

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of Banking and)
Insurance, State of New Jersey, to fine, suspend)
and/or revoke the insurance producer licenses of)
Associates Title, LLC, Ref. No. 0215439, Stacey) FINAL ORDER
A. Trautweiler, Ref. No. 9731636 and Kelly A.)
Dicapua a/k/a Kelly A. Orezzaoli, Ref. No.)
1040469.)

TO: Associates Title, LLC
C/O Stacey A. Trautweiler
658 Northfield Lane
Harleysville, PA 19438-1694

Stacey A. Trautweiler
658 Northfield Lane
Harleysville, PA 19438-1694

Kelly A. Dicapua
45 Douglas Drive
Jackson, NJ 08527

This matter, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that Associates Title, LLC ("Associates"), Stacey A. Trautweiler ("Trautweiler") and Kelly A. Dicapua a/k/a Kelly A. Orezzaoli ("Dicapua-Orezzaoli"), may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Associates was licensed as a resident insurance producer pursuant to N.J.S.A. 17:22A-32 until its license was surrendered on September 14, 2011; and

WHEREAS, Trautweiler was licensed as a resident insurance producer pursuant to N.J.S.A. 17:22A-32 until her license expired on July 31, 2001; and

WHEREAS, at all relevant times, Trautweiler was the sole owner of Associates and responsible for the conduct of Associates and any of its licensed officers or partners and employees, pursuant to N.J.A.C. 11:17A-1.6(c); and

WHEREAS, New Jersey Title Insurance Company ("N.J. Title") was a title insurance company organized in the State of New Jersey and licensed to conduct the business of title insurance; and

WHEREAS, Associates and Trautweiler are subject to the provisions of the New Jersey Insurance Producer Licensing Act ("Producer Act"), N.J.S.A. 17:22A-26 et seq., and the Title Insurance Act of 1974 ("Title Act"), N.J.S.A. 17:46B-1 et seq., and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(2), an insurance producer shall not violate any insurance laws, regulations, subpoenas or orders of the Commissioner or of another state's insurance regulator; an

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(4), an insurance producer shall not improperly withhold, misappropriate or convert any monies or properties received in the course of doing insurance business; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(8), an insurance producer shall not use fraudulent, coercive or dishonest business practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(16), an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-42a, an agent shall abide by the terms of its written agency contract with an insurer; and

WHEREAS, pursuant to N.J.S.A. 17:22A-45a, the Commissioner shall have the power to conduct investigations, to administer oaths, to interrogate licensees and others, and to issue subpoenas to any licensee or any other person in connection with any investigation; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40d and N.J.A.C. 11:17-2.14(c), the Commissioner shall retain the authority to enforce the provisions of, and impose any penalty or remedy authorized by, the Producer Act against any person who is under

investigation for or charged with a violation of the Producer Act even if the person's license or registration has been surrendered or has lapsed by operation of law; and

WHEREAS, pursuant to N.J.S.A. 17:46B-10.1a, every title insurance producer licensed pursuant to the Producer Act shall maintain a separate record of all receipts and disbursements as a depository for funds representing closing and settlement proceeds of a real estate transaction, which funds shall be deposited in a separate trust or escrow account, and which shall not be commingled with a producer's or company's own funds or with funds held by a producer or company in any other capacity; and

WHEREAS, pursuant to N.J.A.C. 11:17-2.9(b)4, an employer shall be responsible for the insurance related conduct of an employee, and

WHEREAS, pursuant to N.J.A.C. 11:17A-4.8, an insurance producer shall reply, in writing, to any inquiry of the Department relative to the business of insurance within the time requested, or no less than 15 calendar days from the date the inquiry was made or mailed in cases where no response time is given; and

WHEREAS, pursuant to N.J.A.C. 11:17A-4.10, an insurance producer acts in a fiduciary capacity in the conduct

of his or her insurance business; and

WHEREAS, pursuant to N.J.A.C. 11:17C-2.1(a), an insurance producer shall hold all premium funds in a fiduciary capacity and shall not misappropriate, improperly convert to the insurance producer's own use or illegally withhold premium funds; and

WHEREAS, pursuant to N.J.A.C. 11:17C-2.2(c), all title insurance settlement funds shall be disbursed within five business days after settlement except as determined by the parties; and

IT APPEARING that on September 23, 2008, Associates entered into an agency agreement with New Jersey Title Insurance Company ("NJ Title"), whereby NJ Title appointed Associates an issuing agent of title insurance, and Associates agreed to originate and solicit applications for title insurance, hold settlements and closings of real estate transactions and conduct the business of title insurance on behalf of NJ Title in the State of New Jersey; and

WHEREAS, the Commissioner issued Order to Show Cause No. E14-58 on May 21, 2014 (hereinafter, the "OTSC"), alleging violations of New Jersey insurance laws by Respondents as set forth in the following Counts:

COUNT 1

(Associates, Trautweiler and Dicapua-Orezzoli)

IT FURTHER APPEARING that on January 14, 2011, Respondents Associates, Trautweiler and Dicapua-Orezzoli conducted a settlement for the property located at 418 Summer Avenue, Newark, New Jersey; and

IT FURTHER APPEARING that the HUD-1 Settlement Statement for the 418 Summer Avenue transaction listed funds that were to be paid to the City of Newark for taxes due for the year 2010 by Respondents Associates, Trautweiler and Dicapua-Orezzoli; and

IT FURTHER APPEARING that at settlement of the 418 Summer Avenue transaction, Respondents Associates, Trautweiler and Dicapua-Orezzoli issued a NJ Title policy which provided title insurance coverage for the lender and buyer; and

IT FURTHER APPEARING that on March 28, 2012, Wells Fargo Home Mortgage ("WFHM"), the lender, informed NJ Title that the City of Newark did not receive payment for tax year 2010 and made a claim for \$6,828.03, under the title insurance policy issued by Respondent Associates and NJ Title; and

IT FURTHER APPEARING that WFHM paid \$6,828.03 to the City of Newark for the delinquent 2010 taxes on the 418 Summer Avenue property which should have been paid by Respondents Associates, Trautweiler and Dicapua-Orezzoli; and

IT FURTHER APPEARING that on May 30, 2012, NJ Title settled the title insurance claim by paying \$6,828.03 to WFHM; and

IT FURTHER APPEARING that Respondents Associates, Trautweiler and Dicapua-Orezzoli never remitted the 2010 taxes to the City of

Newark amounting to \$6,828.03 as instructed by WFHM; and

IT FURTHER APPEARING that Associates, Trautweiler and Dicapua-Orezzoli improperly withheld, misappropriated and converted funds belonging to insureds, received in the course of conducting insurance business, which constitutes fraudulent and dishonest practices and demonstrates incompetence, untrustworthiness and financial irresponsibility in the conduct of insurance business, in violation of N.J.S.A. 17:22A-40a(2), (4), (8) and (16), N.J.S.A. 17:46B-10.1a, N.J.A.C. 11:17A-4.10, N.J.A.C. 11:17C-2.1(a) and N.J.A.C. 11:17C-2.2(c); and

COUNT 2

(Associates, Trautweiler and Dicapua-Orezzoli)

IT FURTHER APPEARING that on May 6, 2011, Respondents Associates, Trautweiler and Dicapua-Orezzoli, conducted a settlement for the property located at 200 Elmwood Drive, Parsippany, New Jersey; and

IT FURTHER APPEARING that the HUD-1 Settlement Statement for the 200 Elmwood Drive transaction listed funds that were to be paid to the County Clerk by Respondents Associates, Trautweiler and Dicapua-Orezzoli as recording fees for the recording of the Deed and Mortgage; and

IT FURTHER APPEARING that after the settlement for the 200 Elmwood Drive transaction, Respondents Associates, Trautweiler and Dicapua-Orezzoli issued a NJ Title policy which provided title insurance coverage to the lender and buyer; and

IT FURTHER APPEARING that in February 2012, WFHM, the lender, advised NJ Title that the Deed and Mortgage had not been recorded by Respondents and that the buyer paid the amount of \$532.00 that should have been paid by Respondents to have the Deed and Mortgage recorded; and

IT FURTHER APPEARING that Respondents Associates, Trautweiler and Dicapua-Orezzoli never remitted the recording fees for the Deed and Mortgage to the County Clerk as instructed by WFHM; and

IT FURTHER APPEARING that Associates, Trautweiler and Dicapua-Orezzoli improperly withheld, misappropriated and converted funds belonging to insureds, received in the course of conducting insurance business, which constitutes fraudulent and dishonest practices and demonstrates incompetence, untrustworthiness and financial irresponsibility in the conduct of insurance business, in violation of N.J.S.A. 17:22A-40a(2), (4), (8) and (16), N.J.S.A. 17:46B-10.1a, N.J.A.C. 11:17A-4.10, N.J.A.C. 11:17C-2.1(a) and N.J.A.C. 11:17C-2.2(c); and

COUNT 3

(Associates, Trautweiler and Dicapua-Orezzoli)

IT FURTHER APPEARING that on February 17, 2009, Respondents Associates, Trautweiler and Dicapua-Orezzoli, conducted a settlement for the property located at 3446 Maritime Drive, Toms River, New Jersey; and

IT FURTHER APPEARING that the HUD-1 Settlement Statement for the 3446 Maritime Drive transaction listed funds that were to be paid to the Internal Revenue Service for a federal tax lien in the amount of \$85,000 by Respondents Associates, Trautweiler and

Dicapua-Orezzoli; and

IT FURTHER APPEARING that after the settlement of the 3446 Maritime Drive transaction, Respondents Associates, Trautweiler and Dicapua-Orezzoli issued a NJ Title policy which provided title insurance coverage to the lender and buyer; and

IT FURTHER APPEARING that on February 17, 2009, Liberty Home Equity Solutions, Inc., formerly known as Genworth Financial Home Equity Access, Inc. ("Liberty") had instructed Respondents to hold in escrow \$85,000 to settle a tax lien with the Internal Revenue Service; and

IT FURTHER APPEARING that the borrower satisfied the lien with the Internal Revenue Service after the settlement of the 3446 Maritime Drive property with personal funds; and

IT FURTHER APPEARING that Respondents Associates, Trautweiler and Dicapua-Orezzoli never remitted the amount of \$85,000 to the Internal Revenue Service for the federal tax lien as instructed by Liberty or returned the \$85,000 to the borrower; and

IT FURTHER APPEARING that Associates, Trautweiler and Dicapua-Orezzoli improperly withheld, misappropriated and converted funds belonging to insureds, received in the course of conducting insurance business, which constitutes fraudulent and dishonest practices and demonstrates incompetence, untrustworthiness and financial irresponsibility in the conduct of insurance business, in violation of N.J.S.A. 17:22A-40a(2), (4), (8) and (16), N.J.S.A. 17:46B-10.1a, N.J.A.C. 11:17A-4.10, N.J.A.C. 11:17C-2.1(a) and N.J.A.C. 11:17C-2.2(c); and

COUNT 4
(Associates, Trautweiler and Dicapua-Orezzoli)

IT FURTHER APPEARING that from 2009 through April 20, 2010, while Respondents Associates, Trautweiler and Dicapua-Orezzoli were agents of NJ Title, they failed to forward premiums to NJ Title on at least fifty (50) title insurance policies and failed to submit monthly reports to NJ Title as required pursuant to the agency agreement, in violation of N.J.S.A. 17:22A-40a(2), (4), (8) and (16), N.J.S.A. 17:22A-42a, N.J.A.C. 11:17A-4.10 and N.J.A.C. 11:17C-2.2(c); and

COUNT 5
(Associates, Trautweiler and Dicapua-Orezzoli)

IT FURTHER APPEARING that Respondents Associates, Trautweiler and Dicapua-Orezzoli failed to abide by the terms and duties of their agency agreement with NJ Title when they failed to disburse settlement funds as instructed, failed to remit premium as agreed and failed to hold these funds in a fiduciary capacity, in violation of N.J.S.A. 17:22A-42a and N.J.S.A. 17:22A-40a(2), (4), (8) (16) and N.J.A.C. 11:17A-4.10; and

COUNT 6
(Associates and Trautweiler)

IT FURTHER APPEARING that on April 11, 2012, pursuant to N.J.S.A. 17:22A-45a, the Department requested Respondents Associates and Trautweiler to provide a written response to the Department regarding the allegations contained in this Order to Show Cause; and

IT FURTHER APPEARING that Respondents Associates and Trautweiler failed to respond to the Department's inquiry in writing, or by any other method, in violation of

N.J.S.A. 17:22A-40a(2) and (8) and N.J.A.C. 11:17A-4.8; and

COUNT 7
(Associates and Trautweiler)

IT FURTHER APPEARING that on December 18, 2012, the Department requested Respondents Associates and Trautweiler to provide information and certain documents for inspection; and

IT FURTHER APPEARING that Respondents Associates and Trautweiler failed to respond to the Department's inquiry in writing, or by any other method, in violation of N.J.S.A. 17:22A-40a(2) and (8) and N.J.A.C. 11:17A-4.8; and

IT FURTHER APPEARING that the Commissioner shall not pursue allegations against Respondent Dicapua-Orezzoli as described in Count 1 through Count 5 in the OTSC because further investigation and discovery revealed that Dicapua-Orezzoli was not responsible for the Producer Act violations; and

IT FURTHER APPEARING that as set forth in the certification of service of Carl M. Bornmann, Deputy Attorney General, attached hereto as Exhibit A, Respondent Trautweiler and Respondent Associates were given notice of the aforesaid charges and an opportunity to contest the charges at a hearing pursuant to Order to Show Cause No. E14-58, which were duly served by certified and regular mail to the addresses listed in this Final Order in accordance with N.J.A.C. 11:17D-2.1(a)3; and

IT FURTHER APPEARING that as set forth in the

certification of service of Carl M. Bornmann, Deputy Attorney General, attached hereto as Exhibit A, under cover letter dated May 27, 2014, Order to Show Cause No. E14-58 was sent by certified and regular mail to Respondent Trautweiler at the address listed in the Order to Show Cause, and the mailing was successfully delivered to Respondent Trautweiler at her residential address at 658 Northfield Lane, Harleysville, Pennsylvania 19438 as evidenced by the fact that the regular mailing was not returned by the U.S. Postal Service and Trautweiler acknowledged service; and

IT FURTHER APPEARING that as set forth in the certification of service of Carl M. Bornmann, Deputy Attorney General, attached hereto as Exhibit A, under cover letter dated May 27, 2014, Order to Show Cause No. E14-58 was sent by certified and regular mail to Respondent Associates at the address listed in the Order to Show Cause, and the mailing was successfully delivered to Respondent Associates, C/O Stacey A. Trautweiler at 658 Northfield Lane, Harleysville, Pennsylvania 19438 as evidenced by the fact that the regular mailing was not returned by the U.S. Postal Service and Trautweiler acknowledged service; and

IT FURTHER APPEARING that, although due notice of the charges provided an opportunity to oppose the allegations,

Respondent Trautweiler failed to provide a written response to the charges contained in Order to Show Cause No. E14-58 within 20 days as provided by N.J.A.C. 11:17D-2.1(d), and therefore Respondents Trautweiler and Associates have waived their right to a hearing to contest these charges and the charges are deemed admitted pursuant to N.J.A.C. 11:17D-2.1(b);

NOW, THEREFORE, IT IS on this 30th day of July, 2015

ORDERED that the charges contained in Order to Show Cause No. E14-58 are deemed admitted by Respondent Trautweiler and Respondent Associates Title pursuant to N.J.A.C. 11:17D-2.1(b); and

IT IS FURTHER ORDERED tht the charges contained in Order To Show Cause No. E14-58 against Kelly A. Dicapua are dismissed; and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:22A-40, and N.J.A.C. 11:17D-2.1(b)(2), the expired resident insurance producer licenses of Respondent Trautweiler and Respondent Associates are hereby REVOKED effective upon the execution of this Final Order by the Commissioner; and

IT IS FURTHER ORDERED that, pursuant to N.J.S.A. 17:22A-45c, Respondent Trautweiler and Respondent Associates shall be

responsible, jointly and severally, for the payment of \$305,000.00 in fines to the Commissioner for the violations contained in Order to Show Cause No. E14-58 for improperly withholding, misappropriating and converting escrow funds belonging to insureds when they failed to remit taxes held in escrow (Count 1); improperly withholding, misappropriating and converting escrow funds belonging to insureds when they failed to remit recording fees (Count 2); improperly withholding, misappropriating and converting escrow funds belonging to insureds when they failed to remit funds held in escrow for a federal tax lien (Count 3); for failing to forward premiums for fifty (50) title insurance policies and failure to submit monthly reports to NJ Title pursuant to the agency agreement (Count 4); failing to abide by the terms of Respondents' agency agreement with NJ Title when they failed to disburse settlement funds as instructed, failed to remit premiums as agreed and failed to hold these funds in a fiduciary capacity (Count 5); failure to respond to the Department's inquiry of April 11, 2012 in writing regarding the allegations in the OTSC (Count 6); and failing to respond to the Department's inquiry of December 18, 2012 in writing regarding the allegations in the OTSC (Count 7); and

IT IS FURTHER ORDERED that, the civil penalties are

assessed as follows: \$5,000.00 for the violation of the Producer Act contained in the Count 1; \$10,000.00 for the violation of the Producer Act contained in Count 2; \$10,000.00 for the violation of the Producer Act contained in Count 3; a total of \$250,000.00 consisting of \$5,000.00 each for fifty (50) violations of the Producer Act contained in Count 4; \$10,000.00 for the violation of the Producer Act contained in Count 5; \$10,000.00 for the violation of the Producer Act contained in Count 6 and \$10,000.00 for the violation of the Producer Act contained in Count 7; and

IT IS FURTHER ORDERED that, pursuant to N.J.A.C. 11:1-32.4(b)20, Respondent Trautweiler and Respondent Associates shall reimburse the Department of Banking and Insurance for the costs associated with the investigation of this matter, as evidenced by the Certification of Investigator Eugene Shannon, attached hereto as Exhibit B, totaling \$2,175.00; and

IT IS FURTHER ORDERED that Respondent Trautweiler and Respondent Associates shall pay the above fines and costs totaling \$307,175.00 in full by remitting payment to the Commissioner of Banking and Insurance, State of New Jersey, 20 West State Street, P.O. Box 329, Trenton, New Jersey 08625, Attention: Virgil Downtin, Chief of Investigations by certified check, cashier's check or money order made payable to the "State

of New Jersey, General Treasury," within ten (10) days from the date of service of this Order; and

IT IS FURTHER ORDERED that in the event full payment of the fines and costs are not made, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties, in accordance with The Penalty Enforcement Law, N.J.S.A. 2A:58-10 et seq.; and

IT IS FURTHER ORDERED that the fines in this Final 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 IS FURTHER ORDERED that the provisions of this Final Order represent a final agency decision and constitute a final resolution of the allegations contained in Order to Show Cause No. E14-58; and



Peter L. Hartt
Acting Commissioner

EXHIBIT A

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of Banking and)
Insurance, State of New Jersey, to fine,) CERTIFICATION OF
suspend and/or revoke the insurance producer) DEPUTY ATTORNEY
licenses of Associates Title, LLC, Ref. No.) GENERAL
0215439, Stacey A. Trautweiler, Ref. No.) CARL M. BORNMANN
9731636 and Kelly A. Dicapua a/k/a Kelly A.)
Orezzoli, Ref. No. 1040469.)

I, Carl M. Bornmann, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am a Deputy Attorney General assigned as counsel for the Commissioner of Banking and Insurance, State of New Jersey, ("the Commissioner"), in the above-captioned matter. I make this certification in support of entry of the Final Order in the above-captioned case against Respondents Associates Title, LLC and Stacey A. Trautweiler only.

2. On May 21, 2014, the Commissioner issued Order to Show Cause No. E14-58 against Respondents Associates Title, LLC and Stacey A. Trautweiler charging them with violations of the insurance laws of this State pursuant to N.J.S.A. 17:22A-40.

3. Under cover letter dated May 27, 2014, our office served Respondent Trautweiler with Order to Show Cause No. E14-58 at Respondent Trautweiler's residential address. Specifically, the cover letter and Order to Show Cause were sent via certified mail, return receipt requested, and regular mail to Respondent Trautweiler's residential address at 658 Northfield Lane, Harleysville, Pennsylvania 19438.

4. Respondent Trautweiler was successfully served at 658 Northfield Lane, Harleysville, Pennsylvania 19438 as evidenced by the fact that the regular mail was not returned.

5. Under cover letter dated May 27, 2014, our office served Respondent Associates Title, LLC with Order to Show Cause No. E14-58 at the last known business address on record for Respondent Associates Title, LLC. Specifically, the cover letter and Order to Show Cause were sent via certified mail, return receipt requested, and regular mail to Respondent Associates at the last known business address for Associates at 1932 6th Avenue, Toms River, New Jersey 08757.

6. Respondent Associates was unsuccessfully served at 1932 6th Avenue, Toms River, New Jersey 08757 as evidenced by the fact that the regular and certified mail were returned "Return to Sender" "Unable to Forward".

7. Under cover letter dated May 27, 2014, our office served Respondent Associates Title, LLC with Order to Show

Cause No. E14-58 at Respondent Trautweiler's residential address. Specifically, the cover letter and Order to Show Cause were sent via certified mail, return receipt requested, and regular mail to Respondent Associates C/O Stacey Trautweiler at 658 Northfield Lane, Harleysville, Pennsylvania 19438.

8. Respondent Associates' was successfully served at 658 Northfield Lane, Harleysville, Pennsylvania 19438 as evidenced by the fact that the regular mail was not returned.

9. Pursuant to N.J.S.A. 11:17D-2.1(a)3, service of the Order to Show Cause in this manner constitutes lawful service upon Trautweiler and Associates.


10. The successful service of the Order to Show Cause to Respondent Trautweiler, who was the owner of Associates, provided Respondents with an opportunity to contest the charges of Order to Show Cause No. E14-58 at a hearing, and provided that Respondents must file with the Commissioner an Answer to the charges of the Order to Show Cause, including a Request for a Hearing, within twenty (20) days of service of the Order to Show Cause upon Respondents.

11. To date, Respondents Associates Title, LLC and Respondent Stacey A. Trautweiler have failed to provide sufficient written response to the charges contained in Order to Show Cause No. E14-58 within 20 days as provided by N.J.A.C. 11:17D-2.1(d).

12. Upon further investigation and discovery it was revealed that Respondent Kelly A. Dicapua a/k/a Kelly A. Orezzaoli was not the Designated Responsible Licensed Producer for Associates Title, LLC and that she had no specific knowledge or responsibility for the allegations contained in Count 1 thorough 5 of the OTSC.

13. Upon information and belief, no criminal charges were filed against Kelly A. Dicapua a/k/a Kelly A. Orezzaoli in connection with the allegations in the OTSC and that criminal charges were filed soley against Respondent Stacey A. Trautweiler.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.



Carl M. Bornmann
Deputy Attorney General

Dated: 7-29-15

EXHIBIT B

Proceedings by the Commissioner of)
Banking and Insurance, State of New) **CERTIFICATION OF COSTS**
Jersey, to fine, suspend and/or) **BY INVESTIGATOR**
revoke the insurance producer) **EUGENE SHANNON**
licenses of Associates Title, LLC,)
Ref. No. 0215439, Stacey A.)
Trautweiler, Ref. No. 9731636 and)
Kelly A. Dicapua a/k/a Kelly A.)
Orezzoli, Ref. No. 1040469.)

I, Eugene Shannon, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am an investigator with the New Jersey Department of Banking and Insurance, Division of Enforcement and Consumer Protection ("Department").

2. This certification is submitted in support of the Department's application for reimbursement of its costs of investigation and prosecution, in accordance with N.J.S.A. 17:22A-45(c).

3. On or about **October 10, 2012**, I was assigned responsibility for conducting an investigation to determine whether Associates Title, LLC, Stacey A. Trautweiler and Kelly A. Dicapua a/k/a Kelly A. Orezzoli, may have violated certain provisions of the New Jersey Producer Licensing Act of 2001, N.J.S.A. 17:22A-26, et seq., and related insurance regulations.

total 43 hours and 30 minutes. Pursuant to N.J.A.C. 11:1-32.4(b)(20), costs to the Department for the investigation and prosecution for violations of the New Jersey Insurance Producer Licensing Act, N.J.S.A. 17:22A-40, are reimbursable at the rate of \$50.00 per hour, rounded to the nearest quarter hour.

6. I therefore request that the Department's costs of investigation and prosecution be reimbursed in the amount of \$2,175.00.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.


Eugene Shannon

Dated: December 10, 2014.

4. To determine the amount of time that I spent in the investigation and prosecution of this matter, I reviewed my files relative to this matter, including my time records. On the basis of this review, I have prepared the below schedule of costs:

DATE	TIME IN HRS.	PHONE	CASE PREP.	COMMENTS
4-10 to 5-10-12	2		X	Investigator Thomas Ritardi letters to Respondent
11-1-12	1		x	Obtain and review individual and business licenses
11-8-12	1		X	Review complaint
11-13 to 12-6-12	4		X	Email contacts with NJ Title, GA DOI and OC Prosecutor
12-7-12	1.5		X	Review conviction documents for Trautweiler.
12-14-12	2		X	Review loan documents from NJ Title
12-18-12	2		X	Letters to Respondents
12-21-12	4		X	Review NJ Title settlement documents and premiums due reports for Associates Title
1-8-13	.5		X	Letter to Trautweiler
1-25-13	.5		X	Letter to Trautweiler
1-25-13	1		X	Request to NJ Title for additional records
1-25-13	2		X	Review NJ Title records
1-28-13	2		X	Prepare Investigation report
2-7-13	1		X	Review GA State Consent Order
2-14-13	.5		X	Letter to Trautweiler
3-22-13	1.5		X	Prepare investigation report
5-7-13	3		X	Prepare Penalty/Prosecution report
7-28-14	1		X	Review Order to Show Cause
11-1-12 to 7-28-14	10	X		Numerous phone calls to Trautweiler, DAG, NJ Title, other respondents, Prosecutor and consumers.
11-1-12 to 7-28-14	3		X	Searches of databases and internet information to locate Trautweiler
TOTAL TIME	43.5	@ \$50.00 per hour		=TOTAL COSTS OF INVESTIGATION - \$2,175.00

5. As this schedule reflects, the investigative efforts expended by the Department of Insurance concerning this matter