

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
BUREAU OF FRAUD DETERRENCE



CONSENT ORDER NO. 09-24277-02

In the Matter of)	CONSENT ORDER
Edward Masterson DC)	
200 River Avenue, Suit3 2-B)	
Lakewood, NJ 08701)	
Respondent.)	

This matter having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Edward Masterson, DC, currently residing at 200 River Avenue, Lakewood, NJ may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, The Bureau alleges that on May 6, 2009, the Office of Respondent, Edward Masterson, D.C., presented a false or misleading statement, to Liberty Mutual Insurance Company, on a claim for benefit form;

WHEREAS, the above conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq. and the parties stipulate that any future violation of N.J.S.A. 17:33A-1, et seq. shall be considered to be a subsequent offense; and

WHEREAS, Respondent has been informed that he has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), on the violation alleged herein before a civil administrative penalty is imposed; and

WHEREAS, Respondent understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, the parties commenced settlement discussions and desire to amicably settle the matter without the necessity and expense of further litigation; and

WHEREAS, Respondent consents to pay a civil administrative penalty pursuant N.J.S.A 17:33A- 5 in the amount of \$3,000.00 and surcharge in the amount of \$150.00 the total amount of \$3,150.00 being due immediately by certified check, bank check or money order made payable to the "Commissioner, Department of Banking and Insurance". This signed order and the payment of the civil administrative penalty shall be returned to Anna M. Lascurain, Deputy Attorney General, Richard J. Hughes Justice Complex, 25 Market Street, POB 117, Trenton, NJ 08625-0117. Should Respondents fail to make the scheduled payment Petitioner may, upon notice to the Respondent, declare the entire balance outstanding to be due and payable. Thereafter, Petitioner may take any action available under the laws of this State to collect the amount outstanding at that time, including post-judgment interest from the date of the judgment, attorneys' fees and other remedies available under the law.

WHEREAS, the penalties of this Consent Order 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 FURTHER APPEARING that the matter is suitable for resolution upon the consent of the parties and that the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing;

NOW, THEREFORE, IT IS ON THIS 19th day of August, 2015,

ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), a civil administrative penalty of \$3,000 is imposed on Respondent, Edward Masterson, DC.


2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$150.00 such amount to be in addition to the civil administrative penalty. Respondent agrees to make restitution in the amount of \$3,150 as set forth above.

Respondent understands that this final administrative order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et seq.).

4. This Consent Order shall not be binding until it is signed by the Assistant Commissioner, Bureau of Fraud Deterrence.

5. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Consent Order shall be provided to the appropriate licensing authority.

KENNETH E. KOBYLOWSKI
COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

By: 
GARY HEDER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

CONSENTED TO AS TO FORM, CONTENT
AND ENTRY OF ORDER:

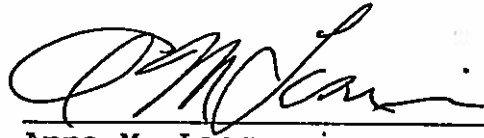

Edward Masterson
Respondent


By: Paul Orecchia, Esq

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorneys for Plaintiff

Dated: August 14 2015

By:



Anna M. Lascurain
Deputy Attorney General