

STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In the Matter of:

ARMED CITIZENS' LEGAL DEFENSE
NETWORK, INC.

Appellant.

Docket Nos. 20-0257 and 20-0457

NOTICE OF HEARING

This Notice of Hearing is issued under RCW 48.04.010 and RCW 34.05.434, and follows a telephonic prehearing conference held May 13, 2020 at 9a.m. Spencer Freeman of Freeman Law Firm, Inc., appeared on behalf of Armed Citizen' Legal Defense Network, Inc. ("Appellant"). Sofia Pasarow, Insurance Enforcement Specialist appeared on behalf of the Office of the Insurance Commissioner ("OIC"). Unless noted otherwise, the parties agreed to the following:

I. HEARING DATE AND CASE SCHEDULE

A hearing has been scheduled in this matter for:

Date: November 17-19, 2020
Time: 9:00 AM, Pacific Standard Time, both days
Location: 5000 Capitol Blvd., Tumwater, WA, 98501¹
Presiding Officer: Julia Eisentrout

You must attend the hearing. If you cannot attend your hearing, please call the Hearings Unit at the Office of the Insurance Commissioner at 360-725-7002 or e-mail HearingsU@oic.wa.gov to request a continuance. **A party who fails to attend or participate in a hearing or other stage of this proceeding may be held in default, and the case may be dismissed.**

This hearing is scheduled pursuant to RCW 48.04 and RCW 34.05. The hearing procedures will be governed by RCW 48.04, RCW 34.05, WAC 10-08, and WAC 284-02-070, and relevant case law.

¹ Hearings are generally scheduled in-person at the OIC office in Tumwater, Washington. Whether the hearing can actually be held in-person, or needs to be held remotely in consideration of the health and safety of all participants, will be addressed in advance of the hearing and notice given to the parties accordingly.

Case Schedule:

Parties do not require additional time for discovery for first order (No. 20-0257)

Final day for filing and serving dispositive motion(s) (motions to dismiss or summary judgment)	AUGUST 12, 2020
Final day for filing and serving responses to any dispositive motion(s)	AUGUST 26, 2020
Final day for filing and serving replies to responses to dispositive motion(s)	SEPTEMBER 2, 2020
Discovery deadline for second order (No. 20-0457)	SEPTEMBER 9, 2020
Final day for Presiding Officer to issue decision on dispositive motion(s)	SEPTEMBER 23, 2020
Final day for filing and serving witness lists exhibit lists, and marked exhibits	OCTOBER 7, 2020
Final day for filing and serving pre-hearing briefs (<i>optional</i>)	OCTOBER 21, 2020
Hearing Date	NOVEMBER 17-19, 2020 9:00AM

II. PURPOSE OF HEARING

The issues for the hearing are as follows:

1. Whether the Armed Citizen’s Legal Defense Network, Inc. member benefits constitute insurance under the Washington State Insurance Code?
2. Whether Armed Citizen’ Legal Defense Network, Inc. has acted as an insurer and has been transacting insurance in Washington State without authorization from OIC as required?

III. PARTIES

All parties to the hearing and their representatives are listed below.

Counsel for the Appellant:

Spencer Freeman, Esq.
Freeman Law Firm, Inc.
sfreeman@freemanlawfirm.org

Counsel for the OIC:

Sofia Pasarow, Insurance Enf. Specialist
Legal Affairs Division
Office of the Insurance Commissioner
SofiaP@oic.wa.gov

IV. FILING REQUIREMENTS

1. General Requirements

All case related documents and correspondence shall be clearly labeled with the case name and docket number, and shall be addressed to the Hearings Unit at HearingsU@oic.wa.gov. The parties agreed to electronic filing and service. **Any documents filed with the Hearings Unit should have copies served on all parties.**

2. Exhibits

Exhibits should be filed electronically, if possible. Please contact HearingsU@oic.wa.gov to learn how to do so. All electronically filed exhibits should have a cover sheet for each exhibit. Please leave room in the bottom right hand corner for exhibits to be marked by the Hearings Unit. Before filing, parties shall remove personal identifiable information from all exhibits to be marked for admission at hearing, unless the information is relevant to the case. Personal identifiable information includes, but is not limited to, social security numbers, financial account numbers, and driver license numbers.

3. Witness Lists

If parties intend to have witnesses testify, then a witness list must be filed by the due date in the case schedule. Each witness list will include: (a) the expected order in which witnesses will testify; (b) a brief description of the testimony expected from each witness; and (c) an estimate of the amount of time needed for each witness' testimony. Special permission of the Presiding Officer will be required for the testimony of any witness not on the witness list. If a witness requires accommodation as outlined below, and/or requires an interpreter, please contact the Hearings Unit by June 19, 2020, so that arrangements can be made.

V. ACCOMODATION

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to a disability, or difficulty with language. Additionally, 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 and/or RCW 2.43. A Request for Accommodation form, with instructions, is attached to this Notice.

Dated: July 7, 2020



Julia Eisentrout
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 *Notice of Hearing* on the following people at their addresses listed below:

Spencer Freeman, Esq.
Freeman Law Firm, Inc.
sfreeman@freemanlawfirm.org

Sofia Pasarow, Insurance Enforcement Specialist
Legal Affairs Division
Office of the Insurance Commissioner
SofiaP@oic.wa.gov

Dated this 7th day of July, 2020, in Tumwater, Washington.

/s/ Rebekah Carter
Rebekah Carter
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 Nos. 20-0257 and 20-0457 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: _____