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IOWA TITLE GUARANTY DIVISION

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IN RE: APPLICATION FOR A  
TITLE PLANT AND TRACT  
INDEX WAIVER BY  
CHARLES W. HENDRICKS

**MOTION BY INTERVENOR IOWA  
LAND TITLE ASSOCIATION FOR  
ENTRY OF A STAY PENDING  
JUDICIAL REVIEW**

COMES NOW Intervenor, Iowa Land Title Association ("ILTA"), and states:

1. This matter concerns the application of Charles W. Hendricks for waiver of the statutory requirement that he own or lease a forty-year title plant in order to participate as an abstractor in the Iowa Title Guaranty program under Iowa Code § 16.91(5)(2007).
2. On June 5, 2007, the Iowa Title Guaranty board held a hearing on Hendricks' application, and after hearing argument from interested parties, voted 3-1 to approve the waiver pending a final written decision of the board to be rendered thereafter.
3. The board is currently drafting its decision and expects to issue a final ruling in a public meeting of the board to be held sometime the week of July 16, 2007.
4. Intervenor ILTA has informed the board of its intent to seek judicial review of its ruling in this matter once the ruling becomes final.
5. By this motion, Intervenor ILTA requests the Iowa Title Guaranty board to stay the effect of its ruling during the pendency of judicial review.
6. Section 17A.19(5)(a) empowers an administrative agency to "grant a stay on appropriate terms or other temporary remedies during the pendency of judicial review."
7. It is in the public interest that a stay be issued in this matter due to the important

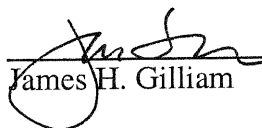
issues that have been presented to this board as a matter of first impression. Because the waiver issued in this case has state-wide impact, the integrity of the land-title system will be immediately affected by operations undertaken under the waiver. Those operations, once culminating in title guaranties being issued, cannot be undone by reversal of the board's action by a district or appellate court.

8. The public interest in granting the say outweighs any harm or prejudice to the parties in this action.

9. Intervenor ILTA requests that it be heard on this motion at the public meeting to be conducted by the board to discuss entry of its final written ruling in this matter.

WHEREFORE, Intervenor Iowa Land Title Association requests that it be heard on this motion, and after such hearing, ILTA requests that the Iowa Title Guaranty board stay the effect of its ruling granting a waiver to Charles W. Hendricks until judicial review of the board's action is completed.

Respectfully submitted,

  
James H. Gilliam

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### CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true copy of the foregoing instrument was served upon each of the attorneys of record of all parties to the above-entitled cause by enclosing the same in an envelope addressed to each such attorney at such attorney's address as disclosed by the pleadings of record herein on the \_\_\_\_\_ day of July, 2007.

By:  U.S. Mail  Facsimile  
 Hand Delivered  Overnight Courier  
 Federal Express  Other

Signature \_\_\_\_\_

