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Attorney for Plaintiff

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - PASSAIC COUNTY  
DOCKET NO. PAS-L-2617-22

MARLENE CARIDE,  
COMMISSIONER OF THE NEW  
JERSEY DEPARTMENT OF  
BANKING & INSURANCE,  
  
Plaintiff,  
  
v.  
  
ANTHONY J. ENRICO,  
  
Defendant.

CONSENT JUDGMENT

This matter having been brought before the Court by  
Matthew J. Platkin, Attorney General of the State of New Jersey,  
Attorney for Plaintiff, Commissioner of the New Jersey Department  
of Banking & Insurance ("Plaintiff"), Anna M. Lascurain, Deputy  
Attorney General appearing, and Anthony Enrico ("Defendant"), John

J. Scura III, counsel for the Defendant appearing (collectively the "Parties"), having reached an amicable resolution and consented to the form and entry of this judgment;

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

WHEREAS, the Parties consent to the entry of the within Consent Judgment pursuant to the terms and conditions set forth below; and

WHEREAS, the Plaintiff is authorized under the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") to institute suit for civil penalties and other relief against any person who violates the provisions of the Fraud Act pursuant to N.J.S.A. 17:33A-5; and

WHEREAS, the penalties in this Consent Judgment are imposed against the Defendant 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.

NOW THEREFORE, the Parties agree fully and finally to this Consent Judgment to fully resolve the claims set forth in the Complaint pursuant to the terms and conditions below.

1. The Defendant admits that he permitted unqualified personnel to provide physical therapy services, and falsely billed Horizon Healthcare Services, Inc. d/b/a Horizon Blue Cross and Blue Shield of New Jersey ("Horizon") between January 2007 and May 2016 in the amount of \$250,797.87 as though he had provided the services.

2. Each billing to Horizon constituted separate violations of the Fraud Act, specifically N.J.S.A. 17:33A-4(a)(1) and -4(a)(2).

3. Defendant agrees that he shall not engage in any future violations of the Fraud Act. Any future violations of the Fraud Act shall be considered subsequent violations pursuant to N.J.S.A. 17:33A-5(b).

4. Final Judgment shall be and is hereby entered in favor of Plaintiff and against the Defendant in the amount of \$158,500 consisting of \$150,000 in civil penalties pursuant to N.J.S.A. 17:33A-5(b); \$7,500 in a statutory insurance surcharge pursuant to N.J.S.A. 17:33A-5.1; and \$1,000 in attorney's fees pursuant to 17:33A-5(b).

5. Defendant shall pay restitution to Horizon in the amount of \$250,797.87 through the Consent Judgment and Order of Forfeiture (Money Judgment) filed in the criminal matter on March 26, 2018 in the United States District Court, District of New Jersey, Case No. 2:17-cr-00446-KM. The restitution specified in

this Consent Judgment is solely a reaffirmation of the obligation outlined in the Money Judgment and shall not impose any additional obligations on the Defendant, not confer any rights or remedies beyond those established in the aforementioned Money Judgment and/or criminal matter.

6. The Superior Court of the State of New Jersey shall have exclusive jurisdiction and be the exclusive venue for any dispute arising between and among the Parties under this Consent Judgment.

**CONSENTED AS TO FORM, CONTENT, AND ENTRY:**

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

*Anna M. Lascurain*

Dated: October 18/2024

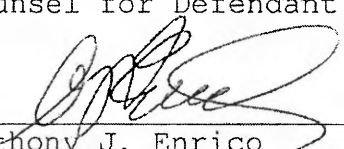
By: \_\_\_\_\_

Anna M. Lascurain  
Deputy Attorney General

Dated: October 18, 2024

By: /s/John J. Scura III  
John J. Scura III, Esq.  
Scura, Wigfield, Heyer,  
Stevens & Cammarota, LLP  
Counsel for Defendant

Dated: 10/23/24

By:   
\_\_\_\_\_  
Anthony J. Enrico