

California Department of Insurance

Fraud Division

May 2012 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.

May 2012 Workers' Compensation Fraud Convictions

Case Number: BA386807

County: Los Angeles

Defendant: Donnalene Dumadag Campbell

City/County of Residence: Not available at this time

Conviction Date: 05/17/12

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: \$4,300

Sentence: 40 Hours Community Service, 18 Months Summary Probation, \$4,300 Restitution (Paid In Full), \$100 Civil Fine

CDI Case Number: 10BW004958

County: Sonoma

Defendant: Pedro Cerda Cardona

City/County of Residence: Santa Rosa/Sonoma

Conviction Date: 05/23/12

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)

Amount Allegedly Defrauded: \$4,636

Sentence: 30 Days County Jail or 30 Days Work Release, 36 Months Conditional Probation, \$120 Civil Fine, \$70 Criminal Fine

CDI Case Number: 10EW012008

County: San Diego

Defendant: Kathleen J. Conway

City/County of Residence: Chula Vista/San Diego

Conviction Date: 05/11/12

Offense: 5 Counts 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: \$72,579.61

Sentence: 120 Days County Jail (Stayed Pending Successful Completion of Probation), 240 Hours of Volunteer Work (Now Satisfied), 3 Years Court Probation, \$72,579.61 Restitution, \$200 Civil Fine, \$800 Criminal Fine

Case Number: 12C15430

County: Calaveras (Prosecuted by Amador County)

Defendant: Gary Lee Cooksey

City/County of Residence: La Grange/Stanslaus

Conviction Date: 05/15/2012

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

Amount Allegedly Defrauded: N/A

Sentence: 24 Months Conditional Probation, \$2,000 Criminal Fine (Suspended Upon No Further Labor Code Violations)

CDI Name: Los Robles Bar and Grill
CDI Number: 12HW002169
County: Riverside
Defendant: Maria Teresa Del Rio
City/County of Residence: Mira Loma/Riverside
Conviction Date: 05/10/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$200 Civil Fine, \$10,000 Criminal Fine (\$8,000 Suspended), \$210 Cost of Investiagtion

CDI Case Number: 09JW008531
County: Los Angeles
Defendant: Guillermo Dubon
City/County of Residence: North Hollywood/Los Angeles
Conviction Date: 05/24/12
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: \$40,009
Sentence: 2 Days County Jail, 200 Hours Community Service, 5 Years Formal Probation, \$240 Civil Fine

Case Number: 62-108394
County: Placer (Prosecuted by Amador County District Attorney)
Defendant: Thomas William Emerson
City/County of Residence: Sacramento/Sacramento
Conviction Date: 05/21/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 6 Months Conditional Probation, \$2,500 to the Workers' Compensation Fraud Fund

Case Number: BA379029
County: Los Angeles
Defendant: Alejandro Garcia
City/County of Residence: Not available at this time
Conviction Date: 05/18/12
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: \$6,061.50
Sentence: 2 Days County Jail, 100 Days of Community Service, 3 Years Formal Probation, \$6,061.50 Restitution, \$240 Civil Fine (Stayed Pending Successful Completion of Probation)

CDI Case Number: 11CW006502

County: Los Angeles

Defendant: Tony Hines

City/County of Residence: Lomita/Los Angeles

Conviction Date: 05/09/12

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: \$29,067.46

Sentence: 9Days County Jail, 100 Hours Community Service, 5 Years Formal Probation, \$29,067.46 Restitution (Satisfied), \$240 Civil Fine, \$260 Criminal Fine

CDI Case Number: 10AW007084

County: San Joaquin

Defendant: Hamid Mehenni

City/County of Residence: Tracy/San Joaquin

Conviction Date: 05/18/12

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: \$100,000

Sentence: 3 Years Conditional Probation, \$110 Civil Fine, \$1,000 Criminal Fine

CDI Case Name: Valley Ag Labor Service

CDI Case Number: 08FW017261

County: Tulare

Defendant: Jose Alvarado Mendoza

City/County of Residence: Glendale, AZ (Maricopa County)

Conviction Date: 05/04/12

Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)

Amount Allegedly Defrauded: \$1,200,000

Sentence: 30 Days County Jail, 2 Years Summary Probation, \$132 Civil Fine

CDI Case Number: 10EW022516

County: San Diego

Defendant: Xenia A. Miranda

City/County of Residence: San Diego/San Diego

Conviction Date: 05/24/12

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: \$67,990.69

Sentence: 320 Hours Volunteer Work, 5 Years Summary Probation, \$67,990.69 Restitution

Case Number: VCF248241

County: Tulare

Defendant: Kristy Denise Motty

City/County of Residence: Not available at this time

Conviction Date: 05/24/12

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: \$69,912.92

Sentence: 180 Days County Jail, 3 Years Formal Probation, \$69,912.92 Restitution, \$500 Civil Fine, \$500 for the cost of preparation of Pre-Sentencing Investigation Report

CDI Case Number: 09EW005032

County: San Diego

Defendant: Michael J. Purtell

City/County of Residence: El Cajon/San Diego

Conviction Date: 05/24/12

Offense: 1 Count of PC 550(b)(3) (Failure to Disclose) (Misdemeanor)

Amount Allegedly Defrauded: \$29,850

Sentence: 1 Day County Jail, 40 Hours Volunteer Work at Non-Profit Organization, 3 Years Probation, \$29,850 Restitution, \$255 Criminal Fine

Case Number: SCD239722

County: San Diego

Defendant: Oscar J. Ramirez

City/County of Residence: Not available at this time

Conviction Date: 05/21/12

Offense: 5 Counts of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim)

Amount Allegedly Defrauded: \$132,391.66

Sentence: 2 Years State Prison, (Defendant Committed to the Custody of San Diego County Sheriff), \$132,391.66 Restitution, \$5,000 Civil Fine

CDI Case Name: Valley Ag Labor Service

CDI Case Number: 08FW017261

County: Tulare

Defendant: Belen Robles

City/County of Residence: McFarland/Kern

Conviction Date: 05/04/12

Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)

Amount Allegedly Defrauded: \$1,200,000

Sentence: 12 Days County Jail, 2 Years Summary Probation, \$132 Civil Fine

CDI Case Name: Valley Ag Labor Service
CDI Case Number: 08FW017261
County: Tulare
Defendant: Jose Luis Robles
City/County of Residence: Earlimart/Tulare
Conviction Date: 05/04/12
Offense: 2 Counts of IC 11880(a) (Premium Fraud)
Amount Allegedly Defrauded: \$1,200,000
Sentence: 365 Days County Jail (Stayed Until 12/01/12), 5 Years Formal Probation, Restitution to Victims Remains Open, \$500 Civil Fine, \$500 Cost of Preparation of Pre-Sentence Investigation Report

CDI Case Name: Valley Ag Labor Service
CDI Case Number: 08FW017261
County: Tulare
Defendant: Martina Robles
City/County of Residence: Delano/Kern
Conviction Date: 05/04/12
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$1,200,000
Sentence: 8 Days County Jail, 2 Years Summary Probation, \$132 Civil Fine

CDI Name: South 40
CDI Number: 12HW003185
County: Riverside
Defendant: Rosemarie Natalia Rush
City/County of Residence: Yorba Linda/Orange
Conviction Date: 05/10/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 36 Months Summary Probation, \$120 Civil Fine, \$10,000 Criminal Fine (\$8,000 Suspended), \$210 Cost of Investiagtion

Case Number: BA387548
County: Los Angeles
Defendant: Jose Augustin Tellez
City/County of Residence: Not available at this time
Conviction Date: 05/17/12
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$3,335
Sentence: 1 Day Couty Jail, 300 Hours Community Service, 2 Years Summary Probation, \$3,335 Restitution (Satisfied), \$120 Civil Fine (Stayed)

Court Case Number: SC#218215

CDI Case Name: Tri Delta Electric

CDI Case Number: 08BW019463

County: San Francisco

Defendant: Tri Delta Electric, A California Corporation

City/County of Residence: Walnut Creek/Contra Costa

Conviction Date: 05/14/12

Offense: 1 Count of IC 11880 (Premium Fraud)

Amount Allegedly Defrauded: \$253,761.11

Sentence: \$109,908.88 Restitution to California State Compensation Insurance Fund, \$84,676.68 Restitution to San Francisco Public Utilities Commission, \$59,175.55 Restitution to California Employment Development Department, \$240 Civil Fine

Case Number: SCD239201

County: San Diego

Defendant: David A. Tsakalakis

City/County of Residence: Not available at this time

Conviction Date: 05/09/12

Offense: 1 Count of PC 550(b)(1) (Failure to Disclose Material Information) (Misdemeanor)

Amount Allegedly Defrauded: \$818.71

Sentence: 1 Day County Jail, 5 Days Community Service, 3 Years Court Probation, \$818.71 Restitution (Deemed Satisfied), \$120 Civil Fine, \$665 Criminal Fine (Defendant to receive \$100 credit towards Fines for Custody Served)