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JUNE 19, 2020

MARYBETH ROGERS, J.S.C.

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - HUDSON COUNTY
DOCKET NO. HUD-DC-008098-18

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

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
PENALTIES**

AMOUNT IN CONTROVERSY: \$9,483.50

Defendant, Gary Erling ("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") by providing materially false statements to Progressive in

support of an insurance claim for the theft of his car, by misrepresenting the time and circumstances of the theft, in violation of N.J.S.A. 17:33A-4(a)(1), (2), and (3); and

FINAL JUDGMENT is on this 19th day of June 2020, entered in the amount of \$9,483.50 against Defendant Gary Erling 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 \$3,483.50, 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 New Jersey 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.



MARYBETH ROGERS, J.S.C.

This motion was:

_____ Opposed

_____ Unopposed