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2013 MAY 29 A 9:12

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

In the Matter of:)	No. 13-0084
)	
EDMUND C. SCARBOROUGH and)	
WALTER WOLF,)	JOINT MOTION FOR
)	CONTINUANCE
Respondents.)	

The parties respectfully make this joint request for a continuance of the presently scheduled hearing date in this matter of June 3, 2013.

This motion is based upon the receipt of new information by OIC, which was then provided to the Respondents with a request for response. There is not a reasonable amount of time for the respondents to review the material and respond before the currently scheduled hearing date.

In addition, there is a similar action between the Idaho Department of Insurance and Mr. Scarborough which involves issues similar to those in this present Washington matter. Mr. Scarborough has made a Motion for Summary Judgment in Idaho, which has been heard and a ruling is pending. All parties believe that the outcome of that motion is potentially instructive in this matter. We therefore believe that it would be in the best interests of the parties and the Hearings Unit to await the ruling on that Motion prior to commencing a hearing in Washington.

Respectfully submitted this 29th day of May, 2013.

MIKE KREIDLER
Insurance Commissioner

By: Andrea L. Philhower
Andrea L. Philhower
OIC Staff Attorney

WALTER W. WOLF

By: Andrea L. Philhower for
James A. McPhee
Attorney for Mr. Wolf
per email authorization

EDMUND C. SCARBOROUGH

By: Andrea L. Philhower for
Tim Parker
Attorney for Mr. Scarborough
per email authorization

Philhower, Andrea (OIC)

From: James McPhee [jmcphree@workwith.com]
Sent: Tuesday, May 28, 2013 5:35 PM
To: Philhower, Andrea (OIC); Parker, Tim
Cc: Williams, Christine
Subject: RE: Wolf / Scarborough / OIC matter

Andrea:

The motion is fine with me, too. Please sign for me. Thanks.

James A. McPhee, Manager
Workland & Witherspoon, PLLC
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Workland & Witherspoon
Attorneys at Law

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From: Philhower, Andrea (OIC) [mailto:AndreaP@OIC.WA.GOV]
Sent: Tuesday, May 28, 2013 4:36 PM
To: Parker, Tim; James McPhee
Cc: Williams, Christine
Subject: RE: Wolf / Scarborough / OIC matter

Thanks, Tim.

From: Parker, Tim [mailto:Parker@carneylaw.com]
Sent: Tuesday, May 28, 2013 4:32 PM
To: Philhower, Andrea (OIC); jmcphree@workwith.com
Cc: Williams, Christine
Subject: RE: Wolf / Scarborough / OIC matter

Andrea-

Motion okay with me. You are authorized to sign for me.

-TJP

From: Philhower, Andrea (OIC) [mailto:AndreaP@OIC.WA.GOV]
Sent: Tuesday, May 28, 2013 11:24 AM
To: Parker, Tim; jmcphree@workwith.com
Subject: Wolf / Scarborough / OIC matter

Gentlemen,

In the materials I sent you previously, I told you there is a partial email which I had requested be provided in its entirety. The full email is attached.

Have you had the opportunity to review the draft Motion for Continuance in this matter? I've attached the draft for your convenience.

Andrea L. Philhower RN, JD
Staff Attorney
Legal Affairs
Washington State Office of the Insurance Commissioner

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