

**FILED**

JUL 24 2023

BRUNO MONGIARDO, J.S.C.

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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - PASSAIC COUNTY  
DOCKET NO. PAS-DC-001420-23

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

Civil Action

**ORDER FOR FINAL JUDGMENT  
BY DEFAULT**

**SPECIAL CIVIL PART: STATUTORY  
PENALTIES  
AMOUNT IN CONTROVERSY:  
\$7,118.00**

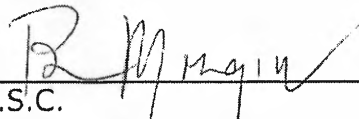
THIS MATTER HAVING BEEN opened to the Court on the Application of Matthew J. Platkin, Attorney General of New Jersey, (by Chandra M. Arkema, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

Defendant, Sebastian Barbagallo ("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, in connection with an application for life insurance, misrepresented his criminal history, falsely denying any arrests or criminal convictions within the past ten years, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically N.J.S.A. 17:33A-4(a)(3) and N.J.S.A. 17:33A-4(a)(4)(b).

FINAL JUDGMENT is on this 24<sup>th</sup> day of July 2023, entered in the amount of \$7,118.00 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 (1) violation of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$1,118.00 pursuant to N.J.S.A. 17:33A-5(b); and a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1.

IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within 7 days of the date of receipt.

  
\_\_\_\_\_  
J.S.C.  
**Bruno Mongiaroo, J.S.C.**

This motion was:

\_\_\_\_\_ Opposed

  X   Unopposed