

# NJSIA

Educational Foundation presents....

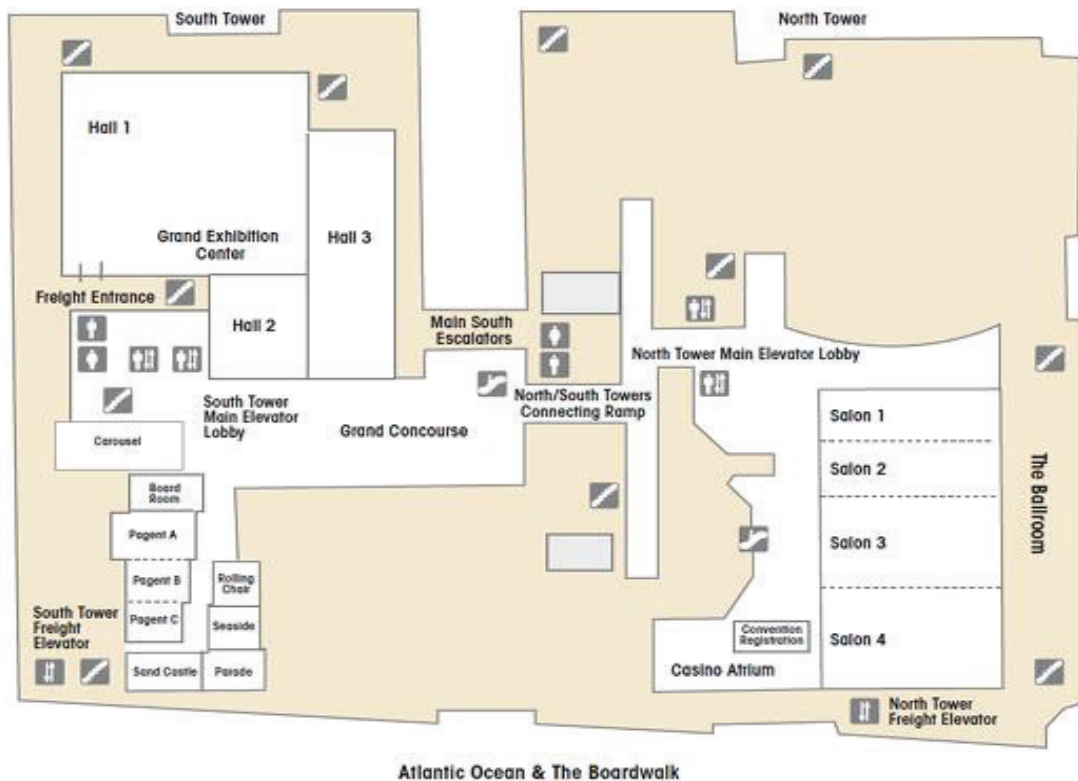
# 32<sup>nd</sup>

**Annual Anti-Fraud  
Insurance Seminar**



*October 23-25, 2023  
Tropicana Casino & Resort  
Atlantic City, NJ*

## SOUTH TOWER & NORTH TOWER MAP



## The NJSIA Golf Outing



Join us in 2024 for a day of golf!  
Check our website in early spring for details and  
to register at: [www.njsia.org](http://www.njsia.org).



# 32<sup>nd</sup> NJSIA SEMINAR

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## PRESIDENT'S MESSAGE

On behalf of the New Jersey Special Investigators Association (NJSIA), it's my great pleasure to welcome you to our 32<sup>nd</sup> Annual Anti-Insurance Fraud Training Seminar.

This year's seminar provides a variety of classes to fulfill the yearly training requirements set forth by the state of New Jersey. You will find a wide array of classes that will touch on an assortment of insurance fraud related topics. This allows you to choose those classes that will provide the most impact on your current investigations or to secure training outside your area of expertise. I know you'll leave the seminar with substantial information that you can apply to your daily work product which will keep you on the cutting edge of insurance fraud. Additionally, I am pleased to inform you we will again be offering "accredited" classes for legal education credit.

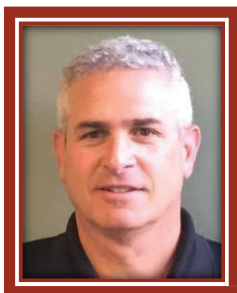
The seminar takes a year's worth of planning to put together. It could not be accomplished without a true team effort. I would like to thank the entire NJSIA Board of Directors for their dedication, support and hard work throughout the year.

I would like to give special recognition to Melissa Sweeney and John Carusi, for masterfully assembling this year's curriculum and Mary Ann Fabiano for organizing and designing the seminar booklet.

Finally, I would like to express my sincere appreciation to all our speakers, vendors, sponsors and volunteers whose participation and gracious donations allow the NJSIA to provide this important event year after year with minimal or no increase in cost to you.

I hope you find the seminar informative and topical to your investigations. Please take this opportunity to network with your fellow SIU Investigators, representatives from the New Jersey office of the Insurance Fraud Prosecutor, the Bureau of Fraud Deterrence, and several County Prosecutor's offices. I would also encourage you to stop and speak with our industry partners in the vendor area as they can play an important role in our fight against insurance fraud.

Thank you for your attendance.



**Scott Keesal, President NJSIA**





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## ABOUT THE NJSIA

The New Jersey Special Investigators Association, Inc. is a non-profit organization formed to unite insurance fraud investigators for their mutual benefit.

The Association monitors trends affecting the industry and shares technical information with the insurance industry, law enforcement and regulatory agencies. The Association also acts as an industry liaison with related organizations.

Through the NJSIA Educational Foundation, Inc., the NJSIA has undertaken the mission of educating insurance fraud investigators and law enforcement personnel in fraud awareness, investigatory techniques, trends in the industry, and recent developments in the law relating to insurance fraud. The NJSIA Educational Foundation, Inc. sponsors a day and a half insurance fraud seminar that has been attended by over 600 persons representing insurance companies, regulatory bodies, and law enforcement agencies from the northeastern United States.

The NJSIA has more than 300 members and conducts general membership meetings on a quarterly basis.

A 16-person Board of Directors governs the NJSIA.

## DISCLAIMER

The NJSIA Educational Foundation, Inc. (the “NJSIA”) is sponsoring the 32<sup>nd</sup> Annual Anti-Fraud Training Seminar (the “Seminar”) as a forum for the open exchange of opinions and ideas, and the exploration of issues of concern to its membership. The opinions expressed by the speakers at the Seminar, and the ideas and positions they describe in any of the written materials distributed to participants, are solely those of the speakers themselves, and do not necessarily reflect the views or opinion of the NJSIA or any of its members, officers, or affiliates.

An invitation by the NJSIA to speak at the Seminar, or the distribution by the NJSIA of any materials furnished by a speaker, does not in any way constitute an endorsement by the NJSIA, or any of its officers, directors, or members, of the opinions, information, statements, or recommendations expressed by that speaker, either verbally or in writing. The NJSIA hereby expressly disclaims any responsibility for such statements or writings.

Before action on the opinions or adopting any of the procedures discussed by any of the speakers or described in any of the materials that may be

distributed, the NJSIA encourages you to conduct an independent investigation of the matter and/or to seek the advice of independent legal counsel, as may be appropriate.

Neither the NJSIA, its officers, directors, or any of its members take any responsibility for the statements made, or procedures recommended by any of the speakers at the Seminar, nor will they be legally responsible for any damages of any kind that may result from your reliance upon any of the opinions or recommendations expressed in connection with the Seminar, either orally or in writing.

## NOTICE OF TERMS AND CONDITIONS:

Attendance at the Conference is restricted to the membership of the NJSIA and those invited guests who, in the sole discretion of the NJSIA, are deemed to share common interests with the NJSIA. The NJSIA expressly reserves the right, in its sole discretion, to deny admission or revoke the registration and conference credentials of any person who is not a member of the NJSIA.





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## HONORED SPEAKERS

### ***Millennials and Gen Zs -- Can't Work With 'Em or Can't Work Without 'Em?***



### **ROY A. MURA, Esq. & RYAN M. MURA, Esq.**

*Roy Mura* is the founding and managing member of our seven-attorney law firm. He regularly analyzes and evaluates commercial and personal lines coverage issues, defends insureds in tort actions, represents insurers in intercompany arbitration matters, and litigation arson, insurance fraud, "bad faith" and coverage disputes with policyholders or other insurers, through trial and appellate practice. He has conducted hundreds of EUOs of property, auto and no-fault insureds, claimants and medical providers. He is admitted to practice and regularly appears in various New York State Supreme Courts and all U.S. District Courts throughout Long Island, metropolitan New York City, Rockland and Westchester counties, Albany, Syracuse, Rochester, Buffalo and other upstate areas. He has been counsel of record on numerous reported trial level and appellate decisions in New York, having successfully tried to conclusion both first-party (arson and fraud) and third-party (motor vehicle accidents, Labor Law and personal injury) insurance coverage and defense cases. Roy writes for and speaks frequently to insurance industry groups throughout the country on a wide variety of property and casualty insurance-related topics.

Roy has been listed in the New York Super Lawyers - Upstate Edition since 2012 and maintains the highest possible AV rating with Martindale-Hubbell.

*Ryan Mura* joined the firm in May 2012 as a clerk while still in law school. After completing law school and passing the New York State Bar, Ryan began working as an associate attorney, specializing in the field of first-party property and third-party liability claims, as well as no-fault arbitration and subrogation claims. He also has experience conducting examinations under oath and depositions, representing defendants charged with traffic violations, drafting estate planning documents and handling other small claims court matters.





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JMF Property Group-Lunch	Insight Investigation-Hole
AIC Companies LLC-Hole	SHIFT Technology-Lunch
Cesars Entertainment-Lunch	Lemieux and Associates-Breakfast & Hole
Forensic Consultants of North America -Hole	Advantage Surveillance-Lunch





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## WORKSHOPS & BIOS

### AI, GHOST BROKERS, LAWYER ETHICS IN THE SIU, AND SPINE SURGERY CODING \*CLE\*



Gregory Peterson, Esq.

The key topics of this course include the use of AI: LLMS for you and me/industry use. We will delve into the world of ghost brokers and premium avoidance. This course will address lawyer ethics in the SIU: some things you may not know. And finally, we will discuss the “cutting edge concepts” in spine surgery coding.

#### *Gregory E. Peterson*



Mr. Peterson is a partner and founding member of Dyer & Peterson. Before starting his own practice, Mr. Peterson was of counsel to the Connell Foley firm and was involved in a wide array of litigation cases, including complex commercial, breach of contract, insurance defense (including Personal Injury Protection/Forthright matters), personal injury, products liability, construction, and professional liability matters.

His insurance practice focuses on all aspects of litigation and specializes in large exposure first party and fraud matters.

Early in his career, Mr. Peterson tried the matter of *Bowe v. New Jersey Mfrs. Ins. Co.*, 367 N.J. Super. 128 (App.Div.2004) and secured a successful verdict based upon a ground breaking causation theory in No Fault litigation. In a published opinion, the Appellate Division affirmed Mr. Peterson’s defense theory, utilizing his cross-examination of plaintiff’s expert as the basis for its holding. *Bowe* remains the seminal case regarding causation in PIP matters and has been cited more than 7,600 times in PIP arbitration decisions.

In 2010, Mr. Peterson gained another successful outcome in *Haywood v. Harris*, 414 N.J. Super. 204 (App.Div.2010). There, the Appellate panel affirmed the trial court’s revision of a jury verdict for economic loss based upon Mr. Peterson’s post-trial application. In upholding his position, the Appellate Court recommended a modification to the Model Jury Charge and verdict sheets used in Limitation on Lawsuit matters to accommodate defendant’s position, as advocated by Mr. Peterson.

On January 29, 2019, Mr. Peterson prevailed by the Appellate Division in the matters of *New Jersey Manufacturers Insurance Company v. Specialty Surgical Center of North Brunswick a/s/o Claire Fiore and Surgicare Surgical Associates of Fair Lawn a/s/o Martino Chizzoniti*.

The Court considered the critical issue of whether high-billing ambulatory surgery center could be paid by a no-fault insurer for surgical codes without a value listed in PIP. From a jurisdictional standpoint, the Court noted "no published cases have addressed the issue before us; in light of the absence of needed precedent, public policy favors review of the instant matter".

The decisions have been cited in countless matters to curb insurer liability and keep insurance rates low for the public.



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Mr. Peterson spearheads fraud investigations and has pursued numerous litigations under Jersey's Insurance Fraud Prevention Act. Working collaboratively with his clients, Mr. Peterson devises novel approaches to reducing his client's exposure on false claims.

## CASE STUDIES IN STAGED AND SUSPICIOUS FALL CLAIMS



Michael Benjamin Gerstein, Esq.

This presentation will address select cases and fact patterns involving real claims that have gone to trial and/or arbitration involving suspicious and/or staged slip-and-fall and trip-and-fall fact patterns. I will cover the types of discovery used to investigate these "falls," the impact of liability experts, and trial strategy considerations.

### *Michael Benjamin Gerstein*



Michael Benjamin Gerstein is a member of the firm's Special Investigations and Fraud team. Michael's practice is concentrated in the Philadelphia office of Bennett, Bricklin & Saltzburg LLC, defending the firm's clients in a variety of personal injury, property damage and premises liability cases. He is a member of the Pennsylvania Bar and New Jersey Bar. Michael is an active trial attorney, having defended numerous jury trials in venues across the region. Michael also prepares insurance coverage opinion letters for insurers in both Pennsylvania and New Jersey,

Michael obtained his B.A. from Drexel University in 2004, graduating magna cum laude. While at Drexel, Michael studied history and political science and was awarded most distinguished seminar research paper by faculty. Michael spent his junior year abroad at the London School of Economics, achieving honors in the General Course program. After graduation, Michael managed a small legal services business in Philadelphia. He then attended Villanova University's Charles Widger School of Law, graduating in 2009.

In the summer of 2008, and throughout his third year of law school, Michael clerked for the firm. During law school, he was an Executive Board member of the Villanova Law Moot Court Board, externed for the Honorable Mark I. Bernstein in the Philadelphia Court of Common Pleas of Pennsylvania, served as a teaching assistant and worked as a certified student attorney in the Villanova Civil Justice Clinic.

Michael lives in Philadelphia and when he is not in the office, he enjoys spending time with his family and friends, reading, cycling and golfing.



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## DENTS, LIES & VIDEOTAPE:

### EXPOSING BODY SHOP SECRET DIRTY TRICKS AND ENHANCED DAMAGE SCAMS

Christopher Borelli

This workshop will discuss identifying inconsistent, unrelated, and enhanced damage. Also, information regarding some of the technology that can be used to help identify if a loss occurred as reported will be discussed.



*Christopher Borelli* is the founder and owner of Borelli Collision Analysis. A Mechanical Engineer (BSME) and an ACTAR accredited Accident Reconstructionist, he has been reconstructing collision losses for 30 years. Mr. Borelli received his primary education in accident reconstruction from Northwestern University in Chicago, Illinois, and receives continuing education at various universities and related associations around the country.

Primarily focusing on analyzing damage for potential automobile insurance fraud claims, he has been able to apply engineering and accident reconstruction principles, along with the latest accident reconstruction technology, to analyze thousands of collision losses from across the country. Mr. Borelli has provided expert testimony for trials and arbitrations in Massachusetts, Rhode Island, and Connecticut.

## EMG/ELECTRODIAGNOSTIC FRAUD

Dr. John Robinton

This one-hour session will provide an overview of the principles of EMG and nerve conduction study. There will be a discussion regarding qualifications required to perform a quality study which contrasts significantly with factors that allow any licensed physician independent of qualifications to perform studies. An introduction to topics regarding fraud and abuse in EMG cases will be presented. As part of the discussion, Dr. Robinton will highlight trends he's seen over the last 15 years regarding fraud and abuse in NY and NJ. Surprisingly, despite widespread fraud within the field of EMG and nerve conduction studies, because of issues regarding confidentiality, very little appears in the public space regarding this topic

### *Dr. John Robinton*

Dr. Robinton is a board-certified neurologist who is additionally board certified in EMG and neurophysiology. He is one of three practicing physicians in the State who are board certified in neurophysiology, EMG, and supervises an EMG laboratory within the State that is accredited with exemplary status. He served as the President of the New Jersey EMG Association and on the Professional Standards Committee of the AANEM, the primary educational organization in the world dealing with issues concerning EMG standards. Dr. Robinton has been interested in the field of fraud and abuse in EMG for the past 15 years collaborating with nearly all of the major insurance companies within the States of New Jersey and New York. He has served as an expert for the State of New Jersey and federal government on a number of occasions. He has chaired a special interest group at the National AANEM Meeting concerning issues related to fraud and abuse in EMG and nerve conduction studies. He has practiced neurology in Montclair, New Jersey since 1985.

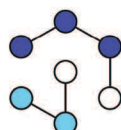
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# SHIFT

### About Shift Technology

Shift Technology delivers AI decisioning solutions to benefit the global insurance industry and its customers. Our products enable insurers to automate and optimize decisions from underwriting to claims, resulting in superior customer experiences, increased operational efficiency, and reduced costs. The future of insurance starts with Decisions Made Better.

Learn more at [www.shift-technology.com](http://www.shift-technology.com)



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## ENABLING SIU'S- BIG & SMALL- TO TAKE PERFORMANCE TO THE NEXT LEVEL



Joe Bottino  
Alicia Holmes

The use of artificial intelligence (AI) in fighting insurance fraud is at an all time high and carriers are seeing significant success. With external data integration, deep data trends and insights, improvements in processes and efficiencies, and advanced network detection, fraud detection within SIU's has undergone drastic transformation. Join Alicia Holmes and Joe Bottino from Shift Technology for a look inside optimal fraud detection and the impacts of AI on your business.

**Alicia Holmes** - Senior Solution Consultant, SIU & Claims. Alicia Holmes is an SIU and Claims Solution Consultant at Shift Technology and specializes in fraud detection. Prior to joining Shift, Alicia spent close to 25 years at State Farm where she managed SIU, Major Case and Complex PIP teams. Alicia also sits on the Government Affairs Committee at the Coalition Against Insurance Fraud, and is passionate about strategies to identify fraud faster and making an impact on the industry.

**Joe Bottino** - Account Executive. Joe is Shift Technology's NJ based account executive, working with our customers to ensure they realize maximum return from their investment with Shift. Joe has been working in the automation space for 15 years, helping customers match their business objectives with the right technologies.

## EPIDURALS, FACETS AND ABLATIONS: INVESTIGATING COMMON INTERVENTIONAL PAIN MANAGEMENT PROCEDURES



Matthew J. Burdalski, Esq.  
Ariel C. Brownstein, Esq.

The presentation would center around investigating common interventional pain management procedures from an SIU perspective – what to look for in the pain management records and how to ask the right questions to a patient during a recorded statement/Examination Under Oath.

**Matthew J. Burdalski, Esq.**



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Matt is a shareholder in the firm's Fraud/Special Investigation Practice Group where he focuses primarily on large loss fraud and medical provider fraud. His practice in the area of fraud investigation involves the assessment and evaluation of both medical provider fraud and fraudulent claims on the part of his clients' insureds. Matt also has experience dealing with insurance coverage disputes, representing numerous insurance carriers across multiple states for the purposes of SIU investigation, bad faith litigation and general defense litigation. In doing so, Matt has represented a significant number of insurance carriers on these issues and has assisted in high-dollar and high-profile medical provider fraud, property loss and insurance fraud matters.

During his time with the firm, Matt has taken numerous Examinations Under Oath, drafted various complex coverage opinions and litigated topics of insurance fraud including, but not limited to, medical provider fraud, large loss property investigations and bad faith. In particular, he has assisted in multiple high-profile matters regarding carrier recovery of monies paid to fraudulent medical providers and as a result of fraudulent motor vehicle accidents. He has also successfully represented his clients in matters involving policy coverage and eligibility for benefits.

Matt earned his undergraduate degree from West Chester University and went on to receive his juris doctor from Widener University, in Wilmington, Delaware, graduating cum laude and with pro bono distinction. As a law student, he took part in Widener's Environmental Law Clinic, working with clients in all aspects of complex environmental litigation, and was the recipient of the Greenwatch Award for excellence in environmental law.

Prior to joining the firm, Matt represented insurance carriers and employers in the field of workers' compensation defense litigation where he handled matters in both Pennsylvania and New Jersey.

### *Ariel C. Brownstein, Esq.*



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Direct: (856) 414-6075

[acbrownstein@mdwec.com](mailto:acbrownstein@mdwec.com)

Ariel, a shareholder in the Casualty Department, focuses his practice on insurance fraud and Special Investigation Unit (SIU) litigation with particular emphasis on large loss fraud and medical provider fraud. His practice in the area of fraud investigation consists of assessing and analyzing fraud by both medical providers and falsified claims brought by his client's insureds. In doing so, Ariel has represented a significant number of insurance carriers on these issues and has assisted in multi-million dollar high-profile medical provider fraud investigations and law suits in various states.

Moreover, Ariel has litigated on behalf of many different clients in favor of protecting the interests of insurance carriers in court seeking to disclaim coverage for fraudulent claims. He has taken numerous comprehensive Examinations Under Oath on SIU-related issues throughout New Jersey and Pennsylvania. In particular, he has assisted in several high-value and high-profile matters regarding carrier recovery of monies paid to fraudulent medical providers and fraudulent motor vehicle accidents. Furthermore, Ariel has litigated extensive insurance fraud and other personal injury protection related matters in the National Arbitration Forum (NAF)/Forthright and Superior Court for his clients.

During his career, Ariel has handled several high value cases on behalf of his clients. In one particular case, the amount sought by the Claimant was denied by the arbitrator due material misrepresentations made by the insured regarding his prior medical history and his injuries at the time of the subject loss during an Examination Under Oath, conducted by





# WHEN FIGHTING FRAUD MATTERS

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Ariel. In another matter, Ariel successfully argued that a claimant was subject to a personal injury protection benefit limit selected by the named insured, a live-in boyfriend and the amount demanded, was denied.

Prior to joining the firm, Ariel served as a law clerk for the Honorable Richard Geiger in Cumberland County Superior Court. His responsibilities included researching criminal law precedence, reviewing memoranda and pre-trial motions, and mediating civil lawsuits.

## EVENT DATA RECORDER - CERTIFICATION TRAINING

Jason Bayley, P.Eng.

This course will teach you how to retrieve and analyze data from Event Data Recorders (EDRs), which are devices installed in some vehicles to record information related to traffic collisions. You will learn about the types of data that EDRs can record, such as vehicle speed, driver inputs, restraint use, and crash severity. You will also learn how to use specialized tools and software to access and interpret the EDR data in a readable format. This course will help you understand the role and value of EDR data in crash investigation.

*Jason* is currently the CEO of Collision Sciences, a forensic tech company, with the capability of coordinating crash data evidence preservation for any motor vehicle loss globally. Collision Sciences has directed the development of new technologies for crash data evidence preservation and analysis so insurance investigators can easily and economically obtain a Crash Data Report from a damaged vehicle.

**Jason Bayley, P.Eng.**

Collision Sciences | CEO & Founder

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## FALSE CLAIMS ACT DEVELOPMENTS AND OPPORTUNITIES FOR SIUS \*CLE\*

Richard E. Vuernick, Esq.

This presentation discusses recent case developments in the False Claims Act (“FCA”) area. A review of basic FCA concepts assists participants in understanding how to assemble the evidence for a potential FCA matter. Finally, we explore a few health care frauds SIUs may explore as they investigate and civilly prosecute health care fraud.

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Tel: 201-636-9980

*Richard E. Vuernick, Esq.*





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Richard Vuernick is an attorney with considerable expertise in combating insurance fraud, having spent over 25 years in the public and private sectors prosecuting cases. Following his service as a deputy attorney general in the New Jersey Office of the Insurance Fraud Prosecutor, Mr. Vuernick has used his knowledge and expertise in the private sector to help insurance companies recoup money lost to insurance fraud.

Mr. Vuernick has also prosecuted cases under the New Jersey and federal False Claims Acts to recover money on behalf of governmental entities. He represented an insurance company and assisted New Jersey to recoup \$718,000 for the state's Charity Care Fund. He has helped recover fraudulently spent funds from a worldwide biotechnology company, as well as a local pharmacy. Recently, he represented a whistleblower to recover funds from a physician who improperly obtained funds from Medicare recipients.

Mr. Vuernick also receives appointments from New Jersey's Chancery courts as an independent financial monitor.

Mr. Vuernick began his legal career as a consumer advocate in Washington, D.C., where he lobbied Congress and federal administrative agencies on various legal reform issues. He received his bachelor's degree from Vassar College and his J.D. from Western New England University School of Law.

## FORENSIC INVESTIGATIONS OF FRAUD



Dr. Joseph Geissler

ARCCA, Inc. specializes in forensic investigations that scientifically analyze the physical evidence of various events including motor vehicle collisions, slips, trips, or falls, and falling objects scenarios. This presentation will explore the tools, equipment, and methods our engineers use to properly perform their investigations. A special emphasis will be placed on explaining some of the unique identifiers associated with fraudulent claims. We will also cover numerous real-world situations so that the audience can develop their own strategies for proper identification of nefarious acts.

### *Joseph R. Geissler, PH.D.*



Dr. Geissler is a Senior Biomechanist and his academic background in biomedical engineering, as well as his professional experience in crashworthiness, serve as the cornerstone for his expertise in accident reconstruction and injury mechanism analysis. Dr. Geissler utilizes these skills to quantify the severity and impact mechanics of vehicular collisions, slips, trips, falls, and other loading scenarios and to evaluate the human kinematic responses to these events while also investigating potential injury mechanisms and associated injury tolerances. During his time as a graduate student, Dr. Geissler designed and conducted various orthopaedic research studies focused on investigating potential underlying mechanisms of atypical bone fractures that are associated with long-term bisphosphonate therapy.

Dr. Geissler has completed coursework that included statics and dynamics, advanced biomechanics, orthopaedic biomechanics, computational biomechanics, and tissue engineering, and his work has been recognized by the orthopaedic community through multiple presentations at annual society conference proceedings.

Dr. Geissler also performs scientific testing of sports equipment to evaluate performance and proposes new designs that mitigate trauma and injury.



Attorneys at Law

---

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## GAME CHANGERS & SHARK LASERS

Mike Bento



More and more SIUs are finding themselves fighting against an enemy that they cannot see. In this session we will demonstrate why network analytics is the great equalizer for SIUs to level the playing field and bring the fraudsters into focus. As the industry continues to optimize and streamline the entire insurance and insurer-policyholder relationship process, fraudsters have become more creative and discovered new ways to remain hidden. While electronic web-based application processes and low-touch/no-touch claims handling have provided much needed enhancements to the customer experience it has not been without its gaps that SIUs need to be prepared to find and combat. Through network analytics, investigators and analysts can better identify organized rings of activity from single policy and claim events to larger webs of connected data points. This session will cover methods to leverage network analytics from the application stage all the way to a claim to connect the dots and enhance investigations. We will discuss how to approach organized network investigations in ways that encompass an enterprise-wide approach with stakeholder involvement from Underwriting, Claims, Legal and Financial Operations to better combat and stop the fraudulent activity. The presentation will include real examples within the past year of network analytics-led investigations that uncovered the following types of activity:

- Dealership Submitting False Insurance Applications
- Auto Theft Ring Utilizing Stolen Identities
- Financial Transaction Fraud in Premium Payments
- Ghost Brokers (Including a ring with over 1,000 applications)
- Network of Staged Losses

### **Mike Bento**

Mike Bento is an Administrator overseeing the SIU Data Analytics, PIP and Medical Fraud Teams at NJM Insurance Group. He has 13 years of insurance industry experience with NJM, 10 of which have been in the SIU where he has worked as both a field investigator and data analyst before working in supervisory roles. Since 2017, Mike has led the Data Analytics group in its anti-fraud efforts by leveraging data analysis and intelligence gathering. The team is responsible for conducting data mining efforts to explore anomalies, as well as statistical analyses to identify patterns and trends related to fraudulent policies and claims in all lines of business at NJM. Mike holds both a Bachelor of Science degree and a Master of Science degree from the New Jersey Institute of Technology.

## HANDLING FRAUDULENT AND ENHANCED CLAIMS BY CONTRACTORS \*CLE\* \*CE\*

Matthew Werbel, Esq.  
Richard Nelke, Esq.

A discussion of current trends where contractors are enhancing damage/creating damage that didn't exist. This session will also address the increased involvement of contractors in claims, including contractors seemingly performing similar services as public adjusters. Additionally, we will discuss dealing with difficult contractors and restoration companies when they try to control the claim process or perform repairs before the insurance carrier has an opportunity to inspect. Lastly, we will address the increased frequency of assignment of benefits with contractors and restoration companies."



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# 32<sup>nd</sup> NJSIA SEMINAR



**Matthew Werbel**

Tulane University School of Law,  
J.D. 1998  
Franklin & Marshall College, B.A. 1994



**Methfessel & Werbel**  
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**Mr. Werbel** joined the firm following a successful clerkship with the Honorable Edward W. Beglin, Jr., Assignment Judge of the Superior Court in Union County. At Tulane he specialized in environmental litigation and regulatory actions, receiving a certification in Environmental Law as well as a J.D.

Mr. Werbel presently represents insurance carriers, insureds, and self-insureds in the investigation and defense of both first and third-party claims.

Mr. Werbel handles cases in many areas, including environmental, fraud, first and third party coverage, inland marine, liability, and subrogation. Additionally, Mr. Werbel has successfully argued several cases before the Appellate Division including several that were approved for publication. Mr. Werbel also handles substantial subrogation claims including the early investigation of those claims.

Mr. Werbel has also presented many seminars on topics such as Mold, Bad Faith, Insurance Fraud, Unfair Claims & Settlement Practices Act, Staged First Party Claims, Additional Insured and Indemnification Claims, Collapse Claims, and Duty to Defend Negligent and Intentional Torts.



**Richard A. Nelke**

Pace University School of Law, J.D. 1999  
Seton Hall University, B.A. 1996  
Admitted to the New Jersey Bar, 1999  
Admitted to the New York and Washington D.C. bars, 2000

After graduation, Mr. Nelke obtained a clerkship with the Honorable Mark M. Russello, Bergen County Superior Court.

Following his successful clerkship, Mr. Nelke worked for a defense firm representing insurance carriers, insureds and self-insureds in the investigation and litigation of both first and third-party claims in New Jersey and New York. For 11 years he managed and supervised a litigation practice group, defended insureds and insurers in jury and bench trials across the state and specialized in the investigation and prosecution of fraud claims.

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# 32nd Annual NJSIA Seminar Tropicana Oct 23-25, 2023

## Monday 10/23

4:00PM  
9:00PM

Early Registration (Outside of Salon Conference Rooms)

5:30PM  
7:00PM

Welcome Reception (Grand Exhibition Center)

## Tuesday 10/24 (Morning)

7:00AM - 8:45AM

Registration (Outside of Salon Conference Rooms)  
Hot Buffet Continental Breakfast (Grand Exhibition Center / Vendor Hall)

9:00AM - 9:50AM

Opening Ceremonies (Theater) Featured  
Speakers: Roy Mura & Ryan Mura

Salon 1

**False Claims Act  
Developments and  
Opportunities for SIUs**  
Richard Vuernick, Esq  
Kennedy & Vuernick, LLC  
\*CLE\*

Salon 2

**NJ State Police:  
Chop Shop Update**  
Detective Richard Maliszewski  
(NJSP)  
Det Eric Blessing Passaic County  
Sheriff's Office

Salon 3

**How Funding Companies  
Grease the Gears of Referral  
Network Schemes (part 1)**  
Vince Gerbino, Esq. &  
Richard Aikens, Esq. - Bruno Gerbino  
Soriano & Aikens LLP  
Kenneth E. Pringle, Esq. Pringle Quinn  
Anzano, P.C.

Salon 4

**Nowhere to Hide**  
Matt Anderson  
Chad Hinds  
AIC Companies, LLC

Pageant

**"REEL" Discussing Use of  
Video in Investigations**  
Matthew J. Smith, Esq.  
Callinan and Smith

## 11:00AM - 11:20AM Break (Snacks & \$100 Gift Card Raffle in Grand Exhibition Center / Vendor Hall)

10:00AM  
-  
11:00A  
M

**Handling Fraudulent and Enhanced  
Claims by Contractors**  
Matt Werbel & Richard Nelke  
Methessel & Werbel  
\*CLE\* \*CE\*

**Event Data Recording  
Certification Training**  
Jason Bayley, P.Eng.  
Collision Sciences

**Throwing Sand in the Gears  
of Referral Networks:  
Using Your Client's PIP Billing Data to Develop  
and Litigate Cost-Effective Cases (part 2)**  
Lori Smith, Esq. - Palom Analysis  
Gaur Shah, Esq. - Pringle Quinn Anzano, P.C.  
Kenneth E. Pringle, Esq. - Pringle Quinn Anzano, P.C.  
Vince Gerbino, Esq. - Bruno Gerbino Soriano & Aikens LLP

**Enabling SIU's Big & Small to  
Take Performance to the Next  
Level/Analytics**  
Alicia Holmes  
Joe Bottino  
SHIFT Technology

**Lawyers Drugs and Money:  
From the Street to SIU (Part 1)**  
Jarek Pyrzanowski NJDCJ  
Hugh C.M. Brady, Esq.  
Shauna L. Sullivan, Esq.

12:20PM - 1:10PM Luncheon (Grand Exhibition Center / Vendor Hall)



## Tuesday 10/24 (Afternoon)

1:20PM - 2:20PM	Salon 1	Salon 2	Salon 3	Salon 4	Pageant
<b>How to be a Zen Zoom Master</b> Lee Befeler, Esq Sullivan and Graber	<b>Forensic Investigations of Fraud</b> Dr. Joseph Geissler ARCCA	<b>EMG/ Electradiagnostic Fraud</b> Dr. John Robinton	<b>Game Changers &amp; Shark Lasers</b> Mike Bento NJM Ins Group	<b>Lawyers Drugs and Money: From the Street to SIU (Part 2)</b> Jarek Pyrzanowski HUGH C.M. BRADY, ESQ. SHAUNA L. SULLIVAN, ESQ.	
2:20PM - 2:40PM Break (Snacks & \$100 Gift Card Raffle in Grand Exhibition Center / Vendor Hall)					
2:40PM - 3:40PM	<b>Epidurals, Facets and Ablations: Investigating Common Interventional Pain Management Procedures</b> Matthew Burdalski-Esq., Ariel Brownstein, Esq.	<b>Vehicle Damage Claims: Unveiling Fraud with Cutting-Edge Technology</b> Mike Price Rimkus	<b>Case Studies in Staged and Suspicious Fall Claims</b> Michael Gerstein, Esq. Bennett, Bricklin & Saltzburg	<b>AI, Ghost Brokers, Lawyer Ethics in the SIU, and Spine Surgery Coding</b> Greg Peterson, Esq. Dyer & Peterson, PC <b>*CLE*</b>	<b>You Can't Spell Special Without AI—How Will AI Improve SIU Investigations?</b> Roy A. Mura, Esq. Mura Law Group PLLC
3:40PM - 4:00PM Break (Snacks & \$100 Gift Card Raffle in Grand Exhibition Center / Vendor Hall)					
4:00PM - 5:00PM	<b>Material Misrepresentation and Policy Recission Making Materiality Great Again</b> Dan Grossman, Esq. Horst Krekstein & Runyon LLC	<b>DENTS, LIES &amp; VIDEOTAPE: Exposing Body Shop Secret Dirty Tricks and Enhanced Damage Scams</b> Christopher Borelli Borelli Collision Analysis	<b>Outside The Investigator Box</b> Brian White-Lermieux & Associates Brent Owens-Kent/McBride <b>*CLE**CE*</b>	<b>Incorporating Vehicle Data into OSINT Investigations</b> Tyrone Cole Skopenow	
6:00PM - 8:00PM President's Reception/Vendor Giveaways (Grand Exhibition Center / Vendor Hall)					
8:00PM - 11:00PM Boogie Nights (Tropicana Casino)					

## Wednesday 10/25

7:00AM - 8:45AM	Breakfast (Grand Exhibition Center / Vendor Hall)				
9:00AM - 10:15AM	<b>Why My Good Referral Was Not Prosecuted</b> (Salon 3) Frank Sztuk & John Sargent(Delta Group)				
10:15AM - 10:35PM Coffee In Hallway					
10:35AM - 12:00PM	<b>K-9 Scent Detection with Owen the Black Lab</b> (Salon 3) Ron Braen (Ocean County Sheriff Office)				
12:00PM - 12:30PM	Closing Ceremonies (Door Prizes) (Salon 3)				

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Thomas O. Mulvihill  
H. Steven Berkowitz

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Daniel Schreck  
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Gauri S. Shah, Of Counsel  
Edward R. Bonanno, Of Counsel

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**Morristown, NJ 07960**  
**(973) 656-9159**  
**Facsimile (973) 656-9158**



# 32<sup>nd</sup> NJSIA SEMINAR

## HOW FUNDING COMPANIES GREASE THE GEARS OF REFERRAL NETWORK SCHEMES

Ken Pringle, Esq.  
Vincent Gerbino, Esq.  
Richard C. Aitken, Esq.

Litigation funding has played a major role in the current state of affairs in our courts today. Nuclear verdicts, packed court dockets and higher settlements. What is driving this upward trend of higher settlements and verdicts. We believe litigation funding and funding companies are playing a significant role in this trend. Litigation funding has its good side, yes, but we see mostly the bad if not the true ugly side of this. One ugly side that attempts to stay hidden is claim funding companies. Funding companies go by a dizzying array of names – litigation loan or capital companies, settlement advance companies and receivable purchase companies, to name just a few. Some are legitimate; all too many are not. Whatever their name, you need to be on the constant lookout for them in your investigations as they play an outsized, behind-the-scenes-role in No-fault Referral Network Schemes in addition to increasing the value of personal injury action settlements and verdicts. This presentation will explain the various roles that funding companies play and how ostensibly legitimate funding payments are increasingly used to replace the traditional kickback methods that drive auto accident patient recruitment and referral network schemes and facilitate unlawful control over medical practices and facilities. The presentation will draw on specific examples to illustrate each of these roles and offer useful tips and techniques that SIU investigators and counsel can use to detect and defeat the role illicit funding companies play.



*Ken Pringle, Esq.*  
Pringle, Quinn, Anzano, P.C.  
Belmar Office:  
701 Seventh Avenue  
Belmar, NJ 07719  
Telephone: 732-280-2400



**Kenneth E. Pringle** was admitted to the New Jersey and District of Columbia bars in 1983. He graduated summa cum laude from Mount Saint Mary's College and cum laude from Georgetown University Law Center, where he was a member of the editorial board of the Georgetown Law Journal. He served as law clerk to the Honorable Clement F. Haynsworth, Jr., Senior Circuit Judge of the United States Court of Appeals for the Fourth Circuit. He has been associated with the Washington, D.C. law firms of Hogan & Hartson and Ross, Dixon & Masback.

Mr. Pringle has extensive experience in a broad range of insurance defense and coverage areas on behalf of numerous U.S. insurance companies, including the CNA Insurance Companies, Harbor Insurance Company, Chubb Insurance Company, the Allstate Insurance Company, the Prudential Property and Casualty Insurance Company, Liberty Mutual Insurance Company, Selective Insurance Company and AMICA Mutual Insurance Company. Mr. Pringle represents the Special Investigation Units of Allstate, Prudential, Liberty Mutual, CNA, Colonial Penn Insurance Company, Bayside Insurance Company, Selective Insurance Company, AAA/Midlantic (Keystone) and USAA Casualty and Insurance Company and has represented a number of non-marine syndicates at Lloyd's, London in connection with insurance fraud matters ranging from fraudulent property and personal injury losses to staged deaths and accidents, to healthcare fraud. Mr. Pringle has brought suit on behalf of his clients in New Jersey against numerous healthcare providers alleging violations of the NJ Insurance Fraud Prevention Act and the Racketeer- Influenced and Corrupt Organizations Act. In addition, he has litigated in the state and federal courts in numerous liability areas, including employment law, comprehensive general liability, automobile liability, directors' and officers' liability, public officials' liability and board of education liability. Mr. Pringle serves as general counsel to the New Jersey Special Investigators Association, Inc.



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Mr. Pringle is a past member of the Board of Trustees of Mount Saint Mary's College, Emmitsburg, MD, and is a member of the Summit Bank Advisory Council, and has served as Mayor of the Borough of Belmar since 1990. He is married to Kathleen Ellis; they reside in Belmar with their two children, Emily and K.J.

*Richard C. Aitken*



Richard C. Aitken, a Partner whose practice includes the representation of national automobile insurance carriers in all aspects of coverages, involving matters of vehicular negligence, premise liability, no-fault coverage, insurance fraud, uninsured motorist claims, and underinsured motorist claims and coverage analysis. Mr. Aitken has litigated more than a hundred declaratory judgment actions on behalf of carriers regarding staged and/or caused motor vehicle accidents; material misrepresentation in the procurement of the policy of insurance; and fraudulently incorporated medical providers resulting in significant savings for the insurance industry.

One standout was when he successfully defended MetLife, Inc. and Metropolitan Property in the matter of Mark Shapiro v. Anthony Tardalo, The National Insurance Crime Bureau, et al (Supreme Court New York County index # 157718/16). In this case, Dr. Shapiro sought millions of dollars in compensation after the federal government indicted, arrested, and prosecuted him along with dozens of alleged criminal co conspirators in 2012 for insurance fraud.

One of his other passions is education. When not in court, Mr. Aitken regularly leads seminars and training for insurance carriers on all aspects of insurance law. He has successfully assisted a national carrier implement an examination under oath protocol of suspect medical providers and claimants and has also provided seminars at the National Insurance Crime Bureau.

Prior to joining BGSA, Mr. Aitken was an associate with a small general practice firm where he concentrated in criminal defense, plaintiff's negligence, and family law. He was responsible for handling all aspects of these matters from the inception through trial.

With a bachelor's and J.D. from Ohio University and the Jacob D. Fuschberg School of Law, respectively, Mr. Aitken is admitted to practice in New York and the United States District Court for the Eastern and Southern Districts of New York. He is also a member of the New York State Bar Association.



**Vincent F. Gerbino** is a founding partner, with 30+ years of experience, extensive litigation skills and a teamwork approach when addressing every case or special project. This approach was recognized when he received a prestigious 2020 award from International Advisory Experts for his excellence in premises liability law. In 2022 he spearheaded the effort to get his firm selected as one of only 10 members of the Coalition Against Insurance Fraud in the nation. The firm was chosen because of the team's proven skill and commitment to fighting insurance fraud.

He leads multi-faceted investigations on behalf of insurance clients and routinely conducts Examinations Under Oath of claimants and medical providers. Mr. Gerbino has been an integral part of litigating numerous affirmative litigation suits to conclusion with positive recoveries for his carrier clients.





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His strong trial skills were put to the test in 2009 when Mr. Gerbino served as lead counsel for several insurance carriers in a \$28 million insurance fraud case against a doctor who was wrongly paid monies under the “New York No-Fault Law.” The case, which was decided by a jury in favor of the insurance carriers, remains the only jury verdict on the issue of fraudulent incorporation. In June 2019 the New York Court of Appeals unanimously reaffirmed the 2009 decision.

Throughout his career, Mr. Gerbino has been recognized as a leader in his field. In 2017 he received designation as a Certified Litigation Management Professional (CLMP) from the Claims & Litigation Management Alliance (CLM).

Mr. Gerbino is frequently called on to offer his insight into relevant issues affecting the insurance industry, particularly pain management. He spoke at the CLM Focus event in November 2020 in a virtual presentation called “How to Manage the Wealth in Pain Management.” Also that year, he blended his passions for law and education to teach for The School of Casualty Claims for the CLM Alliance (Claims and Litigation Management Alliance) Claims College.

Mr. Gerbino has served on numerous panel discussions, presented at conferences and has published articles including his most recent “Telehealth: A new fraud frontier or a welcome expansion of Technology” for CLM Magazine as well as others including “Closing the Door on Pain Management Abuse,” “You Won, Now Try and Collect” and “Beyond the Insured: Uncovering Misrepresentations in Insurance Applications” in CLM’s Claims Management. In 2018 he published a white paper, “The Use and Abuse of Pain Management in Accident Cases.”

Mr. Gerbino is licensed to practice law in New York, New Jersey, the District of Columbia and the U.S. District Courts for the Southern, Eastern and Western Districts of New York and the U.S. District Court for the District of New Jersey. He is a member of the New York State and District of Columbia Bar Associations.

## HOW TO BE A ZEN ZOOM MASTER

What we have learned and where we are going

Lee Befeler, Esq.

This workshop is designed to instruct participants how to take a Statement, Examination under Oath or Deposition that can be used in the investigation of claims, in making coverage decisions and in the defense of arbitrations and litigation. The seminar will focus on the use of Zoom technology over the last 3 ½ years. We will focus on using Court Reporters and Interpreters as well as dealing with witnesses in less than ideal locations.

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## *Lee Befeler, Esq.*

Lee Befeler is a principal in the Morristown law firm of Sullivan and Graber, which has provided successful representation to insurance carriers and their insureds for over 35 years. In his 31 years at Sullivan and Graber, Mr. Befeler has lectured numerous times on insurance issues at the New Jersey Special Investigators Association and the New Jersey Vehicle Theft Investigators annual seminars and has prepared seminars for insurance carriers to satisfy CLE requirements. Lee Befeler is a certified R.1:40 Mediator for the New Jersey Superior Court.

Sullivan and Graber has extensive experience litigating insurance claims in Federal and State Courts in New Jersey and New York. The firm's coverage work includes assisting insurance carries in claim investigations and the taking of examinations under oath. Sullivan and Graber also provides carriers with legal opinions on issues including, but not limited to, coverage and policy conditions such as duty to defend, bad faith claims, subrogation and indemnification.

The firm's insurance work includes:

- Arbitration and mediation
- Auto Theft
- Arson
- Bad faith claims and litigation
- Business and commercial coverage
- Dram shop litigation
- Environmental claims, coverage and pollution exclusions
- Examinations Under Oath
- First Party and Third Party coverage
- General liability
- Homeowner's insurance
- No Fault/PIP
- Personal injury and wrongful death litigation
- Product and Premises liability
- Professional liability
- Subrogation
- Uninsured and Underinsured Motorist coverage

In addition to general casualty work, Sullivan and Graber is recognized as a leader in the specialty practice of insurance fraud. The firm uses innovative techniques, advanced technology and hard work to fight fraud against insurance carriers. Sullivan and Graber pioneered the use of declaratory judgment actions to combat large fraud schemes resulting in significant savings to the insurance industry. The firm adopted the procedural tools developed in those actions to curtail fraud in POP, personal injury and property damage cases. Sullivan and Graber's early use of injunctive relief to stay PIP suits and arbitrations pending the resolution of fraud and restitution actions in the Superior Court greatly reduced insurance carrier's litigation costs as well as obtaining recoveries in the tens of millions of dollars for multiple insurance carriers.

Lee Befeler received his J.D. from the McGeorge School of Law, Sacramento, California in 1987. Mr. Befeler is admitted in New Jersey.





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## INCORPORATING VEHICLE DATA INTO OSINT INVESTIGATIONS

# SKOPENOW

There are 287 million vehicles registered on the road in the U.S., equating to roughly 872 vehicles per 1000 people. Vehicles are intrinsically linked to our way of life and are rarely found far from their owners, with infrastructure designed around their heavy use. Therefore, identifying the vehicle that the subject of an investigation owns, has access to, or is in possession of, can provide valuable insight into their location and lifestyle. Skopenow's Tyrone Cole will break down the value of publicly available vehicle records to investigators and will showcase techniques to collect vehicle information during an OSINT investigation.

### *Tyrone Cole*



Tyrone Cole is the lead account executive for Skopenow's Insurance Vertical.

Tyrone has spent the last 18 years working with Global Tier 1 Financial Institution's to implement Financial Crime Prevention technology. Since joining Skopenow, Tyrone has become a trusted partner with numerous insurance carriers in the United States, helping them to effectively evolve how they incorporate Open-Source Intelligence into their investigation workflows.

## K-9 SCENT DETECTION



Explain and demonstrate how a scent detection K-9 is trained to sniff out the odor (s). ARSON,EXPLOSIVES, AND DRUGS

### *Investigator Ron Braen Ocean County Sheriff*

Investigator Ron Braen, currently with Ocean County Sheriff's office for past 10 years and was Brick PD for 35 yrs prior. Ron Currently operates a bomb/explosive search dog and has been involved with NJSP and various state/county operations for dog training for 30 + years.





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## LAWYERS DRUGS AND MONEY

From the Street to SIU (part 1 & 2)

Lt. Jarek Pryzanowski  
Hugh Brady, Esq.  
Shauna L. Sullivan, Esq.

The latest trend among street gangs is Fraud. While traditional criminal activity may seem far removed from the corporate environment, these two worlds have merged. This course will provide an overview of various real-life medical fraud investigations and shed light on the nexus between white-collar crime and street crime. It will also educate attendees on how fraudulent actors launder money and utilize cybercrime to facilitate insurance fraud. This presentation will dive deep into organized criminal activity, money laundering, theft, and fraud on a local, national, and international scale and the resources the insurance industry can use to stop it.

*Jarek Pryzanowski*



Lieutenant Pryzanowski is currently assigned to the Office of the Insurance Fraud Prosecutor's Medicaid Fraud Control Unit which is a specialized unit within the New Jersey Division of Criminal Justice. Lt. Pryzanowski is responsible for overseeing investigations involving Medicaid Fraud and other related fraud and theft crimes such as prescription pad theft. Prior to his current assignment, Lt. Pryzanowski was assigned to the New Jersey State Police Auto Theft Task Force which is also within the Office of the Insurance Fraud Prosecutor. Lt. Pryzanowski is a subject matter expert in the areas of Vehicle Theft and Vehicle Finance Fraud. At first glance, Lt. Pryzanowski's experience in Vehicle Fraud and Medicaid Fraud may seem unrelated, however, he has taken the knowledge and skills gleaned from both areas and applied them to help further complex criminal investigations. Prior to joining the Division of Criminal Justice, Lt. Pryzanowski worked in the Special Investigations Section of Liberty Mutual Insurance Company and as a patrol officer with the Borough of Belmar Police Department. During his 25-year career in law enforcement, Lt. Pryzanowski has conducted a number of complex criminal investigations including, but not limited to, automobile crimes, financial crimes, street gangs, drug trafficking, various types of fraud, and official misconduct. Lt. Pryzanowski is also a certified technical investigator with extensive knowledge of electronic surveillance techniques and tactics, cell phone forensics, and vehicle infotainment extractions and analysis. In addition to his many career accomplishments, Lt. Pryzanowski has served as the President of the New Jersey Vehicle Theft Investigators Association and is currently the 4th Vice President of the Northeast International Association of Auto Theft Investigators. Lt. Pryzanowski is also a regular speaker at the New Jersey Police Academies and a number of law enforcement and industry-related seminars.

*Hugh C. M. Brady, Esq.*



Mr. Brady is a shareholder with King, Tilden, McEttrick & Brink, P.C. ("KTM"). He is a graduate of the College of the Holy Cross in Worcester, MA. He later obtained his law degree from Suffolk University Law School in Boston, MA. Along with his colleague, Shauna Sullivan, Mr. Brady supervises a team of attorneys in the firm's Complex Business Litigation Group which investigates, develops, and litigates insurance fraud and abuse actions. Mr. Brady is currently admitted to practice in several state and federal jurisdictions, including Massachusetts and New York, and has consulted on and litigated cases in multiple jurisdictions across the United States. His courtroom experience includes: RICO actions, False Claims Act cases, fraud, embezzlement, bankruptcy, shareholder



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disputes, commercial litigation, complex contract disputes, consumer protection actions, insurance defense, insurance coverage, and No-Fault litigation.

*Shauna L. Sullivan, Esq.*



Ms. Sullivan is a shareholder with King, Tilden, McEttrick & Brink, P.C. (“KTM”). She is a graduate of the University of Vermont where she received her Bachelor of Science Degree. She later obtained her law degree from New England Law. Throughout her tenure with the KTM, Ms. Sullivan has been a member of the firm’s Complex Business Litigation Group which investigates, develops, and litigates insurance fraud and abuse actions. She is currently admitted to practice in several state and federal jurisdictions, including Massachusetts, Michigan, New York, and New Jersey. Ms. Sullivan’s practice focuses on insurance defense litigation, insurance fraud matters and civil RICO law.

## MATERIAL MISREPRESENTATION AND POLICY RESCISSION: MAKING MATERIALITY GREAT AGAIN.

Dan Grossman, Esq.



Discussion and training on insurance policy rescission in Pennsylvania, New Jersey, and other jurisdictions. We will discuss the standard for rescission (*what you have to prove*) and the procedural requirements (*what you have to do*) to effect rescission. The presentation will include an overview of recent caselaw and trends regarding material misrepresentation and offer guidance/best practices in terms of reporting requirements and taking advantage of immunity statutes.

*Dan Grossman, Esq.*

Dan Grossman is a partner at Horst Krekstein & Runyon LLC, focusing on first party property disputes and bad faith litigation. Dan often assists insurance companies in fraud investigations and works closely with SIU investigators. Dan can be contacted via email at [dgrossman@hkr.law](mailto:dgrossman@hkr.law) or by phone at (484) 243-6863.

## NJ STATE POLICE: CHOP SHOP UPDATE



We will be discussing common trends in auto theft and the Honda motor vehicle thefts hitting Northern New Jersey.

*Detective Richard Maliszewski (NJSP)*

*Det. Eric Blesing*

Detective I R. Maliszewski #7507  
New Jersey State Police  
Auto Theft Task Force  
Motor Vehicle Crimes North Unit  
Violent & Organized Crime Control North  
Email: [Richard.Maliszewski@njsp.gov](mailto:Richard.Maliszewski@njsp.gov)

Passaic County Sheriff's Office



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## NOWHERE TO HIDE

Matt Anderson  
Chad Hinds



A discussion on the changing habits of claimants and how adjusters, attorneys and investigative vendors are outsmarting the new age claimants through technology, collaboration, and forming strategic partnerships

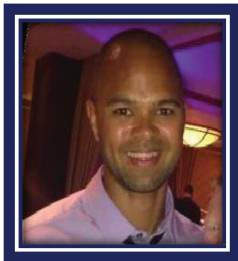
### ***Matthew Anderson*** ***President***



Matthew Anderson is the President and Founder of AIC Companies, LLC. He established the investigative firm in 2014 with a radical approach to Surveillance and Investigative Services in the claim's industry.

Graduating from Rutgers University, The State University of New Jersey, Matthew centralized his focus on Criminal Justice and Investigative Practices. He kickstarted his career as a Field Investigator in the investigative industry with a regional firm in 2005 investigating potentially fraudulent workers' compensation claims. Through almost a decade, Mr. Anderson honed his skills from the field investigator role to becoming the Lead SIU Administrator and finally the Director of Operations.

As President of AIC Companies, LLC, Matthew is now responsible for running all facets of the firm. Matthew's passion has been to introduce groundbreaking solutions to the investigative industry that has been languishing for years with limited innovation and stagnation. At the helm of AIC Companies, LLC, Mr. Anderson has put together an All-Star Team of investigators leading the outfit into the future.



### ***Chad Hinds*** ***Investigative Director***

Chad Hinds is currently the Investigative Director for AIC Companies, LLC. With a wealth of knowledge and over almost a decade and a half of experience, Mr. Hinds has been able to pursue revolutionary investigative philosophies at AIC that are helping to change the DNA of the investigative landscape.

Mr. Hinds started his investigative career in 2007 as a Field Investigator for a regional surveillance firm based out of New Jersey. Through the years, Mr. Hinds quickly ascended the ranks of the agency through remarkable investigative skills unseen in the industry. With his stellar expertise, Chad took the helm of the SIU Department where he became one of the best data miners in the Northeast.

In 2014, Mr. Hinds joined AIC Companies, LLC as the Investigative Director overseeing all the field operations at the firm. Here, Chad was able to expand on his knowledge of SIU



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## Outside the Investigator Box \*CLE\* \*CE\*

Brian E. White, Esq.  
Brent Owens, Esq.

### Introduction:

As technology advances and additional resources become available to investigate claims more accurately, not all options are suited to every claim. Some are limited on abilities, some are not beneficial (based on claim type), some are limited by legal standards and every option must be understood before moving forward.

### Purpose of Course:

The Outside the Investigative Box course discusses new technologies for gathering information to help improve the claim handling process. These resources can help in many aspects of determining what happened before, during, and after an incident occurred. It is intended to increase awareness of new technologies in the market, assist in determining what the best service to utilize should be (based on a desired clarification or outcome) and to address the limitations of these services within legal limits of a state. The course not only provides additional investigation options, but also legal points of view on the utilization of the products, information gathered and potential outcomes if the case becomes litigated. The course concludes with a discussion of potential technologies that are being review & considered for viability (unsubstantiated/accepted).



**Brian E. White**  
Senior Manager  
Canvas & Record Retrieval  
Corporate Trainer  
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**LEMIEUX & ASSOCIATES**  
a NATIONAL leader in investigative services

*Brian White* is currently the Senior Manager for Canvas & Record Retrieval as well as Corporate Trainer at Lemieux & Associates.

Brian graduated from Indiana University of Pennsylvania, in 1995, with a B.S. in Criminology, a B.A. in Psychology, an associates in Criminal Justice and an associates in Speech/Communication. While attending IUP, he started working for the Ocean City NJ police department as a patrol officer. Brian also moved into a security specialist role with Caesars in Atlantic City NJ, after graduation.

In 1996 Brian started working with a National investigative company (Facticon Inc.) where he held 7 positions including (investigator, field training supervisor, operations manager, account manager & account executive) until 2002 when he joined the Litigation Solutions LLC. Brian held 6 positions through promotions with LSI (including sales manager, training supervisor, VP of sales, and Director of sales), before moving into a Senior Vice President role with ISG through acquisition.

After 21 combined years, he joined Lemieux & Associates to oversee their Canvas and Record Retrieval depart as Senior Manager.



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Brian has a total of over 28 years in the Law Enforcement, Investigative, and Insurance industry, while continuing to expand his knowledge within these fields.

**Brent Owens**



**Brenton C. Owens** was born in Philadelphia, Pennsylvania. He graduated from the University of Pennsylvania (B.A., 1991) and Widener University School of Law (J.D., 1994). He served as a Judicial Law Clerk to the Honorable E. Stevenson Fluharty, New Jersey Superior Court, Camden County, from September 1994 through August of 1995.

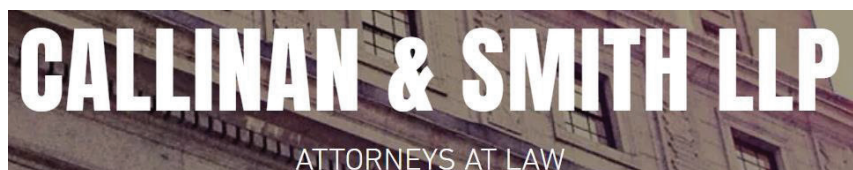
Brenton was admitted to the Bar of the State of New Jersey, the Commonwealth of Pennsylvania, and the Federal District Court of New Jersey in 1994. Additionally, he was admitted to the Bar of the Federal Court of the Eastern District of Pennsylvania in 2001. He is a member of the New Jersey, Pennsylvania, and Camden County Bar Associations. Early in his career he received well rounded training in various defense litigation practice areas including: automobile litigation; premises liability litigation; workers' compensation litigation; Municipal Tort Claims Act litigation; and personal injury protection benefit litigation.

Presently, Brenton dedicates his practice to Workers' Compensation litigation. He oversees the New Jersey workers' compensation practice group. Representation includes large national corporations with thousands of employees as well as small local companies with relatively few. He provides services throughout the entire State of New Jersey, and has handled thousands of claims from the onset of litigation through trial at the trial and appellate court levels.

## “REEL”

### Discussing Use of Video in Investigations

Matthew J. Smith, Esq.



The presentation will show an array of videos obtained and utilized during investigations. During his presentation he will include information on legal issues regarding obtaining video and images from social media.

### **Matthew J. Smith**

MATTHEW J. SMITH is a partner and principal at Callinan & Smith, LLP. His practice includes the defense of general liability claims, motor vehicle negligence claims, premises liability claims, homeowner litigation claims, Personal Injury Protection claims and fraud, bad faith and extra-contractual claims, insurance coverage disputes and suspect/fraudulent insurance claims. In addition, he represents various insurers in declaratory judgment actions, and in affirmative actions.

Matthew J. Smith attended Pace University, Pleasantville, New York, where he completed a Baccalaureate in Political Science, in January 1986, graduating Cum Laude. He also received a Master's Degree in Public Administration (Government Track), from Pace University Graduate School, White Plains, New York, in May 1988. He graduated from Pace University

School of Law in May 1993, Cum Laude, and had served on the Environmental Law Review Editorial Board, was the Miller Scholar, was a Ranking/Dean's scholar, Dean's List, founding member and second President of the Pace Gaelic Law Society,





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and served on Moot Court Board. He also published three Legal Articles in Law Review and National Journals before Graduation.

He was admitted to the State Bar of New York and New Jersey in 1994, the United States Supreme Court in 1997, the Eastern District of New York in 2007, and, most recently, to the Pennsylvania Bar in 2019. Mr. Smith served as an Assistant District Attorney, at the Bronx County District Attorney's Office, in Bronx, New York, from August 1993 until May 1996. As an Assistant District Attorney, he was assigned to the Appeals Bureau. While there, he also compiled with another member of his Bureau, a litigation manual for cases subject to the New York State Mental Health laws and Criminal Procedure Law Articles 330 and 710.

From May 1996 through September 2011, Mr. Smith was an attorney with the law firm of Melli, Guerin Wall & Messineo, P.C., in Paramus, New Jersey. Subsequently, Mr. Smith became a partner in the insurance fraud and litigation practice section of that mid-sized firm in January 2001 where he remained until September 2011. From September 2011 until May 2013, Mr. Smith was the Managing Attorney for the New York and New Jersey offices of the law firm of Allen, Kopet & Associates, PLLC. From May 2013 until April 2020, Mr. Smith was a Partner with Bruno, Gerbino, Soriano & Aitken, LLP, where he managed their Ramsey New Jersey office and was lead attorney for their New Jersey practice.

Mr. Smith frequently lectures on Insurance Fraud issues to clients and professional organizations throughout the United States, and has lectured at the Bergen County Police Academy, as well as NJSIA. He had been previously appointed by the Supreme Court, State of New Jersey, to serve as a Panel Chair and Vice District Chairperson for District II-A Fee Dispute Panel from 2011 until 2015.

Mr. Smith is also a Veteran, having served as an ARMY officer on active duty, a member of the ARMY National Guard and Reserves, and a Legal Officer attaining the rank of Lt. Col. in the USAF-AUX/Civil Air Patrol. He is a 4th Degree Member of the Knights of Columbus, a Degree Member of the Ancient Order of Hibernians, and he and his wife Michele have served as a host family for Project Children since 2002.

## Throwing Sand in the Gears of Referral Networks:

Using Your Client's PIP Billing Data to Develop and Litigate Cost-Effective Cases

Vincent F. Gerbino, Esq.  
Ken E. Pringle, Esq.  
Gauri Shah, Esq.  
Lori Smith, Esq.

No-Fault Insurer billing data is a vastly underutilized weapon in the war on insurer fraud. With No-Fault Insurer budgets for investigations and litigation getting tighter by the day, there's a critical need for data-driven methodologies to drive down the cost of developing and litigating powerful affirmative fraud cases. This presentation will outline a proven process for using PIP billing data to identify potential affirmative claims, select the patient records and bills that will most efficiently support those claims, and extract and organize the relevant information from those records for use in preparing the complaint -- all with relatively little attorney involvement. In addition to reducing attorney-time in the development and drafting of the complaint and related exhibits, we will explain how this process pays dividends throughout the course of the litigation from facilitating discovery to enabling the introduction of extensive evidence at trial through the testimony of a Summary Witness, using tables of accurate information in lieu of mountains of physical records. We will provide practical examples of how the potential affirmative claims culled by this data-driven process equate to actual cases and IFPA violations.

*Vincent F. Gerbino*



Vincent F. Gerbino is a founding partner, with 30+ years of experience, extensive litigation skills and a teamwork approach when addressing every case or special project. This approach was recognized when he received a prestigious 2020 award



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from International Advisory Experts for his excellence in premises liability law. In 2022 he spearheaded the effort to get his firm selected as one of only 10 members of the Coalition Against Insurance Fraud in the nation. The firm was chosen because of the team's proven skill and commitment to fighting insurance fraud.

He leads multi-faceted investigations on behalf of insurance clients and routinely conducts Examinations Under Oath of claimants and medical providers. Mr. Gerbino has been an integral part of litigating numerous affirmative litigation suits to conclusion with positive recoveries for his carrier clients.

His strong trial skills were put to the test in 2009 when Mr. Gerbino served as lead counsel for several insurance carriers in a \$28 million insurance fraud case against a doctor who was wrongly paid monies under the "New York No-Fault Law." The case, which was decided by a jury in favor of the insurance carriers, remains the only jury verdict on the issue of fraudulent incorporation. In June 2019 the New York Court of Appeals unanimously reaffirmed the 2009 decision. Throughout his career, Mr. Gerbino has been recognized as a leader in his field. In 2017 he received designation as a Certified Litigation Management Professional (CLMP) from the Claims & Litigation Management Alliance (CLM).

Mr. Gerbino is frequently called on to offer his insight into relevant issues affecting the insurance industry, particularly pain management. He spoke at the CLM Focus event in November 2020 in a virtual presentation called "How to Manage the Wealth in Pain Management." Also that year, he blended his passions for law and education to teach for The School of Casualty Claims for the CLM Alliance (Claims and Litigation Management Alliance) Claims College.

Mr. Gerbino has served on numerous panel discussions, presented at conferences and has published articles including his most recent "Telehealth: A new fraud frontier or a welcome expansion of Technology" for CLM Magazine as well as others including "Closing the Door on Pain Management Abuse," "You Won, Now Try and Collect" and "Beyond the Insured: Uncovering Misrepresentations in Insurance Applications" in CLM's Claims Management. In 2018 he published a white paper, "The Use and Abuse of Pain Management in Accident Cases."

Mr. Gerbino is licensed to practice law in New York, New Jersey, the District of Columbia and the U.S. District Courts for the Southern, Eastern and Western Districts of New York and the U.S. District Court for the District of New Jersey. He is a member of the New York State and District of Columbia Bar Associations.

**Gauri Shirali Shah** was admitted to the New Jersey Bar as well as the United States District Court for the District of New Jersey in 1991. She was admitted to the New York Bar in 1996. Ms. Shah graduated with a BA degree in Economics from Rutgers University in 1988 and received her Juris Doctor from Rutgers Law School -Newark in 1991. While at Rutgers

School of Law – Newark, Ms. Shah was the Notes and Comments Editor for the Women's Rights Law Reporter and handled matters for the Urban Legal Clinic.

Ms. Shah was previously a Deputy Attorney General with the New Jersey Division of Law from 1991 through 1998. During that time, Ms. Shah represented the Department of Environmental Protection in land use and air pollution enforcement matters in various forums including the Office of Administrative Law, Superior Court – Chancery Division and the Appellate Division. She also provided counsel on diverse environmental issues to the Commissioner of the Department. During her tenure at the Division of Law, Ms. Shah also represented State Departments and Entities in tort claims brought against them under the New Jersey Tort Claims Act, FELA and Section 1983 of the Civil Rights Act in both the State and Federal Courts.

Ms. Shah has also served as an associate attorney with the law Firm of Denoia and Tambasco in Toms River, New Jersey, where she handled civil defense of professional negligence actions and general litigation matters. Ms. Shah has also served as counsel on criminal appeal matters for the New Jersey Public Defenders Office, Appellate Section.

Since joining Pringle Quinn Anzano in July 2002, Ms. Shah has specialized in the Firm's insurance fraud practice with an emphasis on matters involving medical provider fraud. She also represents health care providers in transactional matters, and provides legal counsel to health care practitioners in the area of regulatory compliance with State and Federal health care laws and professional licensing board rules and regulations.



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## PATTERN ANALYSIS

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**Lori Smith** is President/CEO and the owner of Pattern Analysis, Inc., a litigation support company that provides law firms, insurers, and law enforcement agencies with data analysis and expert witness reports and testimony aimed at identifying and proving patterns of medical provider fraud and abuse. In addition to managing the expert witness services offered by Pattern, Lori also serves as a Rule 1006 summary witness, and provides data analysis, summary reports, exhibits and testimony, for a variety of complex litigation matters. Lori graduated *summa cum laude* from Rutgers Law School and is licensed to practice law in NJ and NY. She also holds an MBA from Rowan University and is a Certified Fraud Examiner (CFE) and a Fraud Claims Law Specialist (FCLS). With more than 20 years' experience, Lori's unique combination of medical, legal, analytical, and technical knowledge enables her to offer comprehensive and innovative techniques and solutions to successfully help her clients in their fight against healthcare fraud.

### **Kenneth E. Pringle**



PRINGLE QUINN ANZANO, P.C.

*Lawyers Who Lead*<sup>SM</sup>

Kenneth E. Pringle was admitted to the New Jersey and District of Columbia bars in 1983. He graduated *summa cum laude* from Mount Saint Mary's College and *cum laude* from Georgetown University Law Center, where he was a member of the editorial board of the Georgetown Law Journal. He served as law clerk to the Honorable Clement F. Haynsworth, Jr., Senior Circuit Judge of the United States Court of Appeals for the Fourth Circuit. He has been associated with the Washington, D.C. law firms of Hogan & Hartson and Ross, Dixon & Masback.

Mr. Pringle has extensive experience in a broad range of insurance defense and coverage areas on behalf of numerous U.S. insurance companies, including the CNA Insurance Companies, Harbor Insurance Company, Chubb Insurance Company, the Allstate Insurance Company, the Prudential Property and Casualty Insurance Company, Liberty Mutual Insurance Company, Selective Insurance Company and AMICA Mutual Insurance Company. Mr. Pringle represents the Special Investigation Units of Allstate, Prudential, Liberty Mutual, CNA, Colonial Penn Insurance Company, Bayside Insurance Company, Selective Insurance Company, AAA/Midlantic (Keystone) and USAA Casualty and Insurance Company and has represented a number of non-marine syndicates at Lloyd's, London in connection with insurance fraud matters ranging from fraudulent property and personal injury losses to staged deaths and accidents, to healthcare fraud. Mr. Pringle has brought suit on behalf of his clients in New Jersey against numerous healthcare providers alleging violations of the NJ Insurance Fraud Prevention Act and the Racketeer- Influenced and Corrupt Organizations Act. In addition, he has litigated in the state and federal courts in numerous liability areas, including employment law, comprehensive general liability, automobile liability, directors' and officers' liability, public officials' liability and board of education liability. Mr. Pringle serves as general counsel to the New Jersey Special Investigators Association, Inc.

Mr. Pringle is a past member of the Board of Trustees of Mount Saint Mary's College, Emmitsburg, MD, and is a member of the Summit Bank Advisory Council, and has served as Mayor of the Borough of Belmar since 1990. He is married to Kathleen Ellis; they reside in Belmar with their two children, Emily and K.J.

## Vehicle Damage Claims:

UNVEILING FRAUD WITH CUTTING-EDGE TECHNOLOGY



Michael Price



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Vehicle Damage Claims: Unveiling Fraud with Cutting-Edge Technology is a one-hour presentation designed to assist participants in determining if vehicle damage claims are consistent with the provided scenario. This course will review methods consistent with vehicle fraud in various types of accident claims. It also examines how manufacturers' ignition systems and technologies are possibly defeated to allow vehicle fraud. We will also cover vehicle technology that can be used to further investigate a potential fraud case. Ultimately, this course provides participants with the information needed to understand elements and conditions consistent with actual thefts and/or accidents vs. fraudulent claims and updates on the technology that can be useful in these determinations.

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## ***Michael Price***

Michael Price is a Transportation Consultant and ACTAR-accredited vehicle accident reconstructionist. His professional experience includes more than 25 years as a member of the Baltimore Police Department, eight of which include extensive experience as a K9 handler, and 13 as a crash reconstructionist. Throughout his career, he has investigated and reconstructed hundreds of collisions involving commercial and passenger vehicles, motorcycles, and pedestrians. As a forensic consultant, Mr. Price provides Rimkus clients in the northeast United States with vehicle crash analyses to determine cause and critical factors affecting the dynamics of collisions. He also performs inspections of the components of motor vehicles, motorcycles, seatbelts, and child safety seats. He has extensive training in crash scene mapping using a Total Station and hand measurements. Mr. Price has certifications in RADAR, LIDAR, and as a Bosch crash data retrieval technician and analyst. He holds an A.A. in criminal justice from Essex Community College.

## **WHY MY PERFECT CASE ISN'T BEING PROSECUTED**

Francis X. (Frank) Sztuk  
John Sargent



SIU Investigators spend a great amount of time creating and presenting their cases for prosecution, only in many instances seeing that it isn't "worthy" of raising to that level. This program explores the issues that cause cases to either make to the prosecutorial level or not. The panel combines experienced SIU leaders with prosecutors to identify the leverage points that would bring a case to the prosecution level.

## ***Francis X. (Frank) Sztuk***

Frank is the Senior Vice President/Investigative Services for the Delta Group. His fraud fighting career began in 1972 as a police officer in NJ. He came to Delta after a rewarding 36-year career with the Hanover Insurance Company, where he developed the Special Investigation Unit Program at that company. He retired as the National SIU Strategist, responsible for oversight of one of the leading anti-fraud programs in the industry. He served on many boards and councils in his career, most notable being a past-Chair of the Massachusetts Insurance Fraud Bureau Governing Board. He is also a former Chair of the national Coalition Against Insurance Fraud, and still retains an advisory seat on the executive committee of CAIF. He is a past chair of the NY Alliance Against Insurance Fraud, where he still chairs the Public Outreach Committee of that organization. He sat on the NJ Insurance Commissioner's Fraud Advisory Board and the NJ Insurance Council Anti-Fraud Committee. He has lectured both nationally and internationally on the subject of insurance



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fraud and continues to present at various programs such as the ISO/NICB Insurance Fraud Management Conference and the IASIU annual fraud conference.

### *John Sargent*

John Sargent is a Senior Vice President at the Delta Group.

Sargent joined the Delta Group in November 2020. Before joining the Delta Group, he spent 25 years at MetLife where he led the SIU program for the last 16 years. He began his professional career as a police officer in Massachusetts.

While with MetLife he served in several positions at the Coalition Against Insurance Fraud to include Treasurer and most recently the Co-Chair from which he stepped down in October of 2020; He was the Vice Chair of the Board of Governors for the Insurance Fraud Bureau of Massachusetts and the past Chairman of the New York Alliance Against Insurance Fraud, he was also an advisor to the CEO of the National Insurance Crime Bureau.

Sargent has spoken extensively on the topic of Insurance Fraud and the management of special investigation units throughout the United States, Australia, and Germany.

## You Can't Spell Special Without AI—How Will AI Improve SIU Investigations?

Roy A. Mura, Esq.

Regardless of whether you think AI is the embryonic not-so fictional artificial neural network-based conscious group mind and artificial general superintelligence system that will eventually end the human race, fraudsters are already learning how to use AI to perpetrate their thieving. Attend this class to learn how insurers are, can and will be using AI to combat insurance fraud. And to debate whether the machines can do your job as well as you do it.

### *Roy A. Mura, Esq.*

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Phone: [\(716\) 855-2800](tel:7168552800) | Fax: (716) 855-2816



Roy Mura is the founding and managing member of our seven-attorney law firm. He regularly analyzes and evaluates commercial and personal lines coverage issues, defends insureds in tort actions, represents insurers in intercompany arbitration matters, and litigation arson, insurance fraud, "bad faith" and coverage disputes with policyholders or other insurers, through trial and appellate practice. He has conducted hundreds of EUOs of property, auto and no-fault insureds, claimants and medical providers. He is admitted to practice and regularly appears in various New York State Supreme Courts and all U.S. District Courts throughout Long Island, metropolitan New York City, Rockland and Westchester counties, Albany, Syracuse, Rochester, Buffalo and other upstate areas. He has been counsel of record on numerous reported trial level and appellate decisions in New York, having successfully tried to conclusion both first-party (arson and fraud) and third-party (motor vehicle accidents, Labor Law and personal injury) insurance coverage and defense cases. Roy writes for and speaks frequently to insurance industry groups throughout the country on a wide variety of property and casualty insurance-related topics.

Roy has been listed in the New York Super Lawyers - Upstate Edition since 2012 and maintains the highest possible AV rating with Martindale-Hubbell.



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### **ALLIED UNIVERSAL COMPLIANCE AND INVESTIGATIONS**

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## **EXAMWORKS**

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## **FORENSIC CONSULTANTS OF NORTH AMERICA (FCNA DOVE)**

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## **MERGE INVESTIGATIONS, INC.**

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## **SEARCH PROS, INC.**

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## **Signet Claim Solutions, LLC**

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## **SHIFT TECHNOLOGY**

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## **SOCIAL DISCOVERY CORP**

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The Firm welcomes Charles J. Lanzalotti as its new Managing Attorney. Charles is a frequent presenter at the NJSIA Annual Insurance Fraud Detection and Prevention Seminar.

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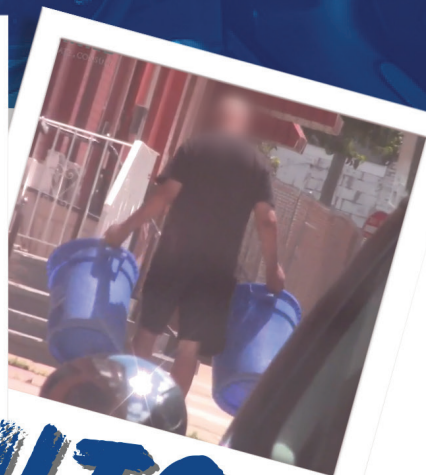
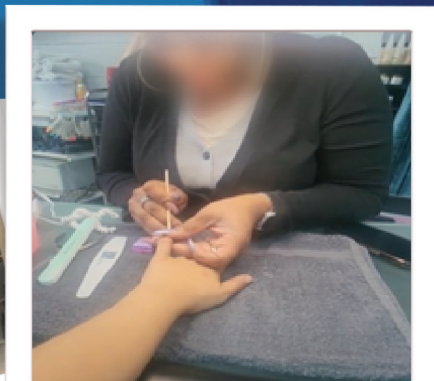
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