



OFFICE OF
INSURANCE COMMISSIONER

HEARINGS UNIT

FILED

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HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

NOTICE OF RECEIPT OF DEMAND FOR HEARING

To: Brian Kreger
Kreger Beeghly, PLLC
999 Third Avenue, Suite 3000
Seattle, WA 98104-4088

From: William Pardee, Presiding Officer *WP*

Date: September 13, 2016

Hearing: **Michael Marinelli and Insurance Appraisal Services – Objection to Cease Desist and Notice of Intent to Impose Fine, Order No. 16-0155**

This is to advise you that on September 12, 2016, the Hearings Unit received and filed your Demand for Hearing.

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 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, and under RCW 34.05.425 there exists no bias, prejudice, or any other cause which prevents me from

Notice of Receipt of Demand for Hearing
and Hearing Procedures
No. 16-0155
Page 2

presiding over this matter. Since Michael R. Marinelli and Insurance Appraisal Services are not licensees per RCW 48.04.010(5), I deny their request that this matter be heard before the Office of Administrative Hearings. Following the hearing, I will make a final written decision, appealable only to the Superior Court and not to another administrative official or tribunal.

If you have any questions, require an interpreter, or have a disability which would require accommodation during the pendency of this case, please contact Dorothy Seabourne-Taylor, Hearings Unit Paralegal, (360) 725-7002; DorothyS@oic.wa.gov.