

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 (a) making an oral statement intended to be presented to an insurance company for the purpose of obtaining an insurance policy, knowing that the statements contained false or misleading information concerning material facts, and knowingly failed to disclose an event that affected her entitlement to an insurance benefit; and (b) presented a written statement in support of a claim for payment pursuant to an insurance policy, knowing the statements contained false information concerning a fact material to the claim;

Specifically, (a) Defendant made a false oral statement to Progressive Garden State Insurance Company (“Progressive”) in her application for automobile insurance that her motor vehicle had not been in a motor vehicle accident during the lapse in her policy, concealing an accident prior to the call to reinstate, in violation of N.J.S.A. 17:33A-4(a)(3) and N.J.S.A. 17:33A-4(a)(4)(b); and (b) Defendant represented to Progressive in support of a claim for benefits that her motor vehicle was damaged in an accident that occurred after she reinstated her policy, when, in fact, the accident that damaged her motor vehicle occurred prior to Defendant reinstating her policy, in violation of N.J.S.A. 17:33A-4(a)(1);

IT IS on this 8th day of February, 2022,

ORDERED that final judgment via default is entered in the amount of \$9,580.00 against Defendant, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance as follows as Plaintiff has complied with the requirements of R. 4:43-2(b):

(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 \$80.00 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; and

IT IS FURTHER ORDERED pursuant to R. 1:5-1(a) that a copy of this Order will be served on all parties not served electronically, nor served personally in court this date, within seven (7) days of the date of this Order.

/s/ MARA ZAZZALI-HOGAN, J.S.C.

Opposed ()

Unopposed (X)