

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: Brian R. Fitzgerald
Deputy Attorney General
NJ Attorney ID: 024972004
(609) 376-2965
brian.fitzgerald@law.njoag.gov

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - UNION COUNTY
DOCKET NO. UNN-L-003760-24

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

Plaintiff,)
)

v.)

TRACY COOPER and ADELA MILLER,)

Defendants.)

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

Defendant Tracy Cooper ("Cooper") and Defendant Adela Miller ("Miller") (collectively, "Defendants"), having been duly served with a copy of the Summons and

Complaint in the above-captioned action, and default having been entered for Defendants' failure to appear, answer, or otherwise defend;

This Court now finds that Defendants committed three (3) violations of the New Jersey Insurance Fraud Prevention Act N.J.S.A. 17:33A-1 to -30 ("Fraud Act"). One (1) individually against Cooper, one (1) individually against Miller, and one (1) against both Defendants jointly and severally.

As to the one (1) violation of the Fraud Act alleged against Cooper individually, Cooper, in connection with Defendants' fire damage claim ("Claim") (i) falsely represented to Progressive Insurance Company ("Progressive") on a telephone call on January 30, 2020 ("January 30 Call") that (i) a fire ("Fire") occurred at West Orange Storage in West Orange, New Jersey 07052 November 26, 2019 at 1:55 p.m. that caused damage to a storage unit rented by Miller ("Storage Unit") when, in fact, the Fire and damage occurred on November 26, 2019 at or about 6:52 a.m., approximately six hours before Cooper applied for a renter's insurance policy ("Application") from Progressive ("Policy") to insure the Storage Unit, and one day prior to the November 27, 2019 Policy inception date, and (ii) during a telephone call with Progressive on February 18, 2020 ("February 18 Call") in support of the Claim that Defendants were present at West Orange Storage at or around the time of the Fire when, in fact, both Defendants were present the time of the Fire, saw the Fire and the fire department at the scene, and thus were aware of the true date and time of the Fire, both in violation of N.J.S.A. 17:33A-4(a)(1) and – 4(a)(3)(a) and (b).

With respect to the one (1) violation of the Fraud Act alleged against Miller individually, Miller (i) during a telephone call with Progressive on February 14, 2020 ("February 14 Call") in support of the Claim, falsely represented to Progressive that (i) the

date of loss from the Fire was December 1, 2019 when, in fact, the Fire occurred on November 26, 2019, prior to the date and time of the Application and prior to the date and time of the inception of the Policy, and (ii) Defendants were present at West Orange Storage at or near the time of the Fire, and thus were aware of the true date and time of the fire, both in violation of N.J.S.A. 17:33A-4(a)(1) and – 4(a)(3)(a) and (b).

Finally, with respect to the one (1) allegation against Cooper and Miller jointly and severally, based on both Cooper's and Miller's false representations to Progressive on the February 14 Call and the February 18 Call in support of, and to obtain coverage for the Claim, it is evident that Defendants assisted each other and/or conspired with each other to make false representations to Progressive that the Fire occurred on December 1, 2019 when, in fact, it occurred on November 26, 2019, prior to the date and time of the Application and prior to the date of the inception of the policy, in violation of N.J.S.A. 17:33A-4(b).

FINAL JUDGMENT is on this *11* day of *July* 2025, entered in the amount of \$22,158.40 against Defendants, Tracy Cooper and Adela Miller, and in favor of Plaintiff. This amount consists of (i) \$5,000.00 in civil penalties pursuant to N.J.S.A. 17:33A-5b to be assessed against Cooper individually; (ii) \$5,000.00 in civil penalties pursuant to N.J.S.A. 17:33A-5b to be assessed against Miller individually; (iii) \$5,000.00 in civil penalties pursuant to N.J.S.A. 17:33A-5b to be assessed against Defendants jointly and severally; (iv) attorneys' fees of \$5,000.00 pursuant to N.J.S.A. 17:33A-5b to be assessed against both Defendants jointly and severally; (v) costs of service in the amount of \$79.20 pursuant to N.J.S.A. 17:33A-5b against Cooper individually; (vi) costs of service in the amount of \$79.20 pursuant to N.J.S.A. 17:33A-5b against Miller individually; (vii)

\$1,000.00 constituting the statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1 assessed against Cooper individually, which is imposed for violations of the Fraud Act in addition to any other penalty, fine or charge imposed pursuant to law; and (viii) \$1,000.00 constituting the statutory fraud surcharge pursuant to N.J.S.A. 17:33A-5.1 assessed against Miller individually, which is imposed for violations of the Fraud Act in addition to any other penalty, fine or charge imposed pursuant to law.

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



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

This motion was:

_____ Opposed

X _____ Unopposed