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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET NO. UNN-L-000569-21

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

Civil Action

ORDER OF FINAL JUDGMENT
BY DEFAULT

THIS MATTER HAVING BEEN opened to the Court on the application of Andrew J. Bruck, Acting Attorney General of New Jersey, (by Chandra M. Arkema, 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, Ernesto Ortega ("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) concealed or knowingly failed to disclose the occurrence of an event while applying for an automobile insurance policy that affected his initial or continued right or entitlement to any insurance benefit or payment or the amount of any insurance benefit or payment to which he was entitled, and (b) made oral statements 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 that his vehicle was damaged by a recent flood when applying for the automobile insurance policy, in violation of N.J.S.A. 17:33A-4(a)(3); and (b) falsely represented to an insurance company that the vehicle was damaged by a flood after he applied for the automobile insurance policy, when in fact the flood occurred before he applied for the policy, in violation of N.J.S.A. 17:33A-4(a)(1).

FINAL JUDGMENT is on this 10 day of September 2021, entered in the amount of \$14,426.00 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 \$3,351.00 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 5 days of the date of receipt.

/s/ Mark P. Ciarrocca

, J.S.C.

Hon. Mark P. Ciarrocca, P.J.Cv.

This motion was:

_____ Opposed
 x
_____ Unopposed