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**FILED**

**February 16, 2024**

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

By: Anna M. Lascurain  
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SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION - MIDDLESEX COUNTY  
DOCKET NO. MID-L-002909-23

JUSTIN ZIMMERMAN, ACTING )  
COMMISSIONER OF THE )  
NEW JERSEY DEPARTMENT OF )  
BANKING AND INSURANCE<sup>1</sup>, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
JULIO BURGOS ESPINOSA, )  
 )  
 )  
Defendant. )

**Civil Action**

**ORDER OF FINAL JUDGEMNT  
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Attorney General of New Jersey, (by Anna M. Lascurain, Deputy Attorney General, appearing), attorney for Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

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

The Defendant, Julio Burgos Espinosa ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-entitled action and having been defaulted 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)(4)(a), -4(a)(4)(b), and -4(a)(5). N.J.S.A. 17:33A-4(a)(1), -4(a)(3)(a) and (b), by knowingly submitting false and misleading statements on an application for an insurance policy to Progressive Insurance Company ("Progressive") that he resided in Perth Amboy, New Jersey, when in fact he resided in Bronx, New York, and by knowingly providing false and misleading statements to Progressive in support of a claim for benefits under the policy, all in violation of the Fraud Act.

FINAL JUDGMENT is on this 16th day of February 2024, entered in the amount of \$13,575.00 against Defendant Julio Burgos Espinosa, and in favor of the Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$10,000.00 in civil penalties for two violations of the Fraud Act; attorneys' fees of \$2,500.00 pursuant to N.J.S.A. 17:33A-5(b); costs of service in the amount of \$75.00 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 year from the date of this judgment; and

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*  
\_\_\_\_\_  
J.S.C.  
Hon. Christopher D. Rafano

This motion was:

\_\_\_\_\_ Opposed

X \_\_\_\_\_ Unopposed

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.