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OFFICE OF
INSURANCE COMMISSIONER

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HEARINGS UNIT
Fax: (360) 664-2782

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer
Kelly A. Cairns
Paralegal
(360) 725-7002
KellyC@oic.wa.gov

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

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of)	Docket No. 12-0023
)	
NATHAN J. BOCHSLER,)	ORDER ON ALLSTATE'S MOTION
)	FOR PROTECTIVE ORDER
Licensee.)	
)	

TO: Timothy J. Parker, Esq.
Carney Badley Spellman, P.S.
701 Fifth Avenue, Suite 3600
Seattle, WA 98104

Nathan J. Bochsler
525 Belmont Avenue East #9D
Seattle, WA 98102

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Robin Aronson, Staff Attorney, Legal Affairs Division
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On July 13, 2012, Timothy J. Parker, Esq., representing Allstate Insurance Company (Allstate), filed a document entitled Special Notice of Appearance herein, stating that he is entering his appearance for the limited purpose of filing a Motion for Protective Order on behalf of Allstate and requesting that all further papers and pleadings be served upon him. Along with this document, Mr. Parker filed a document entitled [Allstate's] Motion for Protective Order.



Allstate is not a party in this matter nor has the undersigned received a request that Allstate be granted the right to become a party in this matter. Further, Allstate's attorney cites no authority upon which to base a "special notice of appearance." Under the civil rules, it may be that special notices of appearance are antiquated or at least inapplicable in this situation.

During first prehearing conference in this matter held on May 25, 2012, pursuant to one of the OIC's suggestions, the undersigned agreed that although this would delay the hearing process, the OIC could voluntarily choose to enter a Notice of Intent to Disclose relative to the OIC's disclosure to Mr. Bochsler and perhaps others of 1) Allstate's December 30, 2010 Summary of Evidence report; together with 2) several Consolidated Insurance Profile reports referenced therein, which were used to support Allstate's termination decision. The purpose of the Notice of Intent, and ensuing delay in scheduling the hearing date, was to allow Allstate the opportunity to object to the disclosure of these documents. Allstate has now been given the opportunity to properly object and has failed to do so. Therefore, because the hearing process will already have been delayed some 5 weeks in order to provide Allstate with the opportunity to object, in the interest of delaying the proceeding herein no further, if Allstate continues to fail to file a proper objection to this disclosure by July 1, 2012 then the hearing will be scheduled and the documents at issue will be released to Mr. Bochsler and perhaps others along with all other documents in the normal course of the proceeding.

Based upon the above, Allstate's Motion cannot be considered at this time.

ENTERED AT TUMWATER, WASHINGTON, this 19th day of June, 2012, pursuant to Title 48 RCW and Title 34 RCW, specifically RCW 48.04.010 and RCW 34.05.434, and regulations applicable thereto.



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: Timothy J. Parker, Esq., Nathan J. Bochsler, Mike Kreidler, Michael G. Watson, John F. Hamje, Esq., Robin Aronson, Esq., and Carol Sureau, Esq.,

DATED this 19th day of June, 2012.



KELLY A. CAIRNS