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Attorney for Plaintiff  
Richard J. Hughes Justice Complex  
25 Market Street  
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By: Kevin J. McGowan  
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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - BURLINGTON COUNTY  
DOCKET NO. BUR-L-185-12

COMMISSIONER OF THE NEW )  
JERSEY DEPARTMENT OF BANKING )  
AND INSURANCE, )

Civil Action

Plaintiff, )

STIPULATION OF SETTLEMENT

v. )

RICHARD SIMONE, )

Defendant. )

WHEREAS the Commissioner of the New Jersey Department of Banking and Insurance (hereinafter "the Commissioner") and Defendant, Richard Simone, 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 Richard Simone knowingly submitted six fraudulent documents to Allstate Insurance Company in support of a claim for insurance benefits, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. (hereinafter "the Fraud Act"); and

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

IT IS FURTHER HEREBY STIPULATED AND AGREED that, Defendant Richard Simone shall pay a total sum of \$6,250.00 ("Settlement Amount") to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of civil penalties in the amount of \$5,000.00 pursuant to N.J.S.A. 17:33A-5b, attorneys' fees in the amount of \$1,000.00 pursuant to N.J.S.A. 17:33A-5b, and a statutory insurance fraud surcharge of \$250.00 pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. The parties recognize that on or about August 12, 2014, Defendant Richard Simone remitted to the attorney for the Commissioner a payment in the amount of one thousand dollars (\$1,000.00).

2. Upon execution of this Stipulation of Settlement, Defendant Richard Simone shall remit to the attorney for the Commissioner a payment in the amount of four thousand dollars *RS \$4,350.00* ~~(\$4,000.00)~~ by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to

Kevin J. McGowan, Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street, 2<sup>nd</sup> Floor  
P.O. Box 117  
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~~3. Defendant Richard Simone shall remit the remaining balance of \$1,250.00 in monthly *RS* installment payments due on the first of each month, beginning on July 1, 2016, until the full settlement amount has been paid. Installment payments are to be made as follows:~~

- ~~a) Two hundred dollars *RS* (\$200.00) per month for six (6) months; and then~~
- ~~b) Fifty *RS* dollars (\$50.00) for one (1) month.~~

4. All installment payments are to be paid by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Rose V. McGill  
Collections Department  
New Jersey Department of Banking and Insurance  
20 West State Street, 10th Floor  
P.O. Box 325  
Trenton, New Jersey 08625

5. ~~In conjunction with the execution of this~~  
<sup>RS</sup>  
Stipulation of Settlement, ~~the parties~~ shall also enter into a  
Consent Judgment for the entire amount; and

6. 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

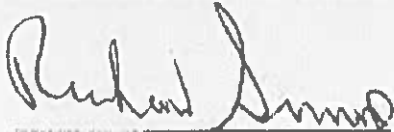
7. If Defendant Richard Simone fails to make any  
scheduled payment within ten (10) days of its due date, the  
Commissioner can, upon notice to Defendant Richard Simone,  
declare the entire balance outstanding to be immediately due and  
payable. Thereafter, the Commissioner may take any action  
available under the law of this State to collect the amount  
outstanding at that time, including post-judgment interest from  
the date of the judgment, attorneys' fees, and any other remedies  
available under the law; and

8. 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:

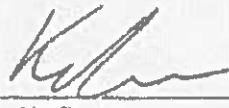


Richard Simone  
Defendant

Dated: 5/4/2011

ROBERT LOUGY  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff

Dated: 5/9/16

By:   
Kevin J. McGowan  
Deputy Attorney General