

STATE OF WASHINGTON

MIKE KREIDLER  
STATE INSURANCE COMMISSIONER



P.O. BOX 40255  
OLYMPIA, WA 98504-0255  
Phone: (360) 725-7000

OFFICE OF  
INSURANCE COMMISSIONER

2012 APR 18 P 12:50

HEARINGS UNIT  
Fax: (360) 664-2782

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

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

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of )  
 )  
Alton B. Butler, )  
 )  
Licensee. )  
\_\_\_\_\_ )

**Docket No. 12-0030**  
**NOTICE OF HEARING**

**TO:** Alton B. Butler  
2860 Christianson Avenue  
Enumclaw, WA 98022

**COPY TO:** Mike Kreidler, Insurance Commissioner  
Michael G. Watson, Chief Deputy Insurance Commissioner  
John F. Hamje, Deputy Commissioner, Consumer Protection Division  
Jeff Baughman, Licensing Manager, Consumer Protection Division  
Charles Brown, Sr. 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 February 7, 2012, the Insurance Commissioner (OIC) issued an Order Revoking License No. 12-0030, ordering that the Washington insurance producer's license issued to Alton B. Butler ("Licensee") be revoked, effective February 25, 2012. The OIC's Order was based upon the OIC's assertion, briefly, that Licensee violated RCW 48.17.597 and 48.17.090 when he failed to disclose on his application for a resident producer's license that he had been involved in an administrative proceeding involving a professional or occupational license. On February 21, 2012, Licensee filed a Demand for Hearing to contest the OIC's Order. The basis of Licensee's appeal is that he never intended to mislead the OIC or provide materially untrue information on the application. Licensee had originally marked the subject question "yes", but was then advised by the licensing department of the insurance company that he worked for that the question

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related only to licenses that involved the handling of money and financial services, not to a registered nurse license, as in Licensee's case.

On March 5, 2012, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by Robin Aronson, Esq., Staff Attorney in the OIC's Legal Affairs Division. Licensee appeared pro se. The undersigned reviewed procedure to be expected at hearing and answered all questions and concerns of the parties. Of significance, the undersigned advised the parties that, pursuant to RCW 48.04, the OIC's Order Revoking License is automatically stayed pending issuance of the final order after hearing herein. The parties agreed that this hearing should be held on April 20, 2012.

Accordingly, **YOU ARE HEREBY NOTIFIED that a hearing will be held commencing on Friday, April 20, 2012, at 10:00 a.m., Pacific Standard Time.** The purpose of this hearing, which will include all parties, is to consider whether the Order Revoking License issued against Alton B. Butler should be upheld, or set aside, or modified in some way such as the imposition of a suspension of his insurance producer's license and/or a monetary penalty in lieu of revocation.

The OIC will appear by and through Robin Aronson, Staff Attorney in the Legal Affairs Division. Ms. Aronson's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7181. Mr. Butler will appear pro se, although he is advised that he may retain an attorney to represent him at any time. His address is 2860 Christianson Avenue, Enumclaw, WA 98022 and his telephone number is (509) 945-3615.

Patricia D. Petersen, Esq., Presiding Officer, who serves as Chief Hearing Officer for the Office of the Insurance Commissioner, has been designated to hear and determine this matter. Her address is Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255. Her telephone number is (360) 725-7105. All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to her paralegal, Kelly Cairns, at the same address. Ms. Cairns' telephone number is (360) 725-7002.

The hearing will be held under the authority granted by the Insurance Commissioner under Chapter 48.04 RCW. The basic facts relied upon are those set forth above, which are more specifically included in the OIC's above referenced Order Revoking License and in Mr. Butler's above-referenced Demand for Hearing.

The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. All parties may be represented at the hearing. They may examine witnesses and fully respond and present evidence and argument on all issues involved.

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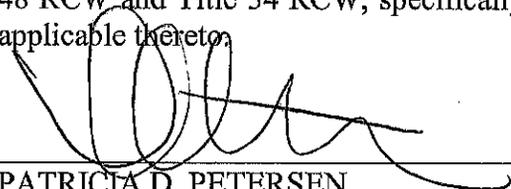
As required by RCW 34.05.434(2)(i), you are advised that a party who fails to attend or participate in any stage of the proceeding may be held in default in accordance with Chapter 34.05 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to the original of this Notice, with instructions thereon.

Based upon the above activity,

**IT IS HEREBY ORDERED** that the adjudicative proceeding in this matter shall commence on April 20, 2012, at 10:00 a.m., Pacific Standard Time, continuing on each successive day until terminated, in the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA.

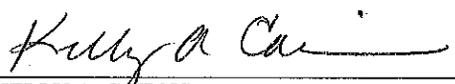
ENTERED AT TUMWATER, WASHINGTON, this 18<sup>th</sup> day of April 2012, pursuant to Title 48 RCW and Title 34 RCW, specifically RCW 48.04.010 and RCW 34.05.434, and regulations applicable thereto.

  
\_\_\_\_\_  
PATRICIA D. PETERSEN  
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: Alton B. Butler, Mike Kreidler, Michael G. Watson, John F. Hamje, Esq., Jeff Baughman, Robin Aronson, Esq., and Carol Sureau, Esq.,

DATED this 18<sup>th</sup> day of April 2012.

  
\_\_\_\_\_  
KELLY A. CAIRNS

**HEARINGS UNIT**  
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[Hearings@oic.wa.gov](mailto:Hearings@oic.wa.gov)

To request an interpreter, complete and mail this form to:

Chief Hearing Officer  
Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

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**REQUEST FOR INTERPRETER**

I am a party or witness in Matter No. 12-0030, before the Insurance Commissioner. I NEED AN INTERPRETER and request that one be furnished.

Please check the statements that apply to you:

I am a non-English-speaking person. I cannot readily speak or understand the English language. My primary language is \_\_\_\_\_ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Please print or type your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_