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

In the Matter of: )  
)  
DURHAM & BATES AGENCIES, INC. )  
)  
Licensee )  
\_\_\_\_\_ )

Case No. D 16-07

**STIPULATED AGREEMENT AND ORDER**

The Division of Insurance (division) and Durham & Bates Agencies, Inc., (Durham), the licensee in this case, stipulate and agree that the unlicensed activity that occurred during the time the firm was not appropriately licensed is resolved as follows:

**I. BACKGROUND**

- A. Durham holds surplus lines broker and firm insurance producer license number 8331.
- B. On or about February 1, 2016, the division sent Durham a notice to remind the firm to renew its license.
- C. On or about April 14, 2016, the division notified Durham that its license for insurance surplus lines broker and producer authority lapsed for failure to renew.

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D. As part of the filing requirements to obtain its license, Durham provided a notarized statement to the division indicating whether any business had been transacted while the firm was not appropriately licensed. This statement indicated that two policies were written between April 14, 2016 and June 6, 2016 with \$1,618.00 earned in compensation. These transactions subject Durham to civil penalties under AS 21.27.440.

II. TERMS OF AGREEMENT

1. Durham agrees to pay a civil penalty under AS 21.27.440 in the amount of \$1,618.00 for the unlicensed activity that occurred between April 14, 2016 and June 6, 2016, with \$618.00 suspended. The unsuspended penalty of \$1,000.00 is payable at the time Durham has been notified that the director has signed the order approving this agreement.

2. In the event Durham violates Alaska insurance laws during the next two years, the suspended portion of the penalty referenced in paragraph one will be reinstated. Durham also will be subject to any and all sanctions authorized by the insurance laws including imposition of additional penalties.

3. By signing this agreement, Durham understands and agrees that any failure to comply with the conditions of this agreement will be grounds to revoke, suspend, or not renew Alaska surplus lines broker and firm insurance producer license number 8331.

4. Durham understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

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DATED: 7/25/16

DIVISION OF INSURANCE

By:   
Chris Murray  
Program Coordinator

DATED: July 20, 2016

DURHAM & BATES AGENCIES, INC.

By:   
Michael Davis  
Compliance Officer

Approved as to form and content:

DATED: 8/01/16

JAMES E. CANTOR  
ACTING ATTORNEY GENERAL

By:   
Erin Egan  
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 12<sup>th</sup> day of September, 2016.

  
Lori Wing-Heiler  
Director