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FILED

JAN 11 2017

Eugene J. McCaffrey, Jr., J.S.C.

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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - GLOUCESTER COUNTY
DOCKET NO. GLO-DC-003798-15

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

Civil Action

Plaintiff,)

ORDER OF
SUMMARY JUDGMENT

v.)

THEODORE SIMMONS,)

Defendant.)

This matter coming before the Court on the application of Christopher S. Porrino, Attorney General by Richard E. Wegrzyn, Jr., Deputy Attorney General, attorney for the plaintiff, Commissioner, New Jersey Department of Banking and Insurance, for an Order of Summary Judgment against the defendant Theodore Simmons, and the Court having considered the papers submitted by counsel, and for good cause shown;

It is on this 11th day of January, 2017;

ORDERED that Summary Judgment be and is hereby **GRANTED** in favor of plaintiff, Commissioner, New Jersey Department of Banking and Insurance, against defendant, Theodore Simmons; and

IT IS FURTHER ORDERED that Defendant, Theodore Simmons is adjudged liable for one (1) violation of N.J.S.A. 17:33A-4a(4)(b) of the New Jersey Insurance Fraud Prevention Act; and

IT IS FURTHER ORDERED that judgment be and is hereby entered against defendant, Theodore Simmons, in the amount of \$11,000.00 which consists of a civil penalty of \$5,000.00 pursuant to N.J.S.A. 1733A-5b; attorneys' fees in the amount of \$5,000.00 pursuant to N.J.S.A. 17:33A-5b; and a \$1,000.00 surcharge pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED the driving privileges of Defendant Theodore Simmons will be suspended in the State of New Jersey for one year effective the date hereof pursuant to N.J.S.A. 39A-15.



Eugene J. McCaffrey, Jr., P.J.C.

opposed
✓

unopposed

UNOPPOSED