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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - MONMOUTH COUNTY
DOCKET NO. MON-L-000261-22

_____)	
)	
JUSTIN ZIMMERMAN, ACTING)	<u>Civil Action</u>
COMMISSIONER OF THE NEW JERSEY)	
DEPARTMENT OF BANKING AND)	ORDER OF SUMMARY
INSURANCE ¹ ,)	JUDGMENT
)	
Plaintiff,)	
)	
v.)	
)	
KEVIN OLSEN,)	
)	
Defendant.)	

This matter coming before the Court on the application of Matthew J. Platkin, Attorney General, (by Chandra M. Arkema, Deputy Attorney General

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

appearing), attorney for Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance ("Commissioner"), for an Order of Summary Judgment against Defendant, Kevin Olsen ("Defendant"), and the Court having considered the papers submitted, and for good cause shown; and

It is on this 2 day of Feb, 2023;

ORDERED, that Summary Judgment shall be and hereby is **GRANTED** in favor of the Commissioner and against Defendant; and

IT IS FURTHER ORDERED, 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, Defendant, on two separate applications for marine insurance, falsely represented to the insurance company that he had no boating claims or losses in the past three (3) years and concealing prior claims, in violation of N.J.S.A. 17:33A-4(a)(3) and N.J.S.A. 17:33A-4(a)(4)(b). Additionally, Defendant, on two separate occasions, falsely reported fishing equipment as lost overboard, and submitted photos which he falsely represented were depicting that fishing equipment, knowing that these statements were false, in violation of N.J.S.A. 17:33A-4(a)(1).

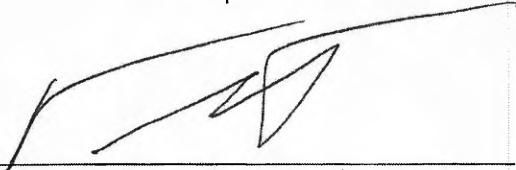
IT IS FURTHER ORDERED, that after consideration of the factors relevant to the calculation of civil penalties, as set forth in Kimmelman v. Henkels & McCoy, Inc., 108 N.J. 123 (1987), that judgment shall be and hereby is entered against Defendant in the total amount of \$58,556.00.

10,000.00

This amount consists of a ~~\$30,000.00~~ civil penalty against Defendant for his violations of N.J.S.A. 17:33A-4(a)(1), and a statutory fraud surcharge of \$1,000.00 against Defendant, pursuant to N.J.S.A. 17:33A-5.1; and

IT IS FURTHER ORDERED, that after consideration of the factors relevant for the assessment of attorneys' fees, as set forth in Rendine v. Pantzer, 141 N.J. 292 (1995), that judgment shall be and hereby is entered against Defendant, in the amount of ~~\$27,556.00~~ ^{5,000.00}, pursuant to N.J.S.A. 17:33A-5b

IT IS FURTHER ORDERED, that a copy of this Order be served on all parties within ____ days from the date of receipt.



The Honorable Owen C. McCarthy, J.S.C.

opposed
 unopposed

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Reasons on the
Record at oral Argument