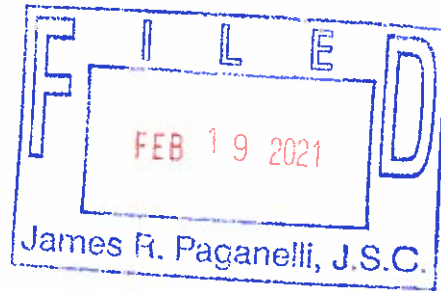


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SUPERIOR COURT OF NEW JERSEY
CHANCERY DIVISION, ESSEX COUNTY
DOCKET NO.: ESX-C-234-19

GURBIR S. GREWAL, Attorney General of the
State of New Jersey, and PAUL R. RODRÍGUEZ,
Director of the New Jersey Division of Consumer
Affairs,

Plaintiffs,

v.

ADVANTA MEDICAID LLC d/b/a ADVANTA
MEDICAID SPECIALISTS; NISSIM "SAM"
ARYEH and CHAIM E. FELLER, individually
and as owners, officers, directors, founders,
members, managers, representatives and/or agents
of ADVANTA MEDICAID LLC d/b/a
ADVANTA MEDICAID SPECIALISTS; JANE
AND JOHN DOES 1-20, individually and as
owners, officers, directors, founders, members,
managers, employees, servants, agents,
representatives and/or independent contractors of
ADVANTA MEDICAID LLC d/b/a ADVANTA
MEDICAID SPECIALISTS; and XYZ
CORPORATIONS 1-20,

Defendants.

Civil Action

**FINAL JUDGMENT BY DEFAULT
AND ORDER AGAINST
NISSIM "SAM" ARYEH**

THIS MATTER was opened to the Court on the application of plaintiffs Gurbir S. Grewal, Attorney General of the State of New Jersey ("Attorney General"), and Paul R. Rodríguez, Director of the New Jersey Division of Consumer Affairs ("Director") (collectively, "Plaintiffs"),

by way of a Complaint filed on December 10, 2019, alleging that Advanta Medicaid LLC d/b/a Advanta Medicaid Specialists (“Advanta Medicaid”) and its two members/managers, Nissim “Sam” Aryeh (“Aryeh”) and Chaim E. Feller, engaged in conduct in violation of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 to -226 (“CFA”), and the Regulations Governing General Advertising Practices, N.J.A.C. 13:45A-9.1 to -9.8 (“Advertising Regulations”).

Aryeh has failed to file an Answer or otherwise move as to the Complaint within the time permitted by the Court. On November 5, 2020, the Court entered default against Aryeh, pursuant to R. 4:43-1. Aryeh has not moved to vacate the default entered against him.

THIS COURT NOW FINDS THAT:

- A. The Court has jurisdiction over the subject matter of this action and over Aryeh.
- B. All requirements under R. 4:43-1 and R. 4:43-2(b) has been satisfied.
- C. Based upon the evidence submitted by Plaintiffs, including the Certification of Investigator Michelle R. Davis, with accompanying exhibits, and the Certification of Deputy Attorney General Robert N. Holup, with accompanying exhibits, Aryeh has engaged in conduct which comprises one hundred thirty-one (131) violations of the CFA and/or the Advertising Regulations with the following breakdown: (i) CFA - Unconscionable Commercial Practices (N.J.S.A. 56:8-2) – one hundred twenty-five (125) violations; (ii) CFA - False Promises and/or Misrepresentations (N.J.S.A. 56:8-2) – five (5) violations; and (iii) the Advertising Regulations (N.J.A.C. 13:45A-9.2(a)(9)) – one (1) violation.

THEREFORE, IT IS on this 19th day of February, 2021:

- 1. **ORDERED** that the acts and omissions of Aryeh constitute multiple instances of unlawful practices in violation of the CFA and/or the Advertising Regulations.

2. **IT IS FURTHER ORDERED** that Aryeh, as owner, managing member, representative and/or agent of Advanta Medicaid, be personally liable for the violations of the CFA and the Advertising Regulations committed by Advanta Medicaid.

3. **IT IS FURTHER ORDERED** that Aryeh be permanently enjoined from engaging in, continuing to engage in or doing any acts or practices in violation of the CFA and the Advertising Regulations, as authorized by the CFA, N.J.S.A. 56:8-8.

4. **IT IS FURTHER ORDERED** that Aryeh be permanently enjoined from the advertisement, offer for sale, sale and/or performance of any Medicaid-related goods and/or services within the State, as authorized by the CFA, N.J.S.A. 56:8-8.

5. **IT IS FURTHER ORDERED** that Aryeh be permanently enjoined from managing or owning any business organization within the State and from serving as an officer, director, trustee, member of an executive board or similar governing body, principal, manager, stockholder owning 10% or more of the aggregate outstanding capital stock of all classes of any corporation doing business in the State, as authorized by the CFA, N.J.S.A. 56:8-8.

6. **IT IS FURTHER ORDERED** that Aryeh pay consumer restitution in the amount of \$226,450.00, as authorized by the CFA, N.J.S.A. 56:8-8. The funds paid by Aryeh pursuant to this section of the Final Judgment by Default and Order shall be used for equitable relief including, but not limited to, consumer redress and any attendant expenses for the administration of any redress fund. If Plaintiffs determine, in their sole discretion, that redress to consumers is wholly or partially impracticable, any funds not so used shall be retained by the Division in lieu of redress. Aryeh shall have no right to contest the manner of distribution chosen by Plaintiffs. Plaintiffs in their sole discretion may use a designated agent to administer consumer redress.

7. **IT IS FURTHER ORDERED** that Aryeh pay maximum statutory civil penalties for each and every violation of the CFA and the Advertising Regulations in the amount of \$1,310,000.00, as authorized by the CFA, N.J.S.A. 56:8-13.

8. **IT IS FURTHER ORDERED** that Aryeh reimburse Plaintiffs for all attorneys' fees incurred in the prosecution of this action, in the total amount of \$83,364.00, as authorized by the CFA, N.J.S.A. 56:8-19.

9. **IT IS FURTHER ORDERED** that Aryeh reimburse Plaintiffs for their investigative costs, in the total amount of \$10,380.23, as authorized by the CFA, N.J.S.A. 56:8-11.

10. **IT IS FURTHER ORDERED** that a judgment be entered against Aryeh in favor of the Division for the total amount of \$1,630,194.23.

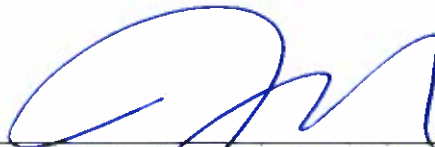
11. **IT IS FURTHER ORDERED** that nothing contained in this Final Judgment by Default and Order, including the Court's determinations herein, shall bind or affect the rights of any persons not a party hereto, or preclude actions against any unnamed parties.

12. **IT IS FURTHER ORDERED** that nothing contained in this Final Judgment by Default and Order shall bind or affect any position which any party may take in future or unrelated actions.

13. **IT IS FURTHER ORDERED** that this Final Judgment by Default and Order may be enforced only by Plaintiffs or Aryeh or their successors hereto.

14. **IT IS FURTHER ORDERED** that this Court retains jurisdiction for the purpose of enabling Plaintiffs or Aryeh to apply to this Court for any such further orders and directions as may be necessary and appropriate for the enforcement of, or compliance with, this Final Judgment by Default and Order.

15. **IT IS FURTHER ORDERED** that service of this Final Judgment by Default and Order shall be deemed effective if mailed via first-class mail to Nissim "Sam" Aryeh at his last known address, 202 Carlton Avenue South, Lakewood, New Jersey 08701, within seven (7) days of the date herein.



HON. JAMES R. PAGANELLI

In accordance with the required statement of R. 1:6-2(a), this motion was:

Opposed Unopposed.