

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
BUREAU OF FRAUD DETERRENCE



CONSENT ORDER: 13-50093-31

In the Matter of:)
Lincoln Pinnock)
3131 Gunther Avenue)
Bronx, NY 10469)
Respondent.)

CONSENT ORDER

THIS MATTER having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance, State of New Jersey, upon information indicating that Respondent Lincoln Pinnock, currently residing at 3131 Gunther Avenue, Bronx, NY 10469, may have violated the provisions of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq.; and

WHEREAS, Respondent Lincoln Pinnock falsely stated to AAA Midatlantic Insurance Company ("AAA") that he resided at, and garaged his policy vehicles at, an address in Elizabeth, New Jersey, when in fact he resided at, and garaged his policy vehicles at, an address in Bronx, New York, and failed to disclose to AAA that one of his policy vehicles was being used for commercial or business purposes, knowing that those statements contained false and misleading information concerning things material to an insurance application, in violation of N.J.S.A. 17:33A-4a(4)(b); and

WHEREAS, Respondent Lincoln Pinnock falsely stated to AAA that he maintained a principal residence in New Jersey, when in fact his principal residence is in New York, in violation of N.J.S.A. 17:33A-4a(4)(a); and

WHEREAS, Respondent Lincoln Pinnock admits that the above conduct constitutes violations of N.J.S.A. 17:33A-1 et seq., and any future violation of N.J.S.A. 17:33A-1 et seq. shall be considered to be a second offense; and

WHEREAS, Respondent Lincoln Pinnock has been informed that he has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), on the violation alleged herein before a civil and administrative penalty is imposed; and

WHEREAS, Respondent Lincoln Pinnock understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondent Lincoln Pinnock consents to pay a civil administrative penalty, surcharge, and attorneys' fees in the amount of \$3,025.00, as follows:

1. \$500.00 as an initial down payment due immediately upon execution of this Consent Order. Payment shall be made by certified check, bank check or money order made payable to the "**Commissioner, New Jersey Department of Banking and Insurance;**" and
2. \$500.00 per month, for five (5) months, beginning May 1, 2016, and continuing thereafter on the first day of each consecutive month until and including September 1, 2016, and one final payment of \$25.00 on October 1, 2016.

AND WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the 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; and

IT FURTHER APPEARING that the matter is suitable for resolution upon consent of the parties and that Respondent and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing:

NOW, THEREFORE, IT IS ON THIS 17th day of April, 2016,

ORDERED AND AGREED as follows:

1. A civil administrative penalty of \$2,500.00 is imposed on Respondent Lincoln Pinnock;
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent, Lincoln Pinnock, shall pay the Commissioner, Department of Banking and Insurance, a surcharge equal to five percent (5%) of the settlement amount, which is \$125.00, such amount to be in addition to the civil administrative penalty;
3. Pursuant to N.J.S.A. 17:33A-5b, Respondent Lincoln Pinnock shall pay the Commissioner, Department of Banking and Insurance, \$400.00 in attorneys' fees.
4. Respondent, Lincoln Pinnock, consents to the entry of this final administrative order. Respondent understands that this final administrative order shall be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.); and
5. Respondent Lincoln Pinnock shall remit payment of the \$3,025.00 ordered above as follows:
 - \$500.00 as an initial down payment, due immediately upon execution of this Consent Order. Payment shall be made by certified check, bank check or money

order made payable to the "Commissioner, New Jersey Department of Banking and Insurance." This signed order and initial down payment shall be returned to:

Kevin J. McGowan, Deputy Attorney General
Banking and Insurance Section – 2nd Floor
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, N.J. 08625-0117; and

- \$500.00 per month, for five (5) months, beginning May 1, 2016, and continuing thereafter on the first day of each consecutive month until and including September 1, 2016, and one final payment of \$25.00 on October 1, 2016. Payment shall be made by certified check, bank check or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and remitted to:


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

RICHARD J. BADOLATO
ACTING COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: 

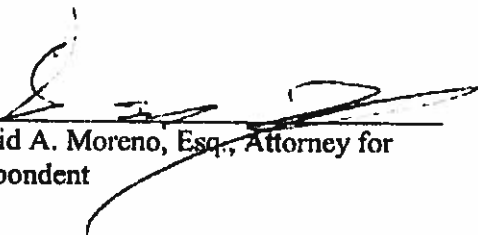
JOHN BUTCHKO
CHIEF OF INVESTIGATIONS
BUREAU OF FRAUD DETERRENCE
DEPT. OF BANKING AND INSURANCE

CONSENTED TO AS TO FORM, CONTENT AND ENTRY OF ORDER:



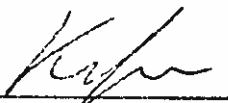
Lincoln Pinnock, Respondent

Dated: 4 1 16



David A. Moreno, Esq., Attorney for
Respondent

Dated: 4/1/16



Kevin J. McGowan, Deputy Attorney General
Attorney for New Jersey Department of
Banking and Insurance

Dated: 4/11/16