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SUPERIOR COURT OF NEW JERSEY
 SPECIAL CIVIL PART - ESSEX COUNTY
 DOCKET NO. ESX-DC-020666-14

RICHARD J. BADOLATO, ACTING
 COMMISSIONER OF THE
 NEW JERSEY DEPARTMENT OF
 BANKING & INSURANCE,

 Plaintiff,

 v.

 TOBIAS TRUVILLION,

 Defendant.

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) Civil Action
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) **STIPULATION OF SETTLEMENT**
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WHEREAS Richard J. Badolato, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant, Tobias Truvillion, 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 Tobias Truvillion admits that he prepared or made written or oral statements to Progressive Insurance Company ("Progressive") on his February 19, 2010 application for automobile insurance and on

subsequent renewal applications that he resided at 82-84 Watchung Avenue, Upper Montclair, New Jersey, 07043, when he resided elsewhere, for the purpose of obtaining an insurance policy;

IT IS FURTHER HEREBY STIPULATED AND AGREED that this conduct constitutes three 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 Tobias Truvillion shall pay a total sum of \$3,000.00 to the Commissioner of the New Jersey Department of Banking and Insurance. The amount consists of civil penalties in the amount of \$2,000.00; attorneys' fees and costs in the amount of \$900.00, pursuant to N.J.S.A. 17:33A-5b; and a statutory insurance fraud surcharge of \$100.00, in accordance with N.J.S.A. 17:33A-5.1, to be satisfied upon the following conditions:

1. Upon execution of this Stipulation of Settlement, or by September 7, 2015, Defendant Tobias Truvillion shall remit to the attorney for the Commissioner a payment in the amount of \$500.00, by certified check, official bank check or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Kristina Cretella, Deputy Attorney General
Banking, Insurance and Insurance Fraud Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, N.J. 08625-0117

2. Beginning October 1, 2015, and continuing thereafter on the first day of each consecutive month until the final payment, Defendant Tobias Truvillion shall pay the amount of \$156.25, 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 pursuant to N.J.S.A. 17:33A-10c, a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority;

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: 9/8/2015

By: Kristina Cretella

Kristina Cretella
Deputy Attorney General

Tobias Truvillion
Tobias Truvillion
Defendant

Dated: 9-2-15