

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

State of Oklahoma, ex re. Glen)
Mulready, Insurance Commissioner,)
)
Petitioner,)
)
v.) Case No.
)
Stephanie Lee, a licensed public)
Adjuster,)
)
Respondent.)

DEMAND FOR HEARING AND RECONSIDERATION

COMES NOW the Respondent, Stephanie Lee, by and through counsel, Aaron Stiles, and alleges and states as follows:

Jurisdiction and Authority

1. Glen Mulready 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.
2. Stephanie Lee (“Respondent”) is a licensed public adjuster in the State of Oklahoma.
3. The Insurance Commissioner “may hold hearings on any matters within his/her jurisdiction under the Insurance Code...upon written demand therefore by any person *aggrieved by any act, threatened act, or failure to act of the Insurance Commissioner.*” OID Rule 365: 1-7-1.
4. Respondent alleges that she has been *aggrieved by an act, threatened act and/or failure to act by the Insurance Commissioner.*

5. In spite of the use of the word “may,” the Administrative Procedures Act states, “In an individual proceeding, all parties shall be afforded an opportunity for hearing after reasonable notice.”

Allegation of Facts

6. On February 8, 2019, Ron Kreiter, Deputy General Counsel for the Oklahoma Insurance Department (OID), issued a demand letter to Respondent. The letter is attached as Exhibit A (the “Letter”).
7. The demands and actions of OID stated in the Letter speak for themselves.
8. The letter was an official action of OID.
9. Respondent was not afforded due process prior to the official action of OID.
10. Respondent requests a hearing for reconsideration and for rescission of the letter.

List of Authorities

11. Respondent submits the following authorities: 36 O.S. §307-312, § 4803, § 6202, §6220. 75 O.S. 250 et. seq. OID Rules 365 §1-1-1, §1-1-2, §1-1-5, §1-3-1 , §1-3-10, §1-7-1, §1-7-3, §1-7-4, §1-7-5.

Notices

12. OID is hereby notified that the Respondent intends to fully exercise her rights under the Administrative Procedures Act (75 O.S. 250 et. Seq.) including that of being represented by counsel, conducting cross examination.
13. OID is hereby notified that the Respondent demands the hearing be recorded, coordinated by OID but paid by the Respondent. Rule 365:1-7-5.

14. Pursuant to OID Rule 365:1-7-3 which states, “The Insurance Commissioner shall have the power to subpoena witnesses and administer oaths or to subpoena documentary evidence in any case before him/her. Any person and/or party to hearing before the Insurance Commissioner who may be adversely affected by the order of the Insurance Commissioner shall have the right to have subpoenas issued to any witnesses in his/her behalf.” WHEREFORE, Ms. Lee demands that the Insurance Commissioner issue the following subpoenas:

- a. *Subpoena ad Testificandum* to Ron Kreiter, Deputy General Counsel for the Oklahoma Insurance Department.
- b. *Subpoena ad Testificandum* to Andrew Norton, CSAA Insurance Group. Mr. Kreiter carbon copied this person in his Letter, therefore, his address must be in the possession of OID.
- c. *Subpoena Duces Tecum* to the Oklahoma Insurance Department and Ron Kreiter for all documents and communications related to this matter, Stephanie Lee and Tokiko Johnson.

WHEREFORE, the Respondent demands a hearing by the Insurance Commissioner on the aggrieved matter at a time and place certain, that the Insurance Commissioner issue the *Subpoena Duces Tecum* and *Ad Testificandums* stated hearing, that the Respondent be afforded all rights under the Administrative Procedures Act, that the Insurance Commissioner issue a final agency order with findings of fact and conclusions of law, and that the Insurance Commissioner rescind the Letter and all actions taken by OID against the Respondent.

Respectfully submitted:

/s/ Aaron Stiles

Aaron Stiles, OBA #22012

Downtown Legal Group

116 W. Main Street

Norman, Oklahoma 73069

(405) 310-3465

aaron@dlgok.com

Attorney for Respondent

EXHIBIT A

Letter from OID