



OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

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PLEASE RETURN STAMPED COPY TO CONFIRM RECEIPT.

TO: Office of Administrative Hearings

FROM: Patricia D. Petersen, Chief Presiding Officer
Office of the Insurance Commissioner

MATTER: In the Matter of Soundpath Health, Inc., No. 12-0335; consolidated with
Soundpath Health, Inc., No. 12-0154

AGENCY REQUEST: This case, Docket No. 12-0335, has been consolidated with Docket No. 12-0154 which was transmitted to OAH on May 31, 2012, due to the commonality of the parties, the facts and the issues presented and to ensure the most efficient handling of both of these cases. Therefore, please enter an Initial Order in this matter which includes your initial decision in both Docket No. 12-0335 and Docket No. 12-0154 -- unless there becomes a specific reason why it would be most efficient to enter separate Initial Orders either at the same time or at different times. After your Initial Order is entered, please return original file and recording of proceeding to the undersigned. Please send copies of all interim orders to the OIC Hearings Unit at the time that they are entered.

TIME PERIOD REQUESTED: Please note that, as with Docket No. 12-0154, this Demand for Hearing concerns an insurance company (a health care service contractor) which the Insurance Commissioner believes lacks sufficient capitalization to be able to continue to conduct its normal insurance business in Washington.

STAY OF OIC's ORDERS IN THIS MATTER: (Relative to Docket No. 12-0154 transmitted to OAH on May 31, 2012, see details in that 5/31/12 Transmittal Sheet.) Relative to this new matter, No. 12-0335, it appears that the Commissioner's action is stayed as to those issues which Soundpath Health, Inc. is appealing (pursuant to RCW 48.04).

OTHER INFORMATION: 1) The Commissioner always requires insurance agents and brokers involved in disciplinary matters to appear in person, because demeanor is important. 2) If any non-agent, non-broker entity (or its attorney) appears by telephone upon approval by the ALJ, the Commissioner requires that both parties (or their attorneys) appear by telephone, so that one party/attorney is not alone with the ALJ. 3) Hearings are virtually always held in Olympia. Should OAH believe there is reason to hold a proceeding elsewhere, please discuss this with the Insurance Commissioner's Hearings Unit prior to scheduling.

COUNSEL REPRESENTING COMMISSIONER: Commissioner appearing pro se through:

Charles Brown, OIC Staff Attorney
Office of the Insurance Commissioner, Legal Affairs Division
P.O. Box 40255
Olympia, Washington 98504-0255
360-725-7063

COUNSEL REPRESENTING AGGRIEVED PARTY:

Timothy J. Parker, Attorney At Law
Carney Badley Spellman
701 Fifth Avenue, Suite 3600
Seattle, WA 98104-7010
(206)622-8020

ANTICIPATED OAH PREHEARING ACTIVITY: OAH will appoint an administrative law judge (ALJ) to hear this matter and enter an Initial Findings of Facts, Conclusions of Law and Order -- presumably this will be the same ALJ as is presiding over Docket No. 12-0335 because these two cases are now consolidated. The initial decision in both these consolidated cases, and the entire hearing files, including the recording of the proceedings, will then be returned to the OIC Hearings Unit for review and entry of final Findings of Facts, Conclusions of Law and Order. Should a case be settled prior to hearing before the OAH ALJ, please either review the settlement documents and -- if you choose to enter an Initial Order Terminating Proceeding, the OIC Chief Hearing Officer will review and enter the Final Order Terminating Proceeding once you have returned the hearing file to the OIC Hearings Unit. As an alternative, it would be acceptable - and in some cases perhaps preferable - once settlement documents are received to simply transmit them along with the hearing file to the OIC Hearing Unit without an Initial Order Terminating Proceeding and the OIC Hearings Unit will review them and enter a Final Order Terminating Proceeding as appropriate.

OTHER:

Documents included in transmission:

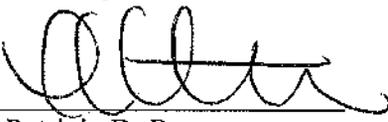
1. A Demand for Hearing dated December 12, 2012 (entitled *Request for Hearing Re: Draft Target Financial Examination Report of Soundpath Health, Inc. as of December 31, 2011*), filed by Timothy J. Parker on behalf of Soundpath Health, Inc.

2. Notice of Receipt of Demand for Hearing issued by OIC Chief Presiding Officer dated January 2, 2013.

Agency Contact: Chief Presiding Officer Patricia D. Petersen
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(306) 725-7105

Billing Contact: Same.

Date: January 28, 2013

By: 
Patricia D. Petersen
Chief Presiding Officer