

Filed by the Court

November 15, 2024

Hon. Michael A. Jimenez, J.S.C.

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: William E. Vaughan
Deputy Attorney General
NJ Attorney ID No. 021252010
(609) 376-2965
William.Vaughan@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - HUDSON COUNTY
DOCKET NO. HUD-DC-008791-24

JUSTIN ZIMMERMAN,)	
COMMISSIONER OF THE)	<u>Civil Action</u>
NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	AMENDED ORDER FOR FINAL JUDGMENT
)	BY DEFAULT
Plaintiff,)	
)	SPECIAL CIVIL PART: STATUTORY
v.)	PENALTIES
)	
)	AMOUNT IN CONTROVERSY: \$14,500.00
FRANCINE ESPOSITO,)	
)	
Defendant.)	

THIS MATTER HAVING BEEN opened to the Court on the Application of Matthew J. Platkin, Attorney General of New Jersey, (by William E. Vaughan, Deputy Attorney General, appearing), attorney for Plaintiff, Justin Zimmerman, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and

Defendant, Francine Esposito ("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 knowingly making false statements and preparing a false document to an insurance company in support of a claim for insurance benefits, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"); and

Specifically, Defendant knowingly made false statements and presented a false receipt from Mattress Firm to St. Paul Protective Insurance Company ("Travelers") that two mattresses were damaged by water from a leak at Defendant's residence, when, in fact, Defendant never purchased the mattresses alleged to be damaged, all in support of a claim for insurance benefits in violation of N.J.S.A. 17:33A-4(a)(1), N.J.S.A. 17:33A-4(a)(2), and N.J.S.A. 17:33A-4(a)(3).

FINAL JUDGMENT is on this 15th day of November 2024, entered in the amount of \$14,500.00 against Defendant and in favor of Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of:

- a. \$10,000.00 in civil penalties for two (2) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5(b);
- b. attorneys' fees of \$3,500.00 pursuant to N.J.S.A. 17:33A-5(b); and
- c. 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 10 days of the date of receipt.

Hon. Michael A. Jimenez

HON. MICHAEL A. JIMINEZ, J.S.C.

This motion was:

_____ Opposed

x _____ Unopposed