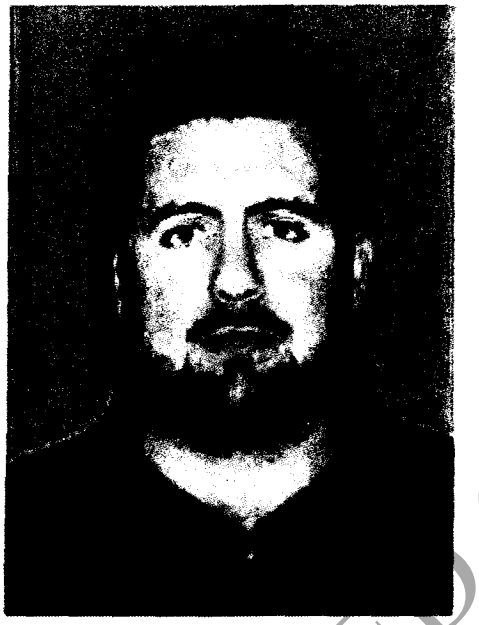
SUBJECT PROFILE



Name:	James David Philpot, Jr.
Race:	White
Sex:	Male
Date of Birth:	12/22/1985
Florida Driver License/ID:	P413-444-85-462-0
Social Security Number:	[redacted]
Phone Number:	(561) 262-9080
Place of Birth:	Florida, USA
Last Known Address:	729 Duchess Court Palm Beach Gardens, Florida 33410
Height:	6'4''
Hair:	Brown
Eyes:	Blue

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CASE PREDICATION

On January 26, 2023, a tip was received by the Florida Department of Financial Services, Division of Investigative Services from Michael Eccenaro (hereinafter "Eccenaro), Vice President of Blankit Insurance, located in Tampa, Florida. This tip alleged the defendant, James David Philpot, Jr., (hereinafter "Philpot) did utter a fraudulent Certificate of Insurance (hereinafter "COI") to One City Plaza Condominium Association, located in West Palm Beach, Florida. This COI contained information regarding insurance policies that Philpot knew to be false and also contained information that was altered, forged, or counterfeited, and by passing the COI intended to defraud One City Plaza Condominium Association. **(EXHIBIT #1)**

FILED
2023 JUL -7 AM 9:59
JOSEPH ABRUZZO, CLERK
PALM BEACH COUNTY, FL
CIRCUIT CRIMINAL

INVESTIGATION

On February 6, 2023, this case was assigned to me, Detective George Betancur, for further investigation.

A search of the Florida Department of Corporations website (Sunbiz) showed Dixie Moving and Storage, LLC, (hereinafter "Dixie Moving") was incorporated on May 4, 2018. The articles of incorporation listed Krystal Gandara (hereinafter "Gandara) as the registered agent and manager and had a listed address of 802 Old Dixie Highway, Lake Park, Florida 33403. It also listed an address for Gandara of 824 Madison Court, Palm Beach Gardens, Florida 33410. In the 2022 annual report, Philpot was added as the registered agent. The same address in Palm Beach Gardens was listed for Philpot in this report. The corporation is still active. **(EXHIBIT #2)**

On January 25, 2023, Philpot provided a COI to Elizabeth Nunez (hereinafter "Nunez), Assistant Manager of One City Plaza, via email. This COI was sent from Philpot using the email davejr@alldixiemoving.com. Upon receiving this COI, Nunez then forwarded the email to Jack Sewell (hereinafter "Sewell"), Manager of One City Plaza. Upon reviewing the COI, he found it did not meet their organization's guidelines regarding coverage listings. Sewell sent an email to service@myblankit.com, the email address listed for Blankit Insurance on the COI, requesting a COI be sent directly to him by Blankit Insurance. Upon receiving this email from Sewell, Eccenaro discovered there were insurance policies listed on the COI as active policies, when in fact they were not. **(EXHIBIT #3)**

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Blankit Insurance Records

On March 22, 2023, I received records from Blankit Insurance regarding Dixie Moving and Storage's insurance policies. The records showed multiple Acord applications for insurance for Dixie Moving and Storage. The applications were for a commercial insurance policy, a commercial general liability policy, an umbrella policy, and a transportation policy. The producer listed on these applications was Chris Orletski (hereinafter "Orletski"), Vice President of Blankit Insurance. All of these applications were dated November 16, 2021 and were digitally signed by Philpot on November 18, 2021. **(EXHIBIT #4)**

Based on these applications, the following insurance policies were issued:

- Commercial General Liability policy from Century Surety Company, policy number CCP-1028442, effective 11/18/2021 to 11/18/2022
- Motor Truck Cargo policy from Century Surety Company, policy number CCP-1028443, effective 11/18/2021 to 11/18/2022
- Automobile Liability policy from Kemper Auto Insurance, policy number 509-80004-2653-001, effective 11/18/2021 to 11/18/2022
- Umbrella Liability policy from Evanston Insurance Company, policy number EZXS3064839, effective 11/18/2021 to 11/18/2022

The records from Blankit Insurance showed the Commercial General Liability Coverage policy number CCP-1028442, was cancelled on February 7, 2022, due to non-payment. Philpot was informed of this cancellation via an email to davejr@alldixiemoving.com, the email listed on the policy applications, by Orletski. **Philpot responded to this email, which indicated he had received the email and was aware the policy was cancelled.**

Christopher Orletski Sworn Statment

On April 12, 2023, Ortletski provided me with a recorded sworn statement by telephone during which he advised he was the President and Principal Agent for Blankit Insurance. He stated he had been with the Blankit Insurance since 2016, when he started the business. He recalled providing services for Dixie Moving and Storage by assisting with commercial insurance lines including liability, automotive, motor truck cargo, and commercial excess liability. He stated he spoke with Philpot, who identified himself as the owner of Dixie Moving and Storage. Orletski did not speak to anyone else at Dixie Moving and Storage regarding insurance coverage. Philpot provided the phone number of (561) 262-9080 and an email address of davejr@alldixiemoving.com to Orletski

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while completing the application process.

Orletski stated he remembered producing the Acord applications, which were signed electronically via DocuSign. He stated he received the information for the Acord applications from Philpot. The general liability, motor truck cargo, and commercial excess policies were financed through a third-party premium finance company and were cancelled in February 2022 due to non-payment. On April 13, 2022, Philpot was notified that the policies were cancelled and was provided with the cancellation documentation. Dixie Moving and Storage does still presently hold an insurance policy through Blankit Insurance.

Based on records at Blankit Insurance, Orletski was able to determine COIs had been provided on behalf of Dixie Moving and Storage in the past. I asked Orletski about the COI dated January 23, 2023, which was provided to One City Plaza at which time Orletski stated the certificate was not generated by Blankit Insurance. He then stated multiple reasons in support of his statement:

- There was no record of the COI being generated by Blankit's system on January 23, 2023, for Dixie Moving and Storage.
- The policy effective dates listed were not correct. The policy effective dates listed on the COI was 11/18/2022 to 11/17/2023. The correct policy dates would have been 11/18/2022 to 11/18/2023. Blankit's system would not have generated the dates listed on the COI in question.
- The policy numbers listed on the COI in question were numbers for prior policies held by Dixie Moving and Storage. The policy numbers would have changed for the 2022-2023 policy period if the policies were still active.
- The only active for Dixie Moving and Storage through Blankit Insurance was the automotive policy.

Blankit Insurance was made aware of the fictitious COI because they were contacted by One City Plaza to obtain one directly from them on behalf of Dixie Moving and Storage. Upon checking their system, they discovered the information on the COI presented to One City Plaza was not correct. They then contacted DIFS to report the fictitious COI.

After the interview, Orletski provided an email sent on November 25, 2022, from Philpot via an email using the address [redacted] asking for a COI for a different association. The email stated, "Hi Chris, can you please send me COI for our auto policy which I believe is the

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only active policy we have with you guys, for the following buildings? Thanks and Happy Thanksgiving!" **This email showed Philpot had knowledge that the other policies listed on the COI provided to One Plaza Condominium Association were not active. (EXHIBIT #5)**

Nunez and Sewell Sworn Statement

On April 12, 2023, a sworn statement was obtained from Sewell and Nunez. Nunez confirmed she had received the email from davein@alldixiemoving.com on January 25, 2023 and forwarded it to Sewell. This email was sent from Philpot to One City Plaza as a requirement to perform moving services for a tenant, Michelle Browning, who was moving out of the building. Sewell confirmed upon reviewing the COI he sent an email to service@mybiankit.com, in an attempt to obtain a COI directly from the listed underwriter and producer. Neither Sewell nor Nunez recalled speaking to Philpot, but verified the COI provided to DIFS by Blankit Insurance was the same that was provided to them by Philpot. **(EXHIBIT #6)**

Michelle Browning

On April 19, 2023, I spoke with Michelle Browning by phone at which time she confirmed she used to live at One City Plaza and attempted to contract with Dixie Moving and Storage when she was moving to Fort Lauderdale. She stated when she was attempting to use Dixie Moving and Storage the only person she spoke to at the business was Philpot.

David Philpot Interview

On May 17, 2023, Detective Earl Brown and I met with Philpot at 729 Duchess Court, Palm Beach Gardens, Florida 33410. A consensual interview was conducted on the front porch of the residence and recorded with an agency issued digital audio recorder. **(EXHIBIT #7)**

During this interview, Philpot initially stated he did not send the COI to One City Plaza, and that it possibly came from his office. He then stated the business would have been closed to prior to this COI being sent. He stated he had a prior customer contact him and ask if they could provide moving services from about five or six months ago. Upon asking if Michelle Browning was the customer in question, he answered yes. After he was told they could not provide the services for her, he referred the services to another moving company.

I asked Philpot if he remembered provided the COI at which time he stated "I don't want to be an asshole about it, but there have been times that we've done stuff, everyone has done stuff that's

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not right. So, chances are, I don't think that I would have approved it, but I'm not saying it wasn't done. There's a lot of companies that do that shit." He again reiterated he was trying to help out a return client, but they couldn't help her because "they caught it immediately".

I asked Philpot if he had an email of davejr@alldixiemoving.com, to which answered yes, and believed the email was still active. He stated he and a salesman had access to this email. He stated either he or the salesman would send out COIs. He then stated they haven't been insured and that a policy was cancelled for non-payment. He stated they still held one prepaid policy but had since been dropped.

I advised him I was aware of the policies which were cancelled in February 2022 and that his automotive policy was still active, and I was aware he had knowledge those policies were not active when the COI was provided with invalid dates and old policy numbers.

Philpot then stated "I'm not gonna beat around the bush man, we got kicked out of business, and we needed a job and we tried to do something to make it work." Upon hearing they would not be allowed to perform the work the job was referred to a separate moving company.

I advised him of the connections of the email davejr@alldixiemoving.com between One City Plaza and Blankit Insurance and that these connections came back to him. He then stated "Yeah, it's not right, I'm not hiding from it, man, it is what it is."

Upon asking him again if he was the person who sent the COI to One City Plaza, he stated it was either him or "Chris", but "I know that I was involved with trying to get the contract done and said let's do what it takes to make it happen."

I told Philpot I appreciated his honesty and the fact he appeared to be taking responsibility for this, he stated "Yeah, one hundred percent man."

I advised Philpot criminal charges may be filed by the state attorney in this case and, if so, I would contact him to arrange a time for a self-surrender.

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Conclusion:

- Philpot utilized Blankit Insurance to obtain multiple insurance policies for his business, Dixie Moving and Storage.
- Dixie Moving and Storage's general liability and insurance policies were cancelled on February 7, 2022, due to non-payment.
- Philpot was aware these policies were cancelled based on email correspondence sent in April 2022 as well as November 2022 between himself and Blankit Insurance
- On January 25, 2023, Philpot knowingly provided a fictitious COI containing altered policy dates and policy numbers for cancelled insurance policies to One City Plaza Condominium Association.

Based on the above facts, there is probable cause to believe on January 25, 2023, in Palm Beach County Florida, the defendant James David Philpot, Jr., violated Florida State Statute 831.02 when he did utter and pass as true a false, forged, or altered Certificate of Insurance, knowing the same to be false, altered, forged or counterfeited, with intent to injure or defraud One City Plaza Condominium Association, a Third-Degree Felony.

I hereby swear and affirm that the above information did occur in Palm Beach County, Florida and is true and correct to the best of my knowledge and belief.

George Betscha, DETECTIVE
Florida Department of Financial Services
Bureau of Insurance Fraud

Subscribed to and sworn before me this 19 day May 2023, who is personally known to me.

#08415
Law Enforcement Officer (F.S.S. 117.10)

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