

**HEARINGS UNIT
OFFICE OF THE INSURANCE COMMISSIONER
Fax: (360) 664-2782**

FILED

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**NOTICE OF RECEIPT OF OIC NOTICE
OF REQUEST FOR HEARING**

To: Fidelity & Guaranty Life Insurance Company
c/o Brian Kreger, Esq.
Kreger Beeghly, PLLC
999 Third Avenue, Suite 3000
Seattle, WA 98104-4088

Copy to: Andrea Philhower, Staff Attorney, Legal Affairs Division
Office of the Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

From: Judge George Finkle (ret.), Presiding Officer

Date: June 16, 2014

Hearing: **In the Matter of Fidelity & Guaranty Life Insurance Company,
Docket No. 13-0336**

The Hearings Unit has received and filed the Office of Insurance Commissioner's (OIC) Notice of Request for Hearing for the Imposition of Fines dated June 4, 2014 (Request), proposing disciplinary action against Fidelity & Guaranty Life Insurance Company (Fidelity). The Hearings Unit has also received and filed Fidelity's Response and Objection to Request for Hearing; and Request for Relief, dated June 5, 2014 (Response). This Notice confirms receipt of the Request and Response and begins the hearing process.

In approximately 5 working days, you will be contacted by the Hearings Unit to schedule a telephonic prehearing conference. Participants in the prehearing conference will include: 1) you, and/or your representative (under GR 24 of the Washington Court Rules, attorneys in this proceeding need not be licensed to practice in Washington State); 2) a representative of the Insurance Commissioner; and 3) myself, as Presiding Officer. All stages of the hearing process, including the prehearing conference, are public, and interested persons may attend, upon request to the Hearings Unit. Following the prehearing conference, I will issue a Notice of Hearing, which will advise you of the date, time, and place of the hearing.

The rules governing hearing procedures are primarily found at Chapter 34.05 RCW (the Washington State Administrative Procedure Act) and Chapter 10-08 of the Washington Administrative Code. Although the hearing will be somewhat formal, I will be as flexible as possible to accommodate the parties and witnesses. Hearings are normally conducted in three parts: 1) Each party presents an opening statement summarizing the evidence it expects to

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present. 2) Each party presents its case-in-chief, including the testimony of witnesses, subject to cross examination by the opposing party, and/or documents. Witnesses may be permitted to testify by telephone; 3) Each party presents closing arguments summarizing – from its perspective -- the application of pertinent statutes and/or regulations to the evidence.

As Presiding Officer, I have not had prior involvement with this case. Following the hearing, I will make a final written decision, appealable only to the Superior Court and not to another administrative official or tribunal.

Please direct any questions to Kelly Cairns, Hearings Unit Paralegal, (360) 725-7002; KellyC@oic.wa.gov.