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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART – MONMOUTH COUNTY  
DOCKET NO.: MON-DC-007933-25

JUSTIN ZIMMERMAN,	)	<u>Civil Action</u>
COMMISSIONER OF THE	)	
NEW JERSEY DEPARTMENT OF	)	
BANKING AND INSURANCE,	)	
Plaintiff,	)	<b>ORDER</b>
v.	)	<b>FOR FINAL JUDGMENT</b>
JOANNE GALLOW,	)	<b>BY DEFAULT</b>
Defendant.	)	SPECIAL CIVIL PART: STATUTORY PENALTIES AMOUNT IN CONTROVERSY: \$9,500.00

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, Commissioner of the New Jersey Department of Banking and Insurance on a motion for final judgment by default; and Defendant, Joanne Gallow (“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 by failing to disclose an additional operator on her June 15, 2022 auto insurance application, in violation of the Fraud Act;

Specifically, Defendant, made false information to Progressive Auto Insurance Company ("Progressive") by failing to disclose her friend as an additional operator of her insured vehicles on her auto insurance application in violation of N.J.S.A. 17:33A-4(a)(4)(b), N.J.S.A. 17:33A-4(a)(3), and N.J.S.A. 17:33A -4(a)(5).

FINAL JUDGMENT is on this 7<sup>th</sup> day of November 2025, entered in the amount of \$9,500.00 against Defendant and in favor of Plaintiff, Justin Zimmerman, 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-5(b); attorneys' fees of \$3,500.00 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.

IT IS FURTHER ORDERED Service of this Order shall be deemed effectuated upon all parties upon its upload to eCourts. Pursuant to Rule 1:5-1(a), movant shall serve a copy of this Order on all parties not served electronically within seven (7) days of the date of this Order.

/s/ Andrea I. Marshall

HON. ANDREA I. MARSHALL, J.S.C.

This motion was:

Opposed

Unopposed

*Statement of Reasons*

This motion is unopposed. Defendant is in default. Plaintiff asserts that Defendant applied for automobile insurance with Progressive Auto Insurance Company for a Chevrolet and a Toyota and that Defendant falsely instated that she was the only operator of the policy vehicles. Plaintiff asserts that Progressive issued an insurance coverage summary to Defendant thereafter. Plaintiff asserts that Defendant's friend was involved in a motor vehicle accident while driving Defendant's Chevrolet. Plaintiff asserts that Defendant's application for insurance was false because it failed to disclose that the friend was a regular driver of the insured vehicle since the friend had been driving the vehicle ever since the Defendant purchased it. Plaintiff asks the court to enter judgment final judgment by default.

Pursuant to the unrebuted proof, the Court finds that the Defendant is in default and owes \$9,500.00 to Plaintiff.

R. 4:43-2 governs Final Judgment by Default. The Rule provides that:

(b) "in all other cases, except Family Part matters recognized by Part V of these Rules, the party entitled to a judgment by default shall apply to the court therefor by notice of motion pursuant to R. 1:6, served on all parties to the action, including the defaulting defendant or the representative who appeared for the defaulting defendant. No judgment by default shall be entered against a minor or mentally incapacitated person unless that person is represented in the action by a guardian or guardian ad litem who has appeared

therein. If, to enable the court to enter judgment or to carry it into effect, it is necessary to take an account or to determine the amount of damages or to establish the truth of any allegation by evidence or to make an investigation of any other matter, the court, on its own motion or at the request of a party on notice to the defaulting defendant or defendant's representative, may conduct such proof hearings with or without a jury or take such proceedings as it deems appropriate. The notice of proof hearing shall be by ordinary mail addressed to the same address at which process was served unless the party entitled to judgment has actual knowledge of a different current address for the defaulting defendant. Proof of service of the notice of motion and notice of any proof hearing shall certify that the plaintiff has no actual knowledge that the defaulting defendant's address has changed after service of original process or, if the plaintiff has such knowledge, the proof shall certify the underlying facts...

Id.

The Defendant is in default and this motion is unopposed. The Defendant has failed to appear or otherwise submit an answer to the Complaint. Judgment for the undisputed amount, plus costs, is appropriate in accordance with R. 6:6-3 and R. 4:43-2.