

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
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IF YOU NEED HEARING ASSISTANCE, PLEASE CALL ALASKA RELAY AT 711

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

IN THE MATTER OF)
)
CONTINENTAL DEVELOPMENT)
CORPORATION)
)
)
Appellant.)
)
)

Case No. H 16-05

ORDER OF DISMISSAL

On January 10, 2017, a telephonic pre-hearing conference was held before the hearing officer. Those in attendance were Lacey Hanni and Mark Merritt for the appellant; Randall Weddle as counsel and Clyde Rapozo for the appellee; Victoria Dorsey of NCCI; Assistant Attorney General Daniel Wilkerson as counsel for the hearing officer; and Chip Wagoner, Regulations Specialist II for the division of insurance. Chris Napoleon with the division of insurance recorded the hearing.

During the teleconference, representatives of the appellant informed the teleconference participants that they did not desire to proceed any further with this case and planned to pay any outstanding premiums. However, the appellee questioned whether they would be subject to penalties or interest and, before agreeing to the dismissal of the appeal, wanted assurance that the appellee, Liberty Mutual Insurance Company, would not impose any penalties or interest. Because the answer to the appellee's question was unknown at the time of the teleconference, the appellant agreed to determine an answer to the question and notify the participants.


1 In a letter dated January 11, 2017, counsel for the appellant advised Mr. Merritt and Ms.
2 Hanni that the appellee Liberty Mutual Insurance Company "will not impose an interest charge
3 or a late payment penalty with respect to these issues, assuming prompt payment of the
4 premium. We therefore understand that the hearing officer will issue an order dismissing this
5 matter."

6 On January 18, 2017, Ms. Hanni on behalf of the appellee agreed to the dismissal of this
7 case by email.

8 IT IS HEREBY ORDERED:

9 This matter is hereby dismissed with prejudice. Each party shall bear its own costs and
10 attorney's fees.

11 Dated January 20, 2017.

12
13 
14 Joanne S. Bennett
15 Hearing Officer

16 This Order is approved and adopted in full resolution of the issues in this case and shall
17 constitute the final order in this matter.

18 Dated January 23rd, 2017

19 
20 Lori Wing-Heier
21 Director

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I hereby certify that on the 24 day of January, 2017 I mailed copies of this document to the following persons:

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