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Attorney for Plaintiff-Intervenor

**FILED**  
MAY 26 2017  
ROBERT L. POLIFRONI, J.S.C.

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ALLSTATE INDEMNITY COMPANY,  
ALLSTATE INSURANCE COMPANY,  
ALLSTATE NEW JERSEY INSURANCE  
COMPANY, ALLSTATE NEW JERSEY  
PROPERTY AND CASUALTY INSURANCE  
COMPANY, ALLSTATE PROPERTY AND  
CASUALTY INSURANCE COMPANY,  
ENCOMPASS PROPERTY AND CASUALTY  
COMPANY OF NEW JERSEY AND  
ENCOMPASS INSURANCE COMPANY OF  
NEW JERSEY,

Plaintiffs,

v.

JOHN K. BURGER, D.O., WAYNE  
MILLER, D.C., TATIANA SHARAHY,  
M.D., JAY PARIS, D.C., RICHARD  
RYAN, D.C., SCOTT PARIS, M.D.,  
MARIA ALVAREZ-PRIETO, M.D.,  
YINGGANG ZHENG, M.D., JOHN  
BURGER, D.O. P.A., HEALTH ONE  
MEDICAL & PHYSICAL  
REHABILITATION, L.L.C.,  
INNOVATIVE SPINE CARE, L.L.C.  
D/B/A PURE ANTI-AGING MEDICAL  
CENTER, NEUROHEALTH MEDICAL  
SERVICES, P.C., NEUROLOGY AND  
PAIN MANAGEMENT CENTER, P.C.,

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION: BERGEN COUNTY

DOCKET NO. BER-L-627-13

CIVIL ACTION

ORDER TO ENFORCE LITIGANT'S  
RIGHTS PURSUANT TO R. 1:10-3  
ON SHORT NOTICE  
(As to John K. Burger, D.O.,  
and Neurohealth Medical  
Services, P.C)

NEUROLOGY AND PAIN TREATMENT  
CENTER, P.C., NEUROWAVE, L.L.C.  
A/K/A IMR NEUROTESTING, RICARDO  
MENDEZ AND JOHN DOES1-100,

Defendants,

v.

RICHARD J. BADOLATO, COMMISSIONER  
OF THE NEW JERSEY DEPARTMENT OF  
BANKING AND INSURANCE,

Plaintiff-Intervenor,

v.

JOHN K. BURGER, D.O., WAYNE  
MILLER, D.C., TATIANA SHARAHY,  
M.D., JAY PARIS, D.C., RICHARD  
RYAN, D.C., SCOT PARIS, M.D.,  
MARIA ALVAREZ-PRIETO, M.D.,  
YINGGANG ZHENG, M.D., JOHN  
BURGER, D.O. P.A., HEALTH ONE  
MEDICAL & PHYSICAL  
REHABILITATION, L.L.C.,  
INNOVATIVE SPINE CARE, L.L.C.  
D/B/A PURE ANTI-AGING MEDICAL  
CENTER, NEUROHEALTH MEDICAL  
SERVICES, P.C., NEUROLOGY AND  
PAIN MANAGEMENT CENTER, P.C.,  
NEUROLOGY AND PAIN TREATMENT  
CENTER, P.C., NORTHEAST SPINE AND  
WELLNESS, L.L.C., NEUROWAVE,  
L.L.C. A/K/A IMR NEUROTESTING,  
RICARDO MENDEZ AND JOHN DOES1-100

Defendants.

The Court having read the papers submitted and heard oral  
argument on the above-captioned matter and having considered the  
good cause shown;

It is on this 26 day of May, 2017, ORDERED,  
that:

Plaintiff-Intervenor's Motion to Enforce Litigant's Rights Pursuant to R. 1:10-3 on ~~Shed Police~~ as to Defendants John K. Burger, D.O. and Neurohealth Medical Services, P.C, jointly and severally pursuant to N.J.S.A. 17:33A-5b for judgment in the amount of \$50,000.00 representing civil penalties in the amount of \$40,000.00, attorney's fees in the amount of \$2,500.00, an insurance surcharge in the amount of \$3,750.00 as to Defendant, John K. Burger, D.O., and an insurance surcharge in the amount of \$3,750.00 as to Defendant, Neurohealth Medical Services, P.C. is hereby GRANTED; and

IT IS FURTHER ORDERED That judgment shall be docketed as a lien against the Defendant, John K. Burger, D.O. in the amount of \$50,000.00 in both the State of New Jersey and the State of Delaware wherein Defendant resides;

3. A copy of this Order shall be served to all parties within five (5) days from the date of this Order.

**UNOPPOSED**

  
Robert L. Polizzoni, P.J.S.C.