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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - CAMDEN COUNTY  
DOCKET NO. CAM-DC-005863-23

JUSTIN ZIMMERMAN, ACTING )  
COMMISSIONER OF THE NEW )  
JERSEY DEPARTMENT OF )  
BANKING AND INSURANCE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
SURBRINA HAYES, )  
 )  
Defendant. )

Civil Action

**ORDER FOR FINAL JUDGMENT BY  
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY  
PENALTIES**

**AMOUNT IN CONTROVERSY:  
\$18,444.00**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J . Platkin, Attorney General of New Jersey, (by Brian R. Fitzgerald, Deputy Attorney General, appearing), attorney for Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance (“Plaintiff”) on a motion for final judgment by default; and

Defendant, Surbrina Hayes (“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 violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") by (i) when adding a vehicle to her automobile insurance policy on a telephone call with an insurance company falsely representing that she would be the only operator of the vehicle and it would be garaged at her address when, in fact, the vehicle was primarily operated by her brother and garaged at his address; (ii) on a telephone call with an insurance company to add a vehicle to her policy, concealing and/or knowingly failing to disclose that her brother would be the primary operator of the vehicle and the vehicle would be garaged at his address; (iii) on telephone calls with an insurance company in support of an automobile accident claim, falsely representing that her brother only drove the vehicle twice when, in fact, he drove the vehicle approximately four days per week; and (iv) on telephone calls with an insurance company, falsely representing that the vehicle was garaged at her address when, in fact, the vehicle was garaged at her brother's address;

Specifically, Defendant (i) falsely represented to CURE Auto Insurance ("Cure") on a December 7, 2019 call ("December 7 Call") to add a Buick to her policy that she would be the primary driver of the Buick, that no other person would have access to the Buick, and that the primary garaging location of the Buick would be the Short Court Address when, in fact, her brother Mickey Hayes, Jr. ("Mickey") would be the primary driver of the Buick and the Buick

would be garaged at his home address of 10 Medford Court, Sicklerville, New Jersey 08081 ("Medford Court Address"), in violation of N.J.S.A. 17:33A-4(a)(4)(b); (ii) concealed and/or knowingly failed to disclose to CURE on the December 7 Call that Mickey would be the primary driver of the Buick and the Buick would be parked at the Medford Court Address, in violation of N.J.S.A. 17:33A-4(a)(5); (iii) falsely representing to CURE on a February 11, 2021 call ("February 2021 Call") and a March 9, 2021 call ("March 2021 Call") in support of her claim for damage from an accident that the Buick was kept at the Short Court Address when, in fact it was kept at the Medford Court Address, in violation of N.J.S.A. 17:33A-4(a)(1); and (iv) on the February 2021 Call and March 2021 Call, falsely represented that Mickey only used the Buick twice when, in fact, he used the Buick approximately four times per week, in violation of N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this <sup>23rd</sup> day of <sup>OCTOBER</sup> 2023, entered in the amount of \$18,444.00 against Defendant Surbrina Hayes, and in favor of Plaintiff. This amount consists of \$10,000.00 in civil penalties for four (4) violations of the Fraud Act, N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,444.00 pursuant to N.J.S.A. 17:33A-5(b); a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1; and payment of restitution to CURE in the amount of \$5,000.00 pursuant to N.J.S.A. 17:33A-26.

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 \_\_\_\_\_ days of the date of receipt.

*/s/ Richard F. Wells*

The Honorable Richard F. Wells, **J.S.C.** Ret./Rec.

This motion was:

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

"Reasons Set Forth On the Record"