

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff-Intervenor  
Richard J. Hughes Justice Complex  
P.O. Box 117  
Trenton, New Jersey 08625

FILED  
Superior Court of New Jersey

FEB 09 2016

CIVIL CASE MANAGEMENT  
UNION COUNTY

By: Kristina Cretella  
Deputy Attorney General  
NJ Attorney ID: 063712013  
(609) 984-8469  
Kristina.Cretella@dol.lps.state.nj.us

---

ALLSTATE NEW JERSEY INSURANCE COMPANY, et al.,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION - UNION COUNTY
Plaintiffs,	:	DOCKET NO. UNN-L-4091-08
	:	
v.	:	
	:	<u>CIVIL ACTION</u>
GREGORIO LAJARA, et al.,	:	
	:	<b>STIPULATION OF SETTLEMENT FOR</b>
Defendants.	:	<b>DEFENDANTS LUCY LIU, L.AC.</b>
	:	<b>AND TCM ACUPUNCTURE, P.C.</b>
	:	
COMMISSIONER, NEW JERSEY DEPARTMENT OF BANKING & INSURANCE,	:	
	:	
Plaintiff-Intervenor,	:	
	:	
v.	:	
	:	
GREGORIO LAJARA, et al.,	:	
	:	
Defendants.	:	

---

The claims in this action having been settled and resolved limited to the following parties: Plaintiff-Intervenor, Commissioner of the New Jersey Department of Banking & Insurance

("Commissioner"), Defendant Lucy Liu, L.Ac., and Defendant TCM Acupuncture, P.C. ("TCM"):

WHEREAS, Defendant Liu is licensed by the State of New Jersey as an Acupuncturist, and is a "person" and "practitioner" as defined by the New Jersey Insurance Fraud Prevention Act N.J.S.A. 17:33A-1 to -30 ("Fraud Act"); and

WHEREAS, Defendant Liu is the President and Registered Agent of Defendant TCM, which is a New Jersey Professional Corporation and is a "person" as defined by N.J.S.A. 17:33A-3; and

WHEREAS, the Commissioner and Defendants Liu, and TCM have reached an amicable agreement resolving the allegations in controversy as raised in the Commissioner's January 6, 2012 Intervenor-Complaint ("Intervenor-Complaint") against Defendants Liu and TCM, and have consented to the entry of the within Stipulation of Settlement; and

WHEREAS, Defendants Liu and TCM agree to testify truthfully and provide full cooperation to the Commissioner in this matter; and

WHEREAS, pursuant to N.J.S.A. 17:33A-5d, Defendants Liu and TCM neither admit nor deny the allegations as stated in the Intervenor-Complaint, but consent to payment of a total of \$541,022.50 ("Settlement Payment") as allocated below; and

IT IS STIPULATED AND AGREED, that Defendant Liu shall pay a sum of \$11,500.00 to the Commissioner of the New Jersey Department of Banking and Insurance, which consists of civil penalties in the amount of \$10,000.00, pursuant to N.J.S.A. 17:33A-5b; \$1,000.00 in attorneys' fees, pursuant to N.J.S.A. 17:33A-5b; and a \$500.00 statutory surcharge, pursuant to N.J.S.A. 17:33A-5.1; and

IT IS STIPULATED AND AGREED, that Defendant TCM shall enter into a Consent Judgment for a sum of \$529,522.50 to the Commissioner of the New Jersey Department of Banking and Insurance, which consists of civil penalties in the amount of \$500,000.00, pursuant to N.J.S.A. 17:33A-5b; \$4,522.50 in attorneys' fees, pursuant to N.J.S.A. 17:33A-5b; and a \$25,000.00 statutory surcharge, pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER STIPULATED AND AGREED, that, upon Defendants' execution of this Stipulation of Settlement, Defendant Liu shall remit to the attorney for the Commissioner of the New Jersey Department of Banking and Insurance full payment in the amount of \$11,500.00, by certified check, official bank check, or money order, made payable to "Commissioner, New Jersey Department of Banking & Insurance" and sent to:

Kristina Cretella, Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 117  
Trenton, New Jersey 08625-0117

IT IS FURTHER HEREBY STIPULATED AND AGREED, that if Defendants fail to make any payment, Plaintiff may, upon notice to Defendants, declare the entire balance outstanding to be immediately due and payable. Thereafter, plaintiff 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.

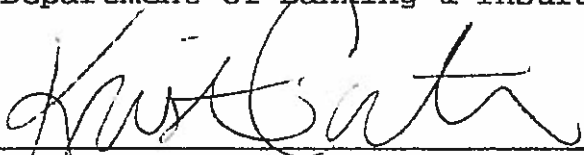
IT IS FURTHER STIPULATED AND AGREED that the penalties of this Stipulation of Settlement are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety and welfare, and are not intended to

constitute debts which may be limited or discharged in a bankruptcy proceeding.

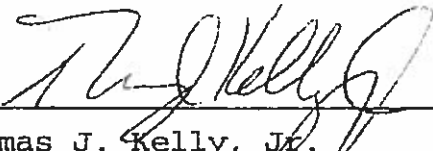
**CONSENTED AS TO FORM, CONTENT AND ENTRY OF ORDER:**

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff-Intervenor  
Commissioner of the New Jersey  
Department of Banking & Insurance

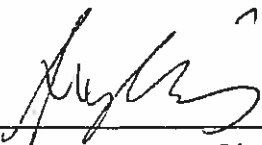
Dated: 2/2/2016

By:   
Kristina Cretella  
Deputy Attorney General

Dated: 12/31/15

By:   
Thomas J. Kelly, Jr.  
Vasios, Kelly and Strollo, P.A.  
2444 Morris Avenue  
Union, New Jersey 07083

Dated: 12/31/15

By:   
Lucy Liu, L.Ac. Individually and  
as President and Registered Agent  
of TCM Acupuncture, P.C.