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Filed and so Ordered

Jan 04, 2022

This Motion was Unopposed

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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-MIDDLESEX COUNTY
DOCKET NO. MID-DC-5580-21

MARLENE CARIDE,)	
COMMISSIONER OF THE)	<u>Civil Action</u>
NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	ORDER FOR FINAL JUDGMENT BY
)	DEFAULT
Plaintiff,)	
)	SPECIAL CIVIL PART: STATUTORY
v.)	PENALTIES
)	
KEVIN PEARSON,)	AMOUNT IN CONTROVERSY:
)	\$13,182.00
Defendant.)	

THIS MATTER HAVING BEEN opened to the Court on the application of Andrew J. Bruck, Acting Attorney General of New Jersey, (by William E. Vaughan, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for judgment by default; and

Defendant, Kevin Pearson ("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 violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") by making a written statement intended to be presented to an insurance company for the purpose of obtaining an insurance policy, knowing that the statement contained false or misleading information concerning material facts;

Specifically, Defendant made a false written statement to Progressive Garden State Insurance Company ("Progressive") that he and his vehicle had not been in a motor vehicle accident between December 29, 2018 and January 13, 2019, at approximately 11:35 a.m., concealing an accident that occurred on January 13, 2019, at approximately 4:56 a.m., prior to his application for reinstatement of his automobile insurance, so that his automobile insurance would be reinstated, and so that third-party claims would be paid, in violation of N.J.S.A. 17:33A-4(a)(4)(b), N.J.S.A. 17:33A-4(a)(3), and N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this day of 2021, entered in the amount of \$13,182.00 against Defendant, as follows:

1. In favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance: (a) \$5,000.00 in civil penalties for one violation of the Fraud

Act pursuant to N.J.S.A. 17:33A-5(b); (b) attorneys' fees of \$2,182.00 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; and

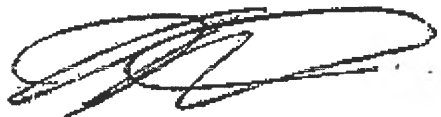
2. In favor of Progressive Garden State Insurance Company, also known as Progressive Insurance Company, restitution of \$5,000.00 pursuant to N.J.S.A. 17:33A-26.

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 39:6A-15, Defendant's driving privileges will be suspended for a period of one (1) 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.

This motion was:

 Opposed Unopposed

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Hon. J. Randall Corman, JSC