

California Department of Insurance

Fraud Division

March 2011 Workers' Compensation Fraud Convictions

Effective January 01, 2005, Assembly Bill 2866 (Frommer) enacted Insurance Code Section 1871.9 requiring the posting of all workers' compensation fraud convictions to the CDI website.

Per section 1871.9, the department shall post all of the following information on its Internet Web site for each person, as defined in Section 19, convicted of a violation of this article (1871.4), Section 11760 or 11880, Section 3700.5 of the Labor Code or Section 487 or 550 of the Penal Code, if the violation involved workers' compensation insurance, services or benefits:

- The name, case number, county or court and other identifying information with respect to the case.
- The full name of the defendant.
- The city and county of the defendant's last known residence or business address.
- The date of conviction.
- A description of the offense.
- The amount of money alleged to have been defrauded.
- A description of the punishment imposed, including the length of any sentence of imprisonment and the amount of any fine imposed.

The information required to be posted under this section shall be maintained on the department Web site for a period of five years from the date of conviction or until the department is notified in writing by the person that the conviction has been reversed or expunged.

Note: If new documentation has been received that in any way affects the conviction information contained herein, please forward that documentation with an explanation to:

Bureau Chief, Workers' Compensation Program
9342 Tech Center Drive, Suite 100
Sacramento, CA 95826

A determination to make any changes will be made within sixty (60) days of receipt of the information.

March 2011 Workers' Compensation Fraud Convictions

Case Number: M11912837

County: Fresno

Defendant: Ramiro Garcia Chavana

City/County of Residence: Fresno/Fresno

Conviction Date: 03/22/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: Parties stipulate to have defendant enter into a conditional settlement on agreed upon condition that defendant has no new arrests based on Probable casuse for 12 months.

Conditional Settlement Hearing Scheduled for 03/21/2012

CDI Case Number: 10JW009863

County: Los Angeles

Defendant: Edgar DeSantiago

City/County of Residence: Sylmar/Los Angeles

Conviction Date: 03/03/11

Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)

Amount Allegedly Defrauded: \$12,807

Sentence: 2 Years Summary Probation, \$2,263 Restitution (Paid In Full), \$100 Civil Fine

Case Number: 2010043282 MA

County: Ventura

Defendant: El Taco Fresh

City/County of Residence: Fillmore/Ventura

Conviction Date: 3/14/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$1,000 Restitution, \$100 Civil Fine, \$10,000

Criminal Fine (\$9,000 Stayed)

Case Number: TCM248733

County: Tulare

Defendant: Antonio Escamilla

City/County of Residence: Not available at this time

Conviction Date: 03/23/11

Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)

Amount Allegedly Defrauded: N/A

Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine, (\$8,500 Suspended)

Case Number: F10903184
County: Fresno
Defendant: Deberoh Anne Fraser
City/County of Residence: Clovis/Fresno
Conviction Date: 03/14/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)
Amount Allegedly Defrauded: TBD
Sentence: 1 Day County Jail, 6 Months Conditional Probation, TBD Restitution, \$100 Civil Fine

Case Number: BA379107
CDI Number: 09CW023045
County: Los Angeles
Defendant: Benjamin Gutierrez
City/County of Residence: La Puente/Los Angeles
Conviction Date: 03/09/11
Offense: 3 Counts of IC 11880(a) (Premium Fraud) reduced to misdemeanors on 06/29/11
Amount Allegedly Defrauded: \$54,745
Sentence: 3 Days County Jail, 3 Years Formal Probation (reverted to 2 Years Summary Probation as of 05/05/11), \$54,745 Restitution, \$200 Civil Fine (Paid)

CDI Case Number: 11BW009960
County: Alameda
Defendant: Joseph Haddad
City/County of Residence: Dublin/Alameda
Conviction Date: 03/18/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 36 Months Court Probation, TBD Restitution, \$500 Criminal Fine

Case Number: TCM248734
County: Tulare
Defendant: Ezequiel Limas
City/County of Residence: Visalia/Tulare
Conviction Date: 03/23/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$10,000 Criminal Fine, (\$8,500 Suspended)

Case Number: BA369932
County: Los Angeles
Defendant: Jose Luquin
City/County of Residence: Not available at this time
Conviction Date: 03/22/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$4,175
Sentence: 2 Days County Jail, 40 Hours Community Service, 3 Years Formal Probation, \$4,175 Restitution, \$200 Civil Fine

CDI Case Name: CSLB El Dorado Joint Sting
CDI Case Number: 10AW021448
County: El Dorado
Defendant: Quirino Oliveros
City/County of Residence: Placerville/El Dorado
Conviction Date: 03/25/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 30 Days County Jail, 36 Months Summary Probation, \$10,100 Fine Stayed except for \$100 Civil Fine, \$856 Criminal Fine

CDI Case Name: Millennium Farms
CDI Case Number: 09AW005579
County: Sacramento
Defendant: Amarjit Singh Pamma
City/County of Residence: Live Oak/Sutter
Conviction Date: 03/15/11
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$39,235
Sentence: 1 Day County Jail, 3 Years Informal Probation, \$35,000 Restitution, \$100 Civil Fine

CDI Case Number: 10AW001452
County: Stanislaus
Defendant: Muhammad Raza
City/County of Residence: Sacramento/Sacramento
Conviction Date: 03/30/11
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Day County Jail, 36 Months Informal Probation, \$100 Civil Fine

Case Number: F11900401
County: Fresno
Defendant: Ryan Matthew Rose
City/County of Residence: Fresno/Fresno
Conviction Date: 03/09/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation)
Amount Allegedly Defrauded: \$4,293.83
Sentence: 1 Day County Jail, 3 Years Formal Probation, \$4,293.83 Restitution, \$400 Civil Fine

CDI Case Number: 09JW023135
County: Ventura
Defendant: Hector Rocha Villasenor
City/County of Residence: Oxnard/Ventura
Conviction Date: 03/29/11
Offense: 1 Count of IC 1871.4(a)(1) (Make or Cause to be Made a Knowingly False or Fraudulent Material Statement or Material Representation for the Purpose of Obtaining Compensation) (Misdemeanor)
Amount Allegedly Defrauded: \$42,840
Sentence: 60 Days County Jail, 36 Months Conditional Probation, \$3,424.20 Restitution, \$100 Civil Fine