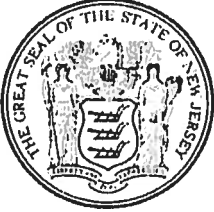


STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
BUREAU OF FRAUD DETERRENCE



CONSENT ORDER

IN THE MATTER OF:)
)
 Robert Portelli) **CONSENT**
 100 Bayview Dr., Apt. #221) **ORDER**
 Sunny Isles Beach, FL 33160)

THIS MATTER, having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance, State of New Jersey ("Department"), upon information that Robert Portelli ("Portelli"), currently residing at 100 Bayview Dr., Apt. #221, Sunny Isles Beach, FL 33160, may have violated the provisions of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"); and

WHEREAS, Respondent Portelli admits that on December 11, 2010, when he completed a New Jersey Manufacturers Insurance Theft Loss Questionnaire, he knowingly stated that his insured vehicle, a 2008 Audi, had between 54,000 and 55,000 miles when the vehicle was stolen on November 10, 2010, when in fact, the insured vehicle had 70,123 miles at the time it was recovered; and

WHEREAS the above conduct constitutes a violation of the Fraud

Act, N.J.S.A. 17:33A-1 et seq. and any future violation of the Fraud Act shall be considered a second violation; and

WHEREAS, Respondent Portelli has been informed that he has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), on the violation alleged herein before a civil and administrative penalty is imposed; and

WHEREAS, Respondent Portelli understands these rights and has voluntarily waived the right to notice and a hearing in this matter; and

WHEREAS, Respondent Portelli consents to pay Commissioner, New Jersey Department of Banking and Insurance \$5,750.00 consisting of \$5,000.00 in civil penalties, \$500.00 in attorneys' fees, and a \$250.00 fraud surcharge; and

WHEREAS, this matter is suitable for resolution upon consent of the parties and Portelli and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing:

NOW, THEREFORE, IT IS on this *19th* day of *September*, 2014,

ORDERED AND AGREED AS FOLLOWS:

1. Portelli shall pay a civil administrative penalty of \$5,000.00.
2. Portelli shall pay attorneys' fees in the amount of \$500.00.
3. Portelli shall pay the Commissioner, Department of Banking and Insurance, a fraud surcharge equal to five percent (5%) of the


settlement amount, pursuant to N.J.S.A. 17:33A-5.1, which is \$250.00, such amount to be in addition to the civil administrative penalty;

4. Portelli shall make payment, in full, upon execution of this Consent Order. Payment shall be made by certified check, bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance."

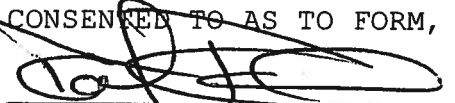
5. Portelli shall remit this signed order together with payment of \$5,750.00 to:

Kristina Cretella, Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, N.J. 08625-0117

KENNETH E. KOBYLOWSKI
COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

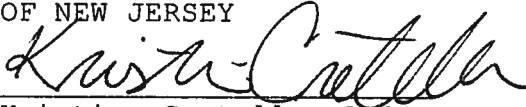
By: 
Gary Heuer
Assistant Commissioner
Bureau of Fraud Deterrence

~~CONSENTED TO AS TO FORM, CONTENT, AND ENTRY OF ORDER:~~


Robert Portelli

Dated: 9/6/14

Dated: 9/16/2014

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL
OF NEW JERSEY
By: 
Kristina Cretella, DAG
Attorney for the New Jersey
Department of Banking and Insurance