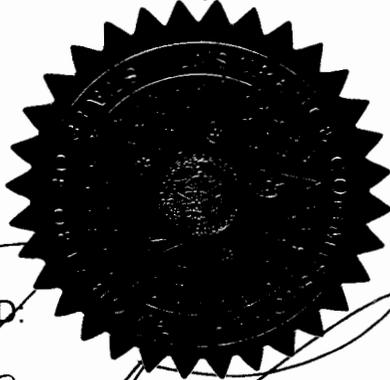
That the Respondent violated 36 O.S. § 619(A)(2) by refusing to produce or allow inspection of records and files by knowingly failing to comply with a lawful order of the Insurance Commissioner.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, and **CONSENTED** to by USAA that USAA shall:

1. Be fined in the amount of **Two Hundred and Fifty AND/100 (\$250.00) Dollars. Fine to be paid immediately and remitted to the Oklahoma Insurance Department and mailed to ATTN: Sandra LaVenue, Legal Division, P.O. Box 53408 Oklahoma City, OK 73152-3408;**
2. Make any and all efforts to prevent the activity detailed in the facts stipulated to by both parties from occurring in the future.

WITNESS My Hand and Official Seal this 30 day of January, 2009.



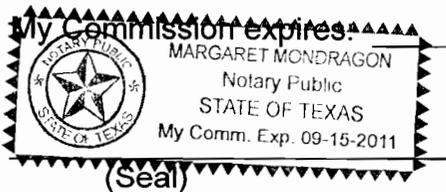

KIM HOLLAND
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

APPROVED:


Sandra LaVenue, OBA # 13372
Oklahoma Insurance Department
Assistant General Counsel


United Services Automobile Association

Signed and attested to before me this 23rd day of January, 2009, by [The United Services Automobile Association Representative].



9.15.2011

Margaret Mondragon
Notary Public

CERTIFICATE OF MAILING

I, Sandra G. Lavenue, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed via certified mail with postage prepaid and return receipt requested on this 30 day of January, 2009, to:

CERTIFIED NUMBER: 7006 0810 0002 6163 7702

George Joy
United Services Automobile Association
9800 Fredericksburg Road
San Antonio, Texas 78288-4501

#7006 0810 0002 6164 1495

and that a copy was delivered to:

Chris Van Ess, Director
Financial Division

Sandra Lavenue
Sandra Lavenue
Oklahoma Insurance Department
Assistant General Counsel