



FILED

OFFICE OF  
INSURANCE COMMISSIONER

Heidi D. D. D. D.  
Patricia D. D. D.  
Chief Hearing Officer

In the Matter of )

No. 11-0187

Francis Suarez )

OIC Revised Witness List and Supplemental  
Exhibit List for November 7, 2011 Hearing

The OIC revises its witness list and submits the following supplemental exhibits in support of its case and in response and rebuttal to licensee's exhibits:

**Witnesses:**

1. Francis Suarez (live testimony)
2. OIC Investigator (live testimony and/or by records)
3. Allstate Investigator/HR specialist (by records)
4. Sara Coss (by records)

**Supplemental Exhibits:**

- A. List of affiliated producers with Francis Suarez Agency 2009-2011
- B. Declaration of Barnetty Kushner
- C. Declaration of Kierstin Ross
- D. Memorandum of Interview of Adrienne Seirarra

Respectfully Submitted this 1 day of November, 2011.

MIKE KREIDLER  
Insurance Commissioner

By   
Robin E. Aronson  
Staff Attorney – Legal Affairs



Print

**LICENSE DETAILS**

**License Information**

License Type Insurance Producer Status Active Cancel Date

Effective Date 07/01/2009 Expiry Date 02/10/2013 Formed Date 02/10/1999

While conducting Insurance business in state of Washington, will you be acting as  
 (Please select both if you are planning to act as an Agent and Broker)  Agent  Broker

Designated Responsible Person WAOIC# 68464 SUAREZ, FRANCIS E \*

Show Pending

**Full Lines**

Lines	Effective Date	Cancel Date	<input type="checkbox"/>
Property	07/01/2009		<input type="checkbox"/>
Casualty	07/01/2009		<input type="checkbox"/>
Life	07/01/2009		<input type="checkbox"/>
Disability	07/01/2009		<input type="checkbox"/>

**Limited Lines**

**Affiliation List**

Licensee	WAOIC #	Effective Date	Expiry Date	Cancel Date
BOCANEGRA, CRISTEN JOLYNN	700535	03/08/2010	02/10/2011	02/10/2011
BROWN, SARA LYNN	756196	12/30/2009	02/10/2011	02/10/2011
FITZGERALD POE, DEREK MITCHAE	715513	07/01/2009	02/10/2011	02/10/2011
* KUSHNER, BARNETTY REBECCA	714519	07/01/2009	02/10/2011	02/10/2011
* ROSS, KIERSTIN A	725078	12/08/2009	02/10/2011	03/08/2010
* SHORE, LAURA H	215812	07/01/2009	02/10/2011	02/10/2011
* SUAREZ, FRANCIS E	68464	07/01/2009	02/10/2013	

**Appointment List**

Company Name	Company #	Appointment Date	Appointment Type	Expiry Date	Cancel Date
ALLSTATE FIRE & CASUALTY INSURAN...	1091	07/01/2009	Regular Appointment	08/15/2012	
ALLSTATE INDEMNITY COMPANY	39	07/01/2009	Regular Appointment	07/20/2012	

ALLSTATE INSURANCE COMPANY	40	07/01/2009	Regular Appointment	09/27/2012	
ALLSTATE LIFE INSURANCE COMPANY	41	07/01/2009	Regular Appointment	10/23/2013	
ALLSTATE PROPERTY AND CASUALTY I...	58726	07/01/2009	Regular Appointment	06/28/2012	
AMERICAN HERITAGE LIFE INSURANCE...	86	07/01/2009	Regular Appointment	05/14/2013	
LINCOLN BENEFIT LIFE COMPANY	746	07/01/2009	Regular Appointment	03/14/2013	

In Re the Matter of:

Francis E. Suarez (WAOIC #68464)

OIC Case #: 1044742

DECLARATION OF BARNETTY  
KUSHNER

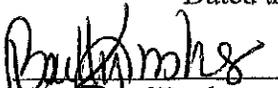
I, Barnetty Kushner, do voluntarily provide this declaration, and state under penalty of perjury under the laws of the State of Washington, that the following facts are personally known to me, and, if called upon to do so, I could and would testify competently to them.

In a telephonic interview Barnetty Kushner provided the following statement (206) 364-2450:

1. I never sold Flood insurance and was not directed by Suarez to sell free Flood insurance.
2. I had just come back from five months off. All I know was we were told to try to cross sale Home owners policies. There was some kind of miscommunication by Suarez. He thought he could gift up to \$50 because we knew of another agent offering \$50 gift cards. As a result, Suarez thought he could offer up to \$50 off on Flood insurance.
3. Suarez told Laura Shore to write up policies for his top 30 clients but she wrote up more than she was supposed to, somewhere around 40 or 50 policies or something like that. Laura was writing them up from home because she was having problems breathing at the office because of some renovations being done at the office.
4. Suarez and Laura were the only ones I know of that were calling the clients and offering them gifted Flood insurance. I don't know of any other agents that were offering the policies.
5. All of the agents knew there was a big push to sell the Flood policies but I don't know of any other agents offering the gifted Flood policies.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF WASHINGTON STATE THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 18 day of OCTOBER, 2011.

  
Signature of Declarant

BARNETTY KUSHNER  
Printed Name of Declarant

# Black Ice Software LLC

*Demo version*

In Re the Matter of:

Francis E. Suarez (WAOIC #68464)

OIC Case #: 1044742

DECLARATION OF KIERSTIN  
ROSS

I, Kierstin Ross, do voluntarily provide this declaration, and state under penalty of perjury under the laws of the State of Washington, that the following facts are personally known to me, and, if called upon to do so, I could and would testify competently to them.

In a telephonic interview Kierstin Ross provided the following statement:

1. I sold Flood Insurance to clients while working for Francis Suarez as a Insurance Producer at the Suarez Agency.
2. I don't know if everybody was selling Flood insurance but Suarez was definitely directing some of us to sell the Flood insurance. I don't remember if anything was written down.
3. I don't remember Francis ever telling us to offer Flood Insurance for free. We told the clients that the policy would protect them and was a gift in case something happened. The offer was only for current clients.
4. I got the impression from Suarez that the offer was a complementary thing and that Suarez was going to pay the premium on the client's behalf. Suarez actually handed me cash for the deposit for the payments on the policies.
5. I didn't hear of any other agents selling free Flood insurance.
6. I know that offering the gifted Flood insurance made me uncomfortable but you do what your boss tells you to do. I had the feeling it wasn't correct to do this but I knew that I would get fired pretty quickly if I didn't. I ended up getting laid off a couple months later anyways so it didn't really matter.

DECLARATION OF KIERSTIN A. ROSS

Page 1 of 2

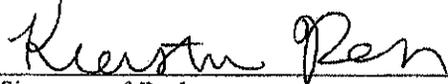
# Black Ice Software LLC

*Demo version*

7. The only training I received in selling flood insurance was the basic Allstate training. I can't remember when I took the training. I know it was while I worked for Suarez.

I DECLARE UNDER PENALTY OF PERJURY UNDER THE LAWS OF WASHINGTON STATE THAT THE FOREGOING IS TRUE AND CORRECT.

Dated this 27<sup>th</sup> day of October, 2011.



Signature of Declarant

Printed Name of Declarant



**Memorandum of Interview**

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**Date:** October 19, 2011

**OIC Case #:** 1044742

**Name /Address of Person Interviewed:** Adrienne Seirarra

**Investigator Conducting Interview:** Bobby Frye

**Others Present During Interview:** None

**Location of Interview:** Via telephone # (425) 775-3544

**Interview Audio Recorded:** No

**Declaration Prepared:** No

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On the above date I interviewed Adrienne Seirarra. Seirarra stated Seiarra said that she was sure it was Laura Shore she spoke to on the phone. Laura said Francis was giving a gift of a Flood insurance policy on the house Seiarra purchased and is a landlord on. Seiarra said she knew it was Laura because she talked to her regularly. Seiarra said she liked Laura because she was professional. She said might have worked with Kierstin once in a while but Kierstin and Laura were far apart on experience. According to Seiarra, Laura specifically told her that Francis was giving the policy as a gift to some of his good clients, which was a Flood policy.