

**FILED**

*9:49 am, Mar 29, 2019*

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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - ESSEX COUNTY  
DOCKET NO. ESX-DC-022898-18

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

Civil Action  
**ORDER FOR FINAL JUDGMENT BY  
DEFAULT**  
**SPECIAL CIVIL PART: STATUTORY  
PENALTIES**  
**AMOUNT IN CONTROVERSY: \$7,577.00**

The Defendant, Shahid Diaz ("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;

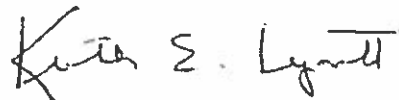
This Court now finds that Defendant violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically N.J.S.A. 17:33A-4a(1), and N.J.S.A. 17:33A-4(a)(3)(a) and (b), by knowingly providing false and misleading

statements to an insurance company in support of a claim, by his misrepresentations to Progressive Insurance Company in support of an alleged automobile theft claim; and

FINAL JUDGMENT is on this 29th day of ~~April~~ <sup>March</sup> 2019, entered in the amount of \$7,577.00 against Defendant Shahid Diaz and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of: a \$5,000.00 civil penalty for one violation of the Fraud Act, N.J.S.A. 17:33A-1 to -30; attorneys' fees of \$1,577.00 pursuant to N.J.S.A. 17:33A-5(b); 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 Shahid Diaz's driving privileges will 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.



J.S.C.

This motion was:

           Opposed

  X   Unopposed

This motion is unopposed. The moving Certifications establish a prima facie right to the relief sought -- namely, the false and misleading statements to an insurance company in support of a claim that the Defendant's motor vehicle was stolen at a time when insurance was in force. In the circumstances, the Plaintiff Commissioner and the Department of Banking and Insurance are entitled to a \$5,000.00 civil penalty, attorneys' fees in the amount of \$1,577.00 and a statutory fraud surcharge, all in accordance with the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30. The Court finds the requested attorneys' fees to be reasonable.