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MIKE KREIDLER
STATE INSURANCE COMMISSIONER



FILED

OFFICE OF
INSURANCE COMMISSIONER

No. 12-0023

OIC MEMORANDUM IN
OPPOSITION TO MOTION TO
STRIKE

In The Matter of

Nathan J. Bochsler

Licensee.

The Commissioner submits the following response to the licensee's August 27, 2012 Motion to Strike OIC Exhibit's 10 and 11. Exhibits 10 and 11 contain information relating to two homeowner's policies written in April and May 2010 respectively. As a point of clarification the licensee incorrectly states in his brief that the policies were written in 2011.

The licensee assumes and contends that the OIC has submitted Exhibits 10 and 11 in a last minute attempt to expand the scope of the Order of Revocation. This is incorrect. The basis for the revocation remains as set forth in the Order. Specifically, the grounds for revocation relate to auto policy number 964420263 (OIC Exhibit 7) and auto policy # 964419003 (OIC Exhibit 8), the first policy fraudulently written in the name of employee David Alber and the latter policy fraudulently written in the name of Nathan Bochsler.

OIC Exhibits 10 and 11 are referenced in the Allstate Summary of Evidence Report (OIC Exhibit 2) and in the Statement of Nathan Bochsler (OIC Exhibit 4). Copies of the documents were provided to the OIC by both Allstate and Mr. Bochsler back in 2011. They are part of the supporting documents behind the Allstate Summary of Evidence Report and the Statement of Nathan Bochsler. The facts surrounding the policies violate Allstate guidelines but do not amount to violations of the insurance code. Mr. Bochsler perhaps does not understand the

difference. Exhibits 10 and 11, just as with some of the other exhibits, are background information and are relevant to this matter for a complete understanding of this case. The OIC has submitted the policies written by Mr. Bochler both before and after the two fraudulent policies which are the basis for the Order of Revocation.

Mr. Bochler's assumptions and assertions that the Commissioner is making a last ditch effort to expand the scope of the Order are incorrect. The licensee's motion should therefore be denied and Exhibits 10 and 11 admitted into evidence at time of hearing.

Respectfully Submitted this 27TH day of August, 2012.

MIKE KREIDLER
Insurance Commissioner

By



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