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JOSEPH A. TURULA, P.J. Cv.

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - HUDSON COUNTY
DOCKET NO. HUD-L-001829-20

MARLENE CARIDE,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT OF)
BANKING AND INSURANCE,)
)
Plaintiff,)
)
v.)
)
GEORGE BOROWSKI,)
)
Defendant.)

Civil Action

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

THIS MATTER HAVING BEEN opened to the Court on the application of Gurbir S. Grewal, Attorney General of New Jersey, (by Brian R. Fitzgerald, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

Defendant, George Borowski ("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 (a) made a written statement to an insurance policy for the purpose of obtaining an insurance policy knowing that the statement contained false or misleading information concerning a fact or thing material to the application, and (b) made oral statements to an insurance company in support of a claim for payment or other benefit pursuant to an insurance policy knowing that the statements contained false or misleading information concerning a fact or thing material to the claim, both in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act").

Specifically, Defendant (a) failed to disclose on an application for motorcycle insurance that he had been in an accident just prior to applying for the policy, in violation of N.J.S.A. 17:33A-4(a)(3) and -4(a)(4)(b), and (b) falsely represented to an insurance company in connection with an insurance claim that the accident occurred after the inception of the policy, when in fact it occurred prior to the inception of the policy, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 16th day of April 2021, entered in the amount of \$14,267.00 against Defendant and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of

\$10,000.00 in civil penalties for two (2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b); attorneys' fees of \$3,192.00 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 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 (1) year from the date of this judgment.

~~IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within _____ days of the date of receipt.~~


JOSEPH A. TURULA, P.J.Cv. , J.S.C.

This motion was:

_____ Opposed
 _____ Unopposed

This Order has been uploaded by the Court to the eCourts case jacket. Counsel for the moving party shall serve a copy of this Order on any party who did not receive an electronic notice of this filing within 7 days of the date of this Order.

Granted pursuant to R. 4:32-2(b). Default judgment is entered in the amount of \$14,267.00.