

PREPARED AND FILED BY THE COURT

FILED

JANUARY 18, 2024

HON. KALIMAH H. AHMAD

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - HUDSON COUNTY
DOCKET NO. HUD-~~L-003900-20~~
L-001392-23

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

Plaintiff,)

v.)

MISDALIA DOMENA RODRIGUEZ)
a/k/a MISDALIA DOMENA;)
KARIZMA ALMONTE; CARLOS J.)
MENOSCAL, SR. a/k/a CAROLS)
MENOSCAL-DEJANON; CARLOS)
A. MENOSCAL, JR.; and)
NORMA DELAPAZ a/k/a NORMA)
MEDINA,)

Defendants.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT AGAINST DEFENDANT
MISDALIA DOMENA RODRIGUEZ, A/K/A
MISDALIA DOMENA**

GRANTED

Defendant, Misdalia Domena Rodriguez, a/k/a Misdalia Domena
("Defendant"), having been duly served with a copy of the Summons

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

and Complaint in the above-entitled 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"), by (i) on a claim form for personal injury protection benefits submitted to Progressive Insurance Company ("Progressive") for injuries she purportedly suffered from an automobile accident, falsely representing to Progressive that she was a passenger in an insured vehicle at the time of an accident when, in fact, she was the driver of the vehicle at the time of the accident, in violation of N.J.S.A. 17:33A-4(a)(1), and (ii) conspiring with the other defendants to falsely represent to Progressive, in violation of N.J.S.A. 17:33A-4(a)(1), that defendant Carlos Menoscal, Jr. was present in the insured vehicle at the time of the accident when, in fact, he was not present in the vehicle, which conspiracy violated N.J.S.A. 17:33A-4(b).

FINAL JUDGMENT is on this **18th** day of **January** 2024, entered in the amount of \$14,575.00 against Defendant, and in favor of Plaintiff. This amount consists of \$10,000.00 in civil penalties for two (2) violations of the Fraud Act; attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b); cost of service in the amount of \$75.00 pursuant to N.J.S.A. 17:33A-5; and a \$1,000.00 statutory fraud surcharge 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.

Kalimah H. Ahmad
HON. KALIMAH H. AHMAD , J.S.C.

This motion was:

_____ Opposed
X _____ Unopposed

GRANTED - Pursuant to N.J.S.A. 17:33A-4(a)(1), N.J.S.A. 17:33A-4(b), N.J.S.A. 17:33A-5(b), N.J.S.A. 17:33A-5, N.J.S.A. 17:33A-5.1, and N.J.S.A. 39:6A-15.