

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE  
550 WEST SEVENTH AVENUE, SUITE 1560  
ANCHORAGE, ALASKA 99501-3567  
PHONE: (907) 269-7900  
FAX: (907) 269-7910  
TDD: (907) 465-5437

1 STATE OF ALASKA  
2 DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
3 DIVISION OF INSURANCE

4 CEASE AND DESIST ORDER D 05-17

5 TO: Patrick B. Smith  
6 1830 East Parks Highway, Ste. A113, #346  
7 Wasilla, AK 99654

8 The Division of Insurance (division) has determined that Patrick B. Smith (Mr. Smith) has  
9 been transacting the business of insurance in Alaska **without authorization**, in violation of  
10 AS 21.27.010. Alaska law states:

11 "insurance" means a contract whereby one undertakes to indemnify another or pay or  
12 provide a specified or determinable amount or benefit upon determinable  
13 contingencies. AS 21.90.900(24)

14 Moreover, under AS 21.27.900(18), the definition of "limited lines credit insurance"  
15 specifically includes guaranteed automobile protection insurance, and AS 21.27.150(6)  
16 provides for the issuance of a limited license to a person who sells limited lines credit  
17 insurance.

18 Under AS 21.27.010

- 19 (a) . . . a person may not act as or represent to be an insurance producer. . . in this state  
20 unless licensed . . . .  
21 (b) An insurance producer . . . may not solicit or take applications for, procure, place  
22 for others, or otherwise transact business for a kind or class of insurance for which the  
23 person is not licensed.

24 After receiving complaints regarding Ernest W. Freckleton's business activities in the  
25 Fairbanks area of Alaska, the division conducted an investigation of Mr. Freckleton and his  
26 marketing activities at various automobile sales agencies. The investigation revealed that Mr.  
Smith worked for and with Mr. Freckleton and they each have been transacting the business  
of insurance in Alaska even though neither one of them holds an Alaskan insurance producer  
license.

Mr. Smith is hereby ordered to cease and desist from further transacting the business of  
insurance in the State of Alaska. Continued transaction of insurance by Mr. Smith in Alaska  
will be considered a wilful violation and subject to appropriate action under the insurance  
code. Further, a violation of the insurance code is considered a fraudulent insurance act under  
AS 21.36.360(p)(1), which may be prosecuted as a class B misdemeanor under  
AS 21.36.360(q).

This order is effective immediately.

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Dated at Anchorage, Alaska this 15th day of August, 2005.



Linda S. Hall  
Director