

IN THE DISTRICT COURT OF OKLAHOMA COUNTY MAY 23 2012
STATE OF OKLAHOMA

PATRICIA PRESLEY, COURT CLERK

by _____

DEPUTY



CF-2012-3226

Case No. _____

THE STATE OF OKLAHOMA,)
)
Plaintiff,)
)
v.)
)
CHRISTOPHER RAY MORROW)
DOB: 10/25/80)
Defendant.)

INFORMATION

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

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:

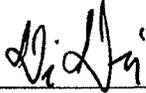
COUNT 1

On or about the 20th day of June, 2011, in Oklahoma County, State of Oklahoma,
CHRISTOPHER RAY MORROW did then and there unlawfully, intentionally and feloniously
commit the crime of **WORKER'S COMPENSATION FRAUD** in violation of 21 O.S. §1663(C)(1).
Said defendant, with the intent to defraud or deceive W & B Service Company and the Zenith Insurance
Company, did fraudulently conceal employment at Green Country Soil from June 20, 2011 through
August 26, 2011, a fact material to a claim for payment or other benefit pursuant to a contract of
insurance; all of which is contrary to the form of the statues in such cases made and provided and
against the peace and dignity of the State of Oklahoma.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA


Marc S. Pate
Assistant Attorney General
313 N.E. 21st
Oklahoma City, Oklahoma 73105
(405)522-3403

I do solemnly swear that the statements and allegations set forth in the within information are true.



David Driscoll, Investigator

STATE OF OKLAHOMA)
OKLAHOMA COUNTY)

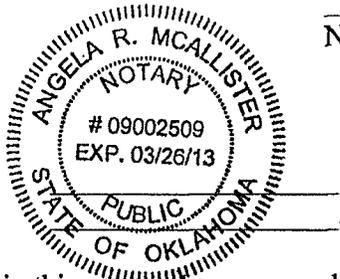
Signed and sworn to before me on the 18th day of May, 2012, by David Driscoll.



Notary Public

(SEAL)

My Commission Expires: _____
Commission Number: _____



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

W.A. DREW EDMONDSON
ATTORNEY GENERAL


Marc S. Pate
Assistant Attorney General
313 N.E. 21st
Oklahoma City, Oklahoma 73105

Violation and Penalty:

21 O.S. §1663: Not more than seven (7) years imprisonment in the state penitentiary and/or a fine of not more than five thousand dollars (\$10,000.00)

WITNESSES

David Driscoll, Investigator
Attorney General's Office
313 N.E. 21st Street
Oklahoma City, Oklahoma 73105

Robert Butzin
Fraud Specialist
Zenith Insurance Company
1010 Capitol of Texas Highway S. Bldg. J
Austin, Texas 78746

Stacy Jadoon
Branch Administrator
W & B Services
9308 West I-40
Oklahoma City, Oklahoma 73128

Glen Dean
Outstanding Surveillance Services
2002 South Stemmons Freeway Suite 350
Lake Dallas, Texas 75065

Courtney Novak
Senior Claim Examiner
Zenith Insurance Company
1010 Capitol of Texas Highway S. Bldg. J
Austin, Texas 78746

Chris Koenigshof
Director of Human Services
Old Castle Architectural
375 Northridge Road, Suite 250
Atlanta, Georgia 30350

James Johnson, M.D.
US MedGroup/Concentra Medical Services
6101 West Reno Suite 800
Oklahoma City, Oklahoma 73127

IN THE DISTRICT COURT OF OKLAHOMA COUNTY
STATE OF OKLAHOMA

STATE OF OKLAHOMA,)
)
 Plaintiff,)
)
 v.)
)
 Chris Morrow)
 DOB: 10/25/1980 SSN: ██████████)
 Defendant.)

Case No. _____

AFFIDAVIT OF PROBABLE CAUSE

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

I, David Driscoll, am employed as an Investigator with the Workers' Compensation and Insurance Fraud Unit, Oklahoma Attorney General's Office. I was assigned to investigate an alleged case of Workers' Compensation Fraud involving Chris Morrow, Date of Birth: October 25, 1980, Social Security Number: ██████████. In the course of my investigation, I reviewed documents, records and conducted interviews regarding to his workers' compensation case.

I reviewed records of the Oklahoma Workers' Compensation Court, Oklahoma City, Oklahoma, which show a Form 2, Employee's First Notice Injury and Claim for Compensation was filed on June 17, 2011, on behalf of Chris Morrow. The Form 2 shows Morrow's employer as W & B Service Company, 8308 I-40 West, Oklahoma City, Oklahoma County, Oklahoma. The Form 2 showed injury to his right knee as a result of working under a trailer while employed by W & B Service Company. The W & B Services Company is insured for workers' compensation through The Zenith Insurance Company.

I received information from Courtney Novak, senior claim examiner for The Zenith Insurance Company. Ms. Novak is currently the assigned claim examiner in the workers' compensation claim filed by Morrow. I learned that Morrow first notified Stacy Jadoon, branch administrator for W & B Services, of injury to his right knee on June 13, 2011. After notification to Jadoon, Morrow was sent to Concentra Medical Center for medical care per the policy of W & B Services. At Concentra Medical Center, Morrow saw Terry Wagner M.D., who placed Morrow on light duty work restrictions. W & B Services could not provide light duty work.

On June 17, 2011, Novak conducted a taped interview with Morrow. During the interview Novak went over the rules of worker's compensation and how Temporary Total Disability (TTD) payments are made. Morrow began receiving TTD benefits on or about June 22, 2011, and continued through July 28, 2011. During this period he was paid a total of \$2,239.56 in TTD benefits. Novak began to suspect Morrow was working while receiving TTD benefits. On or about August 1, 2011 she initiated an investigation upon receipt of medical records from James Johnson, M.D. In the August 1, 2011, medical report, Johnson, wrote "he is working."

I reviewed the transcript and listened to the taped interview of Morrow, recorded on June 17, 2011, by Novak. The recording was transcribed by Lucy Gonzales. Morrow answered questions that included the following:

Ms. Novak: All right Chris. Well I've got a little bit of good news for you. We are coming to the end of my long list of questions. Um... there's just a couple of things I need to cover with you here at the end. Um... so thing number 1 um... In Oklahoma, if you miss more than 3 days from work um...that...that's when the income benefit piece of the workers' comp kicks in. And from what you've been telling me, you know. You've missed a day here, a few days there. So I think... I think we're coming up on it. Um... So the law just requires if you're off work for an extended period and Zenith's sending you a check um...You...You just have to let me know when you go back to work so we know when it's ok to stop your checks. Um... And also, you know. Conversely, if you've been working for a while and all of a sudden you're taking off work for a few days, please let me know so I'll know when we need to send you a check. Um... Is that ok? Do you understand this?

Mr. Morrow: Yeah

On August 1, 2011, Dr. Johnson examined Morrow for a check-up following the July 11, 2011, evaluation. In his report he wrote: "he is currently working." On August 4, 2011, upon reception of this medical report, Novak contacted Morrow through electronic mail to ask him if he had started his new job yet. Morrow replied that he will be starting on the 8th of August.

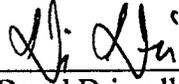
I interviewed Morrow on April 17, 2012. Morrow recalled sending electronic mail (email) to Ms. Novak that indicated he obtained employment and would begin on August 8, 2011. The emails were sent from his cellular telephone. During this time he had not travelled out of State, the emails would have been sent from either Oklahoma or Cleveland Counties. He began working for Green Country Soil late June, 2011. He knew he needed to inform Ms. Novak when he began working for Green Country Soil. Morrow said, "I know what I did was wrong, I should have reported when I began my new job." Morrow stated that he felt the medical reports of his injury were true and accurate. If the reports said he was not working he must have relayed that to the medical staff.

I reviewed the medical report of James Johnson, M.D., a Concentra doctor whose office is located at 8101 West Reno Street, Oklahoma City, Oklahoma County, Oklahoma, 73127, dated July 11, 2011. On July 11, 2011, Johnson examined Morrow for an initial evaluation of the right knee. In the July 11, 2011, medical report, Johnson wrote, "Patient states that he worked at a job that he worked on his knees, crawling, and does various jobs." Johnson also reported that Morrow informed him that he is currently not working and cannot apply pressure to the knee without pain.

I obtained and reviewed employment records from Oldcastle Architectural, the father company of Green Country Soil. These reports pertained to Morrow during the time period of June 20, 2011, through August 26, 2011. Morrow began his employment at Green Country Soil on June 20, 2011, as a maintenance and repair mechanic. Green Country Soil is located at 521 Howard Boulevard, Harrah, Oklahoma, 73045. The records reflect that most weeks in this time frame, he worked forty (40) hours per week. Morrow visited Dr. Johnson on July 11, 2011. During the week of July 9 through 14, 2011, Morrow worked 25.77 hours.

A private investigative firm, Outstanding Surveillance Services (OSS), was hired by The Zenith, to observe and document Morrow's activities. I have reviewed the surveillance reports and the surveillance videotape made of Morrow from the surveillance dates of July 27, 29, 2011, and August 10, 2011. Morrow appears in a lime green shirt wearing a hard hat, and Morrow appears to be working in the video. Morrow is seen working on a truck with hand tools, driving a forklift and walking between two (2) buildings.

Based on the above information, I believe that probable cause exists to show that Chris Morrow committed the crime of Workers' Compensation Fraud, in violation of 21 O.S. § 1663 (C)(1) and violation of 21 O.S. § 1663 (C)(3). Therefore, I request that a warrant issue for his arrest.



David Driscoll, Affiant

COUNTY OF OKLAHOMA)

STATE OF OKLAHOMA)

ss.

This affidavit was subscribed and sworn to before me this 18th day of May, 2012, by David Driscoll.

(SEAL)



Angela R. McAllister
Notary Public

My commission Expires: _____