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J-022476-21

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - SALEM COUNTY
DOCKET NO. SLM-L-000129-20

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
ISAIAH RESTO,)
)
Defendant.)

Civil Action

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Gurbir S. Grewal, Attorney General of New Jersey, (by Brian R. Fitzgerald, 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, Isaiah Resto ("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 (a) made written and oral statements in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statements contained false or misleading information concerning facts or things material to the claim, and (b) prepared or made a written statement that was intended to be presented to an insurance company in support of a claim for payment pursuant to an insurance policy knowing that the statement contained false information concerning material facts, all in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant (a) made a police report falsely representing that a wheelchair had been stolen from his home, when in fact it had not been stolen, in violation of N.J.S.A. 17:33A-4(a)(2), (b) made written and oral statements to an insurance company falsely representing that a wheelchair had been stolen from his home, when in fact it had not, in violation of N.J.S.A. 17:33A-4(a)(1), and (c) submitted a bogus doctor's letter regarding the purported wheelchair in support of his claim, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 19th day of March, 2021, entered in the amount of \$34,970.00 against Defendant and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey

Department of Banking and Insurance. This amount consists of \$30,000.00 in civil penalties for six (6) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$3,820.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$150.00 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 a copy of this Order be served upon all parties within 7 days of the date of receipt.

s/Jean Chetney

, J.S.C.

This motion was:

Unopposed