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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET NO. UNN-L-004063-21

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
JOSE RIVERA-NIEVES,)
)
)
Defendant.)

Civil Action

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, 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

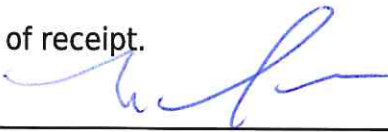
Defendant, Jose Rivera-Nieves ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-captioned action, and default having been entered for Defendant's failure to appear, answer, or otherwise defend;

This Court now finds that Defendant (i) concealed or knowingly failed to disclose the occurrence of an event that affected his initial or continued right or entitlement to any insurance benefit or payment, and (ii) made written statements intended to be presented to an insurance company for the purpose of obtaining an insurance policy, knowing that the statements contained false or misleading information concerning material facts, both in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant (i) on an application for automobile insurance, Defendant failed to disclose that his son was a household driver of an insured vehicle, in violation of N.J.S.A. 17:33A-4(a)(4)(b) and -4(a)(3), and (ii) when adding a vehicle to his automobile insurance policy, failed to disclose that his son was a household driver of an insured vehicle, in violation of N.J.S.A. 17:33A-4(a)(3), and -4(a)(4)(b).

FINAL JUDGMENT is on this 22 day of July 2022, entered in the amount of \$8,608.00 against Defendant and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000.00 in civil penalties for two (2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,540.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$68.00 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 a copy of this Order be served upon all parties within 7 days of the date of receipt.



, J.S.C.

This motion was:

_____ Opposed

X _____ Unopposed

HON. MARK P. CIARROCCA, P.J.Cv.