

**State of New Hampshire  
Insurance Department**

**Docket No.: INS 22-048-EP  
Appeal of Kim Diane Hayes Butler**

**Assented to Motion to Postpone Hearing Date/Stay Appeal**

**September 20, 2022**

The above-referenced matter has been docketed for hearing before Steven M. Notinger, Esq. (in his role as the New Hampshire Insurance Department's (the "Department") appointed Hearing Judge) and scheduled for October 4, 2022 at 1 p.m.

WHEREAS, Kim Diane Hayes Butler is a resident of the State of Texas;

WHEREAS, Ms. Butler holds a resident insurance producer license issued by the Texas Department of Insurance (the "Texas Department");

WHEREAS, the Texas Department has indicated to Ms. Butler's Texas legal counsel that it intends to conduct a regulatory review regarding whether the Texas Department should either revoke or deny the renewal of Ms. Butler's Texas resident insurance producer license (the "Texas License");

WHEREAS, Ms. Butler's Texas License will expire and need to be affirmatively renewed by the Texas Department as of June 30, 2023, so any action by the Texas Department will take place on or prior to that date, and any final determination of this matter in Texas will take place during 2023;

WHEREAS, the Department issued a non-renewal of Ms. Butler's New Hampshire non-resident insurance producer license (the "NH License") as of June 30, 2022, by letter to Ms. Butler dated August 11, 2022.

WHEREAS, while Ms. Butler has timely appealed the Department's decision, she understands that the Texas Department's action next year may well be controlling and essentially moot her need for the NH License;

WHEREAS, Ms. Butler understands that staying her appeal will mean that she will continue to be deprived of her NH License in the interim, and as such her New Hampshire insurance activities will be limited to the passive collection of renewal commissions regarding policies issued to New Hampshire residents on or before June 30, 2022;

WHEREAS, the parties agree that staying Ms. Butler's New Hampshire appeal until the Texas Department has acted is prudent and reasonable under the circumstances;

ACCORDINGLY, the undersigned, acting as counsel for Kim Butler, is filing this Assented to Motion to Postpone Hearing Date/Stay Appeal to a date that is no sooner than thirty (30) days after a final determination by the Texas Department regarding the renewal of Ms. Butler's Texas License. Assent to this Motion is confirmed by the signature of counsel for the Department, below.

Counsel for Ms. Butler will affirmatively advise the Department when the Texas Department has taken final action.

Accordingly, the undersigned counsel hereby respectfully requests that the Hearing Officer postpone the Department's hearing with respect to the above-referenced matter and stay Ms. Butler's appeal, without prejudice, to a date and time that is no earlier than thirty (30) days following the final determination by the Texas Department with respect to the Texas License.



Steven J. Lauwers, Esq.  
Legal Counsel for Kim Butler

ASSENTED TO:



Joshua Hilliard, Esq.  
Enforcement Counsel  
New Hampshire Department of Insurance

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The above Assented to Motion to Postpone Hearing Date/Stay Appeal is hereby GRANTED, and the hearing shall be re-set to a date no earlier than thirty (30) days following the final determination by the Texas Department with respect to the Texas License. Counsel for Ms. Butler will affirmatively advise the Department when the Texas Department has taken final action. The precise date and time of the postponed hearing to be set by the Hearing Judge.

**SO ORDERED,**

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Steven M. Notinger, Esq.