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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - BERGEN COUNTY
DOCKET NO. BER-DC-018158-19

MARLENE CARIDE,)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING & INSURANCE,)
)
Plaintiff,)
)
v.)
)
MARY C. HERNANDEZ,)
)
Defendant.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
PENALTIES**

AMOUNT IN CONTROVERSY: \$9,035.50

Defendant, Mary C. Hernandez ("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 by presenting false oral statements in support of a claim for payment, specifically N.J.S.A. 17:33A-4(a)(1) and N.J.S.A. 17:33A-4(a)(3), by (a) making a claim to GEICO Indemnity Company ("GEICO") on December 8, 2017 and stating that her insured BMW automobile ("BMW") was involved in an accident on December 8, 2017, when, in fact, the accident occurred on December 7, 2017 prior to adding collision and comprehensive coverage for the BMW, and by (b) stating to GEICO in a recorded statement on December 18, 2017 that the BMW was involved in an accident on December 8, 2017, when, in fact, the accident occurred on December 7, 2017; and

FINAL JUDGMENT is on this 12 day of Junw 2020, entered in the amount of \$9,035.50 against Defendant Mary C. Hernandez 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-5(b); attorneys' fees of \$3,035.50, 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; and

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 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/ Joseph G. Monaghan

Joseph G. Monaghan, J.S.C.

This motion was:

_____ Opposed

X Unopposed