

ANDREW J. BRUCK
ACTING ATTORNEY GENERAL OF NEW JERSEY
Richard J. Hughes Justice Complex
P.O. Box 117
Trenton, New Jersey 08625
Attorney for Plaintiff

By: Ashleigh B. Shelton
Deputy Attorney General
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(609) 376-2965
Ashleigh.Shelton@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-ESSEX COUNTY
DOCKET NO. ESX-DC-011937-21

MARLENE CARIDE,
COMMISSIONER OF THE NEW
JERSEY DEPARTMENT OF
BANKING & INSURANCE,

Plaintiff,

v.

ZAKIYYAH BURTON,

Defendant.

Civil Action

STIPULATION OF SETTLEMENT

WHEREAS Plaintiff Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant Zakiyyah Burton ("Defendant") (collectively "Parties") have reached an amicable agreement resolving the issues in controversy, and consented to the entry of the within Stipulation of Settlement ("Stipulation").

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 pursuant to the terms and conditions below.

1. Defendant admits that she violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically, N.J.S.A. 17:33A-4(a)(4)(b), by knowingly providing false and misleading statements to Progressive Garden State Insurance Company on an application for automobile insurance.

2. Defendant's aforementioned conduct constitutes one violation of the Fraud Act, and any future violations of the Fraud Act shall be considered second and subsequent violations.

3. Defendant agrees that she shall not engage in any future violations of the Fraud Act.

4. Defendant shall pay a total amount of \$2,075 to the Commissioner ("Settlement Amount"). The Settlement Amount consists of \$1,500 in civil penalties pursuant to N.J.S.A. 17:33A-5(b); \$500 in attorneys' fees pursuant to N.J.S.A. 17:33A-5(b); and \$75 in statutory surcharge pursuant to N.J.S.A. 17:33A-5.1.

5. Defendant shall satisfy the Settlement Amount pursuant to the following terms and conditions:

a. Immediately upon execution of this Stipulation by Defendant, Defendant shall remit to the attorney for the Commissioner a payment in the amount of \$500 by certified check, official bank check, or money order made payable to the

"Commissioner, New Jersey Department of Banking and Insurance" and sent to:

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

b. Defendant shall remit the remaining balance of \$1,575 in monthly installment payments of \$131.25 each, to be paid on or by the first day of each month, beginning December 1, 2021, 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

6. In conjunction with the execution of this Stipulation, the parties shall also enter into an Order of Entry of Judgment by Consent for the entire Settlement Amount, which will be docketed with the Superior Court of New Jersey as a statewide lien.

7. All communications from any party concerning the subject matter of this Stipulation shall be addressed as follows:

If to the Commissioner: Ashleigh B. Shelton
Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625

If to Defendant: Zakiyyah Burton
180 Oakwood Place, 2nd Floor
Orange, NJ 07050

8. The filing of the fully executed Stipulation shall serve as a Stipulation of Dismissal with Prejudice of the Complaint except for the filing of the Consent Judgment pursuant to paragraph 6 herein.

9. 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.

10. 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.

11. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Stipulation shall be provided to any appropriate licensing

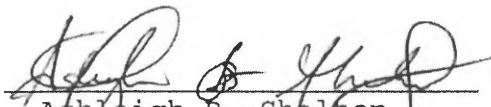
authority. This Stipulation can be used in any subsequent civil or criminal proceeding.

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

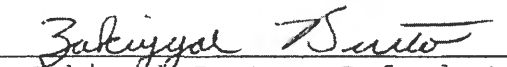
CONSENTED AS TO FORM, CONTENT, AND ENTRY:

ANDREW J. BRUCK
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff

Dated: 11/24/2021

By: 
Ashleigh B. Shelton
Deputy Attorney General

Dated: 11-12-21


Zakiyyah Burton, Defendant

ANDREW J. BRUCK
ACTING ATTORNEY GENERAL OF NEW JERSEY
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SPECIAL CIVIL PART-ESSEX COUNTY
DOCKET NO. ESX-DC-011937-21

MARLENE CARIDE,)	
COMMISSIONER OF THE NEW)	Civil Action
JERSEY DEPARTMENT OF)	
BANKING & INSURANCE,)	ORDER OF ENTRY OF JUDGMENT
)	BY CONSENT
Plaintiff,)	
)	
v.)	
)	
ZAKIYYAH BURTON,)	
)	
Defendant.)	

This matter having been brought before the Court by Andrew J. Bruck, Acting Attorney General of the State of New Jersey, Attorney for Plaintiff, Commissioner of the New Jersey Department of Banking and Insurance, (Ashleigh B. Shelton, Deputy Attorney General, appearing), and the undersigned parties having executed a Stipulation of Settlement and consented to the form and entry of this Order;

29TH
IT IS ON THIS ~~XX~~ day of NOV, 2021,

ORDERED that Judgment shall be and hereby is entered against Defendant, Zakiyyah Burton, and in favor of Plaintiff, Commissioner of the New Jersey Department of Banking and Insurance, in the amount of \$2,075. This amount shall be paid under the terms of the Stipulation of Settlement. This amount consists of civil penalties in the amount of \$1,500 for one violation of the New Jersey Insurance Fraud Prevention Act pursuant to N.J.S.A. 17:33A-5(b), attorneys' fees in the amount of \$500 pursuant to N.J.S.A. 17:33A-5(b), and a statutory fraud surcharge in the amount of \$75 pursuant to N.J.S.A. 17:33A-5.1, which is separate and apart from the civil penalty; and

IT IS FURTHER ORDERED, that a copy of this order shall be served on all parties within 7 days from the date of receipt.

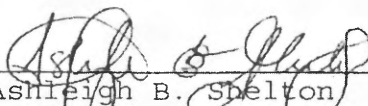
/s/ Bridget A. Stecher •

HON. BRIDGET A. STECHER, J.S.C.

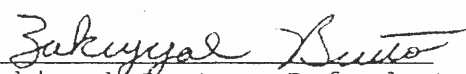
CONSENTED AS TO FORM, CONTENT AND ENTRY OF ORDER:

ANDREW J. BRUCK
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff

Dated: 11/29/21

By: 
Ashleigh B. Shelton
Deputy Attorney General

Dated: 11-12-21


Zakiyyah Burton, Defendant