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DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT DIVISION OF INSURANCE

In the Matter of: Robert Milton Stomp Respondent.

Case No. LD 96-02

### STIPULATED AGREEMENT AND ORDER

The Division of Insurance, Department of Commerce and Economic Development ("the division") and respondent Robert Milton Stomp ("Stomp"), stipulate and agree that the allegations set forth in the Statement of Issues dated March 7, 1996 are resolved as follows:

- Stomp admits that he failed to disclose all misdemeanor and felony convictions to the division as required by the application for an insurance producer license. Stomp understands that a wilful misrepresentation to the division is grounds to deny, revoke, suspend, or non-renew an insurance producer's license.
- Under AS 21.27.420(c), the division agrees to issue Stomp a insurance producer license subject to the condition that he is working in a firm and to the condition that he is not named as principal or compliance officer under the firm license. These conditions shall remain in effect for five years from the date this agreement and order is signed by the director.

ANCHORAGE BRANCH 1031 W. FOURTH AVENUE, SUITE 200 OFFICE OF THE ATTORNEY GENERAL DEPARTMENT OF LAW

STIPULATED AGREEMENT AND ORDER

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	3.	Stomp	agrees	to	pay	a ci	vil	fine	of	\$500	with	\$250
suspended	. Th	e unsu	spended	d po	rtio	n of	the	fine	e is	paya	able	prior
to licens	sing u	nless	other	payı	ment	arra	ange	ments	are	e mad	le and	d, in
any event	, is	payable	e no la	ater	tha	n 12	mon	ths i	Erom	the	date	this
agreement	and	order :	is sign	ned	by t	he d	irec	tor.				

- 4. In the event Stomp violates Alaska's insurance code or applicable regulations during the next two years, the suspended portion of the fine referenced in paragraph 3 will be reinstated. Stomp also will be subject to any and all sanctions authorized by statute including imposition of additional fines or penalties.
- 5. By signing this agreement, Stomp understands and agrees that any failure to comply with the conditions of this agreement will be grounds to revoke, suspend, or non-renew his license. Stomp further understands that any violation of the laws of other states where he is licensed also may be grounds to revoke, suspend, or non-renew his Alaska license.
- 6. Stomp acknowledges that he has been informed of his right to seek advice of legal counsel regarding the Statement of Issues filed in this matter and the terms of this Stipulated Agreement and Order. Stomp further acknowledges that he either

Page 2

DEPARTMENT OF LAW OFFICE OF THE ATTORNEY GENERAL ANCHORAGE BRANCH 1001 W. FOURTH AVENUE, SUITE 200 ANCHORAGE, ALASKA 99501 PHONE: (907) 289-5100

DATED: July 12,1996

BRUCE M. BOTELHO
ATTORNEY GENERAL

By: Signe P. Andersen
Assistant Attorney General
Representing the Division
of Insurance

By: Robert M. Stomp

#### RECOMMENDED FOR APPROVAL

This Stipulated Agreement and Order is recommended for approval by the Director of Insurance this 1944 day of July, 1996.

Frank Flavin, 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 11/4 22, 1996

Marianne K. Burke Director of Insurance State of Alaska

STIPULATED AGREEMENT AND ORDER

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## STATE OF ALASKA

# DEPARTMENT OF COMMERCE & ECONOMIC DEVELOPMENT DIVISION OF INSURANCE

In re:	)
APPLICATION FOR LICENSE	· )
OF ROBERT MILTON STOMP,	)
520 Pike Street, Ste. 2000	)
Seattle, WA 98101.	)
No. 1 decreases reprint and the expectation of the control of the	)

Case No. LD96-02

## STATEMENT OF ISSUES

Marianne K. Burke, Director, Division of Insurance (division), Department of Commerce and Economic Development, State of Alaska, states:

- On or about October 16, 1995, the division received an 1. application for an insurance producer license from Robert Milton Stomp (Stomp).
- Section 12(e) of the application asks "Have you ever been 2. convicted of a felony or misdemeanor?" At the end of this section is the following sentence: "If you have answered "yes" to any of these questions, you must submit a notarized statement detailing: 1.) date of occurrence; 2.) the name and address of the court; and 3.) the circumstances." Attached to the application was a copy of a letter from Stomp to the Washington insurance department dated April 14, 1994 with an additional signature of Mr. Stomp that was notarized on October 10, 1995. (Exhibit A attached.) This letter revealed three felony convictions in the state of Washington, two for VUCSA (violation of the Controlled Substance Act) in 1985 and 1988 and one for theft II in 1986.

2 3 4 5 6 ANCHORAGE, ALASKA 99503-5948 PHONE (907) 269-7900 3601 C STREET, SUITE 1324 7 FAX (907) 269-7910 8 9 10 11 12 13 14 STATE OF ALASKA
DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
800 E. DIMOND BLVD., SUITE 560 15

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- In conducting a routine investigation, one of the division's 3. investigators learned that, in addition to the Washington convictions, Stomp had been convicted in Oregon of the following:
- a. felonious escape in the second degree, ORS 162.155, on March 13, 1981, for which Stomp was sentenced to five years in prison, to be served concurrently with a sentence imposed under case no. C7911-34049;
- b. two counts of felony driving while suspended (DWS), ORS 487.560, on January 11, 1981, for which Stomp was sentenced to three years in prison for each conviction, to be served concurrently;
- c. two theft II convictions arising out of charges that occurred on October 26, 1981 and November 9, 1979; and
- d. unauthorized use of a motor vehicle, a misdemeanor, ORS 164.135, on June 12, 1980, for which Stomp was sentenced to 90 days in jail and fined \$200.
- Stomp's failure to disclose the Oregon convictions with his application for an insurance license constitutes wilful misrepresentation, which is a basis to deny a license under AS 21.27.410(a)(3). Stomp's felony convictions and the behavior that lead to all of his convictions demonstrate untrustworthy behavior that precludes issuance of a license under AS 21.27.020(a) and 21.27.410(a)(7).

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Pursuant to AS 21.27.020(a), 21.27.020(b)(4) and (6), and
 21.27.410(a)(3) and (7), the application of Robert Milton Stomp for an insurance producer license is hereby DENIED.

DATED this 7th day of March, 1996.

Marianne K. Burke Director

Division of Insurance

SOIRMS.PBK