

MIKE KREIDLER
STATE INSURANCE COMMISSIONER



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

FILED

2006 NOV -3 P 2:05

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 parties below
DATED this 3rd day of Nov. 2006, at Tumwater, Washington.

Signed: Wendy Galloway

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

Hearings Unit, DIC
Patricia D. Petersen
Wendy Galloway, Officer
Paralegal
(360) 725-7002
Wendyg@OIC.wa.gov.

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)
)
KENNETH I. TOBEY, INC.)
)
Licensee.)
_____)

No. D06-179
FINAL ORDER TERMINATING
PROCEEDING

To: Kenneth I. Tobey, Inc. 11100 NE 8th Street, Suite 420 Bellevue, Washington 98004 & Kenneth I. Tobey, Inc. 6700 SW 105th Ave., Ste. 110 Beaverton, Oregon 97008

Michael York, Esquire
3930 Premier Parkway
Duluth, Georgia 30091

Carlos Lidsky, Esquire
Lidsky, Vaccaro and Montes
145 E. 49th Street
Hialeah, Florida 33013

Copy To: Mike Kreidler, Insurance Commissioner
Mike Watson, Chief Deputy Commissioner
Jim Odiorne, Deputy Commissioner for Company Supervision
Carol Sureau, Deputy Commissioner, Legal Affairs
Charles Brown, Senior Staff Attorney, Legal Affairs
Post Office Box 40255
Olympia, Washington 98504-0255

Kenneth I. Tobey, Inc. (KIT) holds Washington licenses to conduct business as an insurance agent, insurance broker, managing general agent, and non-resident



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insurance broker. On May 3, 2006, an Order Revoking Licenses was entered by the Insurance Commissioner.

On May 19, 2006, Robert Redican, President of KIT, filed on behalf of Kenneth I. Tobey, Inc., a Request for Hearing and that a recommended decision first be entered by an administrative law judge from the Office of Administrative Hearings. On May 31, 2006, this matter was transferred to the Office of Administrative Hearings for review. The Insurance Commissioner appeared pro se by and through Charles Brown, Senior Staff Attorney for Legal Affairs.

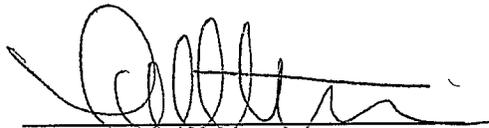
A prehearing conference was held on July 26, 2006, setting a hearing date of November 29, 2006. Prior to the scheduled hearing, Michael York, on behalf of KIT, filed a letter withdrawing KIT'S request for a hearing. In that letter, KIT agreed to surrender the insurance license(s) and that all operations requiring a license have ceased. A copy of the letter dated October 23, 2006 is attached hereto and is by this reference incorporated herein.

On November 1, 2006, an Initial Order Dismissing Proceeding Due to Withdrawal was entered by Robert C. Krabill, Lead Administrative Law Judge. Accordingly, the hearings file was transferred to the undersigned to enter a Final Order.

Based upon the above activity:

IT IS HEREBY ORDERED that this proceeding, Docket No. D06-179, is hereby terminated.

ENTERED this 3rd day of November, 2006, at Tumwater, Washington.



PATRICIA D. PETERSEN
Chief Hearing Officer



PC General Agency, Inc.

3039 Premiere Parkway, Suite 100
Duluth, Georgia 30097

October 23, 2006

Office of Administrative Hearings
Attn: Honorable Robert C. Krabill
2420 Bristol Court SW, Third Floor
Olympia, WA 98504-2489
Fax: (360) 586-6563

SENT BY FAX & FedEx

Chuck Brown, Department Representative
Staff Attorney, Legal Affairs
Office of Insurance Commissioner
5000 Capital Blvd.
Tumwater, WA 98504-0255
Fax: (360) 586-0152

RE: Kenneth I. Tobey, Inc.

Sirs:

In accordance with the attached letter from Carlos Lidsky to Christina Beusch dated October 20, 2006, Kenneth I. Tobey, Inc. is hereby withdrawing its request for a hearing to appeal the OIC's revocation of its insurance license number D06-179.

Also, in accordance with Mr. Lidsky's above referenced correspondence, contemporaneously we are surrendering the insurance license(s) of Kenneth I. Tobey, Inc. Although we are unable to locate the physical license(s) at this moment, we have ceased all operations for which a license would be required. We will forward them as soon as they are located.

Respectfully

A handwritten signature in black ink, appearing to be 'Michael York', written over a horizontal line.

Michael York

Cc: Carlos Lidsky, Esq.

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