

EDITED BY THE COURT

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - BURLINGTON COUNTY
DOCKET NO. BUR-L-1019-21

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

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

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; the Court having reviewed the papers, heard oral arguments, and for the reasons set forth on the record and for

good cause having been shown:

Defendant, Tommy Martinez ("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 knowingly making false statements to an insurance company in support of an automobile insurance application and claim.

Specifically, Defendant misrepresented in an application for automobile insurance and in connection with an automobile insurance claim, that he resided and his vehicle was garaged in Beverly, New Jersey when, in fact, he resided and his vehicle was garaged in Woodhaven, New York, in violation of N.J.S.A. 17:33A-4(a)(3), N.J.S.A. 17:33A-4(a)(4)(a), N.J.S.A. 17:33A-4(a)(4)(b), and N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this 24th day of January, 2021, entered in the amount of \$9,650.00 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 two (2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); (b) attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b); (c) costs of service in the amount of \$150.00 against Defendant pursuant

to N.J.S.A. 17:33A-5(b); and (d) a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1.

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.

/s/ Aimee R. Belgard
HON. AIMEE R. BELGARD, P.J. Cv.

Opposed _____
Unopposed x