

1
2 STATE OF ALASKA
3 DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT
4 DIVISION OF INSURANCE

5 CEASE AND DESIST ORDER D 04-21

6 TO: Pat J. Moore, President
7 Insurance and Bonds, Inc.
8 P.O. Box 692130
9 San Antonio, TX 78269-2139

10 The Division of Insurance has determined that you have transacted insurance in Alaska, or
11 relative to a subject resident, located or to be performed in Alaska.

12 "insurance" means a contract whereby one undertakes to indemnify another or pay
13 or provide a specified or determinable amount or benefit upon determinable
14 contingencies. AS 21.90.900(24)

15 "transact" with respect to insurance includes

- 16 (A) solicitation and inducement;
17 (B) preliminary negotiations;
18 (C) effectuation of a contract of insurance;
19 (D) transaction of matters subsequent to effectuation of the contract of insurance and
20 arising out of it. AS 21.90.900(43)

21 Specifically, you issued a surety bond to Luciano General, a contractor located in
22 Anchorage, Alaska. In order to transact insurance in this state, you must obtain a license
23 under AS 21.27.

24 AS 21.27.440(a) states in part:

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

(1) a civil penalty equal to the compensation promised, paid, or to be paid, directly
or indirectly, to a person in regard to each violation;

(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

AS 21.90.020 states:

A person determined by the director, following an appropriate hearing as provided
in AS 21.06.170 - 21.06.230, to have violated a provision of this title or a

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
FAX: (907) 269-7910
TDD: (907) 465-6437

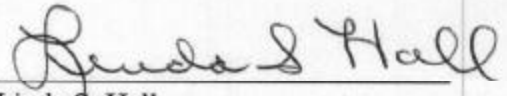
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

regulation adopted under it, for which violation a greater penalty is not provided in this title, is subject to a civil penalty of not more than \$2,500.

You are hereby ordered to cease and desist from transacting the business of insurance in this state since you do not hold the appropriate license. Continued transaction of insurance in Alaska will be considered a gross and wilful violation and will be subject to appropriate administrative action.

This order is effective immediately.

Dated at Anchorage, Alaska this 23rd day of December, 2004.



Linda S. Hall
Director