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FILED

JUL 07 2008

Division of Consumer Affairs

By: John D. Hugelmeyer
Deputy Attorney General
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STATE OF NEW JERSEY
DEPARTMENT OF LAW AND PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS

IN THE MATTER OF AN INVESTIGATION :
BY THE NEW JERSEY DIVISION OF :
CONSUMER AFFAIRS :

Administrative Action
I No. 100070

of

CONSENT ORDER

Special Movers, Inc. and
Rashad Ibrahim, Individually

Respondents

This matter was opened to the Division of Consumer Affairs, Office of Consumer Protection (hereinafter referred to as "Consumer Affairs" or the "Division"), on its own initiative as an investigation into whether Special Movers, Inc., and Rashad Ibrahim, individually, (hereinafter referred to collectively as the "Respondents") were in violation of the New Jersey Consumer Fraud Act, N.J.S.A. 56:8-1 et seq. (the "CFA"), and the Public Movers and Warehousemen Licensing Act, N.J.S.A. 45:14D-1 et seq. by engaging in the moving and storage of household goods intra-state within New Jersey without being licensed to do so. The Division and Respondents (collectively referred to as the "Parties") have reached an amicable agreement resolving the issues in controversy and concluding this matter without the need for further action. Respondents, while neither admitting nor denying any statements of fact or violations of law, have voluntarily cooperated and consented to the entry of the within order (the "Consent Order"). Therefore, and for good cause shown:

IT IS on this July ~~June~~ day of 7 ~~25~~, 2008

ORDERED and AGREED as follows:

BUSINESS PRACTICES

1. Respondents shall cease and desist from failing to perform a physical survey (N.J.A.C. 13:44D-4.1(a)2); from failing to issue an order for service at least twenty-four hours before the move (N.J.A.C. 13:44D-4.1(b)); and from failing to include the state license number in its advertising (N.J.A.C. 13:44D-2.5(a)2).

PAYMENT TO THE STATE

2. Respondent shall pay to the Division of Consumer Affairs the sum of \$2,500.00, as a civil monetary penalty pursuant to N.J.S.A. 56:8-13. This amount shall be submitted in installments according to the following schedule: \$500.00 upon execution of the Consent Order; \$500.00 due on or before July 15, 2008; \$500.00 due on or before August 15, 2008; \$500.00 due on or before September 15, 2008; and a final payment of \$500.00 due on or before October 15, 2008.

3. The payment required by Paragraph 2 shall be made by certified check, attorney trust account check, or other guaranteed funds, made payable to the "New Jersey Division of Consumer Affairs," and shall be delivered to the following address:

**Attention: Supervisor
Case Management Tracking
New Jersey Department of Law and Public Safety
Division of Consumer Affairs
124 Halsey Street
P.O. Box 45025
Newark, New Jersey 07101**

4. Failure by Respondents to make the payment required by Paragraph 2 to the Division in the time prescribed by this Consent Order shall constitute a breach of this Consent Order. In the event of such breach, all unpaid amounts due and owing under this Consent Order shall immediately be accelerated and be deemed due and owing immediately without the need for notice or presentment, with interest calculated in accordance with R. 4:42-11 from the date of default, and with the State's cost of collection. In addition to the relief provided for in this paragraph, this default shall also entitle the Division to make application to a court of competent jurisdiction for an order directing compliance and any other relief in aid of litigant's rights, including the imposition of attorney's fees for said application or to make any other application as provided by law.

5. If, after the signing of this Consent Order, Respondents engage in any acts or practices which constitute a violation of the CFA, the Public Movers and Warehousemen Licensing Act, or this Consent Order, Respondents shall be subject to the imposition of enhanced penalties pursuant to N.J.S.A. 56:8-13 or N.J.S.A. 56:8-18, without prejudice to Respondents' right to present evidence in mitigation and affirmative defenses.

DUTY TO COOPERATE

6. Respondents acknowledge that public movers who perform the intra-state moving of household goods are required to be licensed with the Division in accordance with the Public Movers and Warehousemen Licensing Act.

7. Respondents shall have a continuing duty to provide assistance and/or information as requested by the Division in connection with its public moving and/or storage activities. Respondents shall also have a continuing duty to cooperate in any inquiry, investigation or hearing conducted by the Division in connection with the advertising, moving or storage of household goods within this State.

8. Failure by Respondents to comply with any of the requirements of this Consent Order, including, but not limited to, the payment provisions of Paragraph 2 shall constitute grounds for the Division to deny Respondents' application to be licensed as a public mover.

GENERAL PROVISIONS

9. Nothing contained in this Consent Order shall be construed to limit or affect the rights of any persons or entities who are not parties to this Consent Order with respect to any of the matters contained herein.

10. Nothing contained herein shall in any manner or fashion be construed to limit or affect any position that the parties may take in any future or pending action not specifically encompassed herein.

11. If any provision of this Consent Order or the application thereof to any person or circumstances shall to any extent be invalid or unenforceable, the remainder of this Consent Order, or the application of such provision to persons or circumstances other than those as to which it is held invalid or unenforceable shall not be affected thereby, and each provision of this Consent Order shall be valid and enforced to the fullest extent permitted by law.

12. This Consent Order resolves all claims and causes of action against Respondents for violations of the CFA and the Public Movers and Warehousemen Licensing Act that were known by the Division's Office of Consumer Protection through April 1, 2008.

13. The Parties represent that an authorized representative of each has signed this

Consent Order with full knowledge, understanding, and acceptance of its terms; and that this person has done so with the authority to bind legally the respective parties.

14. This Consent Order constitutes the entire agreement between the Parties and shall bind the Parties and their representatives, officers, directors, agents, employees, successors and assigns.

15. Respondents shall not represent or imply that any advertising procedure or other act or practice hereinafter used or engaged in by Respondents have been required or approved, in whole or part, by the Attorney General or the Division or any of the State's agencies or agents.

16. The Parties acknowledge that for purposes of enforcement of this Consent Order, New Jersey law shall govern the terms and provisions herein.

17. Respondents acknowledges that this Consent Order is a public document subject to the New Jersey Open Public Records Act.

18. This Consent Order constitutes a final agency action, and shall be effective upon filing.

ANNE MILGRAM
ATTORNEY GENERAL OF NEW JERSEY

DATED: 7/7/08

BY: David By
~~Lawrence DeMarzo, Acting Director~~
New Jersey Division of Consumer Affairs

The undersigned has read this Consent Order, understands it, and agrees to be bound by its terms. Consent is hereby given as to the form and entry of this Order.

FOR RESPONDENTS

BY: Rashad Ibrahim
Rashad Ibrahim, as Owner and Operator of Special Movers,
and Individually

DATED: 06/25/08