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**FILED**

JAN 29 2024

Hon. Bina K. Desai, J.S.C.

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DJ-22128-24

SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - MIDDLESEX COUNTY  
DOCKET NO. MID-DC-007463-23

JUSTIN ZIMMERMAN, ACTING )  
COMMISSIONER OF THE NEW )  
JERSEY DEPARTMENT OF )  
BANKING AND INSURANCE, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
MIKAL JAMES, )  
 )  
Defendant. )

Civil Action

ORDER FOR FINAL JUDGMENT BY  
DEFAULT

SPECIAL CIVIL PART: STATUTORY  
PENALTIES

AMOUNT IN CONTROVERSY: \$7,976.00

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, Mikal James ("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) falsely representing to an insurance company on her automobile insurance application that she was the only household driver of an insured vehicle, when in fact her daughter was a household driver of an insured vehicle, and (ii) failed to disclose on her insurance application that her daughter was a household driver of an insured vehicle.

Specifically, Defendant (i) falsely represented to Progressive Garden State Insurance Company ("Progressive") on her automobile insurance application that she was the only household driver of a Toyota, when in fact her daughter, Ashlei Freeman ("Freeman") was also a household driver of the Toyota, in violation of N.J.S.A. 17:33A-4(a)(4)(b), and (ii) concealed and/or knowingly failed to disclose in her automobile insurance application that Freeman was a household driver of the Toyota, in violation of N.J.S.A. 17:33A-4(a)(5); and

FINAL JUDGMENT is on this 29<sup>th</sup> day of ~~July~~ <sup>2024</sup> 2023, entered in the amount of \$7,976.00 against Defendant, Mikal James, and in favor of Plaintiff. This amount consists of \$5,000.00 in civil penalties for one violation of the Fraud Act, N.J.S.A. 17:33A-

5(b); attorneys' fees of \$1,976.00 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 a copy of this Order be served upon all parties within 7 days of the date of receipt.

*Bina K Desai*

\_\_\_\_\_  
Hon. Bina K. Desai, J.S.C.

This motion was:

\_\_\_\_\_ Opposed  Unopposed

"Having reviewed the above motion, I find it to be meritorious on its face and is unopposed. Pursuant to R.1:6-2, it therefore will be granted essentially for the reasons set forth in the moving papers."