

FILED

2011 AUG 30 A 11:43

THE STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

Hearings Unit, DIC
Patricia D. Petersen
Hearing Officer

In the Matter of
ABILITY INSURANCE COMPANY,
An Authorized Insurer and Respondent

Docket Nos. 11-0088 and 11-0089

MOTION TO SUPPLEMENT THE
RECORD – ORDER REGARDING
THE *BUSHNELL* MATTER

The OIC moves to supplement the record with the attached Washington Supreme Court order denying review in the matter, *Bushnell v. Medico Ins. Co.*, 159 Wn. App. 874, 246 P.3d 856 (2011). Donald Lawler offered testimony that the matter was or remains on review. To ensure that there is “full disclosure of all relevant facts and issues,” RCW 34.05.449(2), OIC moves to admit this order.

DATED this 30th day of August, 2011.

OFFICE OF INSURANCE COMMISSIONER

By: 

Alan Michael Singer
Staff Attorney
Legal Affairs Division

MOTION TO SUPPLEMENT THE RECORD

THE SUPREME COURT OF WASHINGTON

LEROY F. BUSHNELL, as the personal representative for the Estate of EVELYN BUSHNELL,

Respondent.,

v.

MEDICO INSURANCE COMPANY, a Nebraska Corporation, and MEDICO LIFE INSURANCE COMPANY, a Nebraska Corporation,

Petitioners.

NO. 85907-8

ORDER

C/A NO. 63916-1-I

E/M
FILED
SUPREME COURT
STATE OF WASHINGTON
2011 AUG -9 P 2:07
BY RONALD R. CARPENTER
CLERK

A Special Department of the Court, composed of Chief Justice Madsen and Justices Alexander, Fairhurst, Stephens, and Wiggins, considered at its August 9, 2011, Motion Calendar, whether review should be granted pursuant to RAP 13.4(b), and unanimously agreed that the following order be entered.

IT IS ORDERED:

That the Petition for Review is denied and the Respondent's request for attorney fees is granted. The Respondent is awarded reasonable attorney fees and expenses pursuant to RAP 18.1(j). The amount of the attorney fees and expenses will be determined by the Supreme Court Clerk pursuant to RAP 18.1. Pursuant to RAP 18.1(d), Respondent should file an affidavit with the Clerk of the Washington State Supreme Court.

DATED at Olympia, Washington this 9th day of August, 2011.

For the Court

Madsen, C.J.
CHIEF JUSTICE

617/125