



OFFICE OF
INSURANCE COMMISSIONER

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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 22nd day of Nov. 2005, at Tumwater, Washington.

Signed: Wendy Galloway

HEARINGS UNIT
Fax: (360) 664-2782

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

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

Wendy Galloway
Administrative Assistant
WendyG@OIC.wa.gov.
(360) 725-7002

In the Matter of:)	NO. D04-224
)	
GARRY R. BROWN,)	ORDER ON LICENSEE'S
)	MOTION FOR RECONSIDERATION
Licensee.)	
)	

TO: Garry R. Brown
31570 SR 20, Suite 101
Oak Harbor, Washington 98277

COPY TO: Alan J. Wertjes, Esq.
Wertjes Law Group, P.S.
1800 Cooper Point Road, SW
Olympia, WA 98502

AND TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
John F. Hamje, Deputy Commissioner, Consumer Protection
Mike Huske, Chief Investigator, Consumer Protection
Carol Sureau, Deputy Commissioner, Legal Affairs
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

By letter dated May 5, 2005 and filed herein on May 6, 2005, Garry R. Brown (Licensee) filed his Request for Reconsideration of the Findings of Facts, Conclusions of Law and Order on Hearing entered in this matter on April 28, 2005. By letter dated May 16, 2005, Mr. Brown was advised that his Request for Reconsideration, while filed timely, was inadequate as to its contents, again advised him of the applicable statute, specified what that statute requires and allowed him additional time to file an adequate Request for Reconsideration.



ORDER ON LICENSEE'S MOTION FOR RECONSIDERATION

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Accordingly, by letter dated May 25, 2005 and timely filed on May 27, 2005, Mr. Brown filed his Request for Reconsideration again in a form which meets the applicable statutory requirements. Subsequently, on July 7, 2005, a Notice of Appearance was filed by Alan J. Wertjes, Esq., on behalf of the Licensee.

Oral argument on the Licensee's Request for Reconsideration was heard on August 24, 2005. The Licensee was represented by Alan J. Wertjes, Esq. and the Insurance Commissioner was represented by Mary M. Cotter, Staff Attorney.

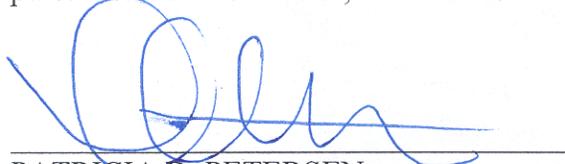
The undersigned has reviewed and considered the arguments of the parties, the record of the original hearing herein, the hearing on the Licensee's Request for Reconsideration and the entire hearing file and has concluded that there is no basis for change in the Findings of Facts, Conclusions of Law, and Order on Hearing entered by the undersigned on April 28, 2005. Therefore, said Findings of Facts, Conclusions of Law and Order on Hearing remain effective as entered as the final order in this proceeding.

ORDER

Based upon the above activity,

IT IS HEREBY ORDERED that the Licensee's Request for Reconsideration in this matter has been properly received and heard by the undersigned, that there is no sufficient basis for changing any portion on the Findings of Facts, Conclusions of Law and Order entered in this matter by the undersigned on April 28, 2005, and that, therefore, the Findings of Facts, Conclusions of Law and Order entered in the matter by the undersigned on April 28, 2005 remain effective as entered as the final order in this proceeding.

ENTERED AT TUMWATER, WASHINGTON, this 22nd day of November, 2005, pursuant to Title 34 RCW, Title 48 RCW and regulations applicable thereto.



PATRICIA D. PETERSEN
Presiding Officer