

RECORDED AS A LIEN DEC 05 2018

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J 210343-18

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - WARREN COUNTY  
DOCKET NO. WRN-L-278-16

MARLENE CARIDE,<sup>1</sup> )  
COMMISSIONER, NEW JERSEY )  
DEPARTMENT OF BANKING AND )  
INSURANCE, )  
Plaintiff, )  
v. )  
LORI FIELDS, )  
Defendant. )

Civil Action  
ORDER OF FINAL JUDGMENT BY  
DEFAULT

The Defendant, Lori Fields ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-captioned action and default having been entered after her Answer

<sup>1</sup> This action was commenced on behalf of Richard Badolato, former Commissioner of the New Jersey Department of Banking and Insurance ("Department"). Pursuant to R. 4:34-4, the caption has been revised to reflect the current Commissioner of the Department.

SEE ATTACHED STATEMENT OF REASONS

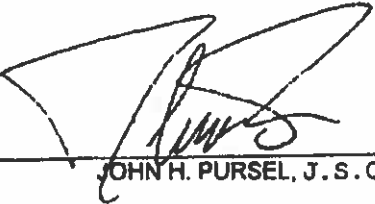
was suppressed with prejudice pursuant to R. 4:23-5(a)(2) for failure to respond to discovery requests:

This Court now finds that Defendant Lori Fields violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically by (a) failing to disclose on an insurance company questionnaire that she had lost custody of her three children, thereby making a false statement to an insurance company in support of a claim for payment in violation of N.J.S.A. 17:33A-4a(1) and (2); (b) forging her daughter AF's signature on an academic verification letter and requesting that AF's dependency benefits be paid to Defendant, thereby making a false statement that was presented to an insurance company in support of a claim for payment in violation of N.J.S.A. 17:33A-4a(1) and (3); and (c) by failing to disclose on the academic verification letter that she no longer had custody of AF, thereby concealing or knowingly failing to disclose the occurrence of an event which affected her continued right or entitlement to an insurance benefit or payment, in violation of N.J.S.A. 17:33A-4a(3); and

FINAL JUDGMENT is on this 29th day of November 2018, entered in the amount of \$11,059.00 against Defendant Lori Fields, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of: \$5,000.00 in civil penalties for three (3) violations of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30;

attorneys' fees of \$5,000.00 pursuant to N.J.S.A. 17:33A-5b; cost of service in the amount of \$59.99 pursuant to N.J.S.A. 17:33A-5b; and \$1,000.00 constituting the surcharge pursuant to N.J.S.A. 17:33A-5.1.

IT IS FURTHER ORDERED that a copy of this Order be served upon all parties within 5 days of the date of receipt.

  
\_\_\_\_\_  
JOHN H. PURSEL, J. S. C. RET. ON RECALL

This motion was:

\_\_\_\_\_  
 Opposed  
 Unopposed

**STATEMENT OF REASONS**

Plaintiff Mariene Carido (formerly Richard Badolato), Commissioner, New Jersey Department of Banking and Insurance filed their complaint against the Defendant Lori Fields on October 2, 2016. This action arises out of Defendant violating the New Jersey Fraud Act N.J.S.A. 17:33A-1. On February 20, 2018, Defendant's Answer in this matter was suppressed without prejudice for Defendant's failure to provide discovery. Then the Court previously entered an order suppressing the Defendant's Answer with prejudice pursuant to R. 4:23-5(a)(2) for failure to respond to discovery requests. The civil penalties consist of \$5,000.00 pursuant to N.J.S.A. 17:33A-5b; attorney's fees pursuant to N.J.S.A. 17:33A-5b; costs of service in the amount of \$59.99 pursuant to 17:33A-5b; and \$1,000.00 constituting the surcharge pursuant to N.J.S.A. 17:33A-5.1. Before the Court is Motion for Final Judgment by Default. Defendant does not oppose this motion.

R. 4:43-1 governs the entry of default and provides as follows:

If a party against whom a judgment for affirmative relief is sought has failed to plead or otherwise defend as provided by these rules or court order, or if the answer has been stricken with prejudice, the clerk shall enter a default on the docket as to such party. Except where the default is entered on special order of the court, the moving party shall make a formal written request of the clerk for the entry of the default, supported by the attorney's affidavit. The affidavit shall recite the service of the process and copy of complaint on the defendant or defendants (if more than one, naming them), the date of service as appears from the return of the process, and that the time within which the defendant or defendants may answer or otherwise move as to the complaint, counterclaim, cross-claim, or third-party complaint has expired and has not been extended. The request and affidavit for entry of default shall be filed together within 6 months of the actual default, and the default shall not be entered thereafter except on notice of motion filed and served in accordance with R. 1:6 on the party in default. If defendant was originally served with process either personally or by certified or ordinary mail, the attorney obtaining the entry of the default shall send a copy thereof to the defaulting defendant by ordinary mail addressed to the same address at which defendant was served with process.

The Court is satisfied with the proofs and certifications submitted by Plaintiff. Judgment shall be entered in favor of Plaintiff in the amount of \$11,059.99, plus costs. For those reasons, Plaintiff's motion is **GRANTED**.