



OFFICE OF  
INSURANCE COMMISSIONER

HEARINGS UNIT  
Fax: (360) 664-2782

Patricia D. Petersen  
Chief Hearing Officer  
(360) 725-7105

Nicole Kelly  
Legal Assistant  
(360) 725-7002  
[nicolek@oic.wa.gov](mailto:nicolek@oic.wa.gov)

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:	)	No. 10-0053
	)	
WILLIAM S. BENNETT, JR.,	)	NOTICE OF HEARING
	)	
Licensee.	)	
_____	)	

**TO:** William S. Bennett, Jr.  
914 – 140<sup>th</sup> Avenue, Suite 202  
Bellevue, WA 98005

**COPY TO:** Mike Kreidler, Insurance Commissioner  
Mike Watson, Chief Deputy Insurance Commissioner  
Carol Sureau, Deputy Commissioner, Legal Affairs Division  
Marcia Stickler, Staff Attorney, Legal Affairs Division  
John F. Hamje, Deputy Commissioner, Consumer Protection Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

On June 4, 2010, the Insurance Commissioner (“Commissioner”) received a letter from William S. Bennett, Jr., in the matter of William S. Bennett, Jr., Licensee, which letter shall be considered a Demand for Hearing. The purpose of said Demand for Hearing is to contest the Commissioner’s Order Revoking License, No. 10-0053, dated March 16, 2010.

As stated in his aforereferenced Order Revoking License, the Commissioner’s position is that William S. Bennett, Jr. (Licensee) pled guilty to one count of theft of government funds in violation of 18 U.S.C. § 641, a felony, on December 15, 2009 in United States District Court and that this felony conviction constitutes grounds for revocation of his license under RCW 48.17.540. The Licensee failed to report the felony conviction to the Commissioner as required by RCW 48.17.597(2). The Commissioner further alleges that the Licensee falsely represented



to a client that he would incur no surrender charge on his policy, when in fact he would, in violation of RCW 48.17.530.

The Licensee asserts that the felony was unrelated to his conduct relative to his role as an insurance agent and that, while he admits that he initially erred in informing the policyholder that there would be no surrender charge, he corrected his statement prior to delivery of the policy.

On June 16, 2010, the undersigned held a first prehearing teleconference in this matter. Mr. Bennett, Jr. appeared pro se. The Commissioner appeared pro se, by and through Marcia Stickler, Staff Attorney in the Commissioner's Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. The undersigned noted that there is not a stay of the Commissioner's Order of Revocation in effect at this time because the request for hearing was filed after the effective date of the Order of Revocation. The Licensee claimed to have received the Order of Revocation after the effective date; however, the delay appears to be due to the Licensee's failure to notify the Commissioner of his address change. At any rate, the Licensee advised the undersigned that the lack of stay of the Order of Revocation is of little concern since he is not currently working in the insurance business.

Further, the undersigned reviewed administrative procedures to be expected at hearing, citing Title 48 RCW, relevant sections of which are set forth in the Order Revoking License, and 34 RCW, the Administrative Procedures Act. The undersigned addressed all questions and concerns of the parties. By agreement of the parties, a hearing was scheduled to commence at **10 a.m., on Wednesday, July 7, 2010**. The parties were informed that if they had any future questions or concerns, or requests for additional prehearing conferences, they should contact Nicole Kelly, Paralegal to the undersigned, who can be reached by telephone at (360) 725-7002, e-mail at [nicolek@oic.wa.gov](mailto:nicolek@oic.wa.gov), or at the above address.

The hearing will be held under the authority of Title 48 RCW and specifically RCW 48.04, Title 34 RCW and regulations applicable thereto. Pursuant thereto, the Commissioner has delegated to the undersigned the authority to conduct all activities preliminary to the hearing, the hearing and all activities following the hearing, and to determine and enter the final decision in this matter. Pursuant to Title 34 RCW, the undersigned shall handle these activities and make the final decision herein without input or communication with the Commissioner or any member of his staff or others who have knowledge of the facts herein. Mr. Bennett, Jr. will appear pro se, unless he wishes to be represented by an attorney. Mr. Bennett's address is 914 – 140<sup>th</sup> Avenue, Suite 202, Bellevue, Washington, and his telephone number is (425) 890-2900. The Commissioner will appear pro se, by and through Marcia Stickler, Staff Attorney. Ms. Stickler's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255, and her telephone number is (360) 725-7048.

As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

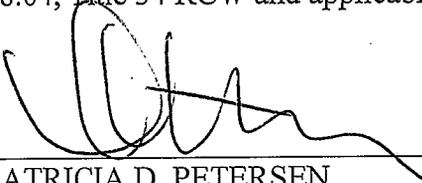
Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to this Notice, with instructions thereon.

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

Based upon the above activity,

**IT IS HEREBY ORDERED** that the adjudicative proceeding in this matter shall commence on **Wednesday, July 7, 2010 at 10 a.m.**, Pacific Standard Time, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT TUMWATER, WASHINGTON, this 28<sup>th</sup> day of June, 2010, pursuant to RCW 48.04, Title 34 RCW and applicable regulations.

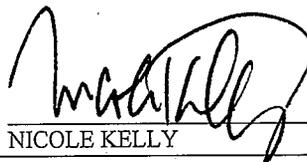


PATRICIA D. PETERSEN  
Chief Hearing Officer  
Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: William S. Bennett, Jr., Mike Kreidler, Mike Watson, Carol Sureau, Marcia Stickler, and John F. Hamje.

DATED this 28<sup>th</sup> day of June, 2010.

  
NICOLE KELLY



OFFICE OF  
INSURANCE COMMISSIONER

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To request an interpreter, complete and mail this form to:

Chief Hearing Officer  
Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

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**REQUEST FOR INTERPRETER**

I am a party or witness in Matter No. \_\_\_\_\_, before the Insurance Commissioner. I NEED AN INTERPRETER and request that one be furnished.

Please check the statements that apply to you:

I am a non-English-speaking person. I cannot readily speak or understand the English language. My primary language is \_\_\_\_\_ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: \_\_\_\_\_ Signed: \_\_\_\_\_

Please print or type your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

