

STATE OF WASHINGTON

Phone: (360) 725-7000

MIKE KREIDLER
STATE INSURANCE COMMISSIONER



OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

Fax: (360) 664-2782

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

Nicole Kelly
Legal Assistant
(360) 725-7002
NicoleK@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:)	No. D10-0013
)	
CARLTON M. WILLIAMS,)	NOTICE OF HEARING
)	
Licensee.)	
_____)	

TO: Carlton M. Williams
6113 South Ryan Street
Seattle, WA 98178

COPY TO: Mike Kreidler, Insurance Commissioner
Mike Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Marcia Stickler 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 February 4, 2010, the Insurance Commissioner (Commissioner) received a letter from Carlton M. Williams, in the matter of Carlton M. Williams, Licensee, which letter shall be considered a Demand for Hearing. The purpose of said Demand for Hearing is to contest the Commissioner's Order Revoking License, No. D09-0013, dated January 22, 2010.

As stated in his aforementioned Order Revoking License, the Commissioner's position is that Carlton M. Williams was convicted of three counts of theft in the first degree on December 31, 2009 in King County Superior Court and that this felony conviction constitutes grounds for revocation of his license under RCW 48.17.540(1).



On March 25, 2010, the undersigned held a first prehearing teleconference in this matter. Mr. Williams appeared pro se and indicated that he may hire an attorney prior to the hearing. The Commissioner appeared pro se, by and through Marcia Stickler, Staff Attorney in the Commissioner's Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. Of significance, the issue arose regarding whether there is a stay of the Commissioner's Order of Revocation in effect at this time. While the Commissioner cautioned that a stay presented a certain amount of danger in this situation and therefore opposed a stay, he agreed that the Licensee has the right to an automatic stay pursuant to RCW 48.04.020(1). The Commissioner did caution the Licensee that it is his opinion that U.S.C. 1033, which the Department of Justice and not the Commissioner have jurisdiction to enforce, bars an individual from transacting insurance and provides for penalties for each transaction engaged in and therefore the Licensee may wish to reconsider continuing his current employment, which does involve his transacting insurance. However, the undersigned advised the parties that pursuant to RCW 48.04.020(1) the Commissioner's Order Revoking License herein is stayed until the undersigned enters her Findings of Facts, Conclusions of Law and Order after the hearing.

Further, the undersigned reviewed administrative procedures to be expected at hearing, citing Title 48 RCW, relevant sections of which are set forth in the Order Revoking License, and 34 RCW, the Administrative Procedures Act. The undersigned addressed all questions and concerns of the parties. By agreement of the parties, a hearing was scheduled to commence at **10 a.m., on Wednesday, May 26, 2010 and the undersigned advised that she has given the Licensee ample time to prepare for the hearing and/or hire an attorney to do so and does not expect to continue this matter.** The parties were informed if they had any future questions or concerns, or requests for additional prehearing conferences, they should contact Nicole Kelly, Paralegal to the undersigned, who can be reached by telephone at (360) 725-7002, e-mail at nicolek@oic.wa.gov, 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. Pursuant thereto, the Commissioner has delegated to the undersigned the authority to conduct all activities preliminary to the hearing, the hearing and all activities following the hearing, and to determine and enter the final decision in this matter. Pursuant to Title 34 RCW, the undersigned shall handle these activities and make the final decision herein without input or communication with the Commissioner or any member of his staff or others who have knowledge of the facts herein. Mr. Williams will appear pro se, unless he wishes to be represented by an attorney, in which case the attorney must file a Notice of Appearance promptly, considering the agreed upon hearing date. Mr. Williams address is 6113 South Ryan Street, Seattle, Washington 98178 and his telephone number is (206) 723-1734. The Commissioner will appear pro se, by and through Marcia Stickler, Attorney. Ms. Stickler's address is Office of the Insurance Commissioner, Legal Affairs Division, P.O. Box 40255, Olympia, WA 98504-0255, and her telephone number is (360) 725-7048.

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.

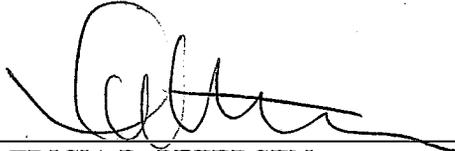
Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by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

IT IS HEREBY ORDERED that the adjudicative proceeding in this matter shall commence on **Wednesday, May 26, 2010 at 10 a.m.**, Pacific Standard Time, in the Office of the Insurance Commissioner, 5000 Capitol Boulevard, Tumwater, Washington 98501, in TR 120.

ENTERED AT TUMWATER, WASHINGTON, this 29th day of March, 2010, pursuant to RCW 48.04, Title 34 RCW and applicable regulations.

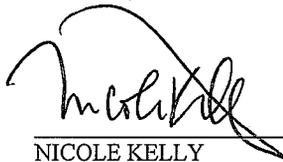


PATRICIA D. PETERSEN
Chief Hearing Officer
Presiding Officer

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 through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Carlton Williams, Mike Kreidler, Mike Watson, Carol Sureau, Marcia Stickler, and John F. Hamje.

DATED this 30th day of March, 2010.


NICOLE KELLY



OFFICE OF
INSURANCE COMMISSIONER

HEARINGS UNIT
Fax: (360) 664-2782

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

Nicole Kelly
Paralegal
(360) 725-7002
nicolek@oic.wa.gov

To request an interpreter, complete and mail this form to:

Chief Hearing Officer
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255

REQUEST FOR INTERPRETER

I am a party or witness in Matter No. D10-0013, before the Insurance Commissioner. I NEED AN INTERPRETER and request that one be furnished.

Please check the statements that apply to you:

I am a non-English-speaking person. I cannot readily speak or understand the English language. My primary language is _____ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: _____

Signed: _____

Please print or type your name: _____

Address: _____

Telephone: _____

