BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

FILED

2009 JUN 19 P 1:54

In the Matter of:	)	No. D07–0350
	)	
JOHN A. HANLEY, dba JURISCO	)	**OFFICE OF THE INSURANCE**
	)	**COMMISSIONER'S**
	)	**MOTION TO ALLOW TESTIMONY**
Licensee.	)	**BY TELEPHONE OF MARY YOUNG**

Patricia D. Petersen
Chief Hearing Officer

The OIC moves to allow the testimony of one witness by telephone at the July 8, 2009 adjudicative hearing in this matter: Mary Young, an attorney with the Seattle law firm of Lane Powell.

Ms. Young is an attorney for the bond principal referenced in "Example four" of the OIC's order revoking license dated August 15, 2008. At the four bulleted paragraphs appearing at pages four and five under the heading "Example four: Bond #964007284," Ms. Young is the attorney referenced in the fourth bulleted paragraph. Ms. Young's office is located in Lane Powell's Seattle office, and is not a party in this matter.

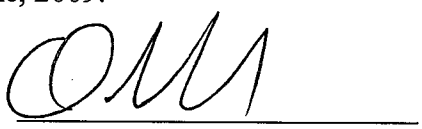
WAC 10-08-180(1) authorizes telephonic testimony "if the rights of the parties will not be prejudiced and if each participant in the hearing has an opportunity to participate in, to hear, and, if technically and economically feasible, in the judgment of the presiding officer, to see the entire proceeding while it is taking place. However, the presiding officer shall grant the motion of any party showing good cause for having the hearing conducted in person at a rescheduled time."

Allowing this Seattle-based non-party fact witness to testify telephonically will not prejudice the rights of Mr. Hanley and pursuant to WAC 10-08-180(1), he remains free to move to conduct her testimony in person at a rescheduled time should "good cause" arise. Mr. Hanley knows Ms. Young, both through his business relationship with her and through the records Mr. Hanley received last Fall through a Public Records Act request for specific OIC records regarding the revocation order that were generated between November 10, 2005 and the date of the order. Accordingly, OIC and Mr. Hanley are each free to share any

exhibits they see fit with Ms. Young, with each other, and with the Presiding Officer well in advance of the July 8 hearing. Mr. Hanley will thus have the opportunity to fully participate in the hearing and to cross-examine Ms. Young.

For the foregoing reasons, the OIC moves to allow Ms. Young to testify telephonically at the July 8 hearing.

Respectfully submitted this 19 day of June, 2009.



Alan Michael Singer
OIC Staff Attorney