



State of Washington  
Office of the Insurance Commissioner  
Hearings Unit  
PO Box 40255  
Olympia WA 98504-0255  
5000 Capitol Boulevard  
Tumwater, WA 98501  
(360) 725-7002 FAX (360) 664-2782  
HearingsU@oic.wa.gov

# Demand for Hearing

**FILED**

2019 OCT 12 A 7:12

Please type or print in ink. Attach a copy of the Order or correspondence in dispute and all documents supporting your demand.

This Demand for Hearing can be mailed, faxed, hand-delivered or emailed to the Hearings Unit at the address above.

For OIC Demands, please provide contact information for all other interested parties and their representatives.

1 Requesting Party (required information)		HEARINGS UNIT OFFICE OF INSURANCE COMMISSIONER
Name/Business Name Office of the Insurance Commissioner	OIC Case/Order No. 1507579 / 17-0319	
Street Address PO Box 40255	City, State, Zip Olympia, WA 98504-0255	
Telephone Number	Fax Number	
Contact Person Dave Jorgensen	Telephone Number 360.725.7063	Email Address davej@oic.wa.gov

2 Authorized Representative/Attorney for Requesting Party		
Last Name See #1 above	First	M.I.
Business Name		
Street Address		City, State, Zip
Telephone Number	Fax Number	Email Address

3 Subject Matter of Demand for Hearing		
<input type="checkbox"/> Revocation or Denial of License	<input type="checkbox"/> Revocation or Denial Certificate of Authority or Registration	<input type="checkbox"/> Cease and Desist Order
<input type="checkbox"/> Imposition of Fine/Consent Order	<input checked="" type="checkbox"/> Other <u>Form A re Acquisition of Control</u>	

4 Additional Parties/Representatives (for more parties and/or representatives, please attach additional pages)		
Last Name Slaughter	First Ben	M.I.
Business Name General Counsel for A10 Capital LLC		
Street Address 800 West Main Street, Ste 1100		City, State, Zip Boise, ID 83702
Telephone Number 208.577.5078	Fax Number	Email Address bslaughter@A10capital.com

*See attached.*

5 Issues and Arguments
a. <b>Issues</b> – Briefly describe each issue or area of dispute that you wish us to consider. Attach additional pages if necessary.
See attached.

b. **Arguments** – Explain why each issue or area of dispute listed above should be decided in your favor. Attach additional pages if necessary. To the extent known, cite applicable rules, statutes, or cases in support of your arguments. Enclose copies of documents concerning your arguments including documents the Department previously requested from you that you have not yet provided.

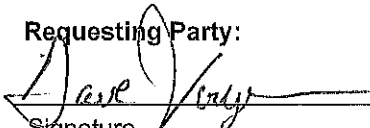
See attached.

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**6 Signature**

Either the Requesting Party or the Attorney/Representative can sign this Demand for Hearing. However, if the Representative is submitting the Demand, contact information for the Requesting Party must be provided under Section 1 above and the Attorney/Representative's contact information must be provided in Section 2.

**Requesting Party:**

  
\_\_\_\_\_  
Signature  
Office of the Insurance Commissioner

Name (please print or type)

**DAVE TOLGENSEN**  
Authorized Representative:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (please print or type)

10/12/17

\_\_\_\_\_  
Date

Insurance Enforcement Specialist

\_\_\_\_\_  
Title

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**Contact Information – Demand for Hearing Docket No. 17-0369**

*Office of the Insurance Commissioner*

Dave Jorgensen, Insurance Enforcement Specialist  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255  
T: 360.725.7063  
[DaveJ@oic.wa.gov](mailto:DaveJ@oic.wa.gov)

*A10 Capital LLC*

Jerry Dunn, President  
A10 Capital, LLC  
800 West Main Street, Ste 1100  
Boise, ID 83702  
[jdunn@A10capital.com](mailto:jdunn@A10capital.com)

Ben Slaughter  
General Counsel for A10  
800 West Main Street, Ste 1100  
Boise, ID 83702  
[bslaughter@A10capital.com](mailto:bslaughter@A10capital.com)

*REtitle Insurance Company*

Domiciliary Address:

REtitle Insurance Company  
130 W. Railroad Avenue  
Shelton, WA 98584  
[title@masoncountytile.com](mailto:title@masoncountytile.com)

Mailing Address:

David Bayley, President  
PO Box 278  
Shelton, WA 98584  
[title@masoncountytile.com](mailto:title@masoncountytile.com)

Richard Hoss  
Attorney for REtitle  
Hoss & Wilson-Hoss LLP  
236 West Birch Street  
Shelton, WA 98584  
[rhoss@hcc.net](mailto:rhoss@hcc.net)

**FILED**

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HEARINGS UNIT  
OFFICE OF  
INSURANCE COMMISSIONER

**STATE OF WASHINGTON  
OFFICE OF THE INSURANCE COMMISSIONER**

*In the Matter of*

The Form A Application for the Proposed  
Acquisition of Control of:

**REtitle Insurance Company**

By

**A10 Capital, LLC**

Docket No. 17-0369

HEARING REQUEST

**REQUEST TO SET THIS MATTER FOR HEARING**

The Insurance Commissioner's Legal Affairs Division requests the Insurance Commissioner's Hearings Unit to set this matter for hearing in accordance with RCW 48.04.010, RCW 48.31B.015, RCW 48.31B.020, and RCW 34.05.434.

**BASIS**

1. REtitle Insurance Company is an authorized insurer domiciled in Washington. A10 Capital, LLC is domiciled in Idaho, founded in 2007, and is in the business of commercial real estate lending.
2. On October 2, 2017, A10 Capital, LLC filed its Form A Statement Regarding the Acquisition of Control of or Merger with a Domestic Insurer ("Form A"). In the Form A, A10 Capital, LLC described how it proposes to acquire control of REtitle Insurance Company. The summaries of Form A and Form E are attached hereto under the October 12, 2017 letter of Ron Pastuch, also attached hereto.
3. The Insurance Commissioner will participate in this matter through his designated

HEARING REQUEST  
17-0369

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Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

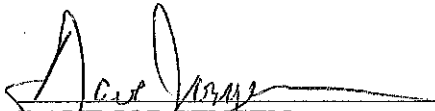
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representative, Dave Jorgensen, Insurance Enforcement Specialist, P.O. Box 40255, Olympia,  
Washington 98504-0255, davej@oic.wa.gov, (360) 725-7063.

Dated at Tumwater, Washington, this 12<sup>th</sup> day of October, 2017.



MIKE KREIDLER  
Insurance Commissioner  
By and through his designee



DAVE JORGENSEN  
Insurance Enforcement Specialist  
Legal Affairs Division

CERTIFICATE OF MAILING

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 Hearing Request on the following persons listed below in the manner shown:

<p>OIC Hearings Unit William Pardee, Presiding Officer 5000 Capitol Blvd. SE Tumwater, WA 98501</p> <p><i>Via Hand Delivery</i></p>	<p>Richard Hoss, Attorney for REtitle Hoss &amp; Wilson-Hoss LLP 236 West Birch Street Shelton, WA 98584 <a href="mailto:rhoss@hcc.net">rhoss@hcc.net</a></p> <p>Ben Slaughter, General Counsel for A10 800 West Main Street, Ste 1100 Boise, ID 83702 <a href="mailto:bslaughter@A10capital.com">bslaughter@A10capital.com</a></p> <p>David Bayley, President, Retitle Insurance PO Box 278 Shelton, WA 98584 <a href="mailto:title@masoncountyttitle.com">title@masoncountyttitle.com</a></p> <p>Jerry Dunn, President, A10 Capital, LLC 800 West Main Street, Ste 1100 Boise, ID 83702 <a href="mailto:jdunn@A10capital.com">jdunn@A10capital.com</a></p> <p><i>By depositing in the U.S. mail via state Consolidated Mail Service with proper postage affixed. Copies sent via email as well as identified above.</i></p>
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Dated this 14th day of October, 2017, at Tumwater, Washington.



DAWN KRECH  
Paralegal  
Legal Affairs Division

HEARING REQUEST  
17-0369

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OFFICE OF  
INSURANCE COMMISSIONER

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HEARINGS UNIT  
OFFICE OF  
INSURANCE COMMISSIONER

October 12, 2017

WILLIAM PARDEE, JD  
PRESIDING OFFICER  
OFFICE OF THE INSURANCE COMMISSIONER  
HEARINGS UNIT  
PO BOX 40255  
OLYMPIA, WA 98504  
5000 CAPITOL BLVD  
TUMWATER, WA 98501

RE:

- Form A Filing dated October 2, 2017 – Statement regarding the acquisition of control with a domestic insurer
- Form E Filing dated October 2, 2017 – Preacquisition Notification regarding the potential competitive impact of a proposed merger or acquisition by a nondomiciliary insurer doing business in this state or by a domestic insurer

Dear Mr. Pardee:

Please find the Form A Statement requiring the Acquisition of Control of a Domestic Insurer and associated supplementary information. The Form A Statement describes the proposed transaction between the affiliates of A10 Capital LLC and Mr. David C. Bayley. REtitle Insurance Company (REtitle) is subject to this proposed acquisition.

The proposed transaction comes at the request of A10 Capital LLC. A10 Capital LLC would wholly own and control REtitle. REtitle is a Washington domiciled title insurer.

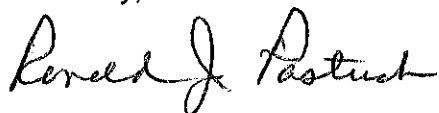
The Company Supervision division requires review of the Form A and Form E statements and their respective attachments and exhibits in order to determine if the standards set under RCW 48.31B.015(4) and RCW 48.31B.020(4) are satisfied and complies with those statutes. We estimate that our analysis and review of both Forms should take 45 to 60 days in order to ascertain our recommendation regarding these filings.

We request that the hearing requirement pursuant to RCW 48.31B.015(4)(b) and (4)(c) be suspended until we have concluded our review and provide a recommendation based on the information obtained regarding these filings.

William Pardee, JD  
October 12, 2017  
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Mr. David Jorgensen is the OIC staff attorney assigned to this case. If you have any questions, please feel free to contact me at 360-725-7211 or Mr. Jorgensen at 360-725-7063.

Yours truly,

A handwritten signature in cursive script that reads "Ronald J. Pastuch".

RONALD J. PASTUCH, CPA  
Holding Company Manager  
Company Supervision Division  
E-Mail: RonP@oic.wa.gov

Cc: Douglas A. Hartz, MBA, JD, CIR-ML Deputy Insurance Commissioner  
David Jorgensen, Esq., Staff Attorney