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Attorney for Plaintiff-Intervenor
Richard J. Hughes Justice Complex
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ALLSTATE NEW JERSEY INSURANCE
COMPANY, et al.,

Plaintiffs,

v.

GREGORIO LAJARA, et al.,

Defendants.

COMMISSIONER, NEW JERSEY
DEPARTMENT OF BANKING & INSURANCE,

Plaintiff-Intervenor,

v.

GREGORIO LAJARA, et al.,

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION - UNION COUNTY
: DOCKET NO. UNN-L-4091-08

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: CIVIL ACTION

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: STIPULATION OF SETTLEMENT AS
: TO DEFENDANTS KENNETH J.
: VIAFORA AND K-MED SERVICES,
: INC.

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The claims in this action having been settled and resolved limited to the following parties: Plaintiff-Intervenor, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), Defendant Kenneth J. Viafora ("Viafora"), and Defendant K-Med Supplies, Inc. ("K-Med"):

WHEREAS, Defendant Viafora is the sole Incorporator and Registered Agent of Defendant K-Med,

WHEREAS, Defendant K-Med is a New Jersey Professional Profit Corporation and is a "person" as defined by the New Jersey Insurance Fraud Prevention Act, specifically, N.J.S.A. 17:33A-3; and

WHEREAS, the Commissioner and Defendants Viafora and K-Med have reached an amicable agreement resolving the allegations in controversy as raised in the Commissioner's January 6, 2012 Intervenor-Complaint ("Intervenor-Complaint") against Defendants Viafora and K-Med and have consented to the entry of the within Stipulation of Settlement; and

WHEREAS, pursuant to N.J.S.A. 17:33A-5d, Defendants Viafora and K-Med in furtherance of the settlement neither admit nor deny the allegations as stated in the Intervenor-Complaint, but consent to the payment of a total of \$30,000.00 ("Settlement Payment") as allocated below; and

IT IS STIPULATED AND AGREED, that Defendants Viafora and K-Med shall pay a sum of \$30,000.00 to the Commissioner of

the New Jersey Department of Banking and Insurance, which consists of a civil penalty in the amount of \$25,000.00 as to Defendants Viafora and K-Med, jointly and severally, pursuant to N.J.S.A. 17:33A-5b; \$2,500.00 in attorneys' fees, pursuant to N.J.S.A. 17:33A-5b, as to Defendants Viafora and K-Med, jointly and severally; a \$1,250.00 statutory surcharge to Defendant Viafora, individually, pursuant to N.J.S.A. 17:33A-5.1; and a \$1,250.00 statutory surcharge to Defendant K-Med, individually, pursuant to N.J.S.A. 17:33A-5.1; and


IT IS FURTHER STIPULATED AND AGREED, that, upon Defendants' execution of this Stipulation of Settlement, Defendants shall remit to the attorney for the Commissioner of the New Jersey Department of Banking and Insurance a payment in the amount of \$30,000.00, by certified check, official bank check, or money order, made payable to "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

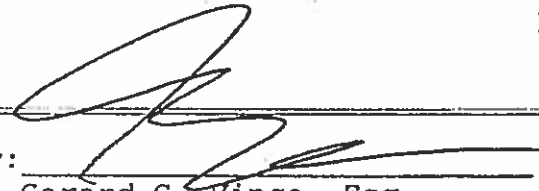
Kristina Cretella, Deputy Attorney General
Banking and Insurance Section
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, NJ 08625-0117

CONSENTED AS TO FORM, CONTENT AND ENTRY OF ORDER:


JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff-Intervenor
Commissioner of the New Jersey
Department of Banking & Insurance

Dated: 1/13/2016

By: 
Kristina Cretella
Deputy Attorney General

By: 
Gerard C. Vince, Esq.
Attorney for Defendants
Kenneth J. Viafora and
K-Med Services, Inc.

Dated: 1-5-15

By: 
Kenneth J. Viafora, Individually
and as Incorporator and
Registered Agent of K-Med Services, Inc.

Dated: 1-4-16