

STATE OF WASHINGTON

MIKE KREIDLER  
STATE INSURANCE COMMISSIONER



P.O. BOX 40255  
OLYMPIA, WA 98504-0255  
Phone: (360) 25-7000  
**FILED**

OFFICE OF  
INSURANCE COMMISSIONER

2013 MAY -1 P 12:02

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3  
4 IN THE MATTER OF:  
5 JOSEPH M. TOBEY,  
6 Licensee.

NO. 13-0014

Heatings Unit, DIC  
Patricia D. Robinson  
Chief Insurance Officer

OFFICE OF THE INSURANCE  
COMMISSIONER WITNESS LIST

7  
8 COMES NOW the Office of the Insurance Commissioner (OIC) and provides the  
9 following list of witnesses. The OIC reserves the right to call the Licensee and supplement and  
10 amend this list. The OIC anticipates all witnesses, except DJ Fain, will testify in person.

11 Witness Name Current Address Telephone No.

12 Allison Hanson OIC (360) 725-7049  
13 Investigator PO Box 40255  
Consumer Protection Division Olympia, WA 98504-0255

14 Ms. Hanson may testify concerning her investigation.

15 Barry Walden OIC (360) 725-7231  
16 Investigator PO Box 40255  
Consumer Protection Division Olympia, WA 98504-0255

Mr. Walden may testify concerning his assistance with the investigation.

17 DJ Fain Combined Insurance (847) 953-8043  
18 Field Compliance 1000 N Milwaukie Ave, 6<sup>th</sup> Floor  
& Investigations Glenview, IL 60025

19 Mr. Fain may testify concerning his investigation of Licensee.

20  
21 RESPECTFULLY SUBMITTED this 1<sup>st</sup> day of May, 2013.

22 MIKE KREIDLER  
Insurance Commissioner

23  
24 *Kate Reynolds*  
KATE REYNOLDS  
25 Staff Attorney, Legal Affairs  
Office of the Insurance Commissioner  
26



**FILED**  
P.O. BOX 40255  
OLYMPIA, WA 98504-0255  
Phone: (360)725-7000

**OFFICE OF  
INSURANCE COMMISSIONER**

MAY - 1 P 12: 02

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4 IN THE MATTER OF:

5 JOSEPH M. TOBEY,

6 Licensee.

NO. 13-0014  
Hearings Unit, DIC  
P.O. Box 40255  
Chief Hearing Officer  
**OFFICE OF THE INSURANCE  
COMMISSIONER EXHIBIT LIST**

7  
8 COMES NOW the Office of the Insurance Commissioner (OIC) and provides  
9 the following list of exhibits it may use at the hearing scheduled in this matter. The OIC  
10 reserves its right to amend its exhibit list for good cause shown.

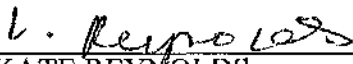
- 11 1. Combined Insurance Field Compliance Investigation and Summary Report  
12 dated November 3, 2011;
- 13 2. Combined Insurance termination letter to the OIC dated November 14, 2011;
- 14 3. Letter to Allison Hanson from Kemberli King regarding telephone calls dated  
15 March 16, 2012;
- 16 4. Audio CD: October 10, 2011 telephone call to Combined Insurance, October  
17 27, 2011 telephone call to Combined Insurance, and November 4, 2011  
18 telephone call to Jerome Haydter from DJ Fain;
- 19 5. Combined Insurance documents regarding Vicki Haydter;
- 20 6. Email to Allison Hanson from Joseph Tobey dated June 5, 2012;
- 21 7. Declaration of Jerome Haydter dated June 6, 2012;
- 22 8. Email to Allison Hanson from Angela Trombley dated May 23, 2012  
23 forwarding an email from [randy.lybbert313@gmail.com](mailto:randy.lybbert313@gmail.com);
- 24 9. Combined Insurance documents regarding Randy Lybbert;
- 25 10. OIC Memorandum of Interview for Randy Lybbert dated May 31, 2012;



- 1 11. Email to Allison Hanson from DJ Fain dated May 29, 2012 regarding Joseph  
2 Tobey's email address;
- 3 12. Email to Allison Hanson from Angela Trombley dated May 23, 2012  
4 forwarding an email from [fsfranksherlock@gmail.com](mailto:fsfranksherlock@gmail.com);
- 5 13. Combined Insurance documents regarding Frank Sherlock;
- 6 14. Email to Allison Hanson from Angela Trombley dated May 23, 2012  
7 forwarding an email from [kisharasimerman@gmail.com](mailto:kisharasimerman@gmail.com);
- 8 15. Combined Insurance documents regarding Kishara Simerman;
- 9 16. OIC Memorandum of Interview for Kishara Simerman dated May 31, 2012;
- 10 17. Email to Allison Hanson from Angela Trombley dated May 23, 2012  
11 forwarding an email from [whiting.brucewhiting.bruce@gmail.com](mailto:whiting.brucewhiting.bruce@gmail.com);
- 12 18. Combined Insurance documents regarding Bruce Whiting;
- 13 19. Declaration of Bruce Whiting dated June 13, 2012;
- 14 20. OIC Investigations Unit Audio Recorded Statement for Joseph Tobey dated  
15 June 20, 2012;
- 16 21. Audio CD: Interview of Joseph Tobey conducted by Allison Hanson;
- 17 22. Declaration of Joseph Tobey dated June 20, 2012.

18 RESPECTFULLY SUBMITTED this 1st day of May, 2013.

19  
20 MIKE KREIDLER  
Insurance Commissioner

21   
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KATE REYNOLDS  
23 Staff Attorney, Legal Affairs  
Office of the Insurance Commissioner  
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CERTIFICATE OF MAILING

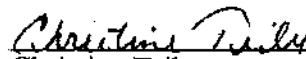
The undersigned certifies under the penalty of perjury under the laws of the State of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the State of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action,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

On the date given below I caused to be served the foregoing OFFICE OF INSURANCE COMMISSIONER WITNESS LIST AND OFFICE OF INSURANCE COMMISSIONER EXHIBIT LIST WITH ATTACHED EXHIBITS on the following individuals as indicated below:

**VIA US Mail:** Ronald Meltzer  
Sinsheimer & Meltzer, Inc., P.S.  
4780 Columbia Center  
701 Fifth Avenue  
Seattle, WA 98104

**VIA HAND DELIVERY:** Hearings Unit  
Attn: Judge Patricia Petersen  
Office of Insurance Commissioner  
5000 Capital Blvd.  
Tumwater, WA 98501

**SIGNED** this 16<sup>th</sup> day of May 2013, at Tumwater, Washington.

  
Christine Tribe