

STATE OF WASHINGTON

Phone: (360) 725-7000
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MIKE KREIDLER
STATE INSURANCE COMMISSIONER
DECLARATION OF MAILING
I declare under penalty of perjury
under the laws of the State of
Washington that on the date listed
below, I mailed or caused delivery
of a true copy of this document to
the parties listed below
DATED this 2nd day of July 09
at Tumwater, Washington.
Signed: *Sally Johnson*



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

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Sally Johnson
Paralegal
(360) 725-7002
Sallyj@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

IN THE MATTER OF,

ANNETTE CABIN,

Petitioner.

NO. 09-0112

FINAL ORDER
TERMINATING
PROCEEDING

TO: Robert W. Goldsmith
Attorney at Law
1300 Hoge Building
705 Second Avenue
Seattle, WA. 98104

Annette Cabin
2513 187th Place SE
Bothell, WA 98012

COPY TO: Mike Kreidler, Insurance Commissioner
Mike Watson, Chief Deputy Insurance Commissioner
James T. Odiorne, Deputy Commissioner, Company Supervision
John F. Hamje, Deputy Commissioner, Consumer Protection
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Marcia G. Stickler, Staff Attorney, Legal Affairs Division
Office of the Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

On April 27, 2009, Annette Cabin (Ms. Cabin) applied to the Office of Insurance Commissioner (OIC) for an 18 U.S.C. § 1033(e)(2) waiver, and submitted various documents in support of her application. Additionally, Ms. Cabin advised the OIC that she had completed insurance courses at Slater Insurance School in March 2009 and was looking forward to possibly applying for an insurance agent's license. She further advised the OIC that she was currently working for an insurance agency *advising agents/producers on the different plan designs offered by the insurance carriers [her employer] represents to help them understand the unique nature of the benefits each of them may offer or the limitations that may affect their clients, and ensuring that the accuracy of those plans represented in the proposals match [her employer's] internal data systems.*

By letter dated August 20, 2009, the OIC advised Ms. Cabin that he had determined that he would not grant Ms. Cabin's application for a 18 U.S.C. § 1033(e)(2) waiver and therefore would not be providing Ms. Cabin with a letter of written consent under 18 U.S.C. § 1033(e)(2).

On September 11, 2009, Ms. Cabin, by and through Robert W. Goldsmith, Attorney at Law in Seattle, filed a Demand for Hearing to contest the determination that the OIC would not provide a 18 U.S.C. § 1033(e)(2) waiver.

On September 30, 2009, the OIC by and through Marcia Stickler, Staff Attorney in his Legal Affairs Division, filed a Motion to Dismiss in this matter. After briefing filed by both parties on September 30, October 7 and 8, and oral argument presented on October 12, the undersigned entered an Order on the Office of Insurance Commissioner's Motion to Dismiss ruling that Ms. Cabin is entitled to an administrative hearing pursuant to RCW 48.04.010 to challenge the OIC's decision to deny her 18 U.S.C. § 1033(e)(2) application for a waiver.

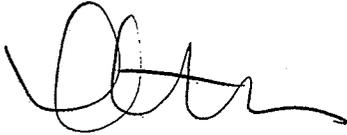
On November 12, 2009, the undersigned received a fax from Mr. Goldsmith, which was filed on the same date, advising that Ms. Cabin was withdrawing her Request for Hearing herein. As duly scheduled, on November 12 the undersigned held a second prehearing teleconference, which included Ms. Stickler and Mr. Goldsmith as well as Ms. Cabin. During this second prehearing teleconference, Mr. Goldsmith confirmed that Ms. Cabin was withdrawing her Request for Hearing herein. The undersigned advised that the OIC had mentioned in his letters denying Ms. Cabin's application for waiver that the OIC might consider granting such an application from Ms. Cabin once more time passes between the date(s) of the event currently of concern to the OIC and the date of a new application from Ms. Cabin. Further, upon request of Ms. Cabin, the OIC can clarify what specific work Ms. Cabin can currently perform without needing an insurance agent's license and what specific work Ms. Cabin should not perform while she does not hold an insurance agent's license.

ORDER

Based upon the above activity,

IT IS HEREBY ORDERED that Matter No. 09-0112 is hereby terminated. The Insurance Commissioner's determination to deny the application of Annette Cabin for a waiver pursuant to 18 U.S.C. § 1033(e)(2), as documented in the Insurance Commissioner's letters dated May 19, 2009 and August 20, 2009, is in full force and effect.

This Order is entered at Tumwater, Washington this 2nd day of December, 2009, pursuant to Chapter 34.05 RCW, Chapter 48.04 RCW, 18 U.S.C. § 1033(e)(2), and regulations applicable thereto.



PATRICIA D. PETERSEN
Presiding Officer
Chief Hearing Officer