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INSURANCE COMMISSIONER 2011 DEC 20 P 12:21

**PLEASE RETURN STAMPED COPY TO CONFIRM RECEIPT**

**HEARINGS UNIT**  
Fax: (360) 664-2782

Hearings Unit  
Patricia D. Petersen  
Chief Hearing Officer

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

Kelly A. Cairns  
Paralegal  
(360) 725-7002  
KellyC@oic.wa.gov

**TO:** Charles Bryan, Esq.  
c/o Rica Helberg, Administrative Assistant  
Office of Administrative Hearings

**FROM:** Patricia D. Petersen, Chief Hearings Officer *PDP*  
Office of the Insurance Commissioner

**MATTER:** In the Matter of Draft Report of Market Conduct Examination of The MEGA Life & Health Insurance Company, Mid-West National Life Insurance Company of Tennessee and The Chesapeake Life Insurance Company, OIC Docket #11-0279

**AGENCY REQUEST:** Please enter initial order in this matter and return original file and recording to the undersigned.

**TIME PERIOD REQUESTED:** This file is being transmitted as a courtesy to MEGA: MEGA's request to transfer this matter to the OAH was received three weeks after the deadline for filing Demand for Hearing (11/22), one week after the prehearing conference had already been held, and after the Notice of Hearing had already been issued. For this reason, the hearing date has already been scheduled. During prehearing conference, MEGA indicated it may conduct some discovery: OIC stated there are no documents MEGA does not already have, but if there should be then OIC can accommodate delivery of these documents in time to allow MEGA to still be ready for January 9 hearing date. Hearing date was scheduled for January 9 by agreement of both parties during prehearing conference (see digital tape of prehearing conference). Regarding date of entry of initial order, please note that both parties and the public have an interest in having this matter concluded as soon as possible.

**OTHER INFORMATION:** Hearings are virtually always held in Olympia (on occasion, telephonic hearings are acceptable in the discretion of the ALJ). Should OAH believe there is reason to hold a proceeding elsewhere, please discuss this with the OIC

Hearings Unit prior to scheduling. If any party (or its attorney) appears by telephone upon approval by the ALJ, the OIC requires both parties (or their attorneys) to appear by telephone, so that one party/attorney is not alone with the ALJ.

**COUNSEL REPRESENTING COMMISSIONER:**

Commissioner appearing pro se through:

Andrea Philhower, Staff Attorney for Legal Affairs  
Post Office Box 40255  
Olympia, Washington 98504-0255  
(360) 725-7063

**COUNSEL REPRESENTING AGGRIEVED PARTY:**

Timothy J. Parker, Esq.  
Jason W. Anderson, Esq.  
Carney Badley Spellman, P.S.  
701 Fifth Avenue, Suite 3600  
Seattle, WA 98104-7010

Documents included in transmission:

- Email from Jim Odiorne to Patricia Petersen dated November 22, 2011, transmitting the Demand for Hearing
- Demand for Hearing by letter dated November 18, 2011 from Susan E. Dew of HealthMarkets to James T. Odiorne, Deputy Insurance Commissioner, filed with OIC Hearings Unit on November 28, 2011;
- Notice of Receipt of Demand for Hearing dated November 29, 2011;
- Notice of Hearing entered December 14, 2011, setting hearing date for January 9, 2011, at 10 a.m., Pacific Standard Time;
- Notice of Appearance and Amended Demand for Hearing filed December 13, 2011 by Timothy J. Parker, Esq. and Jason W. Anderson, Esq. of Carney Badley Spellman, P.S.
- Email correspondence dated December 15, 2011, between Hearings Unit paralegal Kelly Cairns and parties, including attached letter evidencing extension was granted.

A copy of the digital recording of the Prehearing Conference held by telephone on December 8, 2011, will be sent to you via email.

Agency Contact: Chief Hearing Officer Patricia D. Petersen  
Address and Telephone Above.

Billing Contact: Same.