

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

FILED

2017 JUN 21 A 7 30

HEARINGS UNIT
OFFICE OF
INSURANCE COMMISSIONER

In the Matter of:

Delorean Ross,

Applicant.

Docket No. 17-0155

AMENDED NOTICE OF HEARING

TO: Delorean Ross
17408 44th Avenue West, Unit 11
Lynnwood, WA 98037

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
John Hamje, Deputy Commissioner, Consumer Protection Division
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division
Jeff Baughman, Licensing & Education Mgr., Consumer Protection Division
Ross Valore, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

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

On June 1, 2017, Cheryl Penn, Producer Licensing & Oversight Compliance Supervisor of the Office of Insurance Commissioner's ("OIC's") Consumer Protection Division sent a letter to Delorean Ross ("Ross") informing him that his application for a probationary insurance producer license was denied pursuant to RCW 48.17.530(1)(h) due to his gross misdemeanor convictions for theft.

On June 6, 2017, Ross filed a Demand for Hearing disputing the denial of his application for an insurance producer license. He alleges that although the convictions were recent, the filing dates of the misdemeanor charges were in 2014 and 2015. Further, Ross alleges that he since that time he has made many changes for the better, and is not the person he was 2 to 3 years ago. Ross states he has been volunteering for two organizations a few times a month for the past two years. He has worked for the last one and a half years in a job where his responsibilities including check cashing, collateral lending, gold and diamond buying, and electronic purchasing, thus proving his trustworthiness. Finally, Ross argues that as to the reach of the law denying producer licenses due to "dishonest practices," it was not meant for individuals such as himself.

On June 20, 2017, the undersigned held a first prehearing conference. Ross Valore, Insurance Enforcement Specialist of the OIC's Legal Affairs Division, appeared on behalf of the OIC. Delorean Ross appeared pro se.

After considering the views of the Parties, the undersigned enters the following Order:

By August 18, 2017, the parties shall complete all discovery.

By September 8, 2017, the parties shall serve and file dispositive Motions. By September 22, 2017, the parties shall serve and file Responses to such Motions. By September 29, 2017, the parties shall serve and file Replies to such Responses. I expect to rule without oral argument as soon as possible after briefing is complete.

Assuming this matter is not resolved based upon the dispositive Motions, a hearing will be held at the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA, beginning on Wednesday, November 8, 2017, at 9:00 a.m., Pacific Standard Time. The hearing is expected to require less than one day, but will continue until completed. The purpose of the hearing is to consider whether Ross' application for an insurance producer license should be denied per RCW 48.17.530 on the basis of his prior criminal history.

By October 27, 2017, the parties shall exchange witness and exhibit lists, and any documents/exhibits they expect to offer into evidence at the evidentiary hearing consistent with WAC 10-08-140, and file them with the Hearings Unit at the address below.

The hearing will be governed by the Administrative Procedure Act, RCW Chapter 34.05, and the model rules of procedure contained in WAC Chapter 10-08. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. See RCW 34.05.434(2)(i).

William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner per RCW Chapter 48.04.

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to difficulty with language or disability. Further, pursuant to WAC 10-08-040(2) and in accordance with RCW Chapter 2.42, 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, except as may be provided by RCW Chapter 2.42. A Request for Accommodation form, with instructions, is attached to this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255;

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HearingsU@oic.wa.gov. All interested individuals and entities who have questions or concerns regarding this proceeding should direct them to the Hearings Unit paralegal, Dorothy Seabourne-Taylor, at the same address. Ms. Seabourne-Taylor's telephone number is (360) 725-7002.

Dated: June 21, 2017



WILLIAM PARDEE
Presiding Officer

CERTIFICATE OF SERVICE

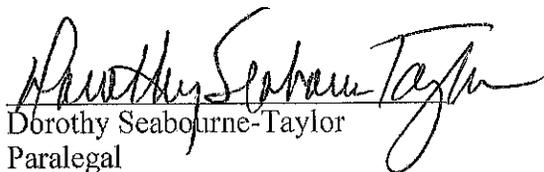
The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be filed and served the foregoing Amended Notice of Hearing on the following people at their addresses listed below:

Delorean Ross
17408 44th Avenue West, Unit 11
Lynnwood, WA 98037

Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
John Hamje, Deputy Commissioner, Consumer Protection Division
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division
Jeff Baughman, Licensing & Education Mgr., Consumer Protection Division
Ross Valore, Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Dated this 21st day of June, 2017, in Tumwater, Washington.


Dorothy Seabourne-Taylor
Paralegal
Hearings Unit

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

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

Hearings Unit
Office of Insurance Commissioner
P.O. Box 40255
Olympia, WA 98504-0255
HearingsU@oic.wa.gov

REQUEST FOR ACCOMMODATION FOR LANGUAGE OR DISABILITY

I am a party in Matter No. 17-0155 before the Insurance Commissioner.

I request accommodation for the following disability (insert your disability):

I request an interpreter for myself or a witness who will be testifying at the evidentiary hearing.

Please check the statements that apply:

I am a non-English-speaking person and 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 accommodation for your disability, an interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: _____ Signed: _____

Please print or type your name: _____
Address: _____
Telephone: _____