

MAR 8 1999

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

Docket No. 98A-167-INS

D & E ROOFING, L.L.C.

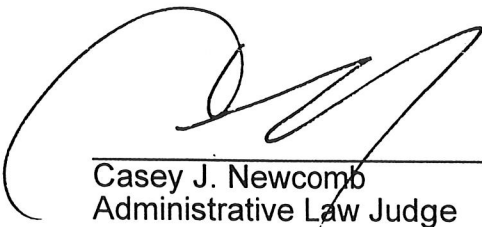
ORDER DENYING REHEARING

Petitioner.

On February 1, 1999, the undersigned Administrative Law Judge received a Motion for Rehearing and/or Review from Attorney Curtis Ensign, counsel for the Petitioner. Attorney Ensign argued that the Order dated January 5, 1999 is contrary to law and should be reversed. On or about March 4, 1999, the undersigned Administrative Law Judge received a Response from Deborah E. Mittelman, counsel for the State Compensation Fund. Attorney Mittelman argued that the Order is fully supported by the facts and by the law.

For the reasons set forth in Attorney Mittelman's Response and for the reasons set forth in the undersigned Administrative Law Judge's Recommended Decision, dated December 30, 1998, the undersigned Administrative Law Judge respectfully recommends that the Petitioner's Motion for Rehearing and/or Review be denied.

Done this day, March 4, 1999.



Casey J. Newcomb
Administrative Law Judge

Office of Administrative Hearings
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Copy mailed this 5th day of
March, 1999, to:

Mr. Charles R. Cohen, Director
Department of Insurance
ATTN: Curvey Burton
2910 North 44th Street, Ste. 210
Phoenix, AZ 85018

By Brenda H Aldama