

FILED

2013 NOV 12 A 9:44

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

IN THE MATTER OF

NO. 13-0110

STEVEN H. MINNICH,

LICENSEE'S RESPONSE TO MOTION
TO CONSOLIDATE HEARINGS AND
MOTION FOR CONTINUANCE

Licensee.

Licensee, Steven H. Minnich, by his attorneys, Michael H. Church and Melody D. Farance of Stamper Rubens, P.S., by way of Response to the Motion To Consolidate Hearings submitted by the OIC Staff on October 28, 2013, and further, by way of Motion For Continuance, states as follows:

OIC Staff Attorney Andrea L. Philhower submitted a Motion To Consolidate Hearings ("Motion To Consolidate") on October 28, 2013. The Motion To Consolidate requests that the above-entitled matter be consolidated for hearing with the hearing in Matter No. 13-0108, which is set for December 10, 2013.

Licensee has no objection, in principle, to consolidation of the hearing in this matter with the hearing in Matter No. 13-0108. However, Licensee moves the Presiding Officer for a continuance of the hearing set for December 10, 2013, to allow Licensee sufficient opportunity to conduct discovery, prepare dispositive motions, and complete other pre-hearing activities.

LICENSEE'S RESPONSE TO MOTION
TO CONSOLIDATE HEARINGS; MOTION
FOR CONTINUANCE: 1



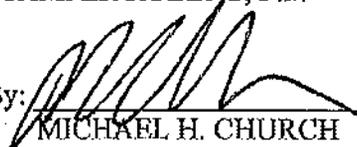
STAMPER RUBENS, P.S.
ATTORNEYS AT LAW

720 WEST BOONE, SUITE 200
SPOKANE, WA 99201
TRIFAX (509) 326-4891
TELEPHONE (509) 326-4800

1 This Motion is based upon the files and records in this matter, and the annexed
2 Declaration of counsel.

3
4 DATED this 11 day of November, 2013.

5 STAMPER RUBENS, P.S.

6
7
8 By: 

9 MICHAEL H. CHURCH
10 WSBA # 24957
11 MELODY D. FARANCE
12 WSBA # 34044
13 Attorneys for Licensee

14 **DECLARATION**

15 MICHAEL H. CHURCH states as follows:

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17 1. I am one of the attorneys for the Licensee in the above-entitled action. I make
18 this Declaration in support of the Licensee's Motion For Continuance.

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20 2. The OIC Staff Attorney submitted the Motion To Consolidate on October 28,
21 2013. It was not received in my office until October 31, 2013. Along with the Motion To
22 Consolidate, I also received the Notice Of Request For Hearing For Imposition Of Fines on the
23 Same Date. This was the first notice I received from the OIC Staff Attorney that she would be
24 requesting a hearing in this matter. The OIC Staff Attorney has requested that the hearing on this
25 matter be consolidated with the hearing on Matter No. 13-0108, which is already set for
26 December 10, 2013.

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28 3. The Licensee has no objection, in principle, to consolidation of this matter with
29 Matter 13-0108. However, I am already scheduled for a four-day trial in Spokane County,
30 beginning on December 9, 2013.
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LICENSEE'S RESPONSE TO MOTION
TO CONSOLIDATE HEARINGS; MOTION
FOR CONTINUANCE: 2



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1 4. Moreover, in light of the OIC's intention to proceed with a hearing on this case, it
2 will be necessary for me to conduct some discovery. For example, I anticipate that I will need to
3 take the depositions of the consumer "FLR" and the deposition of Charles D. Oliver. Subsequent
4 to the completion of discovery, it may also be necessary to prepare dispositive motions; it will
5 also be necessary to complete other pre-hearing activities, such as meeting with and preparing
6 witnesses. Given the conflicts in my calendar for the remainder of November and December, it
7 would simply be impossible for me to complete these anticipated pre-hearing activities in
8 sufficient time to be ready for a December hearing date.
9

10 I certify and declare under penalty of perjury under the laws of the State of Washington
11 that the foregoing is true and correct.
12

13 11/14/13
14 Date

15 
16 MICHAEL H. CHURCH
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LICENSEE'S RESPONSE TO MOTION
TO CONSOLIDATE HEARINGS; MOTION
FOR CONTINUANCE: 3


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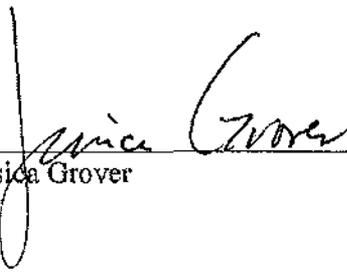
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CERTIFICATE OF SERVICE

I hereby certify that on the 11th day of November, 2013, I caused to be served a true and correct copy of the foregoing by the method indicated below, and addressed to the following:

Andrea L. Philhower, Esq. -
Legal Affairs Division
Office Of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

U.S. mail, postage prepaid
 Overnight delivery
 Facsimile: (360) 586-0152
 E-mail: andreap@oic.wa.gov



Jessica Grover

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LICENSEE'S RESPONSE TO MOTION
TO CONSOLIDATE HEARINGS; MOTION
FOR CONTINUANCE: 4


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