

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE
BUREAU OF FRAUD DETERRENCE



CONSENT ORDER NO. 06-25532-02

In the Matter of)	CONSENT ORDER
Christopher Montana, DC)	
24 Cowie Road)	
Chester, New Jersey 07930)	
Respondent.)	

This matter having been opened by the Bureau of Fraud Deterrence, Department of Banking and Insurance of the State of New Jersey, upon information indicating that Respondent, Christopher Montana, DC, currently residing at 24 Cowie Road, Chester, New Jersey, may have violated the provisions of N.J.S.A. 17:33A-4; and

WHEREAS, Respondent, Christopher Montana, DC, between the dates of February 2, 2011 and July 21, 2011, received a total of \$19,000.00 from an attorney, in exchange for Dr. Montana supplying said attorney with a total of 38 patient names, with the intent of generating numerous bodily injury claims; and

WHEREAS, Respondent, Christopher Montana, on December 19, 2012, plead guilty and was convicted on two counts of criminal use of runners in violation of N.J.S.A. 2C:21-22.1 and one count of filing a false tax return in contrary to the provisions of N.J.S.A. 54:52-10 and N.J.S.A. 2C:2-6; and

WHEREAS, Respondent was ordered to pay restitution in the amount of \$200,000 jointly with Respondent Fernando Barrese to various insurance carriers and;

WHEREAS, the above conduct constitutes violations of N.J.S.A. 17:33A-1, et seq., and any future violation of N.J.S.A. 17:33A-1, et seq. shall be considered to be a subsequent offense; and

WHEREAS, Respondent has been informed that he has a right to notice and to request a hearing, in accordance with the Administrative Procedure Act (N.J.S.A. 52:14B-1 et seq.), on the violations found herein before a civil administrative penalty is imposed; and

WHEREAS, Respondent understands these rights and has voluntarily waived the right to notice and to a formal legal proceeding in this matter; and

WHEREAS, Respondent consents to pay a civil administrative penalty in the amount of \$190,000.00, and surcharge in the amount of \$9,500.00, the total amount of \$199,500.00 being due by an

immediately payment of \$125,000 by certified check, bank check or money order and then a final payment of \$74,500 due on or before March 7, 2014. Both checks should be made payable to the "Commissioner, Department of Banking and Insurance." This signed order and the payment of the civil administrative penalty shall be returned to Anna M. Lascurain, Deputy Attorney General, Richard J. Hughes Justice Complex, 25 Market Street, POB 117, Trenton, NJ 08625-0117; and


WHEREAS, the penalties of this Consent Order are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and the 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; and

IT FURTHER APPEARING that the matter is suitable for resolution upon the consent of the parties and that Respondent and the Bureau of Fraud Deterrence desire to terminate this matter without further hearing or litigation, and for further good cause appearing;

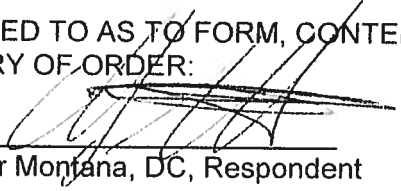
NOW, THEREFORE, IT IS ON THIS 7th day of July, 2014,
ORDERED AND AGREED as follows:

1. Pursuant to N.J.S.A. 17:33A-5(c), civil administrative penalties of \$190,000.00 are imposed on Respondent, Christopher Montana, DC.
2. Pursuant to N.J.S.A. 17:33A-5.1, Respondent shall pay to the Commissioner, Department of Banking and Insurance, a surcharge equal to five (5%) percent of the settlement amount, which is \$9,500.00, such amount to be in addition to the civil administrative penalty.
3. Respondent consents to the entry of this final administrative order. Respondent understands that this final administrative order may be docketed with the Clerk of the Superior Court as provided in the Penalty Enforcement Law (N.J.S.A. 2A:58-10 et seq.).
4. This Consent Order shall not be binding until it is signed by the Assistant Commissioner, Bureau of Fraud Deterrence.
5. This Consent Order may be used against Respondent in any civil or administrative proceeding related to a violation of N.J.S.A. 17:33A-1 et seq., including a license suspension or revocation proceeding.
6. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Consent Order shall be provided to the appropriate licensing authority.

KENNETH E. KOBYSLOWSKI
COMMISSIONER
DEPARTMENT OF BANKING AND INSURANCE

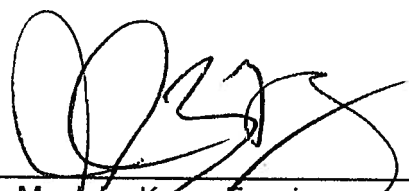
By: 
GARY HEJER
ASSISTANT COMMISSIONER
BUREAU OF FRAUD DETERRENCE

CONSENTED TO AS TO FORM, CONTENT
AND ENTRY OF ORDER:



Christopher Montana, DC, Respondent

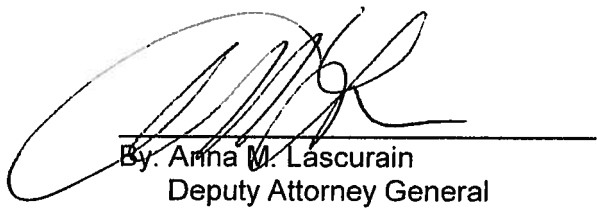
Dated: 3/13/14



By: Mr. John Krug, Esquire
On behalf of Respondent
Christopher Montana

Dated: 3/13/14

JOHN J. HOFFMAN
ACTING ATTORNEY GENERAL OF NEW JERSEY



By: Anna M. Lascurain
Deputy Attorney General
On Behalf of Petitioner
Department of Banking and Insurance

Dated: 2-10-2014