

**STATE OF TEXAS,**

*Plaintiff,*

v.

**SARAH BETH HERNANDEZ, a/k/a SARAH  
HERNANDEZ, and PETER HERNANDEZ,  
a/k/a PEDRO CHRISTOPHER  
HERNANDEZ, a/k/a PEDRO  
HERNANDEZ, Individually and d/b/a  
TINY'S PARA-LEGAL SERVICES,**

*Defendants.*

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**CAUSE NO. 2014-DCV-\_\_\_\_\_**

**PLAINTIFF'S ORIGINAL PETITION AND  
APPLICATION FOR TEMPORARY RESTRAINING ORDER, TEMPORARY  
INJUNCTION AND PERMANENT INJUNCTION**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW THE STATE OF TEXAS, Plaintiff, acting by and through Attorney General Greg Abbott, and files this its Original Petition against SARAH BETH HERNANDEZ, a/k/a SARAH HERNANDEZ, and PETER HERNANDEZ, a/k/a PEDRO CHRISTOPHER HERNANDEZ, a/k/a PEDRO HERNANDEZ, Individually and d/b/a TINY'S PARA-LEGAL SERVICES, Defendants, and would respectfully show the Court the following:

**DISCOVERY CONTROL PLAN**

- 1. Discovery is intended to be conducted under Level 2 of TEX. R. CIV. P. Rule 190.3.
- 2. This case is not subject to the restrictions of expedited discovery under TEX. R. CIV. P.

Rule 169 because:

- a. The relief sought by Plaintiff includes non-monetary injunctive relief; and

- b. Plaintiff's claims for monetary relief including penalties, consumer redress and attorneys' fees and costs are in excess of \$100,000 and could exceed \$500,000.

### **AUTHORITY**

3. This action is brought by Attorney General Greg Abbott, through his Consumer Protection Division, in the name of the STATE OF TEXAS and in the public interest pursuant to the authority granted by §17.47 of the Texas Deceptive Trade Practices-Consumer Protection Act, TEX. BUS. & COM. CODE ANN. §§17.41, *et seq.*, (West 2011)(“DTPA”) upon the ground that Defendants have engaged in false, deceptive and misleading acts and practices in the course of trade and commerce as defined in, and declared unlawful by, §§17.46(a) and (b) of the DTPA. In enforcement suits filed pursuant to Section 17.47 of the DTPA, the Attorney General is further authorized to seek civil penalties, redress for consumers and injunctive relief. This enforcement action is further brought by Attorney General Greg Abbott, through his Consumer Protection Division, in the name of the State and in the public interest, for violations involving the legal representation of others and the accreditation of representatives by the United States Board of Immigration Appeals (hereinafter, “BIA”). This enforcement action is further brought by Attorney General Greg Abbott, through his Consumer Protection Division, in the name of the State and in the public interest, pursuant to the State Bar Act, TEX. GOV'T CODE ANN. §§81.001, *et seq.* (West 2005) (hereinafter, “SBA”).

### **PARTY DEFENDANTS**

4. Defendant, SARAH BETH HERNANDEZ, a/k/a SARAH HERNANDEZ, is an individual residing in El Paso County, Texas, and is the owner of TINY'S PARA-LEGAL SERVICES, a sole proprietorship, and may be served with process at 10936 Ted Williams Pl., El Paso, Texas 79934, or wherever she may be found.



- b. Defendants' officers, agents, or employees performed or participated in the act on behalf of and under the authority of Defendants.

### **NOTICE BEFORE SUIT**

10. Pursuant to § 17.47(a) of the DTPA, contact has been made with Defendants SARAH BETH HERNANDEZ and PETER HERNANDEZ to inform Defendants in general of the unlawful conduct alleged herein.

### **NATURE OF DEFENDANT'S CONDUCT**

11. Defendants operate a business in El Paso County, Texas that purports to provide authorized legal services, specifically filling out legal documents in areas of divorce, divorce decree modifications, child support, wills, civil lawsuits, name changes, and provides immigration advice and services, to persons who purchase their services, when they are not authorized to provide such services. Defendants do have several disclaimers on their website claiming that they are not attorneys; however, they are portraying themselves as such by soliciting their services in the legal field and are incompetent.

12. Defendants fail to provide the services that they have collected fees from consumers and promised to provide. For example, they have advertised for cases such as: (A) simple divorces; (B) preparation of wills; (C) immigration services; (D) child custody; (E) civil lawsuits; (F) name changes; and (G) child support modifications.

13. As evidenced by the Affidavits of two consumers, James Kobolt and Ricardo Rico, attached hereto as Exhibits "A" and "B", the Defendants promised to provide legal services, in one case to transfer real property from his deceased parents to the heir, and the other failing to provide promised child custody modifications.

## SPECIFIC FACTUAL ALLEGATIONS

14. Defendants are engaging in and have engaged in the business of providing legal services to include child custody, adoption, termination of parental rights, estate planning, answering a lawsuit, probate and immigration services. Defendants solicit and charge those persons who seek and/or purchase their services (hereafter “customers”). Defendants have solicited customers by representing that they have the skill or knowledge and the certification necessary to handle legal matters, including divorce proceeding, child custody and immigration matters.

15. Defendants’ customers are persons who sought to obtain legal benefits, including but not limited to, divorces, child custody, adoption, termination of parental rights, change in immigration status or other immigration matters. The legal services rendered by Defendants include the following activities:

- a. interviewing and advising customers as to what legal pleading and immigration documents would need to be filed;
- b. selecting and preparing civil lawsuit pleadings, divorce and name change petitions, wills, immigration forms or other immigration matters on behalf of customers requiring a careful determination of legal consequences;
- c. gathering the supporting documentation for customer’s application;
- d. exercising discretion and/or analysis in selecting and preparing legal documents for immigration; and
- e. giving advice and rendering services requiring the use of legal skill or knowledge.

16. Defendants are not presently, nor ever have been, attorneys at law duly licensed by the State of Texas to engage in acts, practices and/or conduct which constitute the practice of law. Although Defendants have several disclaimers on their website and advertisements claiming they are not attorneys, they are portraying themselves as such by advertising their services in the legal field.

17. Defendants have consistently advertised on the El Paso Craigslist and the local Thrifty Nickel. The complaints filed on Craigslist claimed that “We will not be intimidated”. Tiny’s advertised for the following types of legal cases:

- a. BEING SUED AND DON’T KNOW HOW TO ANSWER THE LAWSUIT!!! (Craigslist 12/17/2013);
- b. ‘want to get divorced (I come to you)... however the paperwork is a pain in the hiney .... Craigslist 12/17/2013);
- c. “Pro Se divorces at a low cost!!!! (Craigslist 12/17/2013);
- d. “Don’t have a will and want one done? (Craigslist 12/17/2013);
- e. IMMIGRATION PROBLEMS!!! LET US HELP YOU (Craigslist 12/17/2013);
- f. “We are not intimidated” 2/26/2014;
- g. “Child support... Modifications” 12/11/2013; and
- h. “Do you want to get divorce - \$350” (Craigslist 05/01/2014) (collectively, Exhibit “C”).

18. Defendants have collected at least \$80,000 from Texas consumers and consumers in other States.

19. In addition, Defendants failed to advise consumers of Mr. Hernandez's extensive criminal record. Mr. Hernandez plead guilty to a United States District Court charge of "wire fraud" for failing to deliver merchandise sold to consumers nor of his extensive state court history with regard to theft and "hot checks". (Exhibits "D" and "E").

20. Defendants have represented that the paralegal services was shut down on February 14, 2014, but continued advertising on Craigslist as recently as May 1, 2014, as evident by the advertisement in Exhibit "C".

21. In certain circumstances, the U.S. immigration laws permit a "representative" to assist undocumented immigrants in their cases. However, Defendants are not qualified by the Bureau of Citizenship & Immigration Services under 8 C.F.R. §292.1 to represent consumers because they are not attorneys, law students or accredited persons, they are receiving remuneration, they have no pre-existing relationship or connection with the person entitled to the representation, and they failed to obtain permission from the immigration officials to act as the representative of said consumers yet advertise to consumers for immigration services.

22. Defendants do not possess, and have not at all relevant times possessed, the certification, license, or other qualifications necessary to perform such services.

#### **VIOLATION OF TITLE 8 CFR PART 292**

23. Federal law provides that undocumented immigrants may be represented by either a licensed attorney, an appropriately supervised law student or a person accredited by the Board of Immigration Appeals (BIA), who may charge or accept a fee for representing them in immigration proceedings. §292.3, Title 8, Part 292, Code of Federal Regulations (hereinafter,

“CFR”)<sup>1</sup>. Engaging in such business without a license as an attorney or accreditation by the BIA is a violation of the DTPA.

24. Defendants, as alleged and detailed above, have violated and will continue to violate 8 C.F.R. §292.1 by falsely claiming that they have the authority to represent others before the DHS and its immigration officers.<sup>2</sup>

25. Defendants, as alleged and detailed above, are not and at all relevant time have not been, affiliated with any organization recognized by the BIA as providers of legal services. Thus, Defendants are in violation of Section 292.2(d) of Title 8, Part 292, of the CFR because they are not accredited by the BIA as a representative of any such organizations.

26. Defendants, as alleged and detailed above, have violated and will continue to violate section 292.4 of Title 8, Part 292, of the CFR by falsely claiming that they are authorized to appear as a representative of others.

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<sup>1</sup> Accredited Representatives. An accredited representative is a person who is approved by the Board of Immigration Appeals to represent aliens before the Board, the Immigration Courts, and the Department of Homeland Security. He or she must be a person of good moral character who works for a specific nonprofit religious, charitable, social service, or similar organization which has been recognized by the Board to represent aliens. Accreditation is valid for a period of up to three years and can be renewed. *See* 8 C.F.R. §§ 1292.1(a)(4), 1292.2(d) Accredited representatives must file a Notice of Entry of Appearance as Attorney or Representative before the Immigration Court (Form EOIR-28) in order to represent an individual before the Immigration Court. *See* Chapter 2 3(c) (Appearances). Accredited representatives should be careful to use the most current version of the Form EOIR-28, which is available on the Executive Office for Immigration Review website at [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir). (a) *Qualifying Organizations*, - The Board of Immigration Appeals officially recognizes certain nonprofit religious, charitable, social service and or similar organization as legal service providers. *See* 8 C.F.R. §1292.2(a), Chapter 2 2(b) (Legal Service Providers) To be recognized by the Board, an organization must affirmatively apply for that recognition. Such an organization must establish to the satisfaction of the Board that its fees are only nominal, that it does not assess excessive membership dues for persons given assistance, and that it has at its disposal adequate knowledge, information and experience in Immigration law and procedure. The qualifications and procedures for organizations seeking Board recognition are set forth in the regulations at 8 C.F.R. §1292.2(a) and (b). Questions regarding recognition may be directed to the Executive Office for Immigration Review, Office of the General Counsel. *See* Appendix B (EOIR Directory) (b) *Qualifying representatives*. The Board of Immigration Appeals accredits persons of good moral character as representatives of qualifying organizations. *See* 8 C.F.R. § 1292.2(d) Representatives of the recognized organizations are not automatically accredited by the Board. Rather, the recognized organization must affirmatively apply for accreditation on each representative's behalf. *See* 8 C.F.R. §1292.2(d). No individual may apply on his or her own behalf. Accreditation is not transferrable from one representative to another, and no individual retains accreditation upon his or her separation from the recognized organization. Section 2.4 Accredited Representatives, *Immigration Court Practice Manual*. [www.usdoj.gov/eoir](http://www.usdoj.gov/eoir).

<sup>2</sup> Section 292 of Title 8 provides identical regulations for who may appear before the Executive Office of Immigration Appeals.

## STATE BAR ACT VIOLATION

27. The State Bar of Texas Act ("SBA") provides that a person may not engage in the practice of law in the State of Texas unless that person is a member of the State Bar of Texas as a licensed attorney. TEX. GOV'T CODE ANN. § 81.102 (West 2005). *See Unauthorized Practice Committee v. Cortez*, 692 S. W.2d 47 (Tex. 1985). Failure to comply with this requirement is a violation of the DTPA.

28. The "practice of law" means the preparation of a pleading or other document incident to an action or special proceeding or the management of the action or proceeding on behalf of a client before a judge or judicial officer in a court or administrative tribunal as well as a service rendered out of court, including the giving of advice or the rendering of any service requiring the use of legal skill or knowledge, such as preparing a will, contract, or other instrument, the legal effect of which under the facts and conclusions involved must be carefully determined. *See* TEX. GOV'T CODE ANN. § 81.101(a) (West 2005).

29. Defendants, as alleged above, were practicing law in the State of Texas while not being members of the State Bar of Texas, in violation of §81.102 of the SBA.

## VIOLATIONS OF THE TEXAS DECEPTIVE TRADE PRACTICES ACT

30. Defendants, as alleged above and detailed below, have in the course of trade and commerce engaged in false, misleading and deceptive acts and practices declared unlawful in §§17.46(a) and (b) of the DTPA. Such acts include:

- A. Causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services by stating or implying falsely that Defendants are:

1. attorneys licensed to practice law in this State or that Defendants have an attorney on staff to assist them with immigration related matters in violation of DTPA § 7.46(b)(2); and
  2. able to otherwise comply with the requisites of 8 C.F.R. § 292 by functioning as a properly supervised law student, or by accreditation by the U.S. Board of Immigration Appeals in violation of DTPA §17.46(b)(2);Com:§ 81.101(a).
- B. Causing confusion or misunderstanding as to affiliation, connection, or association with, or certification by, another, by Defendants:
1. advertising, offering for sale, selling, or providing an immigration service in violation of DTPA §17.46(b)(3);
  2. accepting money or valuable consideration for performing an immigration service in violation of DTPA § 17.46(b)(3);
  3. accepting money or valuable consideration from any person seeking assistance to obtain a benefit under U.S. immigration laws for himself or any other person in violation of DTPA §17.46(b)(3);
  4. advising any person whether or not to file a petition, application, or other form to obtain a benefit under U.S. immigration laws for himself or any other person in violation of DTPA § 17.46(b)(3); and
  5. preparing for any person a petition, application or other form to obtain a benefit under U.S. immigration laws for himself or any other person in violation of DTPA § 17.46(b)(3).
- C. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have by:

1. representing, directly or by implication, that Defendants can obtain legal status, a work permit, or other benefit under U.S. immigration laws for a person who purchases their services in violation of DTPA § 17.46(b)(5); and
2. representing to any person, expressly or by implication, that Defendants can or will represent the interest of another in a judicial or administrative proceeding, including a proceeding relating to immigration to the United States, U.S. citizenship, or any other Immigration related matter (including alien temporary or permanent employment or travel) in violation of DTPA §17.46(b)(5).

D. Representing that goods or services are of a particular standard, quality or grade, if they are of another, by Defendants:

1. holding themselves out, by advertising or by any means, to the public as "immigration specialists," "immigration counselors," "immigration services providers" or "immigration consultants" or by any title or designation incorporating the word "immigration" or an abbreviation thereof in violation of DTPA § 17.46(b)(7); and
2. representing, directly or by implication, that Defendants have the skill, expertise, or competence to handle immigration matters in violation of DTPA § 17.46(b)(7).

E. Failing to disclose information concerning goods or services which was known at the time of the transaction, to induce the consumer into a transaction into which the consumer would not have entered had the information been disclosed, by Defendants:

1. providing or giving persons advice and counsel regarding their rights under the immigration laws of the United States or any other sort of legal matter while falsely purporting to be qualified to do so in violation of DTPA § 17.46(b)(24);

2. soliciting, collecting, or accepting fees or compensation of any type, for providing any type of immigration or legal services to consumers while falsely purporting to be qualified to do so in violation of DTPA § 17.46(b)(24); and
3. representing, expressly or by implication, that Defendants are able to provide or obtain undetectable counterfeit documents for persons wishing to immigrate to the U.S. which will aid such person to gain employment, residency, citizenship, or other benefit in violation of DTPA § 17.46(b)(24).

31. Based on the conduct alleged above, Defendants have additionally directly engaged in false, misleading, and deceptive acts and practices declared unlawful by DTPA § 17.46(a), by engaging in the practice of law in the State of Texas while not being members of the State Bar of Texas as licensed attorneys in violation of TEX. GOV'T CODE ANN. § 81.102 (West 2005).

#### **CONDITIONS PRECEDENT**

32. All conditions precedent to Plaintiff's claim for relief have been performed or have occurred.

#### **REQUEST FOR DISCLOSURE**

33. Pursuant to Rule 194, TEX. R. CIV. P., Defendants, SARAH BETH HERNANDEZ and PETER HERNANDEZ, are requested to disclose the information or material described in Rule 194.2. Defendants' written responses to the requests for disclosure, along with all copies of documents and other tangible items responsive to these requests, shall be produced at the Office of the Attorney General, Consumer Protection Division, 401 E. Franklin, Suite 530, El Paso, Texas 79901, except as provided by Rule 194.3, within 50 days of service of Plaintiffs' Original Petition.

### INJUNCTIVE RELIEF NECESSARY

34. The State's petition for an injunction is authorized by Section 17.47(c) of the DTPA. TEX. BUS. & COM. CODE ANN. § 17.62(b) (West 2011).

35. Pursuant to said statutory authority, the State requests that the Court grant a temporary injunction and permanent injunction, enjoining Defendants, their successors, assigns, officers, agents, servants, employees, and representatives from violating Texas law as set forth herein.

### ATTORNEY FEES AND COSTS OF COURT

36. This action is brought pursuant to the Deceptive Trade Practices – Consumer Protection Act, TEX. BUS. & COM. CODE ANN. §§ 17.41, *et seq.* (West 2011), under which injunctive relief, penalties, attorney fees and costs of court are recoverable by the Attorney General. Defendants should pay the State attorneys' fees and costs of Court for the prosecution of this injunctive enforcement action, as provided by TEX. GOV'T CODE ANN. ' 402.006(c) (West 2005).

### PRAYER

37. **WHEREFORE**, Plaintiff The State of Texas prays that an Ex Parte Temporary Restraining Order be granted and Defendants be cited according to law to appear and answer herein; that after reasonable notice and hearing a Temporary Injunction be issued; and upon final hearing a Permanent Injunction be issued, restraining and enjoining Defendants, their successors, assigns, officers, agents, servants, employees, attorneys and any other person in active concert or participation with Defendants, or acting under any assumed name or legal entity, from engaging in the following acts or practices:

- a. Transferring, concealing, destroying or removing from the jurisdiction of this Court any books, records, documents, invoices, or other written materials relating to

Defendants' business which are in Defendants' possession, custody, or control except in response to further orders or subpoenas in this cause;

b. Transferring, spending, hypothecating, concealing, encumbering, depleting, modifying, dissipating, distributing, or removing from the jurisdiction of this Court any money, stocks, bonds, assets, notes, equipment, funds, accounts receivable, policies of insurance, trust agreements, or other property, real, personal or mixed, wherever situated, belonging to or owned by, in possession of, or claimed by Defendants, insofar as such property relates to, arises out of or is derived from the unlawful business operation of Defendants within the State of Texas;

c. Maintaining an office in Texas for the purpose of giving advice and counsel regarding U.S. immigration rights and privileges or any other sort of legal matter, until such time as Defendants obtain the certification, license, or other qualifications required for such activity or unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

d. Representing or advertising that Defendants have an office available for giving advice and counsel regarding U.S. immigration laws or any other sort of legal matter, until such time as Defendants obtain the certification, license, or other qualifications required for such activity or unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

e. Selecting or preparing immigration forms or legal documents of any type on behalf of persons seeking to legalize their status or to obtain lawful employment in the United States, until such time as Defendants obtain the certification, license, or other

qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

f. Giving persons advice and counsel regarding their rights under the immigration laws of the United States or any other sort of legal matter, until such time as Defendants obtain the certification, license, or other qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

g. Collecting or accepting fees for providing immigration or other legal services to consumers, until such time as Defendants obtain the certification, license, or other qualifications required for such activity, unless such acts are performed under the direct daily supervision of an attorney licensed to practice law in the State of Texas;

h. Holding themselves out to the public by any title or designation incorporating the word “immigration,” “inmigracion,” or an abbreviation thereof, unless Defendants are recognized and accredited by the Bureau of Citizenship & Immigration Services to provide immigration services;

i. Causing confusion or misunderstanding as to the source, sponsorship, approval, or certification of goods or services, in that Defendants do not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

j. Causing confusion or misunderstanding as to affiliation, connection, or association with, or certification by, another, in that Defendants do not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

k. Representing that goods or services have sponsorship, approval, characteristics, ingredients, uses, benefits, or quantities which they do not have or that a person has a sponsorship, approval, status, affiliation, or connection which they do not, in that Defendants do not possess the certification or qualifications necessary to counsel persons regarding their rights under U.S. immigration laws or other legal matters;

l. Representing that an agreement confers or involves rights, remedies, or obligations which it does not have or involve, or which are prohibited by law; specifically, and without limitation, counseling persons regarding their rights under U.S. immigration laws or other legal matters;

m. Failing to disclose information concerning any good or service sold or offered for sale with knowledge at the time of the transaction when such failure to disclose is intended to induce consumers to enter into transactions consumers would not enter into if such information were disclosed; specifically, and without limitation, failing to disclose to consumers that they are not qualified to counsel them regarding their rights under U.S. immigration laws or with respect to other legal matters, because they are not certified or licensed to provide such counseling; and

n. Representing, directly or by implication, that this court or the Attorney General has approved any good or service sold or offered for sale by Defendants, or has approved any of Defendants' business practices.

38. Plaintiff, STATE OF TEXAS, further prays that this Court order Defendants to post notice at any other place where Defendants may conduct business, which notice shall be on the front-side of the front door, in red bold-faced type of a minimum size of 40 points, in both English and Spanish, and shall state:

NOTICE

BY ORDER OF THE \_\_\_\_\_ JUDICIAL DISTRICT COURT OF EL PASO COUNTY, TEXAS, SARAH BETH HERNANDEZ AND PETER HERNANDEZ ARE PROHIBITED FROM PREPARING ANY LEGAL DOCUMENT, FILLING OUT IMMIGRATION DOCUMENTS, OR CONDUCTING BUSINESS AS AN IMMIGRATION OR LEGAL DOCUMENT SERVICE PROVIDER(S).

IF YOU HAVE ANY QUESTIONS, OR FEEL YOU WERE A VICTIM, PLEASE CALL (915) 834-5800.

**THIS NOTICE IS PLACED HERE BY ORDER OF THE COURT.**

AVISO

LA CORTE DEL \_\_\_\_\_ DISTRITO DEL CONDADO DE EL PASO, ESTADO DE TEXAS, PROHIBE A SARAH BETH HERNANDEZ Y PETER HERNANDEZ DE PREPARAR DOCUMENTOS LEGALES, LLENAR FORMULARIOS JURÍDICOS DE INMIGRACIÓN, O PROVEER SERVICIOS DE INMIGRACIÓN.

SI USTED TIENE UNA PREGUNTA O PIENSA QUE FUE VICTIMA, FAVOR DE MARCAR AL (915) 834-5800.

**SE HA PUBLICADO ESTE AVISO POR ORDEN DE LA CORTE.**

39. Plaintiff further prays that this court award judgment in favor of the Plaintiff and against the Defendants as follows:

- a. Order Defendants to pay civil penalties to the STATE OF TEXAS in the amount of not less than \$2,000 per violation and not more than \$20,000 per each violation of the DTPA;

b. Order Defendants to pay civil penalties to the STATE OF TEXAS in the amount of not more than \$250,000 for violations of the DTPA if the consumer was 65 years of age or older;

c. Order Defendants to pay the STATE of TEXAS its attorneys' fees and costs of court pursuant to TEX. GOV'T. CODE §402.006(c);

d. Order Defendants to restore all money or other property acquired by means of unlawful acts or practices, or in the alternative, to compensate identifiable persons for actual damages; and

e. Order Defendants to pay pre-judgment and post judgment interest on all damages or civil penalties, at the highest allowable rate, as provided by law.

40. In addition, Plaintiff State, respectfully prays that this Court:

a. Appoint a receiver or sequester Defendants' assets if Defendants have been ordered by this Court to make restitution and Defendants have failed to do so within three (3) months after the order to make restitution has become final and non-appealable; and

b. Adjudge that all fines, penalties or forfeitures payable to and for the benefit of the State, are not dischargeable under bankruptcy pursuant to 11 U.S.C. section 523(a)(7).

41. The State further prays that this court grant all other relief to which the Plaintiff STATE OF TEXAS may show itself entitled.

Respectfully submitted,

**GREG ABBOTT**  
Attorney General of Texas

**DANIEL T. HODGE**  
First Assistant Attorney General

**JOHN SCOTT**  
Deputy Attorney General for Civil Litigation

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FAX (915) 542 1546

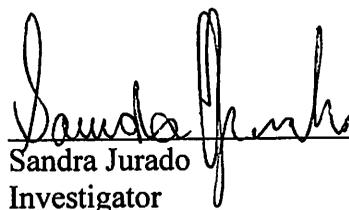
**ATTORNEYS FOR THE STATE OF TEXAS**

**VERIFICATION**

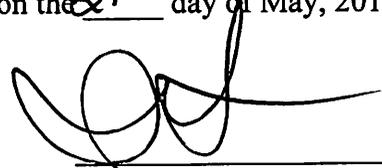
STATE OF TEXAS           §

COUNTY OF EL PASO     §

BEFORE ME, the undersigned authority, on this day personally appeared affiant Sandra Jurado, who proved to me through her current Texas Driver's License to be the person whose name is subscribed to this Verification and who acknowledged to me that she executed the same, and after she was duly sworn, upon her oath, she deposed and said that she is an investigator for the Office of Attorney General, and is authorized to make this affidavit, that she has carefully read the factual allegations contained in Paragraphs 14 - 22 in the foregoing Plaintiff's Original Petition and Application for Temporary Restraining Order and Temporary and Permanent Injunction, and has reason to believe that each and all said factual allegations in Paragraphs 14 - 22 are true and correct; and affiant signs this Verification, pursuant to Rule 682 of the TEXAS RULES OF CIVIL PROCEDURE.

  
\_\_\_\_\_  
Sandra Jurado  
Investigator

SUBSCRIBED AND SWORN TO before me on the 21<sup>st</sup> day of May, 2014.

  
\_\_\_\_\_  
NOTARY PUBLIC IN AND  
FOR THE STATE OF TEXAS

