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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - OCEAN COUNTY  
DOCKET NO. OCN-DC-011027-21

MARLENE CARIDE, )  
COMMISSIONER OF THE )  
NEW JERSEY DEPARTMENT OF )  
BANKING AND INSURANCE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
MENACHEM SUGAR, )  
 )  
Defendant. )  
\_\_\_\_\_ )

Civil Action

**ORDER GRANTING MOTION  
TO ENFORCE SETTLEMENT**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Attorney General of New Jersey, (by Eleanor Heck, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

The court having considered Plaintiff's papers, certifications, and exhibits submitted in support of this motion and for good cause shown;

This court finds that Defendant, by signing the Settlement Agreement memorializing the terms agreed to and placed on the record on January 26, 2023 before this court, has by failing to pay the \$4,125 Settlement Amount failed to comply with the terms of the Settlement Agreement;

IT IS HEREBY ORDERED on this 27<sup>TH</sup> day of MARCH, 2023, that

1. The terms of settlement as memorialized in the Settlement Agreement signed by both Defendant and Defendant's counsel are hereby enforced on the following terms:

a. Defendant admits that his conduct constituted a violation of N.J.S.A. 17:33A-4(a)(1) and N.J.S.A. 17:33A-4(a)(3)(a) and (b) as alleged in the Complaint.

b. Defendant's aforementioned conduct constitutes one violation of N.J.S.A. 17:33A-1 to -30 (the "Act"), and any future violations of the Act shall be considered subsequent violations pursuant to N.J.S.A. 17:33A-5(c).

c. Defendant shall pay a total amount of \$4,125.00 to the Commissioner (the "Settlement Amount"). This Settlement Amount consists of a \$2,500.00 civil penalty pursuant

to N.J.S.A. 17:33A-5(b); \$1,500.00 in attorneys' fees pursuant to N.J.S.A. 17:33A-5(b); and a \$125.00 statutory surcharge pursuant to N.J.S.A. 17:33A-5.1.


2. Defendant having failed to abide by the terms of the Settlement Agreement shall have a judgment lien docketed against him in the amount of \$4,125 until such time as that amount is paid pursuant to the Settlement Agreement.

3. Plaintiff may apply for additional attorney's fees related to the filing of this motion by a subsequent application to the Court.

4. The within judgment for penalties and an insurance surcharge are not dischargeable in any bankruptcy proceeding.

A copy of this Order shall be served upon all parties to this action within seven (7) days of the date hereof.

SO ORDERED.

  
\_\_\_\_\_  
The Honorable John M. Doran, J.S.C.

This motion was:

\_\_\_\_\_ Opposed

\_\_\_X\_\_\_ Unopposed