

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff-Intervenor
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625-0117

FILED
Superior Court of New Jersey
FEB 10 2011
CIVIL CASE MANAGEMENT
UNION COUNTY

By: Adam B. Masef
Deputy Attorney General
NJ Attorney ID: 013692012
(609) 292-8150
Adam.Masef@lps.state.nj.us

ALLSTATE NEW JERSEY INSURANCE : SUPERIOR COURT OF NEW JERSEY
COMPANY, et al., : LAW DIVISION - UNION COUNTY
: DOCKET NO. UNN-L-4091-08
Plaintiffs, :
: :
v. : :
: : CIVIL ACTION
GREGORIO LAJARA, et al., : :
: : STIPULATION OF SETTLEMENT
Defendants. : FOR DEFENDANT NYDIA MARTINEZ
: :

COMMISSIONER, NEW JERSEY :
DEPARTMENT OF BANKING & INSURANCE, :
: :
Plaintiff-Intervenor, :
: :
v. : :
: :
GREGORIO LAJARA, et al., :
: :
Defendants. :

The claims in this action having been settled and resolved limited to the following parties: Plaintiff-Intervenor, the Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant Nydia Martinez:

WHEREAS, from 2004 to 2006, Defendant Martinez was employed by Defendants In Line Chiropractic, P.C., and Prestige Medical Supplies, LLC;

WHEREAS, the Commissioner and Defendant Martinez have reached an amicable agreement resolving the allegations in controversy as raised in the Commissioner's January 6, 2012 Intervenor-Complaint against Defendant Martinez and have consented to the entry of the within Stipulation of Settlement; and

WHEREAS, Defendant Martinez admits to two violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("IFPA"); and

IT IS HEREBY STIPULATED AND AGREED, that Defendant Martinez shall pay the sum of \$11,500 ("Settlement Amount") to the Commissioner. The Settlement Amount consists of \$10,000 in civil penalties, pursuant to N.J.S.A. 17:33A-5b; attorneys' fees of \$1,000, pursuant to N.J.S.A. 17:33A-5b; and a statutory fraud surcharge of \$500, pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. Upon execution of this Stipulation of Settlement, Defendant Martinez shall remit to the attorney for the Commissioner, a payment in the amount of \$1,000, by certified check, official bank check, or money order made payable to the

"Commissioner, New Jersey Department of Banking and Insurance" and sent to:

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

2. Defendant Martinez shall remit the remaining balance of the Settlement Amount (\$10,500), in monthly installments of \$100, due on or before the first of each month, beginning January 1, 2016, until the Settlement Amount is paid in full. The monthly installments shall be paid by certified check, official bank check, or money order and made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Rose V. McGill
Collections Department
New Jersey Department of Banking and Insurance
20 West State Street, 10th Floor
P.O. Box 325
Trenton, NJ 08625

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

4. If Defendant Martinez fails to make any scheduled payment within 10 days of its due date, the Commissioner may, upon notice to Defendant Martinez, declare the entire balance outstanding to be immediately due and payable. Thereafter, the

Commissioner 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.


5. In the event full payment of the Settlement Amount is not made, the Commissioner may exercise any and all remedies available by law, including, but not limited to, recovery of any unpaid penalties, pursuant to the Penalty Enforcement Law, N.J.S.A. 2A:58-10 et seq.

6. Pursuant to N.J.S.A. 17:33A-10c, a copy of this Stipulation of Settlement shall be provided to any appropriate licensing authority.

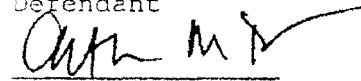
IT IS FURTHER HEREBY STIPULATED AND AGREED, that this Stipulation of Settlement can be used in any subsequent civil or criminal proceeding; and

IT IS FURTHER HEREBY 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.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:


Nydia Martinez
Defendant

Dated: 12/23/15


Catherine M. DeAppolonio, Esq.
Attorney for Defendant Martinez

Dated: 12/29/15

Dated: 1/22/16

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

By: 
Adam B. Masef
Deputy Attorney General