

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

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

Petitioner,

vs.

AMERICA TRADE ASSOCIATION,  
REAL BENEFITS ASSOCIATION,  
SMART DATA SOLUTIONS,  
SERVE AMERICA ASSURANCE, LTD.,  
SERVE AMERICA ASSURANCE, LTD.,  
COMPANY,  
BEEMA-PAKISTAN COMPANY LTD.,  
OBED KIRKPATRICK,  
BART POSEY  
RICHARD BACHMAN  
WILLIAM M. WORTHY II  
KATHLEEN CAUTHEN  
DAVID L. CLARK  
COLIN YUELL,  
individually and/or in their capacity as officers,  
directors or agents of the above named entities.

HEALTHCARE AMERICA  
PINNACLE HEALTH SOLUTIONS,  
PINNACLE HEALTH SOLUTIONS, LLC,  
EHEALTHGREEN ,  
EXECUTIVE HEALTHCARE,  
MY ATA BENEFITS,  
FIRST AMERICAN HEALTHCARE,  
SUPERIOR HEALTH CARE,  
OMNI HEALTHCARE,  
PROVEN CHOICE,  
MINI HEALTH CARE,  
JAMES PARISH  
NICHOLAS A. WALL  
BILLY HENSON  
CLEOTHA MONTGOMERY  
MICHAEL SCHULTZ, owners of the above named  
entities

Respondents.

**FILED**

NOV 09 2009

INSURANCE COMMISSIONER  
OKLAHOMA

Case No. 09-1544-UNI

**EMERGENCY CEASE AND DESIST ORDER**

On the 9<sup>th</sup> day of November, 2009, the Oklahoma Insurance Department (“OID”) through Assistant General Counsel Julie Delluomo presented to the Insurance Commissioner an Application for an Emergency Cease and Desist Order. The Commissioner having examined the Application finds the Oklahoma Insurance Department has jurisdiction over this matter pursuant to the Oklahoma Constitution Article 6 § 22; the Oklahoma Insurance Code, generally, 36 O.S. §§ 101 et seq.; and specifically pursuant to Article 6 of the Insurance Code (Authorization of Insurers), 36 O.S. §§ 601 et seq; the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 et seq; the Unauthorized Insurance Business Act, 36 O.S. §§ 6103.1 et seq; and the Health Care Fraud Prevention Act, 36 O. S. § 1219.1 et seq.

The Commissioner further finds clear and convincing evidence to support the following finding and orders:

1. Respondents actions fall within the definition of "doing an insurance business in this State" 36 O.S. § 6103.2. The above-cited conduct is in violation of 36 O.S. §§ 6103.2 and 6103.3.

2. The alleged conduct is an immediate danger to the public or is causing or can be reasonably expected to cause significant, imminent and irreparable public injury.

IT IS THEREFORE ORDERED that Respondents and any agents, affiliates, employees, and/or other representatives, both current and successor, whether named or unnamed herein, shall **CEASE & DESIST** from all activities related to doing insurance business in this state, including:

1. The making of or proposing to make as an insurer an insurance contract;
2. The making of or proposing to make, as guarantor or surety, any contract of guaranty or suretyship as a vocation and not merely incidental to any other legitimate business or activity of the guarantor or surety;
3. The taking or receiving of any application for insurance;
4. Maintaining any agency or office where any acts in furtherance of an insurance business are transacted, including but not limited to:
  - a. execution of contracts of insurance with citizens of this or any other state,
  - b. maintaining files or records of contracts of insurance,
  - c. processing of claims, or
5. receiving or collection of any premiums, commissions, membership fees, assessments, dues or other consideration for any insurance or any part thereof;
6. The issuance or delivery of contracts of insurance to residents of this state or to persons authorized to do business in this state;
7. Directly or indirectly acting as an agent for, or otherwise representing or aiding on behalf of another, any person or insurer in:
  - a. solicitation, negotiation, procurement or effectuation of insurance or renewals thereof,
  - b. dissemination of information as to coverage or rates, or forwarding of applications, or delivery of policies or contracts,
  - c. inspection of risks,
  - d. fixing of rates or investigation or adjustment of claims or losses,

e. transaction of matters subsequent to effectuation of the contract and arising out of it, or

f. in any other manner representing or assisting a person or insurer in the transaction of insurance with respect to subjects of insurance resident, located or to be performed in this state;

8. Contracting to provide indemnification or expense reimbursement in this state to persons domiciled in this state or for risks located in this state, whether as an insurer, agent, administrator, trust, funding mechanism, or by any other method;

9. The doing of any kind of insurance business specifically recognized as constituting the doing of an insurance business within the meaning of the statutes relating to insurance;

10. The doing or proposing to do any insurance business in substance equivalent to any of the foregoing in a manner designed to evade the provisions of the statutes; or

11. Any other transactions of business in this state by an insurer.

IT IS FURTHER ORDERED Respondent shall leave all of its records undisturbed in its offices until such time as an appropriate examination of such records can be completed by representatives of the department or other examiners appointed by or cooperating with the Commissioner.

IT IS FURTHER ORDERED that this Order is effective immediately and shall continue in full force and effect until further order of the Commissioner. This Order is binding on Respondent, its agents, affiliates, employees and/or other representatives, both current and successor, whether named or unnamed herein.

Pursuant to 36 O.S. § 6103.6(B), any person affected by this Order and who seeks to contest it, has the right to request a hearing before the Commissioner, or her duly appointed representative, to show cause why this Order should not be affirmed. The person affected must make the request not later than the 30<sup>th</sup> day after the date on which the person receives this Order. The request must be in writing directed to the Commissioner and must state the grounds for the request to set aside or modify the Order. Pending hearing, this Order shall continue in full force and effect unless stayed by the Commissioner. Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. §§ 250 et seq.

**In the event this order is violated, the Commissioner may impose a civil penalty of \$25,000.00 for each act of violation; direct the Respondent against whom the Order is issued to make complete restitution, in the form and amount and within the period determined by the Commissioner to all Oklahoma residents, Oklahoma insureds and entities operating in Oklahoma damaged by the violation or failure to comply, or impose both the penalty and direct restitution.**

WITNESS My Hand and Official Seal this 9<sup>th</sup> day of November, 2009.



  
KIM HOLLAND  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

**CERTIFICATE OF MAILING**

I, Julie Delluomo hereby certify that a true and correct copy of the above and foregoing Application for Emergency Cease and Desist Order was mailed postage prepaid with return receipt requested on this 9<sup>th</sup> day of November 2009 to:

Serve America Assurance, Ltd.  
c/o Beema-Pakistan Company, Ltd  
412-427 Muhammadi House  
I.I. Chundrigar Road, P.O. Box 5626  
Karachi 74000 Pakistan

**INTERNATIONAL CERTIFIED MAIL**  
**# RE 295 672 407 US**

Serve America Assurance, Ltd. Company  
Kathleen Cauthen  
117 Winding Oak Way  
Blythewood, SC 29016

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6164 1167**

Beema-Pakistan  
412-427 Muhammadi House  
I.I. Chundrigar Road, P.O. Box 5626  
Karachi 74000 Pakistan

**INTERNATIONAL CERTIFIED MAIL**  
**# RE 295 672 415 US**

America Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6164 1181**

America Trade Association  
400 Memorial Blvd.  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6164 1198**

Real Benefits Association  
118A Fulton Street  
Box 138  
New York, NY 10038

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8815**

Smart Data Solutions  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8341**

Healthcare America  
Db: [www.Healthcareamericaonline.com](http://www.Healthcareamericaonline.com)  
P.O. Box 181, Wilshire Blvd  
Beverly Hills, CA 90212

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8389**

Dave Clark, President  
Real Benefits Association  
118A Fulton Street  
Box 138  
New York, NY 10038

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8822**

Obed Kirkpatrick  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8327**

Obed Kirkpatrick  
1705 Rocking Chair Place  
Franklin, TN 37067

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8334**

William M. Worthy  
44 Morgan Place Dr.  
Isle of Palms, SC 29451

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8839**

Bart Posey  
c/o Smart Data Solutions  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8358**

Bart Posey  
3448 Forest Park Road  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8365**

Richard Bachman  
c/o Smart Data Solutions  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8372**

Colin Youell, Director  
Beema-Pakistan  
412-427 Muhammadi House  
I.I. Chundrigar Road, P.O. Box 5626  
Karachi 74000 Pakistan

**INTERNATIONAL CERTIFIED MAIL**  
**# RE 295 672 353 US**

Pinnacle Health Solutions  
DbA: [www.pinnaclehealthsavings.com](http://www.pinnaclehealthsavings.com)  
c/o James Parish  
1481 Glencrest Drive  
San Marcos, CA 92078

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8396**

Michael Schultz  
Pinnacle Health Solutions  
National Registered Agents, Inc. of NV  
1000 East William Street, Suite 204  
Carson City, NV 89701

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8402**

Pinnacle Health Solutions, LLC  
3651 Lindell Road, Suite D173  
Las Vegas, NV 89103

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8419**

eHealthGreen  
dbA: [www.eHealthGreen.com](http://www.eHealthGreen.com)  
1481 Glencrest Drive  
San Marcos, CA 92078

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8426**

eHealthGreen  
1481 Glencrest Drive  
San Marcos, CA 92078

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8433**

[www.HealthEnroll.net](http://www.HealthEnroll.net)  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8440**

Executive Healthcare  
[www.executivehealthcare.biz](http://www.executivehealthcare.biz)  
c/o Cleotha Montgomery  
1801 Crape Myrtle Circle  
Irving, TX 75038-8416

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8457**

[www.myatabenefits.com](http://www.myatabenefits.com)  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6164 1792**

[www.firstamericanhealthcare.com](http://www.firstamericanhealthcare.com)  
Liquid Chips  
c/o Free Private Reg  
P.O. Box 81024  
Burnaby, BC V5H 4 K2  
Canada

**INTERNATIONAL CERTIFIED MAIL**  
**# RA 288 628 779 US**

[www.firstamericanhealthcare.com](http://www.firstamericanhealthcare.com)  
Hostmaster, Domain  
c/o Free Private Reg  
Suite 210 – 3602 Gilmore Way  
Burnaby, BC V5G 4 W9  
Canada

**INTERNATIONAL CERTIFIED MAIL**  
**# RE 295 672 424 US**

First American Healthcare  
James Parish  
1481 Glencrest Drive  
San Marcos, CA 92069

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6164 1839**

First American Healthcare  
Nicholas A. Wall  
Liquid Chips  
1481 Glencrest Drive  
San Marcos, CA 92069

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8761**

First American Healthcare  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8754**

Superior Health Care  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8778**

Omni HealthCare  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8785**

Proven Choice  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8792**

Mini Health Care  
c/o American Trade Association  
4676 Highway 41  
Springfield, TN 37172

**CERTIFIED MAIL:**  
**# 7006 0810 0002 6163 8808**

and a copy was hand-delivered to:

Director, OID Consumer Assistance

Director, OID Financial Division

Director, OID Anti-Fraud Division

Director, OID Producer Licensing Division

  

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Julie Delluomo

Serve America Assurance, Ltd.  
(address unknown)

[www.HealthEnroll.net](http://www.HealthEnroll.net)  
Billy Henson (Address unknown)

My Ata Benefits (Address unknown)

Superior Health Care (address unknown)

Omni HealthCare (address unknown)

Proven Choice (address unknown)

Mini Health Care (address unknown)

William M. Worthy  
[wworthy@comcast.com](mailto:wworthy@comcast.com)