

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE AND ECONOMIC DEVELOPMENT
3 DIVISION OF INSURANCE

4 CEASE AND DESIST ORDER D94-07

5 TO: Willie Lewis
6 1629 Madison Drive
7 Fairbanks, AK 99701

8 It has been determined by the Division of Insurance that you have engaged in
9 transacting a business of insurance in Alaska, or relative to a subject resident,
10 located or to be performed in Alaska. The transaction of a business of insurance in
11 Alaska is defined in AS 21.90.900(39), which states:

12 "transact" with respect to insurance includes:

- 13 (A) solicitation and inducement;
- 14 (B) preliminary negotiations;
- 15 (C) effectuation of a contract of insurance;
- 16 (D) transaction of matters subsequent to effectuation of the contract
17 of insurance and arising out of it.

18 In order to transact insurance in Alaska, a person must hold the appropriate license.
19 This is required by AS 21.27.010(a), which states:

20 A person may not act as or represent to be an insurance producer,
21 managing general agent, reinsurance intermediary broker, reinsurance
22 intermediary manager, surplus lines broker, or independent adjuster in
23 this state or relative to a subject resident, located, or to be performed
24 in this state unless licensed under this chapter. A person may not act
25 as or represent to be a managing general agent, reinsurance
26 intermediary broker, or reinsurance intermediary manager representing
an insurer domiciled in this state regarding a risk located outside this
state unless licensed by this state.

AS 21.27.440(a) states in part:

In addition to any other penalty provided by law, a person that the
director determines under AS 21.06.170 -- 21.06.240 has violated the
provisions of this chapter is subject to . . .

- (2) either a civil penalty of not more than \$10,000 for each violation or
a civil penalty of not more than \$25,000 for each violation if the
director determines that the person wilfully violated the provisions of
this chapter

1 AS 21.90.020 states:


2 A person determined by the director, following an appropriate hearing
3 as provided in AS 21.06.170 - 21.06.230, to have violated a provision
4 of this title or a regulation adopted under it, for which violation a
5 greater penalty is not provided in this title, is subject to a civil penalty
6 of not more than \$2,500.

7 Since you do not hold the appropriate license and have been transacting the
8 business of insurance in this state, you are hereby ordered to cease and desist
9 from further violation of Alaska law. Continued transaction of insurance in Alaska
10 will be considered a gross and willful violation and will be subject to appropriate
11 administrative action, as well as possible criminal remedies.

12 This order is effective immediately.

13 Dated at Anchorage, Alaska this 24th of February, 1994.

14 DAVID J. WALSH
15 Director
16 Division of Insurance

17 By 
18 Thelma Snow Walker
19 Deputy Director

20 C&DWLAFB.PBK