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SUPERIOR COURT OF NEW JERSEY
SPECIAL CIVIL PART - PASSAIC COUNTY
DOCKET NO. PAS-DC-002989-24

JUSTIN ZIMMERMAN, ACTING)	
COMMISSIONER OF THE)	<u>Civil Action</u>
NEW JERSEY DEPARTMENT OF)	
BANKING AND INSURANCE,)	ORDER FOR FINAL JUDGMENT
)	BY DEFAULT
Plaintiff,)	
)	SPECIAL CIVIL PART: STATUTORY
v.)	PENALTIES
)	
MASHIA C. COLEY,)	AMOUNT IN CONTROVERSY:
)	\$8,189.50
)	
Defendant.)	

THIS MATTER HAVING BEEN opened to the Court on the Application of Matthew J. Platkin, Attorney General of New Jersey, (by Jessica Lugo, 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, Mashia C. Coley ("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 providing materially false information to CURE Auto Insurance ("CURE") and failing to disclose her daughter as a household resident and driver on Defendant's auto insurance application, in violation of the Fraud Act;

Specifically, Defendant provided written statements on an insurance application to CURE knowing that the statements contained false information concerning facts material to the insurance application, specifically, by knowingly providing materially false information to CURE and failing to disclose her daughter as a household resident and driver on Defendant's auto insurance application, Defendant is in violation of N.J.S.A. 17:33A-4(a)(4)(b) and -4(a)(5).

FINAL JUDGMENT is on this 1st day of November, 2024, entered in the amount of \$8,189.50 against Defendant and in favor of Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000.00 in civil penalties for one (1) violation of the Fraud Act pursuant to N.J.S.A. 17:33A-4(a)(4)(b), N.J.S.A. 17:33A-4(a)(3) and -4(a)(5); attorneys' fees of \$2,189.50 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.

See attached Statement of Reasons.

Scott J. Bennion
Honorable Scott J. Bennion, J.S.C.

This motion was:

 Opposed

 X Unopposed

STATEMENT OF REASONS

The court finds that defendant, Mashia C. Coley made false representations to CURE Auto Insurance by failing to disclose her daughter, Rakeekia J. Coley as a household resident on her June 21, 2021 auto insurance application in violation of N.J.S.A. 17:33-A-4(a)(4)(b); 17:33A-4(a)(3) and 17:33A-4(a)(5).

The court finds that plaintiff is entitled to a \$5000.00 civil penalty for one (1) violation of the New Jersey Fraud Prevention Act, N.J.S.A. 17:33A-1 et. seq. for the material misstatements made by defendant to CURE.

The court has further determined that attorneys fees are warranted. The court has reviewed the hourly rate and the number of hours billed and finds both to be reasonable.

The court awards \$2,189.50 in counsel fees.

Defendant shall also be responsible for payment of a \$1000.00 statutory fraud surcharge, pursuant to N.J.S.A. 17:33A-5.1.