

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

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Our File No. 5814.0003

UNITED STATES OF AMERICA and the
STATE OF NEW JERSEY, *ex rel.*, MELISSA
MATHEWS,

Plaintiff,

vs.

1241 JFK BOULEVARD IPX, LLC; BLUE
CIRCLE EQUITY ADVISORS, LLC;
PENINSULA COURT, LLC; VINCENZO
ALESSI, individually; FRANCESCO
ALESSI, individually; SUSAN ALESSI,
individually; NANCY ALESSI, individually;
GAETANO ALESSI, JR., individually;
SALVATORE ALESSI, individually; CITY
OF BAYONNE; JAMES DAVIS;
individually; SUZANNE MACK,
individually; NEIL CARROLL, individually;
SALVATORE GULLACE, individually;
GARY LaPELUSA, individually; JUAN
PEREZ, individually; JOHN DOES 1-10;
XYZ CORPS. 1-10,

Defendants.

Civil Action No. _____

**Filed Under Seal Pursuant to
31 U.S.C. § 3730**

COMPLAINT AND JURY DEMAND

The United States of America (the “United States”) and the State of New Jersey (“New Jersey” or the “State”) (the United States and New Jersey are collectively referred herein as the “Government”), by and through *qui tam* Relator, Melissa Mathews (“Relator”), bring this action under the Federal False Claims Act, 31 U.S.C. § 3729, *et seq.* (the “Federal Act”), and the New Jersey False Claims Act, N.J.S.A. 2A:32C-1, *et seq.* (the “State Act”), against 1241 JFK Boulevard IPX, LLC; Blue Circle Equity Advisors, LLC; Peninsula Court, LLC (hereinafter collectively referred to as the “Corporate Defendants”), and Vincenzo Alessi, Francesco Alessi, Susan Alessi, Nancy Alessi, Gaetano Alessi, Jr., and Salvatore Alessi (hereinafter collectively referred to as the “Alessis”) (the Corporate Defendants and Alessis are hereinafter collectively referred to as the “Enterprise”), and the City of Bayonne (“Bayonne”), James Davis, Suzanne Mack, Neil Carroll, Salvatore Gullace, Gary LaPelusa, and Juan Perez (hereinafter collectively referred to as the “Bayonne Officials”) (the Enterprise, Bayonne, and the Bayonne officials are hereinafter collectively referred to as “Defendants”), to recover all damages, penalties, and other remedies provided by the Federal Act and State Act, and for their Complaint allege:

NATURE OF THE ACTION

1. This action arises out of a scheme contrived by politicians in Bayonne and the Enterprise, who conspired to transfer certain real property controlled by Bayonne to the Enterprise knowing that the property would be the subject of an eminent domain taking by the New Jersey Turnpike Authority. To ensure that the Enterprise would reap a significant but ill-gotten windfall, Bayonne held special meetings to upzone the property (i.e., changed the zoning to allow greater density) immediately prior to the taking by the New Jersey Turnpike Authority. The New Jersey Turnpike Authority had expressed interest directly to the Bayonne Officials and the public at large prior to the upzoning of the property and transfer to the Enterprise. The Defendants wrongful acts

defrauded the citizens of the United States of America, the citizens of the state of New Jersey and the New Jersey Turnpike Authority of more than \$19,700,000.

THE PARTIES

2. Relator is an individual and citizen of the United States of America residing in New York, New York.

3. The Corporate Defendants are business entities organized and registered in the State of New Jersey. Upon information and belief the Alessis serve as president, principal, officers, members, and/or shareholders of the Corporate Defendants.

4. The Alessis are individuals and citizens of the United States of America residing in Bayonne.

5. Bayonne is a municipality organized by virtue of, and pursuant to, New Jersey law.

6. At all times relevant hereto, James Davis (“Mayor Davis”) was and is the current Mayor of Bayonne.

7. At all times relevant hereto, Suzanne Mack (“Mack”) was and is the current City Planner for Bayonne.

8. At all times relevant hereto, Neil Carroll, Salvatore Gullace, Gary LaPelusa, and Juan Perez (collectively the “Councilmen”), were representatives of the Municipal Council of Bayonne (the “Council”).

9. John Does 1-10 are unknown individuals who are officers, members, and/or shareholders of the Corporate Defendants, and/or other representatives of Bayonne who participated in wrongful acts as described herein.

10. XYZ Corps. 1-10 are unknown entities of which the Alessis are president, principals, officers, members, and/or shareholders and who participated in the wrongful acts as described herein.

JURISIDCTION AND VENUE

11. Jurisdiction in this Court is proper pursuant to 31 U.S.C. §§ 3732(a) and 3730(b). This Court also has jurisdiction pursuant to 28 U.S.C. § 1331.

12. The Court may exercise personal jurisdiction over the Defendants, and venue is proper in this Court pursuant to 31 U.S.C. § 3732(a) and 28 U.S.C. 1391 because the acts proscribed by 31 U.S.C. § 3729, *et seq.* and complained of herein took place in this District and the Defendants transacted business in this District as described herein.

13. Pursuant to 31 U.S.C. § 3732(b), this Court has jurisdiction for claims brought under the State Act that arise from the same transaction or occurrence as an action brought under the Federal Act. Pursuant to 28 U.S.C. § 1367, this Court has supplemental jurisdiction over the claims brought under the State Act.

14. Pursuant to 31 U.S.C. § 3730(b)(2) and N.J.S.A. 2A:32C-5(d), Relator prepared and will serve the Complaint on the Attorney General of the United States, the United States Attorney for the District of New Jersey, and the Attorney General of New Jersey, as well as a statement of all material evidence and information currently in its possession and of which it is the original source. The disclosure statement is supported by material evidence known to the Relator at the time of filing establishing the existence of Defendants' false claims. Because the statements include attorney-client communications and work product of the Relator's attorneys, and will be submitted to those Federal and State officials in their capacity as potential co-counsel in the

litigation, Relator understands these disclosures to be confidential and exempt from disclosure under the Freedom of Information Act, 5 U.S.C. § 552; 31 U.S.C. § 3729(c).

BACKGROUND

The Federal Act

15. The Federal Act, in pertinent part, provides:

(a) Liability for certain acts.

(1) In general. Subject to paragraph (2), any person who—

(A) knowingly presents, or causes to be presented, a false or fraudulent claim for payment or approval;

(B) knowingly makes, uses, or causes to be made or used, a false record or statement material to a false or fraudulent claim;

(C) conspires to commit a violation of subparagraph (A), (B), (D), (E), (F), or (G);

(D) has possession, custody, or control of property or money used, or to be used, by the Government and knowingly delivers, or causes to be delivered, less than all of that money or property;

(E) is authorized to make or deliver a document certifying receipt of property used, or to be used, by the Government and, intending to defraud the Government, makes or delivers the receipt without completely knowing that the information on the receipt is true;

(F) knowingly buys, or receives as a pledge of an obligation or debt, public property from an officer or employee of the Government, or a member of the Armed Forces, who lawfully may not sell or pledge property; or

(G) knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the Government, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the Government,

is liable to the United States Government for a civil penalty...plus 3 times the amount of damages which the Government sustains because of the act of that person.

[...]

(3) Costs of civil actions. A person violating this subsection shall also be liable to the United States Government for the costs of a civil action brought to recover any such penalty or damages.

(b) Definitions. For purposes of this section—

(1) the terms “knowing” and “knowingly”—

(A) mean that a person, with respect to information—

(i) has actual knowledge of the information;

(ii) acts in deliberate ignorance of the truth or falsity of the information; or

(iii) acts in reckless disregard of the truth or falsity of the information; and

(B) require no proof of specific intent to defraud;

(2) the term “claim”—

(A) means any request or demand, whether under a contract or otherwise, for money or property and whether or not the United States has title to the money or property, that—

(i) is presented to an officer, employee, or agent of the United States; or

(ii) is made to a contractor, grantee, or other recipient, if the money or property is to be spent or used on the Government’s behalf or to advance a Government program or interest, and if the United States Government—

(I) provides or has provided any portion of the money or property requested or demanded; or

(II) will reimburse such contractor, grantee, or other recipient for any portion of the money or property which is requested or demanded; and

(B) does not include requests or demands for money or property that the Government has paid to an individual as compensation for Federal

employment or as an income subsidy with no restrictions on that individual's use of the money or property;

(3) the term "obligation" means an established duty, whether or not fixed, arising from an express or implied contractual, grantor-grantee, or licensor-licensee relationship, from a fee-based or similar relationship, from statute or regulation, or from the retention of any overpayment; and

(4) the term "material" means having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.

31 U.S.C. § 3729.

16. Pursuant to 28 C.F.R. § 85.5, as of February 12, 2024, civil penalties for violations of the Federal Act were increased to a minimum of \$13,946, and a maximum of \$27,894.

The State Act

17. The State Act, in pertinent part, provides:

A person shall be jointly and severally liable to the State for a civil penalty of not less than and not more than the civil penalty allowed under the federal False Claims Act...for each false or fraudulent claim, plus three times the amount of damages which the State sustains, if the person commits any of the following acts:

- a. Knowingly presents or causes to be presented, a false or fraudulent claim for payment or approval;
- b. Knowingly makes, uses, or causes to be made or used a false record or statement material to a false or fraudulent claim;
- c. Conspires to commit any violation of subsection a., b., d., e., f., or g. of this section;
- d. Has possession, custody, or control of public property or money used or to be used by the State and knowingly delivers or causes to be delivered less property or money than the amount for which the person receives a certificate or receipt;
- e. Is authorized to make or deliver a document certifying receipt of property used or to be used by the State and, intending to defraud the entity, makes or delivers a receipt without completely knowing that the information on the receipt is true;
- f. Knowingly buys, or receives as a pledge of an obligation or debt, public property from any person who lawfully may not sell or pledge the property; or

g. Knowingly makes, uses, or causes to be made or used a false record or statement material to an obligation to pay or transmit money or property to the State, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the State.

N.J.S.A. 2A:32C-3.

18. Pursuant to the State Act, the “State” includes any of the principal departments in the Executive Branch of State government, and any division, board, bureau, office, commission or other instrumentality within or created by such department; and any independent State authority, commission, instrumentality or agency. N.J.S.A. 2A:32C-2.

FACTUAL ALLEGATIONS

19. At all relevant times, the Alessis exercised complete control over all Corporate Defendants and are the alter egos of each Corporate Defendant as part of the Enterprise.

20. At all times relevant hereto, the Bayonne Officials acted in an official capacity as employees, agents and/or representatives of Bayonne.

21. At all relevant times, the New Jersey Turnpike Authority (the “Authority”) is a body corporate and body politic of New Jersey and is included within the definition of “State” by the State Act as an independent State authority pursuant to N.J.S.A. 2A:32C-2.

22. The United States subsidizes the Authority through Build America Bonds, which provide a federal subsidy through a refundable tax credit allowed under the Internal Revenue Code equal to 35% of the interest payable by the issuer of the bonds to investors.

23. The United States makes a cash payment directly to the issuer of the bonds or to the authorized agent for the issuer, both of which then pay interest on the bonds with federal funds.

24. Build America Bonds may be issued for any governmental purpose—such as construction of highway improvements—for which tax-exempt governmental bonds could be issued under the Internal Revenue Code.

25. Pursuant to N.J.S.A. 27:23-5(j), the Authority has the power to exercise eminent domain to take any land or other property in exchange for just compensation which the Authority may determine is reasonably necessary for any transportation project or feeder road or for the relocation or reconstruction of any highway by the Authority.

26. Pursuant to N.J.S.A. 27:23-3(F), the Authority requires authorization and approval from the Governor of New Jersey in order to proceed with actions, including the exercise of the power of eminent domain related to transportation projects such as the Newark Bay-Hudson County Extension Program (the “Program”).

27. The Authority adopted the Program to benefit the public by replacing aging bridges, reducing frequent, extensive and disruptive maintenance projects, and improving corridor traffic flow and operations on the New Jersey Turnpike in Bayonne. In order to complement the Program, the Authority would be required to acquire land through the process of eminent domain under N.J.S.A. 27:23-5(j).

28. At all relevant times hereto, the real property located at 1241 JFK Boulevard in Bayonne (the “Property”) is a parcel of land that was owned by the Marist Brothers, an international religious community of more than 2,400 Catholic Brothers dedicated to the education of young people, who operated Marist High School at the Property until its closure in 2020.

29. The Alessis are longtime residents of Bayonne and developers who exert economic and political influence in Bayonne by way of campaign contributions and related activities.

30. On or about October 26, 2020, Bayonne entered into a contract (the “Purchase Contract”) to purchase the Property from the Marist Brothers.

31. On or about March 22, 2021, the Authority informed Mayor Davis that it wished to schedule a meeting with him regarding the potential need for capacity and operational improvements at the Newark Bay-Hudson County Extension of the New Jersey Turnpike.

32. On or about April 20, 2021, the Authority held a meeting with representatives from Bayonne wherein the Authority presented the details of the Program.

33. On or about April 22, 2021, the Authority provided access agreements and a map detailing the extent of the Program to Bayonne.

34. On or about April 26, 2021, the Authority sent letters via certified mail to Bayonne and the record owners of the Property and surrounding properties, advising that it would be undertaking field activities related to the preliminary engineering and environmental services for necessary improvements under the Program at the Property and surrounding properties (hereinafter “Due Diligence”).

35. With knowledge of the Program, including the commencement of Due Diligence, on or about June 16, 2021, the Council authorized and directed the Bayonne Planning Board to prepare a Redevelopment Plan for the Property (the “Redevelopment Plan”).

36. From approximately July of 2021 through November of 2021, Mayor Davis held numerous meetings with the Alessis, with whom Mayor Davis has a longstanding personal relationship and had received financial support during his mayoral campaigns. Upon information and belief, the Property was discussed between Mayor Davis and the Alessis at these meetings.

37. With knowledge of the Program, on or about October 6, 2021, the Purchase Contract was assigned by Bayonne to an entity owned or otherwise controlled by the Alessis,

specifically to Defendant Peninsula Court, LLC. With the assignment, the Purchase Contract was amended to reduce the purchase price for the Property from \$15,975,000 to \$11,400,000, reduce the feasibility period from 90 days to 45 days, and alter the definition of a “major taking.” Additionally, the Purchase Contract was amended to allow Defendant Peninsula Court, LLC, to assign its right to any entity to be created by the Alessis or which the Alessis are affiliated.

38. With knowledge of the Program, on or about October 21, 2021, the Council held a meeting ratifying and confirming the assignment of the Purchase Contract of the Property to the Alessis. Upon information and belief, Mayor Davis agreed to sell the Property to the Alessis prior to the Council’s ratification.

39. At the request of Mayor Davis, on or about November 18, 2021, Mack contacted Defendant Vincenzo Alessi to discuss potential uses of the Property requiring an increased density than the Property’s zoning.

40. On or about November 30, 2021, Mack, acting a City Planner, finalized the Redevelopment Plan for the Property and scheduled a special meeting of the Bayonne Planning Board on December 6, 2021 to adopt the Redevelopment Plan.

41. On or about December 6, 2021, the Redevelopment Plan was presented at a special meeting of the Bayonne Planning Board. With knowledge of the Program, the Redevelopment Plan proposed to change the permitted uses of the Property, including permitting increased density at which the Property could be developed. Specifically, the Redevelopment Plan permitted construction of buildings of (a) up to 14 stories for residential housing, (b) six stories for a self-storage facility or office, and (c) increased density with different uses (such changes are hereinafter referred to as “Upzone” or “Upzoning”).

42. The Planning Board recommended the adoption of the Redevelopment Plan to the Council.

43. On or about December 21, 2021, the Authority held a meeting wherein it announced that it required the Property for completion of the Program.

44. Upon information and belief, the Bayonne Officials had knowledge of the Authority's meeting prior to the special meeting of the Bayonne Planning Board wherein the Redevelopment Plan was recommended to the Council.

45. On or about January 5, 2022, the Alessis, acting as 1241 JFK Boulevard IPX, LLC and Blue Circle Equity Advisors, LLC (the "Owner Corporations"), completed their purchase of the Property from the Marist Brothers for the final price of \$11,400,000 and the Owner Corporations obtained title to the Property.

46. Just thirty (30) days after the Bayonne Planning Board held its special meeting to Upzone the Property and significantly increase the value of the Property, on or about January 6, 2022, the Authority announced publicly its interest in acquiring the Property by eminent domain.

47. Knowing that the Authority intended to take the Property through eminent domain, on or about January 12, 2022, the Redevelopment Plan was presented to the Council and a proposed ordinance and public hearing regarding acceptance of the Planning Board's recommendation and approval of the Redevelopment Plan was scheduled for January 19, 2022.

48. On or about January 19, 2022, a public hearing was held regarding the Redevelopment Plan. Amid public outcry, the Council tabled the vote on the ordinance to approve the Redevelopment Plan.

49. On or about February 16, 2022, the Council adopted the ordinance approving the Redevelopment Plan, greatly increasing the value of the Property for the benefit of the Alessis, with each of the Councilmen voting in favor of the ordinance.

50. Sharon Ashe-Nadrowski, who was Council President at the time, voted against the ordinance approving the Redevelopment Plan, due to her knowledge and belief that the Redevelopment Plan was being adopted for an improper purpose, namely, to benefit the Alessis at the expense of the Authorities.

51. The Bayonne Officials expedited the process and timeframe for approval of the Redevelopment Plan so that the Alessis would receive a financial windfall resulting from the approval of increased density for development of the Property.

52. Following negotiations that the Authority conducted in good faith, on or about December 5, 2023, the Authority made a good faith offer to acquire the Property from the Owner Corporations for \$31,100,000, an amount determined to be just compensation by the Authority's appraisal experts subsequent to and predicated on the approval of the Redevelopment Plan. The \$31,100,000 by the Authority was significantly greater than the \$11,400,000 purchase price the Alessis paid for the Property less than two years earlier under the Purchase Contract.

53. The Alessis did not participate in good faith negotiations because they, in coordination with Bayonne and the Bayonne Officials, artificially created an enhanced value for the Property through new permitted uses incorporated into the Redevelopment Plan that substantially increased the developmental density and fair market value of the Property.

54. On or about April 15, 2024, the Authority filed a Verified Complaint and Order to Show Cause against the Owner Corporations, *et al.*, in New Jersey Superior Court, Law Division

under Docket Number HUD-L-1442-24 to take the Property via eminent domain (the “Verified Complaint”).

55. Simultaneous to the filing of the Verified Complaint, the Authority filed a Declaration of Taking dated April 12, 2024, taking fee simple interest in the Property, and deposited the amount it determined to be just compensation, totaling \$31,100,000.00 with the Court. At the time of filing and service of the Verified Complaint and Declaration of Taking, the right to immediate and exclusive possession of the title to the Property vested with the Authority pursuant to N.J.S.A. 20:3-19.

56. Upon information and belief, the amount deposited by the Authority was funded in whole or in part by the United States via subsidized interest payments applicable to Build America Bonds and by the Authority.

57. The Bayonne Officials were aware of the Authority’s intent in the Property as early as March 22, 2021. The Authority’s interest was communicated by Mayor Davis to the Alessis, who improperly used their influence with the Bayonne Officials to obtain an assignment of the Purchase Contract which enabled them to acquire the Property and to induce the Bayonne Officials to approve the Redevelopment Plan to defraud the Authority into overpaying for the Property as a result of the wrongfully adopted Redevelopment Plan.

58. The Alessis improperly influenced the Bayonne Officials via campaign donations made to Mayor Davis and the Councilmen who were all up for re-election in 2022 to adopt the Redevelopment Plan and assign the Purchase Contract to the Alessis thereby resulting in a financial windfall to the Alessis, to the financial detriment of the United States and the Authority.

59. Based upon the foregoing, the Owner Corporations and Alessis, via their ownership of Owner Corporations, have been paid \$31,100,000 by the Authority as just compensation for the

taking of the Property, resulting in a windfall of at least \$19,700,000, and potentially more should just compensation be determined to be higher than the amount deposited by the Authority. As a result of their scheme, the Enterprise in concert with Bayonne Officials, purchased the Property and influenced the Bayonne Officials to wrongfully increase the Property's value via the Redevelopment Plan to the financial detriment of the United States and the Authority.

COUNT ONE
(False Claims Act, 31 U.S.C. § 3729, *et seq.*)

60. Relator repeats and realleges the allegations contained in the preceding paragraphs as if set forth at length herein.

61. Based upon the acts described above, Defendants knowingly violated one or more of the following:

- a. 31 U.S.C. § 3729(a)(1)(A) by knowingly presenting, or causing to be presented, false or fraudulent claims for payment or approval; and/or
- b. 31 U.S.C. § 3729(a)(1)(B) by knowingly making, using, or causing to be made or used, a false record or statement material to a false or fraudulent claim; and/or
- c. 31 U.S.C. § 3729(a)(1)(C) by conspiring to commit a violation of subparagraph (A) and (B).

62. The Authority, unaware of the falsity of these claims, records, and statements made by the Alessis, and in reliance on the accuracy thereof, paid money in great excess of the value of the Property to the Owner Corporations, which moneys were funded in whole or in part by the United States via subsidized interest payments applicable to Build America Bonds and by the Authority's revenue.

63. Bayonne and the Bayonne Officials conspired with the Alessis to defraud the Authority.

64. The United States and the general public have been damaged as a result of Defendants' violations of the False Claims Act.

65. The Alessis controlled the Owner Corporations, to such an extent that the Owner Corporations had no independent existence, and the Alessis were merely agents or alter egos of the Owner Corporations.

66. The Owner Corporations were formed for an improper purpose to cause harm to the Authority and the United States, and must be disregarded to prevent an injustice.

67. The Alessis served as alter egos for all Corporate Defendants as part of the Enterprise, with no distinguishment between the Alessis and the Corporate Defendants.

WHEREFORE, Relator demands judgment on behalf of the United States against all Defendants as follows:

- (a) That the United States be awarded damages in the amount of three times the damages sustained by the United States because of the false claims alleged within this Complaint, as provided by the Federal Act;
- (b) That civil penalties of \$27,894.00 be imposed for each and every false claim that Defendants caused to be presented to the United States and/or its grantees, and for each false record or statement that Defendants made, used, or caused to be made or used that was material to a false or fraudulent claim;
- (c) That attorneys' fees, costs, and expenses that Relator necessarily incurred in the bringing and pressing this case be awarded;
- (d) That Relator be awarded the maximum amount allowed to them pursuant to the Federal Act; and
- (e) That this Court order such other and further relief as it deems proper.

COUNT TWO
(New Jersey False Claims Act, N.J.S.A. 2A:32C-1, *et seq.*)

68. Relator repeats and realleges the allegations contained in the preceding paragraphs as if set forth at length herein.

69. Based upon the acts described above, Defendants knowingly violated one or more of the following:

- d. N.J.S.A. 2A:32C-3(a) by knowingly presenting, or causing to be presented, false or fraudulent claims for payment or approval; and/or
- e. N.J.S.A. 2A: 32C-3(b) by knowingly making, using, or causing to be made or used a false record or statement to get a false or fraudulent claim paid or approved by the State; and/or
- f. N.J.S.A. 2A:32C-3(c) by conspiring to defraud the State by getting a false or fraudulent claim allowed or paid by the State.

70. The Authority, unaware of the falsity of these claims, records, and statements made by the Alessis, and in reliance on the accuracy thereof, paid the Owner Corporations a windfall for the Property with funds derived in whole or in part by the United States via subsidized interest payments applicable to Build America Bonds and revenue of the Authority.

71. The payment was approved by the State because the Governor has not vetoed the minutes of the meeting of the Authority at which it was decided to exercise eminent domain and deposit funds for the taking of the Property. The State of New Jersey, therefore, authorized the Authority to pay money to Defendants in great excess of the value of the Property resulting in a financial windfall to Defendants and financial detriment to the United States and the Authority.

72. Bayonne and the Bayonne Officials conspired with the Alessis to defraud the Authority.

73. New Jersey and the general public have been damaged as a result of Defendants' violations of the State Act.

WHEREFORE, Relator demands judgment on behalf of the New Jersey against all Defendants as follows:

- (a) That New Jersey be awarded damages in the amount of three times the damages sustained by New Jersey because of the false claims alleged within this Complaint, as provided by the State Act;
- (b) That civil penalties of \$27,894.00 be imposed for each and every false claim that Defendants caused to be presented to the United States and/or its grantees, and for each false record or statement that Defendants made, used, or caused to be made or used that was material to a false or fraudulent claim;
- (c) That attorneys' fees, costs, and expenses that Relator necessarily incurred in the bringing and pressing this case be awarded;
- (d) That Relator be awarded the maximum amount allowed to them pursuant to the State Act; and
- (e) That this Court order such other and further relief as it deems proper.

JURY TRIAL DEMANDED

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Relator hereby demands a trial by jury.

Respectfully submitted

By:



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