

BURLINGTON COUNTY SUPERIOR COURT

MAY 06 2024

James J. Ferrelli, J.S.C.

EDITED BY THE COURT

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

By: Brian R. Fitzgerald
Deputy Attorney General
NJ Attorney ID: 024972004
(609) 376-2965
brian.fitzgerald@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - BURLINGTON COUNTY
DOCKET NO. BUR-L-001857-22

JUSTIN ZIMMERMAN, ACTING)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,¹)

Plaintiff,)

v.)

REBECCA MORRIS,)

Defendant.)

Civil Action

**ORDER OF ENTRY OF 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 Brian R. Fitzgerald, Deputy Attorney General, appearing), attorney for Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey

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

Department of Banking and Insurance ("Plaintiff") on a Motion for Final Judgment by Default;

Defendant, Rebecca Morris ("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;

And the Court having reviewed the written submissions, there being no opposition papers filed, and having held a proof hearing on the record on Friday, April 19, 2024, with Brian R. Fitzgerald, Esquire, Deputy Attorney General, appearing for the Plaintiff, and Defendant having failed to appear; and the Court having heard testimony and proofs, including the testimony of Margaret Garris, Lawrence Murray-Bey, Cecia Hernandez, and Erik Jones, which the Court found credible; and based upon the proofs, the Court makes the following findings;

Defendant, by engaging in the following acts, violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30: (i) in order to reinstate her cancelled automobile insurance policy, submitted to Progressive Garden State Insurance Company ("Progressive") a written Statement of No Loss ("SONL") dated December 21, 2018, falsely representing that she had not been in any accidents between the date her automobile insurance policy lapsed, November 28, 2018, and the date her policy was reinstated, December 21, 2018 when, in fact, she had been in an accident on

December 19, 2018 ("Accident"), prior to the reinstatement of her policy, and so a third party claim would be paid, in violation of N.J.S.A. 17:33A-4(a)(4)(b); (ii) when submitting the SONL to Progressive, concealed and/or knowingly failed to disclose the Accident in the SONL, in violation of N.J.S.A. 17:33A-4(a)(3)(a) and -4(a)(3)(b); and (iii) so a third party claim would be paid, falsely represented to Progressive on telephone calls on January 4, 2019 and January 23, 2019 that the Accident occurred on December 22, 2018 and after her policy was reinstated when, in fact, the Accident occurred on December 19, 2018, prior to the reinstatement of her policy, in violation of N.J.S.A. 17:33A-4(a)(1); and

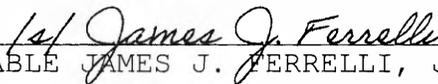
This Court now finds that Defendant (i) made a written statement to an insurance company for the purpose of obtaining an automobile insurance policy, knowing that the statement contained false or misleading information concerning material facts, in violation of N.J.S.A. 17:33A-4(a)(4)(b); (ii) concealed and/or knowingly failed to disclose the occurrence of an event that affected her initial or continued right or entitlement to any insurance benefit or payment or the amount of any insurance benefit or payment to which she was entitled, in violation of N.J.S.A. 17:33A-4(a)(3)(a) and -4(a)(3)(b); and (iii) made oral statements to an insurance company in support of a claim for payment pursuant to an insurance policy knowing that the statement contained false

or misleading information concerning material facts, in violation of N.J.S.A. 17:33A-4(a)(1).

IT IS, on this 6th day of May, 2024, **ORDERED** that FINAL JUDGMENT is hereby entered in the amount of \$14,580.00 against Defendant Rebecca Morris, and in favor of Plaintiff. This amount consists of \$10,000.00 in civil penalties for three (3) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$80.00 pursuant to N.J.S.A. 17:33A-5; 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 shall 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 seven (7) days of the date of receipt by Plaintiff's counsel, which shall be deemed effective upon Plaintiff upon uploading to eCourts.


HONORABLE JAMES J. FERRELLI, J.S.C.

This motion was Unopposed.