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FILED  
SUPERIOR COURT  
THURSTON COUNTY, WA

2022 FEB 25 AM 10:06

Linda Myhre Enlow,  
Thurston County Clerk

1  EXPEDITE  
2  No Hearing Set  
3  Hearing is Set  
4 The Honorable Indu Thomas

7 **STATE OF WASHINGTON**  
8 **THURSTON COUNTY SUPERIOR COURT**

9 In the Matter of:

Case No. 22-2-00180-34

10 NATIONAL ASSOCIATION OF  
11 MUTUAL INSURANCE  
12 COMPANIES

~~PROPOSED~~ STIPULATED ORDER  
ENTERING A TEMPORARY STAY

12 Petitioner,

13 v.

14 OFFICE OF THE INSURANCE  
15 COMMISSIONER OF THE STATE  
16 OF WASHINGTON and MIKE  
17 KREIDLER, in his official capacity as  
18 INSURANCE COMMISSIONER FOR  
19 THE STATE OF WASHINGTON

20 Respondents.

21 **I. STIPULATION**

22 Petitioner National Association of Mutual Insurance Companies (NAMIC) and  
23 Respondents Washington State Insurance Commissioner Mike Kreidler and the Washington  
24 State Office of the Insurance Commissioner (collectively "Commissioner"), in order to preserve  
25 judicial resources, and to avoid repetitive motions, hereby stipulate that a temporary stay of the  
26 effective date of the Commissioner's rule related to the Temporary Prohibition Of Use Of Credit  
History, R 2021-07, is appropriate in this case. The parties also stipulate that a temporary stay  
will allow the certified rule-making file to be submitted to the court before any substantive  
briefing addressing the merits of the petition is required to be filed. Further, the parties stipulate

[PROPOSED] STIPULATED ORDER  
ENTERING A TEMPORARY STAY

1

ATTORNEY GENERAL OF WASHINGTON  
1125 Washington Street SE  
PO Box 40100  
Olympia, WA 98504-0100  
(360) 664-9006

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1 to establishing an efficient and mutually agreeable briefing schedule on NAMIC's request for a  
2 preliminary injunction or statutory stay pursuant to RCW 34.05.550(2). However, the parties  
3 recognize that a motion to consolidate this matter with Thurston County Superior Court Case  
4 Number 22-2-00195-34 and to transfer the consolidated case is pending. Until that motion is  
5 decided, the parties cannot be certain if the Court is available on a particular date for a hearing  
6 in this matter. Therefore the parties stipulate to the entry of the following Order.

7 **II. ORDER**

8 Pursuant to the Stipulation above, it is hereby ORDERED:

9 1. The Commissioner's rule related to the Temporary Prohibition Of Use Of Credit  
10 History, R 2021-07 is hereby stayed until fifty two (52) days after the certified rule-making file  
11 is filed with the court;

12 2. The parties agree to the following briefing schedule for NAMIC's  
13 RCW 34.05.550(2) motion, which will be based on the submission of the certified rule-making  
14 file by the Office of the Insurance Commissioner:

15 a. NAMIC will note its motion for a date on or before 52 days after the Office of  
16 the Insurance Commissioner submits the certified rule-making file to the Court  
17 subject to availability on the Court's calendar;

18 b. NAMIC's motion will be due on or before three weeks after date of filing the  
19 certified rule-making file;

20 c. Commissioner's response brief will be due three weeks after NAMIC's motion;  
21 and

22 d. NAMIC's reply will be due one week after the Commissioner's response.

23 ///

24 ///

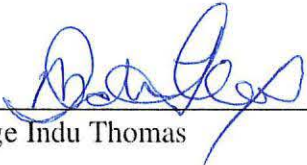
25 ///

26 [PROPOSED] STIPULATED ORDER  
ENTERING A TEMPORARY STAY  
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1 e. In the event the Court either has no availability for the hearing date to which the  
2 parties have agreed or extends the motion hearing date, or takes the motion under  
3 advisement following a hearing, this stay will automatically be extended pending  
4 the Court's decision on NAMIC's motion.

5 DATED in Olympia, Washington this 25<sup>th</sup> day of February, 2022.

6  
7   
8 \_\_\_\_\_  
9 Judge Indu Thomas


10 So stipulated this 22nd day of February, 2022:

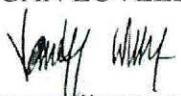
11 ROBERT W. FERGUSON  
12 Attorney General

13   
14 \_\_\_\_\_  
15 MARTA U. DELEON, WSBA #35779  
16 Assistant Attorney General  
17 Attorneys for the Washington State Office  
18 of the Insurance Commissioner

19 Telephonic Approval  
20 SIDNEY TRIBE WSBA  
21 AMERICAN #33160  
22 PROPERTY CASUALTY

23 BETTS PATTERSON MINES, P.S.

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21 HOGAN LOVELLS US LLP  
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24 VANESSA WELLS, *pro hac vice*  
25 application forthcoming  
26 Attorneys for Petitioner National  
27 Association of Mutual Insurance Companies

[PROPOSED] STIPULATED ORDER  
ENTERING A TEMPORARY STAY  
marta.deleon@atg.wa.gov

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