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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART
OCEAN COUNTY
DOCKET NO. OCN-DC-10598-15

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

Civil Action

Plaintiff,
v.

STIPULATION OF SETTLEMENT

BFD NO. 12-52573-35

SARAH RIVERA,)
Defendant.)

WHEREAS Richard J. Badolato, the Acting Commissioner of the
New Jersey Department of Banking and Insurance ("Commissioner")
and Defendant, Sarah Rivera, 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 Sarah Rivera made written statements intended to be presented to Progressive Garden State Insurance Company, that she was the only driver of her policy vehicles, knowing that the statements contained false and misleading information concerning things material to an insurance application in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"); and

IT IS FURTHER HEREBY STIPULATED AND AGREED that, this conduct constitutes a violation of the Fraud Act, and any future violation of the Fraud Act shall be considered a subsequent violation; and

IT IS FURTHER HEREBY STIPULATED AND AGREED that, Defendant Sarah Rivera shall pay a total sum of \$2,500.00 ("Settlement Amount") to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of civil penalties in the amount of \$2,000.00 pursuant to N.J.S.A. 17:33A-5b, attorneys' fees in the amount of \$400.00 pursuant to N.J.S.A. 17:33A-5b, and a statutory insurance fraud

surcharge of \$100.00 pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. Upon execution of this Stipulation of Settlement, Defendant Sarah Rivera shall immediately remit to the attorney for the Commissioner a payment in the amount of \$2,500.00 by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" at the following address:

Kevin J. McGowan, Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street, 2nd Floor West Wing
P.O. Box 117
Trenton, New Jersey 08625

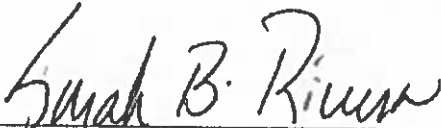
2. Pursuant to N.J.S.A. 17:33A-10c, a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority; and

3. In the event full payment of the Settlement Amount is not made, the Commissioner may exercise any and all remedies available by law, including, but not limited to, recovery of any unpaid penalties pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10, et seq.; and

IT IS FURTHER HEREBY STIPULATED AND AGREED that, the penalties of this Stipulation of Settlement are imposed pursuant

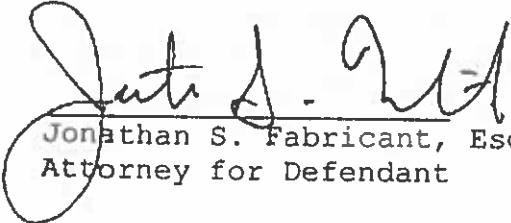
to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:



Sarah Rivera
Defendant

Dated: Feb. 24, 2016



Jonathan S. Fabricant, Esq.
Attorney for Defendant

Dated: Feb. 24, 2016

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

Dated: 2/25/16

By: 

Kevin J. McGowan
Deputy Attorney General