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Exempt from Filing and Reporter Fees  
– Gov. Code § 6103

9 SUPERIOR COURT OF THE STATE OF CALIFORNIA

10 COUNTY OF SAN DIEGO

11 **THE PEOPLE OF THE STATE OF CALIFORNIA,**  
12 **PLAINTIFF**

13 **v.**

14  
15 **C V FAST PATCH; CHULA VISTA FAST PATCH**  
**INC; CHULA VISTA FAST PITCH; MARTIN J.**  
16 **REBOLLO; NOLY H. ILARDE; MELINDA**  
**AVESTRUZ; DOLORES M. RODRIGUEZ;**  
17 **GRACE I. GONZALEZ; HUGO G. MUNOZ**  
**FLORES; AND DOES 1-50,**

18  
19 **DEFENDANTS**

Case No.

**COMPLAINT FOR DAMAGES, CIVIL  
PENALTIES, AND FOR OTHER  
EQUITABLE RELIEF ARISING FROM:**

**(1) CONSPIRACY - MISAPPROPRIATE  
CHARITABLE FUNDS**

**(2) BREACH OF CHARITABLE TRUST  
(BUS. & PROF. CODE, § 17510.8; GOV.  
CODE, § 12582)**

**(3) BREACH OF FIDUCIARY DUTY  
(BUS. & PROF. CODE, § 17510.8; CORP.  
CODE, § 5231(a))**

**(4) UNJUST ENRICHMENT /  
WRONGFUL ACQUISITION OF  
PROPERTY (CIVIL CODE, § 2224)**

**(5) FRAUD (GOV. CODE, § 12591.1)**

**(6) FAILURE TO ACCOUNT (GOV.  
CODE, § 12591.1(f); CORP. CODE, §  
6320)**

**(7) VIOLATIONS OF THE  
CHARITABLE SUPERVISION ACT  
(GOV. CODE, §§ 12585; 12586; 12591.1)**

**(8) MISCONDUCT SUPPORTING AN  
INVOLUNTARY DISSOLUTION (CORP.  
CODE, §§ 6510, 6511; GOV. CODE, §**

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[REDACTED]

**12599.6)**

Plaintiff, the People of the State of California, complains and alleges as follows:

1. The Attorney General of California, Rob Bonta, who brings this action on behalf of the People of the State of California, is charged with the general supervision of nonprofit public benefit corporations and all entities and individuals who solicit, obtain, hold, or control property in trust for charitable or eleemosynary purposes in California. The Attorney General has the primary responsibility for supervising charitable trusts, “for ensuring compliance with trusts and articles of incorporation, and for protecting assets held by charitable trusts and public benefit corporations.” (Gov. Code, § 12598.) All organizations granted tax-exempt status under Internal Revenue Code 501(c)(3) are prohibited from allowing net earnings to inure to the benefit of any person having a personal and private interest in the organization’s activities. The Attorney General is authorized to enforce, in the name of the People, the provisions of the Supervision of Trustees and Fundraisers for Charitable Purposes Act (the Charitable Supervision Act) (Gov. Code, § 12580 et seq.), the Nonprofit Corporation Law (Corp. Code, § 5000 et seq.), and provisions of the Business and Professions Code that prohibit unlawful, unfair, and fraudulent business practices (Bus. & Prof. Code, § 17200 et seq.).

2. Defendants Martin J. Rebollo and Noly H. Ilarde created three sham charities to steal charitable funds from the public by working through programs operated by sports venues to support charities. For nine years, Defendants used C V Fast Patch, a charity that claimed to operate a youth softball league, to steal at least \$3.8 million in funds that were intended to benefit charity. None of the funds raised were used for charitable purposes. Thereafter, Defendants created two other sham charities: Chula Vista Fast Patch Inc and Chula Vista Fast Pitch. These three organizations are collectively referred to herein as the “CVFP Entities.”

3. Defendants Melinda Avestruz, Dolores M. Rodriguez, Grace I. Gonzalez, and Hugo G. Munoz Flores each aided and abetted Defendants Rebollo and Ilarde in the scheme to defraud the public and were paid to pose as “volunteers” on behalf of C V Fast Patch at sports venues.



1 Martin Rebollo’s home address. On or about January 5, 2015, the Internal Revenue Service  
2 (“IRS”) assigned Employee Identification Number (“EIN”) 47-2663116 to C V Fast Patch. C V  
3 Fast Patch’s corporate status was suspended by the Secretary of State (SOS) on or around October  
4 30, 2017, and by the Franchise Tax Board (FTB) on or around February 1, 2019. C V Fast Patch’s  
5 corporate status remains suspended by both the SOS and the FTB. Its tax-exempt status was  
6 revoked by the Internal Revenue Service (IRS) on May 15, 2018. C V Fast Patch never registered  
7 with the Attorney General’s Registry of Charities and Fundraisers (Registry).

8 8. Defendant Chula Vista Fast Patch Inc is one of two other entities that Rebollo and  
9 Ilarde created following allegations of misconduct in 2023. Chula Vista Fast Patch Inc was  
10 incorporated as a California nonprofit public benefit corporation on August 29, 2023 (Corporation  
11 No. 5882418), with its principal place of business in Chula Vista, San Diego County, California.  
12 Its Articles of Incorporation state that the purpose of the corporation is to “[p]rovide services to  
13 service fan members at a stadium. We sell food and beverages”; they also state: “this corporation  
14 is a Nonprofit Public Benefit Corporation and is not organized for the private gain of any person.  
15 It is organized under the Nonprofit Public Benefit Corporation Law for: Public and Charitable  
16 purposes.” Its address of record is 719 4th Ave., Chula Vista, CA 91910, which is also Martin  
17 Rebollo’s home address. Chula Vista Fast Patch Inc never obtained tax-exempt status from the  
18 IRS. Chula Vista Fast Patch Inc never registered with the Registry.

19 9. Defendant Chula Vista Fast Pitch is the second entity that Rebollo and Ilarde created  
20 following allegations of misconduct in 2023. Chula Vista Fast Pitch was incorporated as a  
21 California nonprofit public benefit corporation on August 29, 2023 (Corporation No. 5882449),  
22 with its principal place of business in Chula Vista, San Diego County, California. Its Articles of  
23 Incorporation state that the purpose of the corporation is “[p]roviding man power to concessions  
24 stand for stadiums”; they also state: “this corporation is a Nonprofit Public Benefit Corporation  
25 and is not organized for the private gain of any person. It is organized under the Nonprofit Public  
26 Benefit Corporation Law for: Public and Charitable purposes.” Its address of record is 719 4th  
27 Ave., Chula Vista, CA 91910, which is also Martin Rebollo’s home address. Chula Vista Fast  
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1 Pitch never obtained tax-exempt status from the IRS. Chula Vista Fast Pitch never registered with  
2 the Registry.

3 10. Defendant Melinda Avestruz (Avestruz) is a resident of San Diego County,  
4 California. Avestruz is Noly Ilarde's wife. From at least May 28, 2022, through September 8,  
5 2023, Avestruz improperly received at least \$60,350 from one or more of the CVFP Entities,  
6 making her a constructive trustee of charitable assets.

7 11. Defendant Dolores M. Rodriguez (Rodriguez) is a resident of San Diego County,  
8 California. From at least 2018 through 2023, Rodriguez was paid to pose as a "volunteer" at  
9 sports venues on behalf of C V Fast Patch. From at least May 28, 2022, through August 14, 2023,  
10 she improperly received at least \$131,300 from one or more of the CVFP Entities, making her a  
11 constructive trustee of charitable assets.

12 12. Defendant Grace I. Gonzalez (Gonzalez) is a resident of San Diego County,  
13 California. Gonzalez is Noly Ilarde's sister. From approximately 2022 through 2024, Gonzalez  
14 was paid to pose as a "volunteer" at sports venues on behalf of C V Fast Patch. Gonzalez is listed  
15 as Secretary on the Statement of Information filed with the SOS for Chula Vista Fast Pitch, one of  
16 the new entities created in 2023. From at least July 20, 2023, through August 28, 2023, she  
17 improperly received at least \$39,000 from one or more of the CVFP Entities, making her a  
18 constructive trustee of charitable assets.

19 13. Defendant Hugo G. Munoz Flores (Flores) is a resident of San Diego County,  
20 California. From approximately 2018 through 2023, Flores was paid to pose as a "volunteer" at  
21 sports venues on behalf of C V Fast Patch. Flores is listed as Chief Financial Officer on the  
22 Statement of Information filed with the SOS for Chula Vista Fast Pitch, one of the new entities  
23 created in 2023. From at least May 1, 2023, through August 14, 2023, Flores improperly received  
24 at least \$37,600 from one or more of the CVFP Entities, making him a constructive trustee of  
25 charitable assets.

26 14. Defendants DOES 1-50, inclusive, are the fictitious names of defendants who have  
27 acted as directors, officers, trustees, agents or employees of defendants, or who have participated  
28 or acted in concert with one or more defendants, or who have acted on behalf or as an agent,

1 servant, employee or co-conspirator of one or more of the defendants, or who have improperly  
2 received charitable assets, but whose name and capacities, whether individual, corporate or  
3 otherwise, are presently unknown to Plaintiff. Plaintiff is informed and believes that defendants  
4 DOES 1-50 have directly or indirectly participated in and are responsible for the acts and  
5 omissions that are more specifically described in this Complaint. Because Plaintiff is presently  
6 uninformed as to the true names and capacities of these defendants, Plaintiff sues them by their  
7 fictitious names but will seek leave to amend the Complaint when their true names are  
8 discovered.

9 **JURISDICTION AND VENUE**

10 15. At all times relevant, Defendants and each of them transacted business in San Diego  
11 County, California. The violations of law have been and are now being carried out within San  
12 Diego County and throughout the State of California. This Court has jurisdiction pursuant to  
13 Article VI, section 10 of the California Constitution and section 393 of the Code of Civil  
14 Procedure.

15 **GENERAL ALLEGATIONS**

16 16. Whenever reference is made in this Complaint to any act of any corporate or other  
17 business Defendant, such allegation shall mean that said Defendant and its officers, directors,  
18 agents, employees, or representatives did or authorized such acts while engaged in the  
19 management, direction, or control of the affairs of Defendants and while acting within the scope  
20 and course of their duties.

21 17. Whenever reference is made in this Complaint to any act of Defendants, such  
22 allegation shall mean that each defendant acted individually and jointly with the other Defendants  
23 named in that cause of action.

24 18. Whenever reference is made in this Complaint to any act of any individual defendant,  
25 such allegation shall be deemed to mean that said defendant is and was acting (a) as a principal,  
26 (b) under express or implied agency, and/or (c) with actual or ostensible authority and in concert  
27 to perform the acts so alleged on behalf of every other defendant.  
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1 **FACTUAL ALLEGATIONS**

2 19. The CVFP Entities were formed as charitable organizations and all of their assets  
3 were and continue to be irrevocably dedicated to charitable purposes and restricted solely to  
4 carrying out charitable activities. However, for more than nine years, Defendants Rebollo and  
5 Ilarde used the CVFP Entities to improperly obtain and divert charitable funds for personal gain.  
6 Rebollo and Ilarde held themselves out as leaders of a charity that operated youth softball leagues  
7 in the local community. In reliance on these false representations, hospitality companies at major  
8 sports venues in San Diego County, including Petco Park and Snapdragon Stadium, allowed  
9 Defendants to operate concessions stands and receive funds through programs that were designed  
10 to help charities. Defendants defrauded the public and stole more than \$3.8 million in funds that  
11 were intended for charitable purposes; none of the funds were used for charitable purposes.

12 Defendants’ Fraudulent Scheme at Petco Park

13 20. Petco Park is a stadium in San Diego that hosts San Diego Padres MLB baseball  
14 games and other large events. Petco Park’s concession services are managed by Delaware North,  
15 a for-profit corporation. Delaware North operates a “NPO Program” in which local charities bring  
16 volunteers to staff some of Petco Park’s concessions stands and kiosks. These charities typically  
17 include youth sports teams, cheer teams, and church groups. The charities receive approximately  
18 10% of the sales proceeds from concessions stands operated by their volunteers.

19 21. Defendant Rebollo and Defendant Ilarde incorporated a nonprofit public benefit  
20 corporation in 2014, which they used to take advantage of Delaware North’s NPO Program. The  
21 name of the alleged charity was “C V Fast Patch,” but Defendants commonly used the name  
22 “Chula Vista Fastpitch” or “Chula Vista Fast Pitch.” As a condition of participation in the NPO  
23 program each year, participants were required to sign a Volunteer Group Agreement and attest  
24 “that the Group has a charitable purpose and that the Donation(s) will be used to further such  
25 purpose.” Defendant Rebollo signed and executed a Volunteer Group Agreement stating that he  
26 was the “group leader” and that C V Fast Patch was a charity.

27 22. To participate in the NPO Program, the charities must agree to use uncompensated  
28 volunteers. Defendant Rebollo signed agreements confirming that C V Fast Patch would only use

1 uncompensated volunteers, but he and Defendant Ilarde hired people to pose as “volunteers” to  
2 staff more concessions stands and get higher payouts. Pursuant to their agreement, Delaware  
3 North would pay 10% of the concessions stands’ earnings to C V Fast Patch, often more than  
4 \$80,000 per week. None of these funds actually went to C V Fast Patch or were used for  
5 charitable purposes. Defendants Rebollo and Ilarde paid their “volunteers” approximately \$50 to  
6 \$120 for event. Rebollo and Ilarde used the funds for themselves and their co-conspirators,  
7 including Defendants Gonzalez, Flores, and Rodriguez.

8 23. From 2014 through 2023, C V Fast Patch steadily increased their presence and  
9 earnings at Petco Park. In 2015—their first full season at Petco Park—C V Fast Patch received  
10 \$40,106.21. By 2019, that amount increased to \$162,376.92. Aside from a decline in 2020 due to  
11 COVID-19, C V Fast Patch’s earnings dramatically increased each year thereafter: \$638,438.23  
12 in 2021 and \$1,338,234.21 in 2022. By 2023, C V Fast Patch was bringing approximately 50 to  
13 100 “volunteers” and operating 10 to 20 concession stands each day. C V Fast Patch received a  
14 record amount of \$1,450,788.12 in 2023, even though they only worked at Petco Park through  
15 early August.

16 24. Between 2014 and 2023, Delaware North wired at least \$3.6 million to bank accounts  
17 controlled by Rebollo, including one held by “Martin Jose Rebollo Sole Proprietor DBA Chula  
18 Vista Fast Pitch” and another one held by “Martin Jose Rebollo DBA Chula Vista Fast Pitch.”  
19 During that time, Rebollo withdrew at least \$2 million in cash from these accounts. Rebollo used  
20 C V Fast Patch funds to pay for gambling at local casinos; dining at restaurants; tickets to movies,  
21 concerts, and Legoland; travel to Washington and Oregon; and other personal expenses.  
22 Additionally, Ilarde received at least \$1 million from these bank accounts. Rebollo and Ilarde also  
23 issued large checks to certain co-conspirators, including Defendants Rodriguez, Gonzalez, and  
24 Flores, and asked them to distribute cash payments to other “volunteers.”

25 25. On August 28, 2023, a local San Diego media outlet published an article exposing the  
26 fraudulent scheme at Petco Park involving Defendants Rebollo and Ilarde. The reporter reached  
27 out to Delaware North on or about August 25, 2023, to notify them about the article ahead of its  
28 publication date. On or about that same date, Delaware North contacted Rebollo to inquire about

1 C V Fast Patch’s 501(c)(3) tax-exempt status. Also on or about that same date, Rebollo submitted  
2 documentation to the SOS to incorporate two new entities—Chula Vista Fast Patch Inc and Chula  
3 Vista Fast Pitch. Rebollo responded to Delaware North’s inquiry by sending documentation from  
4 one of the new entities, Chula Vista Fast Patch Inc, which was still pending review by the SOS.  
5 Shortly after receiving this information, Delaware North terminated C V Fast Patch’s  
6 participation in its NPO program.

7 Defendants’ Fraudulent Scheme at Snapdragon Stadium

8 26. Defendants Rebollo and Ilarde repeated their fraudulent schemes at other venues in  
9 San Diego County. One of these venues was Snapdragon Stadium, which hosts San Diego State  
10 University Aztecs football games and other large events. Snapdragon Stadium’s concessions are  
11 operated by Aztec Shops Ltd. (Aztec Shops), a California nonprofit public benefit corporation.

12 27. At Snapdragon Stadium, Aztec Shops operated a program for charities that was  
13 substantially similar to Delaware North’s NPO Program at Petco Park. Defendant C V Fast Patch  
14 was among the first to participate in Aztec Shops’ NPO Program when Snapdragon Stadium  
15 opened in August 2022. As with Delaware North, Defendants Rebollo and Ilarde operated  
16 through the entity registered as “C V Fast Patch,” but commonly used the name “Chula Vista  
17 Fastpitch” or “Chula Vista Fast Pitch.” C V Fast Patch received approximately 12% of the sales  
18 proceeds from each concessions stand that they staffed. Between August 2022 and June 2023, C  
19 V Fast Patch received at least \$286,531.75 from Aztec Shops. All earnings from Aztec Shops  
20 were deposited into Rebollo’s bank account under the name “Martin J. Rebollo / Martin Jose  
21 Rebollo DBA Chula Vista Fast Pitch.”

22 28. As a condition of participation in Aztec Shops’ NPO program, Rebollo executed a  
23 Volunteer Group Agreement in which he falsely represented “that the Group has a charitable  
24 purpose and that the donation(s) will be used to further such purpose.” Rebollo represented to  
25 Aztec Shops that he was the “Group Leader” and that C V Fast Patch was a charity. Pursuant to  
26 Aztec Shops’ Volunteer Group Agreement, “volunteers” with the NPO Program were not allowed  
27 to “receive compensation, wages or employee benefits from [Aztec Shops], the Group or any  
28 other person for their participation” and agreed to volunteer their time “for the Group without

1 compensation or individual benefit.” However, as with Delaware North, Rebollo and Ilarde issued  
2 cash payments to their “volunteers” as compensation for their work at Snapdragon Stadium.

3 Some “volunteers,” including Gonzalez and Flores, worked at both Snapdragon and Petco Park.

4 29. On or about August 25, 2023, Aztec Shops informed Rebollo that Aztec Stops would  
5 be terminating its relationship with C V Fast Patch. Shortly thereafter, Aztec Shops terminated its  
6 NPO Program altogether.

7 Defendants Failed to Comply with the Attorney General’s

8 Reporting and Registration Requirements

9 30. Charities are required to register and file annual reports with the Attorney General’s  
10 Registry of Charities and Fundraisers. None of the three CVFP Entities ever registered or  
11 complied with the registration and reporting requirements applicable to nonprofit organizations  
12 pursuant to sections 12585 and 12586 of the Government Code.

13 31. In November 2023 through January 2024, the Attorney General sent orders entitled  
14 “Subpoena to Produce Books, Records, and Documents” to each of the CVFP Entities, pursuant  
15 to Government Code section 12588. These notices were served via certified mail to C V Fast  
16 Patch at its address of record at 719 4th Ave., Chula Vista, CA 91910; Chula Vista Fast Patch Inc.  
17 at its address of record at 719 4th Ave., Chula Vista, CA 91910; and Chula Vista Fast Pitch at its  
18 address of record at 529 3rd Ave., Chula Vista, CA 91910. The CVFP Entities never complied  
19 with the orders. Defendants have a legal obligation to respond to these notices pursuant to  
20 Government Code section 12588, in addition to their general duty to account.

21 Defendant Martin Rebollo Pleads Guilty to Three Counts of Criminal Violations

22 32. On December 3, 2025, Martin J. Rebollo pled guilty to criminal violations of  
23 three federal statutes related to the CVFP Entities conspiracy with Ilarde at Petco Park and  
24 Snapdragon Stadium: (1) Wire Fraud Conspiracy in violation of Title 18, United States Code §  
25 1349; (2) Filing a False Tax Return in violation of Title 26, United States Code § 7209(1); and,  
26 (3) Failure to Disclose Event to the Social Security Administration in violation of Title 42, United  
27 States Code § 408(a)(4). *See United States of America v. Martin Jose Rebollo Jr.*, No. 25cr4668-  
28 JES (S.D.Cal. 2025). As part of the plea agreement, Rebollo admitted that he and Ilarde

1 “conspired to create a fake non-profit entity... with the purpose of using the entity to apply with  
2 local sporting and concert venues to supply event staff in exchange for a percentage of concession  
3 sales by the ‘volunteer’ staff, whom they would covertly pay, and then divide remaining profits  
4 between themselves, without reporting any of these proceeds as taxable income to government  
5 authorities.” Rebollo also admitted that “[a]s a result of this fraudulent scheme, from August 2016  
6 through August 2023, Delaware North paid approximately \$3,489,231.00 intended for ‘Chula  
7 Vista Fast Pitch’ into a series of bank accounts either belonging to [Rebollo] or under [Rebollo's]  
8 direct control. From October 2022 through August 2023, Aztec Shops paid approximately  
9 \$262,248.47 intended for ‘Chula Vista Fast Pitch’ into bank accounts either belonging to  
10 [Rebollo] or under [Rebollo’s] direct control. Rebollo further admitted that “from at least August  
11 2016 until August 2023, no funds paid to ‘Chula Vista Fast Pitch’ were used for any youth  
12 softball activities or other charitable or non-profit purposes. Rather, [Rebollo] used his share of  
13 the money paid by Delaware North and Aztec Shops to ‘Chula Vista Fast Pitch’ for his personal  
14 expenses.”

15 Defendant Noly Ilarde Pleads Guilty to Wire Fraud Conspiracy

16 33. On March 11, 2026, Noly Ilarde pled guilty to Wire Fraud Conspiracy in  
17 violation of Title 18, United States Code § 1349. The violations related to his conspiracy with  
18 Rebollo to commit fraudulent schemes at Petco Park and Snapdragon Stadium. As part of the plea  
19 agreement, Ilarde admitted that he and Rebollo “conspired to create a fake non-profit entity” and  
20 that “from at least August 2016 until August 2023, no funds paid to ‘Chula Vista Fast Pitch’ were  
21 used for any youth softball activities or other charitable or non-profit purposes. Rather, [Ilarde]  
22 used his share of the money paid by Delaware North and Aztec Shops to ‘Chula Vista Fast Pitch’  
23 for his personal expenses.” Ilarde also admitted that “[a]s a result of this fraudulent scheme, from  
24 August 2016 through August 2023, Delaware North paid approximately \$3,489,231.00 intended  
25 for ‘Chula Vista Fast Pitch’ into a series of bank accounts either belonging to REBOLLO or  
26 under REBOLLO’ s direct control. From October 2022 through August 2023, Aztec Shops paid  
27 approximately \$262,248.47 intended for ‘Chula Vista Fast Pitch’ into bank accounts either  
28 belonging to REBOLLO or under REBOLLO’ s direct control.” Ilarde further admitted that “from

1 at least August 2016 until August 2023, no funds paid to ‘Chula Vista Fast Pitch’ were used for  
2 any youth softball activities or other charitable or nonprofit purposes. Rather, [Ilarde] used his  
3 share of the money paid by Delaware North and Aztec Shops to ‘Chula Vista Fast Pitch’ for his  
4 personal expenses.”

5 **FIRST CAUSE OF ACTION**

6 **CONSPIRACY TO MISAPPROPRIATE CHARITABLE FUNDS**

7 (Against All Defendants, and Does 1-50)

8 34. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
9 of the allegations of Paragraphs 1 through 33 of this Complaint.

10 35. As set forth above, Defendants Rebollo and Ilarde established the CVFP Entities in  
11 furtherance of a conspiracy to receive funds under false pretenses and thereafter misappropriate  
12 charitable funds. Other individuals, Defendants Avestruz, Rodriguez, Gonzalez, Flores, and Does  
13 1-50, also participated in this conspiracy by working for the CVFP Entities and accepting  
14 payments from Rebollo and Ilarde.

15 36. Defendants falsely represented C V Fast Patch as a charity, and based on these false  
16 representations, were allowed in participate in NPO Programs operated by Delaware North and  
17 Aztec Shops. Defendants collectively raised at least \$3.8 million through this conspiracy. Each of  
18 the individual named Defendants, as well as Does 1-50, received payments and thus financially  
19 benefited from the conspiracy.

20 37. The acts as alleged in this cause of action were reprehensible, malicious, and  
21 despicable and were undertaken with the intent to defraud the public, and thus justify the award of  
22 exemplary and punitive damages against Defendants. Plaintiff is entitled to damages, injunctive  
23 relief, restitution, and an accounting.

24 **SECOND CAUSE OF ACTION**

25 **BREACH OF CHARITABLE TRUST**

26 (Against All Defendants, and Does 1-50)

27 (Bus. & Prof. Code, §§ 17510.8; 12582)

28

1           38. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
2 of the allegations of Paragraphs 1 through 37 of this Complaint.

3           39. As nonprofit public benefit corporations, the CVFP Entities hold all of their funds and  
4 other assets in trust for charitable purposes. (Gov. Code, §§ 12582, 12582.1; Bus. & Prof. Code, §  
5 17510.8; *Queen of Angels Hospital v. Younger* (1977) 66 Cal.App.3d 359, 365.) The property of  
6 the CVFP Entities is irrevocably dedicated to charitable purposes and no part of the net income or  
7 assets may inure to the benefit of any officer, director, or private person. The Attorney General  
8 may bring an action to enjoin, correct, obtain damages for or to otherwise remedy a breach of a  
9 charitable trust. (Corp. Code, § 5142; Gov. Code, §§ 12596, 12598.)

10           40. Defendants committed a breach of charitable trust by stealing over \$3.8 million meant  
11 for charitable purposes by wrongfully using these funds to enrich themselves. Defendants  
12 misrepresented that they were operating a charity to gain access to Delaware North and Aztec  
13 Shops' NPO Programs; they would not have been able to participate in the NPO Programs but for  
14 this misrepresentation. By holding themselves out as a charity, Defendants established a  
15 charitable trust and therefore had a fiduciary duty to ensure that all funds were used for charitable  
16 purposes.

17           41. Each of the individual named Defendants were constructive trustees who stole  
18 charitable funds, and therefore committed a breach of charitable trust. Defendant Rebollo directly  
19 accessed the CVFP Entities' bank accounts and stole at least \$2 million in C V Fast Patch funds,  
20 which he used for gambling at local casinos; dining at restaurants; tickets to movies, concerts, and  
21 Legoland; travel to Washington and Oregon; and other personal expenses. Defendant Ilarde stole  
22 at least \$1 million in C V Fast Pitch funds. Defendant Rebollo and Defendant Ilarde admitted in  
23 their plea agreement that no funds paid to the CVFP Entities were used for any charitable  
24 purposes. Defendants Avestruz, Gonzalez, and Flores also accepted funds that were stolen from  
25 charity. Each of these Defendants became constructive trustees of charitable assets and had a duty  
26 to use the funds only for charitable purposes, but instead, they kept the funds for their own  
27 personal use.  
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1 subdivision (a) because they failed to keep books, records, or minutes for C V Fast Patch, Chula  
2 Vista Fast Patch Inc, and Chula Vista Fast Pitch.

3 47. The acts as alleged in this cause of action were reprehensible, malicious, and  
4 despicable and were undertaken with the intent to defraud the public, and thus justify the award of  
5 exemplary and punitive damages against Defendants. Plaintiff is entitled to damages, injunctive  
6 relief, restitution, and an accounting.

7 **FOURTH CAUSE OF ACTION**

8 **UNJUST ENRICHMENT**

9 (Against Defendants Rebollo, Ilarde, Avestruz, Rodriguez, Gonzalez, Flores, and Does 1-50)

10 (Civ. Code, § 2224)

11 48. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
12 of the allegations of paragraphs 1 through 47 of this Complaint.

13 49. Defendants Rebollo and Ilarde used their sham entity, C V Fast Patch, to steal at least  
14 \$3.8 million in charitable funds. Defendant Rebollo and Defendant Ilarde admitted in their plea  
15 agreement that none of the funds raised by C V Fast Pitch were used for any charitable purpose.  
16 Defendants Rebollo and Ilarde caused C V Fast Patch to improperly pay themselves and other  
17 individuals: Defendant Rebollo received at least \$2 million, and Defendant Ilarde received at least  
18 \$1 million. Defendants Avestruz, Rodriguez, Gonzalez, Flores, and Does 1-50 also received  
19 payments from C V Fast Patch in amounts presently unknown. Therefore, all of these defendants  
20 were unjustly enriched.

21 50. As a result of this cause of action, Plaintiffs seek damages and injunctive relief,  
22 restitution, and an accounting.

23 **FIFTH CAUSE OF ACTION**

24 **FRAUD**

25 (Against Defendants Rebollo and Defendant Ilarde, and Does 26-50)

26 (Gov. Code, § 12591.1)

27 51. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
28 of the allegations of paragraphs 1 through 50 of this Complaint.



1 Attorney General may apply to a superior court of the State of California for relief, and the court  
2 may order restitution or an accounting, among other relief as may be appropriate to ensure the due  
3 application of charitable funds. (Gov. Code, §§ 12585, 12586, 12591.1(f).)

4 58. Defendants Rebollo and Ilarde as officers and directors are responsible for ensuring  
5 that the charitable assets held by the CVFP Entities are properly used and accounted for. These  
6 Defendants failed to carry out the accounting and reporting requirements for any of the CVFP  
7 Entities, and therefore are liable under this cause of action.

8 59. Additionally, Defendants C V Fast Patch, Chula Vista Fast Patch Inc., and Chula  
9 Vista Fast Pitch failed to respond to the Attorney General's subpoenas and other requests for  
10 information. Defendants had a legal obligation to respond to these notices pursuant to  
11 Government Code section 12588, in addition to their general duty to account.

12 60. The acts as alleged in this cause of action were reprehensible, malicious, and  
13 despicable and were undertaken with the intent to defraud the public, and thus justify the award of  
14 exemplary and punitive damages against Defendants. Plaintiff is entitled to damages, injunctive  
15 relief, restitution, and an accounting.

## 16 SEVENTH CAUSE OF ACTION

### 17 VIOLATIONS OF THE CHARITABLE SUPERVISION ACT

18 (Against Defendants C V Fast Patch, Chula Vista Fast Patch Inc., Chula Vista Fast Pitch,  
19 Rebollo, and Ilarde, and Does 1-25)

20 (Gov. Code, §§ 12585; 12586; 12591.1)

21 61. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
22 of the allegations of paragraphs 1 through 60 of this Complaint.

23 62. Defendants, the CVFP Entities, as trustees of charitable assets, were required to  
24 register with the Attorney General's Registry and file annual reports. (Gov. Code, §§ 12585,  
25 12586; Cal. Code Regs., §§ 300 – 307, 312.) None of the three CVFP Entities ever registered or  
26 filed annual reports. Defendants Rebollo and Ilarde, as officers and directors, were also  
27 responsible for ensuring that the CVFP Entities complied with the registration and reporting  
28 requirements of the Charitable Supervision Act. As further detailed above, these defendants did

1 not carry out these requirements, and are liable for the CVFP Entities' violations of the Charitable  
2 Supervision Act.

3 63. Any person who violates any provision of the Charitable Supervision Act with intent  
4 to deceive or defraud any charity or individual is liable for a civil penalty not exceeding ten  
5 thousand dollars (\$10,000). (Gov. Code, § 12591.1(a).) Additionally, the Attorney General may  
6 impose a penalty on any person or entity, not to exceed one thousand dollars (\$1,000) per act or  
7 omission, for each act or omission that constitutes a violation of the Charitable Supervision Act.  
8 (Gov. Code, § 12591.1(c).)

9 64. The acts as alleged in this cause of action were reprehensible, malicious, and  
10 despicable and were undertaken with the intent to defraud the public, and thus justify the award of  
11 exemplary and punitive damages against Defendants. Plaintiff is entitled to damages, injunctive  
12 relief, restitution, and an accounting. Additionally, Plaintiff seeks penalties due to Defendant's  
13 violations of the Charitable Supervision Act, as set forth above. (Gov. Code, § 12591.1.)

#### 14 **EIGHTH CAUSE OF ACTION**

##### 15 MISCONDUCT SUPPORTING AN INVOLUNTARY DISSOLUTION

16 (Against C V Fast Patch, Chula Vista Fast Patch Inc, and Chula Vista Fast Pitch)

17 (Corp. Code, §§ 6510, 6511; Gov. Code, § 12599.6)

18 65. Plaintiff re-alleges and incorporates by reference as though fully set forth herein each  
19 of the allegations of paragraphs 1 through 64 of this Complaint.

20 66. Defendant Rebollo and Defendant Ilarde set up the CVFP Entities as sham charities,  
21 which they used to defraud the public and steal charitable funds for approximately nine years.  
22 Defendants Rebollo and Ilarde admit that these sham entities never performed any charitable  
23 activities. They exist solely to divert charitable funds to the Defendants. Due to this persistent and  
24 pervasive fraud, dissolution is proper for C V Fast Patch, Chula Vista Fast Patch Inc., and Chula  
25 Vista Fast Pitch. (Corp. Code, § 6510(a)(5); Corp. Code, § 6511(a).)

26 67. Defendants Rebollo and Ilarde, while in control of C V Fast Patch, engaged in  
27 persistent and pervasive fraud by participating in the acts alleged in this complaint. (Corp. Code,  
28 § 6510(b)(5).) Defendants Rebollo and Ilarde abused their authority by mismanaging and wasting

1 C V Fast Patch's charitable assets. (*Id.*) C V Fast Patch falsely represented itself as a charity and  
2 relied on these misrepresentations to raise funds from the public. (Gov. Code, § 12599.6.)  
3 Additionally, grounds for involuntary dissolution exist against C V Fast Patch because it lacks the  
4 capacity to carry out any business in California. C V Fast Patch operated and raised funds through  
5 2023, even though its status was suspended by the SOS in 2017 and by the FTB in 2019.  
6 Liquidation is reasonably necessary because C V Fast Patch lacks capacity to operate, and  
7 therefore has failed to carry out its purposes. (Corp. Code, § 6510(b)(6).)

8 68. Involuntary dissolution against Chula Vista Fast Patch Inc and Chula Vista Fast Pitch  
9 is also proper because these corporations have continuously failed to carry out any charitable  
10 purpose. Defendants Rebollo and Ilarde used these charitable organizations to fraudulently divert  
11 funds, and there is no evidence that they were ever used for a legitimate charitable purpose.  
12 Defendants have never submitted registration or reports for these organizations to show proof of  
13 charitable activity. Because Chula Vista Fast Patch Inc and Chula Vista Fast Pitch have  
14 continuously failed to carry out their purposes as corporations, involuntary dissolution is proper.  
15 (Corp. Code, § 6510(b)(6).) Additional grounds for involuntary dissolution exist because both  
16 have been inactive for over one year; they were formed in 2023, then never carried out any  
17 activities as corporations. (Corp. Code, § 6510(b)(1).)

18 69. The acts as alleged in this cause of action were reprehensible, malicious, and  
19 despicable and were undertaken with the intent to defraud the public, and thus justify the award of  
20 exemplary and punitive damages against Defendants. Plaintiff is entitled to damages, injunctive  
21 relief, restitution, and an accounting.

## 22 **PRAYER FOR RELIEF**

23 WHEREFORE, the People of the State of California seek relief as follows:

24 1. For a permanent injunction, enjoining all Defendants, their employees, agents,  
25 representatives, successors, and assigns, any and all persons acting in concert or participation  
26 with them, and all other persons, corporations, or other entities acting under, by, through, or on  
27 their behalf, from doing any of the following: (1) expending, disbursing, transferring,  
28 encumbering, withdrawing or otherwise exercising control over any funds received by or on

1 behalf of charity or rightfully due to charity except as authorized by the Court; (2) conducting  
2 business of any kind on behalf of, or relating to charity other than as necessary to assist a  
3 Receiver or appointed director(s), to comply with discovery requests and orders, and as permitted  
4 by the Court; and (3) controlling or directing the operations and affairs of any California  
5 nonprofit public benefit corporation;

6       2. That an order issue directing that Defendants and each of them, render to the Court  
7 and to the Attorney General a full and complete accounting of the financial activities and  
8 condition of Chula Vista Fast Pitch, Chula Vista Fast Patch Inc., and C V Fast Patch (the “CVFP  
9 Entities”) from 2014 to the present, to include the expenditure and disposition of all revenues and  
10 assets received by or on behalf of any of the CVFP Entities; and a full and complete accounting  
11 of all assets received by all Defendants related to the above-mentioned findings. Upon the  
12 rendering of such accounting, that the Court determine the property, real or personal, or the  
13 proceeds thereof, to which the CVFP Entities and the charitable beneficiaries thereof are lawfully  
14 entitled, in whatsoever form in whosoever hands they may now be, and order and declare that all  
15 such property or the proceeds thereof is impressed with a trust for charitable purposes, that all  
16 recipients of this property are constructive trustees of all such charitable funds and assets in their  
17 possession, custody or control, and that the same shall be deposited forthwith in Court by each  
18 and every person or entity now holding or possessing the same or claiming any rights, title or  
19 interest therein. In addition, that these Defendants be surcharged and held liable and judgment  
20 entered against each of them for any and all such assets for which they fail to properly account,  
21 together with interest thereon at the legal rate from the date of liability thereon; and that any and  
22 all expenses and fees incurred by defendants in this action be borne by the individual Defendants  
23 and each of them and not by the CVFP Entities or any other public or charitable corporation or  
24 fund;

25       3. For restitution and/or damages according to proof jointly and severally against all  
26 Defendants in an amount to be proved at trial, but no less than \$3,886,531.75, plus interest at the  
27 legal rate until the judgment is paid;

28       4. For punitive and exemplary damages against Defendants according to proof;

1           5.     That the Court assess civil penalties against Defendants pursuant to Government  
2 Code section 12591.1 for violations of the Supervision of Trustees and Fundraisers for Charitable  
3 Purposes Act (Gov. Code, § 12580 et seq.) as proved at trial;

4           6.     That the Court order the involuntary dissolution of Chula Vista Fast Pitch, Chula  
5 Vista Fast Patch Inc, and C V Fast Patch pursuant to the provisions of Corporations Code section  
6 6518, provide for satisfaction of all of their lawful debts, and establish a procedure for  
7 determining the disposition of all remaining assets of the Charities in a manner consistent with  
8 their charitable purposes and consistent with any lawful restrictions that have been placed upon  
9 any of their remaining assets;

10          7.     For attorneys' fees and costs incurred in the investigation and enforcement of this  
11 matter pursuant to Government Code sections 12597 and 12598, to be used for the Attorney  
12 General's charitable trust enforcement responsibilities; and,

13          8.     For such other relief as the Court may deem just and proper.

14           THIS COMPLAINT IS DEEMED VERIFIED UNDER THE PROVISIONS OF CODE OF  
15 CIVIL PROCEDURE SECTION 446. A VERIFIED ANSWER IS REQUIRED.

16  
17  
18 Dated: March 26, 2026

Respectfully submitted,

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20           Attorney General of California  
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22           Supervising Deputy Attorney General

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