



CASE STUDY

Twierking & Tweeting Costs Cheerleader Half a Million:

How an Insurance Company Eliminated False Claims with Social Media Investigations

Situation

An insurance company faced a half million-dollar lawsuit from a cheerleader with a national sports organization. The cheerleader claimed her car had been rear-ended by a vehicle driven by an employee of the insurance company and that she'd sustained serious back injuries from the crash. Claiming limited physical mobility and inability to continue working in her profession, the cheerleader sought \$500,000 in damages. To determine the veracity of the claim, the insurance company sought expert help from BIA to conduct a social media investigation.



Challenge

To successfully prove or disprove an insurance claim in court using social media data, two things must happen:

- 1) **Social media data must be collected.** To do this collection thoroughly, properly, and legally is not nearly as simple as it may seem. This involves much more than taking a couple of screenshots of a person's Facebook or Instagram page, or downloading a video from TikTok or YouTube. For best results, the process should include identifying and forensically capturing publicly available content from all possible social media sites associated with the claimant as well as those associated with their friends and family.
- 2) **Legal procedures and standards must be followed.** You may have scraped volumes of incriminating data off a claimant's Facebook page, but for that social media data to be [admissible in court](#) or other legal forums, certain rules must be followed. For example, the American Bar Association and courts alike deem it unethical to "friend" users on Facebook or otherwise gain unauthorized access to copy private posts or videos from a person's social media account. Additionally, there are technical and forensic standards to follow when gathering content to ensure that the evidence meets any authenticity and admissibility requirements. It is easy for an experienced lawyer to refute the veracity of a screenshot, simple printout, or video capture if the content was obtained using the wrong technology or processes.

Solution

Equipped with the cheerleader's first name, last name, and social security number provided by the insurance company, BIA's forensics team set out to collect any public data from social media accounts that could strengthen the case for our client. Because the courts have deemed that [social media content is discoverable](#), it is legal and ethical to dig through social media content, including any content marked "private" and generally

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inaccessible on the platform itself. (Access to this not-publicly-shared content is the big differentiator between doing a search yourself versus hiring experts to search with proper tools, technology, and legal knowledge.)

To collect data from the cheerleader's social media platforms, our forensic experts used a sophisticated and proven combination of tools, processes, and specialized databases accessible only to authorized and credentialed private investigators. The team searched Facebook, Instagram, LinkedIn, Pinterest, Twitter, YouTube, and more. They also expanded the search to include the accounts associated with friends and family in the cheerleader's social network.

Our team defensibly and securely collected and preserved the data, ensuring it was legally admissible in court. We authenticated the data using hash values and other metadata, which guards the integrity of files and prevents evidence tampering. Additionally, all data maintained proper chain-of-custody protocols. Using our advanced technology and protocols, PI credentials, and extensive experience in social media investigations, we completed a comprehensive analysis of relevant social media accounts on multiple platforms.

Results

While the cheerleader's own personal accounts did not show anything to undermine the case, a **deeper dive into her friends' social media accounts** uncovered multiple videos of her performing such activities as working out at the gym and riding a jet ski. We even found one of her twerking on a yacht — all with no sign of pain or injury.

By verifying the time, date, and location of each video, [BIA's social media investigation team](#) proved that all those events took place after the claimed injury date, proving that the cheerleader did not have the injuries she had claimed. **In less than 5 days**, we collected enough posts to prove that the cheerleader's claim was false.

The insurance company quickly **settled the case for only \$35,000**. A dramatic **93% reduction from the original \$500,000** the cheerleader's lawyers were seeking, this settlement also saved our client all the additional costs that would have come with fully litigating the claims.

AT A GLANCE

- **\$500,000: original plaintiff claim**
- **7: # of social media accounts associated with plaintiff**
- **34: # of social media accounts associated with plaintiff's friends & family**
- **< 5: days to complete investigation and prove insurance fraud**
- **93%: The amount saved from the initial complaint demand (not including legal costs)**

