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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART- SOMERSET COUNTY  
DOCKET NO. DC-001059-16

RICHARD J. BADOLATO,	)	<u>Civil Action</u>
COMMISSIONER OF THE	)	
NEW JERSEY DEPARTMENT OF	)	<b>STIPULATION OF SETTLEMENT</b>
BANKING AND INSURANCE,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
SIMONE THOMPSON,	)	
	)	
Defendant.	)	

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

IT IS HEREBY STIPULATED AND AGREED, that on or about December 5, 2012, Defendant Thompson provided misleading statements in support of an automobile insurance application submitted to Progressive Garden State Insurance Company, 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 Defendant Thompson's aforementioned conduct constitutes one violation of the Fraud Act, however pursuant to N.J.S.A. 17:33A-5d this Stipulation of Settlement may not be used in any subsequent administrative, civil or criminal proceeding relating to any violation of the Fraud Act; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant Thompson shall pay a total sum of \$2,250.00 (hereinafter "the Settlement Amount") to the Commissioner of the New Jersey Department of Banking and Insurance. The Settlement Amount consists of civil penalties in the amount of \$1,750.00, attorneys' fees and costs in the amount of \$412.50, and a statutory fraud surcharge of \$87.50 pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. By September 1, 2016, Defendant Thompson shall remit to the attorney for the Commissioner a payment in the amount of two hundred fifty dollars (\$250.00) by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey

Department of Banking and Insurance" and sent to:

Richard E. Wegryn, Jr., Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street, P.O. Box 117  
Trenton, New Jersey 08625

2. Defendant Thompson shall remit the remaining balance of said Settlement Amount, two thousand dollars (\$2,000.00), in twelve monthly installment payments of \$166.66, to be paid on or by the first day of each month, beginning October 1, 2016, with the last payment of \$166.74 due on September 1, 2017, 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

3. 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

4. If Defendant Thompson fails to make any scheduled payment within ten (10) days of its due date, the Commissioner can, upon notice to Defendant Thompson, declare the entire outstanding balance of the Settlement Amount to be immediately due and payable.

Thereafter, the Commissioner may take any action available under the law of this State to collect the outstanding balance of the Settlement Amount, plus pre-judgment interest from the date herein, all attorneys' fees and costs incurred from the initiation of this action through judgment in addition to those fees specified herein, and any other remedies available under the 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:

CHRISTOPHER S. PORRINO  
 ATTORNEY GENERAL OF NEW JERSEY  
 Attorney for Plaintiff

Dated: August 9, 2015

By: Richard E. Wegryn, Jr.  
 Richard E. Wegryn, Jr.  
 Deputy Attorney General

Theodore Campbell, Esquire  
 Attorney for Defendant

Dated: August 9, 2015

By: Theodore Campbell, Esquire