

APPENDIX 44

2017

FILED

OCT 28 2005

JoAnne McBride, Clerk, Clark Co.

IN THE SUPERIOR COURT OF WASHINGTON FOR CLARK COUNTY

In the Estate of:	)	NO. 05-4-00421-6
KEITH WALTER PLOTNER,	)	AFFIDAVIT REGARDING
Deceased.	)	CREDITOR'S CLAIMS

STATE OF WASHINGTON)
	: ss.
County of Clark)

1. I am the duly appointed Personal Representative herein and the statements made in this affidavit are based on my own personal knowledge and belief.

2. During the four-month time limitation for filing creditor's claims against the estate, which expired on October 8, 2005. I have done the following in order to ascertain the nature and extent of all indebtedness and debts the decedent had at the time of his death:

A Reviewed the decedent's correspondence, including the correspondence received after the date of death,

B. Reviewed the decedent's financial records, including but not necessarily limited to check books, bank statements, and income tax returns; and

C. Inquired of the decedent's heirs, devisees and legatees regarding claimants.

3. All persons who might possess a claim against the estate have been given notice of these proceedings and delivered a copy of the Notice to Creditors as required by law or paid in full.

OCT 30 2005

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Scott W. Swindell, Attorney at Law, P.C.

Suite 208
105 West Evergreen Boulevard
Post Office Box 264
Vancouver, Washington 98666-0264
Tel: phone (360) 693-5583

AFFIDAVIT REGARDING CREDITOR'S CLAIMS - 1
(SWS\Clients\Plotner\A\F\C\Clm)

1 4. The undersigned has exercised reasonable diligence within the meaning of RCW
2 11 40.040.

3 5. I have received the following described creditor's claims, the originals of which
4 are on file herein:

<u>Creditor</u>	<u>Amount of Claim</u>	<u>Date of Claim</u>
Rose Howell	\$ 10,500,000.00	07/22/05
Bank One	9,039.44	08/25/05
MBNA America	213.76	09/20/05

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9 To the best of my knowledge the Rose Howell claim will be satisfied by the proceeds of an
10 automobile insurance policy if it is found that the decedent is liable for any damages arising out of
11 the automobile accident to which this claim is related. The remaining claims have been satisfied
12 by me as Personal Representative out of funds held by the estate. I have not received any other
13 creditor's claims and to the best of my knowledge no other creditor's claims have been filed herein
14

15
16 Arlis J. Plotner
Arlis J. Plotner / Personal Representative

17 SIGNED AND SWORN TO before me this 27th day of
18 October, 2005, by Arlis J. Plotner

19
20 Dawn M. Peel
21 NOTARY PUBLIC
22 My Commission Expires: 8-1-08
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26

APPENDIX 45

STATE OF WASHINGTON

Phone: (360) 725-7000
www.insurance.wa.gov



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SEP 18 2008

Hearings Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

MIKE KREIDLER
STATE INSURANCE COMMISSIONER
COPIES OF MAILING
I declare under penalty of perjury
under the laws of the State of
Washington that on the date listed
below, I mailed or caused delivery
of a true copy of this document to
parties listed
DATED this *19th* day of *Sept. 2008*
at Tumwater, Washington.
Signed: *W. Galloway*

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

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Wendy Galloway
Paralegal
(360) 725-7002
Wendyg@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of the Acquisition of Control
of:

SAFECO INSURANCE COMPANY OF
AMERICA, GENERAL INSURANCE
COMPANY OF AMERICA, FIRST
NATIONAL INSURANCE COMPANY OF
AMERICA, and SAFECO SURPLUS
LINES INSURANCE COMPANY,

by

LIBERTY MUTUAL HOLDING
COMPANY, INC., LMHC
MASSACHUSETTS HOLDINGS, INC.,
LIBERTY MUTUAL GROUP, INC.,
LIBERTY MUTUAL INSURANCE
COMPANY, LIBERTY INSURANCE
HOLDINGS, INC., and LIH US P&C
CORPORATION.

No. G08-0084

FINAL ORDER APPROVING
ACQUISITION OF CONTROL

TO: Richard P. Quinlan
Liberty Mutual
Sr. Vice President & Deputy General Counsel
175 Berkeley Street
Boston, Massachusetts 02117-0140

Mailing Address: P. O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501

1 Melvin N. Sorensen, Esquire
2 Carney, Badley Spellman, PS
3 701 Fifth Avenue, Suite 3600
4 Seattle, Washington 98104-7010

5 James F. Williams, Esquire for Safeco
6 Perkins Coie LLP
7 1201 Third Avenue, Suite 4800
8 Seattle, Wa 98101-3099

9 DeAnn F. Work
10 Safeco Insurance Companies
11 Sr. Associate General Counsel
12 Safeco Plaza
13 1001 4th Avenue, Floor 27
14 Seattle, WA 98154

15 Christina Beusch, Assistant Attorney General
16 Office of the Attorney General
17 Attorney for the Insurance Commissioner's Staff
18 PO Box 40100
19 Olympia, WA 98504-0100

20 **COPY TO:** Mike Kreidler, Insurance Commissioner
21 Vernon Stoner, Chief Deputy Insurance Commissioner
22 James T. Odiorne, Deputy Commissioner, Company Supervision Div.
23 Ronald Pastuch, Holding Manager, Company Supervision Div.
24 Carol Sureau, Deputy Commissioner, Legal Affairs Division
25 Charles D. Brown, Sr. Staff Attorney, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

20 I. INTRODUCTION

21 Pursuant to Chapter 48.04 RCW, Chapter 34.05 RCW, RCW 48.31B.015, and Chapter 284-
22 18 WAC, and after notice to interested parties and persons (see notice detailed below), the
23 above-entitled matter came on regularly for hearing before the undersigned commencing at
24 10:00 a.m., on September 10, 2008, in the Office of the Insurance Commissioner, 5000
25 Capitol Boulevard, Tumwater, Washington 98501, and continued through September 11,

1 2008. All persons to be affected by the above-entitled matter were given the right to be
2 present at such hearing, during the presentation of testimony, and had reasonable opportunity
3 to inspect all documentary evidence, to examine witnesses and present oral and written
4 statements. The Office of the Insurance Commissioner Staff ("OIC Staff") was represented
5 by Christina Beusch, Assistant Attorney General, and Charles D. Brown, Sr. Staff Attorney,
6 Legal Affairs Division. Liberty Mutual Holding Company, Inc., LMHC Massachusetts
7 Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance Company, Liberty
8 Insurance Holdings, Inc., and LIH US P&C Corporation, were represented by Richard P.
9 Quinlan, Sr. Vice President & Deputy General Counsel of Liberty Mutual Group of Boston,
10 Massachusetts, and local counsel Melvin N. Sorensen, Esq. of Carney Badley Spellman P.S.,
11 Seattle, Washington. Safeco Insurance Company of America, General Insurance Company of
12 America, First National Insurance Company of America, and Safeco Surplus Lines Insurance
13 Company, were represented by DeAnn F. Work, Sr. Associate General Counsel, and James
14 F. Williams, Esquire of Perkins Coie, LLP, 1201 Third Avenue, Suite 4800, Seattle,
15 Washington.

16 **II. NATURE OF PROCEEDING**

17 On May 16, 2008, the Applicants, by and through their counsel, Richard P. Quinlan
18 and Melvin N. Sorenson, filed a Form A Statement Regarding the Proposed Acquisition of
19 Control of or Merger with a Domestic Insurer with the Washington State Insurance
20 Commissioner ("Commissioner"), which is the preacquisition notification and application for
21 approval of this proposed acquisition, asking for the Commissioner's approval of its
22 proposed acquisition of control of Safeco Insurance Company of America, General Insurance
23 Company of America, First National Insurance Company of America, and Safeco Surplus
24 Lines Insurance Company, all Washington domiciled insurers. On August 5, 2008,
25 Applicants filed an Amended Form A (original Form A and Amended Form A together
referred to as "Form A"). As part of the overall transaction, the Applicants also propose to
acquire control of Barrier Ridge LLC of Delaware, Safeco Insurance Company of Illinois
including its subsidiary Insurance Company of Illinois,, American Economy Insurance

1 Company of Indiana including its subsidiary American States Insurance Company of Texas,
2 American State Insurance Company of Indiana, American State Preferred Insurance
3 Company of Indiana, Safeco National Insurance Company of Missouri, Safeco Properties,
4 Inc. of Washington including its subsidiaries, Open Seas Solutions, Inc. of Washington
5 including its subsidiary and General America Corporation of Washington including its
6 subsidiaries. The portion of the proposed transaction that involves acquisition of the
7 Delaware, Illinois, Indiana, Missouri and Texas corporations is subject to the jurisdiction of
8 those domiciliary states and is therefore not the subject of the proceeding herein although the
9 approval of those states is largely contingent upon approval of this state.

10 The Applicants propose to acquire Safeco Corporation, the domestic insurers, and all
11 other subsidiaries of Safeco Corporation for the purchase price of approximately \$6.2 billion
12 cash.

13 On August 5, 2008, the Commissioner designated the undersigned to conduct the
14 proceeding and make the final decision in this matter, with no input from the Commissioner
15 or members of his staff involved in this case. Should this proposed acquisition be approved,
16 Safeco Corporation, including all of its subsidiaries, would become an indirect wholly-owned
17 subsidiary of Liberty Mutual Holding Company Inc., which is the ultimate parent
18 corporation, and a direct wholly-owned subsidiary of LIH US P&C Corporation, resulting in
19 a change of control of Safeco Corporation and all of its subsidiaries. Further, should this
20 proposed acquisition be approved, Safeco Corporation would cease to be a publicly traded
21 stock corporation and become a privately held corporate subsidiary of Liberty Mutual Group,
22 a privately held corporation.

23 RCW 48.31B.015, part of the Washington Insurer Holding Company Act, requires
24 that the Commissioner hold a hearing to examine the evidence and determine whether the
25 proposed acquisition of control of these Washington domestic insurance companies satisfies
the applicable statutory criteria and should be approved. The requested effective date of the
proposed acquisition of control is as soon as possible after the entry of the Final Order
herein.

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III. FINDINGS OF FACT

Having considered the written and oral evidence presented at the hearing, and the documents filed herein, including the Form A Statement Regarding the Merger and Acquisition of Control of a Domestic Insurer filed with the Commissioner May 16, 2008, the Amended Form A Statement Regarding the Merger and Acquisition of Control of a Domestic Insurer filed August 5, 2008, the exhibits to the Form A and the Amended Form A, and the entire hearing file, the undersigned finds as follows:

1. The Commissioner has duly and properly appointed the undersigned to conduct the adjudicative proceeding in this matter and to make the final decision herein. The hearing was duly and properly convened and all substantive and procedural requirements under the laws of the state of Washington have been satisfied.

2. The entities being proposed to be acquired, insofar as this proceeding is concerned, are Safeco Insurance Company of America, General Insurance Company of America, First National Insurance Company of America, and Safeco Surplus Lines Insurance Company (together, "Domestic Insurers"). They are all active domestic Washington insurers, holding Washington Certificates of Authority Nos. 621, 446, 440, and 1538, respectively. They are all wholly owned subsidiaries of Safeco Corporation, a Washington insurance holding corporation. [Ex. 1, Form A, Organizational and Entity Chart 3.]

3. The Applicants are Liberty Mutual Holding Company Inc. ("LMHC"), a Massachusetts mutual holding company and the ultimate parent corporation of the affiliated Liberty Mutual Group of companies; LMHC Massachusetts Holdings Inc. ("LMHC MA"), a Massachusetts corporation and a direct wholly-owned subsidiary of LMHC; Liberty Mutual Group Inc. ("LMGI," a Massachusetts corporation and a direct wholly-owned subsidiary of LMHC MA; and Liberty Mutual Insurance Company ("LMIC"), a Massachusetts stock insurance company and a direct wholly-owned subsidiary of LMGI; Liberty Insurance Holdings, Inc. ("LIHI"), a Delaware corporation and a direct wholly-owned subsidiary of LMIC; and LIH US P&C Corporation (LIH US), a Delaware corporation and a direct wholly-owned subsidiary of LIHI (together, the "Applicants"). [Ex. 1, Form A, Organizational Charts 1, 2, 3.] LMHC currently has 50 subsidiaries, and in 2007 was the

1 sixth largest property and casualty insurance entity in the United States and held 94th place
2 among Fortune 500 companies. [Testimony of Fallon.]

3 4. The Applicants propose to pay the \$6.2 billion purchase price for the Safeco
4 organization and all of its subsidiaries cash on hand throughout the Liberty Mutual
5 Organization. Briefly, LMIC is purchasing \$5.545 billion of LIHI stock, Employers
6 Insurance Company of Wausau is contributing \$350 million, and Liberty Mutual Fire
7 Insurance Company is contributing \$250 million. [Ex. 1.]

8 5. If this proposed acquisition of control is approved, the result will be that Safeco
9 Corporation, the Washington domestic insurers, and all other Safeco affiliates will be wholly
10 owned by LIH US. [Ex. 1, Form A; Testimony of Fallon; Testimony of Quinlan.] Safeco
11 Insurance Company of America, General Insurance Company of America, First National
12 Insurance Company of America, and Safeco Surplus Lines Insurance Company will remain
13 active Washington domiciled insurance companies and will continue to be subject to the
14 jurisdiction of the Commissioner. [Ex. 1, Form A; Testimony of Fallon; Testimony of
15 Quinlan; Testimony of Michael Hughes.]

16 6. Safeco Insurance Company of America, General Insurance Company of America,
17 First National Insurance Company of America, and Safeco Surplus Lines Insurance
18 Company have agreed to be acquired by Applicants. [Ex. 1, Form A; Testimony of Michael
19 Hughes.]

20 7. On May 16, 2008, the Applicants filed their Form A with the Commissioner. Said
21 Form A was filed over 60 days prior to the proposed effective date of the proposed
22 acquisition. Said Form A was amended by filing on August 5, 2008. In response to orders of
23 the undersigned entered subsequently, Applicants furnished further material information
24 necessary to review this matter on August 29, 2008 and September 3, 2008; additionally, on
25 August 29, 2008, furnished further material information necessary to review this matter. All
of this additional information is also included in the hearing file. Said Form A, with stated
supplemental information, includes substantial information and agreements concerning this
proposed acquisition as required, including a copy of their Agreement and Plan of Merger
Dated as of April 23, 2008 Among Liberty Mutual Insurance Company, Big Apple Merger

1 Corporation and Safeco Corporation. The Applicants request that approval of this
2 transaction be granted as soon as possible, and request that the effective date of this proposed
3 acquisition of control or merger is as soon as possible after the entry of the Order herein, if
4 approval is granted. [Ex. 1, Form A.]

5 **A. Safeco Insurance Company of America**

6 8. After the proposed acquisition of control, Safeco Insurance Company of America
7 will continue to be able to satisfy the requirements for the issuance of a license to write the
8 line or lines of insurance for which the company is presently licensed. [Ex. 1; Testimony of
9 Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

10 9. The effect of this proposed acquisition of control of Safeco Insurance Company of
11 America would not be substantially to lessen competition in insurance in this state or to
12 create a monopoly therein. [Ex. 1; Testimony of Fallon; Testimony of Quinlan; Testimony of
13 Pastuch; Testimony of Cantilo.]

14 10. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
15 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
16 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
17 might, after completion of the proposed acquisition, jeopardize the financial stability of
18 Safeco Insurance Company of America or prejudice the interests of Safeco Insurance
19 Company of America policyholders. [Ex. 1; Testimony of Rudmose; Testimony of Noller;
20 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

21 11. After completion of this proposed acquisition, there are no plans to liquidate Safeco
22 Insurance Company of America, sell its assets, consolidate or merge it with any person, or
23 make any other material change in its business or corporate structures or management which
24 are unfair and unreasonable to policyholders of the insurer or not in the public interest. [Ex.
25 1; Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]
Applicants intend to retain the Safeco name, and intend to retain the corporate headquarters
of the Domestic Insurers in Seattle. [Testimony of Fallon; Ex. 1, Agreement and Plan of
Merger.]

1 12. It cannot be found that the competence, experience, and integrity of those persons
2 who would control the operation of Safeco Insurance Company of America after the
3 proposed acquisition are such that it would not be in the interest of the insurer's
4 policyholders and of the public to permit the acquisition of control. [Ex. 1; Testimony of
5 Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

6 13. It is not likely that this proposed acquisition of Safeco Insurance Company of
7 America is hazardous or prejudicial to the insurance-buying public. [Ex. 1; Testimony of
8 Rudmose; Testimony of Noller; Testimony of Fallon; Testimony of Quinlan; Testimony of
9 Pastuch; Testimony of Cantilo.]

10 **B. General Insurance Company of America**

11 14. After the proposed acquisition of control, General Insurance Company of America
12 will continue to be able to satisfy the requirements for the issuance of a license to write the
13 line or lines of insurance for which the company is presently licensed. [Ex. 1; Testimony of
14 Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

15 15. The effect of this proposed acquisition of control of General Insurance Company of
16 America would not be substantially to lessen competition in insurance in this state or to
17 create a monopoly therein. [Ex. 1; Testimony of Noller; Testimony of Fallon; Testimony of
18 Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

19 16. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
20 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
21 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
22 might, after completion of the proposed acquisition, jeopardize the financial stability of
23 General Insurance Company of America or prejudice the interests of General Insurance
24 Company of America policyholders. [Ex. 1; Testimony of Rudmose; Testimony of Noller;
25 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

17. After completion of this proposed acquisition, there are no plans to liquidate General
Insurance Company of America, sell its assets, consolidate or merge it with any person, or
make any other material change in its business or corporate structures or management which
are unfair and unreasonable to policyholders of the insurer or not in the public interest. [Ex.

1; Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]
Applicants intend to retain the Safeco name, and intend to retain the corporate headquarters
of the Domestic Insurers in Seattle. [Testimony of Fallon; Ex. 1, Agreement and Plan of
Merger.]

18. It cannot be found that the competence, experience, and integrity of those persons
who would control the operation of General Insurance Company of America after the
proposed acquisition are such that it would not be in the interest of the insurer's
policyholders and of the public to permit the acquisition of control. [Ex. 1; Testimony of
Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

19. It is not likely that this proposed acquisition of General Insurance Company of
America is hazardous or prejudicial to the insurance-buying public. [Ex. 1; Testimony of
Rudmose; Testimony of Noller; Testimony of Fallon; Testimony of Quinlan; Testimony of
Pastuch; Testimony of Cantilo.]

C. First National Insurance Company of America

20. After the proposed acquisition of control, First National Insurance Company of
America will continue to be able to satisfy the requirements for the issuance of a license to
write the line or lines of insurance for which the company is presently licensed. [Ex. 1;
Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

21. The effect of this proposed acquisition of control of First National Insurance
Company of America would not be substantially to lessen competition in insurance in this
state or to create a monopoly therein. [Ex. 1; Testimony of Noller; Testimony of Testimony
of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

22. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
might, after completion of the proposed acquisition, jeopardize the financial stability of First
National Insurance Company of America or prejudice the interests of First National
Insurance Company of America policyholders. [Ex. 1; Testimony of Rudmose; Testimony of

1 Noller; Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of
2 Cantilo.]

3 23. After completion of this proposed acquisition, there are no plans to liquidate First
4 National Insurance Company of America, sell its assets, consolidate or merge it with any
5 person, or make any other material change in its business or corporate structures or
6 management which are unfair and unreasonable to policyholders of the insurer or not in the
7 public interest. [Ex. 1; Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch;
8 Testimony of Cantilo.] Applicants intend to retain the Safeco name, and intend to retain the
9 corporate headquarters of the Domestic Insurers in Seattle. [Testimony of Fallon; Ex. 1,
10 Agreement and Plan of Merger.]

11 24. It cannot be found that the competence, experience, and integrity of those persons
12 who would control the operation of First National Insurance Company of America after the
13 proposed acquisition are such that it would not be in the interest of the insurer's
14 policyholders and of the public to permit the acquisition of control. [Ex. 1; Testimony of
15 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

16 25. It is not likely that this proposed acquisition of First National Insurance Company of
17 America is hazardous or prejudicial to the insurance-buying public. [Ex. 1; Testimony of
18 Rudmose; Testimony of Noller; Testimony of Fallon; Testimony of Quinlan; Testimony of
19 Pastuch; Testimony of Cantilo.]

20 **D. Safeco Surplus Lines Insurance Company**

21 26. After the proposed acquisition of control, Safeco Surplus Lines Insurance Company
22 will continue to be able to satisfy the requirements for the issuance of a license to write the
23 line or lines of insurance for which the company is presently licensed. [Ex. 1; Testimony of
24 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

25 27. The effect of this proposed acquisition of control of Safeco Surplus Lines Insurance
Company would not be substantially to lessen competition in insurance in this state or to
create a monopoly therein. [Ex. 1; Testimony of Noller; Testimony of Fallon; Testimony of
Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

1 28. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
2 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
3 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
4 might, after completion of the proposed acquisition, jeopardize the financial stability of
5 Safeco Surplus Lines Insurance Company or prejudice the interests of Safeco Surplus Lines
6 Insurance Company policyholders. [Ex. 1; Testimony of Rudmose; Testimony of Noller;
7 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

8 29. After completion of this proposed acquisition, there are no plans to liquidate Safeco
9 Surplus Lines Insurance Company, sell its assets, consolidate or merge it with any person, or
10 make any other material change in its business or corporate structures or management which
11 are unfair and unreasonable to policyholders of the insurer or not in the public interest. [Ex.
12 1; Testimony of Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch;
13 Testimony of Cantilo.] Applicants intend to retain the Safeco name, and intend to retain the
14 corporate headquarters of the Domestic Insurers in Seattle. [Testimony of Fallon; Ex. 1,
15 Agreement and Plan of Merger.]

16 30. It cannot be found that the competence, experience, and integrity of those persons
17 who would control the operation of Safeco Surplus Lines Insurance Company after the
18 proposed acquisition are such that it would not be in the interest of the insurer's
19 policyholders and of the public to permit the acquisition of control. [Ex. 1; Testimony of
20 Testimony of Fallon; Testimony of Quinlan; Testimony of Pastuch; Testimony of Cantilo.]

21 31. It is not likely that this proposed acquisition of Safeco Surplus Lines Insurance
22 Company is hazardous or prejudicial to the insurance-buying public. [Ex. 1; Testimony of
23 Rudmose; Testimony of Noller; Testimony of Fallon; Testimony of Quinlan; Testimony of
24 Pastuch.]

25 **E. Notice to Public and Objections**

32. The Notice of Hearing, which contains information concerning this proposed
acquisition and the public hearing thereon, was published in its entirety on the Washington
State Insurance Commissioner's website on August 26, 2008 and continuously from that time

1 until at least the date of the hearing herein. This notice constitutes reasonable and adequate
2 notice to interested parties.

3 33. As indicated in the subject Notice of Hearing, all interested parties were given the
4 opportunity to submit any comments on, or objections to, this proposed acquisition to the
5 undersigned until 9:30 a.m. Pacific Standard Time on Wednesday, September 10, 2008 by
6 fax, U.S. Mail, personal delivery, or e-mail. All interested parties were also advised in said
7 Notice of Hearing that they would be given the opportunity to present evidence at hearing
8 and to examine and cross-examine witnesses and offer oral and written arguments, and in
9 connection therewith to conduct discovery proceedings. One significant complaint/objection
10 was filed on May 1, 2008, by the Greenlining Institute, a non-partisan advocacy organization
11 composed of a multi-ethnic coalition of 38 organizations throughout California representing
12 California's 22 million minorities. This complaint/objection is to be treated as set forth in the
13 Final Order below. No other reasonable objection to the proposed acquisition of Safeco
14 Insurance Company of America, General Insurance Company of America, First National
15 Insurance Company of America, and Safeco Surplus Lines Insurance Company exists.

16 34. Witnesses appearing on behalf of the OIC Staff were Ronald J. Pastuch, Holding
17 Company Manager, of the OIC's Company Supervision Division. Mr. Pastuch presented his
18 testimony in a detailed and credible manner with no apparent biases.

19 35. Mr. Dana Rudmose, CPA, CIE, and AIR and Mr. Mark Noller, CPA, CIE, AIRC of
20 Rudmose & Noller Advisors, LLC, were CPA consultants to the OIC for this matter,
21 appeared representing the OIC Staff. These individuals presented their testimony on a
22 detailed and credible manner with no apparent biases.

23 36. Patrick Cantilo, Esq. of Cantilo & Bennett, LLP, consultants to the OIC Staff for this
24 matter, appeared as a witness for the OIC Staff. Mr. Cantilo presented his testimony in a
25 somewhat detailed matter although he lacked some credibility. This was because 1) in
evaluating his demeanor, he tended to look at counsel and officers of Applicants as if for
approval following his statements; 2) his oral testimony was somewhat superficial; 3)
regarding his treatment of the aforereferenced apparently significant letter from the
Greenlining Institute, Mr. Cantilo testified that he had received the complaint/objection from

1 the Commissioner with instructions to investigate the complaint/objection, and that he so
2 investigated the complaint/objection and concluded that it had no merit; however, upon
3 questioning he admitted that he had made no attempt to contact Greenlining Institute and had
4 no input of any kind from that institution, and further that the Applicants' activities in
5 California have dubious bearing on their activities in Washington.; and 4) because for
6 significant portions of the hearing on both days the witness was inattentive, even though he
7 was subject to recall as a witness at any time, and was in fact recalled. These activities lend
8 themselves to a judgment that this witness lacks a certain amount of credibility.

9 37. Michael J. Fallon, Senior Vice President of Liberty Mutual Insurance Company and
10 Mr. Richard P. Quinlan, Senior Vice President and Deputy General Counsel of Liberty
11 Mutual Insurance Company, testified on behalf of the Applicants. Mr. Fallon and Mr.
12 Quinlan presented their testimony in a detailed and credible manner.

13 38. The witness appearing on behalf of Safeco Insurance Companies was Mr. Michael
14 Hughes, Executive Vice President for Insurance Operations for Safeco Corporation. Mr.
15 Hughes presented his testimony in a detailed and credible manner and exhibited no apparent
16 biases.

17 **IV. CONCLUSIONS OF LAW**

18 The undersigned designee of the Insurance Commissioner, having made the above
19 Findings of Fact, hereby makes the following Conclusions of Law:

20 1. Pursuant to Chapter 48.31B RCW, the Insurance Commissioner has jurisdiction over
21 the plan of acquisition and change of control of Safeco Insurance Company of America,
22 General Insurance Company of America, First National Insurance Company of America, and
23 Safeco Surplus Lines Insurance Company.

24 2. On May 16, 2008, the Applicants filed the preacquisition notification, Form A, also
25 dated May 16, 2008, which is a sufficient period before the requested effective date of this
proposed acquisition, as required by RCW 48.31B.015(1) and such preacquisition
notification, Form A, contains the information required by RCW 48.31B.015(2). This filing,
together with Amended Form A filed August 5, 2008, is determined to be complete.

F. Safeco Insurance Company of America

1 3. After the proposed acquisition of control, Safeco Insurance Company of America
2 will continue to be able to satisfy the requirements for the issuance of a license to write the
3 line or lines of insurance for which the company is presently licensed as contemplated by
RCW 48.31B.015(4)(a)(i).

4 4. The effect of this proposed acquisition of control of Safeco Insurance Company of
5 America would not be substantially to lessen competition in insurance in this state or to
6 create a monopoly therein as contemplated by RCW 48.31B.015(4)(a)(ii).

7 5. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
8 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
9 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
10 might, after completion of the proposed acquisition, jeopardize the financial stability of
11 Safeco Insurance Company of America or prejudice the interests of Safeco Insurance
Company of America policyholders as contemplated by RCW 48.31B.015(4)(a)(iii).

12 6. After completion of this proposed acquisition, there are no plans to liquidate Safeco
13 Insurance Company of America, sell its assets, consolidate or merge it with any person, or
14 make any other material change in its business or corporate structures or management which
15 are unfair and unreasonable to policyholders of the insurer or not in the public interest as
contemplated by RCW 48.31B.015(4)(a)(iv).

16 7. It cannot be found that the competence, experience, and integrity of those persons
17 who would control the operation of Safeco Insurance Company of America after the
18 proposed acquisition are such that it would not be in the interest of the insurer's
19 policyholders and of the public to permit the acquisition of control as contemplated by RCW
20 48.31B.015(4)(a)(v).

21 8. It is not likely that this proposed acquisition of Safeco Insurance Company of
22 America is hazardous or prejudicial to the insurance-buying public as contemplated by RCW
48.31B.015(4)(a)(vi).

23 9. The application of Liberty Mutual Holding Company, Inc., LMHC Massachusetts
24 Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance Company, Liberty
25

1 Insurance Holdings, Inc., and LIH US P&C Corporation for approval of their proposed
2 acquisition of control of Safeco Insurance Company of America should be approved.

3 **G. General Insurance Company of America**

4 10. After the proposed acquisition of control, General Insurance Company of America
5 will continue to be able to satisfy the requirements for the issuance of a license to write the
6 line or lines of insurance for which the company is presently licensed as contemplated by
7 RCW 48.31B.015(4)(a)(i).

8 11. The effect of this proposed acquisition of control of General Insurance Company of
9 America would not be substantially to lessen competition in insurance in this state or to
10 create a monopoly therein as contemplated by RCW 48.31B.015(4)(a)(ii).

11 12. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
12 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
13 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
14 might, after completion of the proposed acquisition, jeopardize the financial stability of
15 General Insurance Company of America or prejudice the interests of General Insurance
16 Company of America policyholders as contemplated by RCW 48.31B.015(4)(a)(iii).

17 13. After completion of this proposed acquisition, there are no plans to liquidate General
18 Insurance Company of America, sell its assets, consolidate or merge it with any person, or
19 make any other material change in its business or corporate structures or management which
20 are unfair and unreasonable to policyholders of the insurer or not in the public interest as
21 contemplated by RCW 48.31B.015(4)(a)(iv).

22 14. It cannot be found that the competence, experience, and integrity of those persons
23 who would control the operation of General Insurance Company of America after the
24 proposed acquisition are such that it would not be in the interest of the insurer's
25 policyholders and of the public to permit the acquisition of control as contemplated by RCW
48.31B.015(4)(a)(v).

15. It is not likely that this proposed acquisition of General Insurance Company of
America is hazardous or prejudicial to the insurance-buying public as contemplated by RCW
48.31B.015(4)(a)(vi).

1 16. The application of Liberty Mutual Holding Company, Inc., LMHC Massachusetts
2 Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance Company, Liberty
3 Insurance Holdings, Inc., and LIH US P&C Corporation for approval of their proposed
4 acquisition of control of General Insurance Company of America should be approved.

5 **H. First National Insurance Company of America**

6 17. After the proposed acquisition of control, First National Insurance Company of
7 America will continue to be able to satisfy the requirements for the issuance of a license to
8 write the line or lines of insurance for which the company is presently licensed as
9 contemplated by RCW 48.31B.015(4)(a)(i).

10 18. The effect of this proposed acquisition of control of First National Insurance
11 Company of America would not be substantially to lessen competition in insurance in this
12 state or to create a monopoly therein as contemplated by RCW 48.31B.015(4)(a)(ii).

13 19. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
14 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
15 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
16 might, after completion of the proposed acquisition, jeopardize the financial stability of First
17 National Insurance Company of America or prejudice the interests of First National
18 Insurance Company of America policyholders as contemplated by RCW
19 48.31B.015(4)(a)(iii).

20 20. After completion of this proposed acquisition, there are no plans to liquidate First
21 National Insurance Company of America, sell its assets, consolidate or merge it with any
22 person, or make any other material change in its business or corporate structures or
23 management which are unfair and unreasonable to policyholders of the insurer or not in the
24 public interest as contemplated by RCW 48.31B.015(4)(a)(iv).

25 21. It cannot be found that the competence, experience, and integrity of those persons
who would control the operation of First National Insurance Company of America after the
proposed acquisition are such that it would not be in the interest of the insurer's
policyholders and of the public to permit the acquisition of control as contemplated by RCW
48.31B.015(4)(a)(v).

1 22. It is not likely that this proposed acquisition of First National Insurance Company of
2 America is hazardous or prejudicial to the insurance-buying public as contemplated by RCW
3 48.31B.015(4)(a)(vi).

4 23. The application of Liberty Mutual Holding Company, Inc., LMHC Massachusetts
5 Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance Company, Liberty
6 Insurance Holdings, Inc., and LIH US P&C Corporation for approval of their proposed
7 acquisition of control of First National Insurance Company of America should be approved.

8 I. Safeco Surplus Lines Insurance Company

9 24. After the proposed acquisition of control, Safeco Surplus Lines Insurance Company
10 will continue to be able to satisfy the requirements for the issuance of a license to write the
11 line or lines of insurance for which the company is presently licensed as contemplated by
12 RCW 48.31B.015(4)(a)(i).

13 25. The effect of this proposed acquisition of control of Safeco Surplus Lines Insurance
14 Company would not be substantially to lessen competition in insurance in this state or to
15 create a monopoly therein as contemplated by RCW 48.31B.015(4)(a)(ii).

16 26. The financial condition of Liberty Mutual Holding Company, Inc., LMHC
17 Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty Mutual Insurance
18 Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation is not such as
19 might, after completion of the proposed acquisition, jeopardize the financial stability of
20 Safeco Surplus Lines Insurance Company or prejudice the interests of Safeco Surplus Lines
21 Insurance Company policyholders as contemplated by RCW 48.31B.015(4)(a)(iii).

22 27. After completion of this proposed acquisition, there are no plans to liquidate Safeco
23 Surplus Lines Insurance Company, sell its assets, consolidate or merge it with any person, or
24 make any other material change in its business or corporate structures or management which
25 are unfair and unreasonable to policyholders of the insurer or not in the public interest as
contemplated by RCW 48.31B.015(4)(a)(iv).

28. It cannot be found that the competence, experience, and integrity of those persons
who would control the operation of Safeco Surplus Lines Insurance Company after the
proposed acquisition are such that it would not be in the interest of the insurer's

1 policyholders and of the public to permit the acquisition of control as contemplated by RCW
2 48.31B.015(4)(a)(v).

3 29. It is not likely that this proposed acquisition of Safeco Surplus Lines Insurance
4 Company is hazardous or prejudicial to the insurance-buying public as contemplated by
5 RCW 48.31B.015(4)(a)(vi).

6 30. The provisions of the Insurance Code of the State of Washington, Chapter 48.31B
7 RCW, and specifically RCW 48.31B.015 governing the approval of acquisitions, have been
8 met. Pursuant to Chapter 48.31B RCW, and specifically RCW 48.31B.015, the application
9 of Liberty Mutual Holding Company, Inc., LMHC Massachusetts Holdings, Inc., Liberty
10 Mutual Group, Inc., Liberty Mutual Insurance Company, Liberty Insurance Holdings, Inc.,
11 and LIH US P&C Corporation for approval of their proposed acquisition of control of Safeco
12 Corporation, Safeco Insurance Company of America, General Insurance Company of
13 America, First National Insurance Company of America and Safeco Surplus Lines Insurance
14 Company, herein LIH US P&C Corporation will become the sole shareholder of these
15 entities, should be approved subject to the conditions set forth in the Final Order below.

16 V. FINAL ORDER

17 Based on the Findings of Fact and Conclusions of Law, to the effect that the statutory
18 criteria for approval of this proposed acquisition have been met, and to the effect that the
19 approval of this proposed acquisition should be granted,

20 **IT IS HEREBY ORDERED** that the application of Liberty Mutual Holding
21 Company, Inc., LMHC Massachusetts Holdings, Inc., Liberty Mutual Group, Inc., Liberty
22 Mutual Insurance Company, Liberty Insurance Holdings, Inc., and LIH US P&C Corporation
23 for approval of their proposed acquisition of control of Safeco Insurance Company of
24 America, General Insurance Company of America, First National Insurance Company of
25 America, and Safeco Surplus Lines Insurance Company, wherein these Domestic Insurers
will become the direct wholly-owned subsidiaries of LIH US P&C Corporation along with
Safeco Corporation and all of its subsidiaries, is hereby approved subject to the conditions
contained in this Final Order. Closing of this transaction may be effectuated at any time.

1 **IT IS FURTHER ORDERED,**

2 1. Within 120 days after closing the transaction which is the subject of this proceeding,
3 and updated quarterly thereafter, for a period of 24 months commencing on the date for filing
4 the next quarterly financial statement, Liberty Mutual Group Inc. and its affiliates and Safeco
5 Corporation and its affiliates shall provide a plan for Safeco Insurance Company of America,
6 General Insurance Company of America, First National Insurance Company of America, and
7 Safeco Surplus Lines Insurance Company and Liberty Mutual's Agency Markets SBU sales
8 and marketing plans by line of business/product and specific future plans (including
9 territorial or geographic expansions or regionalizations) to include the following business
10 areas, but not limited to: rates, product design, facilities, reinsurance, business unit structure,
11 market conduct oversight, etc. These plans shall also include a response to the concerns
12 raised in the abovereferenced Greenlining Institute complaint regarding market practices
13 filed with the Insurance Commissioner on May 1, 2008, and a plan how to assure that the
14 activities described therein will not occur in Washington. Additionally, these plans shall
15 include estimated time frames and any methodologies for measuring and monitoring actual
16 results against the strategic plan. In addition the plan should include forecasted statutory
17 statements of income, balance sheets, changes in surplus and cash flows for Safeco Insurance
18 Company of America, General Insurance Company of America, First National Insurance
19 Company of America, and Safeco Surplus Lines Insurance Company for the next two years
20 with detailed assumptions compared to 2008 actual results. These forecasted financial
21 statements will allow the Insurance Commissioner to more fully understand and monitor all
22 operations of Safeco Insurance Company of America, General Insurance Company of
23 America, First National Insurance Company of America, and Safeco Surplus Lines Insurance
24 Company. Assumptions should address the following:

- 25
- Revenue projections;
 - Line of business/product mix;
 - Distribution channels/commission expense;
 - Claims and claims adjustment costs;
 - Administrative costs, including any cost reductions; and
 - Investment returns.

1 Information under requirement No. 1 shall be filed with the Financial Analysis section of the
2 OIC's Company Supervision Division. In addition, upon request of the Insurance
3 Commissioner, the Liberty Mutual group shall promptly furnish any information further
4 required at any time, and the Insurance Commissioner may increase the frequency of the
periodic reports as he deems necessary.

5 2. Within 120 days after closing of the transaction considered herein, and quarterly
6 thereafter for a period of 24 months commencing on the date for filing the next quarterly
7 financial statement, Liberty Mutual and Safeco shall provide a detailed status report and
8 timeline regarding management's efforts to integrate or merge the operations of Safeco
9 Insurance Company of America, General Insurance Company of America, First National
10 Insurance Company of America, and Safeco Surplus Lines Insurance Company and other
11 Safeco subsidiaries into those of Liberty Mutual's Agency Markets SBU including a
summary of efforts completed and planned regarding the following:

12 • Integration efforts that will impact the Domestic Insurers' and Liberty
13 Mutual's benchmarks for measuring performance and actual results against those
14 benchmarks in the areas of agent retention, claims handling, complaint handling,
staffing levels and call center activities. The summary should include assumptions
supporting these benchmarks;

15 • Integration efforts regarding the Domestic Insurers' and Liberty Mutual's
16 information and systems technology platforms and safeguards which management
17 has or will implement to ensure that timely, accurate and complete information meets
18 regulatory needs and will be available to serve policyholders, claimants, consumers,
agents and management;

19 • Integration efforts that will impact the agency force including any reductions
20 of agency force or consolidation of the Domestic Insurer's and Liberty Mutual's back
office operations which serve the agency force;

21 • Integration efforts that will impact the Domestic Insurers' Washington State
22 operation including any changes in office location and workforce with specific
23 estimates of the number of workforce reductions, and efforts to transitions those
affected as they seek new employment.

24 Information under requirement No. 2 shall be filed with the Market Conduct Oversight
25 section of the OIC's Company Supervision Division. In addition, upon request of the

1 Insurance Commissioner, the Liberty Mutual group shall promptly furnish any information
2 further required at any time, and the Insurance Commissioner may increase the frequency of
3 the period periodic reports as he deems necessary.

4 3. Within 120 days after closing the transaction considered herein, for a period of 24
5 months commencing on the date for filing the next quarterly financial statement, the Agency
6 Markets SBU shall provide its latest market conduct annual statement information for the
7 State of Washington according to the NAIC instructions. The information should be provided
8 in electronic format such as Access database, Excel worksheets, or CSV format and annually
as required by the NAIC handbook:

- 9 • Market Conduct Annual Statement for Personal Lines business;
- 10 • Market Conduct Annual Statement for Homeowners business.

11 Annually, in the same format used to report the Personal Lines and Homeowners business,
12 the companies shall submit data on the following lines of business:

- 13 • Commercial Property;
- 14 • Liability; and
- 15 • Commercial Automobile.

16 Annually, the companies shall submit the following data on the Surety line of business:

- 17 • Number of claims closed to claims opened during the reporting period;
- 18 • Number of policies nonrenewed to the number of policies in force during the
reporting period;
- 19 • Number of policies cancelled to the number of policies in force during the
reporting period; and
- 20 • Number of policies cancelled within the first 60 days to new policies issued
during the reporting period.

21 Quarterly, the companies shall submit the following data:

- 22 • Policy counts by company and line of business in the following format:
- 23 • Number of policies in force at the beginning of the quarter;
- 24 • Number of new policies issued during the quarter;
- 25 • Number of policies terminated or non-renewed for any reason during the
quarter; and
- Number of policies in force at the end of the quarter.
- Complaint logs by company;
- Aged claims report by company and line of business;

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- Staffing reports by company.

Information under requirement No. 3 shall be filed with the Market Conduct Oversight herein. Additionally, upon request of the Insurance Commissioner, the Liberty Mutual group shall promptly furnish any additional information the Insurance Commissioner deems necessary at any time, and the Insurance Commissioner may increase the frequency of the period periodic reports as he deems necessary.

4. For a period of 24 months commencing on the date of closing of the transaction at issue herein, neither ordinary nor extraordinary dividends shall be declared by Safeco Insurance Company of America, General Insurance Company of America, First National Insurance Company of America, or Safeco Surplus Lines Insurance Company without prior approval of the Insurance Commissioner.

5. Liberty Mutual Group Inc. and its subsidiaries, and Safeco Corporation and its subsidiaries shall be available to meet with the Insurance Commissioner and his staff promptly regarding the information included in, or related to, their filed reports outlined in this Final Order, or regarding any other information which the Insurance Commissioner deems necessary.

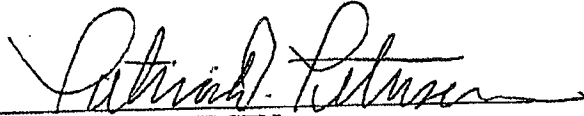
6. To the extent that the information submitted pursuant hereto is nonpublic as determined by specific statutes, it can be deemed to be nonpublic and withheld from public inspection after the Insurance Commissioner has examined the material and made a determination as to which specific materials are nonpublic based upon specific statutes concerning preservation of trade secrets, right to privacy, and prevention of unfair competition.

7. The Commissioner and his staff may request enforcement of any part of this Final Order under jurisdiction of this Final Order. Appeals and requests for enforcement as may

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arise shall be filed with the undersigned and adjudicated in accordance with RCW 48.04, Title 34 RCW and regulations applicable thereto.

THIS ORDER IS ENTERED this 18th day of September, 2008, at Tumwater, Washington, pursuant to Title 48 RCW, and particularly RCW 48.04 and RCW 48.31B.015, Title 34 RCW, and regulations applicable thereto, and is effective immediately.



PATRICIA D. PETERSEN
Presiding Officer
Chief Hearing Officer

APPENDIX 46

Recorded Document Detail

Document	3136433
Title	L — LIEN
Grantor(s)	HOWELL ROSE A,
Grantee(s)	SOUTHWEST WASH MED CENTER,
Parcel(s)	
Excise No.	
Date Recorded	Aug 02, 1999
Recorded By	SOUTHWEST WASH MED CENTER
View Excise	
Related Document(s)	3332686

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Recorded Document Detail

Document	3141076
Title	L — LIEN
Grantor(s)	HOWELL ROSE A,
Grantee(s)	SOUTHWEST WASH MED CENTER,
Parcel(s)	
Excise No.	
Date Recorded	Aug 16, 1999
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3333384

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Recorded Document Detail

Document	3151858
Title	L – LIEN
Grantor(s)	HOWELL ROSE A,
Grantee(s)	SOUTHWEST WASH MED CENTE,
Parcel(s)	
Excise No.	
Date Recorded	Sep 17, 1999
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3333853

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Recorded Document Detail

Document	3162673
Title	L — LIEN
Grantor(s)	HOWELL ROSE A,
Grantee(s)	SOUTHWEST WASH MED CENTER,
Parcel(s)	
Excise No.	
Date Recorded	Oct 25, 1999
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3334240

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Recorded Document Detail

Document	3332686
Title	SL — SATISFACTION OF LIEN
Grantor(s)	SOUTHWEST WASH MED CENTER,
Grantee(s)	HOWELL ROSE,
Parcel(s)	
Excise No.	
Date Recorded	Jun 15, 2001
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3136433

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Recorded Document Detail

Document	3333384
Title	SL — SATISFACTION OF LIEN
Grantor(s)	SOUTHWEST WASH MED CENTER, .,
Grantee(s)	HOWELL ROSE,
Parcel(s)	
Excise No.	
Date Recorded	Jun 18, 2001
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3141076

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Recorded Document Detail

Document	3333853
Title	SL — SATISFACTION OF LIEN
Grantor(s)	SOUTHWEST WASH MED CENTER,
Grantee(s)	HOWELL ROSE,
Parcel(s)	
Excise No.	
Date Recorded	Jun 18, 2001
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3151858

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Document	3334240
Title	SL — SATISFACTION OF LIEN
Grantor(s)	SOUTHWEST WASH MED CENTER,
Grantee(s)	HOWELL ROSE,
Parcel(s)	
Excise No.	
Date Recorded	Jun 18, 2001
Recorded By	SOUTHWEST WASH MED CENTER
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Related Document(s)	3162673

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APPENDIX 47

Recorded Document Detail

Document	5077613
Title	J – JUDGMENT
Grantor(s)	HOWELL ROSEMARIE,
Grantee(s)	UNIFUND CCR PARTNERS,
Parcel(s)	
Excise No.	
Date Recorded	Jun 05, 2014
Recorded By	SUTTELL & HAMMER PS
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Related Document(s)	

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APPENDIX 48

Recorded Document Detail

Document	4578420
Title	J – JUDGMENT
Grantor(s)	HOWELL BRIAN P, HOWELL ROSE A,
Grantee(s)	COLUMBIA COLLECTORS INC,
Parcel(s)	
Excise No.	
Date Recorded	Jun 30, 2009
Recorded By	COLUMBIA COLLECTORS INC
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Related Document(s)	

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APPENDIX 49

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

Phone: (360) 725-7000



FILED

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

2017 JAN 12 PM 12:00

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Hearing Officer
Patricia D. Petersen
Chief Hearing Officer
Kelly A. Cairns
Paralegal
(360) 725-7002
KellyC@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of the Application of
Redomestication of:

SAFECO INSURANCE COMPANY OF
AMERICA, GENERAL INSURANCE
COMPANY OF AMERICA, FIRST
NATIONAL INSURANCE COMPANY OF
AMERICA, and SAFECO SURPLUS
LINES INSURANCE COMPANY

No. 11-0261

FINAL ORDER APPROVING
APPLICATIONS FOR
REDOMESTICATION FROM THE
STATE OF WASHINGTON TO THE
STATE OF NEW HAMPSHIRE

TO: Richard P. Quinlan, Esq.
Deputy General Counsel
Senior Vice President and Manager, Corporate Group
Liberty Mutual Group, Inc.
175 Berkeley Street
Boston, MA 02116

Tara Colby, CPCU
Counsel-Liberty Mutual Agency Corporation
Liberty Mutual Group, Inc.
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Boston, MA 02116

Melvin N. Sorensen, Esq.
Carney Badley Spellman, P.S.
701 Fifth Avenue, #3600
Seattle, WA 98104-7010

Mailing Address: P.O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501



1 **COPY TO:** Mike Kreidler, Insurance Commissioner
2 Michael G. Watson, Chief Deputy Insurance Commissioner
3 Carol Sureau, Deputy Commissioner, Legal Affairs Division
4 Charles Brown, Staff Attorney, Legal Affairs Division
5 James Odiorne, Deputy Commissioner, Company Supervision
6 Office of the Insurance Commissioner
7 PO Box 40255
8 Olympia, WA 98504-0255

9 Pursuant to Chapter 48.04 RCW, Chapter 35.05 RCW, RCW 48.07.210, and
10 specifically RCW 48.07.210(2), and after notice to interested parties and persons (see facts
11 found concerning notice, below), the above-entitled matter came on regularly for hearing
12 before the Insurance Commissioner of the state of Washington commencing at 10:00 a.m. on
13 Tuesday, January 10, 2012. All persons to be affected by the above-entitled matter were
14 given the right to be present at such hearing, during the giving of testimony, and had
15 reasonable opportunity to inspect all documentary evidence, to examine witnesses and
16 present oral and written statements. The Insurance Commissioner was represented by
17 Charles D. Brown, Esq., Senior Staff Attorney in its Legal Affairs Division. The Applicants,
18 Safeco Insurance Company of America, Safeco Surplus Lines Insurance Company, First
19 National Insurance Company of America, and General Insurance Company of America, were
20 represented by Melvin N. Sorensen, Esq., of Carney Badley Spellman, P.S., in Seattle,
21 Washington.

22 **NATURE OF THE PROCEEDING**

23 On August 19, 2011, the Washington State Insurance Commissioner ("Insurance
24 Commissioner") received Applications from Safeco Insurance Company of America, Safeco
25 Surplus Lines Insurance Company, First National Insurance Company of America, and General
26 Insurance Company of America (hereinafter collectively referred to as "the Applicants" unless

1 otherwise indicated), requesting approval to transfer their state of incorporation (corporate
2 domicile) from the state of Washington to the state of New Hampshire.

3 Applications for redomestication are controlled by Title 48 RCW and specifically RCW
4 48.07.210(2). Pursuant to RCW 48.07.210(2), *[t]he commissioner shall approve any proposed*
5 *transfer of domicile unless the commissioner determines after a hearing, pursuant to such notice*
6 *as the commissioner may require, that the transfer is not in the best interests of the public or the*
7 *insurer's policyholders in this state.* On November 8, 2011 the undersigned received and filed a
8 request for hearing from the Insurance Commissioner relative to this Application for
9 Redomestication, which commenced the administrative hearing process. Should this
10 Application be approved, the Applicants would cease to be domestic insurers of Washington
11 State and would become domestic insurers of the state of New Hampshire.

12 FINDINGS OF FACT

13
14
15 Having considered the written and oral evidence presented at the hearing, and the
16 documents on file herein, the undersigned presiding officer designated to hear and determine
17 this matter finds as follows:

- 18
19 1. The hearing was duly and properly convened and all substantive and procedural
20 requirements under the laws of the state of Washington have been satisfied;
- 21
22 2. The Applicants are active Washington domestic property and casualty insurance
23 companies, with total gross annual written premiums as of December 2010 of
24 \$280,227,208 written in Washington State. [Ex. 1, Application and Organization
25 Charts; Testimony of Gayle D. Pasero, Company Licensing Manager, Office of the
26 Washington State Insurance Commissioner.]

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3. On August 19, 2011, pursuant to RCW 48.07.210, the Applicants filed an Application for Redomestication, with detailed attachments concerning the Applicants' history, personnel, and financial status. The proposed effective date is to be scheduled, should approval be granted herein, to occur after the effective date of said approval. The Applicants have, therefore, provided the Insurance Commissioner with at least thirty days advance written notice of their proposed plans to redomesticate.

4. If the proposed redomestication is approved, the result will be that the Applicants will have their state of incorporation (be domiciled) in the state of New Hampshire and will no longer have their state of incorporation in the state of Washington. The State of New Hampshire Insurance Department has advised the Applicants and the Insurance Commissioner that the Applicants qualify to be approved in New Hampshire as domestic insurers conditioned upon approval of their Applications for Redomestication by the undersigned. [Applicants' Exhibit A, December 30, 2011 Letter from the New Hampshire Insurance Department; Testimony of Richard P. Quinlan, Senior Vice President and Deputy General Counsel of Liberty Mutual Group, Inc., the ultimate parent company of the Applicants; Testimony of Pasero]. Further, the Applicants will be qualified to be admitted to do business in Washington as foreign insurers as of the date they are admitted by the New Hampshire Insurance Department as domestic insurers. [Testimony of Pasero.]

5. The Applicants have applied for redomestication consistent with an effort by Liberty Mutual Holding Company Inc., their current ultimate parent company, to reduce the complexity of Liberty Mutual's corporate structure, including reducing the number of domiciliary states of its insurance companies. Additionally, the redomestication will result in significant corporate and capital efficiencies. [Testimony of Quinlan; Testimony of Pasero.]

1 6. In reliance upon the assertions of the Applicants during testimony, the proposed
2 redomestications will be seamless and virtually invisible to the Applicants' Washington
3 policyholders if the redomestications are approved because at this time there are no
4 planned changes to the Applicants' producer base or to their methods and ability to
5 handle claims and service policyholders. Further, in reliance upon the assertions of the
6 Applicants during testimony, if the proposed redomestications are approved, there will
7 be no impact on the contractual or statutory rights of the Applicants' Washington
8 policyholders: the rights and privileges of Washington policyholders will not change.
9 [Testimony of Quinlan; Testimony of Pasero.] Further, in reliance upon the assertions
10 of the Applicants during testimony, the redomestications will have no impact on any
11 pending litigation filed in Washington involving the Applicants' Washington
12 policyholders. [Testimony of Quinlan; Testimony of Pasero].

13
14 7. The Applicants have filed a request to redomesticate to New Hampshire with the New
15 Hampshire Insurance Department. The New Hampshire Department of Insurance has
16 advised the Washington State Insurance Commissioner that it has completed its review
17 process and is prepared to approve the redomestication of the Applicants from the state
18 of Washington to the state of New Hampshire, subject only to the final approval of the
19 referenced redomestications by the Washington State Insurance Commissioner.
20 [Applicants' Exhibit A; Testimony of Quinlan; Testimony of Pasero]. Further, the
21 Washington State Insurance Commissioner has determined that the Applicants will be
22 qualified to be admitted to do business in Washington State as foreign insurers as of the
23 effective date that they become domestic insurers in the state of New Hampshire.
24 [Testimony of Pasero]

25
26 8. The Notice of Hearing on Application for Redomestication herein entered by the
undersigned on December 8, 2011, which contains detailed information concerning the

1 proposed redomestications and the administrative hearing to be held, and links the
2 reader to all of the documents which were filed in this proceeding prior to the hearing
3 date (and currently since the hearing date), were published in its entirety on the
4 Insurance Commissioner's website since at least December 12, 2011 and remained there
5 continuously through the date of the hearing, January 10, 2012. Therefore, reasonable
6 and adequate notice of the hearing concerning the proposed redomestications was
7 provided. [OIC Exhibit A, Notice of Hearing; Testimony of Pasero.] Further, in the
8 Notice of Hearing as published, all interested individuals and entities were advised of
9 their right to submit either support for, or objections to, the proposed redomestications
10 by letter on or before 10:00 a.m. on January 10, 2012. The Insurance Commissioner
11 received two objections: The first was from Joseph Manning, an individual who advised
12 he opposed the redomestication because he believed the state of Washington better
13 regulated insurance companies than New Hampshire; he did not leave his telephone
14 number. [Testimony of Pasero.] The second objection was from Rose Howell, a
15 Washington resident, in the form of telephone calls and an electronic filing of a
16 document entitled "Creditor Objection and Notice to Show Cause for the Immediate
17 Action of the Insurance Commissioner" on January 3, 2012, together with subsequent
18 supplemental submissions from Ms. Howell. The objections submitted by Ms. Howell,
19 while taken at face value are certainly serious concerns regarding her private claims
20 against Safeco Insurance Company of Illinois, fail to be sufficiently relevant to the
21 statutory criteria for approval set forth in RCW 48.07.210(2) and provides no evidence
22 that those criteria are not met. [Testimony of Pasero]. It is noted here that both the
23 Applicants and the Insurance Commissioner argued that the documents submitted by
24 Ms. Howell should not be admitted because they were not relevant to this proceeding.
25 The undersigned did admit those documents filed by Ms. Howell into evidence in this
26 proceeding over the objections of the parties [Ex. 9] but advised that she would review
these documents and give them the proper weight they deserved; i.e., the undersigned

1 ruled that the parties' objections based on relevancy would go to the weight the
2 undersigned gives to this evidence and not to their admissibility. Upon review, while
3 Ms. Howell's information is concerning, and while her claim is against Safeco Insurance
4 Company of Illinois which has the same ultimate parent company, Liberty Mutual
5 Insurance Group, as the Applicants, Safeco Insurance Company of Illinois is not an
6 Applicant herein itself. Further, Ms. Howell's concerns represent her private interest
7 and, best read, do not represent the general interest of Washington policyholders or the
8 public. Additionally, to the extent it is relevant, while Richard P. Quinlan is Senior Vice
9 President and Deputy General Counsel of Liberty Mutual Insurance Group and is a Vice
10 President of each Applicant, he is not an officer or director of Safeco Insurance
11 Company of Illinois. For these reasons, after review of Ms. Howell's documents, while
12 they are of concern, the undersigned determined that little weight should be given to her
13 testimony and the documents she presented because her issues are not the issues in this
14 proceeding for the above stated reasons.

15
16 9. Given the above Findings of Facts, it cannot be found that the proposed transfer of
17 domicile of the Applicants from Washington State to the state of New Hampshire is not
18 in the best interests of the public or not in the best interest of the Applicants'
19 Washington policyholders. [Testimony of Quinlan; Testimony of Pasero.]

20
21 10. Gayle D. Pasero, Company Licensing Manager in the Company Supervision Division of
22 the Office of the Insurance Commissioner, appeared as the sole witness for the Insurance
23 Commissioner. Ms. Pasero presented her testimony in a detailed and credible manner
24 and exhibited no apparent biases. Ms. Pasero also filed her testimony in written form
25 prior to the hearing as required; said written prefiled testimony, with attachments, is
26 included in the hearing file. [Ex. 7.] Prior to becoming employed by the Insurance
Commissioner in April 2008, Ms. Pasero worked for twenty five years for Safeco. She

1 testified, and in reliance upon her testimony at hearing, it is here found that she has no
2 financial or other interests in Safeco, and that the fact that she worked for Safeco for
3 twenty-five years has had no bearing on her review of the Applications herein, on her
4 prefiled written testimony or on her testimony presented at hearing.

5
6 11. Richard P. Quinlan, Senior Vice President and Deputy General Counsel of Liberty
7 Mutual Group Inc., and a Vice President for each of the Applicants, appeared as the sole
8 witness for the Applicants. Mr. Quinlan presented his testimony in a detailed and
9 credible manner and exhibited no apparent biases. Mr. Quinlan also filed his testimony
10 in written form prior to the hearing as required; said written testimony is included in the
11 hearing file. [Ex. 4.]

12
13 12. Based upon the above Findings of Fact, it is here found that the Applications for
14 Redomestication filed herein by Safeco Insurance Company of America, Safeco Surplus
15 Lines Insurance Company, First National Insurance Company of America, and General
16 Insurance Company of America, which propose to transfer their state of incorporation
17 from the state of Washington to the state of New Hampshire, to the effect that they
18 would become domestic insurers in the state of New Hampshire and foreign insurers in
19 the state of Washington, and as detailed in their Applications and documents submitted
20 subsequent thereto, are reasonable under the circumstances and the Applicants'
21 Applications for Redomestication should be approved.

22
23 **CONCLUSIONS OF LAW**

24
25 1. Pursuant to Title 48 RCW, and specifically RCW 48.07.210, the Washington State
26 Insurance Commissioner has jurisdiction over Safeco Insurance Company of America,

1 Safeco Surplus Lines Insurance Company, First National Insurance Company of
2 America, and General Insurance Company of America.

3
4 2. Based upon the Findings of Facts, the Applicants filed their Applications for
5 Redomestication with the Insurance Commissioner on August 19, 2011, with a proposed
6 effective date after said Application was reviewed and approved by the Insurance
7 Commissioner. Therefore, the Applicants have provided at least thirty days advance
8 written notice of their plan to the Washington Commissioner as required by RCW
9 48.07.210(2).

10
11 3. Based upon the above Findings of Fact, reasonable and adequate notice of the hearing
12 required by the Insurance Commissioner was given, in compliance with RCW
13 48.07.210(2).

14
15 4. Based upon the above Findings of Fact, after the hearing herein, it cannot be concluded
16 that the proposed transfer of domicile of Safeco Insurance Company of America, Safeco
17 Surplus Lines Insurance Company, First National Insurance Company of America, and
18 General Insurance Company of America from the state of Washington to the state of
19 New Hampshire is not in the interests of the public or the Applicants' Washington
20 policyholders. Therefore, because no such determination has been made, as required by
21 RCW 48.07.210(2), the Insurance Commissioner must approve these Applications for
22 Redomestication.

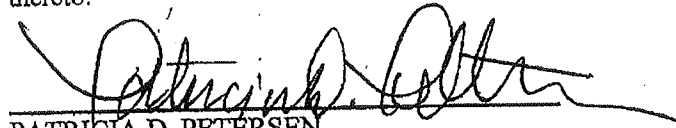
23
24 **ORDER**

25
26 On the basis of the foregoing Findings of Fact and Conclusions of Law, to the effect
that the statutory criteria for approval of these Applications have been met,

1 **IT IS HEREBY ORDERED** that the Applications for Redomestication of Safeco
2 Insurance Company of America, Safeco Surplus Lines Insurance Company, First National
3 Insurance Company of America, and General Insurance Company of America, which seek
4 approval of the Washington State Insurance Commissioner to transfer their state of
5 incorporation from the state of Washington to the state of New Hampshire, thereby becoming
6 domestic insurers in the state of New Hampshire and becoming foreign insurers in the state
7 of Washington, is GRANTED effective as of the date of entry of this Order.

8
9 **IT IS FURTHER ORDERED** that the actual effective date of the transfers of
10 domicile from the state of Washington to the state of New Hampshire shall be the effective
11 date that the state of New Hampshire has determined that Safeco Insurance Company of
12 America, Safeco Surplus Lines Insurance Company, First National Insurance Company of
13 America, and General Insurance Company of America shall become domestic New
14 Hampshire insurers. Likewise, that same date shall be the effective date on which Safeco
15 Insurance Company of America, Safeco Surplus Lines Insurance Company, First National
16 Insurance Company of America, and General Insurance Company of America shall become
17 admitted as foreign insurers in the state of Washington. Thus, these transactions shall
18 become effective on the same date in order to allow no gap in clear state of domicile as
19 between the state of Washington and the state of New Hampshire.

20
21 **ENTERED** at Tumwater, Washington, this 12th day of January, 2012, pursuant to Title 48
22 RCW and specifically RCW 48.04 and 48.07.210, Title 34 RCW, and regulations applicable
23 thereto.

24 
25 **PATRICIA D. PETERSEN**
26 Chief Hearing Officer
Presiding Officer

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Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Richard P. Quinlan, Esq., Tara Colby, CPCU, Melvin N. Sorensen, Esq., Mike Kreidler, Michael G. Watson, Carol Sureau, Esq., Charles Brown, Esq., Gayle Pasero and James Odiorne.

DATED this 12th day of January 2012.


KELLY A. CAIRNS

APPENDIX 50

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

Phone: (360) 725-7000



FILED

OFFICE OF
INSURANCE COMMISSIONER 2012 MAR 16 A 9:31

HEARINGS UNIT
Fax: (360) 664-2782

Patricia D. Petersen
Chief Hearing Officer

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Kelly A. Cairns
Paralegal
(360) 725-7002
KellyC@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of Petition for)
Declaratory Order by)
ROSE HOWELL)
Naming)
SAFECO INSURANCE COMPANY)
OF ILLINOIS, et al., LIBERTY MUTUAL)
INSURANCE COMPANY, et al.,)
CONTINENTAL CASUALTY)
COMPANY, et al., and STATE FARM)
MUTUAL AUTOMOBILE)
INSURANCE COMPANY,)
Respondents.)

ORDER DISMISSING PETITION
FOR DECLARATORY ORDER

TO: Rose Howell
9504 N.E. 5th Street
Vancouver, WA 98664

Colleen Barrett
Barrett & Worden
2101 4th Avenue, Suite 700
Seattle, WA 98121

Richard Quinlan
Liberty Mutual Ins. Co.
175 Berkeley Street
Boston, MA 02116

Safeco Ins. Co. of Illinois
27201 Bella Vista Parkway, Ste 130
Warrenville, IL 60555

Mailing Address: P.O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501



ORDER DISMISSING PETITION FOR
DECLARATORY RULING

Page 2

BNY Mellon Investment Services
480 Washington Blvd. 29th Floor
Jersey City, NJ 07310
Attn: Legal Department

Continental Casualty Company
333 South Wabash
Chicago, IL 60604
Attn: Thomas Corcoran

Hartford Financial Svcs. Group
One Hartford Plaza, HO-1-01
Hartford, CT 06155
Attn: Fraud Dept./Investor Rel.

State Farm Mutual Automobile Ins.
1 State Farm Plaza
Bloomington, IL 61710-0001
Attn: Edward Rust, Jr.

Computer Share
Shareholder Services
250 Royal Street
Canton, MA 02021

Prudential Annuities
Client Relations
2101 Welsh Road
Dresher, PA 19025
Attn: Lisa Hayer

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Carol Sureau, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

DESCRIPTION OF THE PETITION

On March 5, 2012, a Petition for Declaratory Order (Judgment) was filed with the Hearings Unit of the Office of Insurance Commissioner by Rose Howell. The Petition names four main respondents – Safeco Insurance Company of Illinois, Liberty Mutual Insurance Company, Continental Casualty Company, and State Farm Mutual Automobile Insurance Company – as well as other respondents (named in small print), some of which are related entities to the main respondents (all hereinafter referred to as “Respondents”).

The Petitioner’s claims against Respondents originate from an automobile accident that occurred on March 31, 1999, which Petitioner alleges was caused by Keith Plotner. Mr. Plotner was insured at the time by Safeco Insurance Company of Illinois. Petitioner sued Mr. Plotner in court and thus the underlying dispute Petitioner had with Mr. Plotner and his insurance company has already been litigated and a judgment rendered (pages 26-27 of the Petition). The Petition also references a trust fund to which Petitioner alleges she is the beneficiary. It appears from the Petition that Petitioner does not believe she has been justly compensated for her injuries, and that payments she allegedly was supposed to receive have been paid to “third parties” without her consent.

ORDER DISMISSING PETITION FOR
DECLARATORY RULING
Page 3

The Petition contains a Statement of Relief Sought where Petitioner enumerates five areas of relief:

- (1) An order that requires the Respondents to satisfy the Demands set forth in a Demand Letter by Howell dated January 17, 2012 (attached to the Petition as Appendix 2);
- (2) An order requiring immediate transfer of trust assets to Petitioner's brokerage account;
- (3) An order to "re-appropriate and/or liquidate enforcing the 'guarantee;'"
- (4) Injunctive relief against the respondents, i.e., a cease and desist order; and
- (5) Informal proceedings.

(Page 23 of the Petition.)

DECLARATORY ORDER NOT APPROPRIATE

Under Washington's Administrative Procedures Act, a person can petition an agency for a declaratory order in order to clarify the meaning of an agency's rule, order or statute as it affects a particular situation. The petition must show, among other things, that (1) there is uncertainty in the rule, order or statute, (2) an actual controversy exists arising from such uncertainty, and (3) the uncertainty adversely affects the petitioner. See RCW 34.05.240(1). In this case, the Petitioner does not claim there is uncertainty in any rule or statute under the Insurance Commissioner's scope of authority that requires clarification. Therefore, it is not appropriate to enter a declaratory order in this matter.

LACK OF SUBJECT MATTER JURISDICTION

Even if Petitioner's request is not considered a petition for declaratory order, the Petition must be dismissed because the undersigned does not have jurisdiction to consider Petitioner's claims. As Chief Hearing Officer for the Insurance Commissioner, the undersigned's power to adjudicate is limited to the subject matter specified by statute. Under 48.04.010, RCW, the Chief Hearing Officer has the authority to hear and decide: (1) applications where a hearing is required by a specific provision within Title 48, RCW, and (2) hearings demanded by a person "aggrieved by any act, threatened act, or failure of the commissioner to act . . . , or by any report, promulgation, or order of the commissioner . . ." [Emphasis added.] Petitioner is not challenging an action of the Insurance Commissioner but rather requests that the undersigned adjudicate her claims against Respondents, i.e., a dispute between private parties. The undersigned does not have the authority to direct the insurance companies to pay Petitioner or otherwise satisfy Petitioner's demands. Because the Chief Hearing Officer has limited jurisdiction and does not have statutory authority to hear the case presented or to provide the relief sought, the Petition must be dismissed for lack of subject matter jurisdiction.

Based upon the above activity,

ORDER DISMISSING PETITION FOR
DECLARATORY RULING
Page 4

IT IS HEREBY ORDERED that the Petition for Declaratory Order (Judgment), filed by Rose Howell on March 5, 2012, is dismissed with prejudice.

Entered this 15th day of March, 2012, at Tumwater, Washington, pursuant to Title 48 RCW, Title 34 RCW and regulations pursuant thereto.



PATRICIA D. PETERSEN
Chief Hearing Officer
Presiding Officer

Pursuant to RCW 34.05.461(3), the parties are advised that they may seek reconsideration of this order by filing a request for reconsideration under RCW 34.05.470 with the undersigned within 10 days of the date of service (date of mailing) of this order. Further, the parties are advised that, pursuant to RCW 34.05.514 and 34.05.542, this order may be appealed to Superior Court by, within 30 days after date of service (date of mailing) of this order, 1) filing a petition in the Superior Court, at the petitioner's option, for (a) Thurston County or (b) the county of the petitioner's residence or principal place of business; and 2) delivery of a copy of the petition to the Office of the Insurance Commissioner; and 3) depositing copies of the petition upon all other parties of record and the Office of the Attorney General.

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the people named above at their addresses listed above.

DATED this 16th day of March, 2012


KELLY A. CAIRNS

APPENDIX 51

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



Phone: (360) 725-7000
www.insurance.wa.gov

FILED

OFFICE OF
INSURANCE COMMISSIONER

2012 MAY 11 A 11:25

HEARINGS UNIT
Fax: (360) 664-2782

Hearing Unit, OIC
Patricia D. Petersen
Chief Hearing Officer

Patricia D. Petersen
Chief Hearing Officer
(360) 725-7105

Kelly A. Cairns
Paralegal
(360) 725-7002
KellyC@oic.wa.gov

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

ROSE HOWELL,

Plaintiff,

v.

SAFECO INS. CO. OF ILLINOIS, et al.
in re: the Estate of Plotner; LIBERTY
MUTUAL INS. CO., et al.; LIBERTY
MUTUAL GROUP, et al.; LIBERTY
MUTUAL HOLDING CO., INC., et al.;
PRUDENTIAL FINANCIAL, INC.,
et al.; COMPUTER SHARE
SHAREHOLDER SERVICES, et al.;
CONTINENTAL CASUALTY
COMPANY, et al.; HARTFORD
FINANCIAL SERVICES GROUP, INC.,
et al.; STATE FARM MUTUAL
AUTOMOBILE INSURANCE CO., et al.;
BNY MELLON, et al., and the solvent
Community property comprised thereof,

Defendants.

Order No. 12-0143

ORDER ON DEMAND FOR HEARING
AND RELATED MOTIONS

TO: Rose Howell
9504 N.E. 5th Street
Vancouver, WA 98664

Colleen Barrett
Barrett & Worden
2101 4th Avenue, Suite 700
Seattle, WA 98121

Mailing Address: P. O. Box 40255 • Olympia, WA 98504-0255
Street Address: 5000 Capitol Blvd. • Tumwater, WA 98501



000044

Richard Quinlan
Liberty Mutual Ins. Co.
175 Berkeley Street
Boston, MA 02116

Safeco Ins. Co. of Illinois
27201 Bella Vista Parkway, Ste 130
Warrenville, IL 60555

BNY Mellon Investment Services
480 Washington Blvd. 29th Floor
Jersey City, NJ 07310
Attn: Legal Department

Continental Casualty Company
333 South Wabash
Chicago, IL 60604
Attn: Thomas Corcoran

Hartford Financial Svcs. Group
One Hartford Plaza, HO-1-01
Hartford, CT 06155
Attn: Fraud Dept./Investor Rel.

State Farm Mutual Automobile Ins.
1 State Farm Plaza
Bloomington, IL 61710-0001
Attn: Edward Rust, Jr.

Computer Share
Shareholder Services
250 Royal Street
Canton, MA 02021

Prudential Annuities
Client Relations
2101 Welsh Road
Dresher, PA 19025
Attn: Lisa Hayer

COPY TO: Mike Kreidler, Insurance Commissioner
Michael G. Watson, Chief Deputy Insurance Commissioner
Charles Brown, Senior Staff Attorney, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Rose Howell (Howell) filed a Demand for Hearing received via email on April 24, 2012. In this Demand, Howell demands that the Commissioner consider her private claims against Safeco Insurance Company of Illinois and others (Howell lists ten companies as defendants in the Demand's caption, and in previous filings and communications has also referred to fraudulent acts of her relatives, including her sister) arising from injuries she alleges were caused to her thirteen years ago by a Safeco of Illinois insured (Mr. Plotner). In this current Demand, Howell demands that the Insurance Commissioner *'immediately' conduct a hearing under RCW 48.04.010(1)(b) and 34.05.240, with respect to the outcome and orders in re: G080-0084 (fraudulent) [Liberty Mutual's 2008 request for approval to acquire the Safeco group] ... to produce an informal resolution* In this current Demand, Howell states that, just as in her *previously served 1) Petition for Declaratory Order; and 2) Motion to Reconsider, she is "NOT" asking the Ins. Comm. to adjudicate this matter, but rather to set a hearing so that we 'as adults' can sit down and determine when, how, and in what increments etc this demands [sic] [her private claims against Safeco and others] will be tendered satisfied.* [All emphases above in original.] In this current Demand, Howell asserts that she is demanding an *informal resolution*,

not a formal adjudication, and that therefore this current Demand should be granted. In fact, just as determined in response to Howell's other filings, the undersigned has no statutory authority or jurisdiction to consider Howell's private claims either formally or informally.

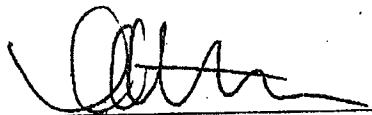
On January 10, 2012, Howell requested to participate in Docket No. 11-0261 [Safeco's request for approval to redomesticate four of the Safeco companies], arguing that the Safeco companies should not be allowed to redomesticate because she believed that she had not been fairly paid by Safeco Insurance Company of Illinois for these same injuries allegedly caused by the Safeco of Illinois insured thirteen years ago. Even so, Howell was allowed to fully participate in No. 11-0261, to file briefs, to appear and testify and to question witnesses at the proceeding in No. 11-0261. As explained to her on the record during that hearing, and as set forth in the Final Order entered therein on January 12, 2012 and in numerous communications since that time, it was determined that Howell's private controversy is not sufficiently relevant to the issue of whether the four named Safeco companies (which in fact did not even include Safeco Insurance Company of Illinois) should not be allowed to redomesticate, and, further, that the undersigned has no statutory authority or jurisdiction to resolve Howell's private claims whether by "adjudication" or "informal resolution," as follows:

- On March 1, 2012, Howell filed a 49 page Petition for Declaratory Order, asking for compensation for the same injuries she alleges the Safeco of Illinois insured caused, and asking for recovery of the same funds she alleges were fraudulently paid to "third parties," i.e., her sister and other relatives, whom she asserts received money that should have been paid to her.
- On March 15, 2012, the undersigned entered an Order Dismissing Howell's Petition for a Declaratory Order, determining that 1) Howell's Petition does not qualify for a Declaratory Order under RCW 34.05.240(1); and 2) even if Howell's Petition were not considered to be a Petition for Declaratory Order but as a Demand for Hearing, that the undersigned had no statutory authority or jurisdiction to consider Howell's private claims against Safeco and others.
- On March 26, 2012, Howell filed a Motion for Reconsideration of the above-referenced Order Dismissing Howell's Petition for a Declaratory Order.
- On April 19, 2012, the undersigned mailed a letter to Howell denying Howell's Motion for Reconsideration, once again stating that she has no statutory authority or jurisdiction to consider Howell's claims.

After a review of Howell's current Demand for Hearing, as above, it is noted that Howell demands a hearing *with respect to the outcome and orders in re: G08-0084* [Liberty Mutual's request for approval to acquire the Safeco group]. First, it is hereby determined that Howell's filing is several years too late: the proceeding in that matter was conducted on September 10, 2008, and a Final Order entered therein on September 18, 2008. Second, it is hereby determined that, as above in response to her earlier filings, Howell has no right to a hearing in this forum under Title 48 RCW or Title 34 RCW, and the undersigned has no statutory authority or jurisdiction to consider Howell's private claims either formally or informally. Finally, Howell's private claims are not sufficiently relevant to the issue in G08-0084 (acquisition).

It is noted that Howell has filed repeated Petitions, Demands and/or other pleadings in the Washington State Supreme Court, and in various other courts in Washington and perhaps elsewhere. Based upon the above repeated determinations, Howell is advised that her Demand for Hearing herein is denied on the basis that she has no right to hearing under Title 48 RCW or Title 34 RCW and the undersigned has no statutory authority or jurisdiction to consider Howell's claims whether in an informal or a formal proceeding. Further, it is noted that due to repeated petitions and other pleadings Howell has filed with the Washington State Supreme Court, that court has determined that any further pleadings filed by Howell would be placed in the closed file and not be responded to (see September 29, 2011 letter to Howell from Susan L. Carlson, Supreme Court Deputy Clerk; Exhibit 6 in Docket No. 11-0261). Similarly, Howell is hereby advised that should she file any further pleadings with this agency concerning her private claims, there will be no response provided. This is a final order. Howell is hereby advised that her right to appeal this final order is set forth below.

This Order is entered this 10th day of May, 2012, at Tumwater, Washington, pursuant to Title 48 RCW and particularly RCW 48.04; Title 34 RCW; and regulations pursuant thereto.



PATRICIA D. PETERSEN
Chief Hearing Officer


cc: Melvin N. Sorensen, Esq., Carney Badley Spellman, P.S.
Nicholas F. Potter, Esq., Devoise & Plimpton LLP
Warren Buffett, Berkshire-Hathaway
Warren Babb, Lane Powell, P.C.

Pursuant to RCW 34.05.461(3), the parties are advised that, pursuant to RCW 34.05.514 and 34.05.542, this order may be appealed to Superior Court by, within 30 days after date of service (date of mailing) of this order, 1) filing a petition in the Superior Court, at the petitioner's option, for (a) Thurston County or (b) the county of the petitioner's residence or principal place of business; and 2) delivery of a copy of the petition to the Office of the Insurance Commissioner; and 3) depositing copies of the petition upon all other parties of record and the Office of the Attorney General.

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the people named above at their addresses listed above.

DATED this 11th day of May, 2012



KELLY A. CAIRNS

APPENDIX 52

USDC SCAN INDEX SHEET



GHIANNI

GOVERNMENT EMPLOYEES

CAG 2/10/98 10:30

3:96-CV-01171

70

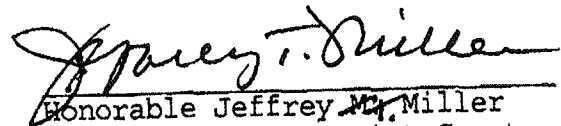
JGM.

1 returned a Statement of Decision Following Bench Trial on
2 January 29, 1998. The Court found as follows:

3 Defendant Government Employees Insurance Company is entitled
4 to judgment against plaintiff JoAnn Ghianni on all of plaintiff's
5 causes of action.

6 NOW, THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED that this
7 case be dismissed, judgment entered in favor of defendant, and
8 plaintiff take nothing from defendant.

9
10 Dated: February 6, 1998

11 
12 Honorable Jeffrey M. Miller
13 United States District Court
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APPENDIX 53

CIRCUIT COURT COUNTY OF MULTNOMAH, STATE OF OREGON

ACCOUNT CONTROL SERVICES, INC)

Plaintiff,)

DEBT CALCULATION

vs.)

Case No. 100608504

BRIAN P HOWELL and ROSE A HOWELL)
 9504 NE 5TH ST)
 VANCOUVER, WA 98664)

Defendant.)

TO: BRIAN P HOWELL and ROSE A HOWELL (Debtor)

The following amounts have been calculated to be owing from you to ACCOUNT CONTROL SERVICES, INC (Creditor).
 The amounts are owed by reason of:

A judgment entered against you dated June 10, 2010, in case No. 100608504,
 CIRCUIT Court, MULTNOMAH County.

Other debt subject to garnishment under the law (provide details):

**THE COURT ADMINISTRATOR HAS NOT CALCULATED ANY AMOUNTS FOR PURPOSE OF THIS FORM AND IS NOT
 LIABLE FOR ERRORS IN THIS FORM OR IN THE WRIT OF GARNISHMENT MADE BY THE CREDITOR OR GARNISHOR.**

+Original Debt Amount	\$	5,946.24	Total "Other" from additional		
-Pre-adjudication Interest	\$	1,050.37	sheets (if used)	\$	.00
-Attorney Fees	\$	1,695.00	+Past Writ Issuance Fees	\$	54.00
-Cost Fees	\$	1,456.00	+Past Delivery Fees	\$	51.00
+Post-adjudication Interest	\$	8,454.68	+Transcript and Filing		
+Delivery Fee for this Writ	\$	17.00	Fees for Other Counties	\$	.00
+Issuance Fee for this Writ	\$	35.00	=Subtotal	\$	<u>18,855.29</u>
(Clerk-issued writ only)					
+Financial Search Fee	\$	.00			
+Past Financial Search Fee	\$	30.00			
+Sheriff's Fees other			LESS Payments Made on Debt	(\$	17,750.21)
than Delivery Fees	\$	.00			
+Other (Explain. Attach			=Total Amount Required to		
additional sheets if necessary).			Satisfy Debt in Full	\$	<u>1,105.08</u>
Foreign judgment costs	\$	66.00			
	\$	.00			

**NOTE: INSERTING ITEMS AND AMOUNTS NOT LAWFULLY SUBJECT TO COLLECTION BY
 GARNISHMENT MAY RESULT IN LIABILITY FOR WRONGFUL EXECUTION.**

I certify that I have read this Debt Calculation form and to the best of my knowledge, information and belief the amount shown as owing is correct.

 Creditor (Creditor must sign if writ issued by Court Administrator)

503-255-4535
 Telephone Number(s)

 Garnishor (Attorney for Creditor or other person
 authorized by law to issue writ.)

8724 / 94282
 Oregon State Bar Number (if Attorney)

JEFFREY I HASSON / COURTNEY CROSS
12707 NE HALSEY
PORTLAND, OR 97230

December 26, 2011
 Date of Calculation

DEBTOR'S ORIGINAL

CIRCUIT COURT COUNTY OF MULTNOMAH, STATE OF OREGON

ACCOUNT CONTROL SERVICES, INC

Plaintiff,

vs.

DEBT CALCULATION

BRIAN P HOWELL and ROSE A HOWELL
9504 NE 5TH ST
VANCOUVER, WA 98664

Defendant.

Case No. 100608504

TO: BRIAN P HOWELL and ROSE A HOWELL (Debtor)

The following amounts have been calculated to be owing from you to ACCOUNT CONTROL SERVICES, INC (Creditor).
The amounts are owed by reason of:

A judgment entered against you dated June 10, 2010, in case No. 100608504, CIRCUIT Court, MULTNOMAH County.

Other debt subject to garnishment under the law (provide details):

THE COURT ADMINISTRATOR HAS NOT CALCULATED ANY AMOUNTS FOR PURPOSE OF THIS FORM AND IS NOT LIABLE FOR ERRORS IN THIS FORM OR IN THE WRIT OF GARNISHMENT MADE BY THE CREDITOR OR GARNISHOR.

Original Debt Amount	\$	5,946.24	Total "Other" from additional sheets (if used)	\$	.00
+Pre-adjudication Interest	\$	1,050.37	+Past Writ Issuance Fees	\$	36.00
+Attorney Fees	\$	1,695.00	+Past Delivery Fees	\$	34.00
+Cost Fees	\$	1,456.00	+Transcript and Filing Fees for Other Counties	\$	.00
+Post-adjudication Interest	\$	8,203.30	=Subtotal	\$	<u>18,551.91</u>
+Delivery Fee for this Writ	\$	17.00			
+Issuance Fee for this Writ (Clerk-issued writ only)	\$	18.00	LESS Payments Made on Debt	(\$	11,012.86)
+Financial Search Fee	\$	.00	=Total Amount Required to Satisfy Debt in Full	\$	<u>7,539.05</u>
+Past Financial Search Fee	\$	30.00			
+Sheriff's Fees other than Delivery Fees	\$	.00			
+Other (Explain. Attach additional sheets if necessary).					
<u>Foreign judgment costs</u>	\$	66.00			
	\$	.00			

NOTE: INSERTING ITEMS AND AMOUNTS NOT LAWFULLY SUBJECT TO COLLECTION BY GARNISHMENT MAY RESULT IN LIABILITY FOR WRONGFUL EXECUTION.

I certify that I have read this Debt Calculation form and to the best of my knowledge, information and belief the amount shown as owing is correct.

[Signature]
Creditor (Creditor must sign if writ issued by Court Administrator)

503-255-4535
Telephone Number(s)

[Signature]
Garnishor (Attorney for Creditor or other person authorized by law to issue writ.)

87241/94282
Oregon State Bar Number (if Attorney)

JEFFREY I HASSON /COURTNEY CROSS
12707 NE HALSEY
PORTLAND, OR 97230

February 28, 2011
Date of Calculation

DEBTOR'S ORIGINAL

CIRCUIT COURT COUNTY OF MULTNOMAH, STATE OF OREGON

ACCOUNT CONTROL SERVICES, INC

Plaintiff,

DEBT CALCULATION

vs.

Case No. 100608504

BRIAN P HOWELL and ROSE A HOWELL
9504 NE 5TH ST
VANCOUVER, WA 98664

Defendant.

TO: BRIAN P HOWELL and ROSE A HOWELL (Debtor)

The following amounts have been calculated to be owing from you to ACCOUNT CONTROL SERVICES, INC (Creditor).
The amounts are owed by reason of:

A judgment entered against you dated June 10, 2010, in case No. 100608504, CIRCUIT Court, MULTNOMAH County.

Other debt subject to garnishment under the law (provide details):

THE COURT ADMINISTRATOR HAS NOT CALCULATED ANY AMOUNTS FOR PURPOSE OF THIS FORM AND IS NOT LIABLE FOR ERRORS IN THIS FORM OR IN THE WRIT OF GARNISHMENT MADE BY THE CREDITOR OR GARNISHOR.

Original Debt Amount	\$	5,946.24	Total "Other" from additional sheets (if used)	\$	.00
+Pre-adjudication Interest	\$	1,050.37	+Past Writ Issuance Fees	\$	.00
+Attorney Fees	\$	1,695.00	+Past Delivery Fees	\$	.00
+Cost Fees	\$	1,456.00	+Transcript and Filing Fees for Other Counties	\$	.00
+Post-adjudication Interest	\$	7,501.60	=Subtotal	\$	<u>17,750.21</u>
+Delivery Fee for this Writ	\$	17.00	LESS Payments Made on Debt	(\$	1,814.13)
+Issuance Fee for this Writ (Clerk-issued writ only)	\$	18.00	=Total Amount Required to Satisfy Debt in Full	\$	<u>15,936.08</u>
+Financial Search Fee	\$	.00			
+Past Financial Search Fee	\$	.00			
+Sheriff's Fees other than Delivery Fees	\$	.00			
+Other (Explain. Attach additional sheets if necessary).					
<u>Foreign judgment costs</u>	\$	66.00			
	\$	.00			

NOTE: INSERTING ITEMS AND AMOUNTS NOT LAWFULLY SUBJECT TO COLLECTION BY GARNISHMENT MAY RESULT IN LIABILITY FOR WRONGFUL EXECUTION.

I certify that I have read this Debt Calculation form and to the best of my knowledge, information and belief the amount shown as owing is correct.

Creditor (Creditor must sign if writ issued by Court Administrator)

503-255-4535
Telephone Number(s)

Garnishor (Attorney for Creditor or other person authorized by law to issue writ.)

87241/94282
Oregon State Bar Number (if Attorney)

JEFFREY I HASSON / COURTNEY CROSS
12707 NE HALSEY
PORTLAND, OR 97230

June 17, 2010
Date of Calculation

DEBTOR'S ORIGINAL

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

ACCOUNT CONTROL SERVICES, INC)
Plaintiff,)
vs)
BRIAN P HOWELL and,)
ROSE A HOWELL,)
Individually and as a marital community,)
Defendant,)

Case No
GENERAL FOREIGN JUDGMENT
WITH MONEY AWARD

JUDGMENT. I hereby give judgment in this case for the Judgment Creditor named in the money judgment/money award below and against the Judgment Debtor(s) named therein.

MONEY JUDGMENT/MONEY AWARD

Judgment Creditor: Account Control Services
PO Box 20912
Portland, OR 97294

Judgment Debtor(s): Brian P Howell and Rose A Howell
9504 NE 5th St
Vancouver, WA 98664

Date of Birth: [REDACTED]
Social Security number: [REDACTED]
Driver's license number: unknown; State of issuance: unknown

Judgment Debtor Attorney: None
Judgment Creditor's Attorney: None
Person or public body entitled to any portion of payment made on judgment: None

Principal Judgment Amount	\$ 5946.24
Pre-judgment Interest	\$ 1050.37
Attorney Fees	\$ 1695.00
Court Costs	\$ 61.00
Check Collection Fees	\$ 80.00
Statutory Damages	\$ 600.00
Handling Fees	\$ 50.00
Post-judgment costs	\$ 215.00
Post-judgment Interest	\$ 7501.60
Payments	\$ 1814.13
Total Amount of Judgment	\$ 15385.08

DATE SIGNED: _____

Circuit Court Judge

Print Judges Name

Submitted by:
Ray Nygren, President Account Control Services
PO Box 20912, Portland, OR 97294
phone: (503)254-5416

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR MULTNOMAH COUNTY

ACCOUNT CONTROL SERVICES, INC,

Case No.

Plaintiff,

vs.

AFFIDAVIT OF LAST
KNOWN ADDRESS AND
SINGLE COURT FILING,

BRIAN P HOWELL and
ROSE A HOWELL,
Individually and as a marital community,

Defendant,

The undersigned, being first duly sworn, deposes and says:

Desiring to file in the Circuit Court for Multnomah County, judgment in Case No 02 2 C3215 3 Superior Court of Clark County, State of Washington, against the above named defendant, state:

1. The judgment creditor's name and address is:

Account Control Services
PO Box 20912
Portland, OR 97294.
Judgment Creditor Attorney: None

2. The name and last known address for the judgment debtor are:

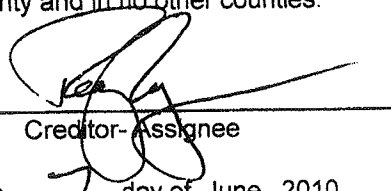
BRIAN P HOWELL and ROSE A HOWELL
9504 NE 5th St
Vancouver, WA 98664

Date of Birth: [REDACTED]
Social Security number: [REDACTED]
Driver's license number: unknown
State of issuance: unknown
Judgment Debtor Attorney: None

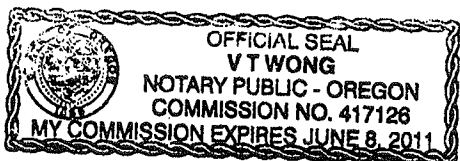
3. Person or Public Body entitled to any portion of payment made on judgment: None


The undersigned also states that a copy of the NOTICE OF FILING OF FOREIGN JUDGMENT, AFFIDAVIT OF LAST KNOWN ADDRESS AND SINGLE COURT FILING and JUDGMENT SUMMARY were mailed this date to the defendant at the above address.

I also state that this judgment is being filed exclusively in Multnomah County and in no other counties.


Creditor-Assignee

SUBSCRIBED AND SWORN TO before me this _____ day of June, 2010




Notary Public for Oregon
My commission expires: 06/08/2011

ACCOUNT CONTROL SERVICES INC
PO Box 20912
Portland, OR 97294
(503)254-5416

June 5, 2010

Multnomah County Circuit Court
1021 SW 4th
Portland, OR 97204

RE: NOTICE OF FILING OF FOREIGN JUDGMENT
Account Control Services Inc vs Howell

We desire to file the enclosed foreign judgment obtained in the Superior Court of Clark County the State of Washington. We have enclosed the following:

1. \$41.00 check
2. Exemplified copy of the Judgment
3. Certified copy of the assignment of Judgment
4. Affidavit of Last Known Address and Single Court Filing
5. General Foreign Judgment with Money Award

In order to insure that we receive a notice that this request has been filed, PLEASE ADD PLAINTIFF'S (OUR) NAME AND ADDRESS INTO THE SYSTEM.

Thank you for your assistance in this matter.

Sincerely,

Ray Nygren, President

cc: Brian P and Rose A Howell
9504 NE 5th St
Vancouver, WA 98664

APPENDIX 54

FILED

AUG 08 2008

Sherry W. Parker, Clerk, Clark Co.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
JUVENILE DIVISION IN AND FOR THE COUNTY OF CLARK

STATE OF WASHINGTON vs.

Gary B. Howell
DOB: 12-08-90

SCOMIS NO. 08-8-00537-8
JUVIS NO. 933008 08-2-02795

ORDER OF DISPOSITION
COMMUNITY SUPERVISION

I. HEARING

THIS MATTER having come on for hearing this 8th day of August, 2008, the youth being represented personally and by and through his/her attorney, and the State being represented by it's Deputy Prosecuting Attorney, the youth having previously:

entered valid plea(s) of guilty to [] been convicted at trial of

Count <u>1+6</u>	R <input checked="" type="checkbox"/>	Charging <u>SHOOT TO 7250</u>	Committed on or about <u>May 11, 2008</u>
Count <u>23-5</u>	R <input checked="" type="checkbox"/>	Charging <u>Vehicle Prowl II</u>	Committed on or about <u>May 11, 2008</u>
Count <u>4</u>	R <input checked="" type="checkbox"/>	Charging <u>CHOP UP</u>	Committed on or about <u>May 11, 2008</u>
Count _____	R _____	Charging _____	Committed on or about _____

II. FINDINGS

THE COURT having afforded each counsel the right to speak; having asked the above youth if he/she wished to make a statement on his/her behalf; having considered any mitigating and aggravating factors; and the case record to date; the Court finds that the youth is guilty of the above charge(s).

III. ORDER

NOW, THEREFORE, the Court orders the youth to consecutive terms of community supervision:

12 months, Count 94 R _____ months, Count _____ R _____
_____ months, Count _____ R _____ months, Count _____ R _____

Juvenile Court jurisdiction is extended beyond the juvenile's eighteenth birthday.

WHILE ON SUPERVISION, the youth shall abide by the following conditions and directives:

ORDER OF DISPOSITION - 1
(JuCR 7.12; RCW 13.40.130-160, 180, 185, 190)

JPA04 01-31-2007

Distribution: WHITE-Court GREEN-Probation YELLOW-Youth PINK-Pros. Attorney GOLD-Counsel

Handwritten initials/signature

X A. LAW: The youth shall not violate any federal, state, or local laws of this or any other jurisdiction, nor shall he/she be in the company of any person known to him/her to be doing or having done so.

X B. DETENTION SENTENCE: 15 days total. (_____ Ct. I, _____ Ct. II, _____ Ct. III, _____ Ct. IV)

1. Beginning _____, 20____.
2. Credit for _____ days served.
3. Work credit: _____ days are converted to _____ hours of community service/work crew.
4. _____ Work/School release is authorized.

X C. COMMUNITY SERVICE: 24 hours to be performed.

1. Detention credit of _____ hours community service.
2. TOTAL COMMUNITY SERVICE ORDERED UNDER DIRECTIVES B AND C ABOVE:
_____ HOURS.

X D. TREATMENT: The youth shall attend and successfully complete a counseling, therapy, or information program as directed by his/her parent or probation counselor.

X E. EDUCATION: The youth shall enroll in and attend an educational/vocational program, and comply with the mandatory school attendance provisions of 28.A.225 RCW. Suspension or expulsion from such program may be deemed a violation of community supervision and your probation officer will notify the school of this requirement.

X F. RESIDENCE: The youth shall live at a residence approved by his/her probation counselor, shall abide by all reasonable written rules of the residence and shall not move unless given prior permission to move by the court or his/her probation counselor, and shall spend every night at his Court approved residence unless given permission otherwise by his/her probation officer and/or parent.

X G. FINANCIAL DIRECTIVE: The youth shall pay the following to the Clark County Clerk:

1. A \$ _____ fine is imposed.
- X 2. A \$ 100 fee for the Crime Victim's Fund.
- ✓ 3. Restitution in an amount to be determined by the Probation Counselor. If the Probation Counselor and the respondent cannot agree on an amount, the matter may be set for hearing.
4. Restitution on all counts listed in the information filed.

Respondent shall remain under the court's jurisdiction for a maximum term of ten (10) years after respondent's 18th birthday (unless the matter is again extended for an additional 10 year period) for the collection of ordered restitution and penalty assessment.

X H. ASSOCIATION: The youth shall not associate with any person on probation or parole, nor shall he/she voluntarily associate with or communicate with his/her co-respondent, or with:

I. YOU ARE TO HAVE NO CONTACT WHATSOEVER WITH THE
VICTIM(S) _____

VIOLATION OF THIS ORDER IS A CRIMINAL OFFENSE UNDER CHAPTER 10.99 RCW AND WILL SUBJECT A VIOLATOR TO ARREST. ANY ASSAULT OR RECKLESS ENDANGERMENT THAT IS A VIOLATION OF THIS ORDER IS A FELONY.

X J. While under community supervision, the youth shall be under the charge of a probation counselor of the Clark County Superior Court Juvenile Department and shall follow the conditions in this order and any other written rules as directed by the Probation counselor. The youth shall fully and truthfully report to such probation counselor at such times and places as directed.

___ K. Supervision shall be transferred to: _____

___ L. ADDITIONAL CONDITIONS/DIRECTIVES: _____

X M. That you are required to provide a sample of DNA for identification analysis pursuant to RCW 43.43.754.

___ N. COUNT(S) _____ is/are dismissed with/without prejudice.

PURSUANT TO a conviction for a felony level offense, you may not own, have in your possession or control, any firearm until that right is restored by a Court of law. See RCW 9.41.040 and RCW 9.41.047.

DONE IN OPEN COURT and in the presence of the above-named youth this 8 day of August, 2008.

APPROVED AS TO FORM:

[Signature]
Deputy Prosecuting Attorney

[Signature] Pro-Tem
SUPERIOR COURT JUDGE/COMMISSIONER

[Signature]
Defense Attorney

I HAVE RECEIVED A COPY OF THIS ORDER. I UNDERSTAND IT AND HAVE NO FURTHER QUESTIONS TO ASK OF THE COURT.

[Signature]
Youth

[Signature]
Parent

TO THE YOUTH WHO IS SUBJECT TO THIS ORDER

You have certain rights regarding your record. Please read the other side of this Order where such information is provided. In Reference to: _____

I attest that I saw the same youth who appeared in Court on this document affix his/her thumbprints hereto.

SHERRY BARKER, SUPERIOR COURT CLERK

By: [Signature]
Special Deputy

Left Thumb



Right Thumb



ORDER OF DISPOSITION -- 3
(JuCR 7.12; RCW 13.40.130-160, 180, 185, 190)

JPA04 01-31-2007

Distribution: WHITE-Court GREEN-Probation YELLOW-Youth PINK-Pros. Attorney GOLD-Counsel

APPENDIX 55

RECEIVED
JUN 24 2004
CPS01387

RECEIVED
JUN 10 2004
DISTRICT COURT
CLARK COUNTY, WASH.

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IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF CLARK

CAVALRY PORTFOLIO SERVICES, LLC,
a Delaware Limited Liability
Company,
Plaintiff,

Case NO. 2907195

v.

DEFAULT JUDGMENT

BRIAN P HOWELL,

Defendant.

JUDGMENT SUMMARY

ATTY/JUDGMENT CREDITOR:

LAW OFFICE OF NANCY A. SMITH
NANCY A. SMITH, WSB#16002
J. PATTERSON REECE, WSB#29704

JUDGMENT DEBTOR:

BRIAN P HOWELL

PRINCIPAL:

\$1,712.13

PREJUDGMENT INTEREST:

\$318.46

ATTORNEY FEES:

\$371.21

COSTS OF SUIT:

\$76.00

OTHER AMOUNTS:

\$0.00

TOTAL JUDGMENT:

\$2,477.80

POST JUDGMENT INTEREST RATE: 12%, on total judgment amount.

THIS MATTER having come before the undersigned on motion of Plaintiff for judgment by default, the Court having reviewed the record and files herein and the Motion with subjoined affidavit in support thereof, finding that a default


1 order has been entered and that Defendant failed to appear or
2 serve any responsive pleadings within the period allowed by
3 law, that Plaintiff's claim is for a sum certain or which may
4 by computation be made certain, and to the best of Plaintiff's
5 knowledge and belief, the Defendant is not incompetent or
6 incapacitated persons, nor financially incapable, not in the
7 military service of the United States, it is

8 ORDERED, that Plaintiff have judgment as summarized
9 above.

10 DATED: June 23rd, 2004

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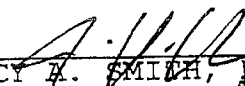
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~~Judge/Court Commissioner~~

13 Presented By:

14 LAW OFFICE OF NANCY A. SMITH

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16 
~~NANCY A. SMITH, WSB#16002~~
J.PATTERSON REEG, WSB#29704
17 Attorneys for Plaintiff

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APPENDIX 56

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IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON
FOR THE COUNTY OF CLARK

ROSE HOWELL

NO. 02-2-00265-3

Plaintiff, ORDER GRANTING SUMMARY
JUDGMENT OF DISMISSAL

v

CHRISTINA BOLSTER,

Defendant.

THIS MATTER came before the Court, the Honorable Roger A Bennett presiding, on the defendant's motion for summary judgment, the defendant appearing by and through her attorney of record, Barry W. Dod, and the plaintiff ~~appearing by and through her attorney of record,~~ *not appearing*; and, the Court, having considered the defendant's Motion for Summary Judgment and Memorandum in Support, along with the attached exhibits, having further considered and

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FILED

SEP 20 2002

JoAnne McBride, Clerk, Clark Co

PAGE 1 - ORDER GRANTING SUMMARY
JUDGMENT OF DISMISSAL

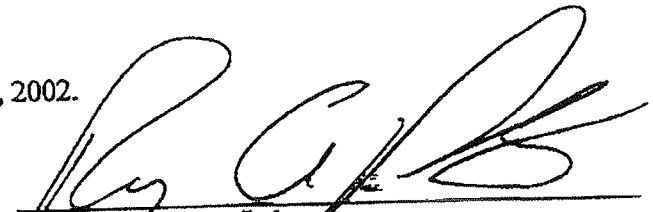
LAW OFFICES
Robert S. Dorband - Managing Attorney
SAFECO Property & Casualty Insurance Cos
P.O. Box 2400 - Lake Oswego, OR 97035-0400
Telephone (503) 675-1400 - Facsimile (503) 697-0484

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noted that the plaintiff has not filed any papers opposing the motion, and having heard the argument of the defendant and of the plaintiff, it is hereby ORDERED that the defendant's motion for summary judgment is GRANTED.

DATED this 20th day of September, 2002.




Roger A. Bennett, Judge

Approved as to form, presentment waived:

Not appearing
_____, WSBA # _____
Attorney for Plaintiff

Presented By:



Barry W. Dod, WSBA # 15063
Attorney for Defendant

APPENDIX 57

FILED

2002 MAR 13 P 1:35

U.S. DISTRICT COURT
DISTRICT OF OREGON
SEASIDE, OREGON

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

ROSE A. HOWELL,)	
	)	Civil No. 01-176-JE
Plaintiff(s),)	
	)	JUDGMENT
v.)	
)	
CONTINENTAL CASUALTY COMPANY,)	
)	
Defendant(s).)	

Based on the record,

IT IS ORDERED AND ADJUDGED that this case is DISMISSED with prejudice. Pending motions, if any, are DENIED AS MOOT.

Dated this 13 day of March, 2002.

by Ancer L. Haggerty
Ancer L. Haggerty
United States District Judge

APPENDIX 58

SUPERIOR
IN THE ~~CLERK~~ COURT OF THE STATE OF WASHINGTON
FOR CLARK COUNTY

COLUMBIA COLLECTORS,)
A Washington Corporation,)
Plaintiff,)

NO. 02 2 032153

FILED
MAY 25 PM 2:25
W. Parker, Clerk
Clark County

ASSIGNMENT OF JUDGMENT

VS.

BRIAN P & ROSE A HOWELL)
Defendants,)

02903952 J

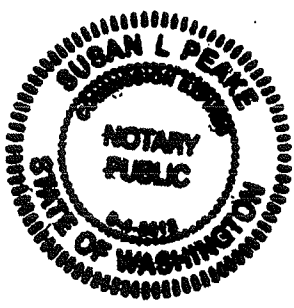
FOR VALUE RECEIVED, The above named plaintiff does hereby assign, transfer and set over unto ACCOUNT CONTROL SERVICES, INC., assignee, all of it's rights, title and interest in and to that certain judgment heretofore made and entered in favor of plaintiff and against defendant in the above entitled cause on the 11th day of July, 2002 with power to enforce and collect the same. The balance now claimed and owing upon said judgment is \$15,385.08.

Dated this 14th day of MAY, 2010
By [Signature]

SUBSCRIBED AND SWORN to before me this 14 day of May, 2010

[Signature]
Notary Public

My commission expires: 8-4-2013



[Faint mirrored text from reverse side of page]

[Handwritten mark]

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FILED
JUL 29 2002
Julius McBride, Clerk, Clark Co.

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IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
IN AND FOR THE COUNTY OF CLARK

02 2 03215 3

COLUMBIA COLLECTORS, INC
Plaintiff,
vs.
BRIAN P & ROSE A HOWELL
Defendant

) Case No.: 279966-2
)
) TRANSCRIPT OF JUDGMENT

02 9 03952 8

This is to certify that this is a transcript of judgment for the above entitled action.

Dated: JULY 11, 2002

By: Jem
District Court Clerk

Jem

APPENDIX 59

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FILED
SEP 19 2003

JoAnne McBride, Clerk, Clark Co.

IN THE SUPERIOR COURT FOR CLARK COUNTY, WASHINGTON

COLUMBIA COLLECTORS, INC.,)
)
) Plaintiff,)
)
) vs)
)
) BRIAN P. HOWELL and ROSE A.)
) HOWELL, Individually and as a)
) marital community,)
) Defendant,)
)
)
)
) WASHINGTON MUTUAL BANK)
) Garnishee.)

No. 02-2-03215-3 ✓

JUDGMENT ON ANSWER OF
GARNISHEE

JUDGMENT SUMMARY

A. Judgment Creditor	COLUMBIA COLLECTORS, INC.,	
B. Garnishment Judgment Debtor	WASHINGTON MUTUAL BANK	
C. Garnishment Judgment amount		\$ 1,636.07
D. Costs Judgment Debtor		\$
E. Costs Judgment Amount		\$ 150.00
F. Judgment to bear interest at		\$ 12%
G. Attorney for Judgment Creditor		\$ DAVID JAHN

IT APPEARING THAT garnishee was indebted to defendant in the nonexempt amount of \$1,636.07; that at the time the writ of garnishment was issued defendant was employed by or maintained a financial institution account with garnishee, or garnishee had in its possession or control funds, personal property, or effects of defendant; and that plaintiff has incurred recoverable costs and attorney fees of \$150.00; now, therefore, it is hereby

1
2 ORDERED, ADJUDGED, AND DECREED that plaintiff is awarded judgment
3 against garnishee in the amount of \$1,636.07; that plaintiff is awarded
4 judgment against defendant in the amount of \$150.00 for recoverable costs;
5 that,

6 A. X if this is a superior court order, garnishee shall pay its
7 judgment amount to plaintiff through the registry of the court, and
8 the clerk of the court shall note receipt thereof and forthwith
9 disburse such payment to plaintiff; that,

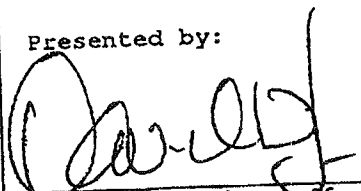
10 B. ___ if this is a district court order, garnishee shall pay its
11 judgment amount to plaintiff directly or through plaintiff's
12 attorney, and if any payment is received by the clerk of the court,
13 the clerk shall forthwith disburse such payment to plaintiff.

14 Garnishee is advised that the failure to pay its judgment amount may
15 result in execution of the judgment, including garnishment.

16 DONE IN OPEN COURT this 19 day of SEPTEMBER, 2003

17
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19 Judge/Court Commissioner

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21 Presented by:

22 
23
24 Attorney for Plaintiff

APPENDIX 60

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FILED
JUN 05 2002
DISTRICT COURT
CLARK COUNTY, WASH.

IN THE DISTRICT COURT OF THE STATE OF WASHINGTON
FOR CLARK COUNTY

COLUMBIA COLLECTORS, INC.,
A Washington Corporation,
Plaintiff,

No. **279966-2**

vs.

BRIAN P. HOWELL and ROSE A. HOWELL,
Individually and as a marital community,
Defendant.

DEFAULT JUDGMENT

THIS MATTER having come on regularly this day for hearing before the undersigned Judge of the above-entitled Court, and the court being fully advised in the premises now makes the following judgment:

JUDGMENT SUMMARY

JUDGMENT AMOUNT	:	\$5,946.24
INTEREST TO DATE OF JUDGMENT	:	\$1,050.37
JUDGMENT CREDITOR	:	COLUMBIA COLLECTORS, INC.
ATTORNEY FOR JUDGMENT CREDITOR	:	DAIVD D. JAHN, WBN #12688
JUDGMENT DEBTOR	:	BRIAN P. HOWELL and ROSE A. HOWELL
AMOUNT OF ATTORNEYS FEES	:	\$1,695.00
AMOUNT OF COURT COSTS	:	\$ 61.00
AMOUNT OF CHECK COLLECTION FEES	:	\$ 80.00
AMOUNT OF STATUTORY DAMAGES	:	\$ 600.00
AMOUNT OF HANDLING FEES	:	\$ 50.00
INTEREST RATE	:	12% per annum from the date of the entry of the judgment

DEFAULT JUDGMENT -1-

Heurlin, Potter, Jahn, Leatham & Holtmann, P S
211 E McLoughlin Blvd., Suite 100
P.O. Box 611
Vancouver, WA 98666-0611
360-750-7547

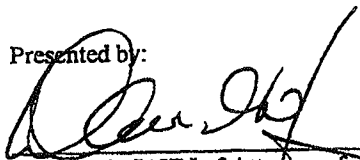
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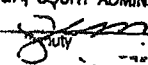
LESS PAYMENT : \$ 0.00
TOTAL AMOUNT OF JUDGMENT : \$9,482.61

IT IS ORDERED, ADJUDGED AND DECREED that Plaintiff be, and hereby is, awarded judgment against each of the Defendants, individually, and their marital community in the sum of \$5,946.24; for prejudgment interest in the sum of \$1,050.37; for reasonable attorney's fees in the amount of \$1,695.00; for Court costs incurred in the amount of \$61.00; for check collection fees incurred in the amount of \$80.00; for statutory damages incurred in the amount of \$600.00; and for handling fees incurred in the amount of \$50.00; less payment of \$0.00; for a total Judgment of \$9,482.61; which Judgment shall accrue interest at the statutory rate from the date of entry of the Default Judgment herein.

DATED 21st day of JUNE, 2002


DISTRICT COURT JUDGE

Presented by:

DAVID D. JAHN of Attorneys for Plaintiff
WBN #12688

STATE OF WASHINGTON
COUNTY OF CLARK
I, Robert A Winsor, Court Administrator and Clerk of the District Court of Clark County, Washington, DO HEREBY CERTIFY that this document, consisting of 4 pages(s), is a true and correct copy of the original now on file and of record in my office and as Court Clerk I am the legal custodian thereof
Signed and sealed at Vancouver, Washington this date.
June 11, 2002
ROBERT A WINSOR, COURT ADMINISTRATOR
BY 

0070105X GEM
07/11/2002 9:47 AM

CLARK COUNTY DISTRICT COURT
D O C K E T

PAGE: 1

CASE: 2/4966-02
Civil

PLA 01 PLAINTIFF/PETITIONER
COLUMBIA COLLECTORS INC
1104 MAIN STREET #311
VANCOUVER WA 98660

DEFENDANT/RESPONDENT
DEF 01 HOWELL, BRIAN P

DEF 02 JAHN, DAVID DUANE
PO BOX 611
VANCOUVER WA 98666-0611
Work Phone: 3607507547

DEF 02 HOWELL, ROSE A

TITLE
COLUMBIA COLLECTORS, INC. VS BRIAN P & ROSE HOWELL, INDIVIDUALLY
& AS A MARITAL COMMUNITY

Filed: 05/07/2002 Cause: Goods and Services DV: N Amount:
5,946.24

05/07/2002	2127101087 CIV FILING FEE Received	31.00	LXB
	Paid by: COLUMBIA COLLECTORS INC		
	2127101087 DISPUTE RES CV Received	10.00	
	Paid by: COLUMBIA COLLECTORS INC		
05/08/2002	Case Filed on 05/07/2002		GLM
	PLA 1 COLUMBIA COLLECTORS INC Added as Participant		
	DEF 1 HOWELL, BRIAN P Added as Participant		
	DEF 2 HOWELL, ROSE A Added as Participant		
	PTY 1 JAHN, DAVID DUANE Added as Participant		
	PLA 1 COLUMBIA COLLECTORS INC Represented by:		
	PTY 1 JAHN, DAVID DUANE		
06/05/2002	MOTION AND PROPOSED ORDER FOR DEFAULT JUDGMENT FILED		MPW
06/07/2002	TO SSA		
06/21/2002	Judgment 1 Default Judgment entered by Judge SSA		GEM
	Principal :	5,946.24	
	Interest :	1,050.37	
	Reas aty fee:	1,695.00	
	Handling :	50.00	
	Collection :	80.00	
	Stat damages:	600.00	
	Other :	61.00	
	Total Judgment Amount.	9,482.61	
	Balance Due	9,482.61	
	for PLA 1 COLUMBIA COLLECTORS INC		
	against DEF 1 HOWELL, BRIAN P		
	against DEF 2 HOWELL, ROSE A		
07/10/2002	2191100600 PREP TRANSCRIPT Received	8.00	LXB
	Paid by: COLUMBIA COLLECTORS INC		

ACCOUNTING SUMMARY

	Total Due	Paid	Balance
Judgment 01	9,482.61		9,482.61

Docket continued on next page

1070105X GEN
07/11/2002 9:47 AM

CLARK COUNTY DISTRICT COURT
D O C K E T

PAGE: 2

CASE: 279966-02
Civil

PLAINTIFF/PETITIONER
01 01 COLUMBIA COLLECTORS INC

DEFENDANT/RESPONDENT
DEF 01 HOWELL, BRIAN P

ADDITIONAL CASE DATA - Continued
Case Disposition
Disposition: OPEN

Judgments
01 Default Judgment 06/21/2002

by SSA

End of docket report for this case

APPENDIX 61



Controller John Chiang
California State Controller's Office

SCO Use Only

UNCLAIMED PROPERTY
CLAIM AFFIRMATION FORM

HEIR



Each of the undersigned claimants certifies, under penalty of perjury, that the claimant has read the claim and knows the contents thereof and that the claimant is the owner of the said claim and the person entitled to receive the money and property set forth in said claim.

Each claimant agrees to indemnify and hold harmless the State, its officers, and employees from any loss resulting from the payment of said claim.

THE CLAIMANT(S) MUST SIGN THIS CLAIM AFFIRMATION FORM FOR THE CLAIM TO BE PROCESSED

LAST NAME Howell	FIRST NAME Rose	MIDDLE A	SSN / TAX ID / FEIN 550119374	PROPERTY ID 964241094
CURRENT MAILING ADDRESS 9504 N.E. 5th Street	CITY Vancouver	STATE WA	ZIP 98664	COUNTRY USA
DAYTIME PHONE (360) 953-0798	CLAIMANT OR AUTHORIZED AGENT SIGNATURE <i>[Signature]</i>			DATE 11/17/2011

LAST NAME	FIRST NAME	MIDDLE	SSN / TAX ID / FEIN	PROPERTY ID 964241094
CURRENT MAILING ADDRESS	CITY	STATE	ZIP	COUNTRY
DAYTIME PHONE	CLAIMANT OR AUTHORIZED AGENT SIGNATURE			DATE

YOUR SIGNATURE(S) MUST BE NOTARIZED IF THE CLAIM AMOUNT IS \$1,000 OR GREATER
ALL CLAIMS FOR SECURITIES OR SAFE DEPOSIT BOXES MUST BE NOTARIZED

For claims filed for a business, the authorized owner's signature is required. For claims filed for an estate or trust, the signature of the executor, administrator or attorney is required.

State of Washington
County of Clark

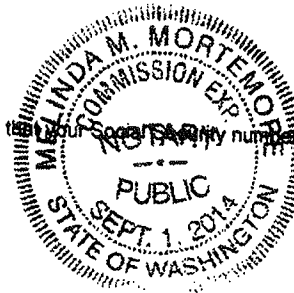
Subscribed and sworn to (or affirmed) before me on this 21 day of November, 2011, by ROSE A. Howell
proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature [Signature] (Seal)

PRIVACY NOTIFICATION

The Information Practices Act of 1977 and the Federal Privacy Act require this Division to inform you that your Social Security number and other documents are requested for property identification and processing of your claim.

You have the right to view your records at this office by sending a request to:
Chief, Unclaimed Property Division, P.O. Box 942850, Sacramento, CA 94250-5873.





Controller John Chiang
California State Controller's Office

SCO Use Only

**UNCLAIMED PROPERTY
 CLAIM AFFIRMATION FORM**

HEIR



Each of the undersigned claimants certifies, under penalty of perjury, that the claimant has read the claim and knows the contents thereof and that the claimant is the owner of the said claim and the person entitled to receive the money and property set forth in said claim.

Each claimant agrees to indemnify and hold harmless the State, its officers, and employees from any loss resulting from the payment of said claim.

THE CLAIMANT(S) MUST SIGN THIS CLAIM AFFIRMATION FORM FOR THE CLAIM TO BE PROCESSED

LAST NAME Howell (Vikara)	FIRST NAME Rosemarie	MIDDLE A	SSN / TAX ID / FEIN 550119374	PROPERTY ID 964241094
CURRENT MAILING ADDRESS 9504 N.E. 5th Street	CITY Marysville	STATE WA	ZIP 98664	COUNTRY USA
DAYTIME PHONE (360) 953-0798	CLAIMANT OR AUTHORIZED AGENT SIGNATURE <i>[Signature]</i>			DATE 12/3/2011

LAST NAME	FIRST NAME	MIDDLE	SSN / TAX ID / FEIN	PROPERTY ID 964241094
CURRENT MAILING ADDRESS	CITY	STATE	ZIP	COUNTRY
DAYTIME PHONE	CLAIMANT OR AUTHORIZED AGENT SIGNATURE			DATE

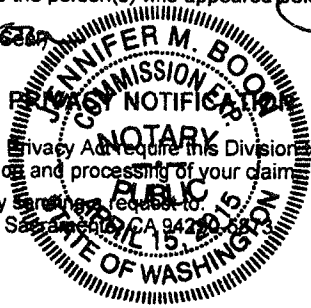
**YOUR SIGNATURE(S) MUST BE NOTARIZED IF THE CLAIM AMOUNT IS \$1,000 OR GREATER
 ALL CLAIMS FOR SECURITIES OR SAFE DEPOSIT BOXES MUST BE NOTARIZED**

For claims filed for a business, the authorized owner's signature is required. For claims filed for an estate or trust, the signature of the executor, administrator or attorney is required.

State of Washington
 County of Clark

Subscribed and sworn to (or affirmed) before me on this 20 day of December, 2011, by Rosemarie Howell
 proved to me on the basis of satisfactory evidence to be the person(s) who appeared before me.

Signature *[Signature]*



The Information Practices Act of 1977 and the Federal Privacy Act require this Division to inform you that your Social Security number and other documents are requested for property identification and processing of your claim.
 You have the right to view your records at this office by searching request to:
 Chief, Unclaimed Property Division, P.O. Box 942850, Sacramento, CA 94280-0850



Controller *John Chiang*
California State Controller's Office

SCO Use Only

**UNCLAIMED PROPERTY
CLAIM DETAILS**

HEIR



10907441

Date: 12/3/2011

Source: INT

Property ID Number: 964241094

Owner(s) Name: VIKARA JOSEPH J

Reported Owner Address: 13115 PAM LN
LAKESIDE CA 92040-3330

Type of Property: Dividends

Cash Reported: \$51.98

Reported By: PRUDENTIAL FINANCIAL INC

Please note: If you are claiming multiple properties, you may file one Claim Affirmation Form and attach a copy of the Property Details Screen for each additional property you are claiming. If there are multiple owners for any property, each owner may sign the Claim Affirmation Form or may file a separate Claim Affirmation Form to receive their share of the property.

Please review that your claim is complete and ready to be mailed:

- Did you sign the Claim Affirmation Form?
- Did you read and print a copy of the filing instructions? If not, filing instructions can be found at http://www.sco.ca.gov/upd_claim_filinginstructions.html. Please select from the list that describes your status.
- Did you attach copies of all of the required documents for your type of claim?
- Did you make a copy of the claim package for your records?

If yes, mail the Claim Affirmation Form and documents to:
CALIFORNIA STATE CONTROLLER'S OFFICE
UNCLAIMED PROPERTY DIVISION
P.O. BOX 942850
SACRAMENTO, CA 94250-5873

Due to the large volume of claims we receive and process, it may take up to 180 days to process your claim. You may check the status of your claim at any time by selecting the Claims Status Search option at: <https://scoweb.sco.ca.gov/UCP/ClaimStatusSearch.aspx>. If you have an outstanding debt with a California state agency, your unclaimed property payment may be intercepted to pay the debt. Thank you for your patience.

If you have questions, please contact us:

By Phone: (800) 992-4647 (Nationwide)
(916) 323-2827 (Outside of U.S)

By Mail: State Controller's Office, Unclaimed Property Division
P.O. Box 942850 Sacramento, CA 94250-5873

APPENDIX 62

THE DISTRICT COURT OF THE STATE OF WASHINGTON IN AND FOR THE
COUNTY OF CLARK

State of Washington City of Vancouver City of Camas City of Washougal

JUDGMENT AND SENTENCING ORDER

DISMISSED

NAME: HOWELL, BRIAN P DOB: 3-17-81 ASSIGNED JUDGE _____

Case No.	LEA	Charges	Fine	Susp/Defer	Jail	Susp/Defer	To Serve	Costs
12594V	WCA	ASSAULT/DV						

Total Fines and Costs Due \$ _____ per month beginning _____
Work Release

YOU MUST REPORT TO CORRECTIONS WITHIN 24 HOURS OF COURT OR RELEASE.

Work programs: \$ _____ Work programs _____ days EHC _____ days

- | | | | | | |
|-----------------------------|--|---|-----------------------------|-----------------------------|---|
| <input type="checkbox"/> CM | <input type="checkbox"/> NM | <input type="checkbox"/> Chemical dependency evaluation and comply with recommendations | <input type="checkbox"/> CM | <input type="checkbox"/> NM | <input type="checkbox"/> SWAY |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Alcohol Information School | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Victims Panel |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Offender Accountability Classes | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Petty Theft Class |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Mental Health Evaluation | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Domestic Violence Treatment |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Aggression Control Workshop | <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Anger evaluation and comply with recommendations |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Level 1 <input type="checkbox"/> Level 2 | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> YAOA Support Group | | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> Restitution: amount and payment schedule to be determined by the Corrections dept. | | | |
| <input type="checkbox"/> | <input type="checkbox"/> All current conditions are reassigned | | | | |
| <input type="checkbox"/> | <input type="checkbox"/> Other: _____ | | | | |

- Supervised probation for a period of two years or _____ yrs. (See Order of Probation)
- No Alcohol
- No driving without a valid drivers license
- No contact with the victim _____ UOB
- Restitution of \$ _____ must be paid by _____; paid to _____

No similar offenses and no further law violations

Bench probation for a period of 2 years unless otherwise specified.

Date: 2/2/9 Judge: [Signature]
 Schreiber, Anders, Zimmerman, Eiland, Melnick, Swanjar

I understand that if I violate this Court Order by failing to comply with any of the above conditions, or commit any new offense, the Court may order the imposition of the Suspended/Deferred Sentence. If I make all of the payments as promised, the Court may refer this account for collection and I will be responsible for all additional costs. Also, the Court may notify the Department of Licensing, my driver's license may be suspended (if not already suspended), and a warrant may be issued for my arrest.

Defendant's signature: Brian P. Howell

Address _____
 Phone No _____

I am fluent in the _____ language and I have translated this entire document for the Defendant from English in that language. The Defendant has acknowledged his or her understanding of both the translation and the subject matter of this document. I certify under the penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

DATED: _____ INTERPRETER: _____

APPENDIX 63

Saturday, August 19, 2017

STATE OF CALIFORNIA
FRANCHISE TAX BOARD
PO BOX 942840
Sacramento, CA 94240-0040

RE: **Account No. 1205987015**
""""DEMAND""""

Dear Sir/Madam:

In 2001, in concert with the ""OSAMA BIN LADEN AGENDA"" executed on my "person" with the deliberate calculated "intent" to bring about "my" demise, the **STATE Of CALIFORNIA and INTERNAL REVENUE SERVICE began STEALING the earned income** (something none of you would know anything about) of BRIAN P. HOWELL, by "altering" tax filings beginning back to 1998 and concurrently every year thereafter.

The STATE Of CALIFORNIA and INTERNAL REVENUE SERVICE have been allowing thieves such as PAUL, SANDRA, and STEVEN HOWELL, et al. and basically the entire public population ***file fraudulent tax filings with the "unauthorized" use of "my/our" identities and personally identifiable information*** (citing 5 U.S.C. §552a; and the U.S. 5th Amendment). I was audited at which time it was established that you people are the ones with the liability and BILLS, interest accrued. At this point, *my best estimate* is that YOU OWE ME around \$20,000.-30,000., *interest accrued* **JUST for the STOLEN EARNED INCOME**; notwithstanding, "all" other DEBTS that YOU, et al and YOUR STATE, et al. owe to **"me"** (*i.e.*, the Owner/Heir).

Based on my research and analysis [] my inlaw(s), et al. (*i.e.*, PAUL, SANDRA, and STEVEN HOWELL, et al. (emphasis on ""et al."")) *have been stealing and TAKING hand over fist* by/through the "unauthorized" use of

"my" identity consecutively since ABT. 1984 (*citing, RCW 48.30.230, triggering 9A.20 RCW and TITLE 18 U.S.C.*).

That's not all they've been stealing (*See, "APP. No. 1", attached*). Further than that, ""the inlaw(s), et al. from "HELL"" have been stealing retirement/pension account(s), income of various types, property, and from what I can tell producing *quite an array* of fraud, *citing TITLE 18 U.S.C.*). My in-law(s), et al. can pay their own bills. We are NOT paying their bills or funding their over-extended retirement(s)[.]

Additional DEMAND (*See also, ""APP. No. 1"", attached*):

- 1.) **The STATE Of CALIFORNIA is to ""REVERSE"" and ""REFUND"" every ISSUE** that you manifested through fraud(s), felony theft(s), deception(s), and interstate and foreign racketeering *including, not limited* the attached **TAX BILL**.

And:

The STATE Of CALIFORNIA is to "liquidate" that bogus Account No. 1205987015, transferring "all" ASSET(s) to "me" and ALPHA-OMEGA[.]

- 2.) **The STATE Of CALIFORNIA is to meet every part thereof ""APP. No. 1"", attached.**

That includes, but does not limit the so called HOWELL FAMILY TRUST (admin. Paul & Sandra Howell w/o any authority whatsoever) as it is STOLEN ASSET(s), PROPERTY(s), FUND(s), and STOCK(s), BOND(s), etc., etc. (without a doubt - knowing my inlaw(s), et al. and what they've done with your GOVERNOR's "aid" I have no doubt what it's comprised of) - that HOWELL FAMILY TRUST, et al. belongs to "my" "*Inheritance(s) and Estate(s)*".

If, the STATE Of CALIFORNIA has issue with "any" bogus bill particularly a TAX BILL that is nothing but a fraud tool of criminals, then:

- 3.) **GOVERNOR JERRY BROWN must cut you a check out of his own personal account forthwith** (emphasis on "personal account").

And:

- 4.) **The STATE Of CALIFORNIA is to RETURN to "me" and transfer to ALPHA-OMEGA ""everything""** (emphasis on "everything") that resides inside the STATE Of CALIFORNIA that belongs to "me", and/or my "*Inheritance(s) and Estate(s)*", and my pre-deceased family member "Estate(s)" (*citing, 18 U.S.C. §1958; §1959*).

And:

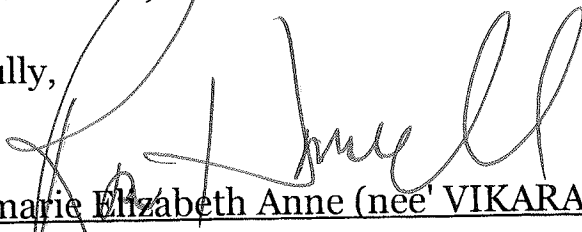
- 5.) My pre-deceased have to be re-buried appropriately. YOU are DEMANDED to fund and cooperate doing so immediately upon "my" request (which will be as soon as I make the proper arrangements).

The STATE Of CALIFORNIA, et al. & WASHINGTON, et al. & OREGON, et al. & MAINE, et al. are responsible for murder for-profit (*i.e., the liberal agenda of ""WATER-GATE's""*).

- 6.) **The STATE Of CALIFORNIA, et al. and all others are to CEASE & DESIST** helping yourselves to "my" "*Inheritance(s) and Estate(s)*".

Going forward unless you can pay for it **BEFORE TAKING** and ascertain "my" direct notarized signature then you're 'totally and completely' out of luck (*citing, TAKINGS CLAUSE of the U.S. 5th Amendment; and JUST COMPENSATION CLAUSE of the U.S. 5th Amendment*).

Respectfully,



/s/ Rosemarie Elizabeth Anne (née' VIKARA) Howell a/k/a Rose Howell
9504 NE 5th Street
Vancouver, WA 98664-3307
(360) 953-0798
rosie.howl@gmail.com

ATTACHED as APPENDIX 7 w/ Franchise Tax Board Account No. 1205987015, to:

NOTICE to EXCLUDE w/ CROSS-CLAIM & COUNTER-CLAIM, U.S. DIST. CT., CENTRAL DIST. CALIF., WEST DIV., No. 2:12-CV-08388-AB-FFM



STATE OF CALIFORNIA
FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

DS34

Notice Date: 08/08/17

Account Status Notice

Account: 1205987015

Tax Years: 1998

BRIAN P HOWELL
 9504 NE 5TH ST
 VANCOUVER WA 98664

We sent you this notice for informational purposes only.

If you are currently in a hardship or have an installment agreement, this notice does not change the agreement. In addition, this notice does not delay or change outstanding collection actions.

Our records show balances as indicated below. Your account balance may include additional debts not reflected below, such as liabilities currently under appeal or protest. Also, your account balance may not reflect adjustments, such as those resulting from a prior or pending bankruptcy.

If you meet the requirements of the Mandatory e-pay Program, **all payments, regardless of the tax year or amount, must be made electronically.** Payments made by other means result in a penalty of one percent of the amount paid. For more information, go to ftb.ca.gov and search for **mandatory e-pay**.

If you have questions regarding your account or believe you do not owe this balance, call us at (916) 845-7065, (888) 382-3707, (800) 822-6268 TTY/TDD.

Please have your supporting documents available. Our hours are 8 a.m. to 5 p.m., Monday through Friday.

To Pay Your Balance:

Online and other payment options: Go to ftb.ca.gov and select **payment options**.

Check or money order: Make payable to the **Franchise Tax Board**. Include your full name and account number on your payment and mail to:

FRANCHISE TAX BOARD
 PO BOX 942840
 SACRAMENTO CA 94240-0040

Credit card – Call (800) 272-9829 or go to officialpayments.com (use jurisdiction code: 1555)

No additional penalties or interest will accrue if we receive full payment within 15 days from the notice date.

BALANCE SUMMARY FOR ACCOUNT 1205987015

TAX YEAR	TAX AMOUNT	PENALTY * AMOUNT	CODE	INTEREST *	COLLECTION FEES *	PAYMENTS	ADJUSTMENTS	TAX YEAR AMOUNT
1998	\$5,010.00	\$2,776.95	AW	\$10,936.76	\$119.00	\$0.00	\$0.00	\$18,842.71
**OTHER LIABILITY CODES == >					OTHER LIABILITY AMOUNT == >			

Balance

\$18,842.71

* Penalties, Interest, fees and your rights as a California taxpayer are explained on the enclosed FTB 1140.

** Penalty and other liability codes are listed on the back.

For privacy information, go to ftb.ca.gov and search for **privacy notice**. To request this notice by mail, call (800) 338-0505 and enter form code **948** when instructed.

APPENDIX 64

Tuesday, October 10, 2017

STATE OF WASHINGTON TREASURER
416 14th Ave., S.E.
Suite No. 230
Olympia, WA 98504

STATE Of WASHINGTON ATTORNEY GENERAL
P.O. Box 40100
Olympia, WA 98504-0100

STATE Of OREGON
Department Of Justice
1162 Court St., N.E.
Salem, OR 97301-4096

RE: **""DEMAND"" in addition to APP. No. 1, 63.**

Dear Sir/Madam:

In the late 1880's, the **STATE's** took part in the DNC LIBERAL AGENDA and subsequent progressive constitutional obliterations.

In the 1950's, the **STATE's** took part in the UNITED NATION'S which led to "unauthorized" globalization, the IMF, WORLD BANK, etc., and the present day mess.

In the 1930's, the **STATE's** began acting in concert with FDR (Joseph Kennedy acting Ambassador to the U.K.) and FDR's Cronies who are now WALL STREET (*e.g.*, New York).

In the 1960's, the **STATE'S** began acting in concert with the CIVIL RIGHTS MOVEMENT with its hidden agenda in concert with the VIETNAM WAR (*e.g.*, Kennedy's personal agenda).

In the 1970's, the **STATE's** began acting in concert with WATER GATES, ""et al."" and its RAPING of the Petitioner "sovereign" BIRTH[r] Rights for its interstate and foreign RICO Enterprise (e.g., Carter Admin. humanity).

In 1981-83, the **STATE's** began acting in concert with the REGAN TAKINGS without JUST COMPENSATION (U.S. 5th Amend.) which was around the same time that Petitioner discovered online that Queen Elizabeth had been in San Diego, CA and several other areas visiting REAGAN, ""et al."" The first "hit" that caused life-altering injuries was December 26, 1984 (non-beneficiary(s) over-indulged spending).

In 1990, the **STATE's** began acting in concert with a very Fraudulent TRUST INDENTURE, No. BP3019010.

In 1998, the **STATE's** began acting in concert with ""APP. No. 52"" which has resulted frauds, unlawful restraints, defamatory records and acts on those defamatory lies which stem from Identity Theft(s) (multiples), malice afore-thoughts, life-altering injuries, and wrongful deaths, fraudulent cases galore, and other (emphasis added).

That while the **STATE Of WASHINGTON**, ""et al."" *in concert with its partner's* in the **STATE Of OREGON**, ""et al."" liberally TAKE and violate to protect that "unauthorized" TAKING. An issue that has plagued the area extremely liberally (APP. No. 38, 46-48).

The **STATE Of WASHINGTON** and **STATE Of OREGON** have knowingly for a very protracted period been *permitting non-beneficiary(s)* to STEAL and TAKE "unauthorized" (APP. No's 38 (ref: No. 35), 45, 46-48, 52, 53-61) which has led to the injuries and damages that **YOU are liable**. RCW 48.31.151 (statutory racketeering). YOU OWN IT. YOU allowed it. YOU aided & abetted it. YOU took ample part in it making yourselves co-conspirators just as liable as if you'd inflicted the HELL yourself[.]

When the **STATE Of WASHINGTON**, ""et al."" subsequent to the **STATE Of OREGON**, ""et al."" sought out Petitioner's son (No. 7) and subsequently kidnapped him (custodial interference) to commit deliberate

FRAUD (APP. No. 3-11) which began just after January 10, 2012 "anticipatory" (APP. No. 49), and after doing the same to Petitioner's other son (No. 6) in 2008 (APP. No. 54), YOU made yourselves (WASHINGTON & OREGON) further liability(S).

That's not taking into consideration that your **bottom-feeders** have been seeking out Petitioner's children since right around the same time as that FRAUDULENT TRUST INDENTURE, No. BP3019010 (the IN-LAW(s), ""et al."" from HELL that seek to destroy in concert with JOANN, ""et al."").

YOU PEOPLE have destroyed Petitioner's family and manifested damages that are **unconceivable and irreparable**. How you intend to fix those damages, Petitioner would like to know??? Plan on REPAIRING every iota of damages; or you'll be held further ACCOUNTABLE. This is what happens when you deliberately **for profit act** on FRAUD and go into business with JOANN, ""et al."" (emphasis on ""et al."").

MR. FERGUSON:

WHERE IS MY SON (No. 7)?? Pray you haven't inflicted injuries with you malicious games of FRAUD and DECEIT.

- 1.) YOU, Mr. FERGUSON, ""et al."" which includes GOVERNOR JAE INSLEE, ""et al."" and SENATOR PATTY MURRAY, "et al."" and BARACK HUSSEIN OBAMA, ""et al."" and BILL & HILARY CLINTON, ""et al."" for your anticipatory deceptive FRAUD and "intended" malice and EXIT PLAN (APP. No. 3, 33-337) are "**DEMANDED**" to pay "me" (Petitioner) in addition to (APP. No.'s 1, 63) **\$10.5M a day, interest accrued** for my loss of sleep, anxiety, stress, etc., **FOR EVERY DAY** that you have detained my son beg. Feb. 8, 2016 (anticipated on January 10, 2012 (APP. No. 49).

Those damages cannot be paid out of my assets **they must be paid out of your own personal and state assets**.

I don't joke especially when dealing with such malice aforethought and stress.

Just as Governor Jerry Brown is liable so are YOU.

THEREFORE, because Petitioner wants nothing to do with PEOPLE who think that creating injuries and FRAUDS are acceptable:

Petitioner "DEMAND(s)" in addition to (APP. No.'s 1, 63, and the above-stated Bob Ferguson Issue) that the **STATE OF WASHINGTON** and the **STATE OF OREGON**, meet the following **"DEMAND(s)"**, forthwith:

- 1.) **""REVERSE""** and **""VOID""** and **""REFUND""** and **""SCRUB The RECORDS""** on every **ISSUE** that you manifested through fraud(s), deception(s), malice afore-thoughts, and interstate and foreign racketeering *including, not limited to* (APP. No.'s 1, 3-11, 16-37, 40-48, 53-64, and all those discovered / unknown used for the "unauthorized" transferences).
- 2.) IMMEDIATELY RETURN Petitioner's son (No. 7) *unharm***ed** (emphasis added).
- 3.) **"Liquidate"** the assets residing within your corrupt STATE's **TRANSFERRING** those assets to "me" (Petitioner) and ALPHA-OMEGA "Sovereign" HOLDINGS (Delaware)[.]
- 4.) **MEET every part thereof ""APP. No. 1""**, **attached**.
That includes, but does not limit TRUST(s), STOLEN ASSET(s), JEWELRY, FAMILY MEMENTO(s), PROPERTY(s), PHOTO(s), FUND(s), and STOCK(s), BOND(s), BUSINESS(s), etc., etc. - they belong to "my" *"Inheritance(s) and Estate(s)"*.
- 5.) **RETURN** to "me" (Petitioner) and **TRANSFER** to ALPHA-OMEGA "Sovereign" HOLDINGS **""everything""** (emphasis on "everything") that resides inside the STATE that belongs to "me",

and/or my "Inheritance(s) and Estate(s)", and my pre-deceased family member "Estate(s)" (citing, 18 U.S.C. §1958; §1959).

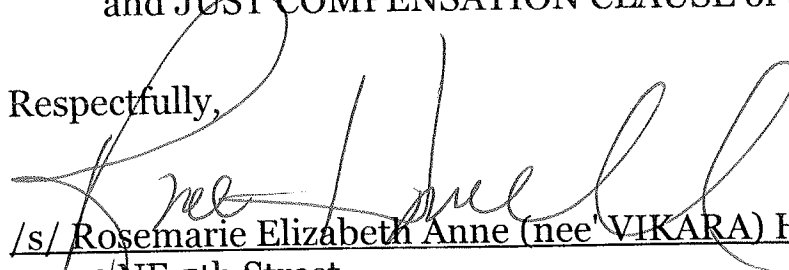
6.) My pre-deceased have to be re-buried appropriately. YOU are DEMANDED to fund and cooperate doing so immediately upon "my" request (which will be as soon as I make the proper arrangements). **YOU'LL be responsible pro rata** with CALIFORNIA and MAINE.

The STATE Of CALIFORNIA, et al. & WASHINGTON, et al. & OREGON, et al. & MAINE, et al. are responsible for murder for-profit (i.e., the liberal agenda of ""WATER-GATE's"").

7.) **CEASE & DESIST** helping yourselves to "my" "Inheritance(s) and Estate(s)".

Going forward unless you can pay for it **BEFORE TAKING** and ascertain "my" direct notarized signature (direct means my person is right in front of you with a notary) then you're 'totally and completely' out of luck (citing, TAKINGS CLAUSE of the U.S. 5th Amendment; and JUST COMPENSATION CLAUSE of the U.S. 5th Amendment).

Respectfully,



/s/ Rosemarie Elizabeth Anne (nee VIKARA) Howell a/k/a Rose Howell

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