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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-UNION COUNTY
DOCKET NO. DC-002672-16

RICHARD J. BADOLATO,)	
COMMISSIONER OF THE)	<u>Civil Action</u>
NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	STIPULATION OF SETTLEMENT
)	
Plaintiff,)	
)	
v.)	
)	
LUIS IBARRA,)	
)	
Defendant.)	

The claim in this action having been settled and resolved by the parties, plaintiff, Richard J. Badolato, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner") and defendant, Luis Ibarra ("Defendant"):

IT IS HEREBY STIPULATED AND AGREED by and between the parties hereto that upon filing of this Stipulation, 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 false or misleading information to GEICO Insurance Company, specifically by failing to disclose on his application dated February 25, 2010 and subsequent renewals that his step-son, Luis Sandoval-Ulloa, was a household member and an operator of one of the insured vehicles; 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 \$2,000.00 in a civil penalty, \$425.00 in attorney's fees and a \$75.00 surcharge, for a total of \$2,500.00 ("Settlement Amount"), to be satisfied upon the following terms and conditions:

1. By check #169 dated June 13, 2016, defendant, Luis Ibarra, has made a payment of \$1,500.00 to the Commissioner;
2. Upon signing this Stipulation, which shall be on or before September 15, 2016, Defendant shall send to the attorney for the Commissioner, a certified check, bank check or money order in the amount of \$500.00, 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 #13-50677-35" shall appear on all checks and communications.

3. Defendant shall remit the remaining balance of said Settlement Amount, \$500.00, by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" no later than October 15, 2015, 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

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 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 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.

CHRISTOPHER S. PORRINO
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff

Dated: 9/7/16

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

Dated: 8/31/16

By: ~~Luis OSWALDO IBARRA~~
~~Luis Ibarra~~
~~Defendant~~