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OFFICE OF
INSURANCE COMMISSIONER

2012 MAY 14 A 10:01

HEARINGS UNIT
Fax: (360) 664-2782

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

Rec'd by 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)
)
Gregg A. Henderson,) **Docket No. 12-0067**
) **NOTICE OF HEARING**
)
Licensee.)
_____)

TO: Gregg A. Henderson
20900 NE 42nd Street
Sammamish, WA 98074

Jerry Edmonds, Esq.
Williams Kastner
601 Union Street, Suite 4100
Seattle, WA 98101

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Alan Singer, 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 March 12, 2012, the Insurance Commissioner (OIC) issued an Order Revoking License No. 12-0067, revoking the Washington resident insurance producer's license of Gregg A. Henderson (Licensee). The OIC's Order is based upon the OIC's allegation that the Licensee fraudulently impersonated a client on two occasions in an attempt to liquidate the client's brokerage account. The OIC also alleges that the Licensee was deceptive in answering Great American Advisors ("GAA") when the client alerted them to the problem and also later provided the OIC with false



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and deceptive statements about the matter. In these activities, the OIC asserts that Licensee knowingly made false representations in the conduct of the business of insurance and has demonstrated untrustworthiness and incompetence, in violation of various provisions of the Insurance Code, including RCW 48.17.530(1)(h), RCW 48.01.030 and RCW 48.30.040.

On March 28, 2012, the Licensee filed a Demand for Hearing to contest the OIC's Order. As the bases of the Licensee's appeal of the Order of Revocation, the Licensee asserts that at no time did he impersonate the client to any representative of GAA and never impersonates clients. The Licensee asserts that the client had instructed him to sell his securities positions with GAA securities and use the funds to purchase a GAA fixed indexed annuity product, thus transferring the funds from the GAA securities division to the GAA life insurance division, and prior to the time the Licensee made the first of the two telephone calls to GAA the client had "signed all appropriate paperwork to make the transfer." Further, the Licensee asserts that he does not believe he said anything which was false or misleading to either GAA or the OIC, both of which contacted him about this matter several months after the incident took place. Finally, the Licensee states that the fund transfer ultimately did not take place because the client changed his mind.

On April 24, 2012, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by Alan Singer, Esq., Staff Attorney in the OIC's Legal Affairs Division. The Licensee was represented by his attorney Jerry Edmonds, Esq. of Williams Kastner. The undersigned reviewed procedure to be expected at hearing and answered all questions and concerns of the parties. Of note, the undersigned advised the parties that, pursuant to RCW 48.04.020(1), the OIC's Order Revoking License against the Licensee was automatically stayed prior to its taking effect and will remain stayed until the Final Order after hearing is entered. Finally, the parties agreed that this hearing should be held commencing on July 16, 2012, and continuing on each successive day until terminated.

Accordingly, **YOU ARE HEREBY NOTIFIED that a hearing will be held commencing on Monday, July 16, 2012, at 10 a.m. Pacific Standard Time, and continuing on each successive day until terminated.** The purpose of this hearing, which will include all parties, is to consider whether the Order of Revocation, revoking the insurance producer's license of Gregg A. Henderson, should be upheld, or set aside, or modified in some way such as imposing a suspension of his insurance producer's license and/or a monetary penalty in lieu of revocation.

The OIC will appear by and through Alan Singer, Staff Attorney in his Legal Affairs Division. Mr. Singer's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255 and his telephone number is (360) 725-7046. The Licensee will appear and be represented by his attorney, Jerry Edmonds, Esq., of the law firm Williams Kastner. Mr. Edmond's mailing address is 601 Union Street, Suite 4100, Seattle, WA 98101, and his email address is jedmonds@williamskastner.com.

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

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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. Henderson'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.

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.

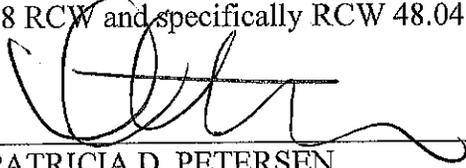
Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by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

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

Based upon the above activity,

IT IS HEREBY ORDERED that the adjudicative proceeding in this matter shall commence on Monday, July 16, 2012 at 10 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 14th day of May, 2012, pursuant to Title 48 RCW and specifically RCW 48.04 and Title 34 RCW and regulations applicable thereto.



PATRICIA D. PETERSEN
Chief Hearing Officer
Presiding Officer

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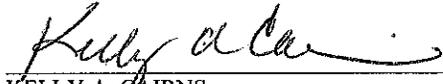
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Declaration of Mailing

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: Gregg A. Henderson, Jerry Edmonds, Esq., Mike Kreidler, Michael G. Watson, John F. Hamje, Esq., Alan Singer, Esq., and Carol Sureau, Esq.,

DATED this 14th day of May, 2012.



KELLY A. CAIRNS

HEARINGS UNIT
Fax: (360) 664-2782

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

Hearings Unit
Paralegal
(360) 725-7002
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

REQUEST FOR INTERPRETER

I am a party or witness in Matter No. 12-0067, 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: _____