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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - MERCER COUNTY
DOCKET NO. MER-DC-000634-20

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

Civil Action
**ORDER FOR FINAL JUDGMENT BY
DEFAULT**
**SPECIAL CIVIL PART: STATUTORY
PENALTIES**
AMOUNT IN CONTROVERSY: \$8,845.00

THIS MATTER HAVING BEEN opened to the Court on the application of Gurbir S. Grewal, Attorney General of New Jersey, (by Ashleigh Shelton, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

FINAL JUDGMENT is on March 26, 2021 , entered in the amount \$1,900. ~~of \$8,845.00 against Defendant, Rashon Johnson, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000.00 in civil penalties for one violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30; attorneys' fees of \$2,845.00 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.~~

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 request for a civil penalty is denied because defendant already plead guilty to, and was convicted of, a crime in relation to this matter. There is no explanation of how criminal penalties in this case were insufficient punishment. In addition, there is a mandatory \$1,000 penalty that has to be imposed. The attorney's fees are excessive. The Attorney General's Office brings these types of cases and are a routine matter. The case was uncontested. The court allows two hours for reviewing the file, preparing and filing the complaint. The court allows an hour for this motion. The hourly rate of the ranking attorney was \$300 an hour. Three hours at \$300 an hour is \$900. The attorney's hourly rates and time spent were explained, but considering the value of the case, to spend \$2845 in attorneys fees for a mandatory \$1000 penalty is excessive. Even assuming the value of the case should be considered the initial demand of \$5000 in discretionary penalties plus the \$1000 mandatory for a total of \$6000, spending nearly \$3000 to ask for a default judgment of \$6000 seems excessive.