

**OFFICE OF THE INSURANCE COMMISSIONER
MARYLAND INSURANCE ADMINISTRATION**

MARYLAND INSURANCE
ADMINISTRATION,

v.

ESSAM ANTOUN ABDEL SAYED,

RESPONDENT.

Case No. MIA-2019-10-024

* * * * *

ORDER

1. On October 16, 2019, the Maryland Insurance Administration issued an Order (“Order”) against Essam Antoun Abdel Sayed (“Respondent”). This Order found that Respondent had committed fraud in submitting two false towing receipts to the Hartford in support of his automobile insurance claim and found that in so doing he had violated Section 27-403 of the Insurance Article, Annotated Code of Maryland. Additionally, the Order required Respondent to pay an administrative penalty of \$1,500.00 within 30 days of the Order.
2. On November 13, 2019, Respondent requested a hearing to argue the findings and the administrative penalty assessed in the Order.
3. On November 19, 2019, counsel for the Maryland Insurance Administration, Brandy Gray (“Ms. Gray”), propounded ten Requests for Production of Documents on Respondent. Ms. Gray’s request for production of documents gave Respondent fifteen days to respond.
4. On December 5, 2019, Ms. Gray wrote to Respondent requesting the overdue discovery. Respondent did not respond to this letter.

5. On December 11, 2019, a notice of hearing was sent to the parties to advise them that the hearing had been scheduled for July 22, 2020, at the Maryland Insurance Administration.
6. On December 20, 2019, Ms. Gray again wrote to Respondent requesting the overdue discovery and extending the deadline to January 3, 2020. Respondent failed to respond.
7. On January 8, 2020, Ms. Gray filed a Motion to Compel Discovery.
8. On January 16, 2020, Director of Hearings, Lisa Larson, issued a letter to the parties giving Respondent until February 3, 2020, to respond. This letter noted that failure to respond may result in Respondent's hearing request being dismissed.
9. On January 28, 2020, Ms. Gray received a faxed letter from Respondent with two attached documents. No other response was received.
10. On January 28, 2020, Ms. Gray wrote to Respondent explaining why his response to the Administration's Request for Production of Documents was inadequate.
11. Respondent failed to respond to the Administration's January 28, 2020, letter or to provide any further documents to the Administration.
12. On June 12, 2020, Ms. Gray sent a letter to Director Larson requesting a prehearing conference in this matter.
13. On June 16, 2020, Director Larson issued a letter asking the parties to respond as to their availability for a prehearing conference on June 29, 2020. Director Larson never received a response from Respondent to this letter.
14. On June 23, 2020, Director Larson emailed a second letter to the parties requesting their availability for a prehearing conference on July 10, 2020.

15. On July 1, 2020, Respondent sent an email stating he would not agree to allow a witness to testify by telephone, but he did not send a response regarding his availability to participate in a prehearing conference on July 10, 2020.
16. On July 6, 2020, Ms. Gray filed a Motion for Sanctions (“Motion”). In this Motion Ms. Gray argued that Respondent has failed to respond to the Administration’s Production of Documents and refused to participate in the prehearing conference. Therefore, Ms. Gray argues that Respondent’s hearing request should be dismissed.
17. On July 8, 2020, Director Larson wrote a letter to the parties addressing Respondent’s repeated failure to participate in a prehearing conference. In this letter Director Larson specifically stated, “failure to participate in a prehearing conference may result in the dismissal of your hearing request.” In addition, in this letter Director Larson gave Respondent until July 20, 2020, to respond to the Administration’s Motion.
18. The July 8, 2020, letter requested that the parties advise Director Larson of their availability to participate in a prehearing conference on July 17, 2020. Respondent failed to respond as to his availability for a prehearing conference on that day.
19. To date, Respondent has failed to respond to Director Larson’s letter dated July 8, 2020.
20. The Respondent has failed to fully respond to the Requests for Production of Documents, failed to respond to Director Larson’s request for a prehearing conference, failed to respond to the Administration’s Motion for Sanctions, and failed to request additional time to respond to the Motion by the July 20, 2020, deadline.

THEREFORE, it is this 6th day of August, 2020, hereby **ORDERED** as follows:

1. Respondent's request for a hearing is **dismissed with prejudice** pursuant to Code of Maryland Regulations 31.02.01.05-1F(5);
2. The Order dated October 16, 2019, is **affirmed**; and
3. Respondent is to pay the \$1,500.00 administrative penalty within 30 days of the date of this Order.

KATHLEEN A. BIRRANE
Insurance Commissioner

signature on original

LISA LARSON
Director of Hearings