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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - BURLINGTON COUNTY
DOCKET NO. BUR-DC-007684-19

MARLENE CARIDE,
COMMISSIONER OF THE NEW
JERSEY DEPARTMENT OF
BANKING AND INSURANCE,

Plaintiff,

v.

MARCELLO DIPIETRO III and
LORRAINE FARMS ENTERPRISES
LLC,

Defendants.

)
) Civil Action
)
) **ORDER OF FINAL JUDGMENT BY**
) **DEFAULT**
)
) **SPECIAL CIVIL PART: STATUTORY**
) **PENALTIES**
)
) **AMOUNT IN CONTROVERSY: \$8,828.00**
)
)


Defendants, Marcello DiPietro III ("DiPietro") and Lorraine Farms Enterprises LLC ("Lorraine Farms") (collectively, "Defendants"), having been duly served with a copy of the Summons and Complaint in the above-captioned action, and default having been entered for Defendants' failure to appear, answer, or otherwise defend;

This Court now finds that Defendants violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") by making written and oral statements to an insurance company in connection with and in support of a claim for payment pursuant to an insurance policy knowing that the statements contained false or misleading information concerning any fact or thing material to the claim. Specifically, Defendants falsely reported to an insurance company that several power tools belonging to Defendants were stolen, when in fact they were still in the possession of Defendants, in violation of N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this *24* day of *March* 2020, is entered in the total amount of \$8,828.00 in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance, and against Defendants. This amount consists of \$5,000.00 in civil penalties against DiPietro and Lorraine Farms, jointly and severally, for one violation of the Fraud Act pursuant to 17:33A-5(b); attorneys' fees of \$1,828.00, jointly and severally, pursuant to N.J.S.A. 17:33A-5(b); a statutory fraud surcharge of \$1,000.00 against DiPietro, individually, pursuant to N.J.S.A. 17:33A-5.1; and a statutory fraud surcharge of \$1,000.00 against Lorraine Farms, individually, 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 7 days of the date of receipt.



John E. Hammon J.S. Cheall

This motion was:

_____ Opposed

_____ Unopposed