

BEFORE THE INDUSTRIAL COMMISSION OF THE STATE OF IDAHO

IDAHO INDUSTRIAL COMMISSION,

v.

SEABRIGHT INSURANCE CO.,

Surety.

ORDER TO SHOW CAUSE

COMES NOW the IDAHO INDUSTRIAL COMMISSION, STATE OF IDAHO, and hereby submits the following for a SHOW CAUSE hearing:

On or about June 10, 2015, the Idaho Industrial Commission entered its Order denying Claimant's motion for payment of benefits and attorney's fees in *Underwood v. Arctic Catering, Inc., and Seabright Ins. Co.*, IC 2012-027457. A true and correct copy of that Order is attached as Exhibit 1 hereto. As noted in that Order, the Industrial Commission previously made an award of attorney's fees to Claimant in the amount of \$2,816.72, by its Order dated March 31, 2015. A true and correct copy of the March 31, 2015 Order is attached as Exhibit 2 hereto. As of May 8, 2015, the award had not been paid, and the Industrial Commission is unaware of any facts suggesting that it has since been paid.

Under Idaho Code § 72-301, no workers' compensation surety is entitled to transact workers' compensation insurance in the State of Idaho unless it shall have been authorized to do so by the Industrial Commission. Under Idaho Code § 72-304, such approval may be withdrawn by the Commission if it shall appear that a surety has unnecessarily delayed the payment of compensation to an injured worker. Idaho Code § 72-305 requires of sureties that they provide prompt claims services. Further, Idaho Code § 72-301 authorizes the Commission to withdraw its approval to

transact workers' compensation insurance if it shall appear to the Commission that injured workers secured thereby are not fully protected.

Seabright Insurance Company is hereby ORDERED to appear before the Commission on July 7, 2015 at 1:30pm (MST), to SHOW CAUSE why its authority to write workers' compensation insurance in the State of Idaho should not be withdrawn pursuant to the aforementioned sections and applicable provisions of the Commission's IDAPA Rules by reason of its failure to comply with the Commission's order awarding attorney's fees, dated March 31, 2015.

DATED this 25th day of June, 2015.

INDUSTRIAL COMMISSION

/s/
R.D. Maynard, Chairman

/s/
Thomas E. Limbaugh, Commissioner

/s/
Thomas P. Baskin, Commissioner

ATTEST:

/s/
Commission Secretary

CERTIFICATE OF SERVICE

I hereby certify that on the 25th day of June, 2015, a true and correct copy of the foregoing ORDER TO SHOW CAUSE was served upon each of the following, as follows:

Regular United States Mail and Certified Mail, Return Receipt:

SEABRIGHT INSURANCE CO.
Chief Executive Officer
1501 4th Avenue, Suite 2600
Seattle, WA 98101

Regular United States Mail:

DEAN CAMERON, Director
Idaho Department of Insurance
700 West State Street
Boise, ID 83720-0043

Courtesy Copy by Regular United States Mail to:

RICHARD S OWEN
PO BOX 278
NAMPA ID 83653

ERIC BAILEY
PO BOX 1007
BOISE ID 83701-1007

/s/