

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

OAL DOCKET NO.: BKI-16007-2018
AGENCY DOCKET NO.: OTSC #E18-72

MARLENE CARIDE,)
COMMISSIONER, NEW JERSEY)
DEPARTMENT OF BANKING AND)
INSURANCE,)
Petitioner,)
v.)
MAXWELL J. ESKRIES,)
Respondent.)

FINAL DECISION AND ORDER

This matter comes before the Commissioner of Banking and Insurance (“Commissioner”) pursuant to the authority of N.J.S.A. 52:14B-1 to -31, N.J.S.A. 17:1-15, the New Jersey Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 to -48 (“Producer Act”), and all powers expressed or implied therein, for the purposes of reviewing the April 17, 2019 Initial Decision (“Initial Decision”) of Administrative Law Judge Julio C. Morejon (“ALJ”). On July 3, 2018, the Department of Banking and Insurance (“Department”) filed Order to Show Cause No. E18-72 (“OTSC”), seeking, among other things, to revoke or suspend Maxwell Eskreis’s (“Eskreis”) license for violations of the Producer Act. Initial Decision at 1-2. On July 23, 2018, Eskries filed a response wherein he denied the allegations contained in the OTSC and requested a hearing. Initial Decision at 2. The Department transmitted the matter as a contested case to the Office of

Administrative Law ("OAL") on November 5, 2018, pursuant to N.J.S.A. 52:14B-1 to -31 and N.J.S.A. 52:14F-1 to -23. Ibid.

On or about April 15, 2019, the ALJ received a letter from Eskries's mother, Ana Eskries. Ms. Eskries informed the ALJ and the Department that her son had passed away on February 28, 2019 and requested that the matter be withdrawn. Ibid. A copy of the Death Certificate was attached to the letter. Ibid.

On or about April 16, 2019, the Department informed the ALJ that it was aware of Ms. Eskries's request and that Eskries had died. Ibid. The Department did not file an objection to Ms. Eskries's request for a hearing be withdrawn. Ibid.

By Initial Decision dated April 17, 2019, the ALJ noted the circumstances for withdrawal pursuant to N.J.A.C. 1:1-19.2(a). The ALJ found that Eskries had passed away on February 28, 2019, Ms. Eskries requested that the request for a hearing be withdrawn, and that the Department did not object to Ms. Eskries's request. Initial Decision at 2. The ALJ returned the matter to the Department of Banking and Insurance for appropriate disposition. Initial Decision at 3.

Exceptions to the Initial Decision were due April 30, 2019. Neither party filed Exceptions.

Having carefully reviewed the Initial Decision, and the entire record herein, I hereby ADOPT the ALJ's Initial Decision as my Final Decision.

THEREFORE, IT IS on this 20th day of May, 2019 ORDERED that the instant matter is withdrawn.



Marlene Caride
Commissioner

JD Eskries FO/Final Orders-Insurance