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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CAMDEN COUNTY  
DOCKET No. CAM-L-2573-15

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

Plaintiff,

v.

MALIKAH RUDOLPH,

Defendant.

Civil Action

STIPULATION OF SETTLEMENT

WHEREAS Richard J. Badolato, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant Malukah Rudolph ("Defendant"), have reached an amicable agreement resolving the issues in controversy, and consented to the entry of the within Stipulation of Settlement; and

1. IT IS HEREBY STIPULATED AND AGREED, that Defendant admits that she violated the New Jersey Insurance Fraud

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Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"), by: (a) submitting an application for insurance to Esurance Insurance Company on October 25, 2012 using the identity of another person as the applicant to obtain an insurance policy, and failing to disclose herself as the driver of the insured vehicle; (b) failing to disclose to Esurance on March 6, 2013 that she had just been involved in a motor vehicle accident when she reinstated her lapsed insurance policy with Esurance; and (c) falsely stating to an Esurance representative in a telephonic interview on March 26, 2013 that her March 6, 2013 automobile accident occurred after she reinstated her insurance policy.

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

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant shall pay a total sum of \$5,725.00 to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$4,500.00 in civil penalties for three violations of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq., attorneys' fees of \$1,000.00 pursuant to N.J.S.A. 17:33A-5b, and \$225.00 constituting the statutory

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

2. Upon execution of this Stipulation of Settlement, Defendant 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:

Ryan S. Schaffer, Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 117  
Trenton, New Jersey 08625

3. Defendant shall remit the remaining balance of \$5,225.00 in monthly installment payments of \$150.00, to be paid on or by the first day of each month, beginning August 1, 2016, until the full settlement amount has been 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

4. In conjunction with the execution of this Stipulation of Settlement, the parties shall also enter into a Consent Judgment for the entire settlement amount; and

5. 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

6. If Defendant fails to make any scheduled payment within ten days of its due date, the Commissioner can, upon notice to Defendant, 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

7. 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

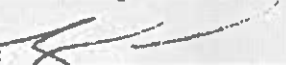
IT IS FURTHER HEREBY STIPULATED AND AGREED, that this Stipulation of Settlement can be used in any subsequent civil or criminal proceeding; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that the

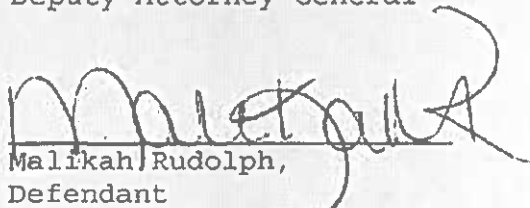
penalties of this Stipulation of Settlement are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:


ROBERT LOUGY  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff

By:   
Ryan S. Schaffer  
Deputy Attorney General

Dated: August 18, 2016

  
Malikah Rudolph,  
Defendant

Dated: 6-20-16

  
A. Harold Kokes, Esq.  
Attorney to Malikah Rudolph

Dated: 6/23/16