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DJ-9374-24

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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - GLOUCESTER COUNTY
DOCKET NO. GLO-DC-003515-23

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

Plaintiff,)

v.)

STEPHEN STINSMAN, JR.,)

Defendant.)

Civil Action

**ORDER FOR FINAL JUDGMENT BY
DEFAULT**

**SPECIAL CIVIL PART: STATUTORY
PENALTIES**

**AMOUNT IN CONTROVERSY:
\$13,490.00**

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 final judgment by default; and

Defendant, Stephen Stinsman, Jr. ("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;

Defendant (i) on a written Statement of No Loss dated May 27, 2021 ("SONL") that Defendant submitted to Progressive Garden State Insurance Company ("Progressive") in order to reinstate his lapsed automobile insurance policy, falsely represented that he had not been in any accidents between April 28, 2021, the date his policy lapsed, and May 27, 2021 at 7:40 p.m., the date and time he submitted the SONL when, in fact, he had been in an automobile accident while driving his insured 2015 Mazda CX-5 ("Mazda") on May 27, 2021 at 5:38 p.m. ("Accident"), approximately two hours before he submitted the SONL; (ii) when reinstating his automobile insurance policy, concealed and/or knowingly failed to disclose to Progressive that he had been in the Accident just hours prior to reinstating his policy; (iii) on a call with Progressive on June 1, 2021 to make a First Notice of Loss ("FNOL") in support of a claim for damage caused to the Mazda by the Accident, falsely representing that the Accident occurred on May 28, 2021 at 6:00 p.m. when, in fact, the Accident occurred on May 27, 2021 at 5:38 p.m.; and (iv) by concealed and/or knowingly failed to disclose to Progressive on the FNOL the date and time the Accident occurred; and

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 a written statement to an insurance company in support of the reinstatement of his automobile insurance policy, falsely representing that he had not been in

any accidents between the date his policy lapsed and the date and time he reinstated his policy, when in fact he had been in an accident during that time period, in violation of N.J.S.A. 17:33A-4(a)(4)(b); (ii) when reinstating his automobile insurance policy, concealing and/or knowingly failing to disclose that he had been involved in an automobile accident just hours prior to reinstating his policy, in violation of N.J.S.A. 17:33A-4(a)(5); (iii) making an oral statement to an insurance company in support of an automobile accident damage claim falsely representing that the accident occurred after he reinstated his policy, when in fact the accident occurred approximately two hours prior to him reinstating his policy, and so a third-party claim would be paid, in violation of N.J.S.A. 17:33A-4(a)(1); and (iv) when making a claim for damage to his vehicle from an accident, concealing and/or knowingly failing to disclose that the accident occurred approximately two hours prior to him reinstating his policy, in violation of N.J.S.A. 17:33A-4(a)(3)(a), and -4(a)(3)(b).

January, 2024

FINAL JUDGMENT is on this 18th day of ~~xx2023~~, entered in the amount of \$13,490.00 against Defendant, Stephen Stinsman Jr., and in favor of Plaintiff. This amount consists of \$10,000.00 in civil penalties for one violation of the Fraud Act, N.J.S.A. 17:33A-5(b); attorneys' fees of \$2,490.00 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.

Samuel J. Ragonese J.S.C.

This motion was:

 Opposed X Unopposed