

Appeals Court Upholds False Insurance Claim Conviction for Morton Couple

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Jennifer Mau, left, speaks to Guardians of the Children President Dave Eden during a rally against embattled Morton teacher Michael Moulton on Aug. 30, 2012. The two were convicted Lewis County Superior Court for making a false insurance claim.

A state appeals court has upheld the convictions of a Morton couple found guilty of filing a false insurance claim in 2010 after reporting their property had been damaged by rain water while stored in a leaky U-Haul truck.

The crime initially came to light when investigators determined there had been no rain on the day the damage reportedly occurred.

Charges were brought against David Eden and Jennifer Mau March 17, 2010, when Republic Western Insurance contacted the Lewis County Prosecutor's Office after denying an insurance claim they made in 2007, citing a \$16,789 loss to rain-soaked belongings.

According to charging documents, leaks were not found in the U-Haul truck during investigation. There was also no measurable precipitation in the area on the day — March 30, 2007 — when the Morton couple rented the moving vehicle, nor did records show a history of precipitation in the areas they allegedly traveled.

The couple's claims that their ruined possessions were discarded at a landfill could also not be verified by receipts, according to court documents.

Eden and Mau had argued on appeal that there was insufficient evidence for a conviction and that a jury instruction focused on accomplice liability was overbroad.

"We hold that the state presented sufficient evidence that the claim was made under a 'contract of insurance,' that the trial court properly instructed the jury on accomplice liability and that the

accomplice liability statute does not criminalize constitutionally protected speech,” the judges wrote in the ruling.

Both Eden and Mau had been public figures in other recent and ongoing cases in Lewis County.

They spearheaded efforts among parents of local schoolchildren to remove embattled junior high school teacher Michael Moulton from the classroom for “unprofessional conduct” with students.

The pair led roughly 20 parents in protests outside the school on the first day of classes Aug. 30, prompting extensive statewide and national media coverage.

Upon state school Superintendent Randy Dorn’s decision to suspend Moulton’s teaching license for three years, Mau and Eden both traveled to Olympia and personally thanked Dorn for his decision.

Mau was also a search coordinator for the Mount St. Helens branch of Guardians of the Children as they looked for a missing Morton teen, Austin King.