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7  
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9

10 SUPERIOR COURT OF CALIFORNIA  
11 COUNTY OF SAN MATEO  
12

13 THE PEOPLE OF THE STATE OF CALIFORNIA,  
14 Plaintiff,  
15 v.  
16 HUANGS & ASSOCIATES, BRIAN C. HUANG,  
KAREN T. HUANG, HELEN M. HUANG, GEORGE  
17 HUANG; and DOES 1 THROUGH 10, inclusive,  
18 Defendants.

CASE NO.:

**COMPLAINT FOR  
INJUNCTION, CIVIL  
PENALTIES, AND OTHER  
RELIEF**

Date: March 18, 2003

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1 Plaintiff, the People of the State of California, by Bill Lockyer, Attorney General of the State  
2 of California, alleges the following on information and belief:

3 **PARTIES**

4 1. Defendants Brian C. Huang, Karen T. Huang, Helen M. Huang, and George Huang are  
5 individuals. They engage in business under the name Huangs & Associates.

6 2. Defendant Huangs & Associates is a business of unknown form.

7 3. Defendant Brian C. Huang is not currently nor was he at any time referred to in this  
8 Complaint licensed to practice law in the State of California or authorized by federal law to represent  
9 persons before the Immigration and Naturalization Service or the Immigration Courts and Board of  
10 Immigration Appeals.

11 4. Defendant Karen T. Huang is not currently nor was she at any time referred to in this  
12 Complaint licensed to practice law in the State of California or authorized by federal law to represent  
13 persons before the Immigration and Naturalization Service or the Immigration Courts and Board of  
14 Immigration Appeals.

15 5. Defendant Helen M. Huang is not currently nor was she at any time referred to in this  
16 Complaint licensed to practice law in the State of California or authorized by federal law to represent  
17 persons before the Immigration and Naturalization Service or the Immigration Courts and Board of  
18 Immigration Appeals.

19 6. Defendant George Huang is not currently nor was he at any time referred to in this  
20 Complaint licensed to practice law in the State of California or authorized by federal law to represent  
21 persons before the Immigration and Naturalization Service or the Immigration Courts and Board of  
22 Immigration Appeals.

23 7. Defendant Huangs & Associates is not currently nor was it at any time referred to in this  
24 Complaint a nonprofit, tax-exempt corporation.

25 8. The true names of defendants sued herein under the fictitious names Does 1 through 10  
26 are unknown to plaintiff. Plaintiff will seek leave of court to amend this Complaint to allege such  
27 names as soon as they are ascertained.

28 9. All references in this Complaint to any of the defendants shall also include all of them,

1 unless otherwise specified. Whenever reference is made in this Complaint to any act of Defendants,  
2 such allegation shall mean that each defendant acted individually and jointly with the other  
3 defendants.

4 10. At all relevant times, each defendant has committed the acts, caused others to commit the  
5 acts, or permitted others to commit the acts alleged in this Complaint.

6 11. Any allegation about any acts of any corporate or other business defendant shall mean that  
7 the corporation or other business did the acts alleged through its officers, directors, employees,  
8 agents and/or representatives while they were acting within the actual or ostensible scope of their  
9 authority.

10 12. The named defendants' principal place of business is located at 1185 Chess Drive in Foster  
11 City, California.

12 13. The violations of law alleged in this Complaint occurred in the City and County of San  
13 Mateo and may also have occurred elsewhere in California.

14 **FIRST CAUSE OF ACTION**  
15 **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 17200**  
16 **(UNLAWFUL BUSINESS ACTS OR PRACTICES)**  
17 **(Against all Defendants)**

18 14. The People reallege and incorporate by reference paragraphs 1 through 13 of this  
19 Complaint.

20 15. Defendants have engaged and are engaging in unfair competition as defined by  
21 California Business and Professions Code section 17200 by engaging in acts or practices  
22 including, but not necessarily limited to, violation of Business and Professions Code section  
23 22443.3.

24 16. Business and Professions Code section 22443.3 provides that any person making a  
25 statement indicating directly or by implication that the person serves as an immigration  
26 consultant must have on file with the Secretary of State a bond of \$50,000. The measure, which  
27 is contained in the Immigration Consultants Act (Bus. & Prof. Code § 22440 et seq.), provides:

28 It is unlawful for any person to disseminate by any means any statement  
indicating directly or by implication that the person engages in the business or acts

1 in the capacity of an immigration consultant, unless the person has on file with the  
2 Secretary of State a bond, in the amount and subject to the terms described in  
3 Section 22443.1, that is maintained throughout the period covered by the  
4 statement, such as, but not limited to the period of a yellow pages listing.

5 17. Section 22443.1 of the Business and Professions Code, describing the amount and  
6 terms of the required bond, provides in relevant part:

7 (a) . . . [E]ach person shall file with the Secretary of State a bond of fifty  
8 thousand (\$50,000) executed by a corporate surety admitted to do business in  
9 this state and conditioned upon compliance with this chapter. The total  
10 aggregate liability on the bond shall be limited to fifty thousand dollars  
11 (\$50,000). . . .

12 (b) The bond required by this section shall be in favor of, and payable to,  
13 the people of the State of California and shall be for the benefit of any person  
14 damaged by any fraud, misstatement, misrepresentation, unlawful act or  
15 omission, or failure to provide the services of the immigration consultant or  
16 the agents, representatives, or employees of the immigration consultant while  
17 acting within the scope of that employment or agency.

18 18. Section 22441(a) of the Business and Professions Code provides:

19 A person engages in the business of or acts in the capacity of an immigration  
20 consultant when that person gives nonlegal assistance or advice on an  
21 immigration matter.

22 19. From a point on or after January 1, 2002, and continuing to the present, Defendants  
23 have disseminated and continue to disseminate statements indicating directly or by implication  
24 that they engage or propose to engage in the business, or act in the capacity or propose to act in  
25 the capacity, of an immigration consultant.

26 20. Defendants do not currently have on file with the Secretary of State, nor have they at  
27 any time referred to in this Complaint had on file with the Secretary of State, the requisite  
28 \$50,000 bond.

1 **SECOND CAUSE OF ACTION**  
2 **VIOLATIONS OF BUSINESS AND PROFESSIONS CODE SECTION 22443.3**  
3 **(FAILURE TO OBTAIN AND FILE SURETY BOND)**  
4 **(Against all Defendants)**

5 21. The People reallege and incorporate by reference paragraphs 1 through 13 and 15  
6 through 20 of this Complaint.

7 21. By disseminating statements indicating directly or by implication that they engage in  
8 the business or act in the capacity of an immigration consultant, without having on file with the  
9 Secretary of State the bond described in Business and Professions Code Section 22443.1,  
10 Defendants have violated Business and Professions Code section 22443.3.

11 WHEREFORE, Plaintiff prays for judgment as follows:

12 1. Pursuant to Business and Professions Code sections 17203 and 22446.5, that all  
13 Defendants, their agents, employees, officers, representatives, successors, partners, assigns, and  
14 all persons acting in concert or participating with them, be permanently enjoined from violating  
15 Business and Professions Code sections 17200 and 22443.3, including but not limited to the  
16 violations alleged in this Complaint;

17 2. Pursuant to Business and Professions Code sections 17206, 22445 and 22446.5, that  
18 the Court assess a civil penalty against each Defendant for each violation of Business and  
19 Professions Code sections 17200 and 22443.3 alleged in the Complaint, as proved at trial, in the  
20 total amount of at least \$25,000.00;

21 3. That the People recover their costs of suit; and

22 4. That the Court grant such other and further relief as it may deem just and proper.

23 Dated: March 18, 2003

24 BILL LOCKYER,  
25 Attorney General  
26 HERSCHEL T. ELKINS,  
27 Senior Assistant Attorney General  
28 MARGARET REITER,  
Supervising Deputy Attorney General  
SETH E. MERMIN,  
Deputy Attorney General

By \_\_\_\_\_  
SETH E. MERMIN  
Attorneys for the Plaintiff,  
the People of the State of California