

STATE OF ARIZONA
RECEIVED

OCT 25 2005

DIRECTOR'S OFFICE
INSURANCE DEPT.

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of an Appeal by:

No. 05A-099-INS

AMERICAN EMPLOYERS BENEFIT
TRUST AND
EMPLOYERS RESOURCE
MANAGEMENT COMPANY,

ORDER DENYING PREHEARING
CONFERENCE

Petitioner,

Of a Decision by:

NATIONAL COUNCIL ON
COMPENSATION INS., INC.,

Real Party In Interest.

On October 7, 2005, the Office of Administrative Hearings received NCCI's Motion for Prehearing conference and Motion for Leave to File Answer. With respect to the latter motion, that request has previously been presented to this Tribunal and the Administrative Law Judge informed the parties that no ruling will be made on that request as it is within the jurisdiction of the referring agency and not this Tribunal.

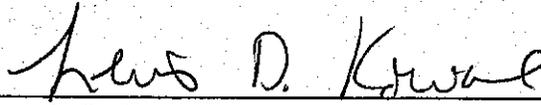
Petitioners filed a Response to the Motion for a Prehearing Conference asserting that there is no need for a prehearing conference at this time and one will not be necessary unless the parties, in an attempt to resolve prehearing issues, arrive at an impasse.

The Administrative Law Judge's calendar, at this time, cannot accommodate a prehearing conference in this matter. It is suggested that the parties meet to address prehearing matters.

Office of Administrative Hearings
1400 West Washington, Suite 101
Phoenix, Arizona 85007
(602) 542-9826

1
2 **THEREFORE,**
3 **IT IS ORDERED denying the Motion for a Prehearing Conference.**

4
5 Done this day, October 24, 2005.

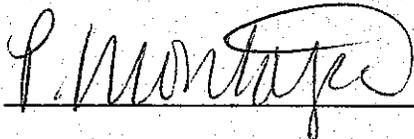
6
7 
8 _____
9 Lewis D. Kowal
10 Administrative Law Judge

11 Copy mailed this 24 day of
12 October, 2005 to:

13 Christina Urias, Director
14 Department of Insurance
15 2910 North 44th Street, Ste. 210
16 Phoenix, AZ 85018

17 Frederick C. Berry, Jr.
18 350 East Virginia Avenue, Suite 200
19 Phoenix, AZ 85004

20 Sara Begley
21 Hennelly & Steadman, PLC
22 Goldsworthy House
23 322 W. Roosevelt
24 Phoenix, Arizona 85003

25
26 By  _____