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NOV 3 2017

ATLANTIC COUNTY
LAW DIVISION

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

Plaintiff,

v.

PAUL AMADEO,

Defendant.

) SUPERIOR COURT OF NEW JERSEY
) LAW DIVISION - ATLANTIC COUNTY
) DOCKET NO. ATL-L-2843-15
)
)
)

Civil Action

) ORDER OF FINAL JUDGMENT
)
)

) **See attached Memorandum of Decision**

This matter having been brought before the Court by Christopher S. Porrino, Attorney General of the State of New Jersey, Attorney for Plaintiff, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), Kevin J. McGowan, Deputy Attorney General appearing, and the Commissioner having filed a complaint on December 16, 2015 pursuant to the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 et seq. ("Fraud Act");

WHEREAS, a bench trial was held before the Honorable Noah Bronkesh, J.S.C. on September 5, 2017 pursuant to the Fraud Act;

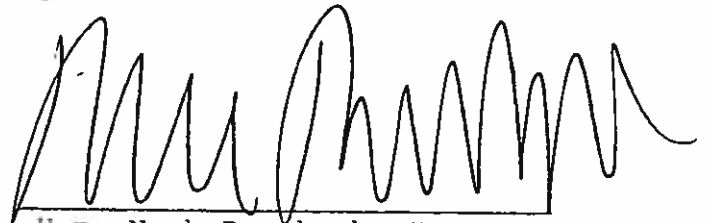
WHEREAS, for the reasons set forth on the record on September 5, 2017, the Court found that Defendant Paul Amadeo committed one violation of the Fraud Act pursuant to N.J.S.A. 17:33A-4;

WHEREAS, the Court awarded the Commissioner civil penalties in the amount of \$5,000.00 and a statutory surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5b and 5.1; and

IT IS ON THIS 3rd day of November, 2017,

ORDERED that FINAL JUDGMENT is entered in the amount of \$ 16,545.^{xx}/₁₀ against Defendant Paul Amadeo, and in favor of the Plaintiff, Commissioner of the State of New Jersey Department of Banking & Insurance. This amount consists of: \$5,000.00 in civil penalties for one violation of the Fraud Act pursuant to N.J.S.A. 17:33A-5; attorneys' fees of \$ 10,545.^{xx}/₁₀ pursuant to N.J.S.A. 17:33A-5b; and \$1,000.00 constituting the insurance fraud surcharge pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED that a copy of this Order be served upon all parties within 10 days of the date hereof.



Hon. Noah Bronkesh, J.S.C.



SUPERIOR COURT OF NEW JERSEY
COUNTIES OF
ATLANTIC AND CAPE MAY

NOT FOR PUBLICATION WITHOUT THE APPROVAL OF THE COMMITTEE
ON OPINIONS

Noah Bronkesh, J.S.C.

1201 Bacharach Boulevard
Atlantic City, NJ 08401-4527
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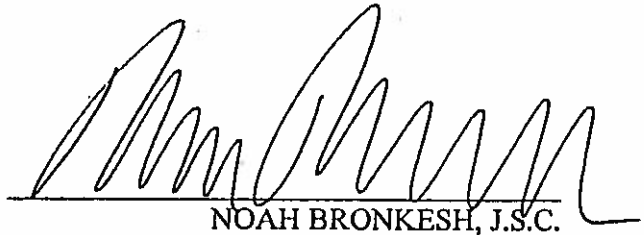
MEMORANDUM OF DECISION

**RE: Richard J. Badolato, Commissioner, New Jersey Department of
Banking and Insurance v. Paul Amadeo**

DOCKET #: ATL-L-2843-15

This matter was tried before this Court on September 5, 2017. This was a bench trial and the Court found that the Defendant committed one violation of the Fraud Act, pursuant to N.J.S.A. 17:33A-4. In addition to the mandatory civil penalties and statutory surcharge as required by N.J.S.A. 17:33A-5b and 5.1, Plaintiff sought attorney's fees pursuant to N.J.S.A. 17:33-A-5b. Plaintiff's counsel submitted a Certification of Services in support of his application for counsel fees and the Court has reviewed same. Defendant by letter dated September 25, 2017 claimed that fees were never requested by the Plaintiff but the Court finds that there were explicated prayed for in the Plaintiff's Complaint and also requested at the conclusion of the trial. Therefore, Defendant's objection is without merit.

After having reviewed the Plaintiff's Certification, I note that the counsel is seeking reimbursement for his time in the amount of \$200.00 per hour which hourly rate I find reasonable for an attorney with his experience. I find that the total trial preparation time requested of twenty-four (24) hours to be excessive under the circumstances and I have therefore deducted nine (9) hours for that item and I also have deducted two (2) hours of travel time requested for September 5, 2017. I have also deducted two (2) hours from the November 19, 2015 time entry to draft the Complaint in this matter since I find the time requested was excessive for the type of matter involved. After deducting the thirteen (13) hours, I have reduced the fee request by \$2,600.00 therefore counsel fees in the sum of \$10,545.00 will be entered.



NOAH BRONKESH, J.S.C.