

Attorneys for Plaintiffs and the Proposed Class

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

**ANDREA C. WOOD AND SUSAN
SPELL, M.D.**, on behalf of
themselves, all others similarly
situated, and the general public,

Plaintiffs,

v.

STATE OF CALIFORNIA

Defendant.

JURY TRIAL DEMANDED

Case No:

CLASS ACTION COMPLAINT

CLASS ACTION COMPLAINT

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1. Andrea C. Wood and Susan S. Spell, M.D. (“Plaintiffs”), on behalf of themselves and all others similarly situated, by and through their undersigned counsel, hereby brings this action against the State of California (“Defendant” or “State”), alleging that they fund the budgets of Superior Courts and Family and Child Services agencies who proceed to violate predicate acts of 18 U.S.C. 1961, *et seq.* in child dependency proceedings, and upon information and belief and investigation of counsel alleges as follows:

I. JURISDICTION

2. This Court has original jurisdiction over this action under the Class Action Fairness Act 2005 (“CAFA”), 28 U.S.C. § 1332(d), and the putative class size is greater than 100 persons.

3. This Court has both general and specific personal jurisdiction over the Defendant.

4. This Court has personal jurisdiction over the Defendants because all factual allegations derive from violations of 18 U.S.C., 1961 *et seq.*, and for the sake of judicial expediency, this Court has supplemental jurisdiction over all other claims, brought now or ever, that are so related to claims in the actions of the parties within such original jurisdiction that they form part of the same dispute pursuant to 28 U.S.C. §1367.

5. This Court has subject matter jurisdiction over this dispute pursuant to 28 U.S.C. §§1331 and 1338 (federal question jurisdiction). Jurisdiction is premised upon the Federal defendant’s violation of 18 U.S.C. §1961, *et seq.*

II. VENUE

6. Venue is proper in this district pursuant to 28 U.S.C. §§1391 and 1400 because the bulk of Plaintiff's business is transacted in State of California and for the Defendants that do not, and for the sake of judicial expediency, this Court has supplemental jurisdiction over the Defendants that are so related to claims in the actions of the parties within such original jurisdiction that they form the Court's jurisdiction is invoked pursuant to 28 U.S.C. §§1331, 1343.

III. NATURE OF THE ACTION

7. 6. This is a class action for violations 18 U.S.C. 1961, et seq. and failure in a duty of care and to supervise.

8. 7. The total budget of the State of California is \$214 billion in 2019 to 2020 comprised of in relevant areas:

a. Health and Human Services of \$67 Billion (including the County Departments of Family and Children Services (“DFCS”) complained of herein) from the Mexican border to the south to the Oregon border to the north and to the Nevada and Arizona borders to the East. The proposed class has evidence of widespread violations of the Civil RICO Statute in many of the Counties of the State of California as it related to:

1. the warrantless removal of children to human trafficking for adoption of the younger ones to the sex trafficking of tweens and teenagers. That Representative Plaintiff Spell a

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physician and graduate of Harvard Medical School was extorted in the amount of \$250,000 under the guise of “you will never see your children again” which she succumbed to in 2016.

2. That Representative Wood, the CEO of a real estate investment firm was extorted in the amount of \$700,000 under the guise of “you will never have your children returned” which she has resisted from 2017 to even date below. Any person who, by use of improper threat, another person's signature on any document gets giving a property right may be charged with extortion even if the property right is never actually obtained (see 18 U.S.C. § 1962(a));

3. That Representative Plaintiff Wood’s son TP, on October 8, 2019, testified under oath and under the penalty of perjury that he was present in his bedroom when two males appeared in his door way and proceeded to sex traffic his roommate, anally and orally.

b. Legislative, Judicial, and Executive of \$8.2 Billion (including the County Superior Courts from the Mexican border to the south to the Oregon border to the north and to the Nevada and Arizona borders to the East. The proposed class has evidence of widespread

violations of the Civil RICO Statute by Superior Courts in the State of California.

9. 16. Representative Plaintiffs, who were was deceived by Defendant's unlawful conduct and was forced to sample one or more of the "Products" multiple times in California during the proposed Class Period, brings this action, on their own behalf and on behalf of California residents to remedy Defendant's unlawful acts.

10. 17. On behalf of the Class as defined herein, Plaintiff seeks an order compelling
11. Defendant to, *inter alia*: (1) cease funding DFCS and Superior Courts without an oversight committee to ensure compliance with unlawful activity, especially in the Civil RICO statute under the predicate acts of witness tampering, obstruction of justice (including evidence destruction), extortion, and a civil conspiracy to cover it up in violation of Federal law (3) award Representative Plaintiff and other Class-members restitution, actual
12. damages, and punitive damages; and (5) pay all costs of suit, expenses, and attorney fees. On October 12, 2019, Representative Plaintiffs filed a Notice of Claim with the State of California in the amount of **FIVE HUNDRED MILLION DOLLARS** (\$500,000,000) in damages during the proposed Class Period,

IV. PARTIES

13. 18. Plaintiff, Andrea C. Wood (hereinafter "Representative Plaintiff"), is a *sui juris* resident of Orinda, Cal. residing at:

40 Hilldale Court
Contra Costa County
Orinda, California
+1 (415) 375-1686

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14. Plaintiff, Susan Spell (hereinafter "Representative Plaintiff"), is a *sui juris* resident of

Beverly Hills, Cal. residing at:

434 North Bedford Drive
Los Angeles County
Beverly Hills, California
Tel.: +1 (310) 205-1686

15. Defendant, State of California ("State") along with any Doe Defendant later identified in the litigation, are jointly responsible for the violations of Federal law described herein.

16. Representative Plaintiffs Andrea C. Wood and Susan Spell, M.D. are residents and citizens of Orinda, California and Beverly Hills California who have suffered at the hands of the villainous State of California during the Class Period since 2017 and 2013, respectively in flagrant violation of the Civil RICO statute, without remorse or requested restitution, let alone their children who were unlawfully seized from home as to Wood and from school as to Spell.

V. FACTUAL ALLEGATIONS

Representative Plaintiff Andrea C. Wood

17. Plaintiff alleges that according to 18 U.S.C. 1961, et seq. (the "RICO Statute"), and shows by a preponderance of the evidence, that there exists a racketeering Enterprise in the County of Contra Costa, California that consists of: County of Contra Costa, DFCS, Superior Court of California County of Contra Costa, Family Court Judges, Preferred Attorneys in Family Court, the County Attorney's Office, and Attorneys for Children. Plaintiff alleges and shows with a preponderance of the evidence that caseworkers, judges, and lawyers conspire and collaborate to concoct fictitious instances of child neglect

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contrary to the legal standard for profit.

18. Traditional RICO Statute predicate acts are contained herein and include: (i) witness tampering; (ii) obstruction of justice; (iii) extortion; and (iv), a civil conspiracy to cover up witness tampering and obstruction of justice. These predicate acts are pled with specificity in the instant action.
19. The RICO Statute contains a provision that allows for the commencement of a civil action by a private party to recover damages sustained as a result of the commission of a RICO predicate offense(s). The RICO Statute also permits a private individual "damaged in his business or property" by a "racketeer" to file a civil suit. The plaintiff must prove the existence of an "enterprise", and Plaintiff proves with a preponderance of the evidence of the existence of such an enterprise among the County of Contra Costa, DFCS, Superior Court of California County of Contra Costa, Court Judges, Preferred Attorneys in Family Court, the County Attorney's Office, and Attorneys for Children. As pled elsewhere in the instant action, the connections among these parties proves the existence of an "enterprise."
20. Plaintiff shows with specificity at least one of four specified relationships between the defendant(s) and the Enterprise: either the defendant(s) invested the proceeds of the pattern of racketeering activity into the Enterprise (18 U.S.C. § 1962(a)); or the defendant(s) acquired or maintained an interest in, or control of, the Enterprise through the pattern of racketeering activity (subsection (b)); or the defendant(s) conducted or participated in the affairs of the Enterprise "through" the pattern of racketeering activity (subsection (c)); or the defendant(s) conspired to do one of the above (subsection (d)). The

Enterprise is either the 'prize,' 'instrument,' 'victim,' or 'perpetrator' of the racketeers. A Civil RICO action can be filed in Federal court.

21. The civil component allows the recovery of treble damages (damages in triple the amount of actual/compensatory damages) and by Count Four and Judgment Requested, Plaintiff demands treble damages in the amount of Seven Hundred and Fifty Million Dollars (\$750,000,000).

Predicate Act: Witness Tampering

22. 18 U.S. Code § 1512 (b) provides:

Witness tampering is the act of attempting to alter or prevent the testimony of witnesses within criminal or civil proceedings. Laws regarding witness tampering also apply to proceedings before Congress, executive departments, and administrative agencies. To be charged with witness tampering in the United States, the attempt to alter or prevent testimony is sufficient. There is no requirement that the intended obstruction of justice be completed.

23. When foster mother Erica Bains coached TP to tell untruths about Representative Plaintiff and that she hit HP, Bains tampers with a witness.
24. HP reported that the Enterprise coached him to say bad things about Representative Plaintiff - under threats of escalated care - commonly known as Juvenile Hall.
25. Social worker Kellie Case recanted when testifying that HP was hit from "not that I recall" to "Yes, he did" under the watchful eye of Judge Lois Haight.
26. Bains coached TP to report that the Representative Plaintiff hit HP, wrongly blaming Representative Plaintiff for striking the child when in fact it was the nanny, Steffi Guggenbichler, who hit HP; Guggenbichler concealed this to Representative Plaintiff.

27. An unidentified member of the Enterprise, coached KP to say she was hit with a whip, only KP said in testimony said "what whip," or words to that effect.

28. Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to (1) influence, delay, or prevent the testimony of any person in an official proceeding...;

29. 18 U.S. Code § 1512 (c) (2) provides:

Whoever corruptly-otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so...

30. 18 U.S. Code § 1512 (e) provides:

In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

31. 18 U.S.C. § 1515 (3) provides:

the term "misleading conduct" means-knowingly making a false statement; (A) knowingly making a false statement (B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by such statement...(E) knowingly using a trick, scheme, or device with intent to mislead;

32. 18 U.S.C. § 1515 (b) provides:

(b) As used in §1505, the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information

Discussion

33. The facts of the instant action make it abundantly clear that State Actors Haight, Case, and Lawrence knowingly, corruptly persuaded TP, HP and KP and attempted to do so, to

engage in false statements that persuaded TP, HP, and KP with the intent to (1) influence, delay, or prevent the testimony of witnesses to aid in the defense of Plaintiff in an official proceeding. Haight, Case, and Lawrence committed witness tampering under 18 U.S.C. §1512.

34. Federal defendants Haight, Case, and Lawrence simply asked TP, HP, and KP to tell less than the whole truth and TP, HP, and KP knew that they were being asked to tell less than the whole truth, therefore Federal defendants Haight, Case, and Lawrence corruptly persuaded the witness and is a violation of the laws, *res ipsa loquitur*, and has harmed Plaintiff and the injury was caused by the violation of 18 U.S.C. §§ 1961, et seq.

Predicate Act: Obstruction of Justice

35. In the Jurisdictional trial, all State Actors in this action, especially each of Haight, Case, and Carey (preferred attorney Carey is constructively a State Actor) began the conspiratorial act of obstructing justice by coaching TP, HP, and KP.
36. Social worker Gutierrez filed a fictitious, malicious detention report, without evidence, and based on the incorrect standard of the preponderance of the evidence as opposed to the standard of clear and convincing required by the U.S. Supreme Court.
37. Haight obstructed justice, and in violation of Sixth Amendment when she denied Plaintiff the right to seek the counsel of her choice that allowed the State actors to invest the proceeds of the pattern of racketeering activity into and fund the Enterprise (see 18 U.S.C. §1962(a)).
38. In fact, by implication in the instant action, the State actors meet all four of the specified

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relationships of par. ___: they funded the Enterprise; the State Actors acquired and maintained an interest in the Enterprise through the pattern of racketeering activity; the State Actor conducted or participated in the affairs of the Enterprise through the pattern of racketeering activity; and conspired to do one of the aforementioned, *res ipsa loquitur*.

39. Representative Plaintiff was removed from the courtroom during the direct examination of HP and KP. Judge Haight refused to allow the cross examination of KP and threatened Representative Plaintiff; constructive State actor Carey corroborated the position of Haight.

40. 18 U.S. Code § 1503 provides:

Whoever corruptly...endeavors to influence, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice.

41. Federal defendant Williams, on numerous occasions, committed perjury under oath that cast an unwarranted negative light upon Plaintiff, thereby usurping the power of the courts, and resulted in obstruction of justice.

42. On May 23, 2019, Federal defendant Maddock denied Plaintiff's request for transcripts that would have implicated him in a violation of the First Amendment.

Discussion

43. 18 U.S.C. §1515 states:

...the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.

44. Representative Plaintiff states, by the facts of the instant action make it abundantly clear that the State Actors Federal defendants Haight, Carey, and Lawrence coached HP, at all

times relevant thereto, a 12 year old, to untruthfully testify about Plaintiff's sex life that did corruptly endeavor to influence, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice. In doing so, Federal defendants Haight, Case, Carey, and Lawrence committed obstruction of justice under Section 1503.

45. State Actors Federal defendants Haight, Carey, and Lawrence simply asked HP to tell less than the whole truth and HP knew that he was being asked to tell less than the whole truth, therefore State Actors Haight, Case, Carey, and Lawrence corruptly influenced, obstructed, impeded, and endeavored to influence, obstruct, or impede, the due administration of justice and is a violation of the statute, res ipsa loquitur, and has harmed Representative Plaintiff and the injury was caused by the violation of 18 U.S.C.A. §§ 1961

Predicate Act: Extortion

46. On or about March 2018, State Actor Case lays claims to \$700,000 in courts costs payable by Representative Plaintiff who believe such costs have risen to between \$1 million to \$2 million. State Actor Case made it perfectly clear that either Representative Plaintiff would pay the court costs or risk never seeing her kids again.

47. Unfortunately, under California law, court costs are limited to reimbursing the State for the cost of a court appointed attorney; As Plaintiff never used a court appointed attorney, purported \$700,000 in costs allowed the Enterprise to invest such sums in the proceeds of the pattern of racketeering activity into and fund the Enterprise (see 18 U.S.C. § 1962(a)).

48. Extortion is defined as the obtaining of property from another with his or her consent, by the wrongful use of either force or fear, or under color of official right. The property or

right to property must be obtained. This can be either the property itself or the right to it.

49. Property rights that can be transferred to constitute extortion.
 - a. The right to prosecute a lawsuit or an appeal;
 - b. Obtaining an official act of a public officer can be the basis of extortion.
 - c. If a person makes an extortionate demand in writing he/she may be guilty even if the victim parts with no property.
50. Any person who, by use of improper threat, obtains another person's signature on any document giving a property right may be charged with extortion even if the property right is never actually obtained.

Discussion

51. Plaintiff alleges that the Enterprise is in possession of property of the Plaintiff, purported court costs of at least \$700,000 or she will never see her children, HP and KP again.
52. Federal defendant Case induces Plaintiff to provide that property under color of official right; Plaintiff has not paid it yet.
53. Where Plaintiff sees that there has been no progress toward reunification, the implication is that Federal defendants will seek further legal intervention against Plaintiff (termination of parental rights) and directing HP and KP to out of state adoption should Plaintiff not acceded to her demands.

Predicate Act: Conspiracy to Cover-up Witness Tampering and Obstruction of Justice

54. 42 U.S.C. § 1985 provides:

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If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness ... from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to ... to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws.

Discussion

55. It will be established during Discovery that the State Actors, *inter alia*, Haight, Carey, Lawrence, and Williams persuaded TP, HP, and KP to make statements of false fact in certified transcripts that do not lie.
56. In doing so, Haight inspired and provided a mechanism to the State Actors to create a conspiracy to cover up witness tampering and obstruction of justice in her trial proceedings; Haight violated Plaintiff's Sixth Amendment right to face her accusers.

Representative Plaintiff Susan Spell, M.D.

57. Representative Plaintiff alleges that according to 18 U.S.C. 1961, et seq. (the "RICO Statute"), and shows by a preponderance of the evidence, that there exists a racketeering Enterprise in the County of Los Angeles, California that consists of: County of Los Angeles, Department of Child Family Services, Superior Court of California County of Los Angeles, Family Court Judges, and the County Attorney's Office. Plaintiff alleges and shows with a preponderance of the evidence that caseworkers, judges, and lawyers conspire and collaborate to concoct fictitious instances of child neglect contrary to the

legal standard for profit.

58. Traditional RICO Statute predicate acts are contained herein and include: (i) witness tampering; (ii) obstruction of justice; (iii) extortion; and (iv), a civil conspiracy to cover up witness tampering and obstruction of justice. These predicate acts are pled with specificity in the instant action.
59. The RICO Statute contains a provision that allows for the commencement of a civil action by a private party to recover damages sustained as a result of the commission of a RICO predicate offense(s). The RICO Statute also permits a private individual "damaged in his business or property" by a "racketeer" to file a civil suit. The plaintiff must prove the existence of an "enterprise", and Plaintiff proves with a preponderance of the evidence of the existence of such an enterprise among the County of Los Angeles, DCFS, Superior Court of California County of Los Angeles, and the County Attorney's Office.
60. Plaintiff shows with specificity at least one of four specified relationships between the defendant(s) and the Enterprise: either the defendant(s) invested the proceeds of the pattern of racketeering activity into the Enterprise (18 U.S.C. § 1962(a)); or the defendant(s) acquired or maintained an interest in, or control of, the Enterprise through the pattern of racketeering activity (subsection (b)); or the defendant(s) conducted or participated in the affairs of the Enterprise "through" the pattern of racketeering activity (subsection (c)); or the defendant(s) conspired to do one of the above (subsection (d)). In essence, the Enterprise is either the 'prize,' 'instrument,' 'victim,' or 'perpetrator' of the racketeers. A Civil RICO action can be filed in Federal court.

61. The civil component allows the recovery of treble damages (damages in triple the amount of actual/compensatory damages).

Predicate Act: Witness Tampering

62. 18 U.S. Code § 1512 (b) provides:

Witness tampering is the act of attempting to alter or prevent the testimony of witnesses within criminal or civil proceedings. Laws regarding witness tampering also apply to proceedings before Congress, executive departments, and administrative agencies. To be charged with witness tampering in the United States, the attempt to alter or prevent testimony is sufficient. There is no requirement that the intended obstruction of justice be completed.

63. When Federal defendant Lavin, a San Fernando Valley social worker, conspired with Federal defendants Mendoza and Woillard to: make false statements continuously submitted to court from August 18, 2015 to the termination of Dependency proceedings on July 7, 2016 each of Lavin, Mendoza, and Woillard tampers with a witness.

64. Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to influence, delay, or prevent the testimony of any person in an official proceeding...;

65. 18 U.S. Code § 1512 (c) (2) provides:

Whoever corruptly-otherwise obstructs, influences, or impedes any official proceeding to do so

66. 18 U.S. Code § 1512 (e) provides:

In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

67. 18 U.S.C. § 1515 (3) provides:

the term "misleading conduct" means-knowingly making a false statement;

(A) knowingly making a false statement

(B) intentionally omitting information from a statement and thereby causing a portion of such statement to be misleading, or intentionally concealing a material fact, and thereby creating a false impression by such statement

(E) knowingly using a trick, scheme, or device with intent to mislead;

68. 18 U.S.C. § 1515 (b) provides:

(b) As used in §1505, the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information

Discussion

69. The facts of the instant action make it abundantly clear that State Actors defendants Lavin, Mendoza, and Woillard knowingly, corruptly engaged in false statements with the intent to (1) influence, delay, or prevent the testimony of witnesses to aid in the defense of Representative Plaintiff in an official proceeding. State Actors Lavin, Mendoza, and Woillard committed witness tampering under 18 U.S.C. §1512.

70. Federal defendants Lavin, Mendoza, and Woillard corruptly persuaded the witness and is a violation of the Statute, *res ipsa loquitur*, and has harmed Representative Plaintiff and the injury was caused by the violation of 18 U.S.C. §§ 1961, et seq.

Predicate Act: Obstruction of Justice

71. On May 11, 2016, when State Actor Stone allowed the County the time to regroup where two new allegations of physical abuse were alleged against Representative Plaintiff, social worker, State Actor Mendoza alleged physical abuse on a monitored visit

February 7, 2016 which is contrary to the report and testimony of monitor, Mr. Lincoln, in the trial; The Mendoza perjury consisted of two physical abuse allegations after the trial ended as follows:

- a. On February 7, 2016, a monitored visit, it has been alleged that Representative Plaintiff got NE upset because Representative Plaintiff was lying about Evans for causing a child bruise; and
- b. On November 1, 2013, it was alleged that Representative Plaintiff kidnapped NE. kidnapped which caused him fear and he could have bruised jumping off a balcony.

72. On May 23, 2016, when State Actor Stone explained that she found Representative Plaintiff guilty based on social workers new physical abuse allegations and based on the children's "out of control behaviors on visits in 2016" and she placed children with Evans because they were attending and doing well in school. State actor Stone wrongfully found Representative Plaintiff guilty of physical child abuse far outside the legal standard of child abuse in California, terminated her visitation rights, gave Evans sole custody notwithstanding a restraining order against him and in doing so, State Actors Stone, Mendoza, and Brian Evans, M.D. obstructed justice.

73. 18 U.S. Code § 1503 provides:

Whoever corruptly...endeavors to influence, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice.

74. State Actor Mendoza, on numerous occasions, committed perjury under oath

that cast an unwarranted negative light upon Representative Plaintiff thereby usurping the power of the courts, and resulted in obstruction of justice.

Discussion

75. 18 U.S.C. §1515 states:

...the term "corruptly" means acting with an improper purpose, personally or by influencing another, including making a false or misleading statement, or withholding, concealing, altering, or destroying a document or other information.

Predicate Act: Extortion

76. On or about March 2018, State Actor Stone laid claims to \$250,000 in courts costs payable by Representative Plaintiff and that if she did not pay, visitation rights would be suspended. Unfortunately, the rule in California states that Representative Plaintiff is only required to reimburse the State for use of court appointed counsel and in this case, the remainder of the \$250,000 is used to fund the Enterprise allowing the Federal defendants to invested the proceeds of the pattern of racketeering activity into and fund the Enterprise (see 18 U.S.C. § 1962(a)).

77. In fact, by implication in the instant action, the Federal defendants meet all four of the specified relationships: they funded the Enterprise; the State Actors acquired and maintained an interest in the Enterprise through the pattern of racketeering activity; the the State Actors conducted or participated in the affairs of the Enterprise through the pattern of racketeering activity; and conspired to do one of the aforementioned, *res ipsa loquitur*.

78. Extortion is defined as the obtaining of property from another with his or her

consent, by the wrongful use of either force or fear, or under color of official right. The property or right to property must be obtained. This can be either the property itself or the right to it.

79. Property rights that can be transferred to constitute extortion.

80. The right to prosecute a lawsuit or an appeal.

81. Obtaining an official act of a public officer can be the basis of extortion.

82. If a person makes an extortionate demand in writing he may be guilty even if the victim parts with no property.

83. Any person who, by use of improper threat, obtains another person's signature on any document giving a property right may be charged with extortion even if the property right is never actually obtained.

Discussion

84. Representative Plaintiff alleges that the Enterprise is in possession of property of the Representative Plaintiff, her children LE, SE, ZE, and \$250,000 without her consent.

85. State Actor Stone induced Representative Plaintiff to provide that property under color of official right.

86. Where Representative Plaintiff sees that there has been no progress toward reunification, the implication is that the State Actors will seek further legal intervention against Representative Plaintiff (termination of parental rights) and directing SE, LE, and

Predicate Act: Conspiracy to Cover-up Witness Tampering and Obstruction of Justice

87. 42 U.S.C. § 1985 provides:

If two or more persons in any State or Territory conspire to deter, by force, intimidation, or threat, any party or witness ... from attending such court, or from testifying to any matter pending therein, freely, fully, and truthfully, or to ... to influence the verdict, presentment, or indictment of any grand or petit juror in any such court, or to injure such juror in his person or property on account of any verdict, presentment, or indictment lawfully assented to by him, or of his being or having been such juror; or if two or more persons conspire for the purpose of impeding, hindering, obstructing, or defeating, in any manner, the due course of justice in any State or Territory, with intent to deny to any citizen the equal protection of the laws, or to injure him or his property for lawfully enforcing, or attempting to enforce, the right of any person, or class of persons, to the equal protection of the laws;

Discussion

88. It has been established *supra* that State Actor Stone made false statements of fact in certified transcripts that do not lie.

89. In doing so, Stone began the inspiration to State Actors to create a conspiracy to cover up witness tampering and obstruction of justice in her trial proceeding.

90. Representative Plaintiffs bring this action on behalf of themselves and all herself and all others similarly situated (the “Class”) pursuant to Federal Rules of Civil Procedure 23(a), 23(b)(2), and 23(b)(3).

91. The California Class is defined as follows:

~~All California citizens~~ who became involved in County dependency proceedings in the State of California on or after January 1, 2012 and until the Class

is certified.

92. During the Class Period, the children wrongfully seized unlawfully contained the undisclosed hardships – loss of consortium, parental alienation, mental abuse, physical abuse, and sexual abuse.

93. During the Class Period, Class members funded millions of dollars in legal fees to defend themselves from frivolous neglect proceeding.

94. The proposed Classes meet all criteria for a class action, including numerosity, commonality, typicality, adequacy of representation, predominance, and superiority.

95. The proposed Classes satisfy numerosity. Counsel for the Representative Plaintiffs has received requests for representation from Orange County to San Francisco County California. Seemingly, no County in that State of California is immune it is only a measure of degree of violations of the Civil RICO statute.

96. According to Representative Plaintiff Wood in her capacity as Administrator of the blog known as California Family Advocacy with a member base of 60,000 estimates numbers at minimum in one thousand. Individual joinder of the Class members in this action is impractical. Addressing the Class members' claims through t hisclass action will benefit Class members, the parties, and the courts.

97. The proposed Classes satisfy typicality. Plaintiff's claims are typical of and are not antagonistic to the claims of other Class members. Plaintiff and the Class members all experienced illegal seizures of children without a warrant or court order.

98. The proposed Classes satisfy superiority. A class action is superior to any other means for adjudication of the Class members' claims because it would be impractical for individual Class members to bring individual lawsuits to vindicate their claims.

99. If this action is not brought as a class action, Defendant can continue to deceive families and violate Federal law with impunity.

100. The proposed Class representative satisfies adequacy of representation. Representative Plaintiffs are adequate representative of the Class as they seeks relief for the Class, their interests do not conflict with the interests of the Class members, and they have no interests antagonistic to those of other Class members. Representative Plaintiffs has retained counsel competent in the prosecution of violations of the Civil RICO statute.

101. The proposed Classes satisfy commonality and common questions of law and fact predominate. Questions of law and fact common to the Representative Plaintiffs and the class include:

102. Whether Defendant failed to disclose the presence of witness tampering in dependency proceedings;

103. Whether Defendant's labeling transcripts containing obstruction of justice under the Civil RICO statute;

104. Whether the statute of limitations should be tolled on behalf of the Class;

105. Whether the Class is entitled to restitution, rescission, actual damages, punitive damages, attorney fees and costs of suit, and injunctive relief; and

106. Whether members of the Class are entitled to any such further relief as the Court deems appropriate.

107. Representative Plaintiffs will fairly and adequately protect the interests of the Classes, has no interests that are incompatible with the interests of the Classes, and has retained counsel competent and experienced in Civil RICO and class litigation.

108. Defendant has acted on grounds applicable to the entire Classes, making final injunctive relief or declaratory relief appropriate for the Classes as a whole.

109. Class treatment is therefore appropriate under Federal Rule of Civil Procedure 23.

110. Class damages will be adduced at trial through expert testimony and other competent evidence.

111. On information and belief, Representative Plaintiffs allege that the total amount in controversy exclusive of fees, costs, and interest during the proposed Class Period, exceeds \$5 million.

VII. CAUSES OF ACTION

CLAIM FOR 18 U.S.C. 1961, *ET SEQ.*

112. Plaintiff re-alleges and incorporates by reference the allegations made elsewhere in the Complaint as if set forth in full herein.

113. Code §§ 1709-1710, et seq. and the common law of all states. The elements of fraud are substantially similar from state to state, thus making nationwide class

certification appropriate.

114. Defendant actively concealed material facts, in whole or in part, with the intent to induce Plaintiff and the members of the Class to rely on falsified Dependency proceedings.

115. Specifically, Defendant actively concealed the truth about Dependency proceedings.

116. Plaintiff and the Class suffered injuries that were proximately caused by Defendant's active concealments and omissions of material facts.

117. Defendant's fraudulent concealments and omissions were a substantial factor in causing the harm suffered by Plaintiff and the Class members.

VIII. PRAYER FOR RELIEF

WHEREFORE, Representative Plaintiffs, on behalf of themselves, all others similarly situated, and the general public, prays for judgment against Defendant as follows:

- A. An order confirming that this action is properly maintainable as a class action as defined above;
- B. An order appointing Representative Plaintiff as class representative and The Law Office of _____ as counsel for the Class;
- C. An order requiring Defendant to bear the cost of Class notice;
- D. An order declaring that the conduct complained of herein violates the Civil RICO Statute;
- E. An order requiring Defendant to disgorge any benefits received from Plaintiff and any unjust enrichment realized as a result of the improper Dependency proceedings;
- F. An order requiring Defendant to pay restitution and damages to Plaintiff and
- G. Class members so that they may be restored any money which was acquired

- H. by means of any unfair, deceptive, unconscionable or negligent acts;
- I. An award of punitive damages in an amount to be proven at trial;
- J. An order enjoining Defendant's deceptive and unfair practices;
- K. An award of pre-judgment and post-judgment interest;
- L. An award of attorney fees and costs; and
- M. Such other and further relief as this Court may deem just, equitable, or proper.

IX. JURY DEMAND

Plaintiff demands a trial by jury on all claims for damages.

DATED: October 14, 2019

Respectfully Submitted,