

BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS

IN THE MATTER OF  
BILLIE MARLENE OLIVER  
LICENSE NO. 116170

A.I.D. NO. 2010 -

017

CONSENT ORDER

On this day Jay Bradford, Arkansas Insurance Commissioner ("Commissioner"), and Billie Marlene Oliver, ("Respondent"), reached an agreement concerning the insurance license issued to Respondent by the Arkansas Insurance Department ("Department"). The Commissioner was represented by Booth Rand, Chief Counsel. The Respondent voluntarily and intelligently waived her right to a hearing and consented to the entry of this Consent Order. The parties agreed as follows:

FINDINGS OF FACT

1. The Respondent is a holder of a resident Arkansas insurance producer license granted to her by the Commissioner for the State of Arkansas. The Respondent was first issued an insurance producer license by the Department on or about November 6, 1999 and has since that date obtained qualifications to sell the following lines of insurance: accident, health and sickness, casualty, life, marine, property and surety. According to Department records, the Respondent's last reported address to the Department is 249 Burleson Road, El Dorado, Arkansas 71730.

2. On or about August 17, 2009, State Farm Insurance Companies ("State Farm") reported to the Department's Insurance Fraud Investigation Division an alleged theft and misappropriation of premium payments made at the office of State Farm agent, Gene Shields, of 319 West Oak Street, El Dorado, Union County, Arkansas. This

report ("Report") was provided to the Department by State Farm pursuant to Ark. Code Ann. §§ 23-66-505(a) and 23-66-506(a)(3) and alleges that, during Respondent's course of employment with State Farm, at the State Farm office of Gene Shields, following an audit and investigation of Respondent's activities, Respondent misappropriated to her own personal use approximately \$75,525.05 in customer payments beginning on or about September of 2008. The Report alleges that Respondent worked in the office of Gene Shields for fifteen (15) years prior to the termination of her employment from State Farm on February 17, 2009. As a result of the above described activities, the Respondent was subsequently charged with two counts of theft of property in Circuit Court of Union County in case number # CR-2009-0214-1. The case is currently pending.

3. State Farm has credited the accounts of any known policyholders affected by the alleged misappropriation of premium as though the premiums were timely made.

4. Under Ark. Code Ann. §23-64-512(a)(4), the Insurance Commissioner may revoke an insurance producer's license for improperly withholding, misappropriating, or converting any moneys or properties received in the course of doing insurance business.

5. Respondent desires to voluntarily submit her license for revocation by the Department. In so doing, Respondent neither admits any allegations made in any Department Order nor makes any admissions related to the complaints forming the basis for, either alleged or implied, in any Department administrative action, notice, or Order resulting in the termination of Respondent's insurance agent's license.

CONCLUSIONS OF LAW

That the Commissioner has jurisdiction over the parties and over the subject matter herein.

That Respondent has been made fully aware of her right to a hearing and has voluntarily and intelligently waived said right and consents to the entry of this Consent Order.

THEREFORE, in consideration of these Findings of Fact and Conclusions of Law, it is hereby ordered and agreed that Respondent's non-resident Arkansas insurance producer's license(s) is hereby voluntarily surrendered for revocation by the Arkansas Insurance Commissioner. Respondent shall immediately forward to the Insurance Commissioner all insurance producer licenses.

DATED this 1st day of ~~November~~ <sup>February</sup> 2009 ~~2009~~ 2010

  
BILLIE M. OLIVER

  
JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS