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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - MORRIS COUNTY
DOCKET NO. MRS-DC-006619-14

KENNETH E. KOBYLOWSKI
COMMISSIONER OF THE NEW
JERSEY DEPARTMENT OF
BANKING AND INSURANCE,

Plaintiff,
v.

JOY JOHNSON,

Defendant.

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Civil Action
STIPULATION OF SETTLEMENT

WHEREAS Kenneth E. Kobylowski, Commissioner of the New Jersey Department of Banking and Insurance, and Defendant, Joy Johnson have reached an amicable agreement resolving the issues in controversy, and consented to the entry of the within Stipulation of Settlement; and

IT IS HEREBY STIPULATED AND AGREED that, Defendant Joy Johnson admits that on July 10, 2008, by filing a false police report and submitting a false claim to Metropolitan Direct Property and Casualty Insurance Company ("Metropolitan") reporting that her 2004 Infiniti had been stolen, she prepared

or made statements that were intended to be presented to an insurance company in connection with, or in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statement contained false or misleading information concerning any fact or thing material to the claim; and

IT IS FURTHER HEREBY STIPULATED AND AGREED that this conduct constitutes two violations of N.J.S.A. 17:33A-4, and that any future violation of the New Jersey Insurance Fraud Prevention Act shall be considered a subsequent violation; and

IT IS FURTHER HEREBY STIPULATED AND AGREED that Defendant Joy Johnson shall pay a total sum of \$5,500.00 to be paid to the Commissioner of the New Jersey Department of Banking and Insurance. The amount consists of civil penalties in the amount of \$5,000.00 pursuant to N.J.S.A. 17:33A-5; attorneys' fees and costs in the amount of \$250.00 pursuant to N.J.S.A. 17:33A-5; and an insurance fraud surcharge of \$250.00 in accordance with N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. On December 1, 2014, Defendant Joy Johnson remitted to the attorney for the Commissioner a payment in the amount of Five Hundred Dollars and 00/100 cents (\$500.00).
2. Beginning January 1, 2015, and continuing thereafter on the first day of each consecutive month for fifty (50) months until the final payment, Defendant shall pay the amount of

One Hundred Dollars and 00/100 cents (\$100.00), by certified check, official bank check or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Commissioner, N.J. Department of Banking and Insurance
Attn: Rose McGill, Fraud Collection
20 West State Street
P.O. Box 324
Trenton, N.J. 08625

3. In conjunction with the execution of this Stipulation of Settlement, the parties shall also enter into a Consent Judgment for the entire amount owed.
4. If the Defendant fails to make any scheduled payment within ten (10) days of its due date, Plaintiff may, upon notice to Defendant, declare the entire balance outstanding to be immediately due and payable. Thereafter, plaintiff may take any action available under the laws of this State to collect the amount outstanding at that time, including post-judgment interest from the date of the judgment, attorneys' fees and other remedies available under the law.

IT IS FURTHER HEREBY STIPULATED AND AGREED that Defendant Johnson shall pay \$21,235.75 in restitution to Metropolitan.

IT IS FURTHER HEREBY STIPULATED AND AGREED that pursuant to N.J.S.A. 17:33A-10c, a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority; and

IT IS FURTHER HEREBY STIPULATED AND AGREED that the penalties of this Stipulation of Settlement are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

CONSENTED AS TO FORM, CONTENT AND ENTRY:

JOHN J. HOFFMAN
 ACTING ATTORNEY GENERAL OF NEW JERSEY
 Attorney for Plaintiff

Dated: 12/22/2014

By: *Kristina Cretella*
 Kristina Cretella
 Deputy Attorney General

 Joy Johnson
 Defendant

Dated: 12 | 17 | 14