

California Department of Insurance

Fraud Division

February 2016 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.

February 2016 Workers' Compensation Fraud Convictions

Court Case Number: P15CRF0215

County: El Dorado

Defendant: Anthony Louis Digaetano

City/County of Residence: Not available at this time

Conviction Date: 02/16/16

Offense: 1 Count of PC 550(a)(1) (Knowingly Present Fraudulent Insurance Claim) (Misdemeanor)

Amount Allegedly Defrauded: To Be Determined

Sentence: 36 Months Summary Probation, \$150 Civil Fine, \$470 Criminal Fine

Court Case Number: SS150570A

CDI Case Name: Costa Pacific Roofing

County: Monterey

Defendant: Juan Gutierrez

City/County of Residence: Salinas/Monterey

Conviction Date: 02/24/16

Offense: 2 Counts of IC 11880(a) (Premium Fraud); 1 Count of UI 2117.5 (Failure To File Tax Return)

Amount Allegedly Defrauded: \$392,224.08 plus an Amount To Be Determined

Sentence: 250 Days County Jail, 10 Years Formal Probation, \$392,224.08 Restitution To State Compensation Insurance Fund, Restitution To Employment Development Department in the Amount To Be Determined, \$900 Civil Fine, \$20,000 to the California Worker's Compensation Fraud Account (\$10,000 is Suspended) for Count One, \$20,000 to the California Worker's Compensation Fraud Account (\$10,000 is Suspended) for Count Two, \$864 for the Cost of preparation of the Probation Report, \$81 Per Month for Cost Of Supervised Probation

Court Case Number: BA434415

County: Los Angeles

Defendant: Dejuan Donelle Ghosten

City/County of Residence: Compton/Los Angeles

Conviction Date: 02/10/16

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: \$48,234

Sentence: 270 Days County Jail, 400 Hours Community Service, 3 Years Formal Probation, \$48,234 Restitution, \$300 Civil Fine, Cost of Probation Services is Stayed until Restitution is Paid In Full

Court Case Number: SCD261445

County: San Diego

Defendant: Ronald Harris

City/County of Residence: San Diego/San Diego

Conviction Date: 02/11/16

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: To Be Determined

Sentence: 4 Days County Jail, 80 Hours Volunteer Work, 3 Years Formal Probation, Restitution To Be Determined, \$300 Civil Fine, \$820 Criminal Fine (All Fines, Fees, and Costs Stayed-Victim Restitution To Be Paid First)