# STATE OF ALASKA PARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION OF BANKING AND SECURITIES 550 WEST SEVENTH AVENUE, SUITE 1850 ANCHORAGE, ALASKA 99501 (907)269-8140

# STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION OF BANKING AND SECURITIES

,	ORDER NO. 21-114-S  RDER TO CEASE AND DESIST  MPOSING CIVIL PENALTIES  AND  CONSENT TO ORDER
---	--

The Director of the Department of Commerce, Community, and Economic Development, Division of Banking and Securities ("Administrator"), has conducted an investigation into certain activities of Azachorok Incorporated ("Respondent"), and has determined that Respondent violated certain provisions of the Alaska Native Claims Settlement Act Proxy Solicitation and Stock Act, Alaska Statute (AS) 45.55 et seq ("ANCSA Corporations Proxy Solicitations Act").

Respondent agrees that the Administrator has jurisdiction over Respondent and these matters pursuant to the ANCSA Corporations Proxy Solicitations Act.

Respondent wishes to resolve and settle this matter with the Administrator. As evidenced by the authorized signature on this Order, Respondent consents to the entry of this Order based on the Conclusions of Law and Order. Respondent waives its right to appeal under AS 45.55.920(d).

### I. FINDINGS OF FACT

 Respondent is organized pursuant to the Alaska Native Claims Settlement Act ("ANCSA"), 43 U.S.C. 1601 et seq. 1

2

3

4

5

6

7

9

10

11

12

13

15

16

17

18

19

20

21

22

23

- 2. Respondent has certified to the Administrator that it has more than 500 shareholders and total assets exceeding \$1,000,000.
- 3. On or about June 3, 2021, Respondent mailed its 2021 Annual Meeting Packet to its shareholders.
- 4. On or about June 24, 2021, Respondent filed its 2021 Annual Meeting Packet with the Administrator.
- 5. In June 2021, Respondent mailed a document entitled "Year-End Review" to its shareholders.
  - 6. Respondent failed to file its Year-End Review with the Administrator.

### II. CONCLUSIONS OF LAW

- 1. Respondent is subject to the filing requirements of AS 45.55.139 because it has more than 500 shareholders and total assets exceeding \$1,000,000.
- 2. Respondent violated AS 45.55.139 and 3 AAC 08.307(a) by failing to file either its 2021 Annual Meeting Packet or its Year-End Review with the Administrator concurrently with their distribution to shareholders.
- 3. Respondent is subject to a civil penalty pursuant to AS 45.55.920(c) because it violated AS 45.55.139.

### III. ORDER

Pursuant to AS 45.55.920, and on the basis of the Findings of Fact and Conclusions of Law, the Administrator ORDERS:

- Respondent to comply with all provisions of the ANCSA Corporation Proxy Solicitations and Stock Act and associated regulations.
- 2. Pay a civil penalty in the amount \$1000. This amount was calculated at \$500 for Respondent's failure to file its 2021 Annual Meeting Packet concurrently with its distribution

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF BANKING AND SECURITIES
550 WEST SEVENTH AVENUE, SUITE 1850
ANCHORAGE, ALASKA 99501
(907)269-8140

to shareholders and \$500 for Respondent's failure to file its Year End Review concurrently with its distribution to shareholders. The \$1000 civil penalty is suspended for a period of three years from the date of this Order. If Respondent commits any violation of the ANCSA Corporations Proxy Solicitations Act during this period, the suspended portion of the civil penalty will be immediately due.

This Order is a publicly disclosable document.

## IT IS SO ORDERED.

2/28/23 DATED: Julie Sande, Commissioner
Department of Commerce, Community and
Economic Development
/s/ Robert H. Schmidt

BY: Robert H. Schmidt, Director Division of Banking and Securities

# STATE OF ALASKA DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT DIVISION OF BANKING AND SECURITIES 550 WEST SEVENTH VENUE, SUITE 1850 ANCHORAGE, ALASKA 99501 (907)269-8140

February 15, 2023

## **Consent to Entry of Order**

I, Maxim Malavansky, Jr., state that I am the Operations Manager of Azachorok
Incorporated (Respondent), that I am authorized to act on its behalf; that I have read the
foregoing Consent Order and that I know and fully understand the Consent Order contents;
that Respondent has been represented by counsel in this matter; that Respondent has been
advised of the right to a hearing and expressly waives any right to a hearing in this matter;
that Respondent voluntarily and without any force or duress, consents to the entry of this
Consent Order; that Respondent admits to violation of the ANCSA Corporations Proxy
Solicitations Act; that Respondent understands that the Administrator reserves the right to
take further actions to enforce this Consent Order or to take appropriate action upon
discovery of other violations of the ANCSA Corporations Proxy Solicitations Act; and that
Respondent will fully comply with the terms and conditions stated herein.

Respondent enters into this Order voluntarily and understand this Order is a public document.

/s/ Maxim Malavansky, Jr.

Notary Printed Name

My commission expires:

Date				
SUBSCRIBED	AND SWORN TO before me this	1 day of 2	,2023	at
Anchorage	, Alaska			
		/s/ Foua Vang Notary in and for Alaska		
		Foua Vans	Foua Vang	

Azachorok Incorporated
Consent Order

8/26/26