#### STATE OF ALASKA

# DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT DIVISION OF INSURANCE

In the Matter of:	
CLIFFORD E. RUDOLPH,	,
Licensee.	) )

Case No. D 12-09

## STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Clifford D. Rudolph (Mr. Rudolph), the licensee in this matter, stipulate and agree to the following:

#### I. BACKGROUND

- A. On or about July 8, 2009, the division issued a non-resident insurance producer license to Mr. Rudolph, under license number 79951, based on the application that Mr. Rudolph submitted to the division on or about July 7, 2009.
- B. Background question 1 of the application asks: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" To this question, Mr. Rudolph answered "no."
- C. Since Mr. Rudolph'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.
- D. The division received a renewal application for Mr. Rudolph on September 22, 2010. Through this application the division became aware that he had submitted

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an application for written consent under 18 U.S.C. 1033 with California on September 30, 2009. The division also learned that he had obtained written consent under 18 U.S.C. 1033 in 2007 from Washington, although the conviction for which consent in Washington was obtained was subsequently vacated on January 28, 2009. Along with these two administrative actions that Mr. Rudolph did not report, there were four criminal convictions that he did not report to the division. There were two misdemeanors in 1992 and a theft felony in 1992 that was vacated in 2009. Mr. Rudolph was also court-martialed for black marketing and mail fraud in 1996, which, along with being found guilty of desertion, resulted in his being sentenced to confinement, pay forfeiture, and dishonorable discharge from the military. All requirements of his convictions have been completed.

E. Mr. Rudolph's failure to report the convictions and administrative actions are violations of AS 21.27.020, 21.27.025, and 21.27.410.

### II. TERMS OF AGREEMENT

- 1. Mr. Rudolph must remain licensed and in good standing in his home state of Washington. If his Washington license becomes inactive or if formal action is taken against that license, Mr. Rudolph's Alaska insurance license will be revoked automatically.
- 2. Mr. Rudolph agrees to pay a civil penalty under AS 21.27.440(a) in the amount of \$2,000 for nondisclosure of administrative and criminal actions, with \$1,000 suspended. The civil penalty is payable at the time that Mr. Rudolph is notified that the director has signed the order approving this agreement.
- 3. In the event Mr. Rudolph violates Alaska's insurance laws during the next two years, the suspended portion of the penalty referenced in paragraph 2 will be

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reinstated. Mr. Rudolph also will be subject to any and all sanctions authorized by Alaska's insurance laws, including imposition of additional penalties.

- 4. By signing this agreement, Mr. Rudolph understands and agrees that any failure to comply with the terms of this agreement may be grounds to revoke, suspend, or non-renew Alaska insurance license number 79951.
- 5. Mr. Rudolph understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

DATED: 7/13/12

DIVISION OF INSURANCE

By:

Linda Brunette

Program Coordinator

DATED: 7/9/12

Clifford E. Rudolph

Approved as to form and content:

DATED: 7/18/12

MICHAEL C. GERAGHTY ATTORNEY GENERAL

By:

Daniel Wilkerson

Assistant Attorney General

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DEPARTMENT OF COMMERCE

# **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 , 2012.

Bret S. Kolb
Director