

California Department of Insurance

Fraud Division

August 2015 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.

August 2015 Workers' Compensation Fraud Convictions

Court Case Number: SCD235494

County: San Diego

Defendant: Rufino Aguiluz

City/County of Residence: Escondido/San Diego

Conviction Date: 08/11/15

Offense: 1 Count of IC 11760(a) (Misrepresent Fact to Obtain Workers' Compensation); 1 Count of UI 2117.5 (Failure To File Tax Return); 1 Count of RT 19706 (Willful Failure to File Return, Supply Information, or Pay Tax)

Amount Allegedly Defrauded: \$513,365.95

Sentence: 1 Day County Jail, 3 Years Summary Probation, \$513,365.95 Restitution Is Deemed Satisfied, \$1,101 Criminal Fine

Court Case Number: BA429990

County: Los Angeles

Defendant: Andrew Boettcher

City/County of Residence: Not available at this time

Conviction Date: 08/10/15

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

Amount Allegedly Defrauded: \$4,426.88

Sentence: 1 Year Summary Probation, \$4,426.88 Restitution, \$100 Civil Fine

Court Case Number: BA433406

CDI Case Number: 14JW001112

County: Los Angeles

Defendant: Koty Aaron Jewkes

City/County of Residence: Lancaster/Los Angeles

Conviction Date: 08/10/15

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: \$13,048.57

Sentence: 1 Day County Jail, 400 Hours Community Service, 4 Years Formal Probation, \$13,048.57 Restitution, \$300 Civil Fine

Court Case Number: F12909169

County: Fresno

Defendant: Migran Kutnerian

City/County of Residence: Fresno/Fresno

Conviction Date: 08/17/15

Offense: 1 Count of IC 11760(a) (Misrepresent Fact to Obtain Workers' Compensation)

Amount Allegedly Defrauded: \$249,000

Sentence: 1 Day County Jail, 2 Years Formal Probation, \$600 Civil Fine

Court Case Number: BA434820
CDI Case Number: 12CW027004
County: Los Angeles
Defendant: Clara Madrid
City/County of Residence: El Monte/Los Angeles
Conviction Date: 08/04/15
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: TBD
Sentence: 200 Hours Community Service, 3 Years Formal Probation, \$300 Civil Fine

Court Case Number: FCR313985
CDI Case Name: Alma Orozco
County: Solano
Defendant: Isabel Narvaez
City/County of Residence: Vallejo/Solano
Conviction Date: 08/21/15
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: \$12,654.19
Sentence: 60 Days County Jail, 80 Hours Community Service, 5 Years Formal Probation, \$12,654.19 Restitution, \$300 Civil Fine

Court Case Number: BA432147
County: Los Angeles
Defendant: Victor Joseph Paniagua
City/County of Residence: Not available at this time
Conviction Date: 08/17/15
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: \$9,054.33
Sentence: 50 Hours Community Service (Now Complete), 1 Year Summary Probation, Restitution Has Been Paid, \$150 Civil

Court Case Number: BA435513
County: Los Angeles
Defendant: Dean Pantilo
City/County of Residence: La Mirada/Los Angeles
Conviction Date: 08/28/15
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: \$9,127
Sentence: 100 Hours Community Service (Completed), 2 Years Summary Probation, \$9,127 Restitution (Paid-In-Full), \$300 Civil Fine (Waived)

Court Case Number: 13CF3730 F A

CDI Case Name: Anita Rivera

County: Orange

Defendant: Anthony Moses Reyes, Sr.

City/County of Residence: Hacienda Heights/Los Angeles

Conviction Date: 08/11/15

Offense: 1 Count of IC 1871.4(a)(3) (Willfully, unlawfully assist, abet and conspire with a person in an unlawful act); 2 Counts of IC 1871.4(a)(3) (Willfully, unlawfully assist, abet and conspire with a person in an unlawful act) (Misdemeanor)

Amount Allegedly Defrauded: To Be Determined

Sentence: 5 Years Formal Probation, Restitution To Be Determined, \$240 Civil Fine, Pay Cost of Probation Supervision as directed by Probation Department

Court Case Number: 13CF3730 F A

CDI Case Name: Anita Rivera

County: Orange

Defendant: Anita Rivera

City/County of Residence: Fontana/San Bernardino

Conviction Date: 08/11/15

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) (Misdemeanor)

Amount Allegedly Defrauded: \$78,921.78

Sentence: 5 Years Formal Probation, \$78,921.78 Restitution, \$140 Civil Fine, Pay Cost of Probation Supervision as directed by Probation Department

Court Case Number: INF1300149 (Master Case)

Court (Subordinate) Case Number(s): SWF1500130, SWF1500073, SWF1402291

CDI Case Name: U. S. Pools

CDI Case Number: 11HW021084

County: Riverside

Defendant: Michael Gregory Silverberg

City/County of Residence: Palm Desert/Riverside

Conviction Date: 08/21/15

Offense: 12 Counts of PC 487(a) (Grand Theft)

Amount Allegedly Defrauded: \$797,471.61

Sentence: 10 Years State Prison, \$225,592.51 Restitution to Employment Development Department, \$132,835.52 Restitution to Pacific Employers Insurance, \$119,089.04 Restitution to State Compensation Insurance Fund, \$89,500 Restitution to Steve Pitts, \$53,576 Restitution to Board of Equalization, \$39,721.50 Restitution to Leila & Ben Scheffer, \$35,857.04 Restitution to Everest National Insurance, \$22,500 Restitution to Angel Rochard, \$21,300 Restitution to Blake Webster, \$20,000 Restitution to Vinicus Machado, \$12,500 Restitution to Miriam Lopez & Juan Juarez, \$10,000 Restitution to David Nunez, \$8,000 Restitution to Brent Murray, \$7,000 Restitution to Efrain Martinez, \$300 Civil Fine

Court Case Number: BA435530

County: Los Angeles

Defendant: Salvador Diaz Vasquez

City/County of Residence: Not available at this time

Conviction Date: 08/14/15

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: \$26,785.70

Sentence: 1 Day County Jail, 400 Hours Community Service, 3 Years Formal Probation, \$17,356.70 Restitution To Zurich Insurance, \$9,429.00 Restitution To Employment Development Department, \$300 Civil Fine

Court Case Number: BA433542

County: Los Angeles

Defendant: Darbin Villatoro

City/County of Residence: Los Angeles/Los Angeles

Conviction Date: 08/04/15

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

Amount Allegedly Defrauded: \$19,652.07

Sentence: 2 Days County Jail, 200 Hours Community Service, 3 Years Formal Probation, \$19,652.07 Restitution, \$300 Civil Fine