

STATE OF ALASKA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE  
3601 C STREET, SUITE 1324  
ANCHORAGE, ALASKA 99503-7900  
PHONE (907) 269-7900  
FAX (907) 269-7910  
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STATE OF ALASKA  
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE

In the Matter of: )  
)  
PACIFIC MOTORS GROUP, INC. and )  
MICHAEL P. WUERTH, )  
)  
Licensees. )  
\_\_\_\_\_ )

Case No. D 01-07

STIPULATED AGREEMENT AND ORDER

The Division of Insurance, (division) and Pacific Motors Group, Inc. (Pacific Motors) and Michael P. Wuerth, (Mr. Wuerth), the licensees in this case, stipulate and agree that the failure to timely renew firm license #12754 and individual in a firm license #12755, and the unlicensed activity that occurred during the time the licenses were in lapse status are resolved as follows:

1. Pacific Motors and Mr. Wuerth admit that the firm insurance license was in lapse status from May 15, 1999 through July 7, 2000, and that Mr. Wuerth's license was in lapse status from June 24, 1999 through July 7, 2000, a period of over a year. During part of that time, Pacific Motors and Mr. Wuerth transacted the business of insurance, in violation of AS 21.27.380(b).

2. Mr. Wuerth acknowledges that he failed to submit the renewal paperwork for the licenses in a timely manner. The delay was due in part to the fact that Mr. Wuerth was waiting to receive documentation for his continuing education credits and to the

1 time it took Pacific Motors' business office to collect the information about the unlicensed  
2 business that occurred.

3  
4 3. Prior to this instance, Pacific Motors and Mr. Wuerth have never allowed  
5 their Alaska insurance licenses to lapse and, to the division's knowledge, they have not engaged  
6 in unlicensed activity.

7 4. Pacific Motors and Mr. Wuerth agree to pay a civil penalty under  
8 AS 21.27.440(a) of \$4,832.74, which equals the amount of commission earned for the  
9 unlicensed activity that occurred between May 22, 1999 and October 3, 2000, with \$1,000  
10 suspended. The unsuspended portion of the penalty is due and payable within six months from  
11 at the date this agreement and order is signed by the director.

12  
13 5. In the event Pacific Motors or Mr. Wuerth violates the insurance code or  
14 applicable regulations during the next two years (in particular, failure to renew their licenses  
15 timely), the suspended portion of the fine referenced in paragraph 4 will be reinstated. Pacific  
16 Motors and Mr. Wuerth also will be subject to any and all sanctions authorized by the insurance  
17 code including imposition of additional fines or penalties.

18 6. By signing this agreement, Pacific Motors and Mr. Wuerth understand  
19 and agree that any failure to comply with the conditions of this agreement will be grounds to  
20 revoke, suspend, or not renew Alaska insurance licenses #12754 and #12755.

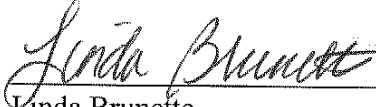
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22 7. Pacific Motors and Mr. Wuerth understand that this agreement is not  
23 binding on the parties unless and until the director signs the order approving the agreement.  
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DATED: 4/24/01

DIVISION OF INSURANCE

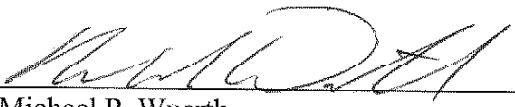
By:   
Linda Brunette  
Licensing Supervisor

DATED: 4.13.01

PACIFIC MOTORS GROUP, INC.

By:   
Michael P. Wuerth  
Principal/Compliance Officer


DATED: 4.13.01

  
Michael P. Wuerth

Approved as to form and content:

DATED: 4/17/01

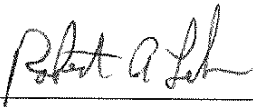
BRUCE M. BOTELHO  
ATTORNEY GENERAL

By:   
Signe P. Andersen  
Assistant Attorney General

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 26th day of April, 2001.

  
Robert A. Lohr  
Director of Insurance