

OKLAHOMA ABSTRACTORS BOARD
MINUTES OF REGULAR MEETING
April 21, 2026

1. A regular meeting of the Oklahoma Abstractors Board (OAB) was called to order by Chairperson Rex Koller at 10:00 a.m., at the OLEERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.
2. Darla Ringo called the roll. Attending were: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Darin Kent arrived just before the Executive Session at 11:08 a.m.
3. The Minutes of the Regular Meeting of the OAB, conducted on March 17, 2026, were reviewed. A motion was made by Mr. Ward to approve the minutes as presented. The motion was seconded by Mr. Lower. Motion carried.
Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.
4. **Chairperson's Report – Rex Koller:** Mr. Koller reported that he would be attending the OLTA Convention the following weekend. He stated that the legislative session was due to close at the end of May and he wanted to draw attention to some legislation that was in process that could dramatically impact the industry. HB3624 wants to amend where any county is bound by waterways. HB3619 establishes a new way of mapping county boundaries using aerial imagery to redefine county boundaries. A hundred years ago some counties were annexed into other counties, but to attempt that today would be extremely problematic. He encouraged the audience to contact their legislator to urge them to vote no on the measure. Joint house rule 1069 concerns changing boundaries where rivers are involved to create new county lines and county boundaries. This could mean the board would have to have an AG's opinion to see what would be required for the abstractors in those counties. He suggested individuals go to the OLTA website for more information or contact Maria Taylor or Mark Luttrull with OLTA.

Mr. Koller informed the audience that open board positions have now been filled and the new board members would be joining the board in July.

5. **Administrator's Report (Board Report):** Ms. Smith reported that she had been working on the budget for FY2027.
6. **Committee Reports.**
 - a.) **Budget and Finance–Jeff Mapes:** Mr. Mapes gave an update on the budget for the previous month. The annual budget is \$335,846.00 with encumbrances of \$48,276.19, which gives us a total Year-To-Date Encumbrances and Expenses of \$269,918.55 and a variance of \$65,927.45. The revenue for the month was \$38,695.00 and expenses were \$28,339.35 which leaves us with an ending cash balance of \$1,077,008.54. After review and discussion, Mr. Mapes made a motion to approve the report as presented. Second by Ms. Ringo. Motion carried.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

- b.) **Rules and Regulations – Rex Koller:** Mr. Koller reported that the Rules Committee reviewed the Guidelines for Building an Abstract Plant and came up with a preliminary revision. It was sent out to permit holders and he contacted Kimmel Corp. to see if they would be able to comply with the new requirements for data. He's still waiting for feedback. He plans to have a Rules Committee meeting after the May Board Meeting to get it finalized to be presented at the June Meeting.

Mr. Ward asked what kind of information the new guidelines would require. Mr. Koller replied that he wanted to know if the software being used would allow for tracking of indexing to show exactly when an entry was created and by whom.

- c.) **Licensing and Testing – Sue Ann Loggains:** Ms. Loggains reported that since the last board meeting 6 individuals have taken the exam and 5 passed. The next testing date is on May 6th at the OLTA Basic Abstractors School. She has also met with a member of OLTA to review the Study Guide.
- d.) **Inspections – Lisa Collins:** Ms. Collins reported that there have been 6 inspections since the last Board Meeting. Three of them were follow-up inspections and all were cleared and no further issues were found. The other three were regularly scheduled inspections. Two had no findings and one was found to have undercharged due to looking at the wrong line item. She asked for a motion to approve the inspection reports as presented and approved the action presented by the Enforcement Committee. Motion was made by Mr. Mapes. Second by Mr. Coffman. Motion carried.

Mr. Ward asked about the follow-up inspections and whether there would be more follow-ups or whether they would go back to the regularly scheduled inspections. Ms. Collins stated that they would go back to the regular schedule.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

- e.) **Enforcement Committee Reports-Jeff Lower:**
Applications for Licenses: Presented to the Board for approval was a list of applicants for abstract licenses or renewals, which are set out in the attachments hereto. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve all the licenses presented, subject to administrative review and to make sure all compliance issues were met, and appropriate fees paid. Second by Mr. Mapes. Motion passed.
Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.
Abstention: Darla Ringo, Jeff Mapes, and Rex Koller abstained from voting on those licenses pertaining to their employer's business holdings.

Renewal of Certificate of Authority (With No Rate Changes): Presented to the Board for approval were applications for renewal of Certificate of Authority with their rate sheet with no fee changes by Arbuckle Closing & Escrow Service, LLC dba Arbuckle Title & Abstract (Carter), Atoka Abstract, LLC, Buffalo Land-Pawnee dba Meurer Abstract (Pawnee), First Republic Title Company dba Goetzinger Abstract & Title (Woodward), Guaranty Abstract & Title of Stigler (Haskell), Marshall County Abstract Co., LLC, Metro Abstract, Title and Closing Company of Wagoner, LLC dba Smith Brothers Abstract and Title Co., LLC (Wagoner), Oklahoma Abstract & Title Company (Payne), Payne County Title Company, Pioneer Abstract & Title Company of Muskogee (Muskogee), Smith Brothers Abstract & Title, LLC (Tulsa), Smith Brothers Abstract & Title, LLC (Washita), Smith Brothers Abstract & Title, LLC (0006) (Pittsburg), Smith Brothers Abstract & Title, LLC (0007) (Pittsburg), Southeastern Oklahoma Abstract and Title LLC dba Choctaw County Abstract Company, Stewart Title of Oklahoma (Oklahoma), Stewart Title of Oklahoma (Carter), and Valley Land Title Company (Sequoyah). A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the applications. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Abstention: Darla Ringo, Jason Waldroup, and Rex Koller abstained from voting on those licenses pertaining to their employer's business holdings.

Renewal of Certificate of Authority (WITH Rate Changes): Presented to the Board for approval was an application for renewal of Certificate of Authority with their rate sheet with fee changes by Washington County Abstract LLC dba Southern Abstract Company.

Mr. Lower asked for the board to discuss the requested rates because the company's rates were already higher than anyone else's in the state, particularly for complete builds and the proposed increase would put even further above other companies. The Board discussed the changes and agreed the changes were excessive.

A motion was made by Mr. Ward to reject the application on the basis that the requested rates were too high. Second by Ms. Loggains. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Application for New Certificate of Authority: Presented to the Board for approval was an application for a NEW of Certificate of Authority with their rate sheet by Mod Marchall, LLC (Carter). A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the applications. Second by Ms. Ringo. Motion passed.

Mr. Koller asked about objections received. Ms. Collins said there were none. He also asked whether the abstracts prepared were complete. Ms. Collins told him they were.

The floor was opened to comments from any opposition. There were none. Ms. Angela Krieger for the applicant stated that she was in favor of approval.

Ms. Smith read the Directors Report for the record. Comes now Katherine Smith, State Administrator of Abstracting of the Oklahoma Abstractors Board, and states: The application for certificate of authority has been received in proper form and reviewed.

Proper notification was made by posting on the OAB website, notifying the Court Clerk and County Clerk of Carter County, as well as all Certificate of Authority holders in Carter County.

No comments were received from any source.

Payment of the applicable fees have been made in the correct amount of \$1,200.00. E&O Insurance in the sum of \$1,000,000.00 and a County records bond of \$25,000.00 have been posted.

Inspections have been performed by the Inspectors on behalf of the OAB and all have found an adequate abstract plant available for use.

The name of the company is not deceptively similar to other certificate of authority or permit holders, and the company has an actual physical presence in the county of Carter.

According to the foregoing, the application for a Certificate of Authority is in compliance with Title 1 of the Oklahoma Statutes and 5:11-9-1 of the Permanent Rules of the OAB.

As the State Administrator of Abstracting of the Oklahoma Abstractor's Board, I hereby recommend that the Application for Certificate of Authority submitted by Modern Abstract & Title, LLC be approved. Signed Katherine Smith, dated April 21, 2026.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Transfer of Ownership: Presented to the Board for approval was an application for Transfer of Ownership by Metro Abstract Title and Closing Company of Wagoner, LLC dba Smith Brothers Abstract & Title Co., LLC/Smith Brothers Abstract & Title Co., LLC (Wagoner). This was simply a transfer of the COA from one entity to another, there was no sale involved. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Mr. Mapes. Motion passed.

Yeas: Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Scott Ward and Sue Ann Loggains. Nos: None.

Abstention: Darla Ringo and Rex Koller abstained from voting because the transfer pertained to their employer's business holdings.

Renewal of Permit to Build: Presented to the Board for approval was an applications for renewal of a Permit to Build by Lawyers Title Oklahoma-Grady. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Renewal of Permit to Build: Presented to the Board for approval was an applications for renewal of a Permit to Build by Lawyers Title Oklahoma-Pottawatomie. A motion was made by Mr. Lower on behalf of the Enforcement Committee to approve the application. Second by Ms. Ringo. Motion passed.

Yeas: Darla Ringo, Jason Waldroup, Jeff Lower, Jeff Mapes, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

7. **New Business:** There was none.
8. **Report Legal Counsel-Whitney Herzog:** Ms. Herzog had no report.
9. **Visitor's Comments:** There were none.
10. **Announcement of next meeting:** Tuesday, May 19, 2026, at 10:00 a.m., 421 NW 13th Street, Suite 100 (OLERS) Conference Room, Oklahoma City, Oklahoma.
11. **Recusal of Board Members:** In preparation for the Administrative Hearing, Mr. Koller excused the members of the Enforcement Committee – Jeff Lower, Darla Ringo, and Jeff Mapes, then took a short recess for the meeting to resume at 11:00 a.m. for the hearing.

**OKLAHOMA ABSTRACTORS BOARD
MINUTES OF ADMINISTRATIVE HEARING
HELD DURING REGULAR MEETING
April 21, 2026**

12. The Administrative Hearing in the matter of AAA Abstract Co., Inc. – OAB-2026-INV01 - Formal Complaint was called to order by Chairperson Rex Koller at 11:02 a.m., at the OLERS Conference Room, 421 NW 13th Street, Suite 100, Oklahoma City, Oklahoma.

Sue Ann Loggains called the roll. Attending were: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Recusals: Darla Ringo, Jeff Lower, and Jeff Mapes.

Motion for Counsel – Mr. Koller made a motion that Joe Ashbaker act as counsel for the Board and to make decisions on the Board's behalf. Second by Mr. Waldroup. Motion passed.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward and Sue Ann Loggains. Nos: None.

Mr. Joe Ashbaker introduced himself as a Supervising Assistant Attorney General and explained that he would be acting as the Board's legal advisor. He asked the counselors to make announcements for the record. Whitney Herzog introduced herself as the legal representative for the Oklahoma Abstractors Board. Rex Earl Starr, an attorney from Stilwell, OK, introduced himself as the representative for AAA Abstract.

Mr. Ashbaker announced that the hearing was the case identified as OAB-2026-INV01 and confirmed that everyone was in agreement to that fact.

He went on to announce that he had spoken with both counsels prior to the meeting and wanted to clarify a couple of things. In the Respondent's response there were two stipulations made: on one of the counts in the Board's complaint was that there was one probate that was mis-indexed and he wanted to confirm that they wanted to stipulate to that. Mr. Starr responded in the affirmative. Mr. Ashbaker also presented that the Respondent had stipulated that the Board has the right to look at the evidence and determine whether page splitting has taken place because the other counts were that the Respondent had split pages and that in essence, worded it in such a way and the pages in such a way that it added pages and added to the bill. Not stipulating that they did that, but stipulating that the Board has the authority to review the evidence and determine whether that did or did not happen. Mr. Starr responded in the affirmative.

Mr. Ashbaker stated that the parties had both agreed that the exhibits which have been planned out have been exchanged and for the purposes of authentication, there are no objections and there are stipulations that they are authenticated. Both parties acknowledge that they can still object, such as relevance, etc., but they agree that the exhibits that are planned and are what they have been presented as. Both counsels responded in the affirmative.

Mr. Ashbaker asked if there were any other housekeeping issues that needed to be addressed. Both counsels responded in the negative.

Mr. Ashbaker asked for opening statements at that time. Ms. Herzog made her opening statement.

We are here today in the matter of AAA Abstract, Inc. Case # OAB-2026-INV01. The allegations are that the Respondent violated the Act by having one probate that was mis-index and having three abstracts that were prepared by the Respondent in a way to increase the number of pages in the abstract so the company could charge more per abstract, an unreasonable and excessive fee for services and not uniform. They failed to make the requested abstract #18241 available for inspection in a timely manner.

Those would be violations of 1 O.S. §31, 32(C), and 41, in addition OAC 5:11-5-1. There is a complaint and notice of hearing that were filed on this case on February 13, 2026. There is service to Nancy Farrier, registered agent of AAA Abstract, Inc. with a date of February 18, 2026. And service on attorney Rex Earl Starr of that complaint and notice as well on February 18, 2026. A Request for Continuance and Agreed Order of Continuance and a response from the Respondent. She asked that all those documents be made part of the record.

There was no objection.

Mr. Ashbaker also pointed out that those documents had already been given to the Board in their packet for preparing for the Board Meeting so there was no additional need to admit or authenticate them.

Mr. Ashbaker told Mr. Starr that he could either make an opening statement now or reserve it for later. Mr. Starr chose to reserve it.

Mr. Ashbaker told the State they may begin.

Ms. Herzog called her first witness who was sworn in by Mr. Ashbaker. Ms. Lisa Collins stated her name for the record. She is employed with the Oklahoma Abstractors Board and has been the Field Inspector for one year. She does not hold any licenses currently but was a licensed abstractor in the past until November 2023 and was an abstractor for approximately 9-10 years.

Her job is to organize items for inspections to check the company's indexes, check their work files and make sure that everything is in compliance. She then described the inspection process – she goes to each company and is either set up at a computer or given access to their files to check their indexing. She has a list of items to review for and if there's anything she cannot find, she will have them review it with her to verify. If she has questions on work files, she'll send an email to ask questions.

She was asked if she was familiar with AAA Abstract Company, Inc. to which she said yes because she conducted their inspection in the previous year.

She identified Exhibit 1 as her inspection report for AAA Abstract Company, Inc. Ms. Herzog asked that the exhibit be admitted and there was no objection. Mr. Ashbaker confirmed admittance.

When asked when the inspection was conducted, she confirmed that the inspection was conducted on June 18, 2025. Ms. Herzog asked the result of the inspection and Ms. Collins stated that there was a probate that had been mis-indexed and then she had requested three of the abstracts and they were done in a way that it appeared that they had been split.

When asked if abstracts are always requested, she answered no. When asked to explain why she did this time, she explained that in her previous work experience, the company she worked for operated with time-based rates rather than page based. One of the work files she reviewed was for a 6-month bring to date and the invoice for it was right at \$1,000. That caught her attention. The others, she picked at random. When asked why it caught her attention because it seemed quite an excessive amount from what she's used to.

She was asked to identify Exhibit 2. Ms. Collins identified Abstract #18165 which is one of the abstracts she inspected as part of the inspection.

She was asked to identify Exhibit 3. Ms. Collins identified Abstract #18228 which was also completed by AAA.

She was asked to identify Exhibit 4. Ms. Collins identified Abstract #18241 which was also completed by AAA then confirmed that Exhibits 2, 3, and 4 were part of the inspection.

Ms. Herzog asked that the exhibits be admitted. There was no objection and Mr. Ashbaker confirmed admittance and confirmed his copies would be considered originals. It was agreed without objection.

Ms. Herzog asked whether Ms. Collins had gone through all of the abstracts. Ms. Collins said she had and responded that she observed that appeared to be split. When asked to define what that means, Ms. Collins stated that, for an example, a death certificate that might be one page at the County Clerk's office with an assigned book/page number. In the abstract, there is a blank space left at the top of the page of approximately 1/3 or 1/2 of the page before the top of the document begins and the bottom half of the certificate is on the next page so it has basically been split into 2 pages.

When asked if she had created anything that lists those page splits in the abstracts she reviewed, she responded she had.

She identified Exhibit 5 as the spreadsheet she created to catalog the page splits for Abstract #18165.

She identified Exhibit 6 as the spreadsheet she created to catalog the page splits for Abstract #18228.

She identified Exhibit 7 as the spreadsheet she created to catalog the page splits for Abstract #18241.

Ms. Herzog asked that those items be admitted. There was no objection and Mr. Ashbaker confirmed admittance.

Ms. Herzog asked whether there was anything on the documents that would indicate that it should be one page instead of two. Ms. Collins confirmed that the instruments from the County Clerk's office have a stamp with the book and page number logged on them. Several of the court documents also had their page numbers noted.

When asked whether she pulled comparison pages, Ms. Collins stipulated that she had. She was asked to identify Exhibit 8 and Ms. Collins confirmed that it was a collection of documents she

put together to show how they were file versus how they appeared in the abstract for Abstract #18165.

Ms. Collins was asked to identify Exhibit 9. She confirmed that it was comparison documents pulled to show how a document was at the Clerk's offices versus how they were in the abstract for Abstract #18228.

Ms. Collins was asked to identify Exhibit 10. She confirmed that it was comparison documents pulled to show how a document was at the Clerk's offices versus how they were in the abstract for Abstract #18241.

It was verified that each of these three exhibits (8-10) contained about five examples each.

Ms. Herzog asked that those items be admitted. There was no objection and Mr. Ashbaker confirmed admittance.

Ms. Herzog stated that it might take a while but that she wanted to go through the abstracts using items the board had received. She started with Abstract #18165 with Exhibit 2 being the abstract, Exhibit 5 the list of split pages, and Exhibit 8 the comparison of documents.

Ms. Collins noted that the first page in Exhibit 8 shows a release of mortgage. The following pages 4 and 5 show how it was placed in the abstract as two separate pages instead of one.

They paused and clarified that on Exhibit 5, the first column in the document are the abstract pages and that corresponds to the number in the bottom left-hand corner of abstract pages in Exhibit 8.

Ms. Collins continued with a release of mortgage on page 4 of Exhibit 8 which is show on pages 5 and 6 as they are represented in the abstract.

She continued to correlate documents from the Clerk's offices page 13 is a single page from the Clerk's offices which is shown how it appears in the abstract on pages 7 and 8.

Page 14 from the Clerk's offices appears in the abstract as pages 9 and 10. Page 32 from the Clerk's offices appears in the abstract as pages 27 and 28. Page 33 from the Clerk's offices appears in the abstract as represented on pages 29 and 30. Page 43 is a document from the Court Clerk's office with pages 44 and 45 representing how it was in the abstract. Page 46 is a document from the Court Clerk's office with pages 47 and 48 representing how it was in the abstract. Page 49 is a document from the Court Clerk's office with pages 50 and 51 representing how it was in the abstract. Page 52 is a document from the Court Clerk's office with pages 53 and 54 representing how it was in the abstract.

Ms. Herzog then asked to look at the same documents in Exhibit 2, a scanned copy of the actual abstract. Ms. Collins went through and started identifying the same pages in the abstract to show they are the same as those in the comparison exhibit and on her list. Pages 3 and 4 were one page in the Clerk's office. Pages 8 and 9 were one page in the court file. Pages 11 and 12 were one page in the court file. Pages 14 and 15 were one page in the court file. Pages 17 and 18 were one page in the court file. Pages 20 and 21 were one page in the court file. Pages 23 and 24 were one page in the court file. Pages 26 and 27 were one page in the court file. Pages 29 and 30 were one page in the court file. Pages 32 and 33 were one page in the court file. Pages 37 and 28 were one

page in the court file. Pages 40 and 41 were one page in the court file. Pages 45 and 46 were one page in the court file. Pages 47 and 48 were one page in the court file. Pages 50 and 51 were one page in the court file. Pages 58 and 59 were one page in the court file. Pages 61 and 62 were one page in the court file. Pages 63 and 64. Pages 65 and 66. Pages 71 and 72. Pages 73 and 74. Pages 75 and 76. Pages 77 and 78.

Mr. Ashbaker interrupted and asked whether the statements being made are whether every item listed is two pages in the abstract and one page in the court records. Ms. Herzog affirmed. He asked whether counsel for the Respondent was willing to stipulate to the list and it was affirmed by Mr. Starr that he would stipulate to what the exhibits show.

Ms. Herzog said she had a few more questions about Exhibit 2 which is Abstract #18165. She asked whether Ms. Collins scanned the abstract which she affirmed. Then Ms. Herzog asked her whether the Exhibit is a copy of the scan, which Ms. Collins also affirmed.

Ms. Herzog asked about a black bar along the top of each page and Ms. Collins stated that it was from the scanning process because she did not disassemble the abstracts brads or break the seal placed on the abstract by AAA Abstract Company, Inc. to scan it. It was reconfirmed that the black bar was from scanning since the page couldn't be placed flat on the scanner, but the remaining white on the page is what is actually in the abstract.

Ms. Collins then stated that she has one of the original abstracts still in her office which is #18241. When asked why she only had that one she explained that it's because the others were sent back to the company. She had completed the inspection and scanned them. Abstract #18241 did not get scanned at the same time because it had been requested to be brought back up to date so she sent it back and then requested it from the company again when they were finished with it.

Ms. Herzog asked about Abstract #18228 which is Exhibit 3, with the list being Exhibit 6 and comparison is Exhibit 9. She asked Ms. Collins to go through the comparisons.

Page 1 of Exhibit 9 is a Sheriff's Deed from the from the Clerk's office which appears in the abstract as pages 2 and 3. Page 4 is from the Clerk's office and appears as Pages 5 and 6 in the abstract. Page 7 is from the Clerk's office and appears as Pages 8 and 9 in the abstract. Page 10 and are from the Clerk's office and appears as Pages 12 and 13 in the abstract. Page 20 is from the Clerk's office and appears as Pages 22 and 23 in the abstract. Page 30 is from the Clerk's office and appears as Pages 31 and 32 in the abstract. Page 33 is from the Clerk's office and appears as Pages 34 and 35 in the abstract. Page 36 is from the Clerk's office and appears as Pages 37 and 38 in the abstract. Page 39 is from the Clerk's office and appears as Pages 40 and 41 in the abstract.

Ms. Herzog asked whether there would be a similar stipulation regarding Exhibit 3 – Abstract #18228, Exhibit 6 – list of split pages, and Exhibit 9 – the comparison as there was for the previous grouping. Mr. Ashbaker asked Mr. Starr if he stipulated the same way and Mr. Starr affirmed that he did.

Ms. Herzog moved on to Exhibit 4, which is Abstract #18241, Exhibit 7, the list of split pages, and Exhibit 10, which is the comparison documents.

Ms. Collins went through the pages as before. Page 1 is from the Clerk's office and appears as Pages 2 and 3 in the abstract. Page 4 is from the Clerk's office and appears as Pages 7 and 8 in the abstract. Page 5 is from the Clerk's office and appears as Pages 9 and 10 in the abstract. Page 6 is from the Clerk's office and appears as Pages 11 and 12 in the abstract. Page 13 is from the

Clerk's office and appears as Pages 14 and 15 in the abstract. Page 16 is from the court files and appears as Pages 19 and 20 in the abstract. Page 17 is from the court files and appears as Pages 21 and 22 in the abstract. Page 18 is from the court files and appears as Pages 23 and 24 in the abstract.

Ms. Herzog asked whether there would be a similar stipulation regarding Exhibit 4 – Abstract #18241, Exhibit 7 – list of split pages, and Exhibit 10 – the comparison as there was for the previous grouping. Mr. Ashbaker asked Mr. Starr if he stipulated the same way and Mr. Starr affirmed that he did.

Ms. Herzog asked if Ms. Collins could explain the difference between the time-based system she had worked in before and the page-based method of invoicing. Ms. Collins explained that the company charges a flat fee for the certificate then they charge per page for each page of the abstract regardless of the length of time.

Ms. Herzog asked Ms. Collins to identify Exhibit 11 which is the rate sheet for AAA Abstract Company approved June 2024, which she did. She then also identified Exhibit 12 as the rate sheet for AAA Abstract approved by the board June 2025. Both Exhibits were admitted without objection and confirmed by Mr. Ashbaker.

Ms. Herzog asked Ms. Collins how she requested the abstract she had to ask for twice. Ms. Collins stated that she'd emailed the company. Ms. Collins identified that email as the presented Exhibit 13. It was admitted without objection and confirmed by Mr. Ashbaker.

Ms. Herzog asked the date of the first email to the company to which Ms. Collins stated was January 20th. Then she emailed again on January 30th. When asked when the abstract was received, Ms. Collins could not give an exact date but confirmed it was after the complaint was filed.

Ms. Herzog completed her questioning of Ms. Collins.

Mr. Starr began his cross examination. He asked whether it was her first time being at the AAA Abstract office. Ms. Collins affirmed that it had been. He asked whether there had been any difficulty with the inspection. There were no secrets and the company knew she was coming, which she affirmed. He asked whether she knew how they operated and whether she was aware they used page-based billing and she confirmed she did.

He asked her about the mis-indexed probate and she agreed that there wasn't any question about that issue, which she agreed with. He asked how the investigation started. She stated that she checks their indexes working with the one of the staff at AAA Abstract because nothing is digitized so name searches are performed by going through paper files. When something was identified properly, Ms. Collins would check it off her list.

Mr. Starr asked whether Donel Tibbits had been whom Ms. Collins had been working with on the inspection and she affirmed that it was. He also pointed out that Ms. Tibbits had been there a long time but was not an owner of the company and Ms. Collins replied that was accurate as far as she knew. He asked if they explained their checks and cross checks on clerk records and how that works and she said they had. He asked about the thumb drive from the clerks offices and whether she was aware of it and she said she was. He asked if she had seen any of that going on while she was there and she replied that she had not.

He then turned to the abstracts and what happened there. She responded that, as stated previously, that the six-month update is the one that had caught her eye so she requested the one for review and then decided she needed to look at more because she was simply not as familiar with page-based billing. She was informed by Ms. Tibbits that the abstracts were not in the office so based on the work files that had been given to her as part of the inspection, she knew where the abstracts had been sent. She contacted those companies and asked for those abstracts which she received.

Mr. Starr asked whether that's where the bunch from down in Ardmore had come from as well as the one in Tulsa. She affirmed that it was. He asked whether the abstracts were physically in the office while she was there and she confirmed that they were not as far as she knew, but at that point, she had not requested any abstracts.

He asked if it would be fair to say that she asked Ms. Tibbit to round those abstracts up for her. Ms. Collins said she asked if AAA Abstract had them and Ms. Tibbits responded that they did not so Ms. Collins sought them out. He asked her about the time it took to get the abstracts. She explained that while she was in the office she did not request any abstracts. When she was going through the work files later, that's when she became curious and requested the abstracts. Once that occurred, it took her a couple of days to actually go through them. He asked whether she checked into anything else while she was in the office and Ms. Collins replied no. Mr. Starr rephrased his question to ask her if she looked at other things while she was in the office with regard to their page charges and she replied no, that she had not done that while she was in the office, while there, she checked their name indexes, land indexes and court records. She reviewed the work files in her office and was only actually present in AAA's office for about 15 or 20 minutes.

He said that while she was in the office, she found the land indexes and page charges to be okay. When she hesitated, he showed her Exhibit 1, the inspection report, and she stated that yes, everything was in compliance other than the items highlighted in yellow. He asked her to read the highlighted portion. She said that basically it says that everything that was audited was found to be in compliance "with the exception of finding evidence that allows them to charge more per abstract."

Mr. Starr stated that was the crux of this whole thing. He stated that they had the authority to charge on a per-page basis as Ms. Herzog had said when she presented the rate sheets and Ms. Collins agreed that the rate sheets from 2024 and 2025 had been approved. He also brought up the mis-indexed probate again and recounted that it had been stipulated to.

Then, Mr. Starr said he wanted to talk about the page splitting. He asked her to tell him what the standards are for someone to make a call whether a page should be split or not and wanted her to tell him where that rule was. Ms. Herzog objected that she wasn't a legal expert, that she was testifying as an inspector. Mr. Starr said that he's asking where that standard is and that it doesn't take an expert to know that. Mr. Ashbaker overruled the objection. Ms. Collins stated that it seems to her that if it was one page in the Clerk's offices, it should be one page in the abstract. Mr. Starr echoed her words "it seems to you" and said it might be her opinion, but he wanted to know if she knew where it was spelled out. Ms. Collins said she wasn't sure.

Mr. Starr said that, to be frank, he has gone through the rules... Ms. Herzog objected stating that the question had been asked and answered and that now Mr. Starr was talking, not asking a question. Mr. Starr withdrew that statement.

He asked Ms. Collins that if he asked her to point that out to the board in the rules, could she do that. Ms. Herzog objected as already asked and answered. Mr. Ashbaker overruled her. Ms. Collins stated that she could not.

Mr. Starr asked Ms. Collins if she was aware that legal size paper used to be the norm. Ms. Collins agreed. Then he said that things were now on letter size and asked if she agreed, she did. He made a statement about fonts and such and asked if she agreed that it could play into it. She stated that it could. Then he stated that a lot of documents when they're filed are defaulted into a particular size as when an 8 1/2 x 14 page is automatically reduced to a letter size. She agreed that happens. He asked whether she was aware that there are rules about the top margins of documents being 2 – 2 1/2 inches at the top. Ms. Collins replied that was taken care of at the County Clerk's office. He asked whether that cuts down on some of the space that you have for the material in a document. Ms. Collins replied that in some ways yes, but mostly no because that's already taken care of at the County Clerk's office. He asked about the Court Clerk's office and she replied that she wasn't sure. He said it may not be asked whether abstracts contained court clerk documents. She confirmed they were.

Mr. Starr stated that as he goes through the report she prepared and asked whether the page splitting issue was the thrust of her testimony. She confirmed it was. He asked about the page numbers given, some of them appear to be short or different and asked whether, in her opinion, that list was all the ones that could have been consolidated or put into one document. She responded correct. Mr. Starr asked the purpose of an abstract. Ms. Collins responded that it was to show the chain of title and to make sure there are no encumbrances on that. He asked whether it was to show the history of the property and she agreed. He stated that every one of those documents are important and need to be legible and she agreed.

Mr. Starr stated that Ms. Collins had mentioned a \$1,000 deal that caught her attention and asked for clarification. She replied that one of the work files she reviewed was for a 6-month update and the invoice was for approximately \$1,000. He said that if it was on a page basis it would be for whatever many pages were in there. She replied that was correct but she had never dealt with page-based rates so her curiosity was piqued and she reviewed the abstract and found what she found. He asked her whether she found anything improper or sinister about the abstract. Ms. Collins questioned back, "You mean other than the pages that were split?" He responded, no, other than the \$1,000, he was just talking about the \$1,000 deal.

He asked whether she found anything wrong with the... She responded yes, she found the page splitting that increased the amount. He asked whether on the \$1,000 information that she got, did she look through the abstract to satisfy herself about that. She said it was and that she thought it was the abstract #18165.

Mr. Starr asked whether that one had gone on and whether there were any complaints on that. Ms. Collins confirmed the abstract # she gave was correct and that the abstract certificate went from January 1, 2024 to June 27, 2024. He asked whether the timeline was what she was really concerned about. Ms. Collins said that at the time, she didn't really have any concerns because

mortgages and such can contain a lot of pages so she wanted to see the difference between the page billing and time billing.

Mr. Starr asked her to look at Exhibit 8. He asked her to look at page 23 of the exhibit. He said it appeared to him to be a document filed in the courthouse and asked if she agreed. She did. Then he stated that a certified version of the document could go to the land records office and asked if she agreed. She did. He pointed out hand-written notes at the bottom and other information at the top on page 23 and 24. Then he went pages 25 and 26 and said they went together except on page 26, it leaves the top $\frac{3}{4}$ of the page blank. He asked if it was important to get all of the source document in the abstract and she agreed. He then asked her to turn to page 27 stating that it looked like a pre-printed document like a mortgage. She agreed that it was a mortgage. He asked if there was a problem with that page. She answered that there was because it was only $\frac{1}{2}$ page. He asked her if she could see a way to stick the $\frac{1}{2}$ page on 27 on the top of 28. She responded that it won't fit because the document had been enlarged. He said, "the abstractor didn't have anything to do with that, did they?" She responded that the abstractor is the one who enlarged it from what was received from the County Clerk's office and gave him the page number for the original document on page 40. She points out that in comparing, the font size is clearly increased and the 2 $\frac{1}{2}$ inch space at the top has already been accommodated by the County Clerk. He asked if page 42 is the description that follows and she confirmed it is the legal description.

Mr. Starr asked her to turn to page 43. He asked her what the document is. She replied that it was a general inventory out of a probate file. He said it looks to be him to be one she copied with the bar across the top of the page and she confirmed. To him it appeared to be a personal property inventory like for an auction and she agreed. He said that when you look at it, it might not look like it's important but it's included because there was land involved and asked whether she had an issue with those pages being included and she confirmed she did not other than that they were split and references pages 44 and 45 which show what was in the abstract. He asked her whether she was telling him she thought she could put page 44 on top of 45. She responded that with the way it looks on page 43 (the original), yes. He stated that she may be correct, but that to him it didn't appear that there would be any room for that if you combined pages 44 and 45. She responded that when you enlarge things, they don't fit back onto one page. He asked if she was suggesting that the inventory was enlarged and she said she was. He asked her what she based it on. She replied that because she is looking at it and it's the same thing. He asked her whether the font was the same size on the original as it is on pages 44 and 45. She said it did not appear to be. There was a continued comparison of the pages. He asked if those were different documents and she responded they are not. He said that they weren't the same. Ms. Collins replied that on page 43, the document starts with the address and ends at 39.00 Choice. On page 44, it has the address, but it ends at 26.00 with the rope bag. But if you go to the next page, 45, it continues with 27-39. It is the same document at page 43. He said the same print and everything, you're saying? She responded no, it's not the same print, it is the same document.

Mr. Starr asked her to look at Exhibit 9. He asked her to choose a page that she says was split. She chose page 1, a Sheriff's Deed. Page 1 came from the County Clerk's office and pages 2 and 3 are what were in the abstract. He asked her to confirm whether everything was on the abstract page down to the description and then has the Sheriff's signature on the 2nd page. He pointed out the seal toward the top of the page and said it came out of the Court Clerk's office before being filed in the County Clerk's office. She said it's the Sheriff's Deed. It's the result of a court case, but she doesn't think it actually gets file. in the Court Clerk's office. She said it might have been, but it's still just one page at the county office. He directed her attention to the court case number

on the document. He said because of that, it started with the Court Clerk's office before going to the County Clerk. She agreed. He asked her whether that certified copy is what the abstractor would have picked up from either office. She said, no, it has the book and page on it and the county seal so it came from the County Clerk's office. He clarified that when the abstractor gets the filings, it is going to be part of the documents they receive from the Court Clerk's office and then they'd follow up and get it from the County Clerk's office. She gave a tentative positive response.

Next they turned to page 4 as what was received from the Clerk and pages 5 and 6 were what was in the abstract. He asked whether it looked to be all of the information on those two pages. She said it did. He asked whether she agreed with him that this page splitting was purely a subjective opinion that she had made. She said no, but then said maybe it is because it is her feeling that if a document is one page in the county offices, it should be one page in the abstract. He asked what objective standard she had to go to present to this board that it's exactly what it's supposed to be. Mr. Ashbaker interjected and asked whether that decision was up to Ms. Collins. She said no. He asked if she made the charging decision. She replied no. She said she was the one who reviewed the abstracts and made the decision as to whether it was one page in the county office that had been split into 2 pages in the abstract. He asked whether she was the one who put the paperclips on the documents and she said she was. He stated that she was the only one who made that determination that they were there for today. Ms. Herzog objected, stating that is for the Board to make that decision. Mr. Starr pointed out that it was Ms. Collins who pulled all those lists and documents together. Mr. Ashbaker asked for clarification because she's not the only one who made that decision because the prosecutor was involved with the complaint. Mr. Starr responded that was his question. Ms. Collins said no, she was not the only one involved in the decision because she presents her findings to the Enforcement Committee and they are the ones who make the decision as to what happens after that.

Mr. Starr asked her if she had any knowledge about unpaid bills and she repeated her response from the beginning of questioning. She doesn't concern herself with unpaid invoices. She concerned with what was charged. He said she'd already told them she was concerned about that \$1,000 order early on. She stated it wasn't out of concern, it was out of curiosity.

Mr. Starr completed his questioning.

Ms. Herzog began her redirect going back to Exhibit 9 she revisited the item that was brought up as to whether it would have come from the Court Clerk or County Clerk and asked Ms. Collins to talk about the book and page number. Ms. Collins confirmed that if it has the book and page number on it, that comes from the County Clerk's office. Ms. Herzog asked if a document has the book and page number on it, does that mean the abstractor used the one that was in the County Clerk's office. Ms. Collins said that there are some situations where a document might go to the Court Clerk after being filed in the County Clerk, but the document in question in the Exhibit came from the County Clerk.

She asked why Ms. Collins conducted an inspection on the company. Ms. Collins responded that it was for a regularly scheduled inspection. Ms. Herzog asked why she was curious about the \$1,000 charge. Ms. Collins responded that in the small county she worked in a 6-month update would usually run around \$300.

Ms. Herzog asked if the issue of page splitting had anything to do with the consolidation of documents. Ms. Collins said no. Ms. Herzog asked whether Ms. Collins might be suggesting that the abstractor should have consolidated anything, and the response was no.

Mr. Starr stated that Ms. Herzog brought up the \$1,000 fee again, but tying it into the approved rates and asked whether there was a problem in that. Ms. Collins said no, it was what piqued her curiosity.

Mr. Scott Ward with the Board directed Ms. Collins back to the auction listing in Exhibit 8 on page 44 and 45 where it was split. Mr. Ward pointed out that on page 44, the rope bag shows then on page 45 where it shows the glass for 27, are there missing amounts on the glass as compared to the original. Mr. Randy Coffman says that it looks like the page was cut on a slant on the previous page and didn't carry over. Ms. Collins confirmed there could have been missing information.

Board member Mr. Jason Waldroup asked about when she was making her copies whether the copier was set to 100% or if there were any adjustments. Ms. Collins confirmed it was set to default settings with no adjustments.

Mr. Darin Kent asked Ms. Collins to compare the margins on page 43 with pages 44 and 45 which appear to be much smaller which appears to be because of enlargement. Ms. Collins agreed.

There were no other questions for Ms. Collins and she was dismissed.

Ms. Herzog called Katherine Smith to the stand to be sworn in by Mr. Ashbaker. She stated her name and stated that she was employed with the Oklahoma Abstractors Board as the State Administrator of Abstracting. She has been employed with the Abstractors Board for almost ten and a half years since September 28, 2015. Her duties with the board are focusing on the higher level administrative issues such as payroll, budgeting and the like. Ms. Herzog asked if it had ever included any other duties. Ms. Smith stated that it had. When she was first hired there were separate positions for the Executive Director and Inspection and she performed both of those duties until March of last year.

Ms. Herzog asked if Ms. Smith was familiar with AAA Abstract and Ms. Smith confirmed she was because she had done inspections on the company every other year for almost 10 years and previously known of the company in her former position as the Executive Director for the Oklahoma Land Title Association which started in July of 2007. In that position, she ran the professional association for the title insurance and abstractors and knew of Ms. Farrier from that time. Ms. Herzog asked her who Ms. Farrier is. Ms. Smith explained that Ms. Farrier is one of the owners of AAA Abstract Company along with her daughter Melissa in a 50/50 split. Ms. Herzog asked if either of the owners were present and Ms. Smith stated they were not.

Ms. Herzog asked if there were any prior orders presented to AAA that she was aware of in her time as inspector. Ms. Smith said the only order she was aware of during her tenure with the Board was in regard to a complaint that was received. There was a complaint filed in 2020 but the

issue that it was originally filed on was outside of the scope of the Board. The individual came back and filed another complaint in 2021 regarding the issue of overcharging on the abstracts.

Ms. Herzog presented her with Exhibit 14 and asked her to identify it. Ms. Smith identified it as the consent order issued and agreed to by the respondent and the board with regard to that complaint. The Exhibit was admitted without objection from opposing counsel and confirmed by Mr. Ashbaker.

Ms. Herzog asked Ms. Smith to read the facts of the case. Ms. Smith read that the Respondent is the holder of a Certificate of Authority numbered 0127. The company is engaged in the business of abstracting in Adair County. Pursuant to a special investigation, authorized by the Board, it was discovered:

1. Abstract 17636, ordered from Respondent on 8/27/2018, and completed on 3/27/2019.
 - a. ...

Mr. Starr objected stating that he didn't see that it had any relevance to the issued being heard today. Ms. Herzog said it was relevant because it was related to the same issue of page splitting. The objection was overruled, but he asked for a summary of the consent order instead of reading everything.

Ms. Smith conveyed that there was one abstract invoiced for \$2,856.00 and that single-page documents were split onto multiple paged resulting in an additional 79 pages at a cost to the customer of \$474. A second abstract was invoiced for \$2,156.00 with pages split to create 101 additional pages at a cost to the customer of \$606. The order set forth a \$500 penalty for one abstract and a \$750 penalty on the other as well as a refund to the consumer for the overcharge.

Ms. Herzog asked whether Ms. Smith was aware of any other orders issued to AAA Abstract. Ms. Smith stated that she wasn't aware of any in the records. Ms. Herzog asked if there were any other slightly different findings in their records. Ms. Smith said that there is information in the files all the way back to 2004. In 2004 and 2006, there is information from the Auditor and Inspector's Office prior to the Board being established addressing these same types of issues. Then in 2008, the Board was established. In 2009, there is documentation from a Monica Wittrock who is a licensed attorney in the state and used to be in leadership at First American. She sent the board a chain of communication and documentation where she communicated directly with the company alleging the same splitting of pages to enlarge the price. Then in 2021, there was the previously mentioned order and now this hearing in 2026.

Ms. Herzog asked Ms. Smith to identify Exhibit 16. Ms. Smith identified it as the email exchange and documentation from Monica Wittrock correspondence to Nancy Farrier at AAA Abstract. Ms. Smith confirmed it was the same document she testified about. Ms. Herzog asked for the exhibit to be admitted. There was no objection and it was admitted by Mr. Ashbaker.

Ms. Herzog asked Ms. Smith to identify Exhibit 17. Ms. Smith identified it as the previous complaint to the Auditor and Inspector's office in 2006. Mr. Starr objected because he doesn't feel it's proper to go back 20 years and it has nothing to do with the hearing today and the 3

abstracts being discussed today. Ms. Herzog responded to the objection stating that it shows that this is a continued issue that they've been told about several times and they just continue with the same process. Therefore, it's relevant to show that. Mr. Ashbaker asked whether it would show the same type of page splitting. Ms. Herzog said it would. Mr. Ashbaker overruled the objection and admitted the exhibit over the objection.

Ms. Herzog asked Ms. Smith to identify Exhibit 18. Ms. Smith stated that it is another document from the Auditor and Inspector's office is alleging the same type of behavior. Mr. Starr objected again and said that it wasn't furnished in a discovery request. Mr. Ashbaker asked if there was a discovery request. Ms. Herzog said no. Mr. Ashbaker asked if it was provided in advance. Ms. Herzog said it was not.

A break was taken for Mr. Starr to review the documents he had not previously received.

Mr. Ashbaker reopened the hearing stating that the document had been provided to Mr. Starr. He asked if Mr. Starr was able to review the document. Mr. Starr confirmed he was. Mr. Ashbaker asked if he felt he understood the document enough to proceed. Mr. Starr confirmed he did. Mr. Ashbaker asked if there was an objection to the documents admittance, and Mr. Starr said yes, he did object because it goes back to June 9, 2004. Mr. Ashbaker overruled the objection. However, Mr. Starr continued stating that he also objected because they had asked for discovery in the response that was made back on approximately the 30th of March. In that response it read that AAA respectfully repeats their 12/9/2025 request to be advised of and supplied with any complaint or complaints established with the OAB against AAA, as well as addressed in any OAB meeting setting regulated by open meeting protocol and statute. In addition, as important and critical, please identify and advise specific violations of O.S. Title 1 and OAB Title 5 that AAA is claimed to have violated.

From my examination of the material, it appears as though a considerable amount of information has not been furnished to my client. Obviously, we do not know all of the details leading to this situation; however, it would seem as though additional information should be furnished to AAA Abstract Co., Inc., for their utilization and adequately responding to this matter.

I trust that your office will furnish, within a reasonable amount of time, the specific information that your office has determined that led to the violations and this matter before your Board. We look forward to receiving that information as soon as reasonably possible and I trust the matter can be resolved quickly.

Mr. Starr stated that it was dated the 30th of March and went out on February 10, 2026. Ms. Herzog responded that what he was referring to is an email that he sent, or inappropriately sent to every member of the Board prior to the complaint being filed on February 13, 2026. So the email was sent prior to the complaint being filed and after that, he was provided with all the scanned abstracts, the list of all the page numbers and the complaint that contains all the violations. So the exhibits that she's presenting today are showing the continuation of the violation. We have a violation and presented all the information regarding the violations. Exhibit 18 shows that this is not something that is new to this company. They've been doing this for twenty years; so it's not specific to the new violations, it's just showing they've been told this before.

Mr. Ashbaker said that he noted Mr. Starr's objection for the record, but he is going to overrule it for the purposes of this hearing. Therefore, it's noted should the Respondent choose to appeal this if it isn't resolved to their satisfaction. He also clarified this is just in relation to Exhibit 18.

Ms. Herzog asked if Exhibit 18 was being admitted. Mr. Ashbaker asked if there were any other objections to Exhibit 18. Mr. Starr stated that it was his understanding of Board rules that prior problems are not to be taken into consideration. Mr. Ashbaker responded that he believes that's true as far as guilt goes, however, it might be for some other reason. For example, it could go to prior incidents that have gone on. It could also speak to whether your client was aware or whether they were told about this. But that all of those things could be brought up and addressed in cross examination. Ms. Herzog stated that Exhibit 18 is something his client would already be aware of because it was addressed to Mr. Starr's client. Therefore, it's not information that his client would not have known. Mr. Starr repeated that with this incident being so far back, it has nothing to do with the current incident. There was a more recent intervening as Ms. Smith testified to in the 2020/2021 timeframe, they had that. The client was aware of that. But not these others.

Mr. Ashbaker asked if Mr. Starr is claiming his client was unaware of the document (Exhibit 18) because it is addressed to them. Mr. Starr responded to the court and everyone involved, they should have been, but as far as them telling him, he has no indication at all. Mr. Ashbaker stated that he is overruling the objection, but the objection has been noted for the record and he is going to advise counsel to consider before she admits it whether or not the "juice is worth the squeeze" so to speak when it comes to an appellate issue. Ms. Herzog stated that she would like it to be admitted and pointed out that there was no one present from the company to give any type of testimony against whether they have knowledge of the document. She also pointed out that their documents have already been admitted in because with administrative hearings more is allowed in. It is not as restricted on evidence as it is with any other court. So she wants to put it before the board for everyone to see otherwise, his exhibits wouldn't be able to come in because there is no one present to authenticate them.

Mr. Ashbaker reminded her that both parties stipulated to authentication, however no one has stipulated to relevance. He's not objecting that it's not an authentic document, he's objecting for other reasons. Mr. Ashbaker repeated that he is overruling the objection, but that the objection is noted in the record. He's made his recommendations to the prosecutor and that if she wanted to admit Exhibit 18, he would admit it. Ms. Herzog responded that she did want to admit it.

Ms. Herzog stated that she would not be offering Exhibit 15.

Ms. Herzog asked if Ms. Smith had ever spoken to anyone at AAA regarding the page splitting. Ms. Smith responded that outside of the complaint and consent order in 2021, she communicated with them throughout that process but not a direct conversation outside of that – here is the complaint, what is your response, your response has been received, and then delivering the consent order after the Board's deliberations.

Ms. Herzog asked how many certificate of authority holders use page based rates in Oklahoma. Ms. Smith answered that there are 12.

Ms. Herzog asked if she had run into complaints against those other companies for page splitting. Ms. Smith responded that she had not.

Ms. Herzog asked if there were any other abstract companies in the same county where AAA is located. Ms. Smith confirmed there are two other certificate of authority holders.

Ms. Herzog stated that she had no further questions.

Mr. Ashbaker gave the floor to Mr. Starr for cross-examination. Mr. Starr began by introducing himself to Ms. Smith. He asked if she had anything to do with putting the report together other than being aware of it. She confirmed that the inspection in the summer of 2025, she was not involved.

Mr. Starr said that she had been aware of AAA for a while and knew the owners and asked if that was correct. Ms. Smith replied that she was acquainted with them, at least with Ms. Farrier, but has not met her daughter.

Mr. Starr apologized for sending out that email that was addressed to all the board members then asked whether she did anything else involved in the current case. She responded that she had not other than responding to the email and explaining why they shouldn't do that.

Mr. Starr stated that he had no further questions. Mr. Ashbaker asked Ms. Herzog if she had further questions and she said she did not.

Mr. Ashbaker opened the floor to the Board for further questions.

Ms. Sue Ann Loggains asked if Ms. Smith had ever examined any page based abstracts. Ms. Smith said that she doesn't examine abstracts at all because she's never been an abstractor and doesn't have the knowledge to give an educated opinion one way or another. During her time as inspector, all abstract reviews were performed by abstractor members of the Board or the attorney member.

Ms. Smith was excused from the witness seat.

Mr. Ashbaker said that Mr. Starr could do his opening at that time, if he wished, or if he wanted to reserve it, he could. He then confirmed that Mr. Starr had no witnesses, which Mr. Starr did not. However, he had documents to admit, and Mr. Ashbaker asked him to present them. Mr. Starr said that he would not do an opening but would cover everything at closing.

Mr. Starr presented his first Exhibit to Mr. Ashbaker. Mr. Ashbaker asked Ms. Herzog if she had any objections. She stated that she did not have any objection to any of his Exhibits which are Exhibit 1, Exhibit 2, and Exhibit 3. Mr. Ashbaker admitted them.

Mr. Starr was allowed to give a brief explanation of what the documents are. Exhibit 1 deals with the abstract that has been discussed. This is the abstract that moved forward with the sale and AAA Abstract was paid for their services without any issue. Exhibit 2 is the Leech property is one that shows the transaction was not completed and cancelled. Exhibit 3 is another abstract that the company did not receive any compensation for.

Mr. Starr rested. Mr. Ashbaker asked Ms. Herzog if she had any rebuttal evidence and she did not.

Mr. Ashbaker noted that, just like in court, the burden is on the State and therefore, they get to speak first and last by giving a closing and rebuttal and the Respondent will also have a closing.

Ms. Herzog asked that the Board find clear and convincing evidence that the violations stated in the complaint have been proven today by clear and convincing. Those violations of the Rules and Act being that they have one mis-indexed probate, which was stipulated to, so we already know we have that violation. There were also three abstracts prepared by the Respondent in a way to increase the number of pages in the abstract so the company could charge more per abstract. This

is an unreasonable and excessive fee per abstract and is not uniform. Those three abstracts were charged extra. All three abstracts were completed; there's no question as to their completion. They did an invoice and there's no question that there was an invoice done. There is testimony through exhibits that two of those were not paid for, but that has nothing to do with how the abstract was completed.

There is an unreasonable and excessive fee for services which is not uniform. Yes, they are allowed to charge per page on their rate sheet. What is unreasonable, excessive, and not uniform is splitting pages to be able to have more pages to charge more.

The last violation that is listed is the failure to make the requested abstract #18241 available for inspection. It was provided, but not until after the complaint was filed.

The violations listed in the complaint are 1 O.S. 31. That is regarding the stipulated violation of the probate being mis-indexed. It states "shall maintain in a current condition."

The next violation is 1 O.S. 32(C). It states that all licensed abstractors and certificate of authority holders whose businesses are declared to stand upon a like footing with that of common carriers. Then in 5:2-1-2 is defines common carrier to mean that the business of abstracting is affected with a public interest and subject to the regulatory powers of the State. A holder of a certificate of authority must serve the public without unreasonable discrimination in the processing of orders, furnishing of abstracts, fees for services, and compliance with the Act.

The next one is 1 O.S. 35(a)(2) states that it is a violation to fail to comply with an provision of the Abstractors Act or Rule violation of the board. That goes in line the other violations that are listed.

The next one is 1 O.S. 41(b). That says that all charges for abstracts shall be uniform for all abstracts. They are not charging uniformly because they are splitting pages when it should be one page.

The last one listed here is OAC 5:11-5-1. That has to do with the abstract that wasn't provided when requested but has been provided now. It talks about providing items when requested for inspection.

As Exhibits have shown today, this is not a new problem. It is something they continue to do even though they have been disciplined for it in the past by the consent order that was attached to the complaint and is Exhibit 14. They just kept doing it. They paid the penalty and just kept doing what they were doing. We don't have anyone from the company today to testify to why this is occurring. All we know is that the pages have been split. We can see that the County Clerk documents by their book and page number that it's one page yet it appears as two pages in the abstract. We can see from the court records that a court document is one page yet it appears as two pages in the abstract. Even if you fold pages and put them together, you can see that it could be one page versus two pages.

At this point she asked again for the clear and convincing of all the violations be found and the company's license could be revoked or that they be fined the maximum penalty amount for three abstracts and the other violation of missing the item. So that would be \$30,500. This is a serious issue that has been going on for twenty years. They're going to keep doing what they've been doing unless this board says, "This is not okay. Stop."

Ms. Herzog concluded her remarks.

Mr. Starr took the floor and thanked the Board for their attention. He began with first of all, AAA has been in the abstract business since the mid-1960s in Stilwell. Nancy Garrett-Farrier is a 90-year-old widow that has been running it. She's been in the business since its beginning. That is the background. There's no need for her or anyone else to be present because he believes he can speak for the allegations and what they have been charged with.

He trusts that today with the testimony that has been heard, that there is some real issues in the charges themselves. Then when we fast-forward to the board and the State asking for \$30,500 it is totally unreasonable. Looking at a response that was filed early on in this, they stepped right up and admitted right off the bat about this unindexed probate file. Not any question about that.

Some of the other allegations that have been made, we've talked in terms of the invoices and abstracts has already been approved by the Board back in 2024, the rates, so there's not any problem about that. As far as any discrimination as far as processing orders they deny that. All of his comments that he's making here, they certainly recognize the authority of the Board. There's not any question about that. They recognize exactly the authority of the Board and them having the authority to direct and oversee these things. But he suggest to the Board, and it's very, very important, and he used the words "subjective" and "objective" a few times with Ms. Collins. He challenges anyone to find any specific rules that says when page splitting is authorized and when it's not. What it takes to be a page-splitter, and where you have to draw the line in doing that. It is purely a subjective standard that is made in this case here by Ms. Collins.

She's experienced, and he's not challenging a lot of what she has indicated. She's doing a job. But at the same time, she needs directive guidance as to what is. When do we step up and say when a page has been split for financial gain. I think that's the bottom line on this whole thing. It just doesn't appear to be any kind of standard that is set out. And "believe you me" he's looked over those rules from start to finish a number of times to see if that is addressed. It is not.

Again, he knows the Board has wide latitude in decisions and what is to be considered and what is not. We talked a bit about the 8 ½ x 14 and the 8 ½ by 11 pages how things go by default a certain way. We talked about the margins up on top of the pages that are required. We talked about legal source documents, obviously that's what we're concerned about here but he would say that any way we look at it, he doesn't think there's any language in the Oklahoma Statutes, Title 1 or the OAB Title 5 that goes to the copying issue that he previously mentioned.

He doesn't want to beat a dead horse but we all need to be singing of the same sheet and we all need to be going to by the same rules. If we're all going to be driving a certain speed out here everybody needs to know what that speed is. Everyone needs to know how we measure the speed. We don't do it in miles per hour one way and knots in another or kilometers in another. We have one standard that we go by. He thinks that goes through and through.

But he thinks that here there has been an opinion formed that we are involved in this page splitting but he doesn't think the standard is there. It's just not there. The Rules do cover margins or sides or anything at all. So he would say that State has totally failed to meet their burden of proof that they have to make.

They stipulated to the one issue on the probate file, but other than that, they have not. One final factor, when we are looking at these three abstracts, Abstract number 1 went on through but 2 and 3 were not. 2 and 3 were never paid for. AAA was never paid. One of the requests that the State has made in this is that folks be compensated for overcharging. Obviously in two of these

abstracts, that doesn't even come into play because they were never paid for them. So we're only looking at the one abstract.

But he suggest to the Board that the State has totally failed to meet their burden of proof. They've totally failed to present the evidence that is required to do that standard that is required. And as he stated earlier, everything today, what we've been hearing is a very subjective type of testimony.

Mr. Starr ended his comments.

Mr. Ashbaker asked if Ms. Herzog had any rebuttal. She stated she did.

Ms. Herzog stated that in regards to the argument being proposed that it is a document that should be split because it's a legal document, the court cases, for instance in Exhibit 10, on page 19. It is a court case from 2024. No one is using legal pages to file a court case in 2024. That is not a legal sized page so that argument fails.

The State has proven the violations that are presented in the complaint for the mis-indexed item, the three abstracts that were page split to increase the cost that could be charged on it and specifically the violation of 1 O.S. 32(C), 32(A)(2), and 41 with OAC 5:5-11-1. Additionally the State has provided evidence that she would want you to consider when considering what penalty that should be assessed against the company. That is why the prior documents showing this has occurred previously going back 20 years.

That's why the request for the revocation of the license is being presented and why, as an alternative, the fine is so high that is because they are clearly not going to change anything unless they're shown that this is not okay. The fact that two of them were not paid for doesn't matter because they completed them, they invoiced them, they sent them. They just never get paid for them. There's no one present to testify why they didn't get paid for them. Did they not pay because it was overcharged or because it was busted. There could be reasons but that doesn't change the fact of what they made and invoiced. She asked for clear and convincing and if the revocation option is chosen that they wouldn't be able to apply for another certificate of authority for a period of time.

Ms. Herzog ended her comments.

Mr. Ashbaker stated that the presentations were concluded and recommended that the Chairperson, Rex Koller, entertain a motion to enter Executive Session.

13. **Execuitive Session:** A motion was made by Mr. Kent to enter Executive Session. Second by Ms. Loggains. Motion passed.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

The meeting reconvened with a motion by Ms. Loggains to exit Executive Session. Second by Mr. Ward. Motion passed.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Mr. Koller asked for a motion stating the State has proven its allegations and findings of fact as shown and presented before this Board. Motion was made by Mr. Kent. Second by Mr. Coffman. Motion passed.

Mr. Koller asked if there were any questions or comments anyone would like to add. There were none.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Mr. Koller asked if there were any other questions that anyone would like to submit. Mr. Kent stated that we are adopting the conclusion of law stated in the State's complaint. He moved to order the following. A \$30,500 fine, \$348 restitution to clients involve in Abstract 18165 and that charges must be recalculated on files 18241 and 18228 in case those are ever to be collected. There will also be a three-year probation. The subject and terms of the probation are quarterly inspections to be conducted. Second by Ms. Loggains. Motion passed.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.

Mr. Ashbaker announced that the order is subject to review and approval by the Oklahoma Attorney General and this order shall become final upon completion by the Attorney General unless disapproved, in which case this order shall be null and void.

14. **Adjournment:** Mr. Ward made motion to adjourn the meeting. Second by Mr. Waldroup. Motion passed.

Yeas: Darin Kent, Jason Waldroup, Randy Coffman, Rex Koller, Scott Ward, and Sue Ann Loggains. Nos: None.