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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MORRIS COUNTY
DOCKET NO. MRS-L-000290-22

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)

Plaintiff,)
)

v.)

MARK DE SANTIS,)
)
Defendant.)

Civil Action

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Acting Attorney General of New Jersey, (by Chandra M. Arkema, 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, Mark De Santis (“Defendant”), having been duly served with copies 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, by misrepresenting in an initial application for automobile insurance that his vehicle was garaged in Maine, when in fact, his vehicle was garaged in New Jersey, Defendant violated N.J.S.A. 17:33A-4(f)(2), N.J.S.A. 17:33A-4(a)(3), and N.J.S.A. 17:33A-4(a)(4)(b);

This Court also finds that Defendant, by failing to disclose the damage from the deer strike of June 2018, when applying for automobile insurance from GEICO on August 20, 2018, Defendant knowingly failed to disclose the occurrence of an event that affected his initial or continued entitlement to an insurance benefit or payment, in violation of N.J.S.A. 17:33A-4(a)(3); and

This Court also finds that, by falsely claiming to GEICO on August 31, 2018, and again during a telephone call on September 5, 2018, that his vehicle was damaged when he struck a deer on August 31, 2018, when in fact he struck a deer in early June 2018, prior to the inception of his automobile insurance policy, and falsely representing that his vehicle had sustained no damage prior to the purported date of the accident, Defendant made oral statements to an insurance company in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statements were materially false, in violation of N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this 26th day of August 2022, entered in the amount of \$18,493.00 against Defendant, and in favor of Plaintiff, Marlene Caride,

Commissioner of the New Jersey Department of Banking and Insurance as follows:

1. \$15,000.00 in civil penalties for three (3) violations of the Fraud Act, pursuant to N.J.S.A. 17:33A-5(b);
2. A \$1,000.00 Fraud Act surcharge against Defendant, pursuant to N.J.S.A. 17:33A-5.1;
3. Attorneys' fees in the amount of \$2,418.00 against Defendant, pursuant to N.J.S.A. 17:33A-5(b);
4. Cost of service in the amount of \$75.00 against Defendant, pursuant to N.J.S.A. 17:33A-5(b);

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 5 days of the date of receipt.

Rosemary E. Ramsay
~~J.S.C.~~
 Rosemary E. Ramsay, P.J.Cv.

This motion was:

_____ Opposed
 _____ Unopposed

Based on the unopposed certification of facts and the law, the requested relief is appropriate.