

OCT 27 2010

DIRECTOR'S OFFICE
INSURANCE DEPT.

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

BERGLUND, BRIAN JAMES
AND BERGLUND ENTERPRISES, INC.
dba
BERGLUND INSURANCE AGENCY,

Respondent.

No. 10A-089-INS
No. 10A-136-INS

ORDER SETTING PRE-HEARING
CONFERENCE

The above-captioned matter has been calendared for administrative hearing on February 7, 2011 with the Arizona Office of Administrative Hearings (an independent state agency).

Current budgetary constraints prevent rescheduling of matters on the calendar. No changes will be granted on a scheduled hearing date to anything other than a firm hearing date. The parties will be required to proceed on a scheduled date with their witnesses (in person, through telephonic testimony or by deposition) or with substitute witnesses to present any needed witness testimony, or with any substitute or new counsel.

Therefore, to provide the parties an opportunity to resolve any remaining issues without the need for administrative hearing and/or to expeditiously and fairly proceed at a scheduled hearing,

IT IS ORDERED the Administrative Law Judge will conduct a **pre-hearing conference with the parties on December 3, 2010 at 4:00 pm.**

The matters to be discussed at the pre-hearing conference are:

1. Clarification and verification of the issue(s) for hearing;
2. The status of the parties' efforts to resolve the matter without the need for an administrative hearing;
3. The dates on which the parties (and their witnesses) would be available for administrative hearing;
4. Stipulations regarding the admissibility of exhibits;

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Phoenix, Arizona 85007
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- 1 5. Stipulations of fact the parties can reduce to written statement; and,
2 6. Any other procedural matters important to the timely and efficient
3 adjudication of any remaining issues.

4 **IT IS FURTHER ORDERED** to assist in possible resolution of the dispute,
5 on or before **November 23, 2010**, each party shall file with the Tribunal for the
6 pre-hearing conference, and copy to all other parties, a list of their witnesses,
7 including a brief statement of the witnesses' expected testimony, and a list of
8 exhibits intended to be presented at hearing. The Department shall designate its
9 exhibits using numbers and Berglund Insurance using letters. In this pre-hearing
10 filing, each party shall also state the law, rules or policy relied on for the party's
11 position. A party's failure to make the pre-hearing filing may result in the
12 evidence not being admitted or considered by the Administrative Law Judge at
13 the hearing.

14 Done this day, October 25, 2010.

15 Thomas Shedden
16 Administrative Law Judge

17 Copy mailed this 28th day of October, 2010 to:

18 Christina Urias, Director
19 Department of Insurance
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30 By J. Meng