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FILED

OCT 08 2021

**Hon. Frank J. DeAngelis, J.S.C.
Morris County**

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MORRIS COUNTY
DOCKET NO. MRS-L-902-21

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

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Andrew J. Bruck, Acting Attorney General of New Jersey, (by William E. Vaughan, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for judgment by default; and

Defendant, Long Lai ("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 making oral statements to an insurance company for the purpose of obtaining an insurance policy, and so a third party claim would be paid, knowing that the statements contained false or misleading information concerning material facts.

Specifically, Defendant falsely represented to an insurance company in order to reinstate his automobile insurance policy, and so a first party claim for insurance benefits would be paid, that he had not been in any automobile accidents between the date his automobile insurance policy lapsed and the date he reinstated his policy, when in fact he had been in an accident during that period, in violation of N.J.S.A. 17:33A-4(a)(1), -4(a)(3), and -4(a)(4)(b); and

FINAL JUDGMENT is on this *8th* day of *October* 2021, entered in the amount of \$9,456.00 against Defendant, as follows:

1. In favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance: (a) \$5,000.00 in civil penalties for two (2) violations of the Fraud Act, N.J.S.A. 17:33A-5(b); (b) attorneys' fees of \$3,456.00 pursuant to N.J.S.A. 17:33A-5(b); and (c) 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 will 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.

Frank J. DeAngelis
J.S.C.
HON. FRANK J. DEANGELIS, J.S.C.

This motion was:

 Opposed ✓ Unopposed

Plaintiff has established by a preponderance of the evidence an entitlement to a default judgment against defendant. Plaintiff has demonstrated that defendant committed to acts that violated N.J.S.A. 17:33A-5(4) with respect to his procurement of auto insurance after defendant was involved in an accident. Plaintiff has demonstrated its entitlement to attorneys' fees pursuant to N.J.S.A. 17:33A-5(4). The court finds that the certification of services and itemized billing statement support the attorneys' fee award. Consistent with R. 4:42-9(c) and R.P.C. 1.5(a), Plaintiff demonstrated its entitlement to statutory fraud surcharge. In accordance with N.J.S.A. ~~17:33A-5~~ 39:6A-15 defendant's driving privileges are suspended one year from the date of this order.