

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

)
Proceedings by the Commissioner of Banking)
and Insurance, State of New Jersey, to fine,)
suspend, and/or revoke the insurance producer)
license of James D. Griffin, Reference No.)
8047866)
_____)

FINAL ORDER

TO: James D. Griffin
55 Spring Valley Road
Levittown, Pennsylvania 19056-1718

THIS MATTER, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon issuance of Order to Show Cause No. E17-11 alleging that James D. Griffin ("Griffin" or "Respondent") may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Griffin was licensed as nonresident individual insurance producer in the State of New Jersey, pursuant to N.J.S.A. 17:22A-34, until his license expired on September 30, 2014; and

WHEREAS, Griffin is subject to the provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 et seq. ("Producer Act"), and the regulations

governing Insurance Producer Standards of Conduct, N.J.A.C. 11:17C-1.1 et seq. and N.J.A.C. 11:17D-1.1 et seq.; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(2), an insurance producer shall not violate any insurance law, regulation, subpoena, or order of the Commissioner or of another state's insurance regulator; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(8), an insurance producer shall not use fraudulent, coercive or dishonest practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business in this State or elsewhere; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40d, the Commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by the Producer Act and Title 17 of the Revised Statutes or Title 17B of the New Jersey Statutes against any person who is under investigation for or charged with a violation of the Producer Act or Title 17 of the Revised Statutes or Title 17B of the New Jersey statutes, even if the person's license or registration has been surrendered or has lapsed by operation of law; and

WHEREAS, pursuant to N.J.A.C. 11:17C-2.2(a), all premium funds shall be remitted to the insurer or other insurance producer, as applicable, within five business days after receipt of the funds, with certain exceptions; and

WHEREAS, the Commissioner issued Order to Show Cause E17-11 on March 10, 2017 alleging violations of New Jersey insurance laws by Respondent as set forth in the following

Count:

COUNT 1

IT APPEARING, that from October 13, 2012 through October 13, 2013, New Jersey consumer "JM" held a commercial liability insurance policy with Colony Insurance Company ("Colony"); and

IT FURTHER APPEARING, Respondent, on behalf of insurance brokerage Excel Insurance Services (“Excel”), sold JM the Colony commercial liability policy; and

IT FURTHER APPEARING, that on or about September 16, 2013, Excel provided to Respondent an insurance renewal quote for JM’s Colony commercial policy; and

IT FURTHER APPEARING, that the insurance premium quote for the renewal totaled \$940.00 for one year of coverage; and

IT FURTHER APPEARING, that JM’s policy was in force at the time of the renewal quote was scheduled to expire on October 13, 2013; and

IT FURTHER APPEARING, that Respondent communicated with JM regarding the policy renewal and impending policy expiration; and

IT FURTHER APPEARING, that on October 13, 2013, JM’s insurance policy with Colony lapsed for non-payment; and

IT FURTHER APPEARING, that on October 16, 2013, Respondent provided JM with an invoice for the renewal policy with effective dates of coverage of October 13, 2013 through October 13, 2014; and

IT FURTHER APPEARING, that on December 5, 2013 JM’s bank account was debited for \$940.00 payable to Respondent; and

IT FURTHER APPEARING, that in or around March of 2014, JM contacted Excel inquiring about the status of his commercial liability insurance policy; and

IT FURTHER APPEARING, that in or around March of 2014, Excel stated to JM that Colony did not have an insurance policy in-force with JM at that time because Excel did not receive a request to bind the policy and did not receive a renewal premium; and

IT FURTHER APPEARING, that in or around March of 2014, JM demanded Respondent return to him the \$940.00 insurance premium; and

IT FURTHER APPEARING, that on or about March 24, 2014, Respondent returned JM's \$940.00 insurance premium by means of a check from Respondent's trust account; and

IT FURTHER APPEARING, that this instance where Respondent failed to remit JM's insurance premium to the insurer within five business days after receipt of the funds constitutes violations of N.J.S.A. 17:22A-40a(2) and (8), and N.J.A.C. 11:17C-2.2(a); and

WHEREAS, as set forth in the Certification of Deputy Attorney General Ryan S. Schaffer ("Schaffer Certification"), attached hereto as Exhibit "A," Griffin was given notice of the aforesaid charges and an opportunity to contest the charges at a hearing pursuant to Order to Show Cause E17-11, which was served on Griffin by certified and regular mail at his business and mailing address, according to records maintained by the Department of Banking and Insurance ("Department") in accordance with N.J.A.C. 11:17D-2.1(a)3, and after the regular and certified mail to such address was returned, service was effectively made at the address shown on this Final Order as evidenced by the signed return receipt attached as Exhibit 3 to the Schaffer Certification and by the fact that after being served, Griffin contacted counsel for the Department and attempted to negotiate a settlement of this matter; and

IT FURTHER APPEARING, Griffin failed to provide written responses to the charges contained in Order to Show Cause E17-11 within 20 days as provided by N.J.A.C. 11:17D-2.1(d)1, and therefore Griffin has waived his right to a hearing to contest these charges and the charges are deemed admitted, pursuant to N.J.A.C. 11:17D-2.1(b)1;

NOW, THEREFORE, IT IS on this 1st day of December, 2017

ORDERED, that the charges contained in Count 1 of Order to Show Cause E17-11 are deemed admitted by Griffin, pursuant to N.J.A.C. 11:17D-2.1(b)1; and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-40, and N.J.A.C. 11:17D-2.1(b)(2), the nonresident insurance producer license of Griffin is hereby **REVOKED**; and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-45c, Griffin shall pay a fine in the amount of \$5,000.00 to the Department; and

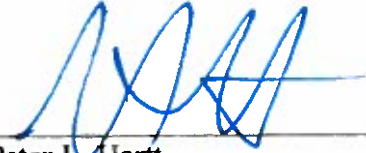
IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 17:22A-45c, Respondent shall be responsible for the reimbursement to the Commissioner of the costs of investigation totaling \$325.00, as evidenced by the Certification of Albert N. Verdel, attached hereto as Exhibit "B"; and

IT IS FURTHER ORDERED, that Griffin shall pay the above fines and costs in full by remitting payment to the Commissioner of Banking and Insurance, State of New Jersey, 20 West State Street, P.O. Box 329, Trenton, New Jersey 08625, Attention: Virgil Downtin, Chief of Investigations, by certified check, cashier's check or money order made payable to the "State of New Jersey, General Treasury," within ten days from the date of service of this Order; and

IT IS FURTHER ORDERED, that in the event full payment of the fines and costs are not made, the Commissioner may exercise any and all remedies available by law, including but not limited to recovery of any unpaid penalties, in accordance with the Penalty Enforcement Law of 1999, N.J.S.A. 2A:58-10 et seq.; and

IT IS FURTHER ORDERED, that the fine and costs in this Final 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 IS FURTHER ORDERED, that the provisions of this Final Order represent a final agency decision and constitute a final resolution of the allegations contained in Order to Show Cause No. E17-11.



Peter L. Hart
Director of Insurance

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

By: Ryan S. Schaffer
Deputy Attorney General
NJ Attorney ID No. 058152013
(609)777-3733
Ryan.Schaffer@law.njoag.gov

Proceedings by the Commissioner)
of Banking and Insurance, State)
of New Jersey, to fine, suspend,)
and/or revoke the insurance)
producer license of James D.)
Griffin, Reference No. 8047866)

**CERTIFICATION OF
DEPUTY ATTORNEY GENERAL
RYAN S. SCHAFFER**

I, Ryan S. Schaffer, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am a Deputy Attorney General assigned as counsel for the New Jersey Department of Banking and Insurance ("Department") in the above matter. I submit this certification in support of the Department's request that a Final Order be

entered against James D. Griffin ("Respondent"), and specifically to establish that proper service of Order to Show Cause No. E17-11 was made upon Respondent.

2. The Commissioner of the Department issued Order to Show Cause No. E17-11 ("Order to Show Cause") on March 10, 2017.

3. By letter dated March 15, 2017, my office attempted to serve a copy of the Order to Show Cause on Respondent via regular and certified mail, return receipt requested, at the following last known residence and business address for Respondent on file with the Department: 404 Ingram Road, Fairless Hills, Pennsylvania, 19030. [Attached as Exhibit 1 is a true and correct copy of the March 15, 2017 letter and Order to Show Cause].

4. The regular mail and certified mail was returned to this office as "Return to Sender - Not Deliverable As Addressed - Unable to Forward."

5. I was then provided an alternative address for Respondent of 55 Spring Valley Road, Levittown, Pennsylvania, 19056-1718, by Department Supervising Investigator Al Verdel.

6. By letter dated April 4, 2017, my office attempted to serve a copy of the Order to Show Cause on Respondent via regular and certified mail, return receipt requested, at 55 Spring Valley Road, Levittown, Pennsylvania, 19056-1718. [Attached as Exhibit 2 is a true and correct copy of the April

4, 2017 letter (the attached OTSC is not included)].

7. The regular mail sent on April 4, 2017 was not returned to this office.

8. The certified mailing to Respondent was signed by Respondent. [Attached as Exhibit 3 is a true and correct copy of the signed Certified Mailing Return Receipt].

9. On April 19, 2017, Respondent called my office, confirmed receipt of the Order to Show Cause, and requested to settle the Order to Show Cause via Consent Order.

10. During the April 19, 2017 telephone call Respondent did not request a hearing.

11. Respondent did not file or otherwise provide an Answer to the Order to Show Cause.

12. On July 24, 2017, I mailed to Respondent, via UPS overnight mail, a copy of a Consent Order with instructions to sign and return the document within seven days. [Attached as Exhibit 4 is a true and correct copy of the July 24, 2017 letter (without the attached Consent Order), and the UPS proof of delivery].

13. Respondent did not return the Consent Order or contact me by any means regarding the July 24, 2017 letter.

14. On August 10, 2017, I mailed to Respondent, via UPS overnight mail, a letter enclosing a copy of the Order to Show Cause and Consent Order with instructions to return the signed

Consent Order within 20 days, or provide an answer to the Order to Show Cause within 20 days. [Attached as Exhibit 5 is a true and accurate copy of the August 10, 2017 letter (without the enclosure), and a copy of the UPS proof of delivery].

15. Respondent did not return the Consent Order or contact me by any means regarding the July 24, 2017 letter.

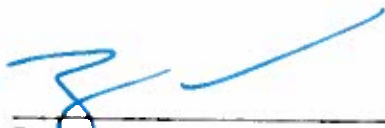
16. Respondent has not filed or otherwise provided an Answer to the Order to Show Cause with the 20 days provided by N.J.A.C. 11:17D-2.1(d)1.

17. Pursuant to N.J.A.C. 11:17D-2.1(a), Respondent was lawfully served with the Order to Show Cause on April 4, 2017.

18. To date, Respondent has not filed an answer nor requested a hearing to contest the allegations set forth in Order to Show Cause No. E17-11.

I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: November 17, 2017



Ryan S. Schaffer
Deputy Attorney General

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State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO Box 117
TRENTON, NJ 08625-0117

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

CHRISTOPHER S. PORRINO
Attorney General

MICHELLE L. MILLER
Acting Director

March 15, 2017

Via Regular and Certified Mail

James D. Griffin
404 Ingram Road
Fairless Hills, PA
19030

Dear Mr. Griffin:

We represent the New Jersey Department of Banking and Insurance ("Department"). Enclosed, please find Order to Show Cause No. E17-11 issued by the Director of Insurance on March 10, 2017. The Order to Show Cause charges you with various violations of the insurance laws and regulations of the State of New Jersey, and orders you to appear and show cause as to why your insurance producer license should not be suspended or revoked, and why other administrative fines and costs should not be imposed against you.

You have the right to request an administrative hearing in regard to these allegations. Complete instructions on how to request a hearing are contained within the enclosed Order to Show Cause. Briefly here, a request for hearing must provide a specific statement responding to each charge alleged in the Order to Show Cause, specifically admit or deny each fact alleged in the Order to Show Cause, identify any facts of which you have no specific knowledge, and identify any defenses intended to be asserted in response to each charge. N.J.A.C. 11:17D-2.1(d). The request for hearing must be received by the Department within twenty (20) days of service of the Order to Show Cause upon you. The request for hearing should be sent to: Virgil Downtin, Chief of Investigations, Department of Banking



and Insurance, P.O. Box 329, Trenton, New Jersey 08625; or, faxed to Mr. Downtin's attention at (609) 292-5337, with a copy to me. If you fail to respond to this Order to Show Cause within the time provided, a Final Order will be issued by the Commissioner.

Thank you for your attention to this matter.

Sincerely yours,

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: 

Ryan S. Schaffer
Deputy Attorney General

Encls.

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner)
of Banking and Insurance, State)
of New Jersey, to fine,)
suspend, and/or revoke the)
insurance producer license of)
James D. Griffin, Reference No.)
8047866)

ORDER TO SHOW CAUSE

TO: James D. Griffin
404 Ingram Road
Fairless Hills, PA
19030

THIS MATTER, having been opened by the Commissioner of Banking and Insurance ("Commissioner"), State of New Jersey, upon information that James D. Griffin ("Griffin" or "Respondent") may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Respondent was licensed as a nonresident insurance producer in the State of New Jersey, pursuant to N.J.S.A. 17:22A-34, until his license expired on September 30, 2014; and

WHEREAS, Respondent is subject to the provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 et seq. ("Producer Act"); and

WHEREAS, pursuant to N.J.S.A. 17:22A-40d, the Commissioner shall retain the authority to enforce the provisions of and impose any penalty or remedy authorized by the Producer Act or Title 17 of the Revised Statutes or Title 17B of the New Jersey Statutes against any person who is under investigation for or charged with a violation of the Producer Act or Title 17 of the Revised Statutes or Title 17B of the New Jersey Statutes, even if the person's license or registration has been surrendered or has lapsed by operation of law; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(2), an insurance producer shall not violate any insurance laws, regulation, subpoena, or order of the Commissioner or of another state's insurance regulator; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(8), an insurance producer shall not use fraudulent, coercive or dishonest practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business in this State or elsewhere; and

WHEREAS, pursuant to N.J.A.C. 11:17C-2.2(a), all premium funds shall be remitted to the insurer or other insurance producer, as applicable, within five business days after receipt of the funds; and

COUNT 1

IT APPEARING, that from October 13, 2012 through October 13, 2013, New Jersey consumer "JM" held a commercial liability insurance policy with Colony Insurance Company ("Colony"); and

IT FURTHER APPEARING, Respondent, on behalf of insurance brokerage Excel Insurance Services ("Excel"); sold JM the Colony commercial liability policy; and

IT FURTHER APPEARING, that on or about September 16, 2013, Excel provided to Respondent an insurance renewal quote for JM's Colony commercial policy; and

IT FURTHER APPEARING, that the insurance premium quote for the renewal totaled \$940.00 for one year of coverage; and

IT FURTHER APPEARING, that JM's policy was in force at the time of the renewal quote and was scheduled to expire on October 13, 2013; and

IT FURTHER APPEARING, that Respondent communicated with JM regarding the policy renewal and impending policy expiration; and

IT FURTHER APPEARING, that on October 13, 2013, JM's insurance policy with Colony lapsed for non-payment; and

IT FURTHER APPEARING, that on October 16, 2013, Respondent provided JM with an invoice for the renewal policy with effective dates of coverage of October 13, 2013 through October 13, 2014; and

IT FURTHER APPEARING, that on December 5, 2013 JM's bank account was debited for \$940.00 payable to Respondent; and

IT FURTHER APPEARING, that in or around March of 2014, JM contacted Excel inquiring about the status of his commercial liability insurance policy; and

IT FURTHER APPEARING, that in or around March of 2014, Excel stated to JM that Colony did not have an insurance policy in-force with JM at that time because Excel did not receive a request to bind the policy and did not receive a renewal premium; and

IT FURTHER APPEARING, that in or around March of 2014, JM demanded Respondent return to him the \$940.00 insurance premium; and

IT FURTHER APPEARING, that on or about March 24, 2014, Respondent returned JM's \$940.00 insurance premium by means of a check from Respondent's trust account; and

IT FURTHER APPEARING, that this instance where Respondent failed to remit JM's insurance premium to the insurer within five business days after receipt of the funds constitutes violations of N.J.S.A. 17:22A-40a(2) and (8), and N.J.A.C. 11:17C-2.2(a); and

NOW, THEREFORE, IT IS on this 10th day of March,
2017

ORDERED, that Respondent shall appear and show cause why his insurance producer license shall not be revoked by the Commissioner, pursuant to the provisions of N.J.S.A. 17:22A-40a; and

IT IS FURTHER ORDERED, that Respondent shall appear and show cause why the Commissioner should not assess fines up to \$5,000.00 for the first violation and not exceeding \$10,000.00 for each subsequent violation, pursuant to the provisions of N.J.S.A. 17:22A-45c, due to Respondent's failure to comply with New Jersey's insurance laws and regulations; and

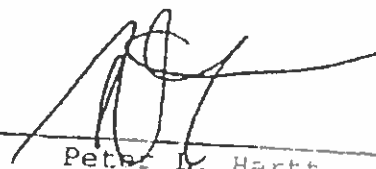
IT IS FURTHER ORDERED, that Respondent shall appear and show cause why he should not be subject to restitution to his victim and reimbursement of the costs of investigation and prosecution by the Department of Banking and Insurance, pursuant to N.J.S.A. 17:22A-45c; and

IT IS PROVIDED, that Respondent has the right to request an administrative hearing, to be represented by counsel or other qualified representative, at his own expense, to take testimony, to call or cross-examine witnesses, to have subpoena and subpoena duces tecum issued and to present evidence or argument if a hearing is requested; and

IT IS FURTHER PROVIDED that unless a request for a hearing is received within twenty days of the service of this Order to Show Cause, the right to a hearing in this matter shall be

deemed to have been waived by the Respondent and the Commissioner shall dispose of this matter in accordance with law. A hearing may be requested by mailing the request to Virgil Downtin, Chief of Investigations, New Jersey Department of Banking and Insurance, P.O. Box 329, Trenton, N.J. 08625 or by faxing the request to the Department at (609) 292-5337. The request shall contain:

- (A) The licensee's name, address, and daytime telephone number;
- (B) A statement referring to each charge alleged in this Order to Show Cause and identifying any defense intended to be asserted in response to each charge. Where the defense relies on facts not contained in the Order to Show Cause, those specific facts must be stated;
- (C) A specific admission or denial of each fact alleged in this Order to Show Cause. Where the Respondent had no specific knowledge regarding a fact alleged in this Order to Show Cause, a statement to that effect must be contained in the hearing request. Allegations of this Order to Show Cause not answered in the manner set forth above shall be deemed to have been admitted; and
- (D) A statement requesting a hearing.


Peter D. Hartt
Director of Insurance

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CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO Box 117
TRENTON, NJ 08625-0117

CHRISTOPHER S. PORRINO
Attorney General

MICHELLE L. MILLER
Acting Director

April 4, 2017

Via Regular and Certified Mail

James D. Griffin
55 Spring Valley Road
Levittown, PA
19056-1718

Dear Mr. Griffin:

We represent the New Jersey Department of Banking and Insurance ("Department"). Enclosed, please find Order to Show Cause No. E17-11 issued by the Director of Insurance on March 10, 2017. The Order to Show Cause charges you with various violations of the insurance laws and regulations of the State of New Jersey, and orders you to appear and show cause as to why your insurance producer license should not be suspended or revoked, and why other administrative fines and costs should not be imposed against you.

You have the right to request an administrative hearing in regard to these allegations. Complete instructions on how to request a hearing are contained within the enclosed Order to Show Cause. Briefly here, a request for hearing must provide a specific statement responding to each charge alleged in the Order to Show Cause, specifically admit or deny each fact alleged in the Order to Show Cause, identify any facts of which you have no specific knowledge, and identify any defenses intended to be asserted in response to each charge. N.J.A.C. 11:17D-2.1(d). The request for hearing must be received by the Department within twenty (20) days of service of the Order to Show Cause upon you. The request for hearing should be sent to: Virgil Downtin, Chief of Investigations, Department of Banking



and Insurance, P.O. Box 329, Trenton, New Jersey 08625; or, faxed to Mr. Downtin's attention at (609) 292-5337, with a copy to me. If you fail to respond to this Order to Show Cause within the time provided, a Final Order will be issued by the Commissioner.

Thank you for your attention to this matter.

Sincerely yours,

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: 

Ryan S. Schaffer
Deputy Attorney General

Encls.

Name and Address of Sender
 Banking and Insurance
 Division of Law
 DAG Ryan S. Schaffer
 PO Box 117
 Trenton, NJ 08625

Check type of mail or service
 Certified
 COD
 Delivery Confirmation
 Express Mail
 Insured

Address (Name, Street, City, State & ZIP Code)
**James D. Griffin
 55 Spring Valley Road
 Levittown, PA 19056-1718**

Receivable Delivery (International)
 Registered
 Return Receipt for Merchandise
 Signature Confirmation

Affix Stamp Here
 (If issued as a certificate of mailing, or for additional copies of this bill) Postmark and Date of Receipt

Article Number	Postage	Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	DC Fee	SC Fee	SH Fee	RR Fee	RD Fee
1 7011 1570 0003 3759 6845											
2.											
3.											
4.											

U.S. Postal ServiceTM
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 For delivery information visit our website at www.usps.com

OFFICIAL USE

Postage \$ _____
 Certified Fee _____
 Return Receipt Fee (Endorsement Required) _____
 Restricted Delivery Fee (Endorsement Required) _____
 Postmark Here

Total Postage _____
 Sent To _____
 Street, Apt. / or PO Box N _____
 City, State, Z _____

James D. Griffin
 55 Spring Valley Road
 Levittown, PA 19056-1718

545 659 652E 3759 6845

See Privacy Act Statement

Complete by Typewriter, Ink, or Ball Point Pen

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SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

James D. Griffin
55 Spring Valley Road
Levittown, PA 19056-1718



9590 9402 2197 6193 6881 21

2. Article Number (Transfer from service label)

7011 1570 0003 3759 6845

PS Form 3811, July 2015 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

(Handwritten Signature)

Agent

Addressee

B. Received by (Printed Name)

C. Date of Delivery

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

Domestic Return Receipt

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CHRIS CHRISTIE
Governor

State of New Jersey
OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO Box 117
TRENTON, NJ 08625-0117

CHRISTOPHER S. PORRINO
Attorney General

KIM GUADAGNO
Lt. Governor

MICHELLE L. MILLER
Acting Director

July 24, 2017

Via Overnight Mail

James D. Griffin
55 Spring Valley Road
Levittown, PA
19056-1718

Re: Commissioner of the New Jersey Department of
Banking and Insurance v. James D. Griffin;
Order to Show Cause No. E17-11

Dear Mr. Griffin:

We represent the New Jersey Department of Banking and Insurance ("Department"). Enclosed, please find a proposed Consent Order in settlement of Order to Show Cause No. E17-11 issued by the Director of Insurance on March 10, 2017. As you may recall, the Order to Show Cause charges you with various violations of the insurance laws and regulations of the State of New Jersey, and orders you to appear and show cause as to why your insurance producer license should not be suspended or revoked, and why other administrative fines and costs should not be imposed against you.

Shortly after service of the Order to Show Cause we discussed settlement by Consent Order. Please review the attached Consent Order and contact me directly with any questions. If everything is appropriate, please sign and date on



the appropriate lines and return the Consent Order in the provided envelope. Please return the executed Consent Order within 7 days of your receipt of this letter.

Sincerely yours,

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: 

Ryan S. Schaffer
Deputy Attorney General

Encls.

UPS Next Day Air
UPS Worldwide Express®
Shipping Document

See instructions on back. Visit UPS.com® or call 1-800-PICK-UPS® (800-742-5877) for additional information and Tariff/Terms and Conditions.

TRACKING NUMBER 1Z X86 4W0 22 1175 190 6

SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO. X 8 6 4 W 0

REFERENCE NUMBER
 Order to Show Cause No. E17-11

NAME Ryan S. Schaffer, DAG **TELEPHONE** 609(777-2738

COMPANY
 N.J. DIVISION OF LAW

STREET ADDRESS
 25 MARKET ST FLR 1 RM W.WING

CITY AND STATE TRENTON **ZIP CODE** NJ 08611 2148

2 EXTREMELY URGENT DELIVERY

NAME James D. Griffith **TELEPHONE**

COMPANY

STREET ADDRESS 55 Spring Valley Road **DEPT./FLR.** **Residential Delivery**

CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) Levittown, PA **ZIP CODE** 19056-1718



WEIGHT	<input checked="" type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	WEIGHT If Applicable	PACKAGE	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5	RELEASE	<input type="checkbox"/> 1 <input type="checkbox"/> 2 <input type="checkbox"/> 3 <input type="checkbox"/> 4 <input type="checkbox"/> 5
TYPE OF SERVICE	<input checked="" type="checkbox"/> NEXT DAY AIR	<input type="checkbox"/> EXPRESS (INT'L)				
FOR INTERNATIONAL SHIPMENTS	<input type="checkbox"/> SATURDAY PICKUP See instructions	<input type="checkbox"/> SATURDAY DELIVERY See instructions	<input type="checkbox"/> CUSTOMS VALUE	<input type="checkbox"/> DOCUMENTS ONLY		
OPTIONAL SERVICES	<input type="checkbox"/> DECLARED VALUE FOR CARRIAGE For declared value over \$100, see instructions	\$	AMOUNT	\$		
	<input type="checkbox"/> C.O.D. If C.O.D. enter amount to be collected and attach completed UPS C.O.D. tag to package	\$	AMOUNT	\$		
ADDITIONAL HANDLING CHARGE	<input type="checkbox"/> An Additional Handling Charge applies for certain items. See instructions.					\$
TOTAL CHARGES						\$
METHOD OF PAYMENT	<input type="checkbox"/> Bill Shipper's Account Number IN SECTION 1	<input type="checkbox"/> Bill Receiver Domestic Only Record Account No. in Section 9	<input type="checkbox"/> Bill Third Party	<input type="checkbox"/> Credit Card	<input type="checkbox"/> American Express Diner's Club MasterCard Visa	<input type="checkbox"/> CHECK

9 RECEIVER'S/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. _____ **EXPIRATION DATE** _____

THIRD PARTY'S COMPANY NAME _____

STREET ADDRESS _____

CITY AND STATE _____ **ZIP CODE** _____

10 SHIPPER'S SIGNATURE X *Musan Lee*

All shipments are subject to the terms contained in the UPS Tariff/Terms and Conditions of Service, which are available at UPS.com and local UPS offices.

DATE OF SHIPMENT 7/25/17

0101911202609 6/14 RRD **UPS COPY**

Shipper certifies that the contents of this document are true and correct. Shipper certifies that these commodities, technology or software, if exported from the United States, were exported in accordance with the Export Administration Regulations. Diversion contrary to law is prohibited.



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1ZX864W02211751906

Service: UPS Next Day Air®

Shipped/Billed On: 07/25/2017

Delivered On: 07/26/2017 9:53 A.M.

Delivered To: LEVITTOWN, PA, US

Left At: Front Door

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 08/10/2017 9:53 A.M. ET

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State of New Jersey

OFFICE OF THE ATTORNEY GENERAL
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF LAW
25 MARKET STREET
PO Box 117
TRENTON, NJ 08625-0117

CHRIS CHRISTIE
Governor

CHRISTOPHER S. PORRINO
Attorney General

KIM GUADAGNO
Lt. Governor

MICHELLE L. MILLER
Acting Director

August 10, 2017

Via Overnight Mail

James D. Griffin
55 Spring Valley Road
Levittown, PA
19056-1718

Re: Commissioner of the New Jersey Department of
Banking and Insurance v. James D. Griffin,
Order to Show Cause No. E17-11

Dear Mr. Griffin:

We represent the New Jersey Department of Banking and Insurance ("Department"). On March 10, 2017, the Commissioner of the Department of Banking and Insurance issued Order to Show Cause No. E17-11 charging you with various violations of the insurance laws and regulations of the State of New Jersey. The Order to Show Cause orders you to appear and show cause as to why your insurance producer license should not be suspended or revoked and why other administrative fines and costs should not be imposed against you. On April 8, 2017, the Order to Show Cause was served on you via regular and certified mail.

Shortly after service of the Order to Show Cause we discussed settlement by Consent Order. To allow for settlement negotiations the Department granted you an extension to file an Answer to the Order to Show Cause. On July 24, 2017, we provided to you a draft Consent Order containing previously agreed upon settlement terms. You were required to either accept or reject the Consent Order within seven days. We have not received your



response to the Consent Order nor an Answer to the Order to Show Cause.

I have enclosed a copy of the cover letter and Order to Show Cause No. E17-11 served on you on April 8, 2017. I have also enclosed another copy of the Consent Order. If we do not receive either the executed Consent Order or an Answer to the Order to Show Cause within 20 days from your receipt of this letter, a Final Order will be issued by the Commissioner.

If you should have any questions, please do not hesitate to contact me directly.

Sincerely yours,

CHRISTOPHER S. PORRINO
ATTORNEY GENERAL OF NEW JERSEY

By: 

Ryan S. Schaffer
Deputy Attorney General

Encls.



UPS Next Day Air
UPS Worldwide Express®

Shipping Document

See instructions on back. Visit UPS.com® or call 1-800-PICK-UPS® (800-742-5877) for additional information and Tariff/Terms and Conditions.

TRACKING NUMBER 1Z X86 4W0 22 1174 385 3

SHIPMENT FROM

SHIPPER'S UPS ACCOUNT NO. X 8 6 4 W 0

REFERENCE NUMBER

Order to Show Cause No. E17-11

NAME Ryan S. Schaffer, DAG **TELEPHONE** 609 (777) 2738

COMPANY

N.J. DIVISION OF LAW

STREET ADDRESS

25 MARKET ST FLR 1 RM W.WING

CITY AND STATE TRENTON **ZIP CODE** NJ 08611 2148

EXTREMELY URGENT DELIVERY TO

NAME James D. Griffin **TELEPHONE**

COMPANY

STREET ADDRESS

55 Spring Valley Road

CITY AND STATE (INCLUDE COUNTRY IF INTERNATIONAL) Levittown, PA **ZIP CODE** 19056-1718

DEPT./FLR.



WEIGHT		<input checked="" type="checkbox"/>	<input type="checkbox"/>	WEIGHT If Applicable	<input type="checkbox"/>	PACKAGE	<input type="checkbox"/>	RELEASE	<input type="checkbox"/>	1
TYPE OF SERVICE		<input checked="" type="checkbox"/>	<input type="checkbox"/>	NEXT DAY AIR	<input type="checkbox"/>	EXPRESS (INTL)	\$			
FOR INTERNATIONAL SHIPMENTS		<input type="checkbox"/>	<input type="checkbox"/>	CUSTOMS VALUE	<input type="checkbox"/>	DOCUMENTS ONLY	\$			
OPTIONAL SERVICES		<input type="checkbox"/>	<input type="checkbox"/>	SATURDAY PICKUP <small>See instructions</small>	<input type="checkbox"/>	SATURDAY DELIVERY <small>See instructions</small>	\$			
DECLARED VALUE FOR CARRIAGE <small>For declared value over \$100, see instructions</small>				<input type="checkbox"/>	\$	AMOUNT	\$			
C.O.D. <small>M.C.O.D. entry amount to be collected and attach completed UPS C.O.D. tag to package</small>				<input type="checkbox"/>	\$	AMOUNT	\$			
ADDITIONAL HANDLING CHARGE				<input type="checkbox"/>	\$	An Additional Handling Charge applies for certain items. See instructions.	\$			
TOTAL CHARGES					\$		\$			
METHOD OF PAYMENT		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
BILL SHIPPER'S ACCOUNT NUMBER		BILL RECEIVER DOMESTIC ONLY		BILL THIRD PARTY		CREDIT CARD		CHECK		
<small>In Section 1</small>		<small>Record Account No. In Section 9</small>		<small>American Express Diner's Club MasterCard Visa</small>						
9 RECEIVER'S/THIRD PARTY'S UPS ACCT. NO. OR MAJOR CREDIT CARD NO. EXPIRATION DATE										
THIRD PARTY'S COMPANY NAME										
STREET ADDRESS										
CITY AND STATE ZIP CODE										
<small>Shipper authorizes UPS to act as forwarding agent for export control and customs purposes. Shipper certifies that these commodities, technology or software, if exported from the United States, were exported in accordance with the Export Administration Regulations. (Exception contrary to law is prohibited.)</small>										
10 SHIPPER'S SIGNATURE X <i>Ryan Schaffer</i>										
<small>All shipments are subject to the terms contained in the UPS Tariff/Terms and Conditions of Service, which are available at UPS.com and local UPS offices.</small>										
DATE OF SHIPMENT 8/10/17										
0101911202609 6/14 RRD UPS COPY										

UPS is not responsible for loss or damage to contents if not properly packed. Shipper is responsible for proper packaging. For more information, visit UPS.com. © 2017 UPS of America, Inc. All rights reserved.



Proof of Delivery

[Close Window](#)

Dear Customer,

This notice serves as proof of delivery for the shipment listed below.

Tracking Number: 1ZX864W02211743853

Service: UPS Next Day Air®

Shipped/Billed On: 08/10/2017

Delivered On: 08/11/2017 10:11 A.M.

Delivered To: LEVITTOWN, PA, US

Left At: Front Door

Thank you for giving us this opportunity to serve you.

Sincerely,

UPS

Tracking results provided by UPS: 09/01/2017 10:57 A.M. ET

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

By: Ryan S. Schaffer
Deputy Attorney General
NJ Attorney ID No. 058152013
(609)777-3733
Ryan.Schaffer@law.njoag.gov

Proceedings by the Commissioner)
of Banking and Insurance, State)
of New Jersey, to fine, suspend,)
and/or revoke the insurance)
producer license of James D.)
Griffin, Reference No. 8047866)
_____)

**CERTIFICATION OF
ALBERT N. VERDEL**

I, Albert N. Verdel, of full age, do of my own personal knowledge make the following statements by way of certification in lieu of affidavit pursuant to R. 1:4-4(b):

1. I am employed by the New Jersey Department of Banking and Insurance, Division of Insurance, Consumer Protection Services ("Department"), and hold the title of Investigator 1.

2. This certification is submitted in support of the Department's application for reimbursement of its costs of

investigation and prosecution, in accordance with N.J.S.A. 17:22A-45(c).

3. On April 10, 2014, former Investigators Linda Gleghorn and Christian Traum were assigned responsibility for determining whether James D. Griffin may have violated certain provisions of the New Jersey Insurance Producer Licensing Act of 2001, N.J.S.A. 17:22A-26, et seq. ("Producer Act"), and their investigation resulted in the issuance of Order to Show Cause E17-11.


4. To determine the amount of time that Investigators Gleghorn and Traum spent in the investigation and prosecution of the referenced licensed producers, I reviewed the files relative to this matter, including time records. On the basis of this review I have prepared the schedule of costs attached hereto as Exhibit "A".

5. Department investigators spent 6.50 hours investigating and prosecuting this matter.

6. Pursuant to N.J.A.C. 11:1-32.4(b)(20), costs to the Department for the investigation and prosecution for violations of the Producer Act are reimbursable at the rate of \$50.00 per hour, rounded to the nearest quarter hour.

7. I therefore request that the Department's costs of investigation and prosecution be reimbursed in the amount of \$325.00.

I certify that the foregoing statements made by me are true.
I am aware that if any of the foregoing statements made by me are
willfully false, I am subject to punishment.



Albert N. Verdel

Dated: 11-21-17



State of New Jersey

DEPARTMENT OF BANKING AND INSURANCE

DIVISION OF INSURANCE

CONSUMER PROTECTION SERVICES

ENFORCEMENT UNIT

PO BOX 329

TRENTON, NJ 08625-0329

TEL (609) 292-5316

FAX (609) 292-5337

CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

RICHARD J. BADOLATO
Commissioner

PETER L. HARTT
Director

Exhibit A

**RECORD OF TIME EXPENDED ON
INVESTIGATION AND/OR PROSECUTION**

Re: James D. Griffin
Department File No: 197863
Investigators: Christian Traum/Linda Gleghorn

DATE	TIME SPENT HOURS/MINS	PHONE	CASE PREP	OTHER/ COMMENTS
4-28-14	.25		X	Letter to Griffin
4-28-14	.25	X		Fax
5-18-14	.25	X		Report of Contact
6-25-14	.25		X	Letter to Griffin
9-2-14	.50		X	Subpoena Prep
10-16-14	.25	X		Email to Griffin
6-9-15	.25	X		Email to Griffin
6-10-15	.25	X		Email to Griffin
6-10-15	.25	X		Email to Griffin
8-6-15	3.00		X	Email to Meyers Factual & Evidence Summary/Review of file
8-18-15	.25	X		Email to Griffin
8-19-15	.25	X		Email to Griffin
9-2-15	.25	X		Email to Griffin
11-17-16	.25	X		Email to DAG Schaffer
TOTAL HOURS:	6.5			
HOURS @ \$50 X 6.50 HRS	\$325.00			

Time calculated in fraction of an hour: 1hr=1.00 45min=.75 30min=.50 15min=.25