

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

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

550 W. 7<sup>th</sup> AVENUE, SUITE 1560  
ANCHORAGE, ALASKA 99501-3567

STATE OF ALASKA  
DEPARTMENT OF COMMERCE, COMMUNITY AND ECONOMIC  
DEVELOPMENT  
DIVISION OF INSURANCE  
550 W. 7<sup>th</sup> AVENUE SUITE 1560  
ANCHORAGE, ALASKA 99513-3567  
PHONE: (907) 269-7900

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  
27  
28  
29

In the Matter of: )  
)  
**EMILY SMALLWOOD** )  
NPN# 18700860 )  
\_\_\_\_\_ )

Division of Insurance Case No. D24-03

**STIPULATED AGREEMENT AND ORDER**

The Alaska Department of Commerce, Community and Economic Development,  
Division of Insurance (Division) and **EMILY SMALLWOOD (SMALLWOOD)** the producer  
in this case, stipulate and agree to the following:

I. BACKGROUND

A. On April 25, 2018, the Division received an application for a Travel  
Insurance Limited Producer license to transact the business of Travel lines  
of authority for **SMALLWOOD**, domiciled in the State of Nebraska. The  
application was automatically processed, and the Division issued

EMILY SMALLWOOD  
Stipulated Agreement and Order  
D24-03

1 nonresident license number 100159384 which has an expiration date of  
2 December 31 of odd numbered years.

3  
4 B. On November 16, 2023, the Division received a renewal application from  
5 **SMALLWOOD**. In that renewal application, **SMALLWOOD** requested  
6 to add Insurance Producer license to transact Property and Casualty lines  
7 of authority. In the same renewal application **SMALLWOOD** responded  
8 affirmatively to background question 1A, indicating she has criminal  
9 history to disclose to the Division.

10  
11 C. During review, it was discovered that **SMALLWOOD** attached  
12 documentation of misdemeanor convictions in the Attachment Warehouse.  
13 This documentation revealed that **SMALLWOOD** has a misdemeanor  
14 conviction in the State of Nebraska effective December 10, 2016.  
15 **SMALLWOOD** incorrectly responded negatively to background question  
16 1 at initial application indicating no criminal conviction to report to the  
17 Division, providing inaccurate information at initial application.  
18

19  
20 II. TERMS OF AGREEMENT

21 A. **SMALLWOOD** was in violation for failing to report her misdemeanor to the  
22 Division which subjects **SMALLWOOD** to civil penalties. Alaska Statute (AS)  
23 21.27.440(a) provides that “in addition to any other penalties provided by law, a  
24 person that the director (director) determines under AS 21.06.170-21.06.240 has  
25 violated the provisions of this chapter is subject to (1) a civil penalty equal to the  
26 compensation promised, paid, or to be paid, directly or indirectly, to a person in  
27  
28

29 EMILY SMALLWOOD  
Stipulated Agreement and Order  
D24-03

1 regard to each violation; (2) either a civil penalty of not more than \$10,000 for  
2 each violation or a civil penalty of not more than \$25,000 for each violation if the  
3 director determines that the person willfully violated the provisions of this  
4 chapter; and (3) denial, nonrenewal, suspension, or revocation of a license.” The  
5 director has the latitude to impose civil penalties against a person who has  
6 violated Alaska’s insurance laws.  
7

8  
9 B. AS 21.27.020(a) provides: "For the protection of the people of this state,  
10 the director may not issue or renew a license except in compliance with  
11 this chapter and not issue a license to a person, or to be exercised by a  
12 person, found by the director to be untrustworthy, incompetent, or who  
13 has not established to the satisfaction of the director that the person is  
14 qualified under this chapter."  
15

16 C. AS 21.27.020(b)(4) provides: "To qualify for issuance or renewal of an  
17 individual license, an applicant or licensee shall (4) be a trustworthy  
18 person."  
19

20 D. AS 21.27.040(a) states that “(a) Application for a license shall be made to  
21 the director upon forms prescribed by the director. As a part of or in  
22 connection with the application, the applicant shall furnish information  
23 concerning the applicant's identity, personal history, experience, business  
24 record, purposes, and other pertinent facts that the director may reasonably  
25 require. The applicant shall declare, subject to penalty of denial,  
26 nonrenewal, suspension, or revocation of a license issued by the director,  
27 that the statements made in or in connection with the application are true,  
28

29 EMILY SMALLWOOD  
Stipulated Agreement and Order  
D24-03

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  
27  
28  
29

correct, and complete to the best of the applicant's knowledge and belief..."

E. **SMALLWOOD** agrees to pay the civil penalty under AS 21.27.440 in the amount of \$250. Payment must be received within 30 days of the signature finalizing this agreement.

F. By signing this agreement, **SMALLWOOD** understands and agrees that any failure to comply with the terms of this agreement will be grounds to revoke, suspend, or non-renew Alaska firm license number 100159384.

G. **SMALLWOOD** understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

DATED: 4/1/2024

DocuSigned by:  
**Emily Smallwood**  
By: \_\_\_\_\_  
EMILY SMALLWOOD  
Licensee

Approved as to form and content:

DATED: 4/1/2024

DocuSigned by:  
*Susan Mitchell*  
By: \_\_\_\_\_  
Susan Mitchell  
Assistant Attorney General

**ORDER**

IT IS FURTHER ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the civil liability issues between the parties to this agreement in these cases and shall constitute the final order in these matters.

EMILY SMALLWOOD  
Stipulated Agreement and Order  
D24-03

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  
27  
28  
29

DATED this 2nd, day of April, 2024.

DocuSigned by:  
*Lori Wing-Heier*

LORI WING-HEIER, DIRECTOR  
DIVISION OF INSURANCE

I hereby certify that, on the 2nd day of April, 2024, I mailed copies of the accusation to:

EMILY SMALLWOOD  
BIBERK INSURANCE SERVICES, INC.  
1314 DOUGLAS ST STE 1400  
OMAHA, Nebraska 68102-1944  
United States

*MR*  
Marnellie Rembut