

CARNEY
BADLEY
SPELLMAN

Timothy J. Parker

Law Offices
A Professional Service Corporation

701 Fifth Avenue, Suite 3600
Seattle, Washington 98104-7010
T (206) 622-8020
F (206) 467-8216
Direct Line (206) 607-4153

Email: parker@carneylaw.com

FILED
2012 NOV 28 P 3:25

November 27, 2012

Patricia D. Petersen
Chief Hearing Officer

VIA E-MAIL AND U.S. MAIL

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

Re: Sagicor Life Insurance Company Merger with PEMCO Life Insurance Company

Dear Judge Petersen:

In the prehearing conference on November 15, 2012, I requested the opportunity to submit a letter seeking leave to have the upcoming hearing testimony of Mr. Bart Catmull taken telephonically. I am hereby making such a request. Preliminarily, I can advise that I have discussed this with OIC counsel Robin Aronson. Ms. Aronson advises that the OIC has no objection.

Sagicor Life Insurance Company and PEMCO Life Insurance Company request, pursuant to RCW 34.05.449(3) and WAC 10-08-180, that the testimony of Mr. Bart Catmull be taken telephonically at the hearing to consider the Application for Merger of Sagicor Life Insurance Company and PEMCO Life Insurance Company. This request is based on the following:

As indicated, telephonic testimony is authorized by the Administrative Procedures Act and the Rules of Procedure adopted by the OIC.

In previous matters you have demonstrated a preference for live testimony. This merger hearing presents a unique circumstance, however, in that Mr. Catmull appeared live at the September 13, 2012, Form A hearing that you presided over. You were able to recently observe Mr. Catmull's demeanor and make findings concerning his reliability as a witness [Order Approving Acquisition – OIC #12-0203, Finding of Fact No. 14]. Mr. Catmull resides in the state of Florida. While out-of-jurisdiction residence, by itself, might not warrant granting the relief requested it is submitted that this fact, together with Mr. Catmull's recent appearance in this tribunal, supports the request.

Ms. Patricia Petersen
November 27, 2012
Page 2

Thank you for your consideration.

Very truly yours,

CARNEY BADLEY SPELLMAN, P.S.

A handwritten signature in black ink, appearing to read "Timothy J. Parker", written in a cursive style.

Timothy J. Parker

TJP:cw

cc: Mr. Bart Catmull
Ms. Robin Aronson

Pursuant to U.S. Treasury Circular 230, this communication is not intended or written by Carney Badley Spellman, P.S. to be used, and it may not be used by you or any other person or entity, for the purpose of (i) avoiding any penalties that may be imposed on you or any other person or entity under the United States Internal Revenue Code, or (ii) promoting, marketing, or recommending to another party any transaction or matter that is addressed herein.