

Defendant, Amy Pestano (“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), N.J.S.A. 17:33A-4(a)(3), N.J.S.A. 17:33A-4(a)(4)(b), and N.J.S.A. 17:33A-4(a)(5), by falsely stating to Progressive Garden State Insurance Company (“Progressive”) in a Statement of No Loss on February 5, 2021, and in a subsequent claim for benefits on February 6, 2023, that no household member or insured vehicle had been involved in a motor vehicle accident during the period in which the policy had lapsed, when in fact her husband had been involved in a motor vehicle accident during the policy lapse period; and

FINAL JUDGMENT is on this 6 day of July 2023, entered in the amount of \$7,865.00 against Defendant Amy Pestano 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 \$1,865.00, pursuant to N.J.S.A. 17:33A-5(b); 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 is found to have violated a provision of the Fraud Act pertaining to automobile insurance fraud based on a claim for damages arising out of a motor vehicle accident, and shall not operate a motor vehicle over the highways of this State for a period of one 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/ Joseph G. Monaghan

J.S.C. Joseph G. Monaghan

This motion was:

Opposed
 Unopposed