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FILED

APR 19 2024

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DJ-45929-24

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - UNION COUNTY
DOCKET NO. UNN-DC-007009-23

JUSTIN ZIMMERMAN, ACTING)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
Plaintiff,)
v.)
TYSHEEM JAMES-BANKS,)
Defendant.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
PENALTIES**

**AMOUNT IN CONTROVERSY:
\$10,814.00**

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 on a motion for final judgment by default; and

Defendant, Tysheem James-Banks ("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) on an application for automobile insurance, concealing and/or knowingly failing to disclose the occurrence of an event that affected his initial or continued right or entitlement to any insurance benefit or payment, or the amount of any insurance benefit or payment to which he was entitled, in violation of N.J.S.A. 17:33A-4(a)(3)(a) and -4(a)(3)(b), and (ii) made oral statements to an insurance company in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statement contained false or misleading information concerning any fact or thing material to the claim, in violation of N.J.S.A. 17:33A-4(a)(1).

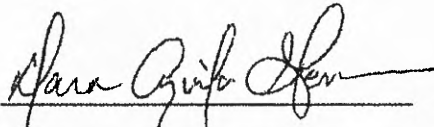
Specifically, Defendant (i) on an application for an automobile insurance policy with Progressive Garden State Insurance Company ("Progressive") to insure his 2012 Honda Civic ("Honda"), which policy was obtained on June 30, 2020 at 8:12 p.m., concealed and/or knowingly failed to disclose that he had been in an accident while driving the Honda on June 30, 2020, at approximately 5:20 p.m., just hours before Defendant obtained his policy ("Accident"), and (ii) on calls with Progressive in support of his Accident claim on July 7, 2020 ("July 7 Call"), July 8, 2020 at 1:56 p.m. ("First July 8 Call"), and July 8, 2020 at 5:17 p.m. ("Second July 8 Call"), falsely represented that the Accident occurred on July 2nd or 3rd, 2020 when, in fact, the Accident occurred

on June 30, 2020 at approximately 5:20 p.m., just hours prior to Defendant obtaining his policy; and

FINAL JUDGMENT is on this 19 day of April ²⁴ 2023, entered in the amount of \$10,814.00 against Defendant, Tysheem James-Banks and in favor of Plaintiff. This amount consists of \$7,500.00 in civil penalties for two (2) violations of the Fraud Act, N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,314.00 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 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.


Dara Aquila Govan, J.S.C. J.S.C.

This motion was:

 Opposed x Unopposed