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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET NO. UNN-L-001400-21

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

Civil Action

**ORDER OF 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 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, Michael McCabe ("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 made written and oral statements to an insurance company 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, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant falsely claimed both orally and in writing in support of an automobile insurance claim, and to avoid making payments on his vehicle, that his vehicle caught fire while Defendant was driving the vehicle, when in fact Defendant set fire to the vehicle, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 7 day of January 2022, entered in the amount of \$28,729.12 against Defendant as follows: (1) In favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance, the amount of \$16,148.00, which amount consists of \$10,000.00 in civil penalties for two (2) violations of the Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30; attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$80.00 pursuant to N.J.S.A. 17:33A-5(b); and \$1,000.00 constituting the statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1; and

