

STATE OF ALASKA  
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE

STATE OF ALASKA )  
DIVISION OF INSURANCE )  
 )  
-and- )  
 )  
BILL G. McADAMS / LAND TITLE )  
COMPANY OF ALASKA, INC. )  
\_\_\_\_\_ )

Case No. D94-24

STIPULATED AGREEMENT AND ORDER

The State of Alaska, Department of Commerce and Economic Development, Division of Insurance (the "Division"), and Respondents Bill G. McAdams ("McAdams") and Land Title Company of Alaska, Inc. ("Land Title") stipulate and agree that all allegations of violations of AS 21.27.010 that are raised in the Cease and Desist Order issued to respondents on or about September 30, 1994 are resolved by agreement as follows:

1. McAdams and Land Title admit that each violated AS 21.27.010 by transacting insurance in Alaska without proper licenses for approximately 22 months.

2. McAdams and Land Title agree to pay a civil fine of \$10,000 with \$5,000 suspended. The \$5,000 shall be paid within one business day of the attached Order being signed. Any breach of this agreement or further violation of licensing provisions of the insurance code in the next three years from the date of this Order shall result in automatic reinstatement of the suspended fine.

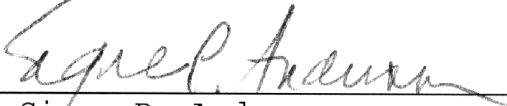
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3. The Division agrees to process McAdams' license application for principal or manager in a firm, to issue a new firm license to Land Title and to reinstate the licenses of Land Title employees that lapsed due to an invalid firm license.

4. McAdams and Land Title acknowledge that they have been advised by legal counsel regarding the nature and purpose of this agreement.

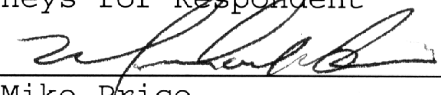
DATED: 1/10/95

BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:   
Signe P. Andersen  
Assistant Attorney General

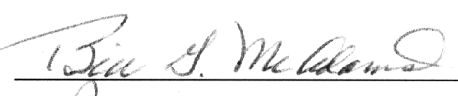
DATED: 1-9-95

GROH, EGGERS & PRICE  
Attorneys for Respondent

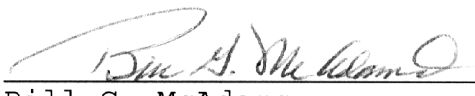
By:   
Mike Price

DATED: 1/6/95

LAND TITLE COMPANY OF ALASKA, INC.

By:   
Its: President

DATED: 1/6/95

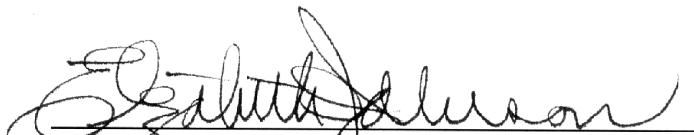
  
Bill G. McAdams

DEPARTMENT OF LAW  
OFFICE OF THE ATTORNEY GENERAL  
ANCHORAGE BRANCH  
1031 W. FOURTH AVENUE, SUITE 200  
ANCHORAGE, ALASKA 99501  
PHONE: (907) 269-5100

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RECOMMENDED FOR APPROVAL

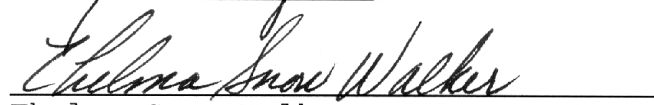
This Stipulated Agreement and Order is recommended for approval by the Director of Insurance this 12 day of January, 1995.

  
Elizabeth Johnson, Hearing Officer

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case and shall constitute the final order in this matter.

DATED this 13<sup>th</sup> day of January, 1995.

  
Thelma Snow Walker  
Acting Director of Insurance

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STATE OF ALASKA  
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE  
CEASE AND DESIST ORDER D94-24

TO: Bill G. McAdams  
Land Title Company of Alaska, Inc.  
3330 Artic Blvd., Ste. 103  
Anchorage, AK 99503

It has been determined by the Division of Insurance that you have engaged in transacting a business of insurance in Alaska, or relative to a subject resident, located or to be performed in Alaska. The transaction of a business of insurance in Alaska is defined in AS 21.90.900(39), which states:

- "Transact" with respect to insurance includes
- (A) solicitation and inducement;
  - (B) preliminary negotiations;
  - (C) effectuation of contract of insurance;
  - (D) transaction of matters subsequent to effectuation of the contract of insurance and arising out of it.

STATE OF ALASKA  
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE  
P.O. BOX 110805  
JUNEAU, ALASKA 99811-0805  
(907) 465-2515

1 In order to transact insurance in Alaska, a person must hold the appropriate license.

2 This is required by AS 21.27.010(a) which states:

3  
4 A person may not act as or represent to be an insurance producer, managing  
5 general agent, reinsurance intermediary broker, reinsurance intermediary  
6 manager, surplus lines broker, or independent adjuster in this state or relative to  
7 a subject resident, located or to be performed in this state unless licensed under  
8 this chapter. A person may not act as or represent to be a managing general agent,  
9 reinsurance intermediary broker, or reinsurance intermediary manager  
10 representing an insurer domiciled in this state regarding a risk located outside this  
11 state unless licensed by this state.  
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14  
15 AS 21.27.440(a) states:

16  
17 In addition to any other penalty provided by law, a person that the director  
18 determines under AS 21.06.170 - 21.06.240 has violated the provisions of this  
19 chapter is subject to  
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22 (1) a civil penalty equal to the compensation promised, paid, or to be paid,  
23 directly or indirectly, to a licensee in regard to each violation;  
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- (2) either a civil penalty of not more than \$10,000 for each violation or a civil penalty of not more than \$25,000 for each violation if the director determines that the person willfully violated the provisions of this chapter; and
  
- (3) denial, nonrenewal, suspension or revocation of a license.

AS 21.90.020 states:


A person determined by the director, following an appropriate hearing as provided in AS 21.06.170 - AS 21.06.230, to have violated a provision of this title or a regulation adopted under it, for which violation a greater penalty is not provided in this title, is subject to a civil penalty of not more than \$2,500.

Since you do not hold the appropriate license and have been transacting the business of insurance in this state, you are hereby ordered to cease and desist from further violation of Alaska Law. Continued transaction of insurance in Alaska will be considered a gross and willful violation and will be subject to appropriate administrative action, as well as possible criminal remedies.

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This order is effective immediately.

Dated at Juneau, Alaska this 30<sup>th</sup> day of September, 1994.

  
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David J. Walsh, Director  
Division of Insurance

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