



OFFICE OF
INSURANCE COMMISSIONER

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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)	No. 11-0106
)	
STEWART TITLE GUARANTY)	NOTICE OF HEARING
COMPANY,)	
)	
An authorized insurer.)	
)	

TO: Stephen J. Sirianni, Esq.
Sirianni Youtz Spoonmore
999 Third Avenue, Suite 3650
Seattle, Washington 98104

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Esq., Deputy Commissioner, Legal Affairs Division
Marcia Stickler, Esq., Staff Attorney, Legal Affairs Division
Jim Odiorne, Deputy Commissioner, Company Supervision
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On June 1, 2011, the Insurance Commissioner ("Commissioner") issued a Notice of Hearing to Stewart Title Guaranty Company ("Stewart Title") because the Commissioner proposes disciplinary action against Stewart Title for violation of Washington Administrative Code (WAC) section 284-29-215(2).

As stated in the Notice of Hearing, the Commissioner's position is that Stewart Title, through its title insurance agent Rainier Title, LLC, violated WAC 284-29-215(2) by advertising with a producer of title insurance business. The Commissioner alleges that Rainier Title, LLC, which is appointed as a title insurance agent by Stewart Title to sell, solicit and negotiate insurance on



its behalf, advertised on its website, www.rainiertitle.com, with and on behalf of Nest Financial, LLC, a mortgage broker that the Commissioner asserts is considered a producer of title insurance business. The Commissioner seeks the imposition of a fine against Stewart Title for this violation.

On August 10, 2011, the undersigned held a first prehearing teleconference in this matter. Stephen J. Sirianni, Esq. of Sirianni Youtz Spoonmore appeared on behalf of Stewart Title. 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.

Further, the undersigned reviewed administrative procedures to be expected at hearing, citing Title 48 RCW, relevant sections of which are set forth in the Notice of Hearing, 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 Monday, October 11, 2011**. The parties were informed if they had any future questions or concerns, or requests for additional prehearing conferences, they should contact Kelly Cairns, Paralegal to the undersigned, who can be reached by telephone at (360) 725-7002, e-mail at KellyC@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. Stephen J. Sirianni, Esq. of Sirianni Youtz Spoonmore will appear on behalf of Stewart Title. Mr. Sirianni's address is 999 Third Avenue, Suite 3650, Seattle, Washington 98104, and his telephone number is (206)223-0303. The Commissioner will appear pro se, by and through Marcia Stickler, Staff Attorney in the Commissioner's Legal Affairs Division. 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 **Monday, October 10, 2011 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 24th day of August, 2011, pursuant to RCW 48.04, Title 34 RCW and applicable regulations.

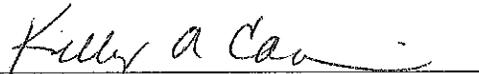


PATRICIA D. PETERSEN
Chief Hearing Officer
Presiding Officer

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: Stephen J. Sirianni, Esq., Mike Kreidler, Michael G. Watson, Carol Sureau, Esq., Marcia Stickler, Esq., and Jim Odiome.

DATED this 25th day of August, 2011.


KELLY A. CAIRNS