

STATE OF WASHINGTON

Phone: (360) 725-7000

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 parties listed below
DATED this 23rd day of January, 2007
at Tumwater, Washington.

Signed: Wendy Galloway

OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

Fax: (360) 664-2782

FILED

2007 JAN 23 A 10: 27

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

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

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In re:)
) NO. D06-351
)
OMAHA WOODMEN LIFE)
INSURANCE COMPANY,) NOTICE OF HEARING
)
)
An Authorized Insurer.)
)

TO: Lynn L. Espeland, Assistant V.P./Associate General Counsel
Woodmen of the World Life Insurance Society &
Omaha Woodmen Life Insurance Society
1700 Farnam Street
Omaha, Nebraska 68102

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
James T. Odiome, Deputy Commissioner, Company Supervision
Carol Sureau, Deputy Commissioner, Legal Affairs
Marcia Stickler, Staff Attorney, Legal Affairs
P.O. Box 40255
Olympia, Washington 98504-0255

On January 16, 2007, Omaha Woodmen Life Insurance Society (Omaha) and/or Woodmen of the World Life Insurance Society, by and through Lynn L. Espeland, Esq., their Assistant V.P./Associate General Counsel, filed a Request for Hearing dated January 12, 2007, in this matter. A detailed formal Request for Hearing dated January 18, 2007, was filed with the Hearings Unit on January 19, 2007.



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The purpose of the subject request for hearing is to contest the fine attempted to be imposed by the OIC in his Proposed Consent Order D06-351. Specifically, Omaha requests equitable relief in relation to the amount of said fine.

Accordingly, on January 22, 2007, the undersigned held a first prehearing teleconference in this matter. Omaha was represented by Ms. Espeland. The Insurance Commissioner (OIC) appeared pro se, by and through Marcia Stickler, Staff Attorney in his Legal Affairs Division. All questions were responded to, and the undersigned discussed procedure to be expected at hearing. Further, during said prehearing conference the parties agreed that the hearing in this matter shall be scheduled to commence by telephone on Monday, January 29, 2007 at 10 a.m., P.S.T. and agreed with the request of the undersigned that all documents to be used at hearing shall be filed in the Hearings Unit no later than 5:00 p.m., Friday, January 26, 2007.

The hearing will be held under the legal authority and jurisdiction granted the Commissioner by the Insurance Code, Title 48 RCW, and specifically RCW 48.04.010 and WAC 284-22-090.

Omaha will be represented by Lynn L. Espeland, Esq., its Assistant Vice President and Associate General Counsel. Her mailing address is 1700 Farnam Street, Omaha, Nebraska 68102, and her telephone number is (402) 271-7220. The Insurance Commissioner will appear pro se, by and through Marcia Sticker, Staff Attorney for Legal Affairs. Her mailing address is P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7048.

The adjudicative proceeding will be conducted pursuant to the requirements of ch. 34.05 RCW, the Administrative Procedure Act, and will be governed by the model rules of procedure, ch. 10-08 WAC.

Based upon a delegation of authority from the Commissioner, the undersigned will conduct the hearing and will make the final decision and enter the final order relative to this matter, without input, review or any other communication with any individual, as required by RCW 34.05.455 concerning ex parte communications and other requirements. Her address is P.O. Box 40255, Olympia, WA 98504-0255 and her telephone number is (360) 725-7105.

As above, on January 22, 2007, the undersigned held a first prehearing teleconference in this matter and has determined that no further prehearing conferences are necessary. However, any party may request an additional prehearing conference to discuss procedure or any other issue should they desire. Such requests may be directed by any party to Wendy Galloway, Paralegal to the undersigned, who can be reached by telephone at (360) 725-7002, or at the above address.

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As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to the original of this Notice, with instructions thereon.

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

ORDER

Based upon the above activity,

IT IS HEREBY ORDERED that the adjudicative hearing in this matter shall commence by **telephone on Monday, January 29, 2007, at the hour of 10:00 a.m., P.S.T.**, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT TUMWATER, WASHINGTON, this 22nd day of January, 2007.



PATRICIA D. PETERSEN
Presiding Officer