

California Department of Insurance

Fraud Division

January 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.

January 2012 Workers' Compensation Fraud Convictions

Case Number: M10915904

County: Fresno

Defendant: Akram Musaed Alsharabi

City/County of Residence: Fresno/Fresno

Conviction Date: 01/24/12

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

Amount Allegedly Defrauded: N/A

Sentence: \$1,000 Restitution to Department of Insurance Workers' Compensation Insurance Fraud Account. Defendant enters into conditional settlement on agreed upon condition that defendant has no new arrests based on probable cause for 12 months. Conditional Settlement Hearing set for 01/22/2013

Case Number: M11916111

County: Fresno

Defendant: Timothy Ralph Barker, Jr.

City/County of Residence: Fresno/Fresno

Conviction Date: 01/04/12

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

Amount Allegedly Defrauded: N/A

Sentence: \$1,000 Restitution to Department of Insurance Workers' Compensation Insurance Fraud Account. Defendant enters into conditional settlement on agreed upon condition that defendant has no new arrests based on probable cause for 12 months. Conditional Settlement Hearing set for 01/02/2013

Case Number: BA387616

County: Los Angeles

Defendant: Vicente Briseno-Hernand

City/County of Residence: Not available at this time

Conviction Date: 01/30/12

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: \$20,030

Sentence: 8 Days County Jail, 36 Months Summary Probation, \$20,030 Restitution (Now Satisfied), \$120 Civil Fine

CDI Case Number: 10BW027157

County: Alameda

Defendant: Douglas Anthony Dawson

City/County of Residence: American Canyon/Napa

Conviction Date: 01/31/12

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

Amount Allegedly Defrauded: \$16,587.16

Sentence: 1 Day County Jail, 36 Months Conditional Probation, \$16,587.16 Restitution (Now Paid-In-Full), \$200 Civil Fine

CDI Case Number: 09GW025286

County: Santa Clara

Defendant: Nelson Jimenez Hernandez

City/County of Residence: Fremont/Alameda

Conviction Date: 01/12/11

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: \$3,595

Sentence: 90 Days County Jail (Stayed Pending Completion of LCA Electronic Monitoring Program), 3 Years Formal Probation, \$3,595 Restitution, \$200 Civil Fine

CDI Number: 10AW009456

County: Placer (Prosecuted by Amador County District Attorney)

Defendant: Richard Lee Hudson

City/County of Residence: Loomis/Placer

Conviction Date: 01/25/12

Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$12,087.51

Sentence: 70 Days County Jail, 3 Years Formal Probation, \$12,087.51 Restitution, \$380 Civil Fine (Suspended), \$650 Criminal Fine

CDI Case Number: 09FW026547

County: Kings

Defendant: Jeffrey Leon Kelly

City/County of Residence: Fresno/Fresno

Conviction Date: 01/25/12

Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)

Amount Allegedly Defrauded: \$14,567

Sentence: 1 Day County Jail, 100 Hours Community Service, 3 Years Probation, \$14,567.84 Restitution, \$480 Civil Fine, \$450 Reimbursement to Probation Department for cost of conducting Pre-Sentencing Investigation and preparing Pre-Sentencing Investigation Report

Case Number: BA391065

County: Los Angeles

Defendant: Arturo Lopez

City/County of Residence: Not available at this time

Conviction Date: 01/11/12

Offense: 1 Count of IC 11760 (a) (Misrepresent Fact to Obtain Workers' Compensation), 1 Count of PC 487(a) (Grand Theft)

Amount Allegedly Defrauded: \$1,356,000

Sentence: 2 Years County Jail, \$1,356,000 Restitution (To Be Paid Jointly and Severally with Co-Defendant Ruben David Pallan), \$200 Civil Fine

CDI Case Number: 10AW019936
County: San Joaquin
Defendant: Danilo Mallari
City/County of Residence: Stockton/San Joaquin
Conviction Date: 01/12/12
Offense: 1 Count of IC 11760 (a) (Misrepresent Fact to Obtain Workers' Compensation) (Misdemeanor), 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: \$2,000
Sentence: 3 Years Conditional Probation, \$2,000 Restitution, \$100 Civil Fine

CDI Case Number: 10AW019936
County: San Joaquin
Defendant: Dinna Mallari
City/County of Residence: Stockton/San Joaquin
Conviction Date: 01/12/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 3 Years Conditional Probation, \$2,000 Restitution, \$100 Civil Fine

CDI Case Number: 10BW013763
County: Contra Costa
Defendant: Tavakeoma Vailea Mataele
City/County of Residence: Oakland/Alameda
Conviction Date: 01/11/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 30 Days County Jail (with Credit for 3 Days), 2 Years Court Probation, \$5,710 Restitution, \$100 Civil Fine

Case Number: TCM243582
County: Tulare
Defendant: Daniel Anthony Mendoza
City/County of Residence: Porterville/Tulare
Conviction Date: 01/03/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: NA
Sentence: 36 Months Summary Probation, \$1,500 Civil Fine, \$2,562 Criminal Fine

Case Number: BA391065
County: Los Angeles
Defendant: Ruben David Pallan
City/County of Residence: Not available at this time
Conviction Date: 01/11/12
Offense: 1 Count of IC 11760 (a) (Misrepresent Fact to Obtain Workers' Compensation), 1 Count of PC 487(a) (Grand Theft)
Amount Allegedly Defrauded: \$1,356,000
Sentence: 2 Years County Jail, \$1,356,000 Restitution (To Be Paid Jointly and Severally with Co-Defendant Arturo Lopez), \$200 Civil Fine

Case Number: BA388982
County: Los Angeles
Defendant: Jonathan David Rodriguez
City/County of Residence: Not available at this time
Conviction Date: 01/04/12
Offense: 1 Count of PC 550(b)(1) (Failure to Disclose Material Information)
Amount Allegedly Defrauded: \$22,616.28
Sentence: 300 Hours Community Service, 5 Years Formal Probation, \$22,616.28 Restitution, \$200 Civil Fine

CDI Case Name: Roman's Tree Service
CDI Case Number: 10GW002151
County: Santa Clara
Defendant: Irma Roman
City/County of Residence: Martinez/Contra Costa
Conviction Date: 01/19/12
Offense: 1 Count of IC 11880(a) (Premium Fraud); 1 Count of UI 2117.5 (Failure to File Return or Report)
Amount Allegedly Defrauded: \$84,177
Sentence: 60 Days Electronic Monitoring, Restitution Paid \$77,235.62 to State Compensation Insurance Fund and \$6,941.54 to Employment Development Department

CDI Case Name: Roman's Tree Service
CDI Case Number: 10GW002151
County: Santa Clara
Defendant: Jaime Demetrio Roman
City/County of Residence: Martinez/Contra Costa
Conviction Date: 01/19/12
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: \$84,177
Sentence: 2 Days County Jail, 100 Hours Volunteer Work, 2 Years Court Probation, Restitution Paid \$77,235.62 to State Compensation Insurance Fund and \$6,941.54 to Employment Development Department, \$132 Civil Fine

Case Number: 2011045591
County: Ventura
Defendant: Juan Ortiz Rosales
City/County of Residence: Oxnard/Ventura
Conviction Date: 01/19/12
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: NA
Sentence: 24 Months Conditional Revocable Release, \$10,000 Criminal Fine (\$9,000 Stayed)

CDI Case Number: 10HW019976
County: Riverside
Defendant: Mena Sadat
City/County of Residence: Temecula/Riverside
Conviction Date: 01/13/12
Offense: 1 Count of PC 550(b)(3) (False or Fraudulent Claim or Statement)
Amount Allegedly Defrauded: \$20,000
Sentence: 1 Day County Jail, 36 Months Summary Probation, \$20,000 Restitution But Could Exceed That Amount (To Be Determined), \$120 Civil Fine, \$300 Criminal Fine

CDI Case Number: 09AW018527

County: Butte

Defendant: Michael Lee Tinney

City/County of Residence: Susanville/Lassen

Conviction Date: 01/31/12

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: \$4,086.70

Sentence: \$4,086.70 Restitution