



Workers' Compensation Premium Evasion

Case Update – Operators of Lowell Temporary Employment Agency Plead Guilty to Defrauding the IRS of Over \$5 Million and Insurance Fraud

Lowell – Four family members who operated a temporary employment agency pleaded guilty on August 27, 2014 to charges relating to a scheme to hide \$25 million in employees' wages from the Internal Revenue Service thereby evading employment taxes and workers' compensation premiums. **Margaret Mathes** pleaded guilty to conspiracy to defraud the IRS, mail fraud, and violating laws against structuring monetary transactions to avoid reporting requirements. **Boseba Prum** pleaded guilty to conspiracy to defraud the IRS, mail fraud, violating laws against structuring monetary transactions, filing false employment tax returns, and structuring monetary transactions. **Sam Pich** pleaded guilty to conspiracy to defraud the IRS, mail fraud, assisting with filing false employment tax returns, and structuring monetary transactions. **Thaworn Promket** pleaded guilty to conspiracy to defraud the IRS, mail fraud, filing false employment tax returns, and structuring monetary transactions. Sentencing is scheduled for November 24, 2014.

The defendants ran a temporary employment agency providing both short-term and long-term unskilled labor to companies in and around Lowell, including those in the packaging and food services industries. Between 2004 and 2009, the agency operated under the name International Temp Agency and JP Company. Between 2004 and 2009, the defendants reported approximately \$2.2 million in wages to the IRS, when the real figure was nearly \$30 million. The defendants also defrauded the agency's workers' compensation insurer, Granite State Insurance Company, by hiding the true number of temporary workers employed, thus avoiding about \$880,000 in insurance premiums. As part of the conspiracy to help cover up the unreported worker wages, the defendants withdrew cash from about 20 banks and paid their temporary workers "off the books." To further ensure that they would not be caught, the defendants structured these bank transactions, over 4,300 in all, so they could withdraw the cash needed to pay the workers without triggering federal reporting requirements.

The case is being prosecuted by Assistant U.S. Attorney Andrew E. Lelling of United States Attorney Carmen M. Ortiz's Economic Crimes Unit. It is being investigated by the Federal Bureau of Investigation, the Internal Revenue Service and the Insurance Fraud Bureau.

Disability Insurance Fraud

Case Update – Former Burlington Police Officer Pleads Guilty to Illegally Obtaining Pain Pills and Insurance Fraud

Woburn – On August 12, 2014 **Mark Driscoll**, a former Burlington Police officer, pleaded guilty in Woburn Superior Court to charges in connection with a scheme involving falsified prescriptions and insurance fraud. Driscoll pleaded guilty to 26 indictments including forgery, larceny over \$250, uttering false prescriptions, fraudulently obtaining controlled substances, obtaining a signature under false pretenses, attempt to commit larceny and insurance fraud. He was sentenced to two years in the House of Correction, one year to serve and

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Individuals who have been charged and whose names have been publicly disseminated have been identified.

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Disability Insurance Fraud *continued*

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the balance suspended for four years, on all charges but those involving insurance fraud. On the insurance fraud charges he was ordered to be on probation for four years following his release from jail. He was also ordered to pay more than \$39,000 in restitution.

Driscoll went to a CVS pharmacy on July 10, 2013 seeking to obtain Percocet pills. Driscoll, in his police uniform, attempted to fill an illegally written prescription in his wife's name. When the pharmacist noticed that the prescription did not meet new security features that had taken effect July 1, 2013, Driscoll was told the prescription could not be filled until the prescribing doctor verified it. When the pharmacist contacted the doctor's office, they confirmed the prescription was not valid. It was determined that Driscoll had presented five fraudulent prescriptions at the CVS pharmacy between May and July of 2013, receiving more than 260 Percocet tablets. Investigation revealed Driscoll also passed false prescriptions for pain medication at a Burlington Osco pharmacy. There, he filled four prescriptions for hundreds of pain medications. In all but one instance, Driscoll engaged in these activities while wearing his police uniform.

On July 12, 2013, Burlington Police placed Driscoll on administrative leave. He has since resigned from the department. On July 25, 2013, Burlington Police learned that Driscoll had submitted an insurance claim with Unum Group for disability payments during the time he was on administrative leave. That letter contained a forged signature purportedly from police administrators that had been obtained under false pretenses. Further investigation revealed that Driscoll had submitted eight prior claims, beginning in 2006, obtaining nearly \$40,000 in fraudulent disability benefits.

The case was prosecuted by Middlesex County Assistant District Attorney Kristen Noto. The case was investigated by the Burlington Police, the Unum Group, and the IFB.

Other Lines Insurance Fraud

Case Update – Hyannis Man Pleads Guilty to Insurance Fraud

Quincy – **John Jasset** pleaded guilty on August 26, 2014 in Quincy District Court to charges of presenting a false insurance claim and attempt to commit a crime. He was sentenced to serve six months in the House of Correction, concurrent with another sentence. On December 21, 2012 Jasset reported that food he had allegedly stored in a commercial cooler had spoiled when power was lost during a storm. He filed a claim with Hartford Insurance for food loss and business interruption and estimated his loss at between \$4,000 and \$5,000. Investigation revealed that Jasset had been barred from the location where he claimed the loss had occurred due to unpaid rent. The landlord of the building stated that Jasset did not occupy the building

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from November 8, 2012 and that no food had been in the cooler/freezers from that date on. Norfolk County Assistant District Attorney Kevin Powers prosecuted the case.

Case Update – Business Owner Obtains Coverage After Date of Vandalism

New Bedford—On June 25, 2014, after a two-day trial, **Regina Daugherty** was found guilty of presenting a false insurance claim and attempt to commit a crime. She was sentenced to one year probation and ordered to pay \$2,000 in restitution. Daugherty reported that several front windows of her place of business had been vandalized on December 31, 2009 and she made a claim against her general liability policy. Investigation revealed that Daugherty had procured the policy effective December 30, 2009. She reported the claim to Utica National Insurance Company with the date of vandalism as December 31, 2009; however, a police report listed the date of vandalism as December 25, 2009, prior to the effective date of the policy. Other information obtained through the course of the investigation also corroborated the date of vandalism as December 25, 2009. Bristol County Assistant District Attorney Corey Masten prosecuted the case.

Lynn Man Allegedly Fakes Receipts for Stolen Items

Lynn—On August 19, 2014 complaints were issued against a Lynn man on charges of presenting a false insurance claim and attempt to commit a crime. On July 4, 2011, the Lynn man reported to police the alleged theft of two bikes and a laptop computer from his home. He claimed that the bikes, worth \$3,200, were stolen from a shed behind his home and the laptop, worth \$2,000, was stolen from his vehicle. The Lynn man provided receipts for the alleged stolen items to Liberty Mutual Insurance. The handwritten receipt provided for the laptop allegedly came from a company that had gone out of business several years prior to the date listed on the receipt. The Lynn man allegedly admitted to providing false receipts for the items but maintained the items were stolen from his home as he reported. Essex County Assistant District Attorney Douglas Sheehan is prosecuting the case.

Norwood Agent Allegedly Pockets Premium Payments

Norwood—On May 22, 2014 a Norwood insurance agent was arraigned in Dedham District Court on one count of larceny and four counts of insurance fraud. The agent/owner of the insurance agency allegedly pocketed premium payments intended for the purchase of policies and she forged the signatures of customers to policy finance agreements. She also allegedly received policy premium down payments for business and workers' compensation insurance policies for customers which she allegedly did not forward to insurance companies. Shortages in payment resulted in the eventual cancellation of insurance coverage. Assistant Attorney General David Clayton of Attorney General Martha Coakley's Insurance and Unemployment Fraud Division is prosecuting the case.

IFB Going Paperless!

Send your referrals electronically! The IFB has the capability to receive electronic files through several avenues:

- Via email at referrals@ifb.org. Report a new referral, send requested information pertaining to an existing referral, forward the certified claim file or send other types of requested information via email. Zip files can also be utilized. When forwarding information regarding an existing IFB referral or case file, please include the IFB reference number.
- Upload your file to a CD, DVD or flash drive (please do not send multiple claim files on a CD, DVD or flash drive). These methods of sending electronic files should be encrypted. Passwords can be forwarded to referrals@ifb.org. Please indicate the IFB reference number or your claim number so passwords can be matched with the media received.
- We still accept paper. We accept all referrals and claim information in any format that is most convenient for your company.
- Questions should be directed to Deborah Terry at dterry@ifb.org or 857-206-7719.

Case Update – Witnesses Contradict Hit-While-Parked Claim

Somerville—On May 7, 2014 **Heather Wagner** admitted to sufficient facts on a charge of motor vehicle insurance fraud. The case was continued without a finding for 18 months. Wagner reported to Safety Insurance Company that on April 20, 2010 her black 2006 Infinity FX35 allegedly sustained driver's side front-end damage after being hit-while-parked by an unknown vehicle. An accident reconstruction determined that the damage to the Infinity was inconsistent with a hit-and-run incident. Additionally, on that same date, a parked 2006 Honda CRV was hit by another vehicle. Three witnesses at the scene observed a black SUV strike the Honda, sustain heavy front-end damage, and flee the scene. A partial plate number was obtained and police were able to identify the black SUV as registered to Wagner. Witnesses at the scene identified Wagner, through a photo array, as the operator of the Infinity at the time of the hit-and-run accident. Middlesex County Assistant District Attorney Mary O'Neill prosecuted the case.

Case Update – Alleged Jump-In Passenger Reports Injuries

Waltham—A Waltham woman and a Boston woman admitted to sufficient facts on May 21, 2014 on a charge of motor vehicle insurance fraud. Their cases were continued without a finding for one year. The Waltham woman reported to Arbella Insurance Company that while operating her 1997 Honda Civic on May 8, 2010 she was involved in a motor vehicle accident and claimed the Boston woman as an alleged passenger in the vehicle at the time of the accident. Both women claimed alleged injuries sustained in the collision. The operator of the other vehicle reported the accident to his insurer, Safety Insurance Company, but reported that the Waltham woman was the sole occupant in the Honda at the time of the accident. The Waltham woman admitted that she was the only occupant of the Honda and the Boston woman was an added jump-in passenger to fraudulently gain money from the insurance company. Middlesex County Assistant District Attorney John Dawley prosecuted the case.

Rear Bumper Held on by Plastic Clips Claimed as Damaged

Framingham—A Framingham man was arraigned on August 20, 2014 on a charge of motor vehicle insurance fraud. The man's 2006 Toyota Corolla was involved in a motor vehicle collision on April 18, 2011 when it was rear ended by a 2000 Buick Century. He reported to MetLife Auto & Home that as a result of the collision his rear bumper was allegedly ripped off and he was having difficulties closing the trunk of the vehicle. A forensic examination of both vehicles determined that the damage to the Toyota was enhanced and that the collision would not have resulted in extensive damages to the Toyota. Furthermore, the operator of the Buick stated that the Toyota's bumper had been held on with plastic clips and that the Framingham man ripped the bumper off before leaving the scene. The Framingham man allegedly admitted that he had misrepresented the nature of the damage to his vehicle. Middlesex County Assistant District Attorney John Dawley is prosecuting the case.

Alleged Pre-Existing Damage Claimed as New

Malden—A Malden man was arraigned on August 5, 2014 on charges of motor vehicle insurance fraud and attempt to commit a crime. The Malden man reported to Progressive Insurance that on December 1, 2010 his brother was operating his 2004 Chevrolet Corvette when he was allegedly involved in a motor vehicle accident with a 2000 Audi A6. The Malden man reported rear bumper and passenger side damage to the Corvette as a result of the alleged accident. During the claims processing, Progressive identified an August 3, 2010 accident for the Corvette by a previous owner and at that time the Corvette had been declared a total loss. The Malden man stated that he had purchased the totaled Corvette, had it repaired and it was undamaged at the time of the December accident. A review of the appraisal photos from the two accidents show similar damage. An accident reconstruction also concluded there were no reciprocal damages between the Corvette and Audi. The Malden man allegedly admitted that the Corvette was not involved in a December 2010 accident and he made a false claim to the insurer. Middlesex County Assistant District Attorney Emily Farley is prosecuting the case.

Community Insurance Fraud Initiatives Highlights

Insurance Fraud Ring Disrupted in Western Massachusetts

Greenfield—On August 11, 2014 the Hampshire and Franklin Grand Juries returned indictments against 38 individuals allegedly involved in an insurance fraud ring operating both in Western Massachusetts and in the metropolitan New York City area. The indictments follow a year-long collaborative investigation by the IFB, the office of Northwestern District Attorney David E. Sullivan, Massachusetts State Police and Department of Homeland Security. The scheme is alleged to involve individuals primarily from the metropolitan New York City area who insured and registered vehicles in Massachusetts by claiming to live at false or non-existent residential addresses in Northampton, Easthampton and Greenfield. By doing so, the involved individuals are alleged to have paid substantially lower premiums than they otherwise would have had they reported their true residential addresses in and around New York City. During the six years during which this scheme is alleged to have operated, hundreds of thousands of dollars in premium avoidance is alleged to have occurred. The Hampshire and Franklin Grand Juries returned a total of 289 indictments against the 38 individuals involved. One hundred thirty-eight of the indictments are against **Lefen “Helen” Chen** of Flushing, New York, who is alleged to have orchestrated the scheme by accompanying the other involved individuals to insurance agencies and assisting them with the fraudulent insurance applications.

Additional CIFI prosecution stories can be found on the IFB website at www.ifb.org.

Boston CIFI

On June 6, 2014 a Roslindale woman pleaded guilty to motor vehicle insurance fraud and attempt to commit a crime. She was placed on probation for one year. A Roslindale man admitted to sufficient facts on charges of motor vehicle insurance fraud and attempt to commit a crime. His case was continued without a finding for one year. The Roslindale man reported to Arbella Insurance Company that while operating his 1996 Chevrolet pick-up truck on February 12, 2012 he was involved in a motor vehicle accident with a 2002 Nissan Pathfinder. He reported alleged injuries sustained in the accident. He also reported that he had two passengers in his vehicle at the time of the accident. Police responded to the scene and the police report listed no passengers in his vehicle. The adverse operator also stated she observed only the operator in the vehicle. The Roslindale woman admitted that she was a jump-in passenger to the claim.

The Boston task force is assisted by Boston Police Det. Steven Blair. Community Insurance Fraud Initiative (CIFI) cases are prosecuted by the Offices of Suffolk County District Attorney Daniel F. Conley and Attorney General Martha Coakley's Insurance and Unemployment Fraud Division.

Brockton CIFI

A Wareham man was arraigned on August 26, 2014 on charges of motor vehicle insurance fraud and attempt to commit a crime. The Wareham man reported to MetLife Auto & Home that his 2003 Mercedes C230K was allegedly hit-while-parked by an unknown vehicle on January 3, 2014, sustaining damage to the passenger front bumper area. He stated he had all keys to the vehicle in his possession, his vehicle was locked, no other individual operated the vehicle, he was not involved in an accident while operating the Mercedes and he did not notify police of the alleged hit-while-parked incident. An expert vehicle analysis of the damages concluded they were not consistent with a vehicle-to-vehicle contact but were consistent with a glancing impact with an abrasive surface. Furthermore, damage to the right front wheel indicated the vehicle was in motion when it was damaged.

Brockton CIFI cases are prosecuted by the Office of Plymouth County District Attorney Timothy J. Cruz.

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Chelsea/Revere CIFIs

Jude Gosselin admitted to sufficient facts on May 1, 2014 to charges of attempt to commit a crime and false report of a crime. She was found guilty and sentenced to 30 days committed in the House of Correction. A guilty finding on a charge of motor vehicle insurance fraud was filed. Gosselin reported to police and Liberty Mutual Insurance Company that she was in her 2004 Chevrolet Astro in the parking lot of Suffolk Downs when she was allegedly carjacked by two undercover Boston police officers at approximately 1:00 a.m. on June 30, 2012. Investigation revealed, however, that the vehicle entered a Logan Airport MassPort parking garage at 10:00 p.m. on June 29, 2012, approximately three hours before the alleged carjacking. Time records and photographs from the parking garage show that the vehicle was never moved until it was recovered by police one month after the alleged carjacking.

The Chelsea task force is assisted by Chelsea Police Officer Roger DiGaetano. The Revere task force is assisted by Revere Police Det. Sgt. Steven Pisano. CIFI cases are prosecuted by Suffolk County Assistant District Attorney Ursula Knight.

Lawrence CIFI

On July 29, 2014 a Haverhill man pleaded guilty to a charge of motor vehicle insurance fraud. Charges against his wife were dismissed. The Haverhill man was sentenced to serve ten months in the House of Correction. The couple reported to police on April 19, 2012 the alleged theft of the wife's 2006 Buick Rendezvous from in front of their residence. The vehicle was recovered late that day with considerable damage and the couple was notified by police of the recovery of the Buick. On April 20, 2012, the husband reported the alleged theft to their insurance carrier, Commerce Insurance. An ignition analysis on the recovered vehicle determined that the security features of the vehicle were not defeated and the proper transponder key was required to operate and move the vehicle. The Haverhill man made numerous inconsistent statements regarding the events surrounding the alleged theft.

The Lawrence CIFI task force is assisted by detectives from the Lawrence and other area police departments. CIFI cases are prosecuted by Essex County Assistant District Attorney Lindsay Nasson.

Lowell CIFI

On August 21, 2014 **Gopal Patel** was arraigned on charges of motor vehicle insurance fraud and attempt to commit a crime. Patel contacted his insurance agent for Arbella Insurance Company on July 15, 2013, reporting his 2005 Nissan Quest had allegedly been hit-while-parked two days earlier resulting in damage to the driver's side of the vehicle. An accident reconstructionist concluded the vehicle had been in motion when it came into contact with a guardrail and not parked as reported. Patel allegedly admitted he filed a false loss report and the vehicle had been damaged when he hit a guardrail after bending over to pick up a map on the floor. He allegedly told police he filed a false report to avoid an increase in his insurance premium and a surcharge.

The Lowell task force is assisted by area police departments. CIFI cases are prosecuted by Middlesex County Assistant District Attorney Kristen Noto.

Lynn CIFI

Complaints were issued on August 26, 2014 against a Lynn woman on charges of motor vehicle insurance fraud and attempt to commit a crime. The woman reported to Plymouth Rock Assurance Corporation that while allegedly parked in a store parking lot, her 2002 Nissan Altima was hit by an unknown vehicle on April 20, 2011, sustaining damage to the passenger side body panels. She stated that she asked store employees if they witnessed the incident and was allegedly told they heard a loud scrapping sound but did not see the alleged incident. The Lynn woman did not obtain names of any witnesses nor did she call police to report the alleged incident. An expert examination of the damages

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concluded they were inconsistent with contact with another vehicle; however there were creosote-like transfers on the front to rear damage areas indicating the vehicle was in motion when it came into contact with a ground based object.

The Lynn task force is assisted by Lynn Police Officer Robert LeBlanc. CIFI cases are prosecuted by Essex County Assistant District Attorney Douglas Sheehan.

New Bedford/Fall River CIFI

A New Bedford man was placed on pre-trial probation on July 1, 2014 for one year on charges of motor vehicle insurance fraud and attempt to commit a crime. He was ordered to pay \$841 in restitution and to perform 20 hours of community service. The New Bedford man reported that on April 19, 2010 he was operating his 1999 Mercedes when he rear-ended a 2006 Chevrolet van. He received an insurance payment from Plymouth Rock Assurance Corporation to repair the front end damage to his Mercedes. On August 22, 2010 he was involved in an intersection accident when his Mercedes came into contact with a 2001 Ford. He claimed the Mercedes sustained alleged damage to the front end and the passenger side front end. An accident reconstruction of the reported damages determined that the front end and passenger side damages were unrelated and were the result of two separate impacts. The New Bedford man stated that the April 19, 2010 damage had been repaired and all damages on the Mercedes were from the August 22, 2010 accident. The auto repair shop that he claimed performed the repairs on the vehicle for the first accident had no knowledge of or record of repairing the Mercedes.

The New Bedford/Fall River task force is assisted by New Bedford Police Officer Greg Sirois and Fall River Police Lt. Paul Bernier. CIFI cases are prosecuted by the Office of Bristol County District Attorney C. Samuel Sutter.

Randolph CIFI

The case against **Gregory Hobson** was continued without a finding on July 29, 2014 for three months on a charge of motor vehicle insurance fraud. He was ordered to pay a \$2,000 fine. Hobson reported to Hanover Insurance Company that he was involved in a motor vehicle accident on August 30, 2009 in Braintree resulting in damage to his 2003 Acura MDX. Hobson claimed the driver's side mirror, taillight and side panels were damaged as a result of the accident. An appraisal of the damages determined that the damages seemed to be from two separate incidents. An accident reconstruction confirmed that some of the damages claimed by Hobson as part of his August 30, 2009 claim were pre-existing.

The Randolph task force is assisted by Randolph Police Det. Sgt. David Avery and Sgt. Melissa McCormack and Quincy Police Det. Jason MacIsaac. CIFI cases are prosecuted by the Office of Norfolk County District Attorney Michael Morrissey.

Western Massachusetts CIFI

Complaints were issued against a Lenox couple on August 7, 2014. The wife was charged with motor vehicle insurance fraud, attempt to commit a crime, larceny and conspiracy. The husband was charged with larceny and conspiracy. While operating the couple's 2013 Hyundai Elantra GLS on November 18, 2013, the wife was rear-ended by a 2000 Audi. The Audi operator was found at-fault for the accident. The couple allegedly filed damage claims with both their insurance carrier, Commerce, and the adverse operator's insurer, Progressive. Total cost of repairs was appraised by Commerce at approximately \$8,687 and a check was issued to the couple and the lienholder to repair the vehicle. Progressive estimated the cost of repairs at approximately \$9,167. On December 12, 2013, the wife was notified by the auto body shop that the Hyundai was repaired. She stated to the auto body

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shop that she allegedly had not yet received the insurance payment for the repairs. The auto body then contacted Progressive to inquire about payment and was requested by the insurer to complete a work claim form/direction to pay document to be signed by the wife. She allegedly signed the form authorizing Progressive to directly pay the auto body approximately \$9,167 for the repairs and she took possession of the Hyundai. Progressive was unaware that the couple had also filed a claim with Commerce and been issued a check for the repairs. When Progressive became aware that the couple already received a check for the repairs, Progressive stopped payment on their check and re-issued a check to the auto body shop for the difference in the appraisal amounts. The couple allegedly endorsed and retained the Commerce payment and filed an identical damage claim with Progressive to pay for the repairs.

The Western Massachusetts task force is assisted by area police departments. CIFI cases are prosecuted by Hampden County Assistant District Attorney James Forsyth, Berkshire County Assistant District Attorney Gregory Barry and First Assistant District Attorney Steve Gagne of the Northwestern Massachusetts District Attorney's Office which covers Franklin and Hampshire counties.

Worcester CIFI

A Leominster man pleaded guilty on July 10, 2014 to charges of motor vehicle insurance fraud and attempt to commit a crime. He was sentenced to serve nine months in the House of Correction. The Leominster man reported to Plymouth Rock Assurance Corporation that while operating his 2001 Acura MDX on November 23, 2009 he allegedly lost control of the vehicle and hit a concrete barrier resulting in damages to the front end. The man reported the airbags deployed and he was slightly dazed but able to continue on to his destination. He claimed there were no witnesses to the accident. However a witness did come forward and stated that he observed the Acura slow down and then veer off the road and strike a concrete barrier approximately 50 feet from the road. The witness stated he approached the Acura to offer assistance and witnessed a male exit the vehicle wearing a chest protector and elbow pads. A black Toyota SUV had been traveling behind the Acura and also stopped at the scene. The operator of the Acura entered the Toyota SUV which departed the scene. A male occupant of the Toyota exited this vehicle and entered the Acura and also departed the scene.

Antonio Core was found guilty on June 6, 2014 of motor vehicle insurance fraud, attempt to commit a crime and false report of a crime. He was sentenced to 2 ½ years in the House of Correction to be served concurrent with another sentence. Core reported the alleged theft of his 2005 Honda CRV on February 24, 2009 to Worcester police and Norfolk & Dedham Insurance Company. Core stated that he and his wife had returned from a two-day Cape Cod trip on that day and discovered the vehicle missing. The Honda was subsequently recovered in New York City on March 16, 2009 with ignition damage and parts missing. An expert analysis of the recovered vehicle determined that the vehicle inspection sticker had expired in February 2009; the steering wheel was in the locked position upon recovery; damages to the steering column, ignition lock areas and transponder system were cosmetic and had been inflicted after the vehicle had been last driven; and that the correct key was required to operate the vehicle. Further investigation revealed Core was unable to substantiate his presence on his two-day trip, he has family members in New York and that he was behind on loan payments for the Honda.

The Worcester task force is assisted by Worcester Police Det. Scott Blakeney and other area police departments. CIFI cases are prosecuted by Worcester County Assistant District Attorney John O'Leary.