

**NEW HAMPSHIRE INSURANCE DEPARTMENT**

**KIM DIANE HAYES BUTLER**


**INS 22-048-EP**

**PROCEDURAL ORDER**

Kim Diane Hayes Butler (“Butler”) filed a motion to continue the hearing scheduled for October 4, 2023, for 90 days. The Hearing Officer may grant a motion to continue for good cause. Under Ins. 206.06(c) “Good cause shall include the unavailability of information, parties, witnesses, or attorneys necessary to conduct the hearing, the likelihood that the hearing will not be necessary because the parties anticipate settlement, or any other circumstances that demonstrate that a postponement would assist in resolving the case fairly.” Butler has indicated that she has similar proceedings in Texas, that she expects them to be resolved within 90 days, and that the resolution of the Texas proceedings may moot the New Hampshire proceedings. These allegations establish “good cause” to continue the October 4, 2023, hearing for 90 days.

At present Butler has no producer’s license in New Hampshire and that will remain so unless and until she prevails in litigation with the New Hampshire Department of Insurance at a future date. She also represented she will not try to conduct business in New Hampshire without a license. This matter is continued to **January 4, 2024**, at which time an evidentiary hearing will be held.

10-2-23  
Date

  
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Steven M. Notinger, Hearings Officer