

MARYLAND INSURANCE  
ADMINISTRATION

v.

GUY MBANWI NDIBANG  
6733 New Hampshire Avenue, #1007  
Takoma Park, Maryland 20912

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CASE NO.: MIA-2021-11-001

Fraud Division File No.: R-2022-0084A

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**CONSENT ORDER**

This Consent Order (“Order”) is issued by the Maryland Insurance Administration (“the Administration”) with the consent of Guy Mbanwi Ndibang (“Respondent”), pursuant to §§ 2-108, 2-201, 2-204<sup>1</sup> and 2-405 of the Insurance Article, Md. Code Ann. (2017 Repl. Vol. & Supp.) (the “Insurance Article”).

**I. Background**

1. On November 4, 2021, the Administration issued an Order (“Initial Order”) against Respondent for violating the Insurance Article by submitting false receipts to Progressive Casualty Insurance Company (“Progressive”) in support of his personal property claim.

2. The parties agree to this Consent Order to avoid further litigation on the Order and to fully and finally resolve the issues stated herein.

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<sup>1</sup> Unless otherwise indicated, all statutory references in this Order are to the Insurance Article of the Maryland Code.

## II. Relevant Material Facts

3. On October 24, 2020, a 2019 Dodge, insured by Progressive, an authorized insurer, struck a 2006 Volkswagen being operated by Respondent. Progressive accepted liability under its insured's insurance policy.

4. On December 22, 2020, Respondent reported to Progressive that he was represented by an attorney.

5. On January 19, 2021, Respondent, through his attorney notified Progressive that numerous items, owned by Respondent, including electronics, were in Respondent's vehicle at the time of the accident, and were lost or damaged as a result of the accident.

6. On January 21, 2021, Respondent's attorney sent an email to Progressive, which stated,

I received the below list of items with valuation from my client [Respondent] that were damaged as a result of the accident...

The list identified, among other things, a Rolex watch. Respondent's attorney stated that some of the items may still be in the vehicle.

7. On January 22, 2021, Progressive notified Respondent's attorney that none of the aforementioned items were located in Respondent's vehicle. Progressive advised that Respondent would have to provide proof of ownership and proof that the items were in his vehicle at the time of the accident.

8. On January 29, 2021, Respondent's attorney replied,

...I am working with my client to obtain photos and receipts/records of all the personal property.

9. On April 16 2021, on behalf of Respondent, his attorney submitted numerous receipts for personal property that Respondent alleged was damaged, or lost in the accident.

Among the receipts submitted were the following:

- Sony camera, purchased at Best Buy, in Florida on May 15, 2017, for \$15,263.93.
- Canon Camera, purchased at Adorama, in New York on February 13, 2017, for \$7,569.90.
- Rolex watch, purchased in Italy, on "6/11/2009," at "11:43 AM" for € 20,657.50 (Euro currency) (\$24,262.34 in dollars). The purchaser was identified as someone other than Respondent, hereinafter "CCB."

10. On June 15, 2021, in an effort to authenticate the Canon Camera receipt, a Progressive representative contacted Adorama. An Adorama representative searched the receipt tracking number and identified numerous inconsistencies, including a price difference. Although the receipt submitted to Progressive named Respondent, with a Maryland shipping address, the actual camera purchase was shipped to a person named Jason in Iowa, not Respondent. Adorama had no record of an order made under Respondent's name and address. Consequently, Progressive referred Respondent's claim to its Special Investigations Unit ("SIU") for further investigation.

11. On June 23, 2021, a Progressive investigator identified CCB, the purported purchaser of the Rolex watch. CCB told the investigator she gave the Rolex to Respondent around 2019. The investigator determined that CCB would have only been 14-years-old at the time she allegedly purchased the watch in 2009.

12. On July 2, 2021, in an effort to authenticate the Sony camera receipt, a Progressive investigator visited a Best Buy store. A Best Buy representative examined the transaction number from the Sony camera receipt, and provided a copy of the actual receipt for the transaction, which showed a purchase price of \$753.99, not \$15,263.93 as shown on Respondent's receipt. Additionally, the true receipt identified the purchaser as someone other than Respondent.

13. On July 6, 2021, a Progressive investigator notified Respondent's attorney that the Best Buy and Adorama camera receipts were fraudulent. Respondent's attorney said she would have a "frank" discussion with Respondent about it. Respondent's attorney subsequently notified Progressive that Respondent was dropping his claim for both cameras as well as the Rolex watch.

### **III. The Administration's Investigation**

14. In the course of its investigation, the Administration contacted Progressive and confirmed the facts surrounding its handling of Respondent's claim.

15. On September 14, 2021, an Administration investigator conducted an internet search for a Rolex watch, using the serial number and model number displayed on the receipt submitted to Progressive by Respondent. The search revealed the same Rolex was sold on May 21, 2020, at an auction house in Florida (hereinafter "Abington"). Abington's website listing for the Rolex included a jewelry store receipt from a previous sale in 2007. This receipt was similar in appearance to the Rolex receipt submitted by Respondent. There were numerous identical aspects, to include: month, "6," day "11" and time of purchase "11:43 AM." Additionally, the tracking number, serial number, model number, layout, font, check number, and overall appearance were uncharacteristically similar.

16. On September 14, 2021, an Administration investigator contacted the owner of Abington, to verify the sale of the Rolex watch. He advised that the information on Abington's website was correct, and that Abington sold the Rolex to a man named "Roger" in Florida on May 21, 2020, and he had no record of Respondent's name or CCB associated with the sale of the Rolex watch.

17. On September 23, 2021, an Administration investigator provided a copy of Respondent's Adorama camera receipt to an Adorama representative for verification. Based on

the tracking number from the receipt, the Adorama representative identified numerous inconsistencies, to include different billing name and address, different price, and invalid order number. Additionally, the camera was shipped to Iowa, not Maryland as stated on the receipt Respondent submitted to Progressive.

18. On September 28, 2021, in an effort to authenticate the Best Buy receipt, Respondent submitted to Progressive, an Administration investigator provided a copy of the receipt to a Best Buy representative. The representative used the receipt's transaction number, and located the actual purchase receipt, which reflected the real purchase price as \$753.99, not \$15,263.93, and, the purchaser was identified as "Johnnie" in Florida, not the Respondent.

#### **IV. Conclusions of Law**

19. The Administration finds that Respondent violated § 27-403 by his conduct specifically:

Respondent committed a violation of the Insurance Article when he submitted a false document to Progressive. As such, Respondent is subject to an administrative penalty pursuant to § 27-408(c) of the Insurance Article.

20. Administrative fines shall be made payable to the Maryland Insurance Administration and shall identify the case by numbers (MIA-2021-11-001) and name (Guy Ndibang). Payment of the administrative fine shall be sent to the attention of: Associate Commissioner, Insurance Fraud Division, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202. Unpaid fines will be referred to the Central Collections Unit for collection.

21. The parties acknowledge and agree that this Order resolves the factual allegations in the Initial Order and this Consent Order with respect to Respondent. Accordingly, execution of this Order concludes the investigation of Respondent with respect to the allegations and findings made in the Initial Order and this Consent Order.

22. This Consent Order will supersede the Initial Order issued on November 4, 2021.

**Order**

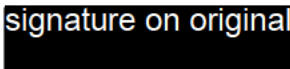
WHEREFORE, for the reasons set forth above, it is this 9th day of December 2021. **ORDERED** by the Maryland Insurance Commissioner and consented by Respondent, that:

- A. For the violations stated herein, the Administration hereby imposes an administrative penalty on Respondent in the amount of \$2,000.00. The Administrative penalty shall be paid as follows:
- i. \$400.00 paid by Respondent to the Administration along with the submission of the executed Consent Order;
  - ii. \$400.00 due by January 3, 2022;
  - iii. \$400.00 due by February 1, 2022;
  - iv. \$400.00 due by March 1, 2022; and
  - v. \$400.00 due by April 1, 2022,
- B. Failure to pay as outlined in paragraph A constitutes a default and Notice of Default is hereby waived by Respondent. Failure to make a monthly installment payment will result in the entire balance becoming immediately due and payable and the matter will be referred to the Central Collections Unit of the Department of Budget and Management for collection.
- The executed Consent Order and initial payment shall be sent to the attention of: Maryland Insurance Administration, Steve Wright, Associate Commissioner, Insurance Fraud & Enforcement Division, 200 St. Paul Place, Suite 2700, Baltimore, MD 21202 and shall identify the case by number (MIA-2021-11-001) and name (Guy Ndibang).
- C. The parties acknowledge that this Order contains the entire agreement between the parties relating to the administrative actions addressed herein and that this Order resolves all matters relating to the assertions and agreements contained herein. All time frames set forth in this Order may be amended or modified only by subsequent written agreement of the parties.
- D. Respondent has had the opportunity to have this Order reviewed by legal counsel of his choosing, and he is aware of the benefits gained and obligations incurred by the execution of this Order. Respondent waives any and all rights to any hearing

or judicial review of this Order to which it would otherwise be entitled under the Insurance Article with respect to any of the determinations made or actions ordered by this Order.

- E. For the purposes of the Administration and for any subsequent administrative or civil proceedings concerning Respondent, whether related or unrelated to the foregoing paragraphs, and with regard to requests for information about the Respondent made under the Maryland Public Information Act, or properly made by governmental agencies, this Order will be kept and maintained in the regular course of business by the Administration. For the purposes of the business of the Administration the records and publications of the Administration will reflect this Order.
- F. Nothing herein shall be deemed a waiver of the Commissioner's right to proceed in an administrative action or civil action to enforce the terms of this Order. Failure to fully comply with the terms of this Order may subject Respondent to further legal and/or administrative action.
- G. This Order shall go into effect upon signing by the Commissioner or her designee, and is a Final Order of the Commissioner under § 2-204 of the Insurance Article.

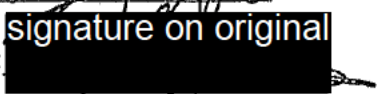
KATHLEEN A. BIRRANE  
Insurance Commissioner

BY:   
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STEVE WRIGHT  
Associate Commissioner  
Insurance Fraud and Enforcement Division

**RESPONDENT GUY NDIBANG**

RESPONDENT hereby CONSENTS to the representations made in, and to the terms of, this Consent Order.

Name: Guy Mbarwa Ndibang

Signature: 

Date: 12/8/21