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SUPERIOR COURT  
BURLINGTON COUNTY  
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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - BURLINGTON COUNTY  
DOCKET No. BUR-L-1593-15

RICHARD J. BADOLATO,  
ACTING COMMISSIONER OF  
THE NEW JERSEY DEPARTMENT  
OF BANKING & INSURANCE,

Plaintiff,

v.

MAYLAYA SIMS,

Defendant.

Civil Action

STIPULATION OF SETTLEMENT

WHEREAS Richard J. Badolato, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), and Defendant Maylaya Sims ("Defendant"), have reached an amicable agreement resolving the issues in controversy, and consented to the entry of the within Stipulation of Settlement; and

IT IS HEREBY STIPULATED AND AGREED, that Defendant admits that she violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"), by failing to disclose on an application for automobile insurance with Drive New Jersey Insurance Company that her All-Terrain Vehicle was stolen on a date prior to applying for the policy, and failing to disclose on a claim for benefits to Drive Insurance that the ATV was stolen prior to policy inception.

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant's aforementioned conduct constitutes one violation of the Fraud Act, and that any future violation of the Fraud Act shall be considered a subsequent violation; and

IT IS FURTHER HEREBY STIPULATED AND AGREED, that Defendant shall pay a total sum of \$2,075.00 to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$1,500.00 in civil penalties for one violation of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq., attorneys' fees of \$500.00 pursuant to N.J.S.A. 17:33A-5b, and \$75.00 constituting the statutory surcharge pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. Pursuant to this Stipulation of Settlement, on December 8, 2015, Defendant remitted to the attorney for the

Commissioner a payment in the amount of \$100.00 by money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to:

Ryan S. Schaffer, Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 117  
Trenton, New Jersey 08625

2. Defendant shall remit the remaining balance of \$1,975.00 in monthly installment payments of \$100.00, to be paid on or by the first day of each month, beginning February 1, 2016, until the full settlement amount has been paid, by certified check, official bank check, or money order 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, New Jersey 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; and

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


5. If Defendant fails to make any scheduled payment within ten (10) days of its due date, the Commissioner can, upon notice to Defendant, declare the entire balance outstanding to be immediately due and payable. Thereafter, the Commissioner may take any action available under the law 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; and

6. 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.; and

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

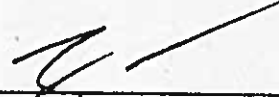
IT IS FURTHER HEREBY STIPULATED AND AGREED, that the penalties of this Stipulation of Settlement are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.

CONSENTED AS TO FORM, CONTENT, AND ENTRY:

  
\_\_\_\_\_  
Maylaya Sims, pro se  
Defendant

Dated: 1/16/15

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

Dated: January 20, 2016 By:   
\_\_\_\_\_  
Ryan S. Schaffer  
Deputy Attorney General