

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625-0117

By: Sean Healy
Deputy Attorney General
(609) 376-2101
NJ Attorney ID: 170482017
Sean.Healy@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART
BURLINGTON COUNTY
DOCKET NO. BUR-DC-000291-24

| | | |
|------------------------------|---|---------------------------|
| JUSTIN ZIMMERMAN, ACTING |) | |
| COMMISSIONER OF THE |) | <u>Civil Action</u> |
| NEW JERSEY DEPARTMENT OF |) | |
| BANKING AND INSURANCE, |) | STIPULATION OF SETTLEMENT |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | |
| |) | |
| UNITED VETERANS ROOFING, LLC |) | |
| and LYNN SPIVAK, |) | |
| |) | |
| Defendants. |) | |

WHEREAS Plaintiff Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Plaintiff" or "Commissioner"), and Defendant United Veterans Roofing LLC ("UVR") and Defendant Lynn Spivak ("Spivak") (collectively "Defendants") have reached an amicable agreement resolving the

issues in controversy, and consented to the entry of the within Stipulation of Settlement ("Stipulation").

WHEREAS the Commissioner and the Defendants ("Parties") have determined and hereby agree that settlement is in each of their best interests, and for good cause shown.

NOW THEREFORE, the Parties agree fully and finally to settle this matter pursuant to the terms and conditions below.

1. The conduct as alleged in the Complaint constitutes a violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), namely N.J.S.A. 17:33A-4(a)(1), -4(a)(2), and -4(a)(3).

2. Any future violations of the Fraud Act shall be considered subsequent violations pursuant to 17:33A-5(c).

3. Defendants agree that they shall not engage in any future violations of the Fraud Act.

4. Defendants shall pay a total judgment of \$3,750.00 to the Commissioner ("Settlement Amount"). This Settlement Amount consists of \$2,500.00 in civil penalties pursuant to N.J.S.A. 17:33A-5(b), joint and several; \$1,000.00 in attorneys' fees pursuant to N.J.S.A. 17:33A-5(b), joint and several; and a \$125.00 statutory surcharge pursuant from each Defendant pursuant to N.J.S.A. 17:33A-5.1.

5. Defendants shall satisfy the Settlement Amount upon the following terms and conditions:

a. Immediately upon execution of this Stipulation by the Defendants, Defendants shall each remit to the attorney for the Commissioner a payment in the amount of \$1,875.00 within 30 days by certified check, official bank check, or money order made payable to the "Acting Commissioner, New Jersey Department of Banking and Insurance" and sent to:

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

6. No representation, inducement, promise, understanding, condition, or warranty not set forth in this Stipulation has been made to or relied upon by Defendants in agreeing to this Stipulation. Defendants represent that this Stipulation is freely and voluntary entered into without any degree of duress or compulsion.

7. The Parties agree that each party shall bear its own legal and other costs incurred in connection with this matter, and no additional attorneys' fees or costs shall be due, except Defendants agrees to pay Plaintiff's attorneys' fees pursuant to N.J.S.A. 17:33A-5(b) in the amount stated in Paragraph 4.

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

If to the Commissioner:

Sean Healy
Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, NJ 08625

If to Defendants:

Lynn Spivack
c/o Mark A. Gulbranson, Jr., Esq.
68 East Main Street
Moorestown, NJ 08057

United Veteran's Roofing
c/o John Kearney, Esq.
210 White Horse Pike
Haddon Heights, New Jersey 08035

9. This Stipulation must execute fully by July 15, 2024.

10. This Stipulation may be used in any subsequent civil or criminal proceedings.

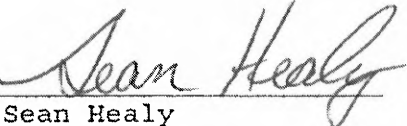
11. The penalties in this Stipulation are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

12. This Stipulation may be executed in counterparts, each of which constitutes an original and all of which constitutes one and the same agreement.


CONSENTED AS TO FORM, CONTENT, AND ENTRY:

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff


Dated: 6/7/24

By: 
Sean Healy
Deputy Attorney General

Dated: 6/7/24

By: 
Mark A. Gulbranson, Jr., Esq.
Attorney for Defendant Lynn
Spivack

Dated: 6-7-24

By: 
John Kearney, Esq.
Attorney for Defendant United
Veteran's Roofing