

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

IN RE THE APPLICATION OF:

SHERELL K. BERRETT


License No. 78966

**PRE-HEARING CONFERENCE
ORDER**

(Formal Hearing)

DOCKET No. 2012-030-LC
Enf. Case No. 3088

Mark E. Kleinfield,
Presiding Officer

A **PRE-HEARING CONFERENCE** in the above matter was held on February 28th, 2012 at 9:00 o'clock A. M. Mountain Time before the Commissioner of the Utah State Insurance Department ("Department"), with Mark E. Kleinfield, Administrative Law Judge serving as designated Presiding Officer.

Said conference being held at the Department's offices located at the Utah State Office Building, Room B110, Salt Lake City, Utah 84114, having been convened at the designated time of 9:00 (9:05) o'clock A. M., February 28th, 2012 and adjourned at 9:26 o'clock A. M. on said same day.

Appearances:

Shawn Farris,  (via telephone).

M. Gale Lemmon, Assistant Attorney General, Attorney for Complainant, Utah State Insurance Department, State Office Building, Room 3110, Salt Lake City, Utah 84114.

By the Presiding Officer:

Pursuant to a previous Notice of Pre-Hearing Conference a conference was conducted on February 28th, 2012 in the above-entitled proceeding. The Respondent was present at that time via telephone from his legal counsel's office..

The conference was convened and conducted in accordance with Utah Code Ann. Section 63G-4-101, et seq. and Administrative Rule R590-160.

Based on agreement of the parties, the Presiding Officer enters the following:

ORDER

1. **Hearing Date(s)**: The hearing in this matter will be a **formal hearing** and will be held Monday, March 26th, 2012 commencing at 10:00 o'clock A. M. Mountain Time, in the offices of the Utah Insurance Department, 3110 State Office Building, Salt Lake City, Utah 84114.

2. **Discovery**: The parties will engage in "open" discovery or exchange of documentation as necessary. Disagreements, if any, shall be brought to the attention of the Presiding Officer as soon as possible for resolution. Discovery to be completed, including all responses, by the close of business, 5:00 o'clock P. M. Mountain Time on March 19th, 2012.

3. **Witness Lists**: The parties shall file their witness lists as soon as possible but no later than the close of business, 5:00 o'clock P. M. Mountain Time on March 19th, 2012. (Such lists to include all witnesses either party intends to call at the scheduled hearing and a short synopsis of the witness's testimony. Such list shall indicate if the party plans to "call" a witness telephonically.)

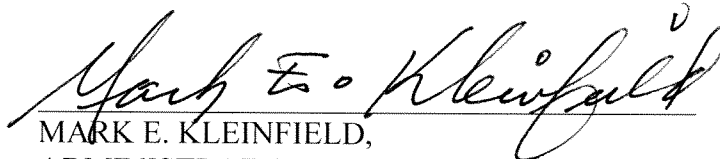
4. **Exhibit Lists**: The parties shall file their exhibit lists as soon as possible but no later than the close of business, 5:00 o'clock P. M. Mountain Time on March 19th, 2012. (Such lists to include all exhibits either party intends to introduce at the scheduled hearing.) (Copies of exhibits to be filed with the Court at least three (3) business days prior to the scheduled hearing for marking.)

5. **Other**: (Stipulations, etc.)

The parties if able to agree to a stipulation of facts should reduce such to writing and file the same by the close of business, 5:00 o'clock P. M. Mountain Time on March 19th, 2012.

DATED and ENTERED this 29th day of February, 2012.

**NEAL T. GOOCH,
INSURANCE COMMISSIONER**



MARK E. KLEINFELD,
ADMINISTRATIVE LAW JUDGE and
PRESIDING OFFICER

Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone: (801) 537-9246
Facsimile: (801) 538-3829
Email: MKleinfeld@utah.gov
