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**FILED**

*7:55 am, Aug 05, 2022*

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - ESSEX COUNTY  
DOCKET NO. ESX-L-005684-21

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

Plaintiff, )

v. )

SEGUN D. FOLAWIYO,

Defendant. )

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**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, Segun D. Folawiyo (“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 concealing or knowingly failing to disclose the occurrence of an event while applying for an automobile insurance policy that affected his initial or continued right or entitlement to any insurance benefit or payment or the amount of any insurance benefit or payment to which he was entitled, specifically by failing to disclose that his vehicle was just damaged in an accident when applying for the automobile insurance policy, in violation of N.J.S.A. 17:33A-4(a)(3) and N.J.S.A. 17:33A-4(a)(4)(b); and

This Court also finds that Defendant, by making oral statements to an insurance company in support of an automobile insurance claim, knowing that the statements contained false or misleading information concerning a fact or thing material to the claim, specifically falsely representing to an insurance company that the vehicle was damaged after he applied for the automobile insurance policy, when in fact the damage occurred before he applied for the policy, in violation of 17:33A-4(a)(1); and

FINAL JUDGMENT is on this 5th day of August 2022, entered in the amount of \$9,568.00 against Defendant, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance as follows:

1. \$5,000.00 in civil penalties for two (2) 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 \$3,500.00 against Defendant, pursuant to N.J.S.A. 17:33A-5(b);
- 4. Cost of service in the amount of \$68.00 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., and it is further ORDERED that a copy of this Order be served upon all parties/counsel of record within seven (7) days of the date hereof, per the Rules of Court.

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

*/s/ Robert H. Gardner, J.S.C.*  
 Hon. Robert H. Gardner, J.S.C.

This motion was:

\_\_\_\_\_ Opposed  
 \_\_\_\_\_ Unopposed