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SAN FRANCISCO COUNTY
SUPERIOR COURT

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2003 JUN 10 PM 2:25

CLERK

BY: _____
CLERK

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN FRANCISCO

THE PEOPLE OF THE STATE OF CALIFORNIA,

Plaintiff,

v.

PARTYLAND INCOME TAX, CONNY PRADO
(aka CONNY PEREIRA, CONNY P. CORTEZ, AND
CONNY CORTES), AND DOES 1 THROUGH 10,

Defendants.

CASE NO.: **CGC 03421279**

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

Date: June 10, 2003

CASE MANAGEMENT CONFERENCE SET
PLAN I NOV 07 2003 9:00AM
DEPARTMENT 212

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

3 **PARTIES**

4 1. Defendant Conny Prado (aka Conny Pereira, Conny P. Cortez, and Conny Cortes)
5 is an individual. She engages in business under the name Partyland – Income Tax.

6 2. Defendant Partyland – Income Tax is a business of unknown form.

7 3. Defendant Conny Prado is not currently nor was she at any time referred to in this
8 Complaint licensed to practice law in the State of California or authorized by federal law to
9 represent persons before the Bureau of Citizenship and Immigration Services (formerly the
10 Immigration and Naturalization Service) or the Immigration Courts and Board of Immigration
11 Appeals.

12 4. Defendant Partyland – Income Tax is not currently nor was it at any time referred
13 to in this Complaint a nonprofit, tax-exempt corporation.

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

17 6. All references in this Complaint to any of the defendants shall also include all of
18 them, unless otherwise specified. Whenever reference is made in this Complaint to any act of
19 Defendants, such allegation shall mean that each defendant acted individually and jointly with
20 the other defendants.

21 7. At all relevant times, each defendant has committed the acts, caused others to
22 commit the acts, or permitted others to commit the acts alleged in this Complaint.

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

27 9. The named defendants' principal place of business is located at 2412 Mission
28 Street, San Francisco, California.

1 conditioned upon compliance with this chapter. The total aggregate liability on
2 the bond shall be limited to fifty thousand dollars (\$50,000). . . .

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

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

10 A person engages in the business of or acts in the capacity of an
11 immigration consultant when that person gives nonlegal assistance or advice on
12 an immigration matter.

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

17 17. Defendants do not currently have on file with the Secretary of State, nor have they
18 at any time referred to in this Complaint had on file with the Secretary of State, the requisite
19 \$50,000 bond.

20 18. Section 17500 of the Business and Professions Code provides:

21 [It is] unlawful for any person . . . with intent directly or indirectly . . .
22 to perform services . . . to make or disseminate or cause to be made or
23 disseminated . . . in any newspaper or other publication . . . , or in any other
24 manner or means whatever, any statement, concerning such . . . services . . . which
25 is untrue or misleading.

26 19. A violation of Business and Professions Code section 17500 is by definition also a
27 violation of Business and Professions Code section 17200, which provides that "unfair
28 competition shall mean and include . . . any act prohibited by . . . Section 17500"

1 to induce members of the public to purchase defendants' services. Defendants' violations of this
2 section include, but are not limited to, the following: By disseminating or causing to be
3 disseminated statements concerning their ability to provide immigration consultant services,
4 defendants have implicitly represented that they could do so lawfully. The statements are untrue
5 and misleading because in the absence of a bond, as required by Business and Professions Code
6 section 22443.3, Defendants cannot lawfully provide immigration consultant services.

7
8 WHEREFORE, Plaintiff prays for judgment as follows:

9 1. Pursuant to Business and Professions Code sections 17203, 22446.5 and 17535,
10 that all Defendants, their agents, employees, officers, representatives, successors, partners,
11 assigns, and all persons acting in concert or participating with them, be permanently enjoined
12 from violating Business and Professions Code sections 17200, 22443.3 and 17500, including but
13 not limited to the violations alleged in this Complaint;

14 2. Pursuant to Business and Professions Code sections 17206, 22445, 22446.5 and
15 17536, that the Court assess a civil penalty against each Defendant for each violation of Business
16 and Professions Code section 17200, 22443.3 or 17500 alleged in the Complaint, as proved at
17 trial, in the total amount of at least \$50,000.00;

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

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

20
21 Dated: June 10, 2003

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26 By 
27 SETH E. MERMIN,
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28 the People of the State of California