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6:01 pm, Feb 23, 2022

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - ESSEX COUNTY
DOCKET NO. ESX-L-4442-21

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
Plaintiff,)
v.)
SHAWN MOSLEY,)
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, Shawn Mosley ("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 knowingly making false oral and written statements to an insurance company in support of automobile insurance claims.

Specifically, Defendant made false statements to Drive New Jersey Insurance Company ("Progressive") in connection with three (3) automobile insurance claims, that Defendant's vehicle was damaged after the automobile insurance policy was in effect when, in fact, Defendant's vehicle was damaged prior to Defendant's application for automobile insurance coverage, in violation of N.J.S.A. 17:33A-4(a)(1); and

FINAL JUDGMENT is on this 23rd day of February 2022, entered in the amount of \$19,580.00 against Defendant, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance as follows:

- (a) \$15,000.00 in civil penalties for three (3) violations of the Fraud Act, N.J.S.A. 17:33A-5(b);
- (b) attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b);
- (c) cost of service in the amount of \$80.00 against Defendant pursuant to N.J.S.A. 17:33A-5(b); and
- (d) 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.

Kate E. Lyndell

J.S.C.

This motion was:

_____ Opposed _____ Unopposed

The Plaintiff's proofs establish a prima facie right to the relief sought and the amount to be awarded. The Court has examined, in addition to the other submissions, the Certification of Legal Services rendered and the billing records supplied. It finds the amounts of fees and costs sought are reasonable for the work and services performed or provided.