

California Department of Insurance

Fraud Division

September 2014 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.

September 2014 Workers' Compensation Fraud Convictions

Case Number: 62-129038

County: Placer (Prosecuted by Amador County DA)

Defendant: Rodney Charles Ayers, Jr.

City/County of Residence: Lone Pine/Inyo

Conviction Date: 09/19/14

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

Amount Allegedly Defrauded: \$8,637

Sentence: 3 Years Conditional Probation, Pay \$8,637 to County of Inyo, \$140 Civil Fine

Case Number: BA389206

County: Los Angeles

Defendant: Job Carder

City/County of Residence: Not available at this time

Conviction Date: 09/24/14

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: \$14,736.32

Sentence: 1 Day County Jail, 200 Hours Community Service (Completed), 2 Years Summary Probation, \$14,736.32 Restitution (Paid), \$100 Civil Fine

CDI Case Name: Tortas Mago

CDI Case Number: 14JW013279

County: Santa Barbara

Defendant: Maria Del Carmen Espinosa

City/County of Residence: Santa Maria/Santa Barbara

Conviction Date: 09/29/14

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

Amount Allegedly Defrauded: N/A

Sentence: 3 Years Probation, \$175 Civil Fine, \$300 Criminal Fine (\$10,000 Fine Suspended)

Court Case Number: SCD254902

County: San Diego

Defendant: Jose T. Gomez

City/County of Residence: San Diego/San Diego

Conviction Date: 09/02/14

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: \$31,401.88

Sentence: 1 Day County Jail, 3 Years Formal Probation, \$31,401.88 Restitution, \$820 Criminal Fine

CDI Case Name: Kanakis Painting
CDI Case Number: 13AW024146
County: Tehama
Defendant: Dimitrious Kanakis
City/County of Residence: Corning/Tehama
Conviction Date: 09/23/14
Offense: 1 Count of IC 11880(a) (Premium Fraud) (Misdemeanor)
Amount Allegedly Defrauded: TBD
Sentence: 30 Days County Jail (Suspended), 3 Years Summary Probation, Court Reserves Jurisdiction over Restitution, \$150 Civil Fine, \$850 Criminal Fine

Case Number: 62-132160
County: Placer (Prosecuted by Amador County DA)
Defendant: Carmelo Ortega
City/County of Residence: Shingle Springs/EI Dorado
Conviction Date: 09/23/14
Offense: 1 Count of LC 3700.5 (No Workers' Compensation Insurance)
Amount Allegedly Defrauded: N/A
Sentence: 1 Year Conditional Probation, \$1,250 to Workers' Compensation Fraud Account

CDI Case Number: 13CW026045
County: Los Angeles
Defendant: Diana Maria Ortiz
City/County of Residence: Wilmington/Los Angeles
Conviction Date: 09/22/14
Offense: 1 Count of PC 550(a)(5) (Knowingly Prepare Any Writing, With the Intent to Use It, or to Allow It to be Used To Support Any False or Fraudulent Claim)
Amount Allegedly Defrauded: \$41,344
Sentence: 4 Days County Jail, 30 Days CalTrans, 3 Years Formal Probation, \$41,344 Restitution (Joint & Several), \$310 Civil Fine, Pay Cost of Probation Services In The Amount To Be Determined by Probation

CDI Case Number: 13CW026045
County: Los Angeles
Defendant: John Richard Ortiz
City/County of Residence: Wilmington/Los Angeles
Conviction Date: 09/22/14
Offense: 1 Count of IC 1871.4(a)(2) (False or Misleading Statement in Support of Claim)
Amount Allegedly Defrauded: \$41,344
Sentence: 4 Days County Jail, 3 Years Formal Probation, \$41,344 Restitution (Joint & Several), \$310 Civil Fine, Pay Cost of Probation Services in The Amount To Be Determined by Probation

Court Docket Number: 05-140540-6
CDI Case Number: 12BW013810
County: Contra Costa
Defendant: Geraldine Plegaria
City/County of Residence: Antioch/Contra Costa
Conviction Date: 09/10/14
Offense: 1 Count of PC 487(a) (Grand Theft)
Amount Allegedly Defrauded: \$97,000
Sentence: 58 Days County Jail, 3 Years Formal Probation, \$97,000 Restitution, \$280 Civil Fine

CDI Case Number: 13JW004588

County: Santa Barbara

Defendant: Richard Quiroga

City/County of Residence: Santa Barbara/Santa Barbara

Conviction Date: 09/23/14

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

Amount Allegedly Defrauded: \$22,084.90

Sentence: 3 Years Supervised Probation, \$22,084.90 Restitution, \$280 Civil Fine, \$400 Criminal Fine, \$1,375 for Cost of Probation Investigation, \$90 per Month For Cost of Probation Supervision

CDI Case Number: 13JW009001

County: Orange

Defendant: Gerardo Reyes-Soriano

City/County of Residence: Santa Ana/Orange

Conviction Date: 09/22/14

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

Amount Allegedly Defrauded: TBD

Sentence: 20 Days County Jail (Complete 18 Days of Cal Trans In Lieu of County Jail), 3 Years Formal Probation, TBD Restitution, \$300 Civil Fine, Pay Cost of Probation Supervision As Directed By Probation Department