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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - BERGEN COUNTY
DOCKET NO. BER-DC-002408-23

JUSTIN ZIMMERMAN¹, ACTING)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
AMY SOTO,)
)
Defendant.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

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

¹ Pursuant to R. 4:34-4, the caption has been revised to reflect the current Acting Commissioner of the Department.

Defendant, Amy Soto (“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’s conduct constituted two separate violations of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”).

First, by concealing or knowingly failing to disclose the occurrence of an event which affects any person’s initial right or entitlement to an insurance benefit, specifically by failing to disclosure to Progressive at the time of application for insurance that the insured vehicle had been in an accident just prior to completing and submitting said application, in violation of N.J.S.A. 17:33A-4(a)(3);

Second, by presenting any written or oral statement as part of, or in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statement contains any false or misleading information concerning any fact or thing material to the claim, specifically by filing a loss claim falsely reporting that her insured vehicle had been in accident on March 6, 2020 when, in fact, the accident occurred on March 4, 2021, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 7 day of February, 2024, entered in the amount of \$7,747.50 against Defendant, and in favor of Plaintiff. This amount consists of \$5,000.00 in civil penalties against Defendant for two

(2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$1,747.50 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 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 7 days of the date of receipt.

/s/ Joseph G. Monaghan

Joseph G. Monaghan,

J.S.C.

This motion was:

 Opposed

 x Unopposed