

FILED

MAY 19 2008

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

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**STATE OF WASHINGTON
OFFICE OF ADMINISTRATIVE HEARINGS
FOR THE OFFICE OF INSURANCE COMMISSIONER**

In the Matter of,

COMMONWEALTH LAND
TITLE
INSURANCE COMPANY,

Docket No. 2008-INS-0005

OIC No. D07-306

**STIPULATION AND FIRST PRE-
HEARING ORDER**

An authorized insurer.

On May 12, 2008, Administrative Law Judge C. Robert Wallis convened a telephonic pre-hearing conference. In attendance via telephone were Alan Singer, Legal Affairs Staff Attorney, of the Office of the Insurance Commissioner ("OIC"), and Jerry Kindinger and Bryan Graff, attorneys for the Respondent, Commonwealth Land Title Insurance Company.

I. STIPULATION

It is stipulated and agreed as follows. The hearing will be bifurcated into two phases. Phase one will involve determinations regarding (a) whether the OIC has authority to assess the proposed fine and whether Respondent's Motion to Dismiss for lack of jurisdiction should be granted, and (b) whether Respondent can be held legally responsible for the alleged actions of its agent, Rainier Title. Depending on the outcome of these issues, the second phase will address whether the acts alleged in the Notice of Hearing violated the law.

1 It is further agreed and stipulated that the following dates shall govern these two
2 phases in this matter:

3 PHASE I

CASE EVENT	DEADLINE/EVENT
DEADLINE for filing of Respondent's Motion to Dismiss.	Mon. 07/14/2008
DEADLINE for filing of OIC's Response to Motion to Dismiss.	Mon. 07/21/2008
DEADLINE for filing of Respondent's Reply, if any, in support of Motion to Dismiss.	Mon. 07/28/2008
ORAL ARGUMENT on Respondent's Motion to Dismiss.	Tues. 07/29/2008 at 1:00 p.m.
DEADLINE for the Court's ruling on Respondent's Motion to Dismiss.	Mon. 08/04/2008
DISCOVERY CUTOFF for discovery related to the issue of the responsibility of Respondent for its agent's actions.	Fri. 08/15/2008
DEADLINE for filing of Prehearing Motions related to the issue of the responsibility of Respondent for its agent's actions.	Thurs. 08/21/2008
DEADLINE for filing of Response to Prehearing Motions related to the issue of the responsibility of Respondent for its agent's actions.	Fri. 09/12/2008
DEADLINE for filing of Replies, if any, in support of Prehearing Motions related to the issue of the responsibility of Respondent for its agent's actions.	Fri. 09/19/2008
ORAL ARGUMENT on Prehearing Motions related to the issue of the responsibility of Respondent for its agent's actions.	Mon. 09/22/2008 at 1:00 p.m.
DEADLINE for the Court's ruling on Prehearing Motions related to the issue of the responsibility of Respondent for its agent's actions.	Mon. 09/29/2008

18 PHASE II

DEADLINE for the OIC's Disclosure of Witness/Exhibit List.	Fri. 01/16/2009
DEADLINE for Respondent's Disclosure of Witness/Exhibit List.	Fri. 01/23/2009
DISCOVERY CUTOFF	Fri. 01/30/2009
DEADLINE for filing of any prehearing motions.	Mon. 02/09/2009
DEADLINE for filing of prehearing motion responses.	Mon. 02/16/2009
DEADLINE for filing of any prehearing motion replies.	Mon. 02/23/2009
ORAL ARGUMENT on any filed prehearing motions.	Wed. 02/25/2009 at

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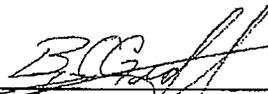
	1:00 p.m.
DEADLINE for the Court's ruling on prehearing motions.	Fri. 03/06/2009
HEARING DATE	Mon. and Tues. 03/30/2009 - 03/31/2009, commencing at 9:00 a.m.

SO STIPULATED this 15th day of May, 2008:

OFFICE OF INSURANCE COMMISSIONER

RYAN SWANSON & CLEVELAND
PLLC

By: 
Alan Michael Singer
Staff Attorney
Legal Affairs Division

By: 
Jerry Kindinger, WSBA No. 5231
Bryan C. Graff, WSBA No. 38553
Attorneys for Commonwealth Land Title

II. ORDER

Based on the foregoing stipulation, the deadlines are established and ordered as indicated above.

SO ORDERED at Olympia, Washington, this ___ day of May, 2008:

Hon. C. Robert Wallis
Administrative Law Judge