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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - CAMDEN COUNTY
DOCKET NO. CAM-L-002038-20

MARLENE CARIDE,)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING & INSURANCE,)
Plaintiff,)
v.)
JOHANNA NIEVES,)
Defendant.)

Civil Action
ORDER OF FINAL JUDGMENT
BY DEFAULT

THIS MATTER HAVING BEEN opened to the Court on the application of Gurbir S. Grewal, Attorney General of New Jersey, (by Anna M. Lascurain, 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

The Defendant, Johanna Nieves ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-entitled action and having been defaulted for failure to appear, answer or otherwise defend;

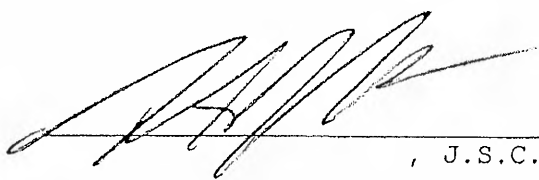
This Court now finds that Defendant violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30, specifically N.J.S.A. 17:33A-4(a)(1), by making multiple material false or misleading statements to Progressive on February 13, 2018 in support of claim for payment or other benefit pursuant to an insurance policy for the cost of fire damage to the Insured Vehicle during the time when the Policy had lapsed for non-payment. Specifically, the Defendant misrepresented that her vehicle had no damage when, in fact, it had been in a fire during the time the Policy had lapsed for non-payment; by making multiple material false or misleading statements to Progressive on February 13 and 14, 2018 in support of claim for payment or other benefit pursuant to an insurance policy for the cost of fire damage to the Insured Vehicle during the time when the Policy had lapsed for non-payment. Specifically, the Defendant falsely reported to Progressive the time when the Insured Vehicle had been damaged by fire in order to make a claim for benefits while the Policy was in force.

FINAL JUDGMENT is on this ^{14th} day of ^{MAY} 2021,
entered in the amount of ~~\$79,059.50~~ ^{\$9,059.50} against Defendant Johanna Nieves, and in favor of the Plaintiff, Marlene Caride, Commissioner

of the New Jersey Department of Banking and Insurance. This amount consists of ~~\$15,000.00~~ ^{\$5,000} in civil penalties for two violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30; attorneys' fees of \$3,000.00 pursuant to N.J.S.A. 17:33A-5; cost of service in the amount of \$59.50 pursuant to N.J.S.A. 17:33A-5; 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.



, J.S.C.

Steven J. Polansky, P.J.Cv.

This motion was:

_____ Opposed

✓ _____ Unopposed

"Reasons set forth On the Record"

5-13-21