

WHEREAS, for good cause shown, the Parties have reached an agreement resolving the issues in controversy, and consent to the entry of the within Stipulation of Settlement ("Stipulation") pursuant to the terms and conditions below.

1. Defendant admits to one violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to 30 ("Fraud Act") and consents to the payment of a civil penalty pursuant to N.J.S.A. 17:33A-5(d).

2. Defendant agrees that he shall not engage in any future violations of the Fraud Act.

3. Defendant shall pay a total Settlement Amount of \$2075.00 to the Plaintiff ("Settlement Amount"). This Settlement Amount consists of \$1500.00 in civil penalties pursuant to N.J.S.A. 17:33A-5b; \$500.00 in attorneys' fees pursuant to N.J.S.A. 17:33A-5b; and \$75.00 in statutory surcharge pursuant to N.J.S.A. 17:33A-5.1.

4. Defendant shall pay the Settlement Amount upon the following terms and conditions:

a. Immediately upon execution of this Stipulation by Defendant, Defendant shall remit to the attorney for the Plaintiff a lump sum payment in the amount of \$100.00 by certified check, official bank check, money order, or attorney trust check made payable to the "Commissioner, New Jersey

Department of Banking and Insurance" on or about October 1, 2023
and sent to:

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

b. On that day which is 30 days after the execution of this Stipulation by all parties, Defendant shall make another \$25.00 payment. Thereafter, Defendant shall remit the remaining balance of in monthly installments of \$25.00, until the Settlement Amount has been paid in full, by certified check, official bank check, money order, or attorney trust check made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Mark Cicero
Collections Department
New Jersey Department of Banking and Insurance
20 West State Street, 10th Floor
P.O. Box 325
Trenton, New Jersey 08625

c. All communications from any party concerning the subject matter of this Stipulation shall be addressed as follows:

If to the Department:

Anna M. Lascurain, DAG
Banking and Insurance Section
R.J. Hughes Justice Complex

25 Market Street
P.O. Box 117
Trenton, New Jersey 08625

If to Defendant:

Ms. Penny Wallace
54 Mount Vernon
Ridgefield Park, NJ 07660

5. Should the Defendant fail to make any of the payments as set forth in Paragraph 3(b) above, then upon motion to the Court with notice to the Defendant, Plaintiff shall be entitled to the entry of the consent judgment in favor of the Plaintiff and against the Defendant in the amount of \$2075.00 less a credit to the Defendant for any amounts paid to the Plaintiff to date of default.

6. Upon receipt of the payments as set forth in Paragraph 3(b) above, this Stipulation shall act as a dismissal of any and all claims in Plaintiff's Complaint with prejudice as to the Defendant, provided the Defendant fully performs under the terms of the Stipulation. Defendant agrees to a Consent Judgment in the full amount of \$2075.00.00 at the time of this Settlement to be held in escrow unless and until submitted to the Court pursuant to Paragraph 5 above.

7. This Stipulation shall be governed by the laws of the State of New Jersey without regard to any conflict-of-laws principles. The Parties agree that the exclusive jurisdiction and

venue for any dispute arising between and among the Parties under the Stipulation will be the Superior Court of the State of New Jersey.

8. The penalties of this Stipulation 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.

9. To facilitate execution, this Agreement may be executed in as many counterparts as may be required. All counterparts hereof shall collectively constitute a single agreement.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff

Anna M. Lascurain

Dated: October 13, 2023

By: _____

Anna M. Lascurain
Deputy Attorney General

By: *Penny Wallace*

Penny Wallace

Dated: October 13, 2023