

FILED

September 9, 2022

Christopher D. Rafano, J.S.C.

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MIDDLESEX COUNTY
DOCKET NO. MID-L-007241-21

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)

Plaintiff,)
)

Civil Action

v.)
)

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

UMAR FAROUK ADABA,)
)
Defendant.)

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, Umar Farouk Adaba (“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) made a written statement intended to be presented to an insurance company for the purpose of obtaining a motor vehicle insurance policy, that he maintained a principal residence in this State when, in fact, his principal residence was in a state other than this State; (ii) presented an oral statement 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; and (iii) 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, all 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 falsely represented that he resided in New Jersey, when in fact he resided in New York, in violation of N.J.S.A. 17:33A-4(a)(3) and -4(a)(4)(a); (ii) on a call with the insurance company in connection with an insurance claim falsely represented that he resided in New Jersey, when in fact he resided in New York, in violation of N.J.S.A. 17:33A-4(a)(1); and (iii) on calls with an insurance company, failed to disclose that he resided in New York, in violation of N.J.S.A. 17:33A-4(a)(3).

FINAL JUDGMENT is on this 9th day of September 2022, entered in the amount of \$9,794.80 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 three (3) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys’ fees of \$3,643.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$151.80 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 pursuant to N.J.S.A. 39:6A-15, Defendant’s driving privileges shall 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 seven (7) days of the date of receipt.

s/ Christopher D. Rafano

Hon. Christopher D. Rafano, J.S.C.

This motion was:

Opposed

Unopposed: X

Having reviewed the above motion, the Court finds it to be meritorious on its face and is unopposed. Pursuant to R. 1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers.