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SUPERIOR COURT OF NEW JERSEY  
SPECIAL CIVIL PART - ESSEX COUNTY  
DOCKET NO. ESX-DC-033484-25

	)	<b>SPECIAL CIVIL PART: STATUTORY</b>
SUSAN OCHS <sup>1</sup> , ACTING	)	<b>PENALTIES</b>
COMMISSIONER OF THE NEW JERSEY	)	
DEPARTMENT OF BANKING &	)	<b>AMOUNT IN CONTROVERSY:</b>
INSURANCE,	)	<b>\$16,000.00</b>
	)	
Plaintiff,	)	<b><u>Civil Action</u></b>
	)	
v.	)	<b>ORDER FOR FINAL JUDGMENT</b>
	)	
EMANUEL A. ROBERSON,	)	
	)	
Defendant.	)	
	)	

This matter coming before the Court on the application of Matthew J. Platkin, Attorney General, (by Sean Healy, Deputy Attorney General appearing), attorney for Plaintiff, Justin Zimmerman, Commissioner of the New Jersey Department of Banking and Insurance ("Plaintiff"), for an Order of Summary Judgment against Defendant, Emanuel A. Roberson

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

("Defendant"), and the Court having considered the papers submitted, and for good cause shown; and

It is on this 22nd day of April, 2026;

**ORDERED**, that Summary Judgment shall be and hereby is **GRANTED** in favor of Plaintiff and against the Defendant; and

**IT IS FURTHER ORDERED**, this Court now finds that the Defendant knowingly made a false claim for benefits from an automobile insurance policy issued by CURE Auto Insurance Company ("CURE") by misrepresenting the date of loss in a claim to CURE for benefits from the policy relating to a loss for damage to the insured vehicle that occurred prior to the effective date of the policy, in violation of the New Jersey Insurance Fraud Prevention Act, N.J.S.A. 17:33 A-1 to -30 ("Fraud Act"), specifically N.J.S.A. 17:33A-4(a)(1) and -4(a)(3)(a) and (b); and

**IT IS FURTHER ORDERED**, that after consideration of the factors relevant to the calculation of civil penalties, as set forth in Kimmelman v. Henkels & McCoy, Inc., 108 N.J. 123 (1987), that judgment shall be and hereby is entered against Defendant in the total amount of \$15,000.00 pursuant to N.J.S.A. 17:33A-5(b) for three violations of the Fraud Act, plus a \$1,000.00 surcharge pursuant to N.J.S.A. 17:33A-5.1; and

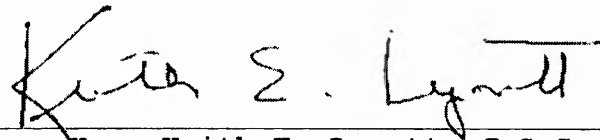
**IT IS FURTHER ORDERED**, that after consideration of the factors relevant for the assessment of attorneys' fees, as set forth in Rendine v. Pantzer, 141 N.J. 292 (1995), that judgment shall be and hereby is entered against Defendant, in the amount of \$4,000.00 pursuant to

N.J.S.A. 17:33A-5b;

**IT IS FURTHER ORDERED**, that Final Judgment is hereby entered in favor the Plaintiff and against the Defendant in the total amount of \$20,000.00; and

**IT IS FURTHER ORDERED**, that pursuant to N.J.S.A. 39:6A-15, Defendant Emanuel A. Roberson's driving privileges will be suspended for a period of one (1) year from the date of this Final Judgment.

**IT IS FURTHER ORDERED**, that a copy of this Order be served on all parties within 5 days from the date of receipt.

A handwritten signature in black ink, reading "Keith E. Lynott". The signature is written in a cursive style with a horizontal line underneath the name.

Hon. Keith E. Lynott, J.S.C.

The motion is unopposed. The Plaintiff has established via competent evidence a right prima facie to the relief sought. Specifically, it has established three violations by the Defendant of the Insurance Fraud Prevention Act as a result of efforts to secure insurance coverage in relation to property damage to a vehicle that occurred prior to the inception of the insurance policy at issue, a circumstance of which the Defendant was aware at the time he sought the coverage. The three violations arise from three separate occasions on which the Defendant knowingly misstated the date of the accident and the damage to the insurer. In the circumstances, the Plaintiff is entitled to statutory remedies claimed—a statutory penalty in the amount of \$15,000, a surcharge of \$1,000 and attorneys' fees incurred by the Plaintiff in prosecuting this action. The amount of such fees claimed by the State is reasonable and in accordance with RPC 1.5(a). The Defendant has not opposed or adduced facts giving rise to a genuine dispute of material fact warranting a trial as to liability or the amount of the award. The Defendant's Answer consists of general denials and does not set forth facts, let alone facts in competent evidential form, warranting denial of the motion.

[x] unopposed