

FILED

September 8, 2023

L. Grace Spencer, J.S.C.

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SUPERIOR COURT OF NEW JERSEY
 SPECIAL CIVIL PART – ESSEX COUNTY
 DOCKET NO. ESX-DC-006349-23

JUSTIN ZIMMERMAN, ACTING
 COMMISSIONER OF THE NEW
 JERSEY DEPARTMENT OF
 BANKING AND INSURANCE,¹

Plaintiff,

v.

AMARACHI UGBUAJA,

Defendant.

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Civil Action

**ORDER FOR FINAL JUDGMENT BY
 DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
 PENALTIES**

**AMOUNT IN CONTROVERSY:
 \$13,418.00**

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, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance on a motion for judgment by default; and

¹ Pursuant to R. 4:34-4, the caption has been revised to reflect the current Acting Commissioner of the Department.

Defendant, Amarachi Ugbuaja (“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 violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 (“Fraud Act”) by (i) making oral statements to an insurance company 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 material facts, N.J.S.A. 17:33A-4(a)(1), and (ii) concealed and/or knowingly failed to disclose the occurrence of an event that affected her initial or continued right or entitlement to any insurance benefit or payment, in violation of N.J.S.A. 17:33A-4(a)(3).

Specifically, Defendant (i) on several calls with Progressive Insurance Company (“Progressive”) in support of a claim for damages caused by an automobile accident, falsely represented that the accident occurred after the inception of her automobile insurance policy when, in fact, the accident occurred prior to the inception of her policy, in violation of N.J.S.A. 17:33A-4(a)(1), and (ii) on her application for automobile insurance with Progressive, concealed and/or knowingly failed to disclose the accident that occurred prior to the inception of her policy, in violation of N.J.S.A. 17:33A-4(a)(3).

FINAL JUDGMENT is on this 8^{September} day of 2023, entered in the amount of \$13,418.00 against Defendant, and in favor of Plaintiff, Marlene Caride,

Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$10,000.00 in civil penalties for two (2) violations of the Fraud Act, N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,418.00 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 will 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.



Hon. L. Grace Spencer, J.S.C.

This motion was:

 Opposed Unopposed