



Claims Adjuster and Contractor Arrested in Montgomery County



Christopher McSween, a claims adjuster for the AAA Mid-Atlantic Insurance Company, and Joseph Wade, a contractor doing business as Acme Contracting Services and Acme Roofing Company, were arrested in Montgomery County on June 11, 2008.



According to the Criminal Complaint, McSween, in his capacity as a claims adjuster, directed customers with homeowners' claims to have the repairs to their homes completed by Wade. In exchange for the job, McSween received kickbacks from Wade. The Complaint further states that on numerous occasions, McSween approved payments on homeowners' claims handled by Wade without requiring Wade to submit estimates or provide confirmations that the repairs were completed. On several occasions, the work was reportedly not done or completed. McSween allegedly forwarded the checks directly to Wade and then either McSween or Wade would endorse and cash the checks, totaling over \$120,000. McSween and Wade have each been charged with two counts of Insurance Fraud (F3), one count of Theft by Deception (F3), one count of Forgery (F2) and one count of Conspiracy (F2).

Insurance Fraud Charges Against Two Berks County Men



Joseph Schmidt and Deon Joseph were arrested in Berks County on June 27, 2008.



According to the Criminal Complaint, Schmidt reported to the Philadelphia Police and the Travelers Insurance Company that his 2005 Ford Explorer had been stolen. Schmidt was unaware that his Explorer was equipped with a LoJack recovery device which alerts the police with a signal when the vehicle is entered into a national data base notifying police where the vehicle is located. The vehicle was allegedly located by the police inside Deon's garage in Delaware. It is alleged that Schmidt and Deon agreed to have Deon store the vehicle in his garage and have Schmidt report it stolen and that they would share the proceeds received from the Travelers Insurance Company. Schmidt and Deon have been charged with two counts of Insurance Fraud (F3), one count of Criminal Attempt/Theft by Deception (F3), one count of Conspiracy (F3) and one count of False Reports to Law Enforcement (M3).

A graphic header featuring a pair of silver handcuffs on the left and the word "ARRESTS" in a bold, white, sans-serif font on a dark blue background to the right.

- In June 2008, Fernando Podagrosi and Jacqueline Mattia were arrested in Philadelphia County. According to the Criminal Complaint, Mattia's Escalade was struck while parked outside a party. Mattia took her vehicle to a friend, Podagrosi, to be repaired. Mattia went to pick up her vehicle at Podagrosi's and found additional damages to her vehicle. Podagrosi filed a claim with the Travelers Insurance Company stating that Mattia's vehicle was struck in a hit and run accident. Mattia reiterated the claim in a statement to Travelers. It is alleged that Podagrosi and Mattia agreed on a story to tell Travelers to have both sets of repairs covered under the policy and conspired to make the false report to the police involving the accident. Podagrosi and Mattia have both been charged with two counts of Insurance Fraud (F3), one count of Theft by Deception (F3), one count of Conspiracy (F3) and one count of False Reports (M3).
- On June 27, 2008, Zachary Landis was arrested in Lancaster County. According to the Criminal Complaint, Landis filed a claim with the Progressive Insurance Company that his Jeep was damaged in an accident approximately one week after he obtained full coverage. Progressive ruled the Jeep a total loss and valued the vehicle at more than \$9,000. It is alleged that the accident actually occurred one week prior to the date on which Landis obtained full coverage for his vehicle. Landis has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (F3).
- On June 25, 2008, Daniel Applegate was arrested in Cambria County. According to the Criminal Complaint, Applegate insured his vehicle with the Farmers Insurance

Company, reporting that it was for personal use only. It is alleged that Applegate misrepresented his address to Farmers and operated an unlicensed taxi service in Cambria County. It is further alleged that Applegate was on probation at that time for unlawfully operating a taxi service. Applegate has been charged with one count of Insurance Fraud (M1).

- Jamal Dean was arrested in Lehigh County on June 30, 2008. According to the Criminal Complaint, Dean obtained an automobile insurance policy with the Allstate Insurance Company in December of 2006 insuring a Jeep Grand Cherokee. In January of 2007, Dean submitted a claim for damages to the Jeep and received a check for \$3,445.47 from Allstate. It is alleged that Dean had the same vehicle previously insured with the Liberty Mutual Insurance Company and submitted a claim and received payment for the same damages that were submitted to Allstate. Dean has been charged with one count of Insurance Fraud (F3) and one count of Theft by Deception (M1).
- On June 9, 2008, Lori Johnson was arrested in Allegheny County. According to the Criminal Complaint, Johnson passed approximately 44 prescriptions for Vicodin, purportedly written by Johnson's boyfriend, a dentist, at numerous pharmacies in Allegheny and Greene Counties. The prescriptions were written for three of Johnson's sisters, her niece, her late father and an individual by the name of Holly Johnson. The Complaint further states that numerous prescriptions were submitted to Coventry and Highmark Insurance Companies. It is alleged that Holly Johnson was the name of Johnson's childhood family dog and that Johnson presented prescriptions for her father after he was deceased. It is further alleged that Johnson's sisters and niece were not issued the prescriptions and did not authorize Johnson to present them on their behalf. Johnson has been charged with eight counts of Insurance Fraud (F3) and six counts of Act 64 Drug Violations (F).

- Anna Agnelly was arrested in Washington County on June 19, 2008. According to the Criminal Complaint, Agnelly filed a claim with the Liberty Mutual Insurance Company for wage loss and medical expenses, reporting that she slipped on her employer's property after exiting her vehicle. The Complaint further states that Agnelly quit her employment approximately one week after her injury. It is alleged that Agnelly's fall occurred at her home, prior to arriving at work. It is further alleged that Agnelly had no personal medical insurance and attempted to have her injury covered under her employer's insurance with Liberty Mutual. Agnelly has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt/Theft by Deception (M1).

- Theresa Pursell was arrested in Crawford County on June 27, 2008. According to the Criminal Complaint, Pursell obtained insurance coverage from the Geico Insurance Company. Pursell subsequently filed a claim reporting that her vehicle was damaged when she collided with a deer a few days after the date of the policy inception. It is alleged that the accident pre-dated the insurance policy inception. Pursell has been charged with one count of Insurance Fraud (F3) and one count of Criminal Attempt (M1).




CONVICTIONS

- Tamara Lowe entered a guilty plea to one count of Insurance Fraud (F3) and one count of Act 64 Drug Violations (F) in Mercer County. Lowe, a dentist, issued fraudulent prescriptions in the name of employees and acquaintances to obtain Hydrocodone for her personal use. The cost of the majority of the prescriptions was borne by Highmark and PEBTF Insurance. On June 6, 2008, Lowe was sentenced to serve 6 to 24 months less 1 day incarceration and ordered to pay restitution of \$3,378.19 and all court costs. On July 3, 2008, that sentence was revised

and Lowe was placed on probation for a period of two years and ordered to perform community service for 6 months. The term of incarceration was stricken.

- The defendant, Antonio Tarrance, entered a guilty plea to one count of Insurance Fraud (F3) in Philadelphia County. Tarrance is one of twelve defendants who filed personal injury claims with Lancer Insurance Company reporting that they were passengers on a Wertz tour bus when it was struck by a car. The damage to the bus was limited to a few scratches and minor dents. Lancer received medical bills totaling \$29,556.79. Lancer provided \$30,000 in uninsured motorist coverage and set aside \$105,000 in bodily injury coverage. Our investigation revealed that the collision between the bus and the car was staged and that some of the defendants were not on the bus, those on the bus were not actually injured and one knew in advance that the collision was going to take place in order to generate claims. On June 26, 2008, Tarrance was sentenced to serve 6 to 23 months incarceration, to run concurrent with his state sentence, and pay all court costs.
- Karash Woolie entered a guilty plea to one count of Criminal Attempt/Theft by Deception (M1) in Berks County. Woolie was injured in a work related accident and was collecting Workers' Compensation benefits. Woolie took a taxi cab to his medical appointments and submitted fraudulent receipts. The cab numbers on the receipts were not dispatched to the route allegedly taken and the name of the cab driver was not a cab driver in the City of Philadelphia. On June 27, 2008, Woolie was sentenced to serve 2 years probation and ordered to pay a fine of \$500 and all court costs.
- Linda Kuczynski entered a guilty plea to one count of Insurance Fraud (F3) in Luzerne County. Kuczynski fraudulently asserted that she was a passenger in a friend's vehicle when it hit a tree at a high rate of speed. Kuczynski was seriously injured and filed a lawsuit against the Progressive



Insurance Company for third party benefits. Our investigation revealed that Kuczynski was the driver of the vehicle at the time of the accident and as such was not entitled to collect third party benefits. On June 9, 2008, Kuczynski was sentenced to serve 1 year probation and ordered to pay a fine of \$1,500 and all court costs.

- Shannon Dick entered a guilty plea to one count of Insurance Fraud (F3) in Mercer County. Dick fraudulently reported to the State Farm Insurance Company that she lost two platinum rings valued over \$10,000 while water skiing. Our investigation revealed that Dick obtained personal articles coverage on her policy and pawned the rings at a local



pawn shop prior to her claim. On June 5, 2008, Dick was sentenced to serve 1 year probation, ordered to perform 20 hours of community service and ordered to pay all court costs.

(ARD) DISPOSITIONS

During the month of June, two additional defendants received Accelerated Rehabilitative Disposition (ARD). Defendants who receive ARD are typically sentenced to 2 years probation, 50 hours community service, and ordered to pay full restitution, all ARD costs and all court costs.

FRAUD REFERRALS

The Office of Attorney General's Insurance Fraud Section (OAG-IFS) has state-wide jurisdiction to investigate and prosecute all forms of insurance fraud. Our office currently has 22 agents and 9 attorneys dedicated solely to fighting fraud. The OAG-IFS has the authority to investigate and prosecute insurance fraud perpetrators in all of Pennsylvania's 67 counties and we will gladly

provide assistance to any Police Department or District Attorney's office when requested.

In order to investigate and prosecute insurance fraud, however, the OAG-IFS largely relies on fraud referrals from the insurance industry. If you suspect someone is committing insurance fraud, you are encouraged to submit an Insurance Fraud Referral Form to our office. Referrals may be submitted on-line at: www.attorneygeneral.gov

The INSURANCE INDUSTRY should use one of the following:

- [Instructions for Insurance Industry Form](#) 📄
- [INSURANCE INDUSTRY Printable Referral Form](#) 📄
- [INSURANCE INDUSTRY Online Referral Form](#)

IMMUNITY

Numerous statutes provide immunity to members of the insurance industry for reporting insurance fraud.

- 18 Pa. C.S.A. §4117(f)—(all forms of insurance fraud)
- 40 P.S. §325.47—(all forms of insurance fraud)
- 40 P.S. §626.10—(viatical settlements fraud)
- 40 P.S. §1610.4—(arson)
- 75 Pa. C.S.A. §1795—(motor vehicle insurance fraud)
- 77 P.S. §1039.7—(workers' compensation insurance fraud)