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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - SOMERSET COUNTY
DOCKET NO. SOM-DC-002942-18

MARLENE CARIDE,)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
ERICA PROCTOR,)
)
Defendant.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

SPECIAL CIVIL PART: STATUTORY
PENALTIES

AMOUNT IN CONTROVERSY: \$9,255.50

Defendant, Erica Proctor ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-entitled action and having been defaulted for failure to appear, answer, or otherwise defend:

This Court now finds that Defendant violated the New Jersey Insurance Fraud Prevention Act, specifically N.J.S.A. 17:33A-4a(4)(b), by failing to disclose her husband as a licensed

household member and an operator of the insured vehicle, Defendant prepared or made a written statement intended to be presented to an insurance company for the purpose of obtaining an insurance policy, knowing that the statements contained false or misleading information concerning a fact or thing material to an insurance application.

FINAL JUDGMENT is on this ^{December,} 31st day of 2018, entered in the amount of \$9,255.50 against Defendant, Erica Proctor, 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 pursuant to N.J.S.A. 17:33A-5b for one (1) violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30; attorneys' fees of \$3,255.50 pursuant to N.J.S.A. 17:33A-5b; and a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1.

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 39:6A-15, Defendant's driving privileges shall be suspended for a period of one (1) year from the date of this judgment.

IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within 7 days of the date of receipt.

/s/ MICHAEL J. ROGERS, J.S.C.
Michael J. Rogers, J.S.C.

This motion was:

 Opposed

 X Unopposed

Plaintiff's motion to enter default judgment against defendant for violation of the New Jersey Insurance Fraud Prevention Act N.J.S.A. 17:33A-1, et seq. by failing to disclose her husband, who received multiple traffic tickets and a DWI conviction, as a licensed household member and operator of the insured vehicle, is GRANTED.

Plaintiff's complaint was filed on June 29, 2018 and served on July 5, 2018 by this Court to defendant's current address and service was good. Defendant did not answer said complaint and the clerk entered default against motion.

Pursuant to R. 6:6-3, the court shall enter default judgment in the amount of \$9,255.50 in favor of plaintiff. This amount represents \$5,000 in civil penalty for the first offense under the Act, reasonable attorney fees under the Act in the amount of \$3,255.50, and the \$1,000 surcharge under the N.J.S.A. 17:33A-5.1. Also, pursuant to N.J.S.A. 39:6A-15 defendant's driving privileges are suspended for 1 year.