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STATE OF ALASKA
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE

In the Matter of:)
)
CHARLES E. LUCIUS,)
)
Licensee.)
_____)

Case No. D 03-05

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Charles E. Lucius (Mr. Lucius) stipulate and agree to the following:

I. BACKGROUND

A. On or about July 30, 2001, the division issued a non-resident individual in a firm insurance producer license to Mr. Lucius, under license number 24938 based on the application that Mr. Lucius submitted to the division on or about July 16, 2001.

B. Question 35.1. of the application asks: "Have you ever been convicted of, or are you currently charged with, committing a crime, whether or not adjudication was withheld?" To this question, Mr. Lucius answered "no."

C. Because Mr. Lucius's application was complete and his answers on the application did not indicate any reason not to issue him a license, the division issued the license.

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D. On October 7, 2002, the division received the firm license renewal application of Personalized Brokerage Services, Inc. Mr. Lucius is both the President and Compliance Officer of that firm. Enclosed with the renewal application was information from Mr. Lucius notifying the division of administrative action taken against him by West Virginia and Florida for his failure to disclose his conviction on a misdemeanor assault charge in November 2000. Mr. Lucius did not reveal this conviction on his initial application to the division in 2001, although he fully disclosed the information and circumstances regarding the misdemeanor in 2002.

E. The director has fully reviewed Mr. Lucius' file.

II. TERMS OF AGREEMENT

1. Pursuant to AS 21.27.420, the division will suspend Mr. Lucius' insurance producer license for three months. The division will notify Mr. Lucius of the precise dates of his suspension after the director signs the order approving this agreement.

2. Within six months of the date the director signs the order approving this agreement, Mr. Lucius will successfully complete a course in professional ethics in insurance that has been approved in advance by the director or her designee and provide proof of that completion to the division.

3. Mr. Lucius agrees to pay a civil penalty under AS 21.27.440(a) in the amount of \$500, with \$250 suspended. The civil penalty is payable at the time Mr. Lucius is notified that the director has signed the order approving this agreement.

4. In the event Mr. Lucius violates the insurance code or applicable regulations during the next two years, the suspended portion of the fine referenced in

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paragraph 3 will be reinstated. Mr. Lucius also will be subject to any and all sanctions authorized by the insurance code including imposition of additional fines or penalties.

5. By signing this agreement, Mr. Lucius understands and agrees that any failure to comply with the terms of this agreement may be grounds to revoke, further suspend, or non-renew Alaska insurance license number 24938.

6. Mr. Lucius understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

DATED: 6/15/03

DIVISION OF INSURANCE

By: Linda Brunette
Linda Brunette
Program Coordinator

DATED: 6/12/03

Charles E. Lucius
Charles E. Lucius

Approved as to form and content:

DATED: 6/27/03

GREGG D. RENKES
ATTORNEY GENERAL

By: Nathaniel B. Atwood
Nathaniel B. Atwood
Assistant Attorney General

STATE OF ALASKA
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
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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 18th day of July, 2003.



Linda S. Hall
Director