

October 7, 2022

Christopher D. Rafano, J.S.C.

MATTHEW J. PLATKIN
 ACTING ATTORNEY GENERAL OF NEW JERSEY
 Attorney for Plaintiff
 Richard J. Hughes Justice Complex
 25 Market Street
 P.O. Box 117
 Trenton, New Jersey 08625-0117

J-140279-22

By: Brian R. Fitzgerald
 Deputy Attorney General
 NJ Attorney ID: 024972004
 (609) 376-2965
 brian.fitzgerald@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
 LAW DIVISION – MIDDLESEX COUNTY
 DOCKET NO. MID-L-001728-22

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

Plaintiff,

v.

GEORGE SEMPLE,

Defendant.

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Civil Action

) **ORDER OF FINAL JUDGMENT**
) **BY DEFAULT**

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)

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Acting Attorney General of New Jersey, (by Brian R. Fitzgerald, 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

Defendants, George Semple (“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 Defendant (i) made 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, and (ii) concealed and/or knowingly failed to disclose the occurrence of an event that affected his initial or continued right or entitlement to any insurance benefit or payment, both in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”).

Specifically, Defendant (i) when adding a vehicle to his policy, failed to disclose on the application that his grandson was a regular household driver of the vehicle, in violation of N.J.S.A. 17:33A-4(a)(3) and -4(a)(4)(b), and (ii) when adding the vehicle to his policy, knowingly failed to disclose that his grandson was the registered owner of the vehicle, and thus Defendant had no insurable interest in the vehicle, in violation of N.J.S.A. 17:33A-4(a)(3) and -4(a)(4)(b).

FINAL JUDGMENT is on this 7th day of October 2022, entered in the amount of \$8,610.00 against Defendant, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000.00 in civil penalties for two violations of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30; attorneys’ fees of \$2,530.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$80.00 pursuant to N.J.S.A. 17:33A-5(b); and \$1,000.00 constituting the statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1.

IT IS FURTHER ORDERED that service of this Order shall be deemed effectuated upon all counsel of record upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order.

s/ Christopher D. Rafano
Hon. Christopher D. Rafano, J.S.C.

This motion was:

Opposed:

Unopposed: X

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.