

GURBIR S. GREWAL
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625-0117

By: Nicholas Kant
Deputy Attorney General
NJ Attorney ID: 045942006
(609) 376-2965
Nicholas.kant@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - ATLANTIC COUNTY
DOCKET NO. ATL-DC-003276-16

MARLENE CARIDE¹,)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
DARIUS M. WHITTAKER,)
)
Defendant.)

Civil Action
**ORDER FOR FINAL JUDGMENT BY
DEFAULT**
**SPECIAL CIVIL PART: STATUTORY
PENALTIES**
AMOUNT IN CONTROVERSY: \$9,998.20

Defendant, Darius M. Whittaker ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-entitled action and default having been entered for failure to appear, answer, or otherwise defend;

This Court now finds that Defendant violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30


¹Pursuant to R. 4:34-4, the caption has been revised to reflect the current Commissioner of the Department.

("Fraud Act"), specifically N.J.S.A. 17:33A-4a(1), N.J.S.A. 17:33A-4a(2), and N.J.S.A. 17:33A-4a(3) (a) and (b), by submitting false insurance claims for damage to a motor vehicle; and

FINAL JUDGMENT is on this 19th day of February, 2019, entered in the amount of \$9,998.20 against Defendant, Darius M. Whittaker, 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; \$1,498.20 in restitution to USAA under 17:33A-26; attorneys' fees of \$2,500.00 pursuant to N.J.S.A. 17:33A-5b; and \$1,000.00 constituting the statutory fraud surcharge 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 Darius M. Whittaker'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.


James P. McClain, J.S.C

This motion was:

 Opposed
 X Unopposed