

ARIEL C. BROWNSTEIN

SHAREHOLDER



AREAS OF PRACTICE

Fraud/Special Investigation
Insurance Services – Coverage & Bad Faith
Litigation

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ADMISSIONS

New Jersey
2008

Pennsylvania
2008

EDUCATION

Widener University School of Law
(J.D., 2008)

University of Delaware (B.S.,
2005)

HONORS & AWARDS

New Jersey Super Lawyer Rising
Star
2013-2023

The Super Lawyers list is issued by Thomson Reuters. A description of the selection methodology can be found here. No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

OVERVIEW

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 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.

THOUGHT LEADERSHIP

ASSOCIATIONS & MEMBERSHIPS

Camden County Bar Association

International Association of
Special Investigative Units

New Jersey Special Investigations
Association

New Jersey State Bar Association

Pennsylvania Bar Association

YEAR JOINED

2009

New Jersey Supreme Court Determined Whether Claims Brought Under the Insurance Fraud Protection Act and the Workers' Compensation Act Were Subject to the Apportionment Procedure of the Comparative Negligence Act.

**Mount Laurel
Fraud/Special Investigation
January 1, 2024**

The plaintiff alleged that the defendants misrepresented their relationship, ownership structure and submitted fraudulent payroll records to reduce the premiums for workers' compensation insurance. Case Law Alerts, 1st Quarter, January 2024 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Insurers' Rights to Records from the New Jersey Office of the Insurance Fraud Prosecutor Affirmed

**Mount Laurel
Personal Injury Protection (PIP) Litigation
October 1, 2023**

The insurance carrier brought a civil action against various medical providers, asserting an illegal kickback scheme in connection to New Jersey Personal Injury Protection (PIP) benefits. Case Law Alerts, 4th Quarter, October 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

New Jersey court reviews No-Fault Law's language and finds that there was nothing preventing an arbitrator from hearing common law fraud, unjust enrichment and RICO claims.

**Mount Laurel
Fraud/Special Investigation
July 1, 2023**

The defendants (a series of medical providers) filed a motion to dismiss, arguing that the plaintiff's common law fraud, unjust enrichment and RICO claims should be decided via arbitration. Case Law Alerts, 3rd Quarter, July 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Why insurance carriers' DPRPs should be specific as to what claims/actions are and are not arbitrable to protect themselves against motions to dismiss.

**Mount Laurel
Personal Injury Protection (PIP) Litigation
April 1, 2023**

GEICO filed a complaint against a series of medical providers asserting claims under the New Jersey Insurance Fraud Prevention Act (IFPA), violations of RICO, common law fraud and unjust enrichment. Case Law Alerts, 2nd Quarter, April 2023 is prepared by Marshall Dennehey to provide information on recent developments of interest to our readers.

Marshall Dennehey Announces 2023 New Jersey Super Lawyers and Rising Stars

March 17, 2023

Eight attorneys from Marshall Dennehey's Mount Laurel and Roseland, New Jersey offices have been selected to the 2023 edition of New Jersey Super Lawyers magazine.

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CLASSES/SEMINARS TAUGHT

Ping! Utilizing Modern Technology to Answer the Who, Where and When of First-Party Claims, NJSIA General Membership Meeting, December 9th, 2022

Ping! Utilizing Modern Technology to Answer the Who, Where and When of First-Party Claims, Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June, 2022

Medical Investigator's Guide to the Modern SIU Claim, Speaker, New Jersey Special Investigators Association (NJSIA) Annual Conference, Atlantic City, NJ, October 2019

NJ PIP: Building Better Medical Reviews, Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June, 2018

"Current Fraud Trends PIP - NJ", Marshall Dennehey Insurance Fraud 360 Seminar, Lafayette Hill, PA, June, 2016

PUBLISHED WORKS

Case Law Alerts, regular contributor, January 2018-present

"Put a Pin in It: Getting a Grip on Medical Provider Fraud Costs and Acupuncture Claims**," *Defense Digest*, Vol. 21, No. 1, March 2015

"PUT A PIN IN IT - Getting a Grip on Medical Provider Fraud Costs and Acupuncture Claims," *Claims Management*, December 2014

"When a Vehicle Is an Automobile – The Maze of Statutory and Case Law in New Jersey for Determining Eligibility for PIP Benefits," *Defense Digest*, Vol. 20, No. 4, December 2014

"Winning Legal Strategies for Combating A Prickly Problem "Sticking" New Jersey PIP Carriers," co-author, *Defense Digest*, Vol. 19, No. 2, June 2013