MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

OFFICE OF
INSURANCE COMMISSIONER

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2010 MAY 26 P 2:59

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

In the Matter of	)	No. D10-0045
Ralph R. Bargabos,	)	**REQUEST FOR CONTINUANCE**
Resident Licensee	)	

The Washington State Office of the Insurance Commissioner ("OIC") hereby requests a continuance of the hearing on Order No. D10-0045, currently scheduled for 10 a.m. PDT on Thursday, May 27, 2010. The continuance may be as short as postponing the hearing to next week, if the parties and Hearing Officer are available.

THIS REQUEST IS BASED ON THE FOLLOWING:

Mr. Bargabos has requested that OIC Financial Inspector Ken Combs (Retired) appear as a witness at this hearing. OIC has agreed to call Mr. Combs as a witness but has not yet been able to prepare for Mr. Combs' testimony. First, Mr. Combs was out of the country. Now, Mr. Combs is currently dealing with a seriously ill family member and we have not been able to confer, even over the telephone. We have been trading voice messages.

Mr. Combs states that he is available to testify at the hearing as currently scheduled. However, due to OIC's inability to prepare for his testimony, including identifying and obtaining copies of relevant documents from his investigation, Mr. Combs' unavailability prior to that time has seriously prejudiced OIC's ability to prepare for the hearing.

In addition, we believe that it would be a more efficient use of the Hearing Officer's time for OIC to be fully prepared for the hearing rather than trying to put its case together at the hearing. The undersigned counsel appearing for OIC has not seen some of the documents we would like to use to illustrate the facts, and needs Mr. Combs to identify their location so that they can be procured. We believe Mr. Combs will be much more able to testify coherently and fully if he has all the relevant documents before him. In addition, the parties will be more able to effectively question him if we also had those documents before us.

ENTERED AT TUMWATER, WASHINGTON, this 26th day of May, 2010.

MIKE KREIDLER
Insurance Commissioner

By Andrea L. Philhower

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