

# California Department of Insurance

## Fraud Division

### July 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.

## July 2015 Workers' Compensation Fraud Convictions

**Court Case Number:** 15F03297

**CDI Case Number:** 14AW031585

**County:** Sacramento

**Defendant:** Mark Anthony Benavente

**City/County of Residence:** Sacramento/Sacramento

**Conviction Date:** 07/22/15

**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:** TBD

**Sentence:** 30 Days County Jail (Court Has No Objection To A Work Release Program), 3 Years Informal Probation, \$150 Criminal Fine

**Court Case Number:** 1476392

**CDI Case Number:** 15JW002850

**County:** Santa Barbara

**Defendant:** Jose Simon Lopez Garcia

**City/County of Residence:** Santa Barbara/Santa Barbara

**Conviction Date:** 08/20/15

**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:** TBD

**Sentence:** 3 Years Unsupervised Probation, \$175 Civil Fine, \$140 Criminal Fine

**Court Docket Number:** 604544

**CDI Case Name:** Good Shepherd Care Home

**CDI Case Number:** 14BW021161

**County:** Alameda

**Defendant:** Cornelio Guevarra

**City/County of Residence:** Oakland/Alameda

**Conviction Date:** 07/22/15

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

**Amount Allegedly Defrauded:** N/A

**Sentence:** 1 Day County Jail, 36 Months Conditional Probation, \$1,000 to the Uninsured Employers Benefits Trust Fund (UEBTF), \$281 Criminal Fine

**Court Case Number:** BA435504

**County:** Los Angeles

**Defendant:** Juan Herrejon

**City/County of Residence:** Not available at this time

**Conviction Date:** 07/14/15

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

**Amount Allegedly Defrauded:** \$12,364

**Sentence:** 180 Days County Jail (May be served via Electronic Monitoring), 3 Years Formal Probation, \$12,364 Restitution, \$300 Civil Fine

**Court Case Number:** 4636728  
**CDI Case Name:** Chateau Care Home  
**County:** Alameda  
**Defendant:** Jesus Natividad  
**City/County of Residence:** Pleasanton/Alameda  
**Conviction Date:** 07/28/15  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** 1 Day County Jail, 1 Year Deferred Entry of Judgement With No New Arrests or Convictions, \$500 to the Uninsured Employers Trust Fund (UEBTF), and maintain Workers' Compensation Insurance

**Court Case Number:** 463672A  
**CDI Case Name:** Chateau Care Home  
**County:** Alameda  
**Defendant:** Maribec Natividad  
**City/County of Residence:** Pleasanton/Alameda  
**Conviction Date:** 07/28/15  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** 1 Day County Jail, 1 Year Deferred Entry of Judgement With No New Arrests or Convictions, \$500 to the Uninsured Employers Trust Fund (UEBTF), and Maintain Workers' Compensation Insurance

**Court Case Number:** NM435207B  
**CDI Case Name:** Nam Suk Kim, dba Baraccuda Japanese Restaurant  
**CDI Case Number:** 14GW019581  
**County:** San Mateo  
**Defendant:** Nam Suk Kim  
**City/County of Residence:** Orinda/Contra Costa  
**Conviction Date:** 07/16/15  
**Offense:** 1 Count of LC 3700.5 (No Workers' Compensation Insurance)  
**Amount Allegedly Defrauded:** N/A  
**Sentence:** 10 Days County Jail (Alternative Sentencing is Recommended), 2 Years Court Probation, \$6,756.14 Restitution Has Been Paid to Zenith Insurance, \$165 Civil Fine

**Court Case Number:** CD260984  
**County:** San Diego  
**Defendant:** Christopher Alan Vazquez  
**City/County of Residence:** Chula Vista/San Diego  
**Conviction Date:** 07/21/15  
**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:** \$7,885.32  
**Sentence:** 160 Hours Community Service, 18 Months Summary Probation, \$7,885.32 Restitution (is Joint and Several and now Satisfied), \$139 Criminal Fine

**Court Case Number:** CD260984  
**County:** San Diego  
**Defendant:** Cruz Vazquez  
**City/County of Residence:** Chula Vista/San Diego  
**Conviction Date:** 07/21/15  
**Offense:** 1 Count of IC 1871.4 (Insurance Fraud)  
**Amount Allegedly Defrauded:** \$7,885.32  
**Sentence:** 80 Hours Community Service, 18 Months Summary Probation, \$7,885.32 Restitution (is Joint and Several and now Satisfied), \$139 Criminal Fine

**Court Case Number:** SCD251401  
**CDI Case Name:** Victor Roofing  
**County:** San Diego  
**Defendant:** Tim M. Victor  
**City/County of Residence:** Escondido/San Diego  
**Conviction Date:** 07/22/15  
**Offense:** 1 Count of IC 11880(a) (Premium Fraud)  
**Amount Allegedly Defrauded:** \$294,764.50  
**Sentence:** 365 Days County Jail, 5 Years Formal Probation, \$141,258.62 Restitution to SCIF, \$84,682 Restitution to EDD, \$46,672.88 Restitution to Appalachian, \$22,151 Restitution to AIG, \$280 Civil Fine, \$820 Criminal Fine