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2013 JUL 10 P 3:10

Hearings Unit, OIC
Chief Hearing Officer

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of **MILLIE COSTAGE,** Applicant.	**Docket No. 13-0119** **OIC REQUEST FOR CONTINUANCE AND MOTION TO COMPEL**

I. RELIEF REQUESTED

OIC requests a continuance of the July 17, 2013 hearing date and an order compelling the applicant, Millie Costage, to provide full and complete answers and responses to informal discovery requests propounded by OIC.

II. FACTS [1]

On May 24, 2013, the undersigned OIC staff provided Ms. Costage with copies of exhibits and a disclosure of witnesses in this matter. By that date, the undersigned OIC staff had expected to receive a similar disclosure of exhibits and witnesses from Ms. Costage, but she failed to provide any. Accordingly, Ms. Costage was asked to "[p]lease provide [...] a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing." At the time, the hearing was scheduled to commence on June 4, 2013.

By the afternoon of the day before the hearing, Ms. Costage still had not responded to the undersigned OIC staff's request for all exhibits she reserved the right to present at the hearing, and the identity of all witnesses she reserved the right to call to testify at the hearing.

[1] The facts set forth derive from the Declaration of Alan Michael Singer filed herewith.

That same afternoon, she sent an e-mail to the undersigned OIC staff and OIC Hearings Unit Paralegal Kelly Cairns advising that for various reasons, she wouldn't be able to attend the hearing scheduled to begin the following morning. Ms. Costage's hearing was rescheduled to July 17, 2013.

By June 18, 2013, the undersigned OIC staff still hadn't received any communication from Ms. Costage, save her June 3, 2013 e-mail advising she would not be at the hearing the next day. Ms. Costage had still not provided any disclosure of witnesses and exhibits as requested on May 24, 2013. The undersigned OIC staff attempted to reach Ms. Costage by telephone, but could not. The undersigned OIC staff wrote to Ms. Costage via e-mail reminding her about not receiving a disclosure of witnesses and exhibits. Since Ms. Costage still did not reply by the next day, and had not cooperated in efforts to engage in informal discovery prior to that date, the undersigned OIC staff decided to forego informal discovery and provide more formal written questions. On June 20, 2013 those questions were provided to Ms. Costage via e-mail.

By June 24, 2013, Ms. Costage still hadn't acknowledged or responded to any of the undersigned OIC staff's prior e-mails. On June 24 an additional e-mail was provided to Ms. Costage, asking her to please advise when she would reply to the questions in the undersigned OIC staff's June 20 e-mail, and when she would disclose witnesses and exhibits. This time, Ms. Costage replied briefly the same day via an e-mail that noted "I will look over your emails and have them by tomorrow afternoon [sic]." By the afternoon of the next day, however, Ms. Costage still produced nothing.

The undersigned OIC staff's last communication from Ms. Costage was a June 30, 2013 e-mail which stated that she had gathered most of the information requested and promised that she would send it once she had it all. As of July 10, 2013, Ms. Costage has provided nothing further.

III. ARGUMENT AND AUTHORITY

OIC staff initially engaged in informal discovery efforts to try to obtain relevant information for the hearing. When that failed, OIC staff engaged the more formal method of sending written questions. Whether formal or informal, the purpose of discovery is to make all relevant information available to all litigants. *Washington State Physicians Ins. Exch. Ass'n. v. Fisons Corp.*, 122 Wn.2d 299, 341, 858 P.2d 1054 (1993). Even when more formal discovery is invoked, the governing rules allow for liberal discovery of any matter "which is relevant to the subject matter involved in the pending litigation," ensuring that litigants have "full access to all reasonable means of determining the truth." *Heidebrink v. Moriwaki,* 38 Wn. App. 388, 393, 685 P.2d 1109 (1984). Mutual knowledge of all relevant facts gathered by the parties is essential. *Heidebrink* at 394. A spirit of cooperation and forthrightness during the discovery process is mandatory for the efficient functioning of modern trials. *Johnson v. Jones*, 91 Wn. App. 127, 132, 955 P.2d 826 (1998), *citing. Fisons*, 122 Wn.2d at 342.

Here, the hearing is now too near to enable OIC staff to obtain and analyze the reasonable information it has repeatedly asked Ms. Costage to provide. Her witnesses and exhibits remain unknown, so it is impossible to contact them and ask questions. There is not enough time to present rebuttal evidence, should any be needed, since there is not enough time to learn about whatever information she may wish to present. While one continuance was already granted, it was granted solely because Ms. Costage advised the afternoon before that she would not attend. Now OIC seeks a further continuance to enable it to receive and analyze the reasonable information it has repeatedly requested from Ms. Costage. Allowing a continuance for these reasons under the facts present here would serve the Administrative Procedures Act's goal of ensuring the parties the opportunity to allow for a "full disclosure of all relevant facts and issues." RCW 34.05.449(1). OIC staff requests a continuance of at least 30 days, which would enable Ms. Costage to provide full and complete answers to OIC's

outstanding requests, and also allow OIC staff to analyze the same with time to prepare for the hearing.

OIC staff also moves for an order compelling Ms. Costage to provide full and complete answers to OIC's outstanding requests by a date certain. Given Ms. Costage's failure to cooperate and communicate about discovery informally, and her failure to respond reasonably or reliably to reasonable questions from OIC, she should now be subject to an order stating a date by which she must provide full and complete answers to OIC's outstanding requests, and stating further that any unjustified failure to abide by such order will result in the entry of an order affirming the OIC's decisions to date or other reasonable and appropriate sanctions for disobedience.

DATED this 10th day of July, 2013.

OFFICE OF INSURANCE COMMISSIONER

By: _____
Alan Michael Singer

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

FILED

2013 JUL 10 P 3:10

In the Matter of	**Docket No. 13-0119**
MILLIE COSTAGE,	**DECLARATION OF ALAN MICHAEL SINGER**
Licensee.	

I, Alan Michael Singer, state and declare as follows:

1. My name is Alan Singer. I am employed by the Washington State Office of the Insurance Commissioner (herein "OIC"). My job title is Staff Attorney. I make this Declaration based on personal knowledge. I am over the age of eighteen (18) years. I am competent and authorized to testify to the matters set forth herein.

2. On May 24, 2013, I provided the applicant in this matter, Millie Costage, an e-mail attaching copies of exhibits and a disclosure of witnesses in this matter. By that date, I had expected to receive a similar disclosure of exhibits and witnesses from Ms. Costage, but I did not. Accordingly, in my e-mail I asked her to "[p]lease provide me with a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing." At that time, the hearing was scheduled to commence on June 4, 2013. A true and correct copy of the e-mail is attached and incorporated herein as "**Attachment A.**"

3. By the afternoon of the day before the hearing, Ms. Costage still had not responded to my May 24, 2013 e-mail, and still had not disclosed any witnesses or exhibits. That same afternoon, she sent me an e-mail advising that for various reasons, she wouldn't be able to attend the hearing scheduled to begin the following morning. A true and correct copy of her June 3, 2013 e-mail is attached and incorporated herein as "**Attachment B.**"

4. Eventually, via an e-mail dated June 5, 2013, the hearing was rescheduled to July 17, 2013. A true and correct copy of this e-mail is attached and incorporated herein as "**Attachment C**."

5. By June 18, 2013, the only communication I received from Ms. Costage was her June 3, 2013 e-mail. I still had not received her disclosure of witnesses and exhibits as I had requested on May 24, 2013. I attempted to reach her at the number I had for her in the documents in my file, but could not. I wrote to her via e-mail reminding her about not receiving a disclosure of witnesses and exhibits. A true and correct copy of my June 18, 2013 e-mail is attached and incorporated herein as "**Attachment D**."

6. The next day I waited for Ms. Costage to reply, but none arrived. By then I had hoped to have already received her witness and exhibit disclosure and then had a chance to talk with her and ask her questions as a means of informal discovery, as opposed to writing detailed questions or more formal interrogatories and requests for production. But by June 19, 2013, I still had not received Ms. Costage's disclosure of witnesses and exhibits, I had been unable to reach her via telephone, and aside from her last-minute cancellation for the hearing the next day, I had received no reply to any of my e-mails to her. Given this, I realized informal discovery would need to relent to more formal written questions. Accordingly, I wrote an e-mail to Ms. Costage to advise her that I would be soon providing some questions for her. A true and correct copy of my June 19, 2013 e-mail is attached and incorporated herein as "**Attachment E**." The next day I sent her an e-mail with those questions at that time. A true and correct copy of my June 20, 2013 e-mail is attached and incorporated herein as "**Attachment F**."

7. By June 24, 2013, Ms. Costage still hadn't acknowledged or responded to any of my prior e-mails, so I wrote an e-mail to her again to ask her to please let me know when she would reply to the questions in my June 20 e-mail. A true and correct copy of my June 24, 2013 e-mail is attached and incorporated herein as "**Attachment G**." Ms. Costage replied

briefly the same day via an e-mail that noted "I will look over your emails and have them by tomorrow afternoon [sic]." A true and correct copy of her June 24, 2013 e-mail to me is attached and incorporated herein as "**Attachment H.**" By the afternoon of the next day, however, I still received nothing from Ms. Costage. The last communication I received from Ms. Costage was on June 30, 2013, and she wrote that she had gathered most of the information I requested and that she will send it once she has it all. A true and correct copy of Ms. Costage's June 30, 2013 e-mail is attached and incorporated herein as "**Attachment I.**" As of the date of this declaration, I have received nothing further from Ms. Costage.

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

EXECUTED this 10th day of July, 2013 at Tumwater, Washington.

Alan Michael Singer

IN RE MILLIE COSTAGE 13-0119

ATTACHMENT A TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Singer, Alan (OIC)
Sent: Friday, May 24, 2013 11:52 AM
To: 'Millie Costage'
Cc: Cairns, Kelly (OIC)
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits
Attachments: 3-12-13 Millie Costage e-mail to C Penn with criminal records and article.pdf; 3-13-13 C Penn e-mail to Millie Costage.pdf; 3-15-13 C Penn e-mail to Millie Costage - e-mail two.pdf; 3-15-13 C Penn e-mail to Millie Costage.pdf; 3-15-13 Millie Costage e-mail to C Penn.pdf; 3-15-13 Millie Costage OIC application summary.pdf; 3-19-13 Millie Costage e-mail to C Penn.pdf; 3-26-13 Milllie Costage hearing demand - OIC received 4-1-13.pdf

Hi Millie,

Attached are batch one of potential exhibits I may offer at the hearing on June 4 – one or more batches will follow shortly. Eight e-mails between you and Cheryl Penn are attached here. I plan to number all exhibits for the hearing. You, Mark Durphy, and Cheryl Penn are potential witnesses. I may provide a declaration from Mr. Durphy in lieu of his testimony; he will only attest to his effort in securing the Washington State Patrol records attached, and aver that is where they came from. In addition, we do reserve the right to call rebuttal witnesses, to call as witnesses any witnesses you may call or identify or plan to call or identify, and to offer any rebuttal evidence and exhibits deemed appropriate based on evidence presented at the hearing.

Please provide me with a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing.

Thanks,

Alan

Alan Michael Singer
Staff Attorney, Legal Affairs
Washington State Office of the Insurance Commissioner
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• wainsurance.blogspot.com • Twitter: @WAinsuranceblog • Facebook.com/WSOIC •

IN RE MILLIE COSTAGE 13-0119

ATTACHMENT B TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Millie Costage [millie.costage@gmail.com]
Sent: Monday, June 03, 2013 2:21 PM
To: Singer, Alan (OIC)
Cc: Cairns, Kelly (OIC)
Subject: Re: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Alan,
I want to apologize for such a short notice, but I won't be able to make it to tomorrows hearing, I started a new job and been waiting to see if I could get tge day off, I was told no today, I was hoping to reschedule for some other time, hopefully on a Wednesday since that's the only day I have off during the week, again I'm sorry and I hope to hear back from you soon

On Friday, May 24, 2013, Singer, Alan (OIC) <AlanS@oic.wa.gov> wrote:
> Batch 7 – forgot one.
>
>
>
> Alan Michael Singer
>
> Staff Attorney, Legal Affairs
>
> Washington State Office of the Insurance Commissioner
>
> PO Box 40255
>
> Olympia, WA 98504-0255
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> 360.725.7046 | 360.586.0152 (fax) | alans@oic.wa.gov | www.insurance.wa.gov
> • wainsurance.blogspot.com • Twitter: @WAinsuranceblog • Facebook.com/WSOIC •
>
>
>
> From: Singer, Alan (OIC)
> Sent: Friday, May 24, 2013 11:54 AM
> To: 'Millie Costage'
> Cc: Cairns, Kelly (OIC)
> Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits
>
>
>
> Batch six.
>
>
>
> Alan Michael Singer
>
> Staff Attorney, Legal Affairs
>

> Washington State Office of the Insurance Commissioner
>
> PO Box 40255
>
> Olympia, WA 98504-0255
>
> 360.725.7046 | 360.586.0152 (fax

IN RE MILLIE COSTAGE 13-0119

ATTACHMENT C TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Cairns, Kelly (OIC)
Sent: Wednesday, June 05, 2013 9:54 AM
To: 'Millie Costage'; Singer, Alan (OIC)
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Ms. Costage and Mr. Singer,

The hearing for this matter has been rescheduled to Wednesday, July 17, 2013 at 10:00 a.m. at the Insurance 5000 building at 5000 Capitol Boulevard, Tumwater, WA (the same place originally scheduled). We will not be sending out another Notice of Hearing, so please put this date on your calendar. Ms. Costage, please be advised that Judge Petersen rescheduled the hearing as a courtesy to you this one time. If you fail to appear at the hearing on July 17, 2013, you may be found to be in default. Please let me know if you have any questions.

Kelly A. Cairns
Paralegal, OIC Hearings Unit
360-725-7002
KellyC@oic.wa.gov

From: Millie Costage [mailto:millie.costage@gmail.com]
Sent: Monday, June 03, 2013 2:21 PM
To: Singer, Alan (OIC)
Cc: Cairns, Kelly (OIC)
Subject: Re: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Alan,
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> Batch six.
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IN RE MILLIE COSTAGE 13-0119

ATTACHMENT D TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Singer, Alan (OIC)
Sent: Tuesday, June 18, 2013 10:20 AM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

I haven't heard back from you as to potential witnesses and exhibits. Are you still pursuing this matter? Please let me know. Thanks,

Alan

Alan Michael Singer
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From: Singer, Alan (OIC)
Sent: Friday, May 24, 2013 11:52 AM
To: 'Millie Costage'
Cc: Cairns, Kelly (OIC)
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

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Please provide me with a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing.

Thanks,

Alan

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IN RE MILLIE COSTAGE 13-0119

ATTACHMENT E TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Singer, Alan (OIC)
Sent: Wednesday, June 19, 2013 3:47 PM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

I still have not heard from you. I will be out of the office tomorrow and Friday, but will write with some questions for you Monday.

Thanks,

Alan

Alan Michael Singer
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To: 'Millie Costage'
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Please provide me with a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing.

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IN RE MILLIE COSTAGE 13-0119

ATTACHMENT F TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Singer, Alan (OIC)
Sent: Thursday, June 20, 2013 4:43 PM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

I previously tried telephoning you at your number in the police report, but the number was inactive. You also provided a number for Peter Sexton's agency, but when I called there, I also learned you are no longer working there.

In addition to providing me with copies of all of your potential exhibits and a disclosure of all of your potential witnesses, please also answer the following questions on the matters stated:

1. EMPLOYMENT. Please provide the details of your employment history for the past five years, identifying by name, telephone number and address each of your prior employers and your job duties, including your current employer and your current job duties. For each position held, please explain the reasons for leaving that position. If you were let go, laid off, fired, or otherwise terminated from a job or position, please so state and explain what happened. Please include all your experience in the insurance industry.
2. RESIDENTIAL ADDRESS HISTORY. Please indicate your current residential address, the length of time you have been living there, your prior residential addresses for the past five years, and any evictions. If you have ever been evicted, please indicate where and when this occurred, and the reasons for any and all evictions.
3. YOUR CRIMINAL CONVICTIONS. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment. Please indicate whether you have ever received a full pardon or other type of pardon for any of your criminal convictions. Please disclose whether you have paid all court costs, fees, fines, and restitution that has been ordered against you as a result of your history of criminal convictions. If you have outstanding monies owed, or never paid monies owed, please so state and disclose the unpaid amounts.
4. PLANNED INVOLVEMENT IN THE INSURANCE INDUSTRY. Do you have a job or position in the insurance industry, including work in or with any insurer or insurance agency, or do you have plans to obtain one? Please provide a job description for such planned work or present work, and please indicate the insurance activities you plan to engage in. If you plan to contract or have contracted to work in the insurance industry, please provide a copy of that contract.
5. YOUR WITNESSES. Please identify the name, address, telephone number and e-mail address of any person you plan to ask to testify or reserve the right to ask to testify on your behalf in this matter. For each, indicate the length of time they have known you, and in what capacity.
6. PROFESSIONAL LICENSES. Please indicate all professional licenses you have ever applied for or have ever held. If you have ever applied for any professional licenses but were denied, please disclose those. For any professional licenses you have ever held, please identify all consumer complaints and indicate whether you have been the subject of any consumer complaints.
7. EDUCATION. Please provide the details of your education history, including names, addresses, and dates of all schools you have attended, diplomas and degrees earned, honors or awards earned, and your grade point averages and class rank. If you have ever been expelled from school or the subject of disciplinary action for misconduct in a school, please disclose when this occurred, where, and the reasons.
8. MARITAL/FAMILY STATUS/NET WORTH. Please relate your history of marital and family status, including a statement whether any relatives by blood or marriage are, to your knowledge, currently serving in any capacity with any insurer or insurance agency. Please

also include a statement of your net worth and solvency (i.e., a summary of your assets and liabilities), and disclose any bankruptcies.
9. YOUR WITNESSES. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment.
10. CURRENT TELEPHONE NUMBER, NAMES, SOCIAL SECURITY NUMBERS. Please identify your current telephone number where you may be reached. If you have used other names or social security numbers, please indicate each name and number, and the dates used.
11. COUNSELING AND REHABILITATION. Please disclose all evidence of your rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs. Please provide copies of all recommendations from (a) prosecutors, law enforcement officers, or correctional officers who have prosecuted, arrested, or had custodial responsibility for you, and from (b) the sheriff or chief of police in your community where you live or have lived.

As you know, I asked you earlier by earlier e-mail whether you are still pursuing this matter. Of course, if you are no longer pursuing this mater or are withdrawing your application for an insurance producer license from this office, I would greatly appreciate it if you would please let us know as quickly as possible.

Thanks,

Alan

Alan Michael Singer

Staff Attorney, Legal Affairs

Washington State Office of the Insurance Commissioner

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From: Singer, Alan (OIC)
Sent: Tuesday, June 18, 2013 10:20 AM
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Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

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Alan

Alan Michael Singer

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<http://twitter.com/WAinsuranceblog> . Facebook.com/WSOIC <http://www.facebook.com/WSOIC> .

IN RE MILLIE COSTAGE 13-0119

ATTACHMENT G TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Singer, Alan (OIC)
Sent: Monday, June 24, 2013 12:00 PM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

Will you please let me know as to when you plan to provide responses to the questions below and provide the information I've requested from you? Feel free to call with any questions.

Thanks,

Alan

Alan Michael Singer
Staff Attorney, Legal Affairs
Washington State Office of the Insurance Commissioner PO Box 40255 Olympia, WA 98504-0255
360.725.7046 | 360.586.0152 (fax) | alans@oic.wa.gov | www.insurance.wa.gov •
wainsurance.blogspot.com • Twitter: @WAinsuranceblog • Facebook.com/WSOIC •

-----Original Message-----
From: Singer, Alan (OIC)
Sent: Thursday, June 20, 2013 4:43 PM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

I previously tried telephoning you at your number in the police report, but the number was inactive. You also provided a number for Peter Sexton's agency, but when I called there, I also learned you are no longer working there.

In addition to providing me with copies of all of your potential exhibits and a disclosure of all of your potential witnesses, please also answer the following questions on the matters stated:

1. EMPLOYMENT. Please provide the details of your employment history for the past five years, identifying by name, telephone number and address each of your prior employers and your job duties, including your current employer and your current job duties. For each position held, please explain the reasons for leaving that position. If you were let go, laid off, fired, or otherwise terminated from a job or position, please so state and explain what happened. Please include all your experience in the insurance industry.
2. RESIDENTIAL ADDRESS HISTORY. Please indicate your current residential address, the length of time you have been living there, your prior residential addresses for the past five years, and any evictions. If you have ever been evicted, please indicate where and when this occurred, and the reasons for any and all evictions.
3. YOUR CRIMINAL CONVICTIONS. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment. Please indicate whether you have ever received a full pardon or other type of pardon for any of your criminal convictions. Please disclose whether you have paid all court costs, fees, fines, and restitution that has been ordered against you as a result of your history of criminal convictions. If you have outstanding monies owed, or never paid monies owed, please so state and disclose the unpaid amounts.

4. PLANNED INVOLVEMENT IN THE INSURANCE INDUSTRY. Do you have a job or position in the insurance industry, including work in or with any insurer or insurance agency, or do you have plans to obtain one? Please provide a job description for such planned work or present work, and please indicate the insurance activities you plan to engage in. If you plan to contract or have contracted to work in the insurance industry, please provide a copy of that contract.
5. YOUR WITNESSES. Please identify the name, address, telephone number and e-mail address of any person you plan to ask to testify or reserve the right to ask to testify on your behalf in this matter. For each, indicate the length of time they have known you, and in what capacity.
6. PROFESSIONAL LICENSES. Please indicate all professional licenses you have ever applied for or have ever held. If you have ever applied for any professional licenses but were denied, please disclose those. For any professional licenses you have ever held, please identify all consumer complaints and indicate whether you have been the subject of any consumer complaints.
7. EDUCATION. Please provide the details of your education history, including names, addresses, and dates of all schools you have attended, diplomas and degrees earned, honors or awards earned, and your grade point averages and class rank. If you have ever been expelled from school or the subject of disciplinary action for misconduct in a school, please disclose when this occurred, where, and the reasons.
8. MARITAL/FAMILY STATUS/NET WORTH. Please relate your history of marital and family status, including a statement whether any relatives by blood or marriage are, to your knowledge, currently serving in any capacity with any insurer or insurance agency. Please also include a statement of your net worth and solvency (i.e., a summary of your assets and liabilities), and disclose any bankruptcies.
9. YOUR WITNESSES. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment.
10. CURRENT TELEPHONE NUMBER, NAMES, SOCIAL SECURITY NUMBERS. Please identify your current telephone number where you may be reached. If you have used other names or social security numbers, please indicate each name and number, and the dates used.
11. COUNSELING AND REHABILITATION. Please disclose all evidence of your rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs. Please provide copies of all recommendations from (a) prosecutors, law enforcement officers, or correctional officers who have prosecuted, arrested, or had custodial responsibility for you, and from (b) the sheriff or chief of police in your community where you live or have lived.

As you know, I asked you earlier by earlier e-mail whether you are still pursuing this matter. Of course, if you are no longer pursuing this mater or are withdrawing your application for an insurance producer license from this office, I would greatly appreciate it if you would please let us know as quickly as possible.

Thanks,

Alan

Alan Michael Singer

Staff Attorney, Legal Affairs

Washington State Office of the Insurance Commissioner

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Olympia, WA 98504-0255

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<http://twitter.com/WAinsuranceblog> . Facebook.com/WSOIC <http://www.facebook.com/WSOIC> .

From: Singer, Alan (OIC)
Sent: Tuesday, June 18, 2013 10:20 AM
To: 'Millie Costage'
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

I haven't heard back from you as to potential witnesses and exhibits. Are you still pursuing this matter? Please let me know. Thanks,

Alan

Alan Michael Singer

Staff Attorney, Legal Affairs

Washington State Office of the Insurance Commissioner

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Olympia, WA 98504-0255

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<http://twitter.com/WAinsuranceblog> . Facebook.com/WSOIC <http://www.facebook.com/WSOIC> .

From: Singer, Alan (OIC)
Sent: Friday, May 24, 2013 11:52 AM
To: 'Millie Costage'
Cc: Cairns, Kelly (OIC)
Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Millie,

Attached are batch one of potential exhibits I may offer at the hearing on June 4 - one or more batches will follow shortly. Eight e-mails between you and Cheryl Penn are attached here. I plan to number all exhibits for the hearing. You, Mark Durphy, and Cheryl Penn are potential witnesses. I may provide a declaration from Mr. Durphy in lieu of his testimony; he will only attest to his effort in securing the Washington State Patrol records attached, and aver that is where they came from. In addition, we do reserve the right to call rebuttal witnesses, to call as witnesses any witnesses you may call or identify or plan to call or identify, and to offer any rebuttal evidence and exhibits deemed appropriate based on evidence presented at the hearing.

Please provide me with a copy of all exhibits you reserve the right to present at the hearing, and please identify all witnesses you reserve the right to call to testify at the hearing.

Thanks,

Alan

Alan Michael Singer

Staff Attorney, Legal Affairs

Washington State Office of the Insurance Commissioner

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IN RE MILLIE COSTAGE 13-0119

ATTACHMENT H TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Millie Costage [millie.costage@gmail.com]
Sent: Monday, June 24, 2013 5:24 PM
To: Singer, Alan (OIC)
Subject: Re: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Allan,
I apologize for not responding. I've been without internet access. I will look over your emails and have them by tomorrow afternoon. Sorry for the inconvinience
Sincerely,
Millie

On Monday, June 24, 2013, Singer, Alan (OIC) <AlanS@oic.wa.gov> wrote:
> Hi Millie,
>
> Will you please let me know as to when you plan to provide responses to the questions below and provide the information I've requested from you? Feel free to call with any questions.
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> Thanks,
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> Alan
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> Alan Michael Singer
> Staff Attorney, Legal Affairs
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> -----Original Message-----
> From: Singer, Alan (OIC)
> Sent: Thursday, June 20, 2013 4:43 PM
> To: 'Millie Costage'
> Subject: RE: Millie Costage, No. 13-0119 - witnesses and exhibits
>
> Hi Millie,
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> I previously tried telephoning you at your number in the police report, but the number was inactive. You also provided a number for Peter Sexton's agency, but when I called there, I also learned you are no longer working there.
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> In addition to providing me with copies of all of your potential exhibits and a disclosure of all of your potential witnesses, please also answer the following questions on the matters stated:
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> 1. EMPLOYMENT. Please provide the details of your employment history for the past five years, identifying by name, telephone number and address each of your prior employers and your job duties, including your current employer and your current job duties. For each position held, please explain the reasons for

leaving that position. If you were let go, laid off, fired, or otherwise terminated from a job or position, please so state and explain what happened. Please include all your experience in the insurance industry.

> 2. RESIDENTIAL ADDRESS HISTORY. Please indicate your current residential address, the length of time you have been living there, your prior residential addresses for the past five years, and any evictions. If you have ever been evicted, please indicate where and when this occurred, and the reasons for any and all evictions.

> 3. YOUR CRIMINAL CONVICTIONS. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment. Please indicate whether you have ever received a full pardon or other type of pardon for any of your criminal convictions. Please disclose whether you have paid all court costs, fees, fines, and restitution that has been ordered against you as a result of your history of criminal convictions. If you have outstanding monies owed, or never paid monies owed, please so state and disclose the unpaid amounts.

> 4. PLANNED INVOLVEMENT IN THE INSURANCE INDUSTRY. Do you have a job or position in the insurance industry, including work in or with any insurer or insurance agency, or do you have plans to obtain one? Please provide a job description for such planned work or present work, and please indicate the insurance activities you plan to engage in. If you plan to contract or have contracted to work in the insurance industry, please provide a copy of that contract.

> 5. YOUR WITNESSES. Please identify the name, address, telephone number and e-mail address of any person you plan to ask to testify or reserve the right to ask to testify on your behalf in this matter. For each, indicate the length of time they have known you, and in what capacity.

> 6. PROFESSIONAL LICENSES. Please indicate all professional licenses you have ever applied for or have ever held. If you have ever applied for any professional licenses but were denied, please disclose those. For any professional licenses you have ever held, please identify all consumer complaints and indicate whether you have been the subject of any consumer complaints.

> 7. EDUCATION. Please provide the details of your education history, including names, addresses, and dates of all schools you have attended, diplomas and degrees earned, honors or awards earned, and your grade point averages and class rank. If you have ever been expelled from school or the subject of disciplinary action for misconduct in a school, please disclose when this occurred, where, and the reasons.

> 8. MARITAL/FAMILY STATUS/NET WORTH. Please relate your history of marital and family status, including a statement whether any relatives by blood or marriage are, to your knowledge, currently serving in any capacity with any insurer or insurance agency. Please also include a statement of your net worth and solvency (i.e., a summary of your assets and liabilities), and disclose any bankruptcies.

> 9. YOUR WITNESSES. Identify your probation officer(s) and parole officer(s) by name, telephone number, and place of employment.

> 10. CURRENT TELEPHONE NUMBER, NAMES, SOCIAL SECURITY NUMBERS. Please identify your current telephone number where you may be reached. If you have used other names or social security numbers, please indicate each name and number, and the dates used.

> 11. COUNSELING AND REHABILITATION. Please disclose all evidence of your rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational schooling, successful participation in correctional work-release programs. Please provide copies of all recommendations from (a) pro

IN RE MILLIE COSTAGE 13-0119

ATTACHMENT I TO THE JULY 10, 2013 DECLARATION OF ALAN MICHAEL SINGER

Singer, Alan (OIC)

From: Millie Costage [millie.costage@gmail.com]
Sent: Sunday, June 30, 2013 11:33 PM
To: Singer, Alan (OIC)
Subject: Re: Millie Costage, No. 13-0119 - witnesses and exhibits

Hi Alan,
I have gathered most of the information that you have requested from me. Once I have it all i will send it.
Thanks and have a nice evening

On Tue, Jun 25, 2013 at 9:54 AM, Singer, Alan (OIC) <AlanS@oic.wa.gov> wrote:

Thanks.

Alan Michael Singer

Staff Attorney, Legal Affairs

Washington State Office of the Insurance Commissioner

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