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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MERCER COUNTY
DOCKET NO. MER-L-001151-20

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
ALEJANDRO PENA,)
)
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 Brian R. Fitzgerald, 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

Defendant, Alejandro Pena ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-

captioned action, and default having been entered for Defendant's failure to appear, answer, or otherwise defend;

This Court now finds that Defendant (a) made a written statement intended to be presented to an insurance company for the purpose of obtaining an automobile insurance policy, knowing that the statement contained false or misleading information concerning material facts, and (b) made an oral statement to an insurance company in support of a benefit pursuant to an insurance policy, both in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant knowingly made written and oral statements to an insurance company for the purpose of obtaining an automobile insurance policy, and in support of a benefit pursuant to an insurance policy, namely insurance coverage for his vehicle, that he principally resided and garaged his vehicle in New Jersey, when in fact he principally resided and garaged his vehicle in New York. N.J.S.A. 17:33A-4(a)(1), -4(a)(3), -4(a)(4)(a), and -4(a)(4)(b).

FINAL JUDGMENT is on this 9th day of July 2021, entered in the amount of \$14,661.00 against Defendant and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$10,000.00 in civil penalties for two (2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of

\$3,586.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$75.00 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.

IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within 14 days of the date of receipt.

/s/ Douglas H. Hurd
P.J. Cv.

This motion was:

_____ Opposed

_____ _____ Unopposed