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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - CAMDEN COUNTY
DOCKET NO. CAM-DC-005317-24

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

Plaintiff,

V.

GAVIN ROEHRS,

Defendant.

Civil Action

ORDER FOR FINAL JUDGMENT BY DEFAULT

SPECIAL CIVIL PART: STATUTORY PENALTIES

AMOUNT IN CONTROVERSY:
\$14,816.00

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, Gavin Roehrs ("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) making a false oral statement to an insurance company on a telephone call to reinstate his lapsed automobile insurance policy knowing that the statement contained false information concerning material facts, in violation of N.J.S.A. 17:33A-4(a)(4)(b); (ii) concealing and/or knowingly failing to disclose to an insurance company evidence that was relevant to a finding that a violation of N.J.S.A. 17:33A-4(a)(4)(b) had occurred, in violation of N.J.S.A. 17:33A-4(a)(5); (iii) on a telephone call with an insurance company in connection with a claim for the theft of his insured vehicle, making an oral statement 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); and (iv) on a telephone call with an insurance company in connection with a claim for the theft of his insured vehicle, concealing and/or knowingly failing to disclose the occurrence of an event that affected his initial or continued right or entitlement to (a) any insurance benefit or payment or (b) the amount of any benefit or payment to which he was entitled, in violation of N.J.S.A. 17:33A-4(a)(3).

Specifically, Defendant (i) during a telephone call with Progressive Garden State Insurance Company ("Progressive") on January 6, 2021 at 8:20

a.m. ("January 6 Call") to reinstate his lapsed automobile insurance policy ("Policy"), falsely represented to Progressive that there had been no theft of any insured vehicle between the date his policy lapsed and the date and time of the January 6 Call when, in fact, his insured 2017 Jeep Grand Cherokee ("Jeep") had been stolen from his driveway at 5:23 a.m. on January 6, 2021 ("Theft"), a few hours before the January 6 Call, in violation of N.J.S.A. 17:33A-4(a)(4)(b) and 17:33A-4(a)(5), and (ii) during a telephone call with Progressive on January 8, 2021 ("January 8 Call") to make a claim for the Theft ("Claim"), falsely represented to Progressive that he had discovered the Theft after he reinstated his Policy during the January 6 Call at 8:20 a.m. when, in fact, the Theft occurred a few hours prior to the January 6 Call on January 6, 2021 at 5:23 a.m., and concealed and/or knowingly failed to disclose the actual time of the theft to Progressive on the January 8 Call, in violation of N.J.S.A. 17:33A-4(a)(1) and N.J.S.A. 17:33A-4(a)(3)(a) and -4(a)(3)(b); and

FINAL JUDGMENT is on this 24th day of JUNE 2024, entered in the amount of \$14,816.00 against Defendant, Gavin Roehrs, and in favor of Plaintiff. This amount consists of \$10,000.00 in civil penalties for four (4) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$3,816.00 pursuant to N.J.S.A. 17:33A-5(b); and a \$1,000.00 statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1.

IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within 7 days of the date of receipt.


_____, J.S.C.

This motion was:

Richard F. Wells, J.S.C., Ret./Rec.

_____ Opposed _____ Unopposed

"Reasons set forth On the Record"