

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff
Richard J. Hughes Justice Complex
P.O. Box 117
Trenton, New Jersey 08625

By: Anna M. Lascurain
Deputy Attorney General
(609) 376-2965
Attorney ID No. 006211994

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-MORRIS COUNTY
DOCKET NO. MRS-L-000155-19

MARLENE CARIDE,	:	
COMMISSIONER OF THE NEW	:	Civil Action
JERSEY DEPARTMENT OF	:	
BANKING & INSURANCE,	:	STIPULATION OF SETTLEMENT
	:	AND ORDER OF JUDGMENT BY CONSENT
Plaintiff,	:	(as to Kenneth Ohanuka Only)
	:	
v.	:	
	:	
HAPPY RIDE LLC, KENNETH	:	
OHANUKA, and HASAN GARBA	:	
	:	
Defendants.	:	
_____	:	

The claims in this action have been settled and resolved limited to the following parties: Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance ("Plaintiff"), and Defendant Kenneth Ohanuka ("Defendant") (collectively the "Parties");

WHEREAS, the Complaint alleges that the Defendant committed violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") by, inter alia, conspiring to, and knowingly providing false information on behalf of Defendant Happy Ride LLC to Knightbrook Insurance Company and

Global Liberty Insurance Company of New York between 2011 and 2013 concerning the ownership, principal place of operation, and principal garaged location of multiple insured commercial vehicles in order to evade insurance premiums in violation of N.J.S.A. 17:33A-(a)(4)(a), -4(a)(4)(b), -4b and -4c; and

WHEREAS, for good cause shown, the Parties have reached an agreement resolving the issues in controversy, and consent to the entry of the within Stipulation of Settlement ("Stipulation") and Order of Judgment by Consent pursuant to the terms and conditions below:

1. The Defendant admits that his conduct constitutes multiple violations of the Fraud Act as alleged in the Complaint;

2. The Defendant shall pay a total settlement amount of \$66,500.00 to Plaintiff ("Settlement Amount"). The Settlement Amount consists of \$50,000.00 in civil penalties pursuant to N.J.S.A. 17:33A-5b; \$14,000.00 in attorneys' fees pursuant to N.J.S.A. 17:33A-5b; and \$2,500.00 in statutory surcharge pursuant to N.J.S.A. 17:33A-5.1.

3. In conjunction with the execution of this Stipulation, the Defendant agrees to enter into an Order of Judgment by Consent in favor of Plaintiff in the Settlement Amount of \$66,500.00 which shall be docketed as a statewide lien.

4. This Stipulation shall be governed by the laws of the State of New Jersey without regard to any conflict-of-laws


principles. The Parties agree that the exclusive jurisdiction and venue for any dispute arising between and among the Parties under the Stipulation will be the Superior Court of the State of New Jersey.

5. The penalties of this Stipulation 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.


6. To facilitate execution, this Agreement may be executed in as many counterparts as may be required. All counterparts hereof shall collectively constitute a single agreement.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:


GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff



Anna M. Lascurain
Deputy Attorney General



Jeffrey Harky, Esq.
Attorney for Defendant
Kenneth Ohanuka

DocuSigned by:


C87C88CD4464478

Kenneth Ohanuka
Defendant

November 13
Dated: ~~October~~ ____, 2020

November 7
Dated: ~~October~~ ____, 2020

November 5
Dated: ~~October~~ ____, 2020