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OFFICE OF
INSURANCE COMMISSIONER

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NOTICE OF RECEIPT OF DEMAND FOR HEARING

To: Sandra S. Cooley Allen
Jane Ryan Koler, Attorney-at-Law

From: Patricia D. Petersen, Chief Presiding Officer *PDP*

Date: December 12, 2013

Hearing: **Request for Hearing in the Matter of Sandra S. Cooley Allen,
Amended Order Revoking License, No. 13-0181**

This is to advise you that on December 11, 2013, the Hearings Unit received and filed your Request for Stay and Demand for Hearing on the Amended Order Revoking License issued by the Insurance Commissioner on November 27, 2013.

We note that this matter is part of an ongoing proceeding which commenced with an earlier Order Revoking License issued by the OIC on July 12, 2013. This proceeding has already involved several prehearing conferences and preliminary decisions wherein Ms. Cooley Allen was represented by Mathew Stanley, Esq. of Tacoma. We have received his Notice of Withdrawal dated November 4, 2013 and Ms. Koler's Notice of Appearance of that same date.

In approximately 5 working days, you will be contacted by the Hearings Unit to schedule a date for another prehearing conference in this matter. This prehearing conference, which will be held by telephone, will include: 1) Ms. Koler representing Ms. Cooley Allen, and Ms. Cooley Allen if she chooses to participate; 2) Mr. Singer, attorney representing the Insurance Commissioner in this matter; and 3) Patricia D. Petersen, the Chief Presiding Officer who will be handling and deciding this case. At the prehearing conference we will discuss basic procedure to be followed before, during and after the hearing, as well as any issues or concerns which have arisen or which you believe will arise in your preparation for the hearing. We will also discuss consolidation of this case with the Jackson case: early in this proceeding, the OIC requested consolidation, Ms. Cooley Allen's attorney Stanley agreed to consolidation of those allegations which Ms.

Cooley Allen and Ms. Jackson have in common, and now Ms. Cooley Allen's new counsel opposes consolidation. It is noted that since consolidation was agreed upon, the OIC has entered its Amended Order of Revocation with additional charges which it has discovered, and therefore that may or may not make a difference in whether or not these cases should be consolidated; I would like to hear from the parties on this issue.

For your information, we have included a brief outline of hearing procedure below.

If you have any questions concerning this Notice or the prehearing conference to be scheduled, please contact Kelly Cairns, the paralegal in the Hearings Unit, at the above telephone number or address.

HEARING PROCEDURES - OFFICE OF THE INSURANCE COMMISSIONER

The following is a brief summary of hearing procedure. Following the prehearing conference referred to above, a Notice of Hearing will be entered advising you of the date scheduled for the hearing held in person at the Office of the Insurance Commissioner, 5000 Capitol Blvd, Tumwater, WA. The specific rules which govern the hearing procedure, which include many more details, can be found primarily at Chapter 34.05 RCW (the Administrative Procedure Act) and Chapter 10-08 WAC. Your hearing will be presided over by a Hearings Judge who handles cases where actions of the Insurance Commissioner are appealed, such as yours. It will be conducted in a fairly formal manner; however, it will be as flexible as possible to accommodate the needs of the parties and any witnesses which may appear. You will be allowed to submit documents to support your version of the facts. Testimony may also be presented in the form of live witnesses, including the parties themselves; also, if requested, witnesses are allowed to testify over the telephone at the discretion of the Hearings Judge.

The hearing normally begins with each party presenting an opening statement summarizing what they intend to prove; then each party presents its case-in-chief which includes presentation of documents and testimony, subject to cross examination by the opposing party; then the hearing concludes with each party presenting its closing arguments summarizing what they believe they have shown.

The Hearings Judge is an individual who has not had any involvement with this case. The Hearings Judge will hear and make the final decision in the case without any communication, input or review by the Insurance Commissioner or staff or any other individual who has knowledge of the case. The Hearings Judge's final decision may 1) uphold the Commissioner's action; 2) reverse the Commissioner's action; or 3) impose penalties which are less than those contained in the Commissioner's action.

Please note that, pursuant to General Rule 24, Washington Rules of Court, attorneys representing individuals or entities in Washington State adjudicative proceedings such as this, need **not** be licensed as an attorney in Washington State.