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J-33855-25

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SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET NO. UNN-L-001288-22

JUSTIN ZIMMERMAN,
COMMISSIONER OF THE
NEW JERSEY DEPARTMENT OF
BANKING AND INSURANCE,¹

Plaintiff,)
)

v.)

MICHAEL PINES,

Defendant.)
)
)

Civil Action

**ORDER OF FINAL JUDGMENT
BY DEFAULT**

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

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

Defendant, Michael Pines (“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 (i) from October 7, 2019 to July 22, 2020, faxed to Genworth Life Insurance Company (“Genworth”) ten (10) bogus invoices in support of bogus claims (“Claims”) for payment under his mother, Paulette Katz’s (“Katz”) long-term care insurance policy (“Policy”) issued by Genworth for rent purportedly incurred by Katz at FountainView, an assisted living facility in Monsey, New York, which Claims were made after Katz died on September 9, 2019, in violation of N.J.S.A. 17:33A-4(a)(1); (ii) falsely represented to Genworth during nine (9) telephone calls with Genworth in support of the bogus Claims that payments were needed for claims for Katz’s rent at FountainView pursuant to the Policy even though Katz was deceased, in violation of N.J.S.A. 17:33A-4(a)(1); and (iii) on the nine (9) telephone calls with Genworth in support of the bogus Claims, concealed and/or knowingly failed to disclose to Genworth that Katz was deceased, in violation of N.J.S.A. 17:33A-4(a)(3)(a) and -4(a)(3)(b).

FINAL JUDGMENT is on this 28 day of ^{February} 2025, entered in the amount of \$366,282.00 against Defendant, Michael Pines, and in favor of Plaintiff. This amount consists of (i) \$270,000.00 in civil penalties for nineteen (19) violations of the Fraud Act pursuant to N.J.S.A. 17:33A-5b; (ii) attorneys’ fees of \$36,826.00 pursuant to N.J.S.A. 17:33A-5b; (iii) costs of service in the

amount of \$15,706.00 pursuant to N.J.S.A. 17:33A-5b; (iv) \$1,000.00 constituting the statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1, which is imposed for violations of the Fraud Act in addition to any other penalty, fine or charge imposed pursuant to law; and (v) \$42,750.00 in restitution to Genworth pursuant to N.J.S.A. 17:33A-26.

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

/s/ Mark P. Ciarrocca

Hon. Mark P, Ciarrocca, J.S.C.

This motion was:

_____ Opposed

x _____ Unopposed