

**FILED**

April 16, 2021

Hon. Jeffrey B. Beacham, J.S.C.

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - ESSEX COUNTY  
DOCKET NO. ESX-L-005330-20

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

Civil Action

**ORDER OF FINAL JUDGMENT  
BY DEFAULT**

**GRANTED**

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, Joel Howard ("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 a written statement intended to be presented to an insurance company for the purpose of obtaining an insurance policy knowing that the statement contained false or misleading information concerning a fact or thing material to an insurance application, and (b) presented oral and written 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 a fact or thing material to the claim, both in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant (a) obtained an automobile insurance policy to insure Defendant's vehicle falsely representing that he was someone else, in violation of N.J.S.A. 17:33A-4(a)(4)(b); (b) filed an online written claim with an insurance company for an accident falsely representing that the accident occurred after Defendant obtained the insurance policy, when in fact it occurred prior to him obtaining the policy, in violation of N.J.S.A. 17:33A-4(a)(1); (c) on several phone calls with an insurance company in support of an accident claim, falsely represented he was the individual in whose name Defendant obtained the insurance policy, in violation of N.J.S.A. 17:33A-4(a)(1); and (d) on several phone

calls with an insurance company, falsely represented that the accident occurred after he obtained the insurance policy, when in fact it occurred prior to him obtaining the policy, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 16TH day of APRIL 2021, entered in the amount of \$25,178.00 against Defendant and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$20,000.00 in civil penalties for four (4) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$4,103.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$75.00 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 5 days of the date of receipt.

*JB Beach*

JEFFREY B. BEACHAM, J.S.C.

This motion was:

\_\_\_\_\_ Opposed  
X \_\_\_\_\_ Unopposed