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OFFICE OF THE INSURANCE COMMISSIONER, HEARINGS UNIT
STATE OF WASHINGTON

In The Matter of

GHOLAMREZA NIKZAD and WOOD
FINANCIAL SERVICES COMPANY,

Licensees

LICENSEES' PETITION FOR
REVIEW (RCW 34.05.464, WAC 10-
08-211)

TO: JAMES FINKEL
Chief Hearing Officer
Hearings Unit, OIC
PO Box 40255
Olympia, WA 98504

AND TO: CHARLES BROWN
OIC Staff Attorney
Office of the Insurance Commissioner
Legal Affairs Division
PO Box 40255
Olympia, WA 98504

This Petition for Review is submitted on behalf of the above-named Licensees pursuant
to RCW 34.05.464 and WAC 10-08-211. Licensees request review of the Findings of Fact,
Conclusions of Law and Initial Order of Administrative Law Judge Lisa N. W. Dublin dated
May 15th, 2015, and served on Licensees on May 20, 2015. (OAH Docket No. 2013-INS-0006),
PETITION FOR REVIEW - 1

Mosler & Schermer
1000 SECOND AVENUE, SUITE 3500
Seattle, WA 98104
Tel: 206-576-6907; Fax: 206-260-8906

1 which Initial Order affirmed the prior order of the Office of the Insurance Commissioner
2 revoking the insurance producer licenses of Licensees Gholamreza Nikzad and Wood Financial
3 Services Company.

4 Licensees assert that the Initial Order is erroneous in the following respects:

5 1. The administrative law judge's Conclusions of Law 5.7, and 5.7, with reference to
6 the issue of equitable estoppel/waiver state that "*appellants have produced no evidence other*
7 *than conjecture to establish that identifying the Griffin clients and premium credits owed them*
8 *and giving this information to appellants was inconsistent with the later enforcement of Judge*
9 *Peterson's November 5, 2012 final order,"* and at Conclusion of Law 5.9 that "*Similarly,*
10 *appellants have produced no evidence that FLE Portacio,, on behalf of OIC intentionally and*
11 *voluntarily waived OIC's right to enforce Judge Peterson's November 5, 2012 final order"*.

12 In this regard, it was Appellants/Licensees contention that OIC, through its
13 representatives, modified judge Peterson's order by substituting the requirement that licensees
14 pay the sum of \$4465.58 to various parties in place of the original provision of Judge Peterson's
15 order which required that licensee "*provide OIC with organized clear evidence, to the*
16 *satisfaction of OIC, that appellants received, identified, deposited and handled all premium*
17 *credits received in calendar year 2009-specifically premium credits received as a result of*
18 *cancellations, endorsements and overpayments-and promptly and properly return these funds to*
19 *their customers or other persons entitled thereto"*.

20 Simply put, it is not the case that appellants have "*produced no evidence other than*
21 *conjecture"* regarding their claim that the conditions of Judge Peterson's original order of
22 November 5, 2012 were later modified by representatives of OIC, including, specifically, FLE
23 Portacio. To the contrary, Ira Hart, who testified at the remand hearing held on March 31, 2015,

24 PETITION FOR REVIEW - 2
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1 on behalf of OIC, and who as a OIC examiner, conducted the follow up OIC examination of
2 Licensees in Ocotber of 2013, when directly asked on cross-examination, testified that if in fact
3 the payments identified by FLE Portacio had been made by licensees, that this would have
4 satisfied the requirement of Judge Peterson's Final Order of November 5, 2012 order, referred to
5 immediately above.

6 Respectively submitted this 9th day of June, 2015

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MOSLER & SCHERMER



JAMES SCHERMER, WSBA # 4768
Of attorneys for Licensees

CERTIFICATION OF SERVICE

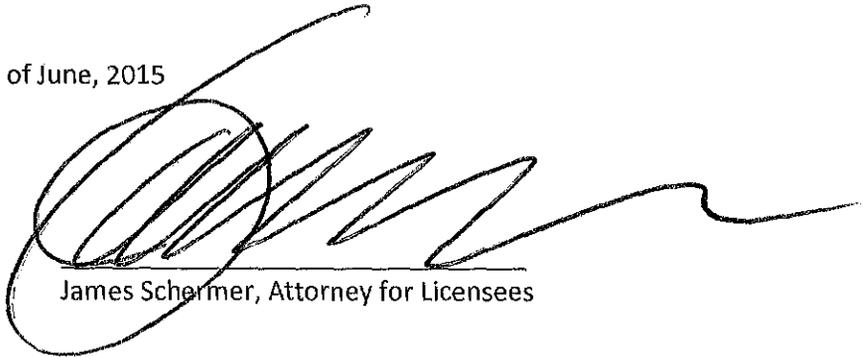
The undersigned certifies under penalty of perjury of the laws of the state of Washington that on the date given below I caused to be served and filed Licensees' PETITION FOR REVIEW, upon the following individuals, in the manner below indicated:

Honorable George Finkle, Chief Hearing Officer
Office of the Insurance Commissioner
Hearings Unit, OIC
PO BOX 40255
Olympia, WA 98504
Via Regular, 1st Class Mail

Charles D. Brown
OIC Staff Attorney
Legal Affairs Division
5000 Capital Blvd.
Tumwater, WA 98501
Via Regular, 1st Class Mail

Office of the Insurance Commissioner
Legal Affairs Division
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Tumwater, WA 98501
Via Facsimile Transmission: (360) 664-2782, and
Via Regular, 1st Class Mail

SIGNED this 9th day of June, 2015



James Schermer, Attorney for Licensees