

MATTHEW J. PLATKIN
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

FILED

APR 15 2024

Hon. Bina K. Desai, J.S.C.

BY: WILLIAM E. VAUGHAN
DEPUTY ATTORNEY GENERAL
(609) 376-2965
NJ ATTORNEY ID: 021252010
WILLIAM.VAUGHAN@LAW.NJOAG.GOV

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART-MIDDLESEX COUNTY
DOCKET NO. MID-DC-9485-23

JUSTIN ZIMMERMAN,)	
ACTING COMMISSIONER OF THE)	AMENDED FINAL ORDER AND JUDGMENT
NEW JERSEY DEPARTMENT OF)	FOLLOWING BENCH TRIAL
BANKING AND INSURANCE,)	
)	
PLAINTIFF,)	
)	
V.)	
)	
MIGUEL MEDINA,)	
)	
DEFENDANT.)	

THIS MATTER HAVING BEEN opened to the Court on the Application of Matthew J. Platkin, Attorney General of New Jersey, (by William E. Vaughan, Deputy Attorney General, appearing), attorney for Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance and the Court having held a one (1) day bench trial on March 12, 2024;

It is on this 15th day of April, 2024;

ORDERED that Judgment is entered in favor of Plaintiff Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance, against Defendant Miguel Medina; and

IT IS FURTHER ORDERED that, following the conclusion of a one (1) day bench trial held on March 12, 2024, this court now finds that Defendant Miguel Medina engaged in two (2) violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act") by knowingly making false statements to the Perth Amboy Police Department and Mid-Century Insurance Company in support of a theft claim. Specifically, Defendant Miguel Medina made false statements to the Perth Amboy Police Department and Mid-Century Insurance Company that his vehicle was stolen and he last saw it on the afternoon of April 3, 2017, when, in fact, Defendant's vehicle was found on fire in Yonkers, New York on April 3, 2017, at approximately 1:14 a.m., and then impounded, in support of a claim for insurance benefits, all in violation of N.J.S.A. 17:33A-4(a)(1), N.J.S.A. 17:33A-4(a)(2), and N.J.S.A. 17:33A-4(a)(3); and

IT IS FURTHER ORDERED that a civil penalty shall be and hereby is entered against Defendant Miguel Medina in the amount of \$5,000.00 pursuant to N.J.S.A. 17:33A-5(b); and

IT IS FURTHER ORDERED that a statutory fraud surcharge shall be and hereby is entered against Defendant Miguel Medina in the amount of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED, that after consideration of the factors relevant for the assessment of attorneys' fees, as set forth in Rendine v. Pantzer, 141 N.J. 292 (1995), that judgment shall be and hereby is entered against Defendant Miguel Medina, for the payment of attorneys' fees in the amount of \$20,000.00, pursuant to N.J.S.A. 17:33A-5(b); and

IT IS FURTHER ORDERED that restitution shall be and hereby is entered against Defendant Miguel Medina in the amount of \$3,494.22 for costs expended by Mid-Century Insurance Company relating to Defendant Miguel Medina's false claim pursuant to N.J.S.A. 17:33A-26; and

IT IS FURTHER ORDERED that a final judgment be entered in favor of Plaintiff Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance and against Defendant Miguel Medina totaling \$29,494.22; and

IT IS FURTHER ORDERED that a copy of this Order is served upon all parties upon its upload to eCourts.

Bina K Desai

HONORABLE BINA K. DESAI, J.S.C.