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SPECIAL CIVIL PART
SUPERIOR COURT
UNION COUNTY

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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-UNION COUNTY
DOCKET NO. DC-009136-15

RICHARD J. BADOLATO,)
ACTING COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
DOMINGO SANTAMARIA-)
CASTILLO,)
)
Defendant.)

Civil Action

STIPULATION OF SETTLEMENT

The claim in this action having been settled and resolved by the parties, plaintiff, Richard J. Badolato, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner" or "Plaintiff") and defendant, Domingo Santamaria-Castillo ("Defendant"):

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto that upon filing of this Stipulation of Settlement

that the Defendant acknowledges the jurisdiction of this Court and accepts service of any Complaint in this matter; and,

IT IS HEREBY STIPULATED AND ACKNOWLEDGED by Defendant that he provided materially false or misleading information to Mercury Insurance Company on his application for automobile insurance dated January 10, 2011; and,

IT IS HEREBY STIPULATED AND AGREED that this conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq., and that any future violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq., shall be considered a subsequent violation; and,

IT IS HEREBY STIPULATED AND AGREED that the Defendant shall pay a civil penalty to the Commissioner, New Jersey Department of Banking and Insurance, in the amount of \$5,000.00, \$808.00 in attorney's fees, and a \$250.00 surcharge, for a total of \$6,058.00 ("Settlement Amount"), to be satisfied upon the following terms and conditions:

1. Prior to November 9, 2015, the Defendant shall execute and return this Stipulation of Settlement and the accompanying Order for Entry of Judgment by Consent to the attorney for the Commissioner with a certified check, bank check or money order in the amount of \$2050.00, payable to the "Commissioner, New Jersey Department of Banking and Insurance."

2. The payment shall be made by certified check, bank check or money order, payable to "Commissioner, New Jersey Department of Banking and Insurance," and mailed to: Commissioner, New Jersey Department of Banking and Insurance, P.O. Box 325, Trenton, NJ 08625. "BFD #13-50439-35" shall appear on all checks and communications.

3. Defendant shall remit the remaining balance of the Settlement Amount, \$4,008.00, in monthly installment payments of \$334.00, to be paid on or by the second day of each month, beginning December 2, 2015, with a final payment due on November 2, 2016, by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Rose V. McGill
Collections Department
New Jersey Department of Banking and Insurance
20 West State Street, 10th Floor
P.O. Box 325
Trenton, New Jersey 08625;and

IT IS FURTHER STIPULATED AND AGREED that default shall be deemed to have occurred if any payment for civil penalty or attorney fees and costs is not received within ten (10) days of the date the payment is due; whereupon the Plaintiff, without further notice to the Defendant, may commence collection proceedings pursuant to the Order for Entry of Judgment by Consent signed in conjunction with this Stipulation of Settlement or may undertake

such other judicial process as may be appropriate.

IT IS FURTHER STIPULATED AND AGREED that the penalties of this Stipulation of Settlement 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.

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

Dated: 11/4/2015

By: Richard E. Wegryn, Jr.
Richard E. Wegryn, Jr.
Deputy Attorney General

Dated: 10/30/2015

By: Domingo
Domingo Santamaria-Castillo
Defendant