

IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA

*elliott*  
FILED IN THE DISTRICT COURT  
OKLAHOMA COUNTY, OKLA.

NOV 29 2012

PATRICIA PRESLEY, COURT CLERK  
by \_\_\_\_\_  
DEPUTY

INFORMATION

THE STATE OF OKLAHOMA, )  
 )  
Plaintiff, )  
 )  
vs. )  
 )  
HAI THANH TIEN and MANDY )  
NGUYET PHAN, )  
 )  
Defendants. )

No. **CF-2012-7304**

In the name and by the authority of the State of Oklahoma:

Now comes **E SCOTT PRUITT, ATTORNEY GENERAL**, in and for the

State and County aforesaid, and gives the court to know and be informed as follows:

**COUNT 1:** On or about January 20, 2010, in Oklahoma County, State of Oklahoma, **HAI THANH TIEN** and **MANDY NGUYET PHAN**, did intentionally and feloniously commit the crime of **FALSE CLAIM FOR INSURANCE**, a felony in violation of **Title 21 O.S. §1662**, to-wit: by causing fraudulent chiropractic treatment records to be submitted on behalf of a client, known to them, as Antonio Nguyen, to State Farm Insurance, contrary to the form of the Statutes and against the peace and dignity of the State of Oklahoma.

**COUNT 2:** Between September 4, 2009, and up to and including January 20, 2010, in Oklahoma County, State of Oklahoma, **HAI THANH TIEN** and **MANDY NGUYET PHAN**, did intentionally and feloniously commit the crime of **CONSPIRACY TO COMMIT A FELONY** in violation of **21 O.S. §421**, by conspiring, agreeing and submitting fraudulent chiropractic treatment records to be submitted on behalf of a client, known to them, as Antonio Nguyen, to State Farm Insurance; and in furtherance of said conspiracy committed one or more of the following overt acts:

- **HAI THANH TIEN** is a chiropractor licensed to practice in the State of Oklahoma, and operates Extended Rehabilitation and Pain Management Clinic in Oklahoma County;
- **MANDY NGUYET PHAN** is the owner and manager of Universal Law

- Offices in Oklahoma County, but is not an attorney;
- **HAI THANH TIEN** and **MANDY NGUYET PHAN** are husband and wife;
  - on August 12, 2009, undercover Oklahoma City Police Department Officer Loc Nguyen, presented himself as Antonio Nguyen to **HAI THANH TIEN** at Extended Rehabilitation Clinic, and reported to him as having been involved in an accident on August 10, 2009;
  - on September 4, 2009, Nguyen met with **HAI THANH TIEN** who in turn introduced him to **MANDY NGUYET PHAN** who signed him up for legal services regarding insurance coverage;
  - on or about September 28, 2009, **HAI THANH TIEN** forwarded a final bill on behalf of Nguyen to **MANDY NGUYET PHAN**, which fraudulently claimed that Nguyen received twenty treatments;
  - on or about January 15, 2010, **MANDY NGUYET PHAN** caused a settlement demand letter and **HAI THANH TIEN's** billings to be sent to State Farm Insurance Company in reference to the reported August 10, 2009, accident;
  - **MANDY NGUYET PHAN**, by and through those individuals operating under her direction and control, negotiated a settlement of Nguyen's claim with State Farm Insurance;
  - on or about February 3, 2010, State Farm Insurance Company mailed **HAI THANH TIEN** a check totaling \$4,610.00 in settlement of claim;
  - on or about February 10, 2010, State Farm Insurance mailed **MANDY NGUYET PHAN** a settlement check totaling \$8,000.00;

contrary to the form of the Statutes and against the peace and dignity of the State of Oklahoma.

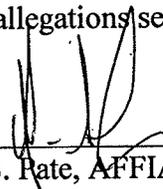
**E. SCOTT PRUITT**  
**ATTORNEY GENERAL OF OKLAHOMA**



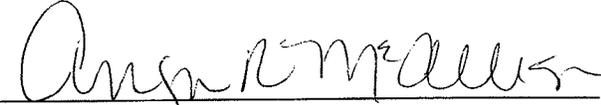
**Marc S. Pate**, OBA #10567  
**Assistant Attorney General**  
313 N.E. 21<sup>st</sup>  
Oklahoma City, Oklahoma 73105  
(405) 522-0055

STATE OF OKLAHOMA )  
OKLAHOMA COUNTY ) ss

I do solemnly swear that the statements and allegations set forth in the within information are true.

  
\_\_\_\_\_  
Marc S. Pate, AFFIANT

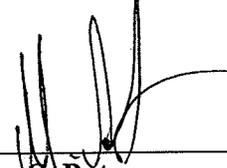
Signed and sworn to before me by Marc S. Pate on the 28<sup>th</sup> day of Nov, 2012.

  
\_\_\_\_\_  
Notary Public



(SEAL)  
My Commission Expires \_\_\_\_\_.

**E. SCOTT PRUITT**  
**ATTORNEY GENERAL OF OKLAHOMA**

By:   
\_\_\_\_\_  
Marc S. Pate  
Assistant Attorney General

**Violation and Penalty:**

- 21 O.S §1662: Not exceeding three (3) years and/or by a fine not exceeding \$1,000
- 21 O.S. §421: Not exceeding ten (10) years and/or by a fine not exceeding \$5,000

WITNESSES

Chinh Theresa Tu Doan  
5008 N. Brunson  
Oklahoma City, Oklahoma 73112

Jesusa Fernanda Meza  
3131 S.W. 89<sup>th</sup> Street  
Oklahoma City, Oklahoma 73159

Leticia Esquivel  
3717 N.W. 25<sup>th</sup> Street  
Oklahoma City, Oklahoma

Rosa Silva-Lima  
616 Woodland Way  
Oklahoma City, Oklahoma 73127

Susan Jo Degenar  
10300 Park Road  
Edmond, Oklahoma 73034

Dulce Esmeralda Garcia  
2324 N.W. 36<sup>th</sup> Street  
Oklahoma City, Oklahoma 73112

Linh Bui  
2120 N.W. 36<sup>th</sup> Street  
Oklahoma City, Oklahoma 73112

Quynh Dihn Nhu Nguyen  
1700 N.W. 31<sup>st</sup> Street  
Oklahoma City, Oklahoma 73118

Trung Q. Le  
212 S.W. 31<sup>st</sup> Street  
Oklahoma City, Oklahoma

Uyen Son  
7729 N.W. 113<sup>th</sup> Place  
Oklahoma City, Oklahoma 73162

Joline Nguyen  
12816 Knight Hill Road  
Oklahoma City, Oklahoma 73142

Tuyet Nguyen  
2712 S.W. 121<sup>st</sup> Court  
Oklahoma City, Oklahoma 73170

Brian Edward Powley  
7628 N.W. 101<sup>st</sup> Street  
Oklahoma City, Oklahoma 73162

Ho Bual Ngoc Nguyen  
2944 S.W. 48<sup>th</sup> Street  
Oklahoma City, Oklahoma

Steven Nguyen Hoand  
1229 S.W. 131<sup>st</sup>  
Oklahoma City, Oklahoma 73170

Lan T. Duong  
2944 S.W. 48<sup>th</sup> Street  
Oklahoma City, Oklahoma

Knanh Van Tran Dang  
929 N.E. 83<sup>rd</sup> Street  
Oklahoma City, Oklahoma 73114

Sandy Nguyen  
200 West 15<sup>th</sup> Street #159  
Edmond, Oklahoma 73013

Ly Thi Tran  
2000 N.W. 44<sup>th</sup> Street  
Oklahoma City, Oklahoma 73118

Mark Wenthold  
NICB Southwest Region  
P.O. Box 891257  
Oklahoma City, Oklahoma 73189-1257

Agt. Mark E. Schweers, Jr., Agent  
U.S. Department of Justice  
Federal Bureau of Investigation  
P.O. Box 568801  
Oklahoma City, Oklahoma 73156-8801

Sgt. Loc Nguyen  
Oklahoma City Police Department  
701 Colcord Drive  
Oklahoma City, Oklahoma 73102

Jackie Johnson, Investigator  
Oklahoma Attorney General's Office  
313 N.E. 21<sup>st</sup> Street  
Oklahoma City, Oklahoma 7315

Dale Wade  
State Farm Insurance  
809 N. Findley, Suite 200  
Norman, Oklahoma 73071

**IN THE DISTRICT COURT OF OKLAHOMA COUNTY  
STATE OF OKLAHOMA**

**THE STATE OF OKLAHOMA,** )  
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 Plaintiff, )  
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 vs. )  
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 **HAI THANH TIEN and** )  
 **MANDY NGUYET PHAN,** )  
 )  
 Defendants. )

No. \_\_\_\_\_

**STATE OF OKLAHOMA }  
OKLAHOMA COUNTY } ss:**

I, the undersigned, being first duly sworn and upon oath, does depose and state as follows:  
I, Mark Eric Schweers, Jr., am a Special Agent with the Federal Bureau of Investigation. The facts and information contained in this Affidavit are based upon my knowledge and observations, information received from other experienced investigators and agents of the Oklahoma Insurance Department and the National Insurance Crime Bureau, a review of both public and private documents, and interviews of witnesses. I have not included each and every fact known to me concerning this investigation. Rather, I have set forth only the facts I believe are necessary to establish probable cause for the issuance of arrest warrants.

The Federal Bureau of Investigation has conducted a joint investigation with the Oklahoma Insurance Department and the National Insurance Crime Bureau alleging **HAI THANH TIEN** and **MANDY NGUYET PHAN** made a false claim for insurance benefits to State Farm Insurance Company.

**HAI THANH TIEN**, a resident of Oklahoma County, is a chiropractor licensed to practice in the State of Oklahoma. **HAI THANH TIEN** operates Extended Rehabilitation and Pain Management Clinic in Oklahoma County, with an office address of 4609 N. Classen Boulevard, Oklahoma City, Oklahoma. **HAI THANH TIEN** operates his clinic primarily to provide treatments to patients who suffered personal injuries, including from motor vehicle accidents, and to generate medical billing for submission with insurance claims;

**MANDY NGUYET PHAN** is the owner and manager of Universal Law Offices in Oklahoma County, but is not an attorney; Universal Law Offices operated offices at 2800 N. Classen Boulevard, Number 103, Oklahoma City, Oklahoma. Universal Law Office provides legal services to those who have suffered personal injuries, and to take a percentage of monies recovered on behalf of individuals as payment for these services. **HAI THANH TIEN** and **MANDY NGUYET PHAN** are husband and wife.

Upon information and belief, on August 12, 2009, undercover Oklahoma City Police Department Officer Loc Nguyen, presented himself as Antonio Nguyen to **HAI THANH TIEN** at Extended Rehabilitation Clinic, and reported to him as having been involved in an accident on August 10, 2009.

Upon information and belief, on September 4, 2009, Nguyen met with **HAI THANH TIEN**. **HAI THANH TIEN**, in turn, referred Officer Nguyen to **MANDY NGUYET PHAN**. Officer Nguyen, in his undercover capacity, entered into a written contract with Universal Law to represent him in a claim for personal injuries arising out of the August 10, 2009 accident. The contract provided that any settlement funds resulting from his case would first be reduced by a percentage of the recovered funds for attorney's fees. The contract also provides that litigation related expenses, including expenses for medical bills, were then paid from the remaining client's share of the settlement proceeds.

On or about January 15, 2010, **MANDY NGUYET PHAN**, by and through those individuals operating under her direction and control, caused a settlement demand letter and **HAI THANH TIEN**'s billings to be sent to State Farm Insurance Company in reference to the reported August 10, 2009, accident. These billings were false and inflated, as set forth below. This inflated amount of medical billing was then used to justify a higher settlement demand directed to State Farm. The billing was for alleged treatment on the following dates:

08/12/2009: The date the officer made his initial visit to the office, but no treatment was performed on that date;

08/13/2009: Officer did not go to the clinic on that date;

08/14/2009: Officer did not go to the clinic on that date;

08/17/2009: Officer did not go to the clinic on that date;

08/19/2009: Officer did not go to the clinic on that date;

08/24/2009: Officer did not go to the clinic on that date;

08/26/2009: Officer did not go to the clinic on that date;

08/28/2009: Officer did not go to the clinic on that date;

08/31/2009: Officer did not go to the clinic on that date;

09/02/2009: Officer did not go to the clinic on that date;

09/08/2009: Officer did not go to the clinic on that date;

09/11/2009: Officer did not go to the clinic on that date;

09/14/2009: Officer did not go to the clinic on that date;

09/16/2009: Officer did not go to the clinic on that date;

09/18/2009: Officer did not go to the clinic on that date;

09/21/2009: Officer did not go to the clinic on that date;

09/23/2009: Officer did not go to the clinic on that date;

09/25/2009: Officer did not go to the clinic on that date;

09/28/2009: Officer did not go to the clinic on that date.

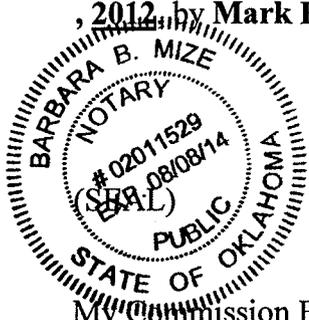
**MANDY NGUYET PHAN**, by and through those individuals operating under her direction and control, negotiated a settlement of Nguyen's claim with State Farm Insurance. On or about February 3, 2010, State Farm Insurance Company issued **HAI THANH TIEN** a check totaling \$4,610.00 in settlement of claim. Thereafter, on or about February 10, 2010, State Farm Insurance issued Officer Nguyen, in his undercover capacity, and Universal Law Office a settlement check totaling \$8,000.00;

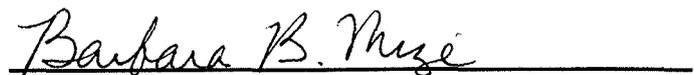
Based upon that evidence I believe the probable cause exists to show that **MANDY NGUYET PHAN** and **HAI THANH TIEN** conspired to commit the crime of **FALSE CLAIM FOR INSURANCE** in violation of **Title 21 O.S. §1662**, a felony, and **CONSPIRACY** in violation of **Title 21 O.S. §421**, and therefore request that a warrant issue for her arrest.

**FURTHER AFFIANT SAYETH NOT.**

  
Mark Eric Schweers, Jr., Affiant

SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of November, 2012, by Mark Eric Schweers, Jr. .



  
Notary Public # 02011529

My Commission Expires: 8-8-2014