

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner )  
of Banking and Insurance, State )  
of New Jersey, to fine, suspend, )  
and/or revoke the insurance )  
producer license of Kevin H. )  
Gavigan, Reference No. 9597054, )  
for violations of the Producer )  
Licensing Act, N.J.S.A. 17:22A- )  
26, et seq., and to obtain civil )  
penalties, attorneys' fees, )  
costs, and restitution for )  
violations of the Insurance Fraud )  
Prevention Act, N.J.S.A. 17:33A-1 )  
et seq. )

**FINAL ORDER**

TO: Kevin H. Gavigan  
1 Hayes Avenue  
Millville, NJ 08332

This matter, having been opened to Kenneth E. Kobylowski, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), upon issuance of Order to Show Cause No. E13-63, upon information that Respondent Kevin H. Gavigan may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Respondent Gavigan is subject to the Producer Licensing Act, N.J.S.A. 17:22A-26 et seq. ("Producer Act"); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40d, the Commissioner retains the authority to enforce the provisions of, and impose any penalty or remedy authorized by, the Producer Act against any person who is under investigation for, or charged with, a violation of the Producer Act, even if the person's license or registration has been surrendered or has lapsed by operation of law; and

WHEREAS, pursuant to N.J.S.A. 17:22A-45c, any person violating any provisions of the Producer Act shall be liable to a penalty not

exceeding \$5,000 for the first offense and not exceeding \$10,000 for each subsequent offense, as well as, restitution of moneys owed any person, and reimbursement of the costs of investigation and prosecution; and

WHEREAS, N.J.A.C. 11:17D-1.1 et seq. sets forth the procedures that govern the conduct of administrative hearings for imposing administrative penalties, including the method of determining monetary fines, for violations of the Producer Act; and

WHEREAS, pursuant to N.J.A.C. 11:17D-2.1(a)3, notice of the administrative complaint shall be served by personal delivery, or by certified mail to the respondent's last known business or mailing address, according to the files maintained by the Department. Service in this manner shall be considered lawful service on the respondent; and

WHEREAS, pursuant to N.J.A.C. 11:17D-2.1(d), a respondent shall have twenty (20) calendar days from the date of service of an administrative complaint within which to deliver a written request for a hearing to the Commissioner; and

WHEREAS, pursuant to N.J.A.C. 11:17D-2.1(b)(1), a respondent's failure to respond, as required by the notice, within the time provided, shall be deemed to be an admission as to all the allegations, charges, and conclusions contained in the notice, and no further proceeding shall be required prior to the execution of a final order that imposes the administrative penalty or penalties described in the notice; and

WHEREAS, Respondent Gavigan is subject to the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"); and

WHEREAS, pursuant to N.J.S.A. 17:33A-5(b), violations of the Fraud Act subject the violator to a civil penalty not to exceed \$5,000 for the first offense, not to exceed \$10,000 for the second offense, and not to exceed \$15,000 for each subsequent offense.

The court shall also award court costs and reasonable attorneys' fees; and

WHEREAS, on July 8, 2013 the Commissioner issued Order to Show Cause No. E13-63, alleging that Respondent Gavigan violated various provisions of the Producer Act, as set forth in the following Counts 1 through 7:

**ALLEGATIONS COMMON TO ALL COUNTS**

IT APPEARING that, Respondent was previously licensed as a resident individual insurance producer from December 18, 1995 until his license expired on October 31, 2007; and

IT FURTHER APPEARING that, Respondent was a New Jersey licensed insurance producer, appointed as an agent by Allianz Life Insurance Company of North America ("Allianz") to sell annuities; and

IT FURTHER APPEARING that, on or about December 5, 2001, Respondent was appointed by Allianz to sell annuities; and

**COUNT 1**

IT FURTHER APPEARING that, on or about February 8, 2002, Respondent sold, solicited or negotiated an annuity investment to F.A.J., Policy No. [redacted]; and

IT FURTHER APPEARING that, on or about July 9, 2007, Respondent falsely and fraudulently presented a Request for Annuity Policy Funds form to Allianz to withdraw the amount of \$7,239.75 from the policy No. [redacted], alleged to have been completed and signed by F.A.J. when F.A.J. did not apply for a fund withdrawal from her policy nor did she sign the Request for Annuity Policy Funds form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$7,239.75 payable to F.A.J. as a result of the withdrawal request; and

IT FURTHER APPEARING that Respondent forged F.A.J.'s signature and submitted the Request for Annuity Policy Funds form with a forged signature to Allianz in violation of N.J.S.A. 17:22A-40a(2), (8), (10) & (16); and

**COUNT 2**

IT FURTHER APPEARING that, on or about July 25, 2007, Respondent falsely and fraudulently presented to Wells Fargo Bank Ohio, N.A., a check in the amount of \$7,239.75 for Policy No. [redacted], alleged to have been endorsed by F.A.J. when the insured did not endorse her

name nor authorize Gavigan to endorse her name on the check; and

IT FURTHER APPEARING that Respondent deposited the check with the forged endorsement and misappropriated the funds in violation of N.J.S.A. 17:22A-40a(2), (4), (8), (10) & (16); and

**COUNT 3**

IT FURTHER APPEARING that, on or about February 8, 2002, Respondent sold, solicited or negotiated an annuity investment to F.A.J., Policy No. [redacted]; and

IT FURTHER APPEARING that, on or about July 9, 2007, Respondent falsely and fraudulently presented a Request for Annuity Policy Funds form to Allianz to withdraw the amount of \$2,763.41 from the policy No. [redacted], alleged to have been completed and signed by F.A.J. when F.A.J. did not apply for a fund withdrawal from her policy nor did she sign the Request for Annuity Policy Funds form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$2,763.41 payable to F.A.J. as a result of the withdrawal request; and

IT FURTHER APPEARING that, Respondent forged F.A.J.'s signature and submitted the Request for Annuity Policy Funds form with a forged signature to Allianz in violation of N.J.S.A. 17:22A-40a(2), (8), (10), & (16); and

**COUNT 4**

IT FURTHER APPEARING that, on or about July 25, 2007, Respondent falsely and fraudulently presented to Wells Fargo Bank Ohio, N.A., a check in the amount of \$2,763.41 for Policy No. [redacted], alleged to have been endorsed by F.A.J. when the insured did not endorse her name nor authorize Gavigan to endorse her name on the check; and

IT FURTHER APPEARING that Respondent deposited the check with the forged endorsement and misappropriated the funds in violation of N.J.S.A. 17:22A-40a(2), (4), (8), (10) & (16); and

**COUNT 5**

IT FURTHER APPEARING that, on or about February 4, 2002, Respondent sold, solicited or negotiated an annuity investment to D.R.W., policy number [redacted]; and

IT FURTHER APPEARING that, on or about May 17, 2007, Respondent falsely and fraudulently presented a Qualified Disbursement Request form to Allianz to withdraw the amount of \$10,277.48 from the policy No. [redacted], alleged to have been completed and signed by D.R.W. when

D.R.W. did not apply for a fund withdrawal from her policy nor did she sign the Qualified Disbursement Request form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$8,221.99 payable to D.R.W., instead of the requested amount of \$10,277.48, as a result of the withdrawal request; and

IT FURTHER APPEARING that Respondent forged D.R.W.'s signature and submitted the Qualified Disbursement Request form with a forged signature to Allianz in violation of N.J.S.A. 17:22A-40a(2), (8), (10), & (16); and

**COUNT 6**

IT FURTHER APPEARING that, on or about June 1, 2007, Respondent falsely and fraudulently presented to Wells Fargo Bank Ohio, N.A., a check in the amount of \$10,277.48, for policy number [redacted], alleged to have been endorsed by D.R.W. when the insured did not endorse her name nor authorize Gavigan to endorse her names on the check; and

IT FURTHER APPEARING that Respondent deposited the check with the forged endorsement and misappropriated the funds in violation of N.J.S.A. 17:22A-40a(2), (4), (8), (10) & (16); and

**COUNT 7**

IT FURTHER APPEARING that, on or about October 8, 2008, Respondent was charged with Theft by Deception in the Second Degree in connection with the theft from the Union Lake Sailing and Tennis Club; and

IT FURTHER APPEARING that, on or about October 8, 2008, Respondent was charged with Theft by Deception in the Third Degree in connection with the theft from the F.A.J. D.R.W., respectively; and

IT FURTHER APPEARING that, on or about July 17, 2009, Respondent was convicted of Theft by Deception in the third degree, and sentenced to a prison term of four years, in connection with the theft from the Union Lake Sailing and Tennis Club, and ordered to pay restitution; and

IT FURTHER APPEARING that these acts of Theft by Deception and conviction constitutes a violation of N.J.S.A. 17:22A-40a(2), (6), & (16); and

WHEREAS, Order to Show Cause No. E13-63 also alleged that Respondent Gavigan violated various provisions of the Fraud Act, as set forth in the following Counts 8 through 10:

**COUNT 8**

IT FURTHER APPEARING that, on or about July 9, 2007, Respondent falsely and fraudulently presented a Request for Annuity Policy Funds form to Allianz to withdraw the amount of \$7,239.75 from the policy No. [redacted], alleged to have been completed and signed by F.A.J. when F.A.J. did not apply for a fund withdrawal from her policy nor did she sign the Request for Annuity Policy Funds form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$7,239.75 payable to F.A.J. as a result of the withdrawal request; and

IT FURTHER APPEARING that Respondent forged F.A.J.'s signature and submitted the Request for Annuity Policy Funds form with a forged signature to Allianz; and

**COUNT 9**

IT FURTHER APPEARING that, on or about July 9, 2007, Respondent falsely and fraudulently presented a Request for Annuity Policy Funds form to Allianz to withdraw the amount of \$2,763.41 from the policy No. [redacted], alleged to have been completed and signed by F.A.J. when F.A.J. did not apply for a fund withdrawal from her policy nor did she sign the Request for Annuity Policy Funds form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$2,763.41 payable to F.A.J. as a result of the withdrawal request; and

IT FURTHER APPEARING that, Respondent forged F.A.J.'s signature and submitted the Request for Annuity Policy Funds form with a forged signature to Allianz; and

**COUNT 10**

IT FURTHER APPEARING that, on or about May 17, 2007, Respondent falsely and fraudulently presented a Qualified Disbursement Request form to Allianz to withdraw the amount of \$10,277.48 from the policy No. [redacted], alleged to have been completed and signed by D.R.W. when D.R.W. did not apply for a fund withdrawal from her policy nor did she sign the Qualified Disbursement Request form; and

IT FURTHER APPEARING that, Allianz issued check number [redacted] in the amount of \$8,221.99 payable to D.R.W., instead of the requested amount of \$10,277.48, as a result of the withdrawal request; and

IT FURTHER APPEARING that Respondent forged D.R.W.'s signature and submitted the Qualified Disbursement Request form with a forged signature to Allianz; and

IT FURTHER APPEARING that, Respondent provided these false statements to Allianz in support of a claim for payment pursuant to an insurance policy knowing that that the statements contained false or misleading information concerning any fact or thing material to the claim, in violation of N.J.S.A. 17:33A-4(a) (1) and (2); and

WHEREAS, upon discovering that Respondent Gavigan had misappropriated a total of \$20,280.64, Allianz alerted Wells Fargo Bank Ohio, N.A.; and

WHEREAS, Wells Fargo Bank Ohio, N.A. paid Allianz \$20,280.64, which Allianz used to restore F.A.J. and D.R.W.'s annuities to their original value; and

WHEREAS, Respondent Gavigan was given notice of the above-referenced charges and an opportunity to contest the charges at a hearing; and

WHEREAS, on or about July 12, 2013, Order to Show Cause No. E13-63 was duly served upon Respondent Gavigan by certified and regular mail at the his last known residence address on file with the Department; and

WHEREAS, the certified mail was returned to the Department marked "UNCLAIMED"; and

WHEREAS, the regular mail sent to Respondent Gavigan was not returned, thus creating the presumption that Respondent Gavigan received a copy of Order to Show Cause E13-63; and

WHEREAS, service of Order to Show Cause No. E13-63 in this manner constitutes lawful service upon Respondent Gavigan, pursuant to N.J.A.C. 11:17D-2.1(a)3; and

WHEREAS, Respondent Gavigan failed to provide a written response to the charges contained in Order to Show Cause No. E13-63; and

WHEREAS, pursuant to N.J.A.C. 11:17D-2.1(b), Respondent Gavigan has waived his right to a hearing to contest the charges; and

NOW, THEREFORE, IT IS on this 12<sup>th</sup> day of September, 2014

ORDERED that the charges contained in Order to Show Cause No. E13-63 are deemed admitted by Respondent pursuant to N.J.A.C. 11:17D-2.1(b); and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:22A-40, and N.J.A.C. 11:17D-2.1(b)(2), the expired resident insurance producer license of Respondent Gavigan is hereby REVOKED effective upon the execution of this Final Order by the Commissioner; and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:22A-45c, Respondent shall be responsible for the payment of \$55,000 in fines to the Commissioner for seven (7) violations of the Producer Act contained in Order to Show Cause No. E13-63, Counts 1 through 7, as follows:

- Count 1 - Producer Act - \$5,000 for forging F.A.J.'s signature on, and submitting, the Request for Annuity Policy Funds form;
- Count 2 - Producer Act - \$10,000 for misappropriating \$7,239.75;
- Count 3 - Producer Act - \$10,000 for forging F.A.J.'s signature on, and submitting, the Request for Annuity Policy Funds form;
- Count 4 - Producer Act - \$10,000 for misappropriating \$2,763.41;
- Count 5 - Producer Act - \$10,000 for forging D.R.W.'s signature on, and submitting, the Qualified Disbursement Request form;
- Count 6 - Producer Act - \$10,000 for misappropriating \$10,277.48; and
- Count 7 - Producer Act - no fine;

IT IS FURTHER ORDERED, that, pursuant to N.J.S.A. 17:33A-5c, Respondent Gavigan shall pay an administrative fine in the amount of \$30,000 to the Commissioner for three (3) violations of the Fraud Act contained in Order to Show Cause No. E13-63, Counts 8 through 10, as follows:



- Count 8 - Fraud Act - \$5,000 for forging F.A.J.'s signature on, and submitting, the Request for Annuity Policy Funds form;
- Count 9 - Fraud Act - \$10,000 for forging F.A.J.'s signature on, and submitting, the Request for Annuity Policy Funds form; and
- Count 10 - Fraud Act - \$15,000 for forging D.R.W.'s signature on, and submitting, the Qualified Disbursement Request form.

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:33A-5c, Respondent Gavigan shall pay attorneys' fees in the amount of \$2,555; and

IT IS FURTHER ORDERED that, pursuant to N.J.A.C. 11:1-32.4(b)20, Respondent Gavigan shall reimburse the Department of Banking and Insurance for the costs associated with the investigation of this matter, totaling \$412.50; and

IT IS FURTHER ORDERED that, in addition to the aforementioned fine, Respondent Gavigan shall pay a \$1,000 insurance fraud surcharge, pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED that Respondent Gavigan shall pay restitution to Wells Fargo Bank Ohio, N.A. in the amount of \$20,280.64, pursuant to N.J.S.A. 17:22A-45c; and


IT IS FURTHER ORDERED, that payments of the fines, costs, attorneys' fees, and the statutory insurance fraud surcharge, totaling \$88,967.50, shall be made in one payment and shall be remitted to the New Jersey Department of Banking and Insurance, 20 West State Street, P.O. Box 325, Trenton, New Jersey 08625, Attention: Jan Allen, Supervisor of Investigations, by certified check, cashier's check, or money order made payable to the State of New Jersey, General Treasury, within ten (10) days of the date of service of this Final Order; and

IT IS FURTHER ORDERED, that in the event full payment of fines and attorneys' fees are not made, the Commissioner may exercise any and all remedies available by law, including but not limited to,

recovery of any unpaid penalties in accordance with the Penalty Enforcement Law, N.J.S.A. 2A:58-10 et seq.; and

IT IS FURTHER ORDERED, that the fines are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the 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; and

IT IS FURTHER ORDERED, that the provisions of this Final Order represent a final agency decision and constitute a final resolution of the allegations contained in Order to Show Cause No. E13-63.

  
\_\_\_\_\_  
PETER L. HARTT  
Acting Director of Insurance

**EXHIBIT A**

John J. Hoffman  
Acting Attorney General of New Jersey  
Attorney for Department of Banking and Insurance  
25 Market Street  
P.O. Box 117  
Trenton, New Jersey 08625

By: Gordon A. Queenan  
Deputy Attorney General  
(609) 292-7669  
NJ Attorney ID: 085002013  
gordon.queenan@dol.lps.state.nj.us

STATE OF NEW JERSEY  
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

)  
Proceedings by the Commissioner )  
of Banking and Insurance, State )  
of New Jersey, to fine, suspend, )  
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et seq. )

CERTIFICATION OF DEPUTY  
ATTORNEY GENERAL GORDON A.  
QUEENAN

I, Gordon A. Queenan, of full age, do, of my own personal knowledge, make the following statement by way of certification in lieu of affidavit, pursuant to R. 1:4-4(b):

1. I am a Deputy Attorney General assigned as counsel for the Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner") in the above matter. I submit this certification in support of the Commissioner's request that a Final Order be entered against Respondent Kevin Gavigan, and,

specifically, to establish that proper service of Order to Show Cause No. E13-63 was made upon Respondent Gavigan.

2. The Commissioner issued Order to Show Cause No. E13-63 on July 8, 2013.

3. By letter dated June 11, 2013, my office served a copy of Order to Show Cause No. E13-63 upon Respondent Gavigan via regular and certified mail, return receipt requested, at the following, last known mailing address for Respondent Gavigan on file with the Commissioner:

Kevin Gavigan  
1 Hayes Avenue  
Millville, NJ 08332

4. The certified mail was returned marked "UNCLAIMED" with a handwritten date of July 24 and July 29 on the envelope.

5. The regular mail sent to Respondent Gavigan was not returned.

6. Pursuant to N.J.A.C. 11:16-7.5(b) and 11:17D-2.1(a)3, service of Order to Show Cause E13-63 in this manner constitutes lawful service upon Respondent Gavigan.

7. To date, Respondent Gavigan has not provided a written response to the charges contained in Order to Show Cause No. E13-63.

8. Court costs and reasonable attorneys' fees are mandated by the Fraud Act, N.J.S.A. 17:33A-5c and N.J.A.C. 11:16-7.6(a). The New Jersey Department of Law and Public Safety, Division of Law ("DOL") has established a Schedule of Attorneys' Fees that provides a uniform hourly rate of compensation for DOL legal staff. [A true and exact copy of this schedule is attached as Exhibit A.]

9. DOL legal staff complete daily timesheets which document the legal services performed. For each matter, the DOL timekeeping system requires the activity date, an activity code, and the time

spent for each particular activity. The client activity codes are designated as follows:

CAD - Administration	CMB - Motion/Brief
CAP - Appearance	CMS - Miscellaneous
CCM - Conference/Meeting/ Telephone	CPR - Prep trial/Hearing/ Argument
CCR - Correspondence	CRW - Research/Writing
CDR - Contract/Document Review	CSP - Supervision
CDS - Discovery	CTL - Travel
CIV - Investigation	

10. I have reviewed timekeeping records and documentation in the file to determine the amount of time expended by myself and other DOL legal staff on this matter. The Plaintiff is seeking compensation for the legal services provided by: Raymond R. Chance, III, Section Chief/Deputy Attorney General; Joseph Snow, Assistant Section Chief/DAG; Bankole Songonuga, DAG; Gordon A. Queenan, DAG; and Kristine Chichester, Paralegal.

11. As an attorney with over ten (10) years of legal experience, the hourly rate of compensation for Section Chief Chance is \$175 per hour. As an attorney with five (5) to ten (10) years of legal experience, the hourly rate of compensation for Deputy Attorney General Songonuga is \$155 per hour. As attorneys with zero (0) to five (5) years of legal experience, the hourly rate of compensation for Deputies Attorney General Snow and Queenan is \$135 per hour. See Exhibit A.

12. The rate of compensation for paralegals is \$55 per hour. See Exhibit A. The work Paralegal Chichester performed in this matter was not duplicative of the time billed by any of the DAGs named in the above paragraphs.

13. Section Chief Chance spent a total of 1.5 hours (\$262.50) in the supervision of this matter. DAG Snow spent a total of .1 hours (\$13.50) in the supervision of this matter. DAG Songonuga spent a total of 7.4 hours (\$1,147) in the review, preparation, and

prosecution of this matter. Deputy Attorney General Queenan spent a total of 1.5 hours (\$202.50) in the review, preparation and prosecution of this matter, which includes 1.5 hours in the preparation of this motion, which is not set forth in Exhibit B. Paralegal Chichester spent a total of 16.9 hours (\$929.50) on this matter. Plaintiff is seeking compensation for all of the time spent by Section Chief Chance, DAG Snow, Songonuga, and Queenan, and Paralegal Chichester, totaling \$2,555 in legal services. [A true and exact copy of the timekeeping statements for these services is attached as Exhibit B.]

14. Pursuant to N.J.S.A. 17:33A-5.1, in addition to any other penalty, fine or charge imposed, a person who is found in any legal proceeding to have committed insurance fraud shall be subject to a surcharge in the amount of \$1,000.

15. Pursuant to N.J.A.C. 11:1-32.4(b)20, Respondent Gavigan shall reimburse the Department for the \$412.50 in costs incurred in relation to the investigation of this matter by Investigator Daxesh Patel. [A true and exact copy of the Certification of Daxesh Patel is attached as Exhibit C.]

16. The Plaintiff reserves the right to further supplement this certification.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Gordon A. Queenan  
Deputy Attorney General

Dated: September 4, 2014

**EXHIBIT B**



FINAL ORDER NO.  
EXHIBIT B

Proceedings by the Commissioner of )  
Banking and Insurance, State of New )  
Jersey, to fine, suspend and/or revoke )  
the insurance license of Kevin H.)  
Gavigan, Ref. No. 9597054, for )  
violations of the Producer Licensing )  
Act, N.J.S.A. 17:22a-26, et seq., and )  
to obtain civil penalties, )  
attorneys' fees, costs and )  
restitution for violations of )  
the Insurance Fraud Prevention Act )  
Act, N.J.S.A. 17:33A-1 )  
et seq. )

CERTIFICATION OF COSTS  
BY INVESTIGATOR  
DAXESH M. PATEL

I, Daxesh M. Patel, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am an investigator with the New Jersey Department of Banking and Insurance, Division of Enforcement and Consumer Protection ("Department").

2. This certification is submitted in support of the Department's application for reimbursement of its costs of investigation and prosecution, in accordance with N.J.S.A. 17:22A-45(c).

3. On or about February 9, 2009, I was assigned responsibility for conducting an investigation to determine whether Kevin H. Gavigan, may have violated certain provisions of the New Jersey Producer Licensing Act of 2001, N.J.S.A.

17:22A-26, et seq., and related insurance regulations.

4. To determine the amount of time that I spent in the investigation and prosecution of this matter, I reviewed my files relative to this matter, including my time records. On the basis of this review, I have prepared the below schedule of costs:

DATE	TIME IN HRS.	PHONE	CASE PREP.	COMMENTS
4/28/2009	.50		X	Reviewed file
4/28/2009	.25	X		Phone call to Insurer Allianz
5/4/2009	.50		X	Received and reviewed the response from Insurer
5/6/2009	1.00		X	Prepared IR No.1
5/27/2009	.25	X		Sent an e-mail correspondence to the Department's licensing representative.
5/27/2009	.50	X		Received and reviewed the accurint search report
5/27/2009	.50		X	Received and reviewed the FINRA report.
6/11/2009	2.00		X	Prepared Penalty Review
6/14/2011	.25	X		E-mail communication with the OIFP
6/15/2011	.25	X		Phone call to BFD
3/15/2012	.25	X		Phone call to Insurer Allianz
3/22/2012	2.00		X	Prepared P & E.
<b>TOTAL TIME</b>	<b>8.25</b>	<b>@ \$50.00 per hour</b>		<b>-TOTAL COSTS OF INVESTIGATION - \$412.50</b>

5. As this schedule reflects, the investigative efforts expended by the Department of Insurance concerning this matter total #8 hours and #15 minutes. Pursuant to N.J.A.C. 11:1-32.4(b)(20), costs to the Department for the investigation and

prosecution for violations of the New Jersey Insurance Producer Licensing Act, N.J.S.A. 17:22A-40, are reimbursable at the rate of \$50.00 per hour, rounded to the nearest quarter hour.

6. I therefore request that the Department's costs of investigation and prosecution be reimbursed in the amount of \$412.50.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

  
Daxesh M. Patel

Dated: October 24, 2013.