

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
OCT 07 2015

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
v. )  
 )  
GARRETT PAUL PRIBBLE, Applicant )  
for an Oklahoma Non-Resident )  
Adjusters License )  
 )  
 )  
Respondent. )

Case No. 15-1053-DEN

**ORDER ISSUING PROBATIONARY OKLAHOMA NON-RESIDENT ADJUSTER  
LICENSE**

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner,  
by and through his undersigned counsel, and alleges and states as follows:

**JURISDICTION**

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma (“the  
Insurance Commissioner”) and is charged with the duty of administering and enforcing all  
provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq. Garrett Paul Pribble  
(“Respondent”) is an applicant for a new non-resident adjuster license in the State of Oklahoma.  
His resident adjuster home state is New Mexico. His residence address of record is 1726  
Truman Street N.E., Albuquerque, New Mexico 87110.

2. The Insurance Commissioner may place on probation, censure, suspend, revoke  
or refuse to issue or renew a license issued pursuant to the Oklahoma Adjuster Licensing Act, 36  
O.S. §§ 6220(A)(1),(2) and (5).

## FINDINGS OF FACT

1. On or about September 3, 2015, Respondent applied for an Oklahoma non-resident insurance adjuster license with the Oklahoma Insurance Department (“the Department”).
2. Question 1(A) in this application asks in pertinent part: “Have you ever been convicted of a misdemeanor had a judgment withheld or deferred, or are you currently charged with a misdemeanor, which is not reported to the Department?” Respondent answered the question “No.”
3. Application Question No. 2 seeks information from Respondent about being “named or involved as a party in an administrative proceeding, having an insurance adjuster’s license denied, suspended, censured, placed on probation or revoked in any other jurisdiction.” Respondent did not disclose to the Department a probationary Consent Order he entered into with the Florida Department of Financial Services (“Florida Department”) in that agency’s Case Number 162679-14-AG on October 29, 2014. The Florida administrative order was based on Mr. Pribble’s failure to provide information in his Florida non-resident adjuster application about his pleas of guilty to misdemeanor charges related to possession of less than two ounces of marijuana on August 13, 2013, in the Circuit Court of the Fourth Judicial Circuit for Meade County, South Dakota.
4. The Florida Department decided Mr. Pribble’s application omission, if strictly construed, might bar issuance of a license. However the Florida agency determined Mr. Pribble did not act with intent to deceive or defraud the agency. In documents submitted to the Florida Department and now to the Oklahoma Department, Mr. Pribble said he thought the misdemeanor matter was not covered by the application question because his probation was unsupervised, he finished and met the terms of his probation and his probation ended on August 13, 2014.

Consequently, he did not apprehend the Florida application required disclosure of the South Dakota misdemeanor. The Florida agency offered Mr. Pribble probationary status through the referenced Consent Order. Mr. Pribble agreed to this offer.

5. Respondent provided written statements, Florida Department administrative documents and South Dakota court documents to the Oklahoma Department. Mr. Pribble stated he did not disclose the Florida Department Consent Order, and consequently the South Dakota misdemeanor, in his application to the Oklahoma Department because he failed to grasp Oklahoma application Question 2 sought such information.

6. The Oklahoma Insurance Commissioner has found grounds exist to deny licensure based on Respondent's answer to application Question 2 concerning administrative history. However, in lieu of recommending the complete denial of this non-resident adjuster's license, the Oklahoma Insurance Commissioner will issue the license on a conditional, probationary basis.

### **CONCLUSIONS OF LAW**

1. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Adjuster Licensing Act pursuant to 36 O.S. §§ 6220(A)(1),(2) and (5).

2. Respondent explained that the circumstances of his Florida administrative proceeding and Consent Order, and his failure to disclose same on his Oklahoma application, was due to both a lack of understanding and inadvertent mistake.

3. The Insurance Commissioner may place an adjuster licensee on probation for a violation of 36 O.S. §§ 6220(A) (1) as a transitional course.

**ORDER**

**IT IS THEREFORE ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that Respondent is granted an Oklahoma non-resident insurance adjuster license on a probationary status for a period of two (2) years. At the time of Respondent's next renewal of this adjuster license, his probationary status must and shall be reviewed by the Oklahoma Insurance Commissioner and Department and the probationary status may be removed at that time. When that renewal time comes, the Respondent should contact the Producer Licensing Division of the Oklahoma Insurance Department.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order shall be reported as an administrative action.

If Respondent commits a violation of the Oklahoma Insurance Code, his license may thereafter be **REVOKED**.

WITNESS My Hand and Official Seal this 7<sup>th</sup> day of October, 2015.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Kelley C. Callahan".

Kelley C. Callahan  
Senior Attorney  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, OK 73112

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above and foregoing *Order Issuing Probationary Non-Resident Adjuster License* was mailed via certified mail, with postage prepaid and return receipt requested, and via regular U.S. mail, on this 27<sup>th</sup> day of October, 2015 to:

Garrett Paul Pribble  
1600 Corporate Chase  
Birmingham, AL 35242

Certified Mail No.  
7015 0640 0004 4933 5704

and that Notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

Nicole Godfrey  
Licensing Division  
Oklahoma Insurance Department

  
Kelley C. Callahan  
Senior Attorney  
Oklahoma Insurance Department

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Garrett Paul Pribble  
 1600 Corporate Chase  
 Birmingham, AL 35242  
**sms/15-1053-DEN/ORD**

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- Print your name and address on the reverse so that we can return the card to you.
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Garrett Paul Pribble  
 1600 Corporate Chase  
 Birmingham, AL 35242  
**sms/15-1053-DEN/ORD**



9590 9403 0272 5155 1359 75

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**OCT 26 2015**

Legal Division

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