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OFFICE OF
INSURANCE COMMISSIONER

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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)
)
RACHEL ANDERSON) No. 11-0220
)
) ORDER RE MOTION CHALLENGING
) RIGHT TO HEARING
)
)
)

TO: Rachel Anderson
2337 E. 18th Street
Bremerton, WA 98310

COPY TO: Mike Kreidler, Insurance Commissioner
Mike Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On July 25, 2011, the Insurance Commissioner received a letter dated July 21, 2011 from Rachel Anderson (Anderson). The purpose of said Demand for Hearing is to contest the Insurance Commissioner's (OIC) decision that insufficient evidence that Washington resident insurance producer John L. Peterson, WA, OIC No. 72053, violated one or more provisions of the insurance code and that this producer's violations caused her to be wrongfully denied coverage by the insurer he represented.

More specifically, as stated in her Demand for Hearing, Anderson asserts that when the producer inserted inaccurate information into her application for insurance without her consent, her application ceased to be valid. Further, Anderson asserts that the producer advised her in writing on Dec. 30, 2008, and January 6, 2009, that her application would not be considered by The Standard until after its telephone interview with her, and that therefore when The Standard contacted her for the telephone interview she advised the company that she was not sure she



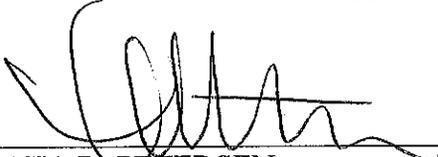
wanted to apply for the coverage and did not proceed with the telephone interview, thus she understood that her application was incomplete. Therefore, Anderson asserts that she is aggrieved because The Standard later denied her application.

On September 21, 2011, the undersigned held a first prehearing teleconference in this matter. Anderson appeared pro se. The OIC appeared by and through Carol Sureau, Esq., Deputy Insurance Commissioner in charge of his Legal Affairs division. During said prehearing conference, the OIC stated that initially it wishes to file a Motion challenging only Anderson's right to a hearing in this matter based upon the language of RCW 48.04.010(1). Accordingly, the parties agreed upon a briefing schedule on the issue of whether Anderson has a right to hearing in this matter. The OIC agreed to submit its Motion by close of business on October 10, 2011. Anderson agreed to file her Response to the OIC's Motion by close of business on October 31, 2011. Anderson was advised that her Response to the OIC's Motion could be submitted in either letter form or formal pleading format and, as with the OIC's Motion, must be received by the undersigned by the date stated. Following these filings, the undersigned will determine whether oral arguments will be presented or whether a decision should be made only based upon the OIC's Motion, Anderson's Response and applicable statutes, regulations and case law.

Based upon the above activity,

IT IS HEREBY ORDERED that the OIC's Motion challenging Rachel Anderson's right to a hearing in this matter shall be filed by close of business on October 10, 2011, and Rachel Anderson's Response to said Motion shall be filed by close of business on October 31, 2011. Said filings can be made by email if desired, faxed to the above fax number or mailed or delivered to the undersigned at Hearings Unit, Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT TUMWATER, WASHINGTON, this 27th day of September, 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: Rachel Anderson, Mike Kreidler, Mike Watson, Carol Sureau.

DATED this 27th day of September, 2011.



KELLY A. CAIRNS