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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - OCEAN COUNTY
DOCKET NO. OCN-L-002323-22

JUSTIN ZIMMERMAN,)
COMMISSIONER OF THE)
NEW JERSEY DEPARTMENT)
OF BANKING & INSURANCE¹,)

Plaintiff,)

v.)

BRYAN ALOIA AND ALOIA)
MANAGEMENT CORP.,)

Defendants.)

Civil Action

**ORDER REINSTATING THE COMPLAINT,
ENFORCING SETTLEMENT, AND
ENTERING JUDGMENT AGAINST
DEFENDANTS**

This matter having been brought before the Court by Matthew J.
Platkin, Attorney General of the State of New Jersey, Attorney for Plaintiff,

¹ Pursuant to R. 4:34-4, the caption has been revised to reflect the current
Commissioner of the Department.

Commissioner of the New Jersey Department of Banking and Insurance, (Dakar R. Ross, Deputy Attorney General, appearing), and having considered Plaintiff's motion papers and the opposition submitted, if any, thereto, and for good cause shown:

This Court now finds that on October 13, 2023, an Order of Dismissal without Prejudice was entered because Plaintiff and Defendants Bryan Aloia and Aloia Management Corp., (collectively, "Defendants") had mutually agreed that, in lieu of vacating the order of dismissal, the parties would continue settlement negotiations; and

This Court further finds that that the parties did, in fact, reach an agreement of specific terms resolving the issues in controversy in this matter; and

This Court further finds that Defendants, without due cause, have failed to execute the Stipulation of Settlement ("Settlement") and failed abide by the terms thereof, and

This Court further finds that, under the terms of the Settlement, Defendants admitted to having violated the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically to violating N.J.S.A. 17:33A-4(a)(3), in that Defendants failed to disclose in an application for automobile insurance with Progressive Group of Insurance Companies ("Progressive") that company employee Vincent Garrison was one of the persons who regularly operate Defendants' insured vehicles, which affected

Defendants' initial or continued right or entitlement to an insurance benefit or payment under its Progressive policy; and therefore:

IT IS ON THIS 6 **day of** December, **2024,**

ORDERED that Plaintiff's motion to reinstate the Complaint be granted and this matter be reinstated; and it is further

ORDERED that Plaintiff's motion to enforce the parties' settlement agreement reached on December 15, 2023, as modified on January 26, 2024, is also granted; and it is further

ORDERED that the following provisions of the Settlement are memorialized and enforced herein:

1. Defendants committed one violation of the New Jersey Insurance Fraud Prevention Act ("Fraud Act"), N.J.S.A. 17:33A-1 to -30 ("Fraud Act"), specifically to violating N.J.S.A. 17:33A-4(a)(3).
2. Any future violation of the Fraud Act by Defendants, jointly or severally, shall be considered a second violation.
3. The penalties are imposed pursuant to the police powers of the State of New Jersey for the enforcement of the law and protection of the public health, safety, and welfare, and are not intended to constitute debts which may be limited or discharged in a bankruptcy proceeding.
4. Pursuant to N.J.S.A. 17:33A-10(c), a copy of this Order shall be provided to any licensing authority in this State.
5. This Order can be used in any subsequent civil or criminal

proceeding; and it is further

ORDERED that Judgement be and hereby is entered in the total amount of \$10,500.00 against Defendants, jointly and severally, and in favor of Plaintiff, Justin Zimmerman, Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of \$5,000 in civil penalties, pursuant to N.J.S.A. 17:33A-4(a)(1); \$5,000 in attorneys' fees, pursuant to N.J.S.A. 17:33A-5(b); a statutory fraud surcharge in the amount of \$250.00 for Bryan Aloia pursuant to N.J.S.A. 17:33A-5.1; and a statutory fraud surcharge in the amount of \$250.00 for Aloia Management Corp. pursuant to N.J.S.A. 17:33A-5.1; and it is further

ORDERED, that a copy of this order shall be served on all parties via Ecourts.

Craig L. Wellerson

J.S.C.