

2025 WL 3451990 (N.J.Super.L.) (Trial Order)

Superior Court of New Jersey, Law Division.

Essex County

HEALING AT HIDDEN RIVER, LLC, Plaintiff,

v.

AETNA LIFE INS. CO., d/b/a Aetna, a/k/a Global Claims Services, et al., Defendants.

No. ESX-L-2381-25.

October 28, 2025.

***1** Civil Action

Order Modifying Court's Order and Oral Opinion of October 8th, 2025

Hon. [Stephen L. Petrillo](#), J.S.C.

Prepared by the Court

The court, on its own motion, hereby modifies its interlocutory order of October 8th, 2025, for the reasons below.

This is to correct the ruling as stated on the record following oral argument on October 8, 2025. At that time the court stated that a claim for negligent misrepresentation requires the plaintiff to plead physical harm. That was an incorrect statement of the law. The New Jersey Supreme Court and Appellate Division has held that a defendant can be liable for negligent misrepresentation for pure economic loss. See e.g., [Karu v. Feldman](#), 119 N.J. 135, 146-48 (1990) (damages element of the claim can be for economic loss); [Singer v. Beach Trading Co.](#), 379 N.J. Super. 63, 75-77 (App. Div. 2005) (same).

In light of this, the plaintiff states a claim for negligent misrepresentation against Vanguard. The complaint states at paragraph 64 on page 23, that Vanguard with Aetna represented to the plaintiff that they would pay 70% of the UCR for patient A.B.'s treatment. Read together with the rest of the factual allegations in the complaint show that (1) Vanguard negligently made an incorrect statement of fact regarding reimbursement; (2) plaintiff justifiably relied on it; and (3) they suffered a loss when they were paid substantially less than they were allegedly promised. See [Carroll v. Cellco Partnership](#), 313 N.J. Super. 488, 502 (App. Div. 1998). The complaint contains all three elements of this tort. Therefore, the motion should have been **DENIED** on this point.

However, the plaintiff argues that the complaint is broader than this and contains allegations for other negligence causes of action. For the reasons stated on October 8th this aspect of the motion shall remain the same. The court's error does not disturb that aspect of the ruling.

ORDERED that a copy of this Order shall be served in accordance with R. 1:5-1(a).

<<signature>>

HON. STEPHEN L. PETRILLO

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