

JOHN J. HOFFMAN  
Acting Attorney General of New Jersey  
Attorney for Plaintiff  
Richard J. Hughes Justice Complex  
P.O. Box 117  
Trenton, New Jersey 08625

By: William B. Puskas, Jr.  
Deputy Attorney General  
(609)292-7669  
NJ Attorney ID No. 014901976  
William.Puskas@dol.lps.state.nj.us

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - CAMDEN COUNTY  
DOCKET NO. L-2982-12

KENNETH E. KOBYLOWSKI,  
COMMISSIONER OF THE NEW  
JERSEY DEPARTMENT OF  
BANKING AND INSURANCE,

Plaintiff,

v.

DEANNA SOBOLESKI,

Defendant.

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Civil Action

STIPULATION OF SETTLEMENT  
BFD# 11-20890-35

The claim in this action having been settled and resolved by the parties, Plaintiff, Kenneth E. Kobylowski, Commissioner of the State of New Jersey Department of Banking & Insurance, and Defendant, Deanna Soboleski:

IT IS HEREBY STIPULATED AND ACKNOWLEDGED by the Defendant, Deanna Soboleski, that, on or about March 26, 2010, while residing at 311 Gardens Avenue D, Atco, New Jersey

("policy address"), she submitted a Personal Auto Application form ("Application") to High Point Property and Casualty Insurance Company ("High Point") seeking to insure her 1992 Geo Prizm sedan automobile ("Geo"); and

IT IS FURTHER STIPULATED AND AGREED that Soboleski represented in the Application that she was unmarried; and

IT IS FURTHER STIPULATED AND AGREED that Soboleski was married to Samuel Soboleski at all relevant times, including when she completed and submitted the Application to High Point; however, Samuel Soboleski was not then residing at the policy address; and

IT IS FURTHER STIPULATED AND AGREED that, based on the Application, High Point issued Soboleski an auto insurance policy for the Geo, effective March 28, 2010; and

IT IS FURTHER STIPULATED AND AGREED that, in or around July 2010, Samuel Soboleski moved into the policy address; and

IT IS FURTHER STIPULATED AND AGREED that, on or about September 26, 2010, Soboleski renewed her automobile insurance policy with High Point; and

IT IS FURTHER STIPULATED AND AGREED that, when Soboleski renewed her policy, she did not inform High Point that Samuel Soboleski had moved into the policy address; and

IT IS FURTHER STIPULATED AND AGREED that, on or about December 12, 2010, Samuel Soboleski was involved in a motor vehicle accident while driving Soboleski's Geo; and

IT IS FURTHER STIPULATED AND AGREED that, following an investigation of the December 12, 2010 accident, High Point's investigators discovered that Soboleski had failed to disclose her correct marital status to High Point and had failed to disclose to High Point that her husband resided at the policy address; and

IT IS FURTHER STIPULATED AND AGREED that the above conduct constitutes violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("the Fraud Act"), and that any future violation of the Fraud Act shall be considered a subsequent violation; and

IT IS FURTHER STIPULATED AND AGREED that Defendant Deanna Soboleski shall pay a sum of \$3,075.00 ("Settlement Amount") to the New Jersey Department of Banking & Insurance, which consists of a civil penalty in the amount of \$1,500.00 in accordance with N.J.S.A. 17:33A-5b, a \$75.00 surcharge in accordance with N.J.S.A. 17:33A-5.1, and attorneys' fees of \$1,500.00 in accordance with N.J.S.A. 17:33A-5b, to be satisfied upon the following terms and conditions:

1. Upon execution of this Stipulation of Settlement, the Defendant shall remit to the attorney for the Commissioner of the New Jersey Department of Banking & Insurance a payment in the amount of Five Hundred Seventy Five Dollars and 00/100 cents (\$575.00), made payable to "Commissioner, New Jersey Department of Banking & Insurance" in a Certified Check or Money Order.

2. Beginning February 15, 2015, and continuing thereafter on the 15<sup>th</sup> day of each consecutive month until such time as the balance is paid in full, the Defendant shall pay the amount of One Hundred Dollars and 00/100 cents (\$100.00) to "Commissioner, New Jersey Department of Banking & Insurance."

3. All payments are to be made via cashier's check, money order or other certified funds, made payable to "Commissioner, New Jersey Department of Banking & Insurance." After the initial payment is submitted as directed in Paragraph 1 above, all subsequent payments shall be addressed to:

**New Jersey Department of Banking and Insurance  
Bureau of Fraud Deterrence  
20 West State Street  
P.O. Box 325  
Trenton, New Jersey 08625**

4. The Bureau of Fraud Deterrence File Number, 11-20890-35, shall be entered on all payments and any other communications.

5. In conjunction with the execution of this Stipulation of Settlement, the parties shall also enter into a Consent Judgment for the entire amount owed.

6. If the Defendant fails to make any scheduled payment within ten (10) days after its due date, the Plaintiff can, upon notice to the Defendant, declare the entire balance outstanding to be immediately due and payable. Thereafter, the Plaintiff may take any action available under the laws of this State to collect the amount outstanding at that time, including post-judgment interest from the date of the judgment, attorneys' fees and any other remedies available under the law.

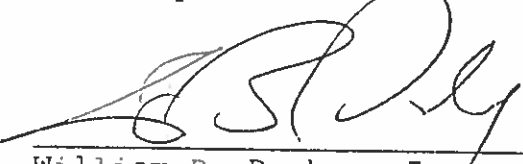
IT IS FURTHER STIPULATED AND AGREED that this Stipulation of Settlement may be used against the Defendant in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq., including a professional license suspension or revocation proceeding;

IT IS FURTHER STIPULATED AND AGREED that pursuant to N.J.S.A. 17:33A-10(c), a copy of this Stipulation of Settlement shall be provided to any appropriate professional licensing authority; and


IT IS FURTHER STIPULATED AND AGREED that the penalties of this Stipulation of 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.

JOHN J. HOFFMAN  
ACTING ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff

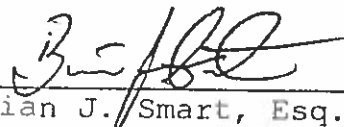
By:   
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William B. Puskas, Jr.  
Deputy Attorney General

Dated: January 6<sup>th</sup>, 2015

  
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Deanna Soboleski  
Defendant

Dated: January 5<sup>th</sup>, 2015

MARESSA PATTERSON, L.L.C.  
Attorneys for Defendant

By:   
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Brian J. Smart, Esq.

Dated: 01-05, 2015