

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Jessica Holman-Clinton
Docket No.: Ins. No. 23-031-EP**

MOTION TO ALLOW REMOTE WITNESS

NOW COMES the New Hampshire Insurance Department (“NHID”) and hereby requests that the Hearing Officer allow New Hampshire consumer D.B. to appear at the hearing remotely, and in support thereof, states as follows:

1. This matter is currently scheduled for a hearing on October 17, 2023.
2. D.B. is a NH consumer who was sold a health insurance policy by Respondent. Both D.B. and the NHID assert that Respondent pushed through the sale of the policy though D.B. was only requesting information about potential policies to purchase.
3. D.B. is expected to testify as to the initial transaction with Respondent and his request for information, as well as the difficulty he and his wife had in unraveling the policy sold by Respondent since they did not know she had placed it, and D.B. and his wife had in place a different policy to cover their health care needs.
4. Attendance at the hearing in person is difficult for D.B. for two reasons: he is currently recovering from recent surgeries, and the only working vehicle the household owns is used by his wife J.B. to travel to work.
5. INS 206.01 allows a witness to appear remotely as long as there is good cause to allow it, and the witness’s appearance remotely would not violate any law or rule or constitutional protections, and would promote the fair, accurate, and efficient resolution of the issues pending before the Department.
6. There is good cause pursuant to INS 206.01 (c)(2) and (3) to allow D.B. to appear remotely at this hearing, as attendance at the hearing is difficult for D.B. due to his physical impairment and transportation difficulties.

7. Allowing D.B. to appear remotely would still permit him to provide the testimony needed to consider the issues pending before the Department to enable a fair and accurate resolution of the issues, including any additional questioning by the Hearing Officer or cross-examination by the Respondent, and thereby does not violate any law, rule, or constitutional protection.
8. Due to the Respondent's complete lack of any communication with the Department since the inception of this matter, undersigned counsel has not sought the assent of Respondent for this motion.


WHEREFORE, the NHID respectfully requests that the Hearing Officer:

- A. Allow D.B. to appear at the hearing remotely through telephone; and
- B. For other relief as is just and proper.

NEW HAMPSHIRE INSURANCE DEPARTMENT

By its counsel,

Date: 10/11/23



Joshua S. Hilliard, Esq.
Compliance and Enforcement Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and accurate copy of the foregoing Motion was sent to 933 W. Orange Blossom Trail Apt. C, Apopka Florida 32712, and 110 W. Orange St., Altamonte Springs, FL 32714 the mailing and residential addresses the Respondent maintains on file with the Department, as well as jessicaclinton0915@gmail.com, the e-mail address the Respondent maintains on file with the Department.

Date: 10/11/23



Joshua S. Hilliard, Esq.
Compliance & Enforcement Counsel