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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - MERCER COUNTY  
DOCKET NO. MER-DC-003779-18

MARLENE CARIDE,	)	
COMMISSIONER OF THE NEW	)	<u>Civil Action</u>
JERSEY DEPARTMENT OF	)	
BANKING AND INSURANCE,	)	<b>ORDER FOR FINAL JUDGMENT BY</b>
	)	<b>DEFAULT</b>
Plaintiff,	)	
	)	<b>SPECIAL CIVIL PART: STATUTORY</b>
v.	)	<b>PENALTIES</b>
	)	
DABREE NICHOLSON,	)	<b>AMOUNT IN CONTROVERSY: \$10,293</b>
	)	
Defendant.	)	

Defendant, Dabree Nicholson ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-captioned 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-4(a)(2) and N.J.S.A. 17:33A-4(a)(3), by presenting an oral and written statement that was false in support of a claim for payment; and

FINAL JUDGMENT is on March 15, 2019, entered in the amount of ~~\$10,293.00~~ \$5,293.00 against Defendant Dabree Nicholson 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, pursuant to N.J.S.A. 17:33A-5b,~~ attorneys' fees of \$4,293.00, 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; and

A copy of this order shall be served on all parties by the moving party within 10 days. A party represented by an attorney shall be deemed served by uploading to eCourts.

Unopposed /s/William Anklowitz, J.S.C.

OPINION: The maximum civil penalty was requested and no reason or basis for the maximum was given. There has to be a reason for a claim and not just that plaintiff asked for it. *Rosenberg v. Bunce*, 214 N.J. Super. 300 (App. Div. 1986).