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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - BURLINGTON COUNTY
DOCKET NO. BUR-L-001291-20

_____)	
)	
MARLENE CARIDE, COMMISSIONER OF)	<u>Civil Action</u>
THE NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	ORDER OF SUMMARY JUDGMENT AS
)	TO DEFENDANT JULIANNA WAGGONER
Plaintiff,)	
)	
v.)	
)	
MOMOH S. KENNETH and)	
JULIANNA WAGGONER)	
)	
Defendants.)	
_____)	

This matter coming before the Court on the application of Andrew J. Bruck, Acting Attorney General, (by Telge N. Peiris, Deputy Attorney General appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), for an Order of Summary

Judgment against Defendant Julianna Waggoner ("Defendant Waggoner"), and the Court having considered the papers submitted, and oral argument, if any, and for good cause shown; and for the reasons set forth on the record;

It is on this 21st day of January, 2022;

ORDERED, that Summary Judgment shall be and hereby is **GRANTED** in favor of the Commissioner and against Defendant Waggoner as follows; and

1. Defendant Waggoner committed two violations of the Fraud Act, first by making a false Affidavit of No Insurance to NJM, and then by making a separate false statement of residency to NJM, both in support of a claim for benefits in violation of N.J.S.A. 17:33A-4(a)(1);

IT IS FURTHER ORDERED, that after consideration of the factors relevant to the calculation of civil penalties, as set forth in Kimmelman v. Henkels & McCoy, Inc., 108 N.J. 123 (1987), that judgment shall be and hereby is entered in the total amount of \$5,863.75 against Defendant Waggoner including a \$1,500 civil penalty for the first violation of the Fraud Act, \$50 for the second violation, and a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1; attorneys' fees of \$3,238.75 and cost of service of \$75.00 pursuant to N.J.S.A. 17:33A-5(b);

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 39:6A-15,

the New Jersey driving privileges of Defendant Waggoner shall be suspended for a period of one year from the date of this judgment;

IT IS FURTHER ORDERED, that a copy of this Order be served on all parties within 7 days from the date of receipt.

Sander Friedman

The Honorable Sander D. Friedman, J.S.C.

 X opposed

 unopposed