

California Department of Insurance

Fraud Division

January 2017 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.

January 2017 Workers' Compensation Fraud Convictions

Court Case Number: BA445446

County: Los Angeles

Defendant: Henry Oscar Albarran

City/County of Residence: Not available at this time

Conviction Date: 01/09/17

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: To Be Determined

Sentence: 1 Day County Jail, 1 Year Summary Probation, \$150 Civil Fine

Court Case Number: BA442943

County: Los Angeles

Defendant: Victor Saul Avila

City/County of Residence: Wilmington/Los Angeles

Conviction Date: 01/31/17

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: \$27,913.55

Sentence: 2 Days County Jail, 20 Days of Cal Trans, 36 Months Formal Probation, \$27,913.55 Restitution, \$300 Civil Fine, Cost of Probation Services as Determined By Probation Officer

Court Number: 12ZF0145FA

CDI Case Name: Best Value Roofing

County: Orange

Defendant: Carlos Enriquez

City/County of Residence: Santa Ana/Orange

Conviction Date: 01/13/17

Offense: 12 Counts of IC 11880(a) (Premium Fraud); 12 Counts of PC 186.11(a)(1/2) (Aggravated White Collar Crime Over \$500k) (Enhancement)

Amount Allegedly Defrauded: \$595,784.82

Sentence: 5 Years Formal Probation, 120 Days County Jail, \$595,784.82 Restitution to State Compensation Insurance Fund, \$240 Civil Fine, \$1,000 Criminal Fine

Court Number: 12ZF0145FA

CDI Case Name: Best Value Roofing

County: Orange

Defendant: Ernesto Eric Enriquez

City/County of Residence: Santa Ana/Orange

Conviction Date: 01/13/17

Offense: 4 Counts of RT 19706; 10 Counts UIC 2117.5; 10 Counts UIC 2118.5; 7 Counts 11880(a) (Premium Fraud); 7 Counts of PC 186.11(a)(1/2) (Aggravated White Collar Crime Over \$500k) (Enhancement)

Amount Allegedly Defrauded: \$876,464.12

Sentence: 3 Years State Prison (Suspended), 10 Years Formal Probation, 364 Days County Jail, \$876,464.12 Restitution, \$240 Civil Fine, \$1,000 Criminal Fine

Court Case Number: SC082592B
CDI Case Name: WC Premier Quest Collision
County: San Mateo
Defendant: Ricardo Hernandez Flores
City/County of Residence: Redwood City/San Mateo
Conviction Date: 01/09/17
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$12,417.34
Sentence: 10 Days County Jail (Recommended to Sheriff's Alternative Sentencing Bureau), 2 Years Summary Probation, \$2,217.88 Restitution (plus 15% Admin Fee) to AAA Insurance (Jointly and Severally with Uriel Lenin Sotomayor), \$2,450.02 Restitution (plus 15% Admin Fee) to Farmers Insurance, (Jointly and Severally with Uriel Lenin Sotomayor), \$7,749.44 Restitution (plus 15% Admin Fee) to State Compensation Board

Court Case Number: 16CM-2386
County: Kings
Defendant: Flavio Almeida Martins
City/County of Residence: Hanford/Kings
Conviction Date: 01/19/17
Offense: 2 Counts of IC 11880(a) (Premium Fraud); 1 Count of IC 11760(a) (Misrepresent Fact to Obtain Workers' Compensation)
Amount Allegedly Defrauded: \$287,382.78
Sentence: 120 Days County Jail, 5 Years Formal Probation, Defendant has paid victim restitution to victim in Count 1 in the amount of \$42,425, victim in Count 1 in the amount of \$103,933.69 and victim in Count 3 in the amount of \$79,666.24, the victim restitution in Count 4 to EDD in the amount of \$61,357.93 and to victim-Zenith Insurance in the amount of \$13,223. Pay the sum of \$450 as a portion of the cost of conducting the pre-sentence investigation and report and pay a fee of not to exceed \$20 per month to defray a portion the cost of supervision.

Court Case Number: 6CJ00080
CDI Case Name: High Tea Cottage
County: Los Angeles
Defendant: Jennifer May McGrath
City/County of Residence: Woodland Hills/Los Angeles
Conviction Date: 01/25/17
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance); 1 Count of LC 3550(b) (No W/C Notice on Site)
Amount Allegedly Defrauded: N/A
Sentence: 12 Months Deferred Entry of Judgement, Pay \$100 Fine; Maintain Workers Compensation Insurance, and Display Certification of Insurance In Accordance With the Law

Court Case Number: BA445653
County: Los Angeles
Defendant: Scott McLachlan
City/County of Residence: Torrance/Los Angeles
Conviction Date: 1/13/17
Offense: 1 Count IC 1871.4(a)(1) (False or Fraudulent Claim)
Amount Allegedly Defrauded: \$70,066.60
Sentence: 2 Days County Jail, 400 Hours of Community Service, 5 Years Formal Probation, \$70,066.60 Restitution to Gallagher Bassett, \$280 Civil Fine

Court Case Number: 4008053-E
County: Stanislaus (Prosecuted by Amador County District Attorney)
Defendant: Jaime Montenegro
City/County of Residence: Riverbank/Stanislaus
Conviction Date: 01/13/17
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 12 Months Informal Probation, \$150 Civil Fine, \$500 Fine to the Workers' Compensation Fraud Account

Court Case Number: 2067874-E
County: Stanislaus (Prosecuted by Amador County District Attorney)
Defendant: Francisco Sanchez Paz
City/County of Residence: Oakdale/Stanislaus
Conviction Date: 01/13/17
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 12 Months Informal Probation, \$150 Civil Fine, \$500 Fine to the Workers' Compensation Fraud Account

Court Case Number: CD239918
County: San Diego
Defendant: Carlos P. Ramos
City/County of Residence: Escondido/San Diego
Conviction Date: 01/27/17
Offense: 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)
Amount Allegedly Defrauded: \$18,000
Sentence: 2 Days County Jail, 3 Years Summary Probation, \$18,000 Restitution (\$2,000 Has Been Paid), \$876 Criminal Fine

Court Case Number: SC082592A
CDI Case Name: WC Premier Quest Collision
County: San Mateo
Defendant: Uriel Lenin Sotomayor
City/County of Residence: Redwood City/San Mateo
Conviction Date: 01/12/17
Offense: 1 Count of IC 11760(a) (Misrepresent Fact to Obtain Workers' Compensation) (Misdemeanor); 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)
Amount Allegedly Defrauded: \$5,489.91
Sentence: 40 Days County Jail (Recommended to Sheriff's Alternative Sentencing Bureau), 2 Years Summary Probation, \$2,217.88 Restitution (plus 15% Admin Fee) to AAA Insurance (Jointly and Severally with Ricardo Hernandez), \$2,450.02 Restitution (plus 15% Admin Fee) to Farmers Insurance, (Jointly and Severally with Ricardo Hernandez), \$822.01 Restitution (plus 15% Admin Fee) to Markel Insurance

Court Case Number: 4008150-E

County: Stanislaus (Prosecuted by Amador County District Attorney)

Defendant: Mark Anthony Speake

City/County of Residence: Modesto/Stanslaus

Conviction Date: 01/13/17

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

Amount Allegedly Defrauded: N/A

Sentence: 12 Months Informal Probation, \$150 Civil Fine, \$500 Fine to the Workers' Compensation Fraud Account