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2009 NOV -4 A 9:59

**DEMAND FOR HEARING**  
**NOTICE OF STAY**

Hearing Unit, DIC  
Patricia D. Petersen  
Chief Hearing Officer

**License Renewal Number WAOIC #85970**

October 30, 2009

***Via Certified Mail and Facsimile***

Office of the Insurance Commissioner  
P.O. Box 40257  
Olympia, Washington 98504-0257

To Whom It May Concern:

This letter will provide notice of Demand for Hearing by Business Benefits Corporation, (BBC) WAOIC #85970 under authority of RCW 48.04.010. BBC and Michael Kerner will be represented by the undersigned counsel and the law firm of Lawrence & Versnel PLLC and, accordingly, all future communications should be directed through counsel.

On October 22, 2009, BBC duly provided all required documentation to the Office of the Insurance Commissioner (OIC) for purposes of timely renewal of its license. On October 30, 2009, at 2:06pm BBC received email notification from OIC investigator Cheryl Penn of OIC's "denial" of the renewal of BBC's insurance license. A copy of BBC's renewal application and correspondence from Ms. Penn is attached to this notification. BBC has not received any Order from OIC reflecting said "denial" and therefore actual notice of denial has not been provided by OIC to BBC.

The basis for "denial", as per the investigator's email is the claim that "there is a recorded statement of Mr. Kerner stating he was aware the toys were stolen and he accepted them." The "denial" is contrary to law including, but not limited to, the following reasons: (1) the basis for denial lacks necessary indicia of reliability necessary to remove an individual's licensure; (2) the basis for denial is taken out of context and thus fails to comport with basic evidentiary requirements; (3) the basis for denial does not reflect the actual facts and circumstances; and (4) the basis for "denial" does not comport with the requirements of RCW 48.17.530. BBC reserves the right, pending further investigation and discovery, to add any additional reasons for disputing OIC's "action".

BBC demands the opportunity for resolution and, if resolution cannot be reached, demands a hearing in accordance with RCW 34.05 *et. seq.* As per RCW 48.04.020, this will confirm that BBC's license remains in good standing pending full resolution of this matter and demands provision of immediate written confirmation from OIC that BBC's license remains in good standing.

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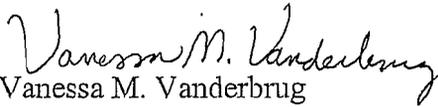
Office of Insurance Commissioner

October 30, 2009

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I may be reached directly at (206) 344-2010 or via email at [vmv@lvpllc](mailto:vmv@lvpllc). I look forward to your immediate response.

Very truly yours,

  
Vanessa M. Vanderbrug

Enclosure

cc: Cheryl Penn, Investigator w/enclosure (via email, facsimile and mail)

Michael Kerner w/enclosure