

## ALBANY COUNTY

In the City of Albany, a brother and sister face a range of charges including: forgery, fraud and other charges as part of a scheme to defraud their insurance carrier.

Michael and Mary Beth Maxwell are accused of submitting false claims to the Progressive Insurance Company for lost wages totaling \$8,711 as the result of an auto accident.

The complaint alleges that Mr. Maxwell forged a letter from Ms. Maxwell's former employer falsely stating that she was scheduled to return to work on December 11, 2002. In reality, Ms. Maxwell was terminated by the employer a month earlier and was not entitled to any lost wages.

The defendants are charged with four counts: Forgery in the Second Degree; Insurance Fraud in the Third Degree; Falsifying Business Records in the First Degree; and Attempted Grand Larceny in the Third Degree.

## BROOME COUNTY

In Binghamton, a couple was charged with falsifying records and other charges as part of a scheme to defraud their insurance carrier.

Michael DeLuca and Angela Smith are accused of submitting falsified documents to the Liberty Mutual Insurance Company. The couple falsely reported the date of a car accident in order to make a \$1,200 claim on an insurance policy that was cancelled because of Ms. Smith's failure to pay required premiums.

The defendants are charged with Insurance Fraud in the Fourth Degree, Falsifying Business Records in the First Degree, Attempted Grand Larceny in the Fourth Degree, Falsely Reporting an Incident in the Third Degree and Conspiracy in the Fifth Degree.

In another Broome County case, a Binghamton man was charged in connection with a staged accident in a shopping plaza parking lot.

Barrington Warner is accused of submitting a false claim to the Travelers' Insurance Company. Mr. Warner said that he was struck by a passing vehicle in the parking lot. But witnesses state that they saw Warner push a shopping cart into a passing vehicle and pretend to be struck.

The defendant is charged with Criminal Mischief in the Third Degree, Falsifying Business Records in the First Degree, Insurance Fraud in the Fifth Degree, and Attempted Petit Larceny.

## CHENANGO COUNTY

A New Berlin man pleaded guilty on January 13, 2004 to Insurance Fraud in the Fifth Degree.

Patrick Egan submitted a claim to the Preferred Mutual Insurance Company in an attempt to obtain \$860 in no-fault insurance benefits for two weeks of lost wages and medical expenses

related to an injury suffered when he slipped on a wet running board while exiting a truck on his property.

In fact, Egan sustained his injuries in an unrelated altercation with an individual on May 11, 2003.

In a second case, a Plymouth man is facing charges of Insurance Fraud, Falsifying Business Records, Attempted Grand Larceny and other related charges for attempting to defraud an insurance company by claiming his car had been stolen after he sold it for parts.

John Buffa was the owner of a 1963 Chevrolet Impala which he purchased in 2002 for \$500, another vehicle and some car parts. It is alleged that in April 2003, Buffa insured the '63 Chevrolet with Hagerty Collector Car and Boat Insurance declaring a value of \$14,000. In June, the defendant sold some parts from the car to a third party for \$300. Later that month, Buffa is alleged to have falsely reported the car stolen and attempted to recover \$12,500.

#### COLUMBIA COUNTY

A Canaan woman is charged with Grand Larceny for claiming social security disability benefits and Medicare as a result of an automobile accident in 1998.

At an administrative hearing, Mary Birch is alleged to have falsely testified that she was unable to work, leading an administrative law judge to decide that she was entitled to receive disability insurance benefits. Over a two-year period, Birch received \$47,190 in disability insurance benefits from the U.S. government. In addition, as a result of her claimed disability, Birch received Medicare benefits for services rendered and Medicare premiums paid on her behalf. In total, the defendant is alleged to have received \$51,410, while also holding two different jobs during the time she was receiving disability benefits.

#### ERIE COUNTY

In Buffalo, two men pleaded guilty to Insurance Fraud in the Third Degree for their participation in a staged accident. The two men will be sentenced to potential terms in state prison.

Abdul Almontaser and Nagib Aziz were the driver and passenger respectively in a staged automobile accident involving a 1994 Lexus. The car was registered to Mr. Aziz' wife. The second vehicle, a 1995 Chevy Blazer, registered to Almontaser, was operated by an unknown individual. In November 2002, Almontaser filed for no-fault insurance benefits with his insurer, AutoOne Insurance Company. Almontaser fraudulently claimed that he was operating the Blazer and the collision occurred due to a faulty braking mechanism. Almontaser made a claim for damages to the vehicle in excess of \$7,000.

Nagib Aziz also filed for no-fault benefits with the Nationwide Insurance Company in which he fraudulently claimed to be operating his wife's Lexus. Aziz was seeking benefits for personal injuries and property damages in excess of \$20,000.

In another Western New York case, two Buffalo men pleaded guilty to Insurance Fraud in the Fifth Degree for fraudulently claiming to have suffered injuries in a two-car crash in which neither were operators or passengers.

William Austin and Frank Aughtry faced charges after claiming to have been injured in an automobile accident. In April 2002, Marius Austin was the operator of a car and Alan Collins was a passenger. The car was registered and insured by Frank Aughtry. That car collided with an armored vehicle owned by the Armor Car Company. In June, Aughtry and William Austin, the father of Marius Austin, fraudulently claimed no-fault insurance benefits from the Erie Insurance Company. Aughtry received \$2,435 in reimbursements to medical providers; William Austin received \$2,532 for similar claims and services.

In a third case, a West Seneca woman is facing Insurance Fraud and other charges for attempting to inflate the value of her in-dash audio system which was stolen from her car.

Debra Buccilli's automobile was stolen and subsequently recovered. However, the vehicle's audio system had been removed from the car. The defendant filed a claim with the New York Central Mutual Insurance Company initially indicating the value of the system at \$1,400 and subsequently allegedly submitted a forged document in an attempt to obtain \$3,293 for the loss.

In a fourth case, a Buffalo man is facing felony Scheme to Defraud Charges for his participation in an arranged "owner give-up" theft ring.

David Pastore allegedly coordinated "arranged thefts" of vehicles in order to provide owners with the opportunity to recover significant proceeds from their insurance carrier.

## MONROE COUNTY

A Rochester man is charged with Insurance Fraud, Criminal Impersonation and related charges for attempting to defraud an insurance company by claiming the identity of someone who is deceased.

Mark Ammer allegedly obtained title to a 1987 Pontiac Firebird claiming to be William Hagedorn. The defendant used this title to obtain automobile insurance coverage from the Progressive Insurance Company. In June 2003, the defendant contacted Progressive to report the vehicle stolen seeking payment for the loss in excess of \$1,000. The car had not been stolen, but had, in fact been towed away with the owner's knowledge. The complaint alleges that in fact Hagedorn died on January 5, 1999.

In another Monroe County case, a Rochester man pleaded guilty to Attempted Insurance Fraud in the Fourth Degree after he received payment from his insurance company for damage to his personal vehicle. He submitted a second claim, to another company for the same loss and damages.

Jimmie Clark's car was parked in the City of Rochester when it was hit, incurring significant

damage. Clark was insured by State Farm Insurance Company, and he filed a claim for the damage and rental car reimbursement. State Farm paid Clark \$2,043 for the damage. Clark also filed a claim with the Progressive Insurance Company, the insurer of the vehicle at fault. Progressive made payment to Clark in the amount of \$2,298. The defendant failed to disclose to State Farm that he had received benefits from Progressive and subsequently both checks were cashed.

In a third case in Monroe County, a Mount Morris (Livingston County) woman is charged with Grand Larceny, Insurance Fraud, and other charges for a scheme in which she claimed reimbursement for prescription drugs she never purchased.

Laura Lewis Fletcher was in an automobile accident and was prescribed a number of medications to treat her injuries. It is alleged that on numerous occasions, Fletcher ordered medications for these injuries which were filled by the pharmacy, but which she failed to pick-up or provide payment. Fletcher requested from the pharmacy detailed schedules of her orders, which failed to account for the orders which she never bought. She received fraudulent payments of \$2,719.

In a fourth case, a Rochester man who was legally intoxicated allegedly attempted to defraud One Beacon Insurance Company by claiming he was the passenger, rather than the operator of a vehicle involved in an accident. He is charged with Grand Larceny, Insurance Fraud, and other charges.

Willie Wilson was the driver of an automobile involved in a one car accident. He was injured and treated at the hospital, where he registered a blood alcohol level of .23 percent. Wilson filed for no-fault insurance medical and bodily injury benefits totaling \$72,192 claiming that he was a passenger rather than the operator of the vehicle.

#### ONONDAGA COUNTY

A Syracuse brother and sister are charged with Insurance Fraud, Attempted Grand Larceny, and other crimes for attempting to defraud an insurance company for a significant claim resulting from the theft of electronic equipment.

Thomas Emanuel and Janice McClain are alleged to have acted in concert to advance a fraudulent insurance scheme regarding the theft of electronic equipment from a vehicle while it was parked in the City of Syracuse. Emanuel contacted the Nationwide Insurance Company claiming to be Donyell McClain, and later impersonated McClain, the owner of the vehicle and the equipment. The defendants then attempted to fraudulently obtain insurance money totaling \$5,394 from Nationwide.

#### OTSEGO COUNTY

A New Berlin (Chenango County) man was charged with fraud, larceny and other crimes in connection with the false report of stolen property from his vehicle.

Choice Torre allegedly made a report to Yonkers Police that while visiting the city, \$2000 in personal property including a camera and computer was stolen from his car. He later filed a claim with his insurance carrier claiming \$4,700 in losses.

The defendant is charged with Insurance Fraud in the Fourth Degree, Falsifying Business Records in the First Degree, and Attempted Grand Larceny in the Fourth Degree.

#### SARATOGA COUNTY

A Saratoga Springs man pleaded guilty to making a false report of stolen property.

Donald Mallory claimed that expensive tires and equipment were stolen from his 1997 BMW and made a \$1,501 claim to State Farm Insurance Company. Mallory later traded the vehicle with the tires and equipment he had falsely reported stolen.

The defendant pleaded guilty on January 22 to Insurance Fraud in the Fifth Degree.

In another case in Saratoga County, a Baldwinsville (Onondaga County) man is charged with Insurance Fraud, Grand Larceny, and other associated crimes for attempting to defraud an insurance company by inflating his claim for reimbursement for the services of a home health aide.

David Bennett was eligible to receive a \$50 per diem from the State Farm Insurance Company for costs associated with a home healthaide he had hired for a period of approximately six days.

However, the defendant submitted a claim for services which requested a reimbursement for services of approximately 12 weeks. As a result, the insurance company made payment to the aide for \$4,850. The aide questioned the defendant about the sum, at which time he indicated that it included supplemental expenses and costs. Bennett told the aide that she was entitled to \$300 and retrieved the check from her. Mallory subsequently deposited the nearly \$5,000 check into his personal bank account.

#### SCHENECTADY COUNTY

An Amsterdam woman pleaded guilty to Insurance Fraud in the Fifth Degree after making a false report as part of a scheme to defraud her insurance carrier.

Lisa Julian reported that her car was stolen from a church parking lot and made a claim to the Liberty Mutual Insurance Company. Her car was recovered, but she failed to inform the insurance carrier.

#### ULSTER COUNTY

A Kingston insurance agent is accused of using forging documents to expand his business.

John Iapoce, a former agent for the Allstate Insurance Company, is alleged to have forged

defensive driving certificates, which are used to reduce premium costs as well as remove license points for driving infractions such as speeding. He is alleged to have done this for six different individuals as part of a bid to win their insurance business.

The defendant is charged with six counts of Forgery in the Second Degree.

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