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FILED

June 5, 2024
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-012273-23

JUSTIN ZIMMERMAN, ACTING)
COMMISSIONER OF THE NEW)
JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
Plaintiff,)
v.)
KEVIN ARIAS,)
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 Sean Healy, 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, Kevin Arias ("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"), specifically N.J.S.A. 17:33A-4(a)(4)(b), and N.J.S.A. 17:33A-4(a)(5) by making an oral statement to Progressive Insurance Company in support of a request to reinstate his automobile insurance policy in which he falsely represented that he had not been in any accidents between the date his policy had lapsed and the date and time he reinstated his policy when, in fact, he had been in an accident during that time period, and concealed and/or knowingly failed to disclose that he had been involved in the accident.

FINAL JUDGMENT is on this 5th day of June, 2024, entered in the amount of \$8,500.00 against Defendant, and in favor of Plaintiff, Justin Zimmerman, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000.00 in civil penalties for one violation of the Fraud Act, 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.

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.