

FILED
January 31, 2023
Haekyoung Suh, J.S.C.
Chambers

MATTHEW J. PLATKIN
ATTORNEY GENERAL OF NEW JERSEY
Attorney for Plaintiff
Richard J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625-0117

By: Nicholas Kant
Deputy Attorney General
NJ Attorney ID: 045942006
(609) 376-2965
Nicholas.kant@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - SOMERSET COUNTY
DOCKET NO. SOM-DC-001059-22

MARLENE CARIDE,
COMMISSIONER OF THE NEW
JERSEY DEPARTMENT OF
BANKING AND INSURANCE,

Plaintiff,

v.

DOMONIQUE S. FRANKLIN,

Defendant.

)
) Civil Action
)
) **AMENDED ORDER FOR FINAL JUDGMENT**
) **BY DEFAULT**
)
) **SPECIAL CIVIL PART: STATUTORY**
) **PENALTIES**
)
) **AMOUNT IN CONTROVERSY: \$9,289.00**
)
)
)

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Attorney General of New Jersey, (by Nicholas Kant, Deputy Attorney General, appearing), attorney for Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance on a motion for judgment by default; and

Defendant, Domonique S. Franklin ("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) making a written statement intended to be presented to an insurance company for the purpose of obtaining an insurance policy, knowing that the statement contained false or misleading information concerning material facts, and (ii) concealing or knowingly failing to disclose the occurrence of an event that affected her initial or continued right or entitlement to any insurance benefit or payment, both in violation of the Fraud Act.

Specifically, when reinstating her lapsed automobile insurance policy, Defendant (i) falsely represented in writing that she had not been involved in any automobile accident during the period between when her policy lapsed and when she reinstated the policy, and failed to disclose the accident, when in fact she had been in an accident during that period, and so a third party claim would be covered, in violation of N.J.S.A. 17:33A-4(a)(1) and -4(a)(4)(b), and (ii) failed to disclose the accident when reinstating her policy, in violation of N.J.S.A. 17:33A-4(a)(3); and

FINAL JUDGMENT is on this **31st** day of January 2023 entered in

the amount of \$9,289.00 against Defendant, and in favor of Plaintiff, Marlene Caride, Commissioner of the New Jersey Department of Banking and Insurance. 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 \$3,289.00 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 seven (7) days of the date of receipt.

/s/ Haekyoung Suh

Haekyoung Suh, J.S.C.

This motion was:

_____ Opposed X _____ Unopposed