

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



CONSENT ORDER NO. 13-54861-35

In the Matter of)	CONSENT ORDER
Michele Rothmund)	
58 Thirteenth Street)	
West Keansburg, New Jersey 07734)	
Respondent.)	

THIS MATTER having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Michele Rothmund, currently residing at 58 Thirteenth Street, West Keansburg, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4, and

WHEREAS, Respondent, Michele Rothmund, knowingly misrepresented to Progressive Garden State Insurance Company, in violation of N.J.S.A. 17:33A-4, when she filed a claim on October 21, 2013, and she stated to a Progressive Claims Representative that she added her daughter, Kristina Rothmund, and a 2011 Nissan Versa, to her auto policy on the morning of October 17, 2013, when, in fact, Michele Rothmund added her daughter and the vehicle to the policy at 2:21 p.m. on October 17, 2013, after her daughter had been involved in a motor vehicle accident in the 2011 Nissan Versa at 2:10 p.m. on October 17, 2013, and

WHEREAS, the above conduct constitutes a violation of N.J.S.A. 17:33A-1 et seq., and any future violation of N.J.S.A. 17:33A-1 et seq., shall be considered to be a second offense; and

WHEREAS, Respondent has been informed that she 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 understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter, and

WHEREAS, Respondent consents to pay a civil administrative penalty in the amount of \$3,000.00, and surcharge in the amount of \$150.00, the total amount of \$3,150.00 being due

immediately by certified check, bank check or money order made payable to the "Commissioner, Department of Banking and Insurance". This signed order and the payment shall be returned to Managing Investigator, Michael Palumbo, Bureau of Fraud Deterrence, Department of Banking and Insurance, PO Box 326, Trenton, NJ 08625; and


WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the 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, and

IT FURTHER APPEARING that the matter is suitable for resolution upon the consent of the parties and that Respondent 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 17th day of May, 2015 ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalty of \$3,000.00 is imposed on Respondent, Michele Rothmund.
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$150.00, such amount to be in addition to the civil administrative penalty.
3. This Consent Order shall not be binding until it is signed by the Assistant Commissioner, Bureau of Fraud Deterrence.
4. Respondent consents to the entry of this final administrative order. Respondent understands that this final administrative order shall be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-1 et seq.).

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:


Michele Rothmund, Respondent

Dated: 3/1/15