

consented to the entry of the within Stipulation of Settlement;
and

IT IS HEREBY STIPULATED AND AGREED, that Defendant admits that he violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"), by fraudulently processing fictitious prescriptions while working as a pharmacist at a drug store, and then submitting multiple claims for reimbursement for the cost of the medications, when in fact, the medications were never actually prescribed, dispensed, and paid for; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant's aforementioned conduct constitutes multiple violations of the Fraud Act, and that any future violation of the Fraud Act shall be considered a subsequent violation; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant shall pay a total sum of \$50,000.00 to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$45,000.00 in civil penalties for multiple violations of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq.; attorneys' fees of \$2,750.00 pursuant to N.J.S.A. 17:33A-5b; and \$2,250.00 constituting the statutory surcharge pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant shall pay restitution totaling \$50,000.00 to two insurance companies - Horizon Blue Cross Blue Shield of New Jersey (in the amount of \$49,000.00) and Express Scripts (in the amount of \$1,000.00); and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that the payments outlined above, specifically \$50,000.00 to the Commissioner and \$50,000.00 to two insurance companies, shall be satisfied on the following terms:

1. Upon execution of this Stipulation of Settlement, Defendant shall remit to the attorney for the Commissioner three payments in the amount of \$82,000.00 by certified check, official bank check, or money order as follows:

(1) The first payment in the amount of \$49,000.00 shall be made payable to "Horizon Blue Cross Blue Shield of New Jersey;"

(2) The second payment in the amount of \$1,000.00 shall be made payable to "Express Scripts;"

(3) The third payment in the amount of \$32,000.00 shall be made payable to "Commissioner, New Jersey Department of Banking and Insurance;" and

2. All three payments outlined above shall be due immediately upon execution of this Stipulation of Settlement and shall be sent to:

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

3. Defendant shall remit the remaining balance of \$18,000.00 in monthly installment payments of \$500.00, to be paid on or by the first day of each month, beginning ^{June} ~~May~~ 1, 2016, ^{GG} ~~GR~~ until the full settlement amount has been paid, 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

IT IS FURTHER HEREBY STIPULATED AND AGREED, that in conjunction with the execution of this Stipulation of Settlement, the parties shall also enter into a Consent Judgment for the entire settlement amount; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, upon receipt by the attorney for the Commissioner of the signed Stipulation of Settlement and Consent Judgment, together with the initial three payments in the amount of \$82,000.00, the attorney for the Commissioner shall request the court to dismiss this matter, docket number MON-L-3909-15, with prejudice; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that pursuant to N.J.S.A. 17:33A-10c, a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority; and

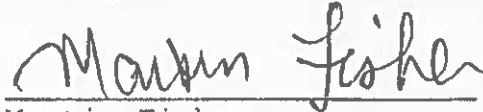
IT IS FURTHER HEREBY STIPULATED AND AGREED, that in the event full payment of the Settlement Amount is not made, the Commissioner may exercise any and all remedies available by law, including, but not limited to, recovery of any unpaid penalties pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10, et se.; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that this Stipulation of Settlement can be used in any subsequent civil or criminal proceeding; and

IT IS FURTHER HEREBY 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,

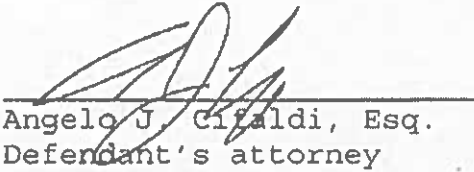
safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:



Martin Fisher
Defendant

Dated: 4-19-16




Angelo J. Cifaldi, Esq.
Defendant's attorney

Dated: 5/5/16

ROBERT LOUGY
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff

Dated: 5/6/16

By: 
Garen Gazaryan
Deputy Attorney General