

J-165918-22

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**FILED**

**December 16, 2022**

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

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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
DOCKET NO. MID-L-001973-22

MARLENE CARIDE, )  
COMMISSIONER OF THE )  
NEW JERSEY DEPARTMENT OF )  
BANKING AND INSURANCE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
RENATO M. MENDOZA, )  
 )  
Defendant. )

**Civil Action**

**ORDER OF FINAL JUDGMENT  
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, 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, Renato M. Mendoza ("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) presented or caused to be presented written and oral statements in support of a claim for payment pursuant to an insurance policy knowing that the statements contained false information concerning material fact; (ii) prepared or made an oral statement intended to be presented to an insurance company in support of a claim for payment pursuant to an insurance policy knowing that the statement contained false information concerning material facts; and (iii) knowingly assisted, conspired with, and/or urged a person to violate the New Jersey Insurance Fraud Prevention act, 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) falsely represented to an insurance company that a vehicle belonging to his mother had been stolen, when in fact it had not been stolen, in violation of N.J.S.A. 17:33A-4(a)(1); (ii) made a false police report, and had an acquaintance provide an affidavit in support of the police report, that the vehicle had been stolen, when in fact it had not been stolen, in violation of N.J.S.A. 17:33A-4(a)(1), -4(a)(2), and -4(b); and (iii) falsely represented to an insurance company that he had returned both sets of keys to the purportedly stolen vehicle to his mother, when in fact one key belonged to the

allegedly stolen vehicle, and the other key belonged to an entirely different vehicle, all in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this \_\_\_\_\_ day of \_\_\_\_\_ 2022, entered in the amount of \$9,500.00 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 four (4) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$3,500.00 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.

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 7 days of the date of receipt.

*s/ Christopher D. Rafano*  
\_\_\_\_\_  
Hon. Christopher D. Rafano, J.S.C.

This motion was:

\_\_\_\_\_ Opposed

  X   Unopposed

**This Court finds the requested legal fees and costs to be reasonable.**

Having reviewed the above motion, I find it to be meritorious on its face and it is unopposed. Therefore, pursuant to R. 1:6-2, it is GRANTED substantially for the reasons set forth in the moving papers.