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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - MERCER COUNTY
DOCKET NO. MER-DC-000635-22

MARLENE CARIDE, COMMISSIONER)
OF THE NEW JERSEY DEPARTMENT)
OF BANKING & INSURANCE,)
)
Plaintiff,)
)
v.)
)
MOSES SUTTON,)
)
Defendant.)
)
)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
PENALTIES**

AMOUNT IN CONTROVERSY: \$8,500.00

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Acting Attorney General of New Jersey, (by Ashleigh B. Shelton, 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, Moses Sutton (“Defendant”), having been duly served with a copy of the Summons and Complaint in the above-captioned action and default having been entered for 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”), specifically N.J.S.A. 17:33A-4(a)(1), -4(a)(2) and -4(a)(3) by falsely stating to Esurance Property & Casualty Insurance Company (“Esurance”) during a First Notice of Loss call on November 25, 2018 that he was involved in a motor vehicle accident that same day after he obtained an auto insurance policy with Esurance, when in fact the accident occurred before he obtained the policy; and

FINAL JUDGMENT is on this September 9, 2022 , entered in the amount of \$3,500.00 against Defendant Moses Sutton and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of: a ~~\$5,000.00~~ civil penalty for one violation of the Fraud Act, pursuant to N.J.S.A. 17:33A-5(b); attorneys’ fees of \$2,500.00, pursuant to N.J.S.A. 17:33A-5(b); and a statutory fraud surcharge of \$1,000.00 pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED, that pursuant to N.J.S.A. 39:6A-15, Defendant’s driving privileges shall be suspended for a period of one year from the date of this judgment.

A copy of this order shall be served on all parties by the moving party within 10

days. Uploading to eCourts shall constitute service on the attorney.

Unopposed /s/William Anklowitz, J.S.C.

OPINION: Defendant is losing their license for a year and has to pay \$3500 already. How adding \$5000 is going to help anything is unclear. The penalties are significant without it.