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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-UNION COUNTY
DOCKET NO. UNN-L-278-24

JUSTIN ZIMMERMAN,)	
ACTING COMMISSIONER OF THE)	<u>Civil Action</u>
NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	STIPULATION OF SETTLEMENT
)	
Plaintiff,)	
)	
v.)	
)	
JASON S. LEMBERG,)	
)	
Defendant.)	

WHEREAS Plaintiff Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Plaintiff" or "Commissioner"), and Defendant Jason S. Lemberg ("Defendant") (collectively, "Parties") have reached an amicable agreement resolving all of the issues in controversy alleged in the Complaint, and consented to the entry of the within Stipulation of Settlement ("Settlement").

WHEREAS the Parties have determined and hereby agree that settlement is in each of their best interests, and for good cause shown.

NOW THEREFORE, the Parties agree fully and finally to settle this matter pursuant to the terms and conditions below.

1. The Plaintiff has alleged that Defendant violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically by misrepresenting material facts on his application for disability insurance, and concealing requested information in his application in violation of N.J.S.A. 17:33A-4(a)(3) and N.J.S.A. 17:33A-4(a)(4)(b), and Defendant now understands and accepts that his aforementioned conduct constitutes one violation of the Fraud Act, and any future violations of the Fraud Act shall be considered second and subsequent violations pursuant to 17:33A-5(c).

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 \$3,125.00 to the Commissioner ("Settlement Amount"). This Settlement Amount consists of \$2,500.00 in civil penalties pursuant to N.J.S.A. 17:33A-5(b); \$500.00 in attorneys' fees pursuant to N.J.S.A. 17:33A-5(b); and a \$125.00 statutory surcharge pursuant to N.J.S.A. 17:33A-5.1.

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

Immediately upon execution of this Stipulation of Settlement by Defendant, Defendant shall remit to the attorney for the Commissioner a payment in the amount of \$3,125.00 by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

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

5. No representation, inducement, promise, understanding, condition, or warranty not set forth in this Settlement has been made to or relied upon by Defendant in agreeing to this Settlement. Defendant represents that this Settlement is freely and voluntarily entered into without any degree of duress or compulsion.

6. The Parties agree that each Party shall bear its own legal and other costs incurred in connection with this matter, and no additional attorneys' fees or costs shall be due, except Defendant agrees to pay Plaintiff's attorneys' fees pursuant to N.J.S.A. 17:33A-5(b) (in the amount stated in Paragraph 4) plus all

reasonable costs of collection and enforcement of this Settlement, including attorneys' fees and expenses.

7. For purposes of construction, this Settlement shall be deemed drafted by all Parties to this Settlement and therefore shall not be construed against any Party for that reason in any subsequent dispute.

8. The undersigned counsel and any other signatories represent and warrant that they are fully authorized to execute this Settlement on behalf of the persons indicated below.

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

If to the Commissioner: William E. Vaughan
Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625

If to Defendant: Jason S. Lemberg
c/o Shaun I. Blick, Esq.
Blick Law LLC
220 Davidson Avenue
Suite 408
Somerset, New Jersey 08873

10. This Settlement may be executed in counterparts, each of which constitutes an original and all of which constitutes one and the same agreement.

11. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority.


12. This Stipulation of Settlement may be used in any subsequent civil or criminal proceedings.

13. The penalties of this 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.

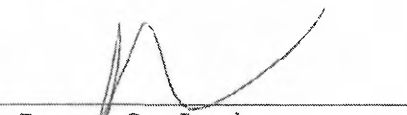
CONSENTED AS TO FORM, CONTENT, AND ENTRY:

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

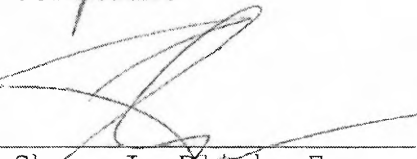
Dated: 8/15/24

By: 
William E. Vaughan
Deputy Attorney General

Dated: 7/29/24

By: 
Jason S. Lemberg
Defendant

Dated: 7/29/2024

By: 
Shaun I. Bluck, Esq.
Attorney for Defendant