

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
550 WEST SEVENTH AVENUE, SUITE 1560
ANCHORAGE, ALASKA 99501-3567
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STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

In the Matter of:)
APOLLO MT, LLC and ERIC L. STIRLING,)
Licensees.)

Case No. D 13-12

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Apollo MT, LLC (Apollo) and Eric L. Stirling (Dr. Stirling), the licensees in this case, stipulate and agree that the unlicensed activity that occurred during the time license numbers 77004 and 77005 were in lapse status is resolved as follows:

1. On November 15, 2012, the division sent Robert Bonestroo notification to renew his license. At that time, Mr. Bonestroo was the designated compliance officer for Apollo. On January 25, 2013, the division notified Mr. Bonestroo that his insurance producer license had lapsed for failure to renew.
2. On December 12, 2012, the division sent Apollo and Dr. Stirling notification to renew their licenses. On March 1, 2013, the division notified Apollo that the firm insurance producer license had lapsed for failure to renew. On March 8, 2013, the division notified Dr. Stirling that his insurance producer license had lapsed for failure to renew.
3. Each of the lapse notices stated that a person may not act as or represent to be an insurance producer during the time a license has lapsed, and that penalties are provided for transacting business without a valid license.

1 4. It was not until August 9, 2013 that the division received fully completed
2 renewal applications and all the requirements necessary to reinstate the lapsed licenses. Dr.
3 Stirling also requested that he become compliance officer for the firm.

4 5. As required by the division, Dr. Stirling submitted notarized statements
5 indicating whether any Alaska business was transacted while his and the firm licenses were in
6 lapse status. The statement indicated that 868 policies were written between January 25, 2013
7 and July 26, 2013, although Unified Life Insurance Company, who underwrote the policies,
8 indicated that 2,783 policies were written during the same period. Dr. Stirling informed the
9 division that all renewals and business ceased to be transacted on May 10, 2013. The actual
10 period during which unlicensed business was transacted was 105 days.

11 6. The division determined that Mr. Bonestroo's activities after his license
12 lapsed were allowed under AS 21.27.010(j).

13 7. Dr. Stirling and Apollo agree to pay a civil penalty under
14 AS 21.27.440(a) of \$105,000 for the unlicensed activity that occurred, with \$55,000 suspended.
15 The unsuspended portion of the penalty is payable within three months from the time Dr.
16 Stirling and Apollo are notified that the director has signed the order approving this agreement.

17 8. In the event Dr. Stirling or Apollo violates Alaska's insurance laws
18 during the next two years, the suspended portion of the penalty referenced in paragraph 7 will
19 be reinstated. Dr. Stirling and Apollo also will be subject to any and all sanctions authorized by
20 the insurance code including imposition of additional penalties.

21 9. As authorized under AS 21.06.130, the division will conduct
22 examinations of Apollo's records within six months of the date this agreement is fully
23 executed. The findings of those examinations will not bar the division from taking any
24 enforcement action within its authority, should an examination find violations of Alaska law.
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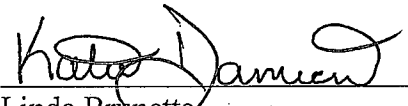
1 10. Apollo will cease charging customers any fees unless the fees charged
2 comply with the Alaska insurance code.

3 11. By signing this agreement, Dr. Stirling and Apollo understand and agree
4 that any failure to comply with the conditions of this agreement will be grounds to revoke,
5 suspend, or not renew Alaska insurance license numbers 77004 and 77005.

6 12. Dr. Stirling and Apollo understand that this agreement is not binding on
7 the parties unless and until the director signs the order approving the agreement, and that the
8 licenses for Apollo, Dr. Stirling, and Mr. Bonestroo will be reinstated only after the director has
9 signed the order approving the agreement.
10


11
12 DATED: 08/23/13

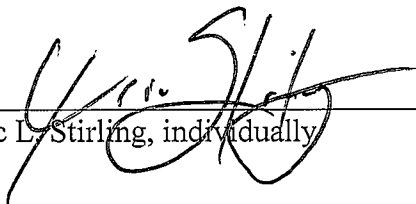
DIVISION OF INSURANCE

13
14 By:  For:
15 Linda Brunette
16 Program Coordinator

17 DATED: 8/19/13

APOLLO MT, LLC

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19
20 By: 
21 Eric L. Stirling
22 President and Compliance Officer

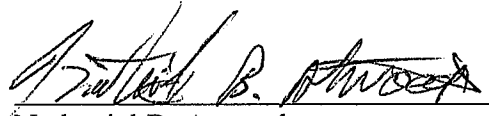
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24 
25 Eric L. Stirling, individually
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Approved as to form and content:

DATED: August 21, 2013


MICHAEL C. GERAGHTY
ATTORNEY GENERAL

By: 
Nathaniel B. Atwood
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 23rd day of August, 2013.


Bret S. Kolb
Director of Insurance