

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: David Hafen
Docket No.: Ins. No. 22-007-EP**

MOTION TO ALLOW REMOTE WITNESS

NOW COMES the New Hampshire Insurance Department ("NHID") and hereby requests that the Hearing Officer allow Joan LaCourse to appear at the hearing as a witness remotely, and in support thereof, states as follows:

STATEMENT OF FACTS

1. This matter is currently scheduled for a hearing on April 12, 2022.
2. Ms. Joan LaCourse is the Licensing Supervisor at the New Hampshire Insurance Department, and the Department intends to call her as a witness for her knowledge of Respondent's licensing history.
3. On April 11, 2022, Ms. LaCourse communicated with undersigned counsel and indicated that she has had a close exposure to a positive COVID-19 person on April 8, 2022, and per Department and CDC guidance is quarantining while working from home.
4. 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.
5. There is good cause pursuant to INS 206.01 (c) to allow Ms. LaCourse to appear remotely at this hearing, as her exposure to the COVID-19 virus might threaten the health of others present at the hearing.
6. Allowing Ms. LaCourse to appear remotely would still permit her 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, while also ensuring the safety of all attending.

7. 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 Ms. LaCourse to appear at the hearing remotely, either through telephone or video-conference; and
- B. For other relief as is just and proper.

NEW HAMPSHIRE INSURANCE DEPARTMENT

By its counsel,

Date: 4/6/20



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 Respondent at davidhafen@allstate.com and hafend@gmail.com.

Date: 4/6/20



Joshua S. Hilliard, Esq.
Compliance & Enforcement Counsel