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

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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - MIDDLESEX COUNTY
DOCKET NO. MID-DC-003991-23

MARLENE CARIDE,)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING & INSURANCE,)
Plaintiff,)
v.)
HUNTER C. WUESTHOFF,)
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 Eleanor Heck, 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, Hunter C. Wuesthoff ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-captioned action and default having been entered for 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"), specifically N.J.S.A. 17:33A-4(a)(1) and N.J.S.A. 17:33A-4(a)(3)(a) and (b), by knowingly providing false and misleading information concerning a material fact to Progressive Garden State Insurance Company on or about June 20, 2020, in support of a claim for payment or other benefit relating to property damage caused by Defendant's vehicle, a 1996 Ford F250 Crew Pickup, specifically by failing to disclose that the damage had occurred prior to the effective date of the insurance coverage, and by fraudulently misrepresenting the date when the damage occurred; and

FINAL JUDGMENT is on this 15th day of April, 2024, entered in the amount of \$8,500.00 against Defendant Hunter C. Wuesthoff and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of: a \$5,000.00 civil penalty for one violation of the Fraud Act, pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,500.00, 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;
and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 39:6A-15, Defendant's New Jersey driving privileges shall be suspended for a period of one 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 Bina K. Desai

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

Having reviewed the above motion, I find it to be meritorious on its face and it is unopposed. Therefore, pursuant to R. 1:6-2, it is GRANTED substantially for the reasons set forth in the moving papers.