

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

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STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

In the Matter of: )  
)  
LEGACY FUNERAL HOMES, INC., d/b/a )  
CHAPEL OF CHIMES FUNERAL HOME, )  
NORTHERN LIGHTS MORTUARY, KEHL'S )  
PALMER MORTUARY, ALASKAN MEMORIAL )  
PARK, WITZLEBEN LEGACY FUNERAL HOME, )  
and KEHL'S LEGACY FUNERAL HOME, )  
and NELSON M. BRUCE, Compliance Officer, )  
)  
Licensees. )  
)

Case No. D 09-27

**STIPULATED AGREEMENT AND ORDER**

The Division of Insurance (division) and Legacy Funeral Homes, Inc., d/b/a Chapel of Chimes Funeral Home, Northern Lights Mortuary, Kehl's Palmer Mortuary, Alaskan Memorial Park, Witzleben Legacy Funeral Home, and Kehl's Legacy Funeral Home, (Legacy), and Nelson M. Bruce (Mr. Bruce), Compliance Officer, the licensees in this case, stipulate and agree that the unlicensed activity that occurred during the time Legacy did not hold an active Alaska producer license is resolved as follows:

1. On June 30, 2008, the division sent Epic, Inc., the firm licensed under Alaska producer license #56974, a license renewal application. On October 10, 2008, the division notified Epic, Inc. that its insurance producer license had lapsed for failure to renew.
2. After receiving the application requirements necessary to reinstate Epic, Inc.'s license, the division reinstated its license effective November 4, 2008 with Mr. Bruce as the new compliance officer. The division inquired whether Epic, Inc. was appropriately

1 licensed since the firm was using names that were not licensed in this state. The firm  
2 responded that the firm had changed its name to Legacy effective April 3, 2008, and the  
3 division immediately rescinded the license renewals, effective December 8, 2008, as the entity  
4 that had been licensed no longer existed.

5  
6 3. After the name change and application requirements were received, the  
7 division reinstated the licenses under the new name, effective January 27, 2009. As required by  
8 the division, Legacy submitted a notarized statement listing whether business had been  
9 transacted when the firm and Mr. Bruce were not appropriately licensed. The statement  
10 indicated that multiple insurance transactions occurred between September 17, 2008 and  
11 November 19, 2008. Between October 10, 2008 and November 4, 2008 when the firm was not  
12 appropriately licensed, it earned \$1,715.17 in commissions.

13 3. Legacy and Mr. Bruce are responsible for ensuring that the firm and its  
14 employees comply with Alaska's insurance statutes and regulations and are subject to penalties  
15 under AS 21.27.440 for unlicensed activity.

16 4. Legacy and Mr. Bruce agree to pay a civil penalty under AS 21.27.440 of  
17 \$1,715.17, which equals the amount of commission earned for the unlicensed activity that  
18 occurred between October 10, 2008 and November 4, 2008 with \$715.17 suspended. The  
19 unsuspended portion of the penalty is payable at the time Legacy and Mr. Bruce are notified  
20 that the director has signed the order approving this agreement.

21  
22 5. In the event Legacy and Mr. Bruce violate the insurance code or  
23 applicable regulations during the next two years, the suspended portion of the penalty  
24 referenced in paragraph 4 will be reinstated. The firm and Mr. Bruce also will be subject to any  
25 and all sanctions authorized by the insurance code including imposition of additional fines or  
26 penalties.


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6. By signing this agreement, Legacy and Mr. Bruce understand and agree that any failure to comply with the conditions of this agreement will be grounds to revoke, suspend, or not renew Alaska insurance licenses #56974 and #45478.

7. Legacy and Mr. Bruce understand that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

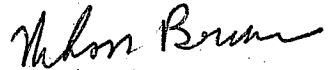
DATED: 1-21-10

DIVISION OF INSURANCE

By:   
Linda Brunette  
Program Coordinator

DATED: \_\_\_\_\_


LEGACY FUNERAL HOMES, INC., d/b/a  
CHAPEL OF CHIMES FUNERAL HOME,  
NORTHERN LIGHTS MORTUARY, KEHL'S  
PALMER MORTUARY, ALASKAN  
MEMORIAL PARK, WITZLEBEN LEGACY  
FUNERAL HOME, and KEHL'S LEGACY  
FUNERAL HOME

By:  7 Jan 2010  
Nelson M. Bruce  
Compliance Officer

Approved as to form and content:

DATED: 1/25/10

DANIEL S. SULLIVAN  
ATTORNEY GENERAL

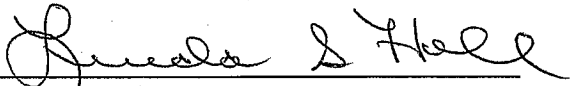
By:   
Daniel Wilkerson  
Assistant Attorney General

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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 25<sup>th</sup> day of JANUARY, 2010.

  
\_\_\_\_\_  
Linda S. Hall  
Director of Insurance

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT  
DIVISION OF INSURANCE  
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FAX: (907) 269-7910  
TDD: (907) 465-5437

I hereby certify that a copy of the document(s) listed below was distributed to the below-listed parties and files by mail or by personal delivery. The original document has been forwarded to the Juneau office of the Division of Insurance for official filing.

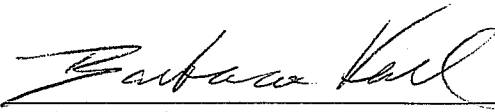
Stipulated Agreement and Order, signed by the Director of Insurance on January 25, 2010, in Case No. D 09-27, In the Matter of Legacy Funeral Homes, Inc., d/b/a Chapel of Chimes Funeral Home, Northern Lights Mortuary, Kehl's Palmer Mortuary, Alaskan Memorial Park, Witzleben Legacy Funeral Home, and Kehl's Legacy Funeral Home, and Nelson M. Bruce, Compliance Officer, Licensees.

Daniel Wilkerson  
Assistant Attorney General  
Department of Law

Linda Brunette  
Program Coordinator  
Division of Insurance

Nelson M. Bruce  
Compliance Officer  
Legacy Funeral Homes, Inc.  
1707 South Bragaw Street  
Anchorage, AK 99508  
(certified mail)

Dated: January 26, 2010 in Anchorage, Alaska.

  
Barbara Karl