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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-BERGEN COUNTY
DOCKET NO.

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

Plaintiff,

v.

NAYIBE NORIEGA,

Defendant.

Civil Action

STIPULATION OF SETTLEMENT

WHEREAS Richard J. Badolato, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant Nayibe Noriega ("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 he violated the New Jersey Insurance Fraud Prevention

Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"), by knowingly assisting, conspiring with, and urging another person, L. Romero, to violate provisions of the Fraud Act, specifically by conspiring and urging Ms. Romero to insure Defendant's vehicle with GEICO Insurance Company while Defendant's driver's license was suspended; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant's aforementioned conduct constitutes one (1) violation 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 \$2,075.00 to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$1,500.00 in civil penalties for one (1) violation of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq., attorneys' fees of \$500.00 pursuant to N.J.S.A. 17:33A-5b, and \$75.00 constituting the statutory surcharge pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. 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:

Garen Gazaryan, 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 shall remit the remaining balance of \$1,575.00 in monthly installment payments of \$100.00, to be paid on or by the first day of each month, beginning July 1, 2017, 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

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. 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

5. In the event full payment of the Settlement Amount is not made, the Commissioner may exercise any and all remedies

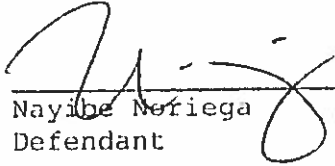
available by law, including, but not limited to, recovery of any unpaid penalties pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10, et seq.; and

6. Upon the full repayment of the settlement amount, the counsel for Plaintiff will file with the clerk of the court the warrant of satisfaction of the judgment; 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:

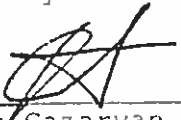


Nayibe Noriega
Defendant

Dated: 6/29/17

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

Dated: 7/10/17

By: 

Garen Gazaryan
Deputy Attorney General