

THIS MATTER HAVING BEEN opened to the Court on the application of Matthew J. Platkin, Attorney General of New Jersey, (by Anna M. Lascurain, 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, Kendra Caverly ("Defendant"), having been duly served with a copy of the Summons and Complaint in the above-captioned action and default having been entered for 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"), specifically N.J.S.A. 17:33A-4(a)(4)(b) and -4(a)(5) and N.J.S.A. 17:33A-4(a)(3)(a) and (b), by knowingly providing a Statement of No Loss ("SONL") to Progressive Insurance Company ("Progressive") in which she falsely represented that she had not been in any prior accidents between June 12, 2021 and June 30, 2021 in support of her application to reinstate her automobile insurance policy which had lapsed when, in truth and in fact, Defendant was involved in a one-car accident during the period when the policy had lapsed;

FINAL JUDGMENT is on this            day of            2025, entered in the amount of \$12,020.98 against Defendant Kendra Caverly and in favor of Plaintiff, Justin Zimmerman, Acting Commissioner of the New Jersey Department of Banking and Insurance. This amount consists of: a \$5,000.00 civil penalty for one violation of the Fraud Act, pursuant to N.J.S.A. 17:33A-

5(b); attorneys' fees of \$5,000.00, 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; and restitution of \$1,020.98 (\$972.30 principal plus prejudgment interest of \$48.68) payable to Progressive Insurance Company ("Progressive");

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 year from the date of this judgment; and

IT IS FURTHER ORDERED, that a copy of this Order be served upon all parties within 7 days of the date of receipt.

/s/ Gregory L. Acquaviva  
Gregory L. Acquaviva, J.S.C.

*Statement of Reasons*

Defendant is in default. This motion is unopposed.

The un rebutted moving papers demonstrate that Defendant made false statements of no loss to Progressive in an effort to seek insurance coverage during a period in which coverage lapsed. The essential facts are well-supported and un rebutted. Because such establishes a violation of the Insurance Fraud Prevention Act, specifically N.J.S.A. 17:33A-4(a)(4)(b) & (a)(5), as well as N.J.S.A. 17:33A-4(a)(3)(a), the State is entitled to various reliefs, namely a judgment in the amount of \$12,020.93, representing:

1. A \$5,000 civil penalty;
2. Reasonable counsel fees of \$5,000;
3. A fraud surcharge of \$1,000, N.J.S.A. 17:33A-5.1; and
4. Restitution of \$1,020.98 (principal plus interest).

Moreover, pursuant to N.J.S.A. 39:6A-15, Defendant's driving privileges are properly revoked.

As to the counsel fees requested, the court has little difficulty concluding the request is reasonable when compared to the factors enumerated in Rule of Professional Conduct 1.5(a). Notably, the \$5,000 requested is a compromised amount. The actual amount of fees total in excess of \$6,202.50.

Plaintiff was wholly successful. The hourly rates charged by counsel are imminently reasonable, as to is the quantum of hours. All other factors are neutral.

This unopposed and well-supported motion for default judgment is granted.