



Mr. XXXXX XXXXX  
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RE : Brian XXXXX  
Claim Number :  
Date of loss:  
Loss Description : Severe Neck Problems,  
Lower Back (L4, L5)  
Subject : Brian XXXXX  
Insured :  
Date Assigned : May 15<sup>th</sup>, 2006  
Claimant SS# : 290-XX-XXXX  
Investigators : PB, CK

May 19<sup>th</sup>, 2006

Mr. XXXXXXXX:

The following is our report regarding the above referenced assignment:

**ASSIGNMENT OVERVIEW**

The investigator has been instructed to conduct surveillance.

**INVESTIGATIVE ACTIVITY/SUMMARY**

Prior to initiating surveillance efforts, database searches were conducted on the subject, a database background investigation report was acquired on the subject.

Surveillance was conducted on the subject on May 15<sup>th</sup>, 16<sup>th</sup>, 17<sup>th</sup> and 18<sup>th</sup>, 2006. During the course of the surveillance, the subject was followed as he operated a green 1999 Ford F-150 extended cab, pick-up truck (OLP: XXXXXX) which lists to the subject's wife, Kendra XXXXX. The subject was observed driving himself to and from various locations in and around Hubbard as well as a trip into New Castle, Pennsylvania. The subject was observed as he shopped for groceries, loaded and unloaded materials/objects into and out of his truck,

pumped gas into his truck and moved and carried a baby in a car seat from his truck. The subject was also observed as he worked on a house in New Castle, Pennsylvania; climbing up and down a ladder onto a roof several times, installing insulation onto the ceiling, throwing garbage into a dumpster, picking up and nailing two large pieces of plywood over a window and lifting up and putting a ladder into a dumpster. The subject was observed as he performed several activities during the course of the surveillance which included moving his head up, down, to the left, and right, always with fluid movements and all without any signs of strain or the assistance of any visible orthopedic assistance and/or support.

Following is a detailed time log of surveillance activities (times are approximate):

**May 15<sup>th</sup>, 2006 (Monday)**

**Investigator: Paul Baeppler**

**4:00 pm**

The investigator conducted a drive-by of the subject's home, 3249 XXXXX Avenue in Hubbard, Ohio. This is a red-brick bungalow home with white awnings hung over the windows. A detached two-car garage is set behind and slightly to the south of the home. The home is situated near the end of a dead-end street. One car was observed in the driveway parked outside the detached garage; a silver-colored Honda Pilot SUV. Surveillance was set up in a vehicle about 4/10<sup>ths</sup> of a mile to the south of the subject's home in order to reduce the risk of compromising the covertness of the investigation.



**4:16 pm**

A drive-by was conducted of the supplied address of the employer of the subject, 7391 Redwood Drive in Hubbard, Ohio. A burgundy Ford F-150 pick-up truck was observed parked in the driveway (OLP: PXXXXX), which lists to Ditommaso & Son Construction Company at that address. This home is located in a newer residential sub-division of eastern Hubbard.

**4:30 pm**

Surveillance was again set up near the corner of XXXXX Avenue and Youngstown-Hubbard Road to watch for the possible arrival of the subject.

**5:50 pm**

A green Ford F-150 extended cab pick-up truck (OLP: XXXXXX) which lists to Kendra XXXXX, also of 3249 XXXXX Avenue, was observed driving past the investigator's surveillance position, northbound on XXXXX from Youngstown-Hubbard. The vehicle drove up the street, stopped and then backed into the driveway of 3249 XXXXX Avenue.

**8:00 pm**

Surveillance was terminated on the subject's XXXXX Avenue home.

**May 16<sup>th</sup>, 2006 (Tuesday)**

**Investigator: Paul Baeppler**

**6:00am**

The investigator arrived on XXXXX Avenue and after confirming the presence of the subject's green F-150 on scene in the driveway of the subject's home, a surveillance position was set

up near the intersection of Youngstown-Hubbard Road and XXXXX Avenue. From this position, any departure of either of the vehicle's parked in the subject's drive could be observed.

**7:20 am**

The above-mentioned green F-150 was observed pulling from the subject's driveway. The truck traveled southbound on XXXXX and then eastbound on Youngstown-Hubbard Road. The investigator followed the truck to the National City Bank at XX XXXXX Street in Hubbard. The subject proceeded through the drive-through before again traveling eastbound on Liberty from the bank. The subject was followed along various main and side roads to the area of Pothour-Wheeler and Hubbard-Stateline Road. The subject doubled back toward this intersection as the investigator was pulling up to same. The investigator refrained from immediately doubling back also in order to minimize the risk of exposing himself to the subject. The subject was unable to reacquire the subject at the time.

**8:30 am—6:55 pm**

Surveillance was re-established on the XXXXX Avenue address. Drive-by's of the subject's home were kept to an absolute minimum as the alertness of a strange vehicle on the dead-end portion of XXXXX Avenue by nearby residents was apparent.

**6:56 pm**

The green F-150 was observed traveling southbound on XXXXX toward Youngstown-Hubbard. The truck was followed to the Gas N Go store at the corner of Youngstown-Hubbard and Jacobs Roads in Hubbard, Ohio.

**7:00 pm—7:03 pm**

The F-150 pulled up to the front door of the Gas N Go store at the southwest corner of Youngstown-Hubbard and Jacobs Roads. A white male, wearing a dark-colored, hooded jacket and a dark-colored baseball cap, who fit the general description of the subject (and who will henceforth be referred to as such) was observed exiting the pick-up truck and entering the store. He exited the store a few minutes later and boarded the driver's door of the F-150. The F-150 pulled from the store and returned westbound on Youngstown-Hubbard Road toward the subject's XXXXX Avenue home.

**7:10 pm—8:25 pm**

The subject pulled his F-150 into his XXXXX Avenue driveway. Surveillance was maintained on the subject's home. No further activity regarding the subject was observed.

**8:30 pm**

Surveillance was terminated for the day.

**May 17<sup>th</sup>, 2006 (Wednesday) Investigators: Investigator: Paul Baeppler, XXXX XXXXX**

**6:10 am**

Surveillance was set up near the Youngstown-Hubbard/XXXXX Avenue intersection on the subject's XXXXX Avenue home after confirming the presence of the subject's F-150.

**8:10 am**

The green F-150 was observed pulling from the subject's XXXXX Avenue driveway. The subject was observed operating the truck as it was followed through downtown Hubbard to the address of 615 Elmwood in Hubbard.

**8:17 am**

The subject was observed exiting the pick-up truck and removing a baby seat from inside the truck. He carried the baby seat to a person standing in front of the house. The subject returned to his truck and boarded it via the driver's entrance. Before backing out of the driveway, the subject re-opened his door, stuck his head out of the cabin of the vehicle, then re-closed both the rear and front, driver-side doors. The subject then backed out of the driveway and traveling via various main and side roads, drove to the Giant Eagle at 4700 Belmont Avenue in Youngstown (Churchill Commons).



**8:27 am**

The subject arrived at the Giant Eagle grocery store in the Church Hill Commons plaza at 4700 Belmont Avenue in Youngstown (Churchill Commons). He was observed walking into the grocery store and picking out items and putting them in his shopping cart.

**9:12 am**

The subject was observed as he pushed a shopping cart out of the Giant Eagle. He pushed the cart to the green F-150 pick-up truck and unloaded the groceries into the passenger side of the cab of the truck. He then moved the emptied cart away from the truck and returned to and boarded the truck via the driver's door. The subject then pulled away, driving to the southern end of the parking lot where a Get-Go gas station is located.



**9:15 am**

The subject exited his truck and pumped gas into the green F-150. After pumping the gas, the subject again boarded his truck and drove it away from the gas station. He was followed along various main and side roads back to his XXXXX Avenue home.



**9:27 am—9:32 am**

Surveillance was set up on Carter Road, just east of XXXXX Avenue where the subject was observed removing items from the cab of the F-150 truck. Surveillance was not maintained in this position as a neighbor from a nearby house was observing the investigator's presence with some concern.



**10:09 am**

The green F-150 was observed pulling from the drive of the subject's home, being operated by the subject. The subject was followed along various main and side roads to a doctor's office in Youngstown.

**10:26 am**

The subject arrived at 2010 XXXXXXXX Road in Youngstown. This location is the doctors' offices of Russell A. Morrison D.O., Russell A. Morrison III D.O., Joseph Gallo D.O. and Dean Ball D.O. (also a radiologist).

**10:56 am**

The subject was observed as he walked to the green F-150 pickup truck outside the doctors' offices. He boarded the green F-150 via the driver's door and drove away. The subject was followed along various main and side roads back to his XXXXX Avenue home in Hubbard Township.

**11:15 am**

The subject arrived at his XXXXX Avenue home. Surveillance was set up near the Youngstown-Hubbard/XXXXX Avenue intersection.

**11:53 am**

The subject was observed as he drove the F-150 away from his XXXXX Avenue home. He was followed along various main and side roads before he was lost in traffic in downtown Hubbard.

**1:00 pm—8:00 pm**

The F-150 was observed parked in the driveway of the subject's XXXXX Avenue home. Surveillance was maintained from near the Youngstown-Hubbard/XXXXX Avenue intersection for the rest of the day. The subject was not observed leaving the premises for the remainder of the day.

**May 18<sup>th</sup>, 2006 (Thursday)**

**Investigator: Paul Baeppler, XXXX XXXXX**

**7:35 am**

The subject was observed driving the green F-150 away from the XXXXX Avenue home. He was followed along various main and side roads to XXX XXXXX Road (Trumbull County Road 2). This is residential home on a rural, two-lane road on the outskirts of Hubbard. The subject pulled away from the XXXXXXX Road home a few minutes later, southbound, now with an unidentified male passenger. The vehicle was followed along various main and side roads to 931 Rose Avenue in New Castle, Ohio.

**8:25 am**

The subject arrived at XXX XXXXX Avenue in New Castle, Pennsylvania. This is a two-story frame home, white in color with green shutters. The 2<sup>nd</sup> floor of the house appeared to be undergoing some type of renovation. The subject was observed going up and down a ladder leaned up against the home & exiting/entering through a 2<sup>nd</sup> floor window off the lower roof on the front of the home. Once inside, a piece of plastic was secured over the window, preventing any view of the subject's activities inside the home.



**8:40 am**

One investigator set up on Ryan Avenue one street to the southeast of Rose Avenue in a location with a clear view of the 2<sup>nd</sup> floor of 931 Rose Avenue, while the other set up on Rose Avenue, just southwest of the subject's position (The second investigator would later change his position to that of one northeast of the subject after being confronted by a nearby resident).



**9:23 am**

The subject was observed as he emerged from the 2<sup>nd</sup> story window of XXX XXXX onto the roof. He was observed as he ducked under a wire, climbed down the ladder and jogged over to the green F-150. He then returned inside the home, climbing back up the ladder and into the window of the home.



**9:53 am**

One of the two men working inside the home pulled back the plastic covering the window.

**10:06 am—10:10 am**

Through the now open window, the subject was observed bending over and picking unknown objects up off of the floor inside the home and putting them in a container.

**10:11 am**

The subject and the unidentified companion were observed emerging from the window onto the roof of the home. The two men came down the ladder and boarded the green F-150, with the subject driving. The subject moved his head fully and quickly to the right before entering the truck. Once inside the truck, the subject was observed moving his head left and right in fluid motions. A loose mobile surveillance was initiated as it was anticipated that the men would be returning to the home. The vehicle was lost in traffic not far from the Rose Avenue address.



**10:48 am**

The subject and his companion returned to the Rose Avenue home. Both men climbed back up the ladder and entered the home via the second story window.

**10:54 am—11:05 am**

The subject was observed cutting and installing roll insulation over his head inside the home. During these activities, the subject was observed with his head tilted back as he used a stapler to secure the insulation to the ceiling and walls.

**11:05 am**

The subject was observed emerging from the window of the home. He again ducked under the wire and climbed down the ladder. He walked around to the side of the home, outside of both investigators' lines of sight. The subject then returned up the ladder and returned inside the home through the window.



**11:12 am—11:20 am**

The subject was observed as he moved a step ladder around inside the upstairs room of the home. He was observed climbing up and down the ladder with a stapler in one hand. Once up on the ladder, the subject was only viewable from the armpits down. He was raising both

hands above his head out of the investigator's line of sight. At certain times, while up on the ladder, he was arching his back and leaning backwards with his hands raised above his head. At other times, he was observed leaning while up on the step ladder. At the times he was not on the step ladder, the subject was looking up over his head at the ceiling.



**11:20 am**

The subject was observed picking up objects inside the room and putting them into a container. The subject was then observed carrying a box of debris as he crouched through the window and walked across the roof to throw it into the dumpster in the driveway below. The subject then returned inside the home, again crouching through the window where he was observed repeatedly bending over and moving more debris around the floor in the room. The subject reemerged through the window, now with another pile of debris, walked across the roof and threw the material into the dumpster below.



**11:25 am**

The subject was observed on the step ladder again, this time putting another piece of insulation onto the ceiling.

**11:26 am**

The subject and the unidentified companion emerged from the window, this time carrying their tools. They secured the plastic back over the window. The subject then picked up a piece of plywood, moved it over to the window and with the assistance of his companion, secured the material to the house, covering the window opening. The two men then picked up their tools and descended down the ladder.





**11:29 am**

Once down the ladder, the subject lowered the extension ladder, straightened it up, picked it up and turned it sideways before raising it above his head and dropping it into the dumpster.



**11:30 am**

The subject then moved to the green F-150 and opened both the front and rear cab doors on the driver's side of the vehicle. He put some objects into the cab of the truck, boarded the truck and closed the door. His companion boarded the truck via the passenger side of the vehicle. The subject opened his door momentarily again and leaned out the vehicle to dump a cup/mug of liquid in the street before pulling away from the area. The subject and the companion returned to the Schotten Road address in Hubbard and then the XXXXX Avenue address.

**12:34 pm—4:00 pm**

The subject arrived at his XXXXX Avenue home. Surveillance was again set up near the intersection of XXXXX and Youngstown-Hubbard. No further activities regarding the subject were observed by the investigators.

**4:00 pm**

The surveillance was terminated.