IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

FILED IN THE DISTRICT COURT
OKLAHOMA COUNTY, OKLA.

OCT 11 2011

PATRICIA PRESLEY, COURT CLERK
by _____ DEPUTY

THE STATE OF OKLAHOMA,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. CF-11-5565
	)	
PAMELA GOSNEY,	)	
	)	
Defendant.	)	

CF-2011-5565

INFORMATION

In the name and by the authority of the State of Oklahoma:

G. Jones

E. SCOTT PRUITT, Attorney General of Oklahoma, in and for the State and County aforesaid, gives the court to know and be informed as follows:

PAMELA GOSNEY, in Oklahoma County, State of Oklahoma, on or about May 24, 2010, at and within the said County and State aforesaid, did then and there unlawfully, willfully, intentionally, knowingly, and feloniously commit the crime of **WORKERS' COMPENSATION FRAUD,** in violation of Title 21 O.S. § 1663 (C)(1), in the manner and form as follows, to-wit:

Said defendant, with the intent to deceive the Oklahoma Workers' Compensation Court, and to injure, defraud, and deceive Dish Network/Echostar and Indemnity Insurance Company of America, with respect to a claim for payment or other workers' compensation benefits pursuant to a contract of insurance, did knowingly, intentionally, and fraudulently make misstatements concerning facts material to her workers' compensation claim, specifically as follows:

> On May 24, 2010, the Defendant filed a Form 3 with the Workers' Compensation Court for benefits for an injury to her left knee, left shoulder, and left arm, which she alleged to have occurred on February 16, 2010, while working for Dish Network/Echostar in Tulsa, Oklahoma. The Defendant alleged on her Form 3 that she sustained an accidental injury to her left knee, left shoulder, and left arm while at work

on February 16, 2010 . The Defendant made these statements with the intent to deceive the Oklahoma Workers' Compensation Court, and injure, defraud, and deceive Dish Network/Echostar and Indemnity Insurance Company of America, when she then and there knew that the said statements were false, incomplete, or misleading,

all of which is contrary to the law and the statutes, and the peace and dignity of the State of Oklahoma.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

By: _____
TOMMY HUMPHRIES, OBA #19130
Assistant Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105
(405) 522-3403

STATE OF OKLAHOMA)
) **ss.**
COUNTY OF OKLAHOMA)

I do solemnly swear that the statements and allegations set forth in the within information are true and correct to the best of my information and belief.

_____
TOMMY HUMPHRIES
Assistant Attorney General

Signed and sworn to before me on the 7th day of Oct., 2011, by Tommy Humphries.

(SEAL)

TONYA L. LAWSON NOTARY # 02013668 EXP. 09/02/14 PUBLIC STATE OF OKLAHOMA

_____
Notary Public

My Commission Expires: _____.

I have examined the facts in this case and recommend that a warrant do issue.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA

By:
TOMMY HUMPHRIES
Assistant Attorney General

Penalties:
21 O.S. §1663 - not more than 7 years and/or $10,000

Witnesses:
Jason B. Nowell
Office of Attorney General
313 N.E. 21st Street
Oklahoma City, OK 73105

Chrissi Rogers
Gallagher Bassett Services
6303 Waterford Blvd., Suite 120
Oklahoma City, OK 73118

Jeffery R. Morris, D.O.
and/or Custodian of Records
6585 S. Yale Ave., Suite 200
Tulsa, OK 74136

Robert Tharp
and/or Representative
Oklahoma Workers' Compensation Court
1915 N. Stiles
Oklahoma City, OK 73105

Regina Stell, Court Reporter
Hayes & Associates
P.O. Box 720115
Oklahoma City, OK 73127

Jim Heigl
Dish Network/Echostar
1950 E. 71st Street
Tulsa, OK 74136

Stephanie Masingale
Dish Network/Echostar
1950 E. 71st Street
Tulsa, OK 74136

Cliff Crenshaw
Dish Network/Echostar
1950 E. 71st Street
Tulsa, OK 74136

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
THE STATE OF OKLAHOMA

THE STATE OF OKLAHOMA,	)	
	)	
Plaintiff,	)	**Case No.: CF- 2011**
	)	
v.	)	
	)	
PAMELA GOSNEY,	)	
DOB: 06-05-60, SSN: [redacted]	)	**AFFIDAVIT OF**
	)	**PROBABLE CAUSE**
Defendant.	)	

The undersigned, being first duly sworn and upon oath, does depose and state as follows:

I, Jason Nowell, am employed as an investigator with the Workers' Compensation Fraud Unit in the Office of Attorney General. I was assigned to investigate an alleged case of workers' compensation fraud involving Pamela Gosney, Date of Birth: 06-05-60; Social Security Number: [redacted]. In the course of my investigation, I obtained and reviewed documents and surveillance video.

The records reflect that Pamela Gosney filed a Form 3, Employee's First Notice of Accidental Injury and Claim for Compensation, with the Workers' Compensation Court in Oklahoma City, Oklahoma County, Oklahoma on May 24, 2010. Gosney alleged she injured her left knee on February 16, 2010, while employed with Dish Network/Echo Star. Dish Network/Echo Star is insured by Indemnity Insurance Company of America /Ace American Insurance Company. A third party administrator for Indemnity Insurance Company of America /Ace American Insurance Company is Gallagher Bassett Services .

I spoke with and reviewed records submitted by Chrissy Rodgers , Adjuster with Gallagher Bassett Services. Rodgers is currently the assigned adjuster in the workers' compensation claim that was filed by Pamela Gosney. I learned that Gosney claimed she injured her left knee, left shoulder, and left arm when she caught her foot on the wheel of a cleaning cart and fell while entering the ladies room.

I reviewed the medical report of Dr. Jeffery R. Morris dated May 12, 2010. In the May 12, 2010 report, Dr. Jeffery R. Morris reviewed and assessed surveillance video obtained of Pamela Gosney's fall at work at the request of Chrissy Rodgers with Gallagher Bassett Services. Dr. Jeffery R Morris explained that Pamela Gosney was initially observed walking into the bathroom which had a cleaning cart propping the door open approximately one-third of the way. Seconds later Pamela Gosney left the bathroom with out incident. Pamela Gosney then reappeared on video screen stopping to drink at the fountain and adjust her sweater. After looking in both directions certain that no one was in sight Pamela Gosney proceeded back to the bathroom. Dr. Jeffery Morris stated that Pamela Gosney then in his medical opinion deliberately bulldozed into the cleaning cart landing on her right side then hitting the floor.

Dr. Jeffery R. Morris stated it did not appear that Pamela Gosney sustained any "significant twisting injury of the left knee." Dr. Jeffery R. Morris went on to say according to the patients history given to me on March 23, 2010, she "caught the edge of her left foot on the cleaning cart wheel" and then she "fell on her flexed left knee." Dr. Jeffery R. Morris indicated that based on his findings Pamela Gosney's fall is "inconsistent with a tear of the lateral meniscus" and Pamela Gosney "did not twist her knee in the accident to create a meniscus tear." Dr. Jeffery R Morris said the meniscus tear noted on the MRI "could not be causally related to Pamela Gosney's fall at work on February 16, 2010." Dr. Jeffery R. Morris withdrew his previous recommendation for surgical intervention.

Dr. Jeffery R. Morris said is was "blatantly obvious" that Pamela Gosney's injury was "purposeful" and raised serious questions regarding the legitimacy of Pamela Gosney's workers' compensation claim. Dr. Jeffery R. Morris said it was his opinion that Pamela Gosneys' injury appeared to be "purposeful" and was "not an accidental work related injury and therefore not the responsibility of workers compensation."

I interviewed Pamela Gosney on August 18, 2011 at her place of employment in Tulsa, Oklahoma. Gosney admitted that she fell into the cart at work to get pain medication. Gosney eventually dropped her workers' compensation claim because she had all kinds of problems with her left knee and she knew that the problems with her left knee were not caused by a fall while employed at Dish Network.

Based on the above information, I believe that probable cause exists to show that Pamela Gosney committed the crime of Workers' Compensation Fraud, in violation of 21 O.S. § 1663(C)(1). Therefore, I request that a warrant issue for her arrest.

Jason Nowell, Affiant

COUNTY OF OKLAHOMA)
) **ss.**
STATE OF OKLAHOMA)

This affidavit was subscribed and sworn to before me this 28th day of Sept., 2011, by Jason Nowell.

(SEAL)

TONYA L. LAWSON NOTARY # 02013668 EXP. 09/02/14 PUBLIC STATE OF OKLAHOMA

Tonya L. Lawson
Notary Public

My commission Expires: _____.