

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF KANSAS**

In the Matter of the Kansas Resident )  
Insurance Agent's License of )  
**STEVEN L. DREILING,** )  
NPN #6101167, )

**Docket No. 4375-SO**

**ORDER ON RESPONDENT'S MOTION TO SET ASIDE FINAL ORDER  
AND REQUEST FOR HEARING**

On December 29, 2011, this matter came on for hearing of Respondent's Motion to Set Aside Final Order and Request for Hearing. The Kansas Insurance Department (KID) appeared by and through counsel, Brenda J. Clary, staff attorney. Respondent appeared in person with counsel, Norman R. Kelly. The Hearing Officer, Robert M. Tomlinson, in the above-captioned matter hereby made the following findings and enters the Order as follows:

On November 1, 2011, KID issued a Summary Order alleging Respondent had committed violations of K.S.A. 40-4909 in his capacity as an agent. KID received no response to the allegations of the Summary Order from Respondent, and entered a Final Order revoking Respondent's insurance agent license on November 22, 2011. On December 6, 2011, Respondent filed a motion to set aside the Final Order and to request a hearing in this matter.

Respondent's motion alleged that the service of the Summary Order was ineffective and invalid, and thus the Final Order was invalid as well. The Hearing Officer received briefs and heard arguments from both parties, and finds the service of the Summary Order was invalid. There is dispute as to whether Respondent might have in fact received the Summary Order, but it is clear the service was defective. In light of the gravity of these proceedings, this Hearing Officer is inclined to grant Respondent a hearing.

The Final Order entered in this matter on November 22, 2011 is hereby vacated in its entirety, including the revocation of Respondent's insurance agent license. This matter is set for preliminary hearing on the 12<sup>th</sup> day of January 2012, at the Kansas Insurance Department, 420 SW 9<sup>th</sup> St., Topeka, Kansas, beginning at 10:00 a.m.

**IT IS SO ORDERED ON THIS 4th DAY OF JANUARY, 2012, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



/s/ Robert M. Tomlinson  
Robert M. Tomlinson  
Assistant Commissioner of Insurance  
Presiding Officer

### Certificate of Service

I hereby certify that I served a true and correct copy of the above-and foregoing **Prehearing Order** by depositing a copy of the same in the United States mail, postage prepaid, on the 4th day of January 2012, addressed to the following:

Steven L. Dreiling  
Allstate Asset Conservation Group  
4102 W. 6th Street, Suite A  
Lawrence KS 66049-4626

Norman R. Kelly, Esq.  
213 S. Santa Fe  
P.O. Box 2388  
Salina, KS 67402-2388  
*Attorney for Respondent*

And hand delivered to:

Brenda J. Clary  
Staff Attorney  
Kansas Insurance Department  
420 SW 9<sup>th</sup> Street  
Topeka, KS 66612  
*Attorney for KID*

/s/ Jana L. Beethe  
Jana L. Beethe  
Legal Assistant