

STATE OF WASHINGTON

Phone: (360) 725-7000
www.insurance.wa.gov

MIKE KREIDLER
STATE INSURANCE COMMISSIONER
DECLARATION OF MAILING



FILED

NOV 15 2007

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 16th day of November 2007 at Tumwater, Washington.

OFFICE OF
INSURANCE COMMISSIONER

HEARINGS UNIT
Fax: (360) 664-2782

Patricia D. Petersen
Chief Hearing Officer

Signed: Wendy Galloway

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

Wendy Galloway
Paralegal
(360) 725-7002
Wendyg@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)
)
) No. D07-0307
)
 JULIE D. LEMERY and)
)
) MAIN STREET INSURANCE,)
)
) NOTICE OF HEARING
)
)
) Licensees.)
)
)
)

TO: Julie D. Lemery
13117 291st Avenue N.E.
Duvall, Washington 98109

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Charles D. Brown, Sr. Staff Attorney, Legal Affairs Division
John F. Hamje, Deputy Commissioner, Consumer Protection Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On August 29, 2007, a Demand for Hearing was received from Julie D. Lemery (Licensee). The purpose of said Demand for Hearing is to contest the Insurance Commissioner's (OIC) letter of reprimand dated May 30, 2007. Said letter of reprimand, which was later rescinded by the OIC by e-mail which still maintained various allegations against her, states that the Licensee had advertised specified insurers with which she had no appointments. The Licensee challenges the reprimand on the basis that each of the statements therein are false, that her insurance



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agency did have the right to advertise as it did and that she has the appointments, contracts, letters, e-mails and applications to prove this.

Accordingly, on October 1, the undersigned held a first prehearing teleconference in this matter. Ms. Lemery appeared pro se. The OIC appeared pro se, by and through Charles D. Brown, Senior Staff Attorney in the OIC's Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. Also considered at the prehearing conference, as scheduled, was the OIC's Motion to Dismiss Demand for Hearing, which was denied as documented in Order Denying OIC's Motions to Dismiss entered by the undersigned on October 22. As above, the subject letter of reprimand was rescinded by the OIC by e-mail which, however, still maintained various allegations against the Licensee which the Licensee wishes to continue to appeal. Additionally, on November 2, the OIC filed Notice to Show Cause Why an Order Should Not be Entered Revoking Licenses and Statement of Grounds.

As above, on October 1 the undersigned held a first prehearing teleconference which reviewed procedure to be expected at hearing and responded to all questions and concerns of the parties. Any future questions or concerns, or requests for additional prehearing conferences, which may arise, 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.

The hearing will be held under the authority of Title 48 RCW and specifically RCW 48.04, Title 34 RCW and regulations applicable thereto. The Licensee has indicated her intent to represent herself, but she is advised that she may retain counsel to represent her at any time. The Licensee's address is 13117 291st Avenue N.E., Duvall, Washington 98109 and her telephone number is (206) 228-4200. The OIC will appear pro se, by and through Charles D. Brown, Staff Attorney. His address is Office of the Insurance Commissioner, P.O. Box 40255, Olympia, WA 98504-0255, and his telephone number is (360) 725-7044.

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.

Based upon the above activity,

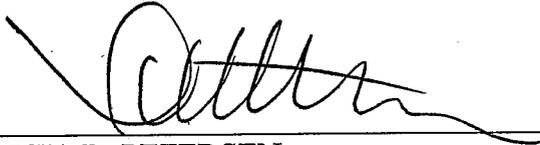
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IT IS HEREBY ORDERED that the adjudicative proceeding in this matter shall commence on Friday, January 4, 2008, at the hour of 10:00 a.m., Pacific Standard Time, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501.

ENTERED AT TUMWATER, WASHINGTON, this 15th day of November, 2007 pursuant to RCW 48.04, Title 34 RCW and applicable regulations.



PATRICIA D. PETERSEN

Chief Hearing Officer

Presiding Officer