

CHRISTOPHER S. PORRINO  
ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff  
Richard J. Hughes Justice Complex  
25 Market Street  
P. O. Box 117  
Trenton, New Jersey 08625

By: Anita Bittner  
Deputy Attorney General  
(609) 943-5626  
NJ Attorney ID No. 154622015  
Anita.Bittner@dol.lps.state.nj.us

SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART  
GLOUCESTER COUNTY  
DOCKET NO. GLO-DC-974-17

RICHARD J. BADOLATO, )  
COMMISSIONER OF THE NEW )  
JERSEY DEPARTMENT OF BANKING )  
AND INSURANCE, )

Plaintiff, )  
v. )

CHRISTA FUNK, )  
Defendant. )

Civil Action

STIPULATION OF SETTLEMENT

WHEREAS Richard J. Badolato, the Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner") and Defendant, Christa Funk, 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, on May 24, 2011, Defendant Christa Funk made oral statements as part of or in support of her claim for payment to Encompass Insurance, knowing that the statements contained false and misleading information concerning any fact or thing material to the claim, by falsely stating that her 2006 Dodge RAM 1500 was damaged while being towed on May 21, 2011, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act"); and

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

IT IS FURTHER HEREBY STIPULATED AND AGREED that Defendant Christa Funk shall pay a total sum of \$2,600.00 ("Settlement Amount") to the Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of civil penalties in the amount of \$2,000.00 pursuant to N.J.S.A. 17:33A-5b, attorneys' fees in the amount of \$500.00 pursuant to N.J.S.A. 17:33A-5b, and a statutory insurance fraud surcharge of

\$100.00 pursuant to N.J.S.A. 17:33A-5.1, to be satisfied upon the following terms and conditions:

1. Immediately upon execution of this Stipulation of Settlement, Defendant Christa Funk shall remit to the attorney for the Commissioner a payment in the amount of \$500.00 by certified check, official bank check, or money order made payable to the "Commissioner, New Jersey Department of Banking and Insurance" and sent to

Anita Bittner, Deputy Attorney General  
Banking and Insurance Section  
R.J. Hughes Justice Complex  
25 Market Street, 2<sup>nd</sup> Floor West Wing  
P.O. Box 117  
Trenton, New Jersey 08625

2. Defendant Christa Funk shall remit the remaining balance of \$2,100.00 in monthly installment payments due on the first of each month, beginning on July 1, 2017, until the full settlement amount has been paid. Installment payments are to be made as follows: \$150.00 per month for 14 months beginning July 1, 2017.

3. All installment payments are to be 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

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

5. 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

6. If Defendant Christa Funk fails to make any scheduled payment within ten days of its due date, the Commissioner can, upon notice to Defendant Christa Funk, 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

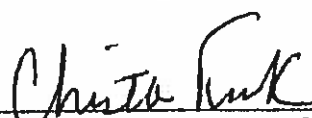
7. In the event full payment of the Settlement Amount is not made, the Commissioner may exercise any and all remedies available by law, including, but not limited to, recovery of any

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, 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.

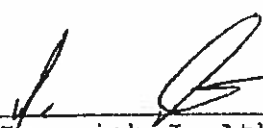
CONSENTED AS TO FORM, CONTENT, AND ENTRY:

Dated: 6/15/17

  
Christa Funk, Defendant

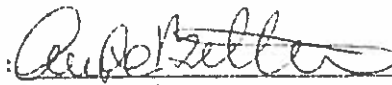
HOFFMAN DIMUZIO  
Attorney for Defendant

Dated: 6-15-17

  
Jeremiah J. Atkins, Esquire

CHRISTOPHER S. PORRINO  
ATTORNEY GENERAL OF NEW JERSEY  
Attorney for Plaintiff

Dated: 6/26/17

By:   
Anita Bittner  
Deputy Attorney General