

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF PENNSYLVANIA**

**GUY TURI & MELISSA BALISTRERI -)
TURI, SHAUN NUGENT &)
CHRISTINE DENTON, LISA & SAM)
WELLS, LINDA & GEORGE WOOD,)
KELLEEN & TODD URBON)**

Individuals)
Plaintiffs)

v.)

**MAIN STREET ADOPTION)
SERVICES, LLP)
a Pennsylvania For Profit Corp.)
and)
NINA HELLER, BOB McCLENAGHAN)
and)
MARCIA DEL CARPIO a/k/a)
MILAGRO DEL CARPIO)**

individuals)

Jointly and Severally)

Defendants)

Hon.:

Case No.:

**PLAINTIFFS
COMPLAINT FOR VIOLATIONS**

**OF: 18 U.S.C. §§ 1341, 1343,
18 U.S.C. § 1962(c)
18 U.S.C. § 1962(d)**

- UNJUST ENRICHMENT,**
- CONVERSION,**
- CIVIL CONSPIRACY,**
- FRAUDULENT
MISREPRESENTATION,**
- INNOCENT
MISREPRESENTATION.**
- INTENTIONAL INFLICTION
OF EMOTIONAL DISTRESS,**
- NEGLIGENT INFLICTION OF
EMOTIONAL DISTRESS**

PLAINTIFFS DEMAND A JURY

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Guy Turi and Melissa Balistreri-Turi, Shaun Nugent and Christine Denton, Lisa and Sam Wells, Linda and George Wood, Kelleen and Todd Urbon (“Plaintiffs”) hereby allege and state the following Complaint against Defendants Main Street Adoptions, LLP, Nina Heller, Bob McClenaghan and Marcia (Milagro) Del Carpio (hereinafter referred to collectively as “Defendants”).

PARTIES

1. Plaintiffs Guy Turi and Melissa Balistreri-Turi are United States citizens residing in the State of Illinois.
2. Plaintiffs Shaun Nugent and Christine Denton are United States citizens residing in the State of Minnesota.
3. Plaintiffs Lisa and Sam Wells are United States citizens residing in the State of Louisiana.
4. Plaintiffs Linda and George Wood are United States citizens residing in the State of Illinois.
5. Plaintiffs Kelleen and Todd Urbon are United States citizens residing in the State of Illinois.
6. Defendant Main Street Adoption Services, LLP (“MS”) is a Pennsylvania For-Profit Corporation with a principal place of business at P.O. Box 4691, Lancaster Pennsylvania, 17604.
7. Defendant Nina Heller (“NH”) is upon information and belief a United States citizen residing in the State of Pennsylvania. NH held herself out to be the Chief Executive Officer of MS, its President and a Director and an expert in International Adoptions.

8. Defendant Bob McClenaghan ("Defendant BM") is upon information and belief a United States citizen residing in the State of Pennsylvania. BM held himself out to be a Director of MS and an expert in International Adoptions.

9. Defendant Marcia Del Carpio a/k/a Milagro Del Carpio ("MD") is upon information and belief a United States citizen residing in the State of Florida. MC held herself out to be an expert in Guatemalan adoptions.

JURISDICTION AND VENUE

10. This action is brought under the Federal Racketeer Influenced and Corrupt Organization ("RICO") statute, 18 U.S.C. § 1961 et seq., and various other Pennsylvania statutes and common law doctrines. The matter in controversy exceeds the sum or value of Seventy-Five Thousand and 00/100 Dollars (\$75,000.00), exclusive of interest and costs, and is between citizens of different states. Jurisdiction is vested in this Court by virtue of 28 U.S.C. §§ 1331 and 1332.

11. Because claims brought under Pennsylvania law are also so related to Plaintiffs' federal claims, over which the Court has original jurisdiction, that they form part of the same case or controversy under Article III of the United States Constitution, the Court also has jurisdiction over Plaintiffs' Pennsylvania common law and statutory claims pursuant to 28 U.S.C. § 1367.

12. A substantial part of the events and omissions giving rise to the claims stated herein occurred in this District and all defendants are subject to the personal jurisdiction of this judicial district. Venue is proper in this District and Division pursuant to 28 U.S.C. §§ 1391 and to 18 U.S.C. §1965(b).

BACKGROUND ALLEGATIONS

Guy Turi & Melissa Balistreri-Turi

14. On or about February 28, 2007, Guy Turi and Melissa Balistreri-Turi (“Plaintiffs”) found an 11 month old girl on an internet adoption site, www.precious.org and sent an inquiry about the little girl, Gilda. The agency, Defendants MS & NH, responded that the child was “taken”. (See Exhibit A)

15. On or about Friday, April 6, 2007, Plaintiffs received an unsolicited email from the Defendants asking if they might be interested in an 18 month old little girl, Madeline Araceli Rodriguez Dardon (“Madeline”). Plaintiffs filled out the on line questionnaire to let the Defendants know that they were interested in adopting Madeline. Defendants sent a contract by email immediately and told the Plaintiffs that they would need to fax the contract and get the initial deposit to the Defendants by the next Monday.

16. On or about Monday, April 9, 2007, the Plaintiffs told Defendants that as soon as the Defendants provided medical reports for review and the reports were acceptable, Plaintiffs would wire the money to the Defendants. (See Exhibit B)

17. Plaintiffs were assured by Defendants that they would receive monthly medical reports and photographs of Madeline. These assurances were one of the reasons that the Plaintiffs felt comfortable contracting with the Defendants. Defendants’ website stated the complete adoption process would only take 5 months. To further assure the Plaintiffs, the Defendants sent several email addresses of alleged satisfied adoptive parents. Plaintiffs did wire the \$3,000.00 deposit to Defendants.

18. On or about June 20, 2007, the DNA was completed and it was a match between the BM and Madeline. Defendants then demanded the next fees due which was \$9,500.00 or they would not be allowed to visit their little girl. Plaintiffs paid the fees.

19. On or about July 17, 2007, Plaintiffs sent an email to Defendants to remind the Defendants that they were going to Guatemala to visit Madeline so they would be there for the child's second birthday. They asked for Defendant MD's telephone number as she was the facilitator for the adoption. Plaintiffs also asked for an updated medical report and new photos. The only medical report they had seen was the original in April and the only photos were sent in May. **(See Exhibit C)**

20. Defendant NH assured the Plaintiffs that Defendant MD would be bringing Madeline to the hotel to visit the Plaintiffs. **(See Exhibit D)**

21. On or about July 21 -27, 2007, the Plaintiffs traveled to Guatemala to visit their little girl Madeline. While the Plaintiffs waited in the lobby of the hotel waiting for their little girl to be brought to visit them, they began to worry when no one showed up with the child. Eventually, Defendant MD called the Plaintiffs and told them that the birth mother had reclaimed her child **11 (eleven) days before the Plaintiffs traveled to Guatemala.**

22. The Plaintiffs were heartbroken, devastated and appalled when Defendant MD offered "another baby girl" for the Plaintiffs. The Plaintiffs declined the obvious bait and switch baby offer.

23. On or about July 26, 2007, the Defendants called the Plaintiffs at the hotel and asked if they would consider meeting another little girl who was approximately 1 year 8 months old. The little girl's name was Maite Oosmarli Ramirez Jimenez ("Maite"). Cautiously and reluctantly, the Plaintiffs agreed to meet Maite. The Plaintiffs fell in love with little Maite.

Defendants assured the Plaintiffs that Maite had not been offered or matched with any other family.

24. After the Plaintiffs returned to home, the Defendants tried to discourage the Plaintiffs from accepting the referral of Maite. Instead Defendant NH wanted the Plaintiffs to accept a referral for a baby girl. Defendant NH admitted that she didn't have any infant girls at that time but she "**could obtain one in 2-4 weeks.**" First the Plaintiffs were asked to wait for two (2) weeks to see if Madeline's mother would change her mind. After two (2) weeks, the Plaintiffs signed a Power of Attorney ("POA") to begin the adoption of Maite. During this time Defendant NH repeatedly tried to get the Plaintiffs to change their adoption once again to a baby girl. Plaintiffs refused since they had already met with and bonded with Maite.

25. On or around August 17, 2007, the Plaintiffs were told that it was the birth father that had returned to put his name on Madeline's birth certificate, making her not eligible for adoption because she was no longer considered an orphan by the United States standards.

26. On or about October 4, 2007, the Plaintiffs were asked by the Defendants to pay for the DNA of Maite to begin the adoption process of Maite. Even though the Plaintiffs had already paid \$9,500.00 to the Defendants earlier than required by contract, the Defendants insisted that the Plaintiffs pay for the DNA test. (**See Exhibit E**)

27. Maite's adoption entered Procoduria Nacional de Guatemala ("PGN") (equivalent to the Attorney General's Office) for approval of the adoption.

28. Defendants requested that the Plaintiffs pay foster care fees for December and January for Maite. Even though the Plaintiffs were not required by contract to pay foster

fees until after January, they paid the fees to ensure Maite was well cared for in the foster home.

29. On or about December 3, 2007, Defendant BM advised Plaintiffs that Maite adoption case had been kicked out of PGN for a previo (error that needed to be corrected or legal reason to deny the adoption). At that time he claimed he didn't know the reason for the previo but would let them know as soon as the case was resubmitted.

30. In December 2007, Plaintiffs begged the Defendants for pictures of Maite because they had never received any of her and hadn't seen her since July. The Plaintiffs wanted to assure themselves that she was fine. Defendants never responded.

31. On or about January 15, 2008, Plaintiffs were advised that Maite adoption case had been kicked out of PGN for a previo (error that needed to be corrected or legal reason to deny the adoption). The reason for the previo was that the birth father's name was on Maite's birth certificate. The Plaintiffs found out that this birth father had added his name on October 30, 2007. **(See Exhibit F)**

32. When Plaintiffs questioned Defendant NH how this could have happened, Defendant NH told Plaintiffs not to jump to conclusions but that they needed to ask Defendant MD for details.

33. On or about January 19, 2008, Plaintiffs demanded answers from the Defendants and a full accounting of where the over \$25,000.00 sent to the Defendants had been spent. **(See Exhibit G)**

34. When Plaintiffs demanded that Maite's case be registered with the Central Authority in Guatemala, Defendants admitted that the child had been returned to her father. **(See Exhibit H)**

35. Plaintiffs continued communicating with all of the Defendants and it was clear that Defendants NH and BM knew that Defendant MD was performing questionable adoption practices while in Guatemala and it was part of the adoption practice for these Defendants. **(See Exhibit I)**

36. On February 1, 2008, the Defendants wrote to the Plaintiffs stating that they were sure that they could now get Madeline back for the family. **(See Exhibit J)**

37. On or about February 8, 2008, the Defendants wrote to the Plaintiffs to tell them that they were now working on the adoption of Maite. **(See Exhibit K)**

38. On or about February 18, 2008, Defendant BM assured Plaintiffs that he was going to work independently to complete her adoption.

39. On or about February 13, 2008, Defendant NH assured Plaintiffs that the case was registered with the CNA (required to complete the adoption). **(See Exhibit L)**

40. On or about April 25, 2008, after Defendants NH and BM's constant reassurances that they were working on getting Maite's adoption approved, the Defendants finally admitted that the adoption would never be completed. In a callous attempt to market yet another child, Defendant NH offered the Plaintiffs an adoption from Ethiopia. Plaintiffs promptly asked for proof that the Defendants could competently complete an adoption in Ethiopia but never received any proof from the Defendants. Plaintiffs declined to work with the Defendants on any more adoptions. **(See Exhibit M)**

41. Plaintiffs were induced into an adoption where the Defendants involvement clearly became baby bait and switch programs. The Defendants repeatedly provided false information and their unethical behavior, lack of monitoring and misrepresentations

induced the Plaintiffs into the adoptions. Plaintiffs have been damaged financially and emotionally by the Defendants illegal activities.

Plaintiffs Shaun Nugent and Christine Denton

42. Shaun Nugent and Christine Denton (“Plaintiffs”) contacted Defendants on or about November 4, 2006 to discuss adopting a sibling group, Julian and Estella, from Guatemala that was on www.precious.org. The Plaintiffs were given the referral (matched as prospective adoptive parents to the orphaned child(ren)). The Plaintiffs were paper ready (all homestudy and approvals were completed to begin an adoption). Defendant NH (aka Nina Vizitel) e-mailed the Plaintiffs information on how much money to send to the agency and gave the impression of a sense of urgency to wire the money before the children were no longer available. (See Exhibit N)

43. On or about December, 2006, Defendants emailed Plaintiffs to advise them that the birth mother refused to have a DNA test, so the adoption of Julian and Estella could not be completed. The children had been put into an orphanage and were no longer adoptable. Plaintiffs asked to get their money back but the Defendants told them it would be a problem because **“we aren’t exactly sure where it went but we will put it toward another adoption in Guatemala for you.”** The Defendants assured the Plaintiffs that this type of situation had never occurred before.

44. On or about January 7, 2007, Defendants offered another referral to the Plaintiffs. This child was Maria Elena Oliva Marroquin. Plaintiffs quickly accepted this referral and made plans for Maria to be their daughter. Defendants told the Plaintiffs that Maria was 2

years old and that she may have scoliosis. Later Plaintiffs found out that Maria was closer to 4 years old and healthy. (See **Exhibit O**)

45. On or about March 31, 2007, Plaintiffs traveled to Guatemala to visit Maria and begin the family bonding process.

46. On or about April 1, 2007, the Plaintiffs were met at the lobby of the hotel and Plaintiff Christine is told that they can keep Maria with them overnight and she can travel with them to Antigua.

47. On or about April 2, 2007, Maria's foster mother left paperwork at the hotel with the Plaintiff that allowed the Plaintiff to become the foster parent of Maria. Plaintiffs had previously asked the Defendants for the same paperwork but were advised that the Defendants had never had a family that wanted to foster parent before so they had never completed such a document.

48. On or about April 7, 2007, Plaintiff Christine moved into Chosen Children's House to begin fostering her daughter while Plaintiff Shaun flew home. Plaintiff Christine arranged for Maria to begin pre-school.

49. Pursuant to the Guatemalan adoption laws, the birth mother must be interviewed prior to relinquishing the child for adoption. Maria's birth mother was scheduled for her interview on April 9, 2007 but didn't show up for the interview.

50. On or about April 15, 2007, Maria's former foster parents, William and Ana Maria Lopez, and the three Lopez children and Byron arrived unexpectedly at Plaintiff Christine's home and told her that she needed to appear for the court interview the next morning. The Plaintiff called Hector (Defendant's representative) to verify. Apparently neither Hector or the Defendants NH or BM had knowledge of this court interview. The foster family

claimed that they had been searching and had finally found the birth mother, who lived one hour away from Guatemala City. Defendants had previously told the Plaintiffs that the birth mother lived 12 hours away from Guatemala City.

51. On or about April 16, 2007, the Plaintiff and Maria appeared for the court appointment and interview. The birth mother, Vidalia, did appear for the interview that day. William, Hector and Byron (Defendants representatives in Guatemala) appeared to be in charge of the proceedings that day.

52. The DNA test to assure that the birth mother was indeed the parent of the child was scheduled for April 17 or 18, 2007. On or about April 18, 2007, the Plaintiffs were called by Hector who advised them that the birth mother, Vidalia, was not the “legal mother” of Maria and that the case would have to be investigated by the Defendants. Plaintiffs were told by Hector **“something went wrong but you need to stay in town to discuss.”** Plaintiffs also received many calls from the foster family wanting to discuss the problem with the adoption. Plaintiffs frantically called Defendants (who had not even been in contact with the foster family or Hector) and were finally told by Defendants that **“the birth mom was a prostitute from El Salvador who died when the child was 15 days old. The lady posing as her mother took on her care because the birth mother didn’t have family.”**

53. According to Guatemalan laws, the death of the birth mother would require the little girl Maria to become an abandonment case not a relinquishment case. At this time the Plaintiffs became very uncomfortable using the Defendants for their adoption as they had already experienced two failed DNA tests with the Defendants. Defendants told the Plaintiffs that they could not help them as they had never processed an abandonment case

before. The Defendants gave the Plaintiffs the name of an attorney, Sara Dreyfuss, in Guatemala who could assist them with the abandonment case. In another attempt to bait and switch, the Defendants offered to give Plaintiffs another referral for another child.

54. Hector called Plaintiff Christine and told her not to talk to anyone or tell the real story or “*she could be hurt.*” He told the Plaintiffs that the foster family would tell anyone who asked that some lady was their maid and one day just left leaving the child with the foster family. Plaintiff Christine told Hector how she disagreed with all of his plans.

55. On or about April 26, 2007, Defendants sent the Plaintiffs an email advising that if they didn’t move forward with Sara Dreyfuss in 24 hours, they wanted to be released from the case and would no longer be responsible. Plaintiff Shaun Nugent had met with Sara Dreyfuss who had never met the Defendants or spoken to them. Plaintiffs were not comfortable with this attorney or her orphanage environment.

56. On or about April 27 2007, Plaintiffs met with new attorneys about the adoption. These attorneys advised them that Defendant MS was still responsible for the case and could not just “drop it”. Plaintiffs hired these attorneys to complete the adoption process of little Maria.

57. On or about May 7, 2007, Plaintiffs attorneys were able to get the Plaintiffs temporary custody of Maria Elena.

58. Plaintiffs wrote to the Defendants several times to request their dossier back but they were told by Defendant NH that she would not give it to them until they disclosed where they were living and who the new attorney was on the case. Defendant NH demanded copies of all of the new documents proving that the Plaintiffs had temporary custody of

Maria. Plaintiffs felt that their safety was at risk and advised Defendants to communicate through their new legal team. (See Exhibit P)

59. On or about May 26, 2007, Defendant MD gave the original dossier to the Plaintiffs.

60. On or about June 10, 2007, Defendant MD called the Plaintiffs and asked for 2,000 Quetzals to pay for travel expenses for Vidalia (birth mother) because Maria's "**birth mother**" needed to appear in court on June 17, 2007 (which was a Sunday when courts are not open). Plaintiffs told Defendant MD "No!" and advised their new legal team of the call. When asked about the date, Defendant MD changed the date to June 18, 2007. Plaintiffs were no longer working with the Defendants so there was no reason for Defendants to contact or seek money from the Plaintiffs. (See Exhibit Q)

61. On or about June 18, 2007, Plaintiffs appeared with their legal team and Maria at Family Court. Vidalia appeared claiming again to be the child's birth mother and that she was voluntarily relinquishing Maria. She claimed to know the Plaintiffs (who had only seen her once in a parking lot) and Maria didn't appear to even recognize Vidalia. This time the PGN contact didn't appear and the hearing had to be rescheduled to July 2, 2007.

62. On or about July 2, 2007, Plaintiffs went to the Family Court hearing but this time the PGN official and Vidalia didn't appear. A new date was set for August 13, 2007. After meeting with the legal team, the Plaintiffs agreed that if the PGN official didn't appear to the next hearing it was time to begin the abandonment adoption process.

63. On or about August 13, 2007, the PGN attorney appeared to Family Court regarding the case of Maria Elena. The judge in Family Court ordered Maria to begin living in a hogar (equivalent to U.S. orphanage). Broken hearted, the Plaintiffs search for a place to

live near the hogar where Maria was placed. Plaintiffs observe developmental regression of Maria after placement in the hogar.

64. A new date for Family Court is set for September 11, 2007 but no one from PGN appears and no family appears. But on September 27, 2007, Maria Elena was officially declared an abandonment adoption case. On or about October 9, 2007, the official Certificate of Abandonment was issued with Vidalia still on record as Maria's mother.

65. On or about December 12, 2007, U. S. Embassy Officer Roma advised the Plaintiffs that he could not issue pre-approval on Maria's case because of conflicting stories. He said he would need one month to investigate.

66. On or about December 28, 2007, Plaintiffs received an email from Officer Roma containing a Notice of Intent to Deny ("NOID") from the U.S. Embassy.

67. On or about January 4, 2008, Plaintiffs spoke again with Officer Roma about Maria's case. Officer Roma said that Vidalia admitted under oath that she is not the birth mother and he had no choice to deny the adoption. He did say that he would keep the adoption case open until the Plaintiffs had time to obtain documents stating that the birth mother and father were unknown.

68. On or about January 29, 2008, Plaintiffs received the official NOID. The rebuttal for the NOID was due on February 29, 2008. Plaintiffs asked for and received an extension to rebut the NOID. Plaintiffs had to rebut the NOID by March 28, 2008. Later due to delays in getting a new birth certificate issued for Maria, the rebuttal had to be extended again until May 2008.

69. Due to Maria's background being unknown, forensic tests were ordered to determine her actual age. The forensics test uncovered that Maria's real age was 5 years, 9 months.

70. On or about May 6, 2008, the judge in Maria's adoption case received the forensics and Police reports that would allow the new birth certificate to be issued.

71. On or about May 27, 2008, Maria's new birth certificate was issued but there was a typographical error, so a new birth certificate needed to be ordered.

72. On or about May 28, 2008, the rebuttal to the NOID was submitted to the Embassy with the new (corrected) birth certificate.

73. On or about June 17, 2008, the U.S. Embassy issued pre-approval for Maria Elena.

74. As of August 2008, the Plaintiffs have been financially injured over \$170,702.00 trying to complete the adoption of Maria. These costs are over and above the original adoption fees. Plaintiff Shaun Nugent had to quit his job (\$250,000.00 per year) to attend the many court appointments. Plaintiff Christine first took a leave of absence to complete the adoption but was later told to resign from her job of \$98,000.00 per year as a project manager. The list of expenditures does not even take into account the lost wages. (**See Exhibit R**)

75. Plaintiffs were induced into an adoption where the Defendants failed to complete the adoption and had a duty to know that the child(ren) were really available for adoption. The Defendants repeatedly provided false information and their unethical behavior, lack of monitoring and misrepresentations delayed the adoption. Plaintiffs have been damaged financially and emotionally by the Defendants illegal activities.

Plaintiffs Lisa and Sam Wells

76. Lisa and Sam Wells ("Plaintiffs") contacted the Defendants on or about August 28, 2007 to inquire about adopting a little girl, Kimberly, from Guatemala. Defendants

encouraged the Plaintiffs to send \$6,000 immediately to cover expenses and to ensure that they were “assigned” the little girl. (See Exhibit S)

77. Throughout the next few weeks, the Plaintiffs checked with the Defendants to find out when the DNA test would be completed for Kimberly and were told various excuses throughout the month of October. (See Exhibit T)

78. On or about November 1, 2007, Defendant NH sent an email to the Plaintiffs explaining that the birth mother was missing and the DNA couldn't be done. The email offered to find another child for the Plaintiffs but went on to boast about how the agency had paid the extra fees without passing it on to the Plaintiffs. Defendant NH even challenged the Plaintiffs to fly to Guatemala if they didn't believe the information they were provided. (See Exhibit U)

79. On or about November 6, 2007, Defendant NH wrote that once again the birth mother didn't show up and they were “done” with the birth mother. She did say **“We have a set of twins coming in. They are under two months old. We do not have any more info then that. We cannot place them together because we do not have family wanting to adopt two kids....”** (See Exhibit V)

80. When Plaintiffs asked about possibly checking on another baby offered by other agencies, Defendant BM emailed the Plaintiffs and told them that they wouldn't get the price reductions from other agencies that they were offered from Defendant MS. (See Exhibit W)

81. On or about December 1, 2007, Plaintiff Lisa Wells wrote Defendants demanding to know if the adoption of Kimberly was moving forward or not. Defendant BM discouraged

the Plaintiff from continuing the adoption of Kimberly for several reasons. Even then, the Defendants continued the adoption process. **(See Exhibit X)**

82. Later in December the Plaintiffs signed a Power of Attorney to adopt one of the babies that Milagro had told the Plaintiffs had become recently available.

83. On or about January 17, 2008, Defendant MD demanded money to be sent immediately for a translator for the adoption of Kimberly. **(See Exhibit Y)**

84. On or about February 11, 2008, Plaintiffs began working with Dr. Rubio (pediatrician and obstetrician) to complete baby, Enma Leeann Ramirez Martinez' adoption. Dr. Rubio assured the Plaintiffs that he had good control of the birth mother and could help complete the adoption. **(See Exhibit Z)**

85. In March 27, 2008, Plaintiffs wrote to the U.S. Immigration Service, Adoptions Unit to inquire whether they had any record of the adoption pre-approval. The US Adoptions Unit emailed the Plaintiffs that the DNA results had been received on February 5, 2008 but an update on the adoption pre-approval should be completed by no later than April 5, 2008. **(See Exhibit AA)**

86. On or about April 12, 2008, the Plaintiffs received an update from the US Adoptions Unit advising the family that their I71-H was approved for only one child. The records at the Adoptions Unit showed two open adoptions – one for Kimberley Orodenez Lopez and one for Emma Leeann. The Plaintiffs needed to fax a letter to the Adoptions Unit telling the government that they were no longer adopting Kimberly. The Plaintiffs sent the letter immediately to clarify the adoption situation. **(See Exhibit BB)**

87. On or about April 14, 2008, the Plaintiffs were sent a Notice of Birth Mother interview for the adoption of Emna Leann. **(See Exhibit CC)**

88. Apparently during the same week, Defendant BM made a complaint to the U.S. Embassy about the Plaintiff's adoption case and the fact that Defendant MD and Dr. Rubio were involved in the adoption. When Defendant MD confronted Defendant NH about the complaint and that Defendant MD couldn't travel to Guatemala due to the complaint, Defendant NH responded "**You problem**". (See Exhibit DD)

89. When the birth mother didn't appear for the required Embassy interview, the Plaintiffs once again became concerned and were trying to reach either Dr. Rubio or Defendant MD.

90. On or about May 20, 2008, Plaintiffs frantically tried to discuss the issue with Dr. Rubio. The Plaintiffs wanted to know when Milagro was bringing the birth mother to the Embassy. Plaintiffs told Dr. Rubio that they would file a complaint with the Embassy if he could not resolve the problems between Milagro and him. Dr. Rubio said he didn't care and "**I am not wasting one more penny for you.**" And with that note, Dr. Rubio stopped working on the adoption.(See Exhibit EE)

91. Because of the fight between Defendants NH, BM and Defendant MD, the Plaintiffs still have not completed the adoption of their baby, Emma Leeann. The Plaintiffs have been the victims of multiple and constant requests for money, a bait and switch adoption scheme and various other illegal acts.

92. Plaintiffs were induced into an adoption where the Defendants did absolutely nothing to complete the adoptions. The Defendants repeatedly provided false information and their unethical behavior, lack of monitoring and misrepresentations delayed the adoptions. Plaintiffs have been damaged financially and emotionally by the Defendants illegal activities.

Plaintiffs Linda and George Wood

93. Linda and George Wood (Plaintiffs) became paper ready and were approved to adopt internationally. On or about January 18, 2007, the Plaintiffs went on line and found the picture of a little girl, Joseline Alexandra De Leon Grijalva, on photo website www.precious.org. After investigating further, they found that she was with the Defendant's adoption agency for placement. Plaintiffs spoke to Defendants at length about a previous referral that had ended and how they were wary to begin another adoption. Defendants assured Plaintiffs that they were working with an excellent attorney and had great associations in Guatemala. Defendants assured Plaintiffs that the DNA had already been completed, so based on the many assurances and representations of the Defendants, the Plaintiffs agreed to begin the adoption of Joseline and contracted with the Defendants.

94. On or about May 14, 2007, the Plaintiff's adoption case received pre-approval and should have been submitted to the PGN. Defendants told the Plaintiffs that the case was submitted to PGN but later the Plaintiffs found out that their adoption wasn't submitted until on or about June 18, 2007. Strangely, the Defendants repeatedly warned the Plaintiffs to stay away from internet chat rooms and adoption blogs.

95. Although there were several discrepancies and stories from the Defendants, the adoption was finally approved by PGN on November 20, 2007. Defendants phoned Plaintiffs on or about November 21, 2007 to tell them of the PGN approval. During that call the Defendants expressed some concern about the buscadora who was handling the case in Guatemala.

96. On or about November 26, 2007, the Plaintiffs phoned the Defendants who said all was well with the adoption and told them to wire or send the final adoption fees. Once the fees had been paid, the Defendants called and said that they must have been paranoid and all was fine.

97. On or about November 29, 2007, Defendant BM sent the Plaintiffs an email stating that the “wheels in motion to finish the case.” (See **Exhibit FF**)

98. After the payment was made, Defendants didn’t contact the Plaintiffs for three weeks and then called to tell the Plaintiffs that the birth mother couldn’t be found for the final interview and DNA test to complete the adoption. This was strange news to the Plaintiffs as the Defendants had told them several times that the birth mother had already provided final signature on the necessary documents. (See **Exhibit GG**)

99. In early January 2008, Defendants advised the Plaintiffs that they had made no progress in finding the birth mother. The Defendants went on to tell a story about how they suspected the buscadora’s in child trafficking. A few days later, Defendants told the Plaintiffs another story about how they were sure that birth mother had changed her mind and was going to reclaim Joseline.

100. On or about January 7, 2008, the Defendants advised the Plaintiffs *by email* that their baby, Joseline, had been removed from the foster care by the buscadora and given back to the birth mother. The Plaintiffs were devastated and demanded proof that the case had actually progressed as they had been told. The Plaintiffs demanded proof of payments to the various agencies. Defendants didn’t respond. (See **Exhibit HH**)

101. On or about January 16, 2007, Defendant BM wrote that Joseline’s grandparents have “entered into the picture.” (See **Exhibit II**)

102. On or about January 17, 2007, Plaintiffs wrote to the Defendants to explain how they had been in the adoption process for a year and how much they loved Joseline.

(See **Exhibit JJ**)

103. On or about January 20, 2008, Plaintiffs called Defendant MD who was staying in Guatemala City. Defendant MD claimed that coincidentally she was meeting with the birth mother later that day and would call the Plaintiffs back with an update. Defendant MD called later in the day with another Spanish speaking lady on the phone. Defendant MD translated what appeared to be a well rehearsed conversation with the alleged birth mother telling the Plaintiffs that she wanted to raise her baby. The birth mother repeatedly said that she was reassured that she could change her mind at anytime during the adoption process.

104. On or about January 21, 2008, Defendant NH wrote to the Plaintiffs, told them the adoption was basically ended and callously offered to help them with a Ukrainian adoption. Defendant NH wrote about the Ukrainian adoptions as if switching countries and children were as simple as buying a car from a different dealership. Plaintiffs were rightfully offended and responded on or about January 28, 2008 demanding their fees spent up to that date, \$29,200.00, be refunded. (See **Exhibit KK**)

105. On or about January 28, 2008, Plaintiffs wrote to Defendants to remind them that even with PGN approval that the adoption was required to be registered with the Central Authority (“CNA”) no later than February 11, 2008. Defendants assured the Plaintiffs that it would be done.

106. On or about February 1, 2008, Plaintiffs received an email stating that Defendant BM was in Guatemala and would contact the Plaintiffs with their options after

he had discussed their adoption case with the “attorneys”. Plaintiffs never received another email with any results of the alleged meeting or options.

107. In March 2008, when pressed for an update by the Plaintiffs, Defendants NH wrote once again telling them that the Defendants representative in Guatemala was still trying to get the birth mother to come in and change her mind. (See **Exhibit LL**)

108. On or about March 25, 2008, apparently Defendant NH thought that because the Plaintiffs communicated with them again, that she would try one more time to bait the Plaintiffs into another international adoption. This time Defendant NH sent photos of children and was offering an adoption from Russia, Kazakhstan, Bulgaria, Hungary, Kirgizstan, Uzbekistan, Rwanda, Burundi, Ukraine, Nepal and possibly Ethiopia. She even noted that some of these countries were closed “temporarily” but she was still offering to do adoptions in those countries. She was really promoting Burundi and Rwanda adoptions. See **Exhibit MM**)

109. The Plaintiffs were induced into an adoption that never took place due to the incompetence of the Defendants. Plaintiffs were induced into an adoption that Defendants never intended to complete through Defendants assurances, unethical behavior, lack of monitoring and misrepresentations. Plaintiffs have been damaged financially and emotionally by the Defendants illegal activities.

Plaintiffs Kelleen and Todd Urbon

110. Kelleen and Todd Urbon (Plaintiffs) were parents who had adopted in previous years and were experienced in international adoption. When the Plaintiffs decided to investigate adopting a male toddler, it was done with purpose and careful investigation.

111. On or about May 23, 2007, Plaintiffs contacted the Defendant's agency to inquire about a boy on a photo listing. This boy's name was Darwin. Plaintiffs made it clear to the Defendants that they were seeking to adopt a boy between 18-24 months old. Defendants advise Plaintiffs that Darwin was no longer available for adoption.

112. On or about May 24, 2007, Defendants emailed the Plaintiff several photo's of a little boy, Alexander. Defendant NH told the Plaintiffs if they didn't want this little boy she would have to list him on www.precious.org. (See Exhibit NN)

113. Plaintiffs responded that they were interested in little Alexander but needed to see the medical reports and have more information on the boy's background. Defendant NH tells the Plaintiffs that she should have the medicals the next day. Defendant NH tells the Plaintiffs that the birth mother is cooperative and surrendered Alexander and his sisters. The sisters had already been matched with families in Pennsylvania and New Mexico.

114. Plaintiffs were concerned about Alexander's true age but it was clarified by the Defendants. Defendant NH tells Plaintiffs that there is another family interested in Alexander but the Defendants prefer to place Alexander with the Plaintiffs. (See Exhibit OO)

115. On or about May 31, 2007, Plaintiffs formally accepted the referral match of little boy, Antony Alexander Gullen Lopez. Defendants sent the Plaintiffs the contracts and other paperwork to complete. The Defendants assured the Plaintiffs that the process should only take approximately 7 months to complete. (See Exhibit PP)

116. On or about July 10, 2007, Defendants advise the Plaintiffs that Defendant MD manages the foster moms and will be providing the updates for Alexander. Plaintiffs request updates, photos and medical reports. (See Exhibit QQ)

117. On or about August 3, 2007, Plaintiffs contact the Defendants because there has been no update or contact. Plaintiffs inquire when the DNA is scheduled and when Defendant MD will be traveling to Guatemala.

118. On or about August 22, 2007, after several attempts to contact the Defendants, the Plaintiffs called Defendant NH's cell phone. Defendant NH told the Plaintiffs that the birth mother had taken Alexander and his sisters out of foster care and left the area. Initially the Plaintiffs were told that the birth mother did it out of fear that the children would be sold for body parts in the United States.

119. On or around September 10, 2007, Plaintiffs were told by Defendant NH that the birth mother was in jail because she did not have the appropriate documentation for the children when she was stopped by authorities. Defendants told the Plaintiffs that the birth mother wouldn't be released until a DNA test proved that she was the mother of the three children. Defendant NH said that if the DNA cleared and the birth mother relinquished the children, Defendants would reclaim the children from the orphanage and fly them and the birth mother back to Guatemala to complete the adoption. Defendant NH stated that Defendant MD had been in contact with the birth mother and that the birth mother said she would continue with placing her children through Defendant MS. **(See Exhibit RR)**

120. On or about September 19, 2007, Defendant NH told the Plaintiffs that a second attorney (not connected with the Defendants) had also filed a petition on behalf of the birth mother. Following contact with this attorney, Defendant NH stated that they believed that the birth mother was trying to place the children with another attorney in order to get money.

121. As time continued on, the Plaintiffs were assured that the adoption would continue. On or about October 5, 2007, the Defendant NH expressed concern that she now believed some of Alexander's documents might be fraudulent, because a potential adoptive parent of Alexander's sister had discovered photos of Alexander and his two sisters on another adoption agency website. Defendant NH admitted that she thought Alexander's adoption was over. Immediately Defendant NH offered another referral of Kelinton Gabriel. The Plaintiffs later turned down this referral as the boy was much younger than what they were seeking. **(See Exhibit SS)**

122. On or about October 19, 2007, the Defendants sent the Plaintiffs another referral who is suitable. This boy's name is Edgar and over the next few weeks the Plaintiffs repeatedly ask for medicals, background information and photos for Edgar. They receive medical and limited background information only after Plaintiffs say they will not go forward without this information.

123. On or about November 14, 2007, Plaintiffs sent the fees for Edgar's DNA test and completed a new Power of Attorney to begin his adoption.

124. On or about November 26, 2007, Defendants advise the Plaintiffs that Edgar's DNA is a match and that the Plaintiffs will need to send fees soon so that Defendants can keep things moving in Guatemala. The Plaintiffs advise the Defendants that they will give Edgar the name of "Daniel Edgar". **(See Exhibit TT)**

125. On or about December 2, 2007, Plaintiffs wired \$12,000 to the Defendants for the adoption. \$2,500 of that amount was requested over and above usual costs, which Defendants said was necessary to cover the unexpected expenses associated with attempts to assist Alexander's birthmother in jail. The money was sent via wire transfer. Despite

several requests for information in the following weeks, Plaintiffs received no further updates throughout the holidays.

126. On or about January 11, 2008, the Plaintiffs receive an unexpected notice from the U.S. government via email stating that information from the doctor to support the adoption of Daniel Edgar has not been received. If it is not submitted the US government will consider that Plaintiffs application to adopt has been abandoned. These are documents that the Defendants should have had completed and filed with the embassy. Plaintiffs immediately called, emailed, faxed and requested contact from Plaintiffs via their webpage. Later in a telephone conversation with Defendant NH, the Plaintiffs were told that there was **‘a birth certificate problem that they had discovered in December.’**

127. It was during this conversation that the Defendants told the Plaintiffs Edgar was no longer available for adoption. Plaintiffs were crushed emotionally. Yet, the Defendants immediately offered another baby boy for the Plaintiffs. Defendants even admitted having already filed a Power of Attorney in December (without the Plaintiff’s knowledge) for the Plaintiffs to adopt this little boy, who is named Yeferson. Defendants admitted that they hadn’t told the Plaintiffs but were waiting for photos of the infant to “soften the blow” of another failed adoption.

128. On or about January 17, 2008, Plaintiffs told the Defendants how they felt about the many lies, misconceptions and disappointments in their adoption services. (**See Exhibit UU**)

129. On or about January 21, 2008, Defendant NH told the Plaintiffs that they will proceed with Daniel Edgar’s adoption based on their belief that this is what Plaintiffs desire. But states that the case will likely run into problems with PGN due to birth

certificate problems, and that another attorney in Guatemala would need to be hired. Then in a moment of extreme cruelty, the Defendants tell the Plaintiffs that they will **“have to remove the other little boy from foster care since you aren’t interested in him.”**

130. On or about January 23, 2008, Plaintiffs demand to know where Edgar is located and what has been happened to him during the period when Defendants thought he was unable to be adopted. Plaintiffs are told they believe Edgar was returned to his birthmother. Plaintiffs refuse to spend any more money on the adoption-until such a time that both the US and Guatemalan government approves the adoption.

131. On or about January 24, 2008, after a telephone conference call to discuss the many discrepancies and misrepresentations, the Plaintiffs tell the Defendants that they are not going to proceed with Daniel Edgar’s adoption given Defendants statements that there are formidable obstacles with no guarantee of success, and the potential harm that would be inflicted on Daniel due to repeated moves between his birthmother and foster care. They state their plan to end their relationship with MS. Despite being told often that Guatemala was the only country of choice for the Plaintiffs, Defendants offer the Plaintiffs children from other countries to adopt.

132. In one more attempt to manipulate the Plaintiffs, the Defendants again remind the Plaintiffs about the 6 month old baby, Yeferson, for whom the Power of Attorney had been filed in December. Plaintiffs agree to consider the baby one more time, and decide they feel some obligation to accept this referral, since due to the shut-down of new adoptions in Guatemala, this child will now either be adopted by them, or likely will live a life of poverty. Plaintiffs accepted the referral of Yeferson Edelmir Ramirez. They are

told that they should receive confirmation that this case can be registered with the new adoption authority within the week.

133. By May 2008, after several problems getting information and after several weeks had elapsed, it became clear that the adoption of little Yeferson could not be completed by the Defendants and the Plaintiffs demanded a refund of \$9,500, which constituted the second contracted payment sent to MS just a week or two before problems developed in the adoption of Daniel Edgar.

134. The Plaintiffs were induced into adoptions that never took place due to the incompetence of the Defendants. Plaintiffs were induced into adoptions that Defendants never intended to complete through Defendants assurances, unethical behavior, lack of monitoring and misrepresentations. Plaintiffs have been damaged financially and emotionally by the Defendants illegal activities.

DEFENDANT MAIN STREET ADOPTIONS
SCHEME TO DEFRAUD

135. Defendant MS has engaged in a scheme to defraud people seeking to become parents. The Defendant MS conducted this scheme to defraud through a system of offering children to the new parents and demanding a signed illusory contract and a wire of thousands of dollars.

136. Through this scheme, the Defendant MS gathered money and requested wired payments for additional unspecified fees with the threat that if these fees aren't paid, the adoption will cease. Defendants MS, NH, BM and MD did almost all of their adoption business using the telephone, faxes and/or e-mail. Money was wired to bank accounts using telephone wires.

137. Throughout the course of the process, the Defendant MS engaged in a series of fraudulent representations designed to induce the continued interest and to gain additional money from the parents.

138. The Defendant MS is willing to engage in such brazenly criminal activity given the hyper-sensitive and vulnerable state of people who desperately want to be parents.

139. Moreover, the Defendant MS faces little to no threat of civil action by the adoptive parents because of the constant threat of the Defendant MS stopping any adoption that is currently in the system.

140. Once the Defendant MS had obtained the money from the prospective parents, the Defendant MS abruptly stopped communicating and informed the prospective parents that “they are too impatient” when they ask too many questions regarding the adoption process.

141. Upon information and belief, Plaintiffs were victimized by the Defendant MS’ scheme to defraud to the extent they relied upon the Defendant MS’ fraudulent “factual” representations regarding the adoptions, birth mother or family returning for children, status of dossier, the MS attorneys and in-country coordinators involved in the adoptions and the status of the adoptions.

142. Defendant MS began its scheme to defraud to the extent that they began presenting false information to the Plaintiffs and the MS clients. Plaintiffs succumbed to the Defendant MS’ scheme to defraud and to the extent Plaintiffs relied on the Defendant MS’ fraudulent representations that these adoptions would take place. The Defendant MS has refused to return money and personal property and continue to use these for its own

illegitimate benefit. To this day, Plaintiffs continue to be so victimized by the Defendant MS' scheme to defraud. *See supra* ¶¶ 14 –134.

143. Upon information and belief, Plaintiffs allege that other unknown prospective parents have sustained and continue to sustain similar injuries by reason of the Defendant MS' scheme to defraud.

**DEFENDANTS MS, NINA HELLER, BOB McCLENAGHAN AND
MARCIA DEL CARPIO'S SCHEMES TO
SOLICIT BRIBES, EXTORT AND DEFRAUD**

144. Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio have engaged in schemes to solicit bribes and extort money and property from prospective parents seeking to adopt children from Guatemala. Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio have conducted their scheme of bribe solicitation and extortion through enterprises consisting of their corporate entity and/or an association-in-fact enterprise consisting of the Corporate Defendant MS.

145. Through their patterns of bribe solicitation and extortion, Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio seek to wrongfully obtain money from prospective parents who are desperately hoping to adopt a child.

146. Plaintiffs were victimized by the schemes of bribe solicitation and extortion of Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio in that, Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio caused the Plaintiffs to send money for adoptions that have not been completed, may not ever be completed or the money was sent due to the fear of Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio preventing its completion.

147. Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio's repeated schemes to defraud caused Plaintiffs to incur substantial expenses pursuing a dream of being parents that would never come to fruition unless Plaintiffs succumbed to the patterns of bribe solicitation, extortion or fraud.

148. Upon information and belief, Plaintiffs allege that other unknown prospective parents have sustained and continue to sustain similar injuries by reason of Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio's schemes of bribe solicitation, extortion and mail/wire fraud.

ACTS VIOLATING THE MAIL AND WIRE FRAUD STATUTES
18 U.S.C. §§ 1341, 1343

149. Pursuant to the events described in paragraphs 14 –134, *supra*, the Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio knowingly devised or knowingly participated in the schemes or artifices to defraud Plaintiffs or to obtain the money or property of Plaintiffs by means of false or fraudulent pretenses, representations, or promises.

150. Pursuant to the events described in paragraphs 14 –134, *supra*, the Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio could foresee that the mails would be used “for the purpose of” advancing, furthering, executing, concealing, conducting, participating in or carrying out the schemes, within the meaning of 18 U.S.C. §§ 1341 and 1343. In particular, Defendants could foresee that the mails would be used to receive and/or deliver, *inter alia*, money and false or fraudulent representations regarding the adoptions, facilitators and the agreement among the parties; the status of ongoing adoptions and the remedies for problems with adoptions. Defendants

MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio continued possession of Plaintiffs money and private information; gained through Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio's bribe solicitation and extortionist demands.

151. Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio acting singly and in concert, personally or through their agents, as co-conspirators, or as aiders and abettors, used the mails or caused the mails to be used "for the purpose of" advancing, furthering, executing, concealing, conducting, participating in, or carrying out the schemes, within the meaning of 18 U.S.C. §§ 1341 and 1343.

152. In advancing, furthering, executing, concealing, conducting, participating in, or carrying out the schemes, the Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio specifically used the wires/ mails or caused the wires/mails to be used to receive or deliver, *inter alia*, every email, facsimile, letter or telecommunication described in paragraphs 14 –134, *supra*.

153. In advancing, furthering, executing, concealing, conducting, participating in, or carrying out the schemes, the Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio also specifically used the wires/mails or caused the wires/mails to be used to receive or deliver, *inter alia*, the emails, facsimiles, letters or telecommunications with the Plaintiffs regarding all adoption matters.

154. Each and every use of the mails and wires described above was committed by the Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio with the specific intent to defraud Plaintiffs or for obtaining the money or property of Plaintiffs by means of false or fraudulent pretenses, representations, or promises.

155. Defendants' acts of mail and wire fraud are in violation of 18 U.S.C. §§ 1341 and 1343 and constitute racketeering activity as defined by 18 U.S.C. § 1961(1)(B).

COUNT ONE

**RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT
18 U.S.C. § 1962(c)
(Defendant MS)**

156. Plaintiffs re-allege paragraphs 1 through 155 as if restated herein.

157. At all relevant times, some or all of the following individuals constituted an "enterprise," within the meaning of 18 U.S.C. §§ 1961(4) and 1962(c), in that they were "a group of individuals associated in fact": Main Street Adoption Services LLP., Nina Heller, Bob Clenaghan and Marcia Del Carpio

- (a) Main Street Adoption Services LLP, ("MS") is individually a "person," within the meaning of 18 U.S.C. §§ 1961(3) and 1962(c), who associated with and/or participated in the conduct of said enterprise's affairs.
- (b) From at least August 2006 and continuing through the present, the Defendant MS, personally or through their agent or agents, conducted, participated in, engaged in, conspired to engage in, or aided and abetted, the conduct of the affairs of the enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961(1), 1961(5) and 1962(c). The Defendant MS's pattern of racketeering activity consisted of:

- (i) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by the Defendant MS to obtain Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, the Defendants placed or caused to be placed in a post office, or authorized depository for mail, matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶14 –134); each Defendant committed mail fraud, in violation of 18 U.S.C § 1341, each time it used or caused the mails to be used to distribute the materials described in paragraphs 14 –158 and elsewhere;
- (ii) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by Defendant MS to obtain Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, the Defendant MS transmitted or caused to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶ 14 –134); each Defendant committed wire fraud, in violation of 18 U.S.C § 1343, each time it used or caused interstate wires to be used to distribute the materials described in paragraphs 14 –134 and elsewhere;
- (iii) receiving and/or possessing Plaintiffs property, in violation of 18 U.S.C. § 2315, valued at \$5,000 or more, which crossed a state or international boundary after the Defendant MS stole, unlawfully converted, or took Plaintiffs property and which the Defendants knew was stolen, unlawfully converted, or taken (including but not limited to the events described in paragraphs 14 –134 and elsewhere);
- (v) transporting, transmitting, or transferring in interstate commerce any goods, wares, merchandise of the value of \$5,000 or more, knowing the same to have been stolen converted or taken by fraud, each and every time that the Defendant MS caused Plaintiffs to transmit property across state or international

boundaries and each time that the Defendant MS transmitted Plaintiffs property to third-parties across state or international boundaries as (including but not limited to the events described in paragraphs 14 – 134), in violation of 18 U.S.C. § 2314.

These acts all occurred after the effective date of RICO and more than two such acts occurred within ten years of one another.

158. At all relevant times, the enterprise alleged in paragraphs 14 –134 was engaged in, and its activities affected, interstate commerce and foreign commerce.

159. All of the predicate acts described above were related so as to establish a pattern of racketeering activity, within the meaning of 18 U.S.C. § 1962(c), in that their common purpose was to defraud Plaintiffs or other similar prospective adoptive parents of property or money; their common result was to defraud Plaintiffs or other similar prospective adoptive parents of property or money; the Defendant MS, through their agent or agents, directly or indirectly, participated in all of the acts and employed the same or similar methods of commission; Plaintiffs or other similar prospective adoptive parents were the victims of the fraudulent acts; and/or the acts were otherwise interrelated by distinguishing characteristics and were not isolated events.

160. All of the predicate acts described above were continuous so as to form a pattern of racketeering activity in that:

- a) The Defendant MS engaged in the predicate acts described above over a substantial period of time (from at least August 2006 through the present); or
- b) The pattern of racketeering activity engaged in by the Defendant MS continues or threatens to continue because it

has become a regular way of conducting the Defendant MS's on-going business activities.

161. As a direct and result of, and by reason of, the activities of the Defendant MS, and their conduct in violation of 18 U.S.C. §§ 1962(c), Plaintiffs have been injured in their business or property, within the meaning of 18 U.S.C. § 1964(c). Among other things, Plaintiffs have suffered damages to the extent they invested time and resources in pursuing what they thought and were led to believe was a legitimate international adoption, to the extent their ability to adopt was delayed by the Defendant MS's wrongful actions, and to the extent their property has been misappropriated. Plaintiffs are, therefore, entitled to recover threefold the damages that they have sustained together with the cost of the suit, including reasonable attorneys' and experts' fees.

COUNT TWO

**RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT
18 U.S.C. § 1962(d)
(Defendant Main Street Adoption Services, LLP)**

162. Plaintiffs re-allege paragraphs 1 through 161 as if restated herein.

163. Defendant MS conspired with Defendants Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to conduct or participate, directly or indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity (as described in paragraphs 14 –134) in violation of 18 U.S.C. § 1962(d). In particular, Defendant MS intended to further an endeavor of Nina Heller, Bob Clenaghan and/or Marcia Del Carpio which, if completed, would satisfy all of the elements of a substantive RICO criminal offense and adopted the goal of furthering or facilitating the criminal endeavor.

164. As a direct and proximate result of, and by reason of, the activities of the Defendant MS, and their conduct in violation of 18 U.S.C. §§ 1962(d), Plaintiffs have been injured in their business or property, within the meaning of 18 U.S.C. § 1964(c). Among other things, Plaintiffs have suffered damages to the extent they have invested time and resources in pursuing what they thought and was led to believe was a legitimate international adoption opportunity with Defendant MS, to the extent their ability to complete the adoptions were delayed by the Defendant MS's wrongful actions, and to the extent their property has been misappropriated. Plaintiffs are, therefore, entitled to recover threefold the damages that they have sustained together with the cost of the suit, including reasonable attorneys' and experts' fees.

COUNT THREE

**RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT
18 U.S.C. § 1962(c)
(Defendants Nina Heller, Bob Clenaghan and Marcia Del Carpio)**

165. Plaintiffs re-allege paragraphs 1 through 164 as if restated herein.

166. At all relevant times, MS constituted an "enterprise," within the meaning of 18 U.S.C. §§ 1961(4) and 1962(c), in that it was a corporation.

- (a) Nina Heller, Bob Clenaghan and/or Marcia Del Carpio are an individual "persons," within the meaning of 18 U.S.C. §§ 1961(3) and 1962(c), who associated with and/or participated in the conduct of said enterprise's affairs.

(b) For an unknown and indefinite period of time, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have conducted, participated in, engaged in, conspired to engage in, or aided and abetted, the conduct of the affairs of the enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961(1), 1961(5) and 1962(c). Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's pattern of racketeering activity consisted of:

- (i) extortion (*see supra* ¶¶ 14 –134) that was designed to extract direct or indirect personal rewards from Plaintiffs; if Plaintiffs or another prospective adoptive refused to succumb to Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's demands for money or foreign and administrative fees, they would stop the adoption or adoption activities and prevent the Plaintiffs from moving forward in the adoption, for personal gain; all or some said acts of extortion were in violation of 18 U.S.C. § 1951;
- (ii) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to obtain Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio placed or caused to be placed in a post office, or authorized depository for mail, matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶ 14 –134); Nina Heller, Bob Clenaghan and/or Marcia Del Carpio committed mail fraud, in violation of 18 U.S.C § 1341, each time they used or caused the mails to be used to distribute the materials described in paragraphs 14 –134 and elsewhere.
- (iii) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to obtain

Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio transmitted or caused to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶ 14 –134); Nina Heller, Bob Clenaghan and/or Marcia Del Carpio committed wire fraud, in violation of 18 U.S.C § 1343, each time it used or caused interstate wires to be used to distribute the materials described in paragraphs 14 –134 and elsewhere;

- (iv) receiving and/or possessing Plaintiffs property, in violation of 18 U.S.C. § 2315, valued at \$5,000 or more, which crossed a state or international boundary after Nina Heller, Bob Clenaghan and/or Marcia Del Carpio stole, unlawfully converted, or took Plaintiffs property and which Nina Heller, Bob Clenaghan and/or Marcia Del Carpio knew was stolen, unlawfully converted, or taken (including but not limited to the events described in paragraphs 14 –134 and elsewhere);
- (v) transporting, transmitting, or transferring in interstate commerce any goods, wares, merchandise of the value of \$5,000 or more, knowing the same to have been stolen converted or taken by fraud, each and every time that Nina Heller, Bob Clenaghan and/or Marcia Del Carpio Mitchell caused Plaintiffs to transmit property across state or international boundaries and each time that Nina Heller, Bob Clenaghan and/or Marcia Del Carpio transmitted Plaintiffs property to third-parties across state or international boundaries as (including but not limited to the events described in paragraphs 14 –134), in violation of 18 U.S.C. § 2314;
- (vi) traveling in interstate and foreign commerce or using the mail or any facility in interstate or foreign commerce with intent to distribute the proceeds of extortion or otherwise promote, manage, establish, or carry on a scheme to extort and thereafter performed or attempted to perform said acts, in violation of 18 U.S.C. § 1952.

These acts all occurred after the effective date of RICO and more than two such acts occurred within ten years of one another.

167. In the alternative to paragraph 166, at all relevant times, some or all of the following individuals constituted an “enterprise,” within the meaning of 18 U.S.C. §§ 1961(4) and 1962(c), in that they were “a group of individuals associated in fact”: Main Street Adoption Services, LLP, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio:

(a) Nina Heller, Bob Clenaghan and/or Marcia Del Carpio are each individual “persons,” within the meaning of 18 U.S.C. §§ 1961(3) and 1962(c), who associated with and/or participated in the conduct of said enterprise’s affairs.

(b) For an unknown and indefinite period of time, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have conducted, participated in, engaged in, conspired to engage in, or aided and abetted, the conduct of the affairs of the enterprise through a pattern of racketeering activity within the meaning of 18 U.S.C. §§ 1961(1), 1961(5) and 1962(c). Nina Heller, Bob Clenaghan and/or Marcia Del Carpio’s patterns of racketeering activity consisted of:

(i) extortion (*see supra* 14 –134) that was designed to extract direct or indirect personal rewards from Plaintiffs; if Plaintiffs or another prospective adoptive refused to succumb to Nina Heller, Bob Clenaghan and/or Marcia Del Carpio’s demands for money or foreign and administrative fees, they would stop the adoption or adoption activities and prevent the Plaintiffs from moving forward in the adoption, for personal gain; all or some said acts of extortion were in violation of 18 U.S.C. § 1951;

- (ii) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to obtain Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio placed or caused to be placed in a post office, or authorized depository for mail, matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶ 14 –134; Nina Heller, Bob Clenaghan and/or Marcia Del Carpio committed mail fraud, in violation of 18 U.S.C § 1341, each time they used or caused the mails to be used to distribute the materials described in paragraphs 14 –134 and elsewhere.

- (iii) a scheme to defraud (*see supra* ¶¶ 14 –134) that was knowingly and intentionally devised by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to obtain Plaintiffs money or property by means of false or fraudulent pretenses, representations, or promises; and, for the purpose of executing such scheme, Nina Heller, Bob Clenaghan and Marcia Del Carpio transmitted or caused to be transmitted by means of wire, radio, or television communication in interstate or foreign commerce matter that furthered the scheme to defraud (including but not limited to the communications described in ¶¶ 14 –134); Nina Heller, Bob Clenaghan and Marcia Del Carpio committed wire fraud, in violation of 18 U.S.C § 1343, each time it used or caused interstate wires to be used to distribute the materials described in paragraphs 14 –134 and elsewhere;

- (iv) receiving and/or possessing Plaintiffs property, in violation of 18 U.S.C. § 2315, valued at \$5,000 or more, which crossed a state or international boundary after Nina Heller, Bob Clenaghan and/or Marcia Del Carpio stole, unlawfully converted, or took Plaintiffs property and which Nina Heller, Bob Clenaghan and/or Marcia Del Carpio knew was stolen, unlawfully converted, or taken (including but not limited to the events described in paragraphs 14 –134 and elsewhere);

- (v) transporting, transmitting, or transferring in interstate commerce any goods, wares, merchandise of the value of \$5,000 or more, knowing the same to have been stolen converted or taken by fraud, each and every time that Nina Heller, Bob Clenaghan and/or Marcia Del Carpio caused Plaintiffs to transmit property across state or international boundaries and each time that Nina Heller, Bob Clenaghan and/or Marcia Del Carpio transmitted Plaintiffs property to third-parties across state or international boundaries as (including but not limited to the events described in paragraphs 14 –134), in violation of 18 U.S.C. § 2314;
- (vi) traveling in interstate and foreign commerce or using the mail or any facility in interstate or foreign commerce with intent to distribute the proceeds of extortion or otherwise promote, manage, establish, or carry on a scheme to extort and thereafter performed or attempted to perform said acts, in violation of 18 U.S.C. § 1952.

These acts all occurred after the effective date of RICO and more than two such acts occurred within ten years of one another.

168. At all relevant times, the enterprises alleged in paragraphs 166-167 were engaged in, and their activities affected, interstate commerce and foreign commerce.

169. All of the predicate acts described above were related so as to establish a pattern of racketeering activity, within the meaning of 18 U.S.C. § 1962(c), in that their common purpose was to solicit bribes, extort and defraud Plaintiffs or other similar prospective adoptive parents of money or property; Nina Heller, Bob Clenaghan and/or Marcia Del Carpio each personally or through their agents or agents, directly or indirectly, participated in all of the acts and employed the same or similar methods of commission; Plaintiffs, other similar prospective adoptive parents, were the victims of the fraudulent

acts; and/or the acts were otherwise interrelated by distinguishing characteristics and were not isolated events.

170. All of the predicate acts described above were continuous so as to form patterns of racketeering activity in that:

- a) Nina Heller, Bob Clenaghan and/or Marcia Del Carpio engaged in the predicate acts described above over a substantial period of time; or
- b) The patterns of racketeering activity engaged in by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio continue or threaten to continue because the patterns have become a regular way of conducting Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's on-going business activities (*see, e.g.,* ¶¶ 15, 21, 25, 31, 38, 43, 52, 54, 58, 76, 78, 83, 93, 100, 101, 120, 126, 129, 143).

171. As a direct and result of, and by reason of, the activities of Nina Heller, Bob Clenaghan and/or Marcia Del Carpio, and their conduct in violation of 18 U.S.C. §§ 1962(c), Plaintiffs have been injured in its business or property, within the meaning of 18 U.S.C. § 1964(c). Among other things, have suffered damages to the extent the Plaintiff invested time and resources in pursuing what they thought and were led to believe was a legitimate adoption opportunity with MS, to the extent its ability to complete adoptions and or facilitate adoptions was delayed by Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's wrongful actions, and to the extent their property has been misappropriated. Plaintiffs are, therefore, entitled to recover threefold the

damages they sustained together with the cost of the suit, including reasonable attorneys' and experts' fees.

COUNT FOUR

**RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS ACT
18 U.S.C. § 1962(d)
(Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio)**

172. Plaintiffs re-allege paragraphs 1 through 171 as if restated herein.

173. MS conspired with Nina Heller, Bob Clenaghan and/or Marcia Del Carpio to conduct or participate, directly or indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity (as described in paragraphs 166-167) in violation of 18 U.S.C. § 1962(d). In particular, MS intended to further an endeavor of Nina Heller, Bob Clenaghan and/or Marcia Del Carpio which, if completed, would satisfy all of the elements of a substantive RICO criminal offense and adopted the goal of furthering or facilitating the criminal endeavor.

174. Nina Heller conspired with MS, Bob Clenaghan and/or Marcia Del Carpio, to conduct or participate, directly or indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity (as described in paragraphs 189-190) in violation of 18 U.S.C. § 1962(d). In particular, Nina Heller intended to further an endeavor of MS, Bob Clenaghan and/or Marcia Del Carpio which, if completed, would satisfy all of the elements of a substantive RICO criminal offense and adopted the goal of furthering or facilitating the criminal endeavor. (*See supra, e.g.*, ¶ 15, 21, 25, 31, 38, 43, 52, 54, 58, 76, 78, 83, 93, 100, 101, 120, 126, 129, 143).

175. Bob Clenaghan conspired with MS, Nina Heller and/or Marcia Del Carpio to conduct or participate, directly or indirectly, in the conduct of the affairs of the enterprise

through a pattern of racketeering activity (as described in paragraphs 189-190 in violation of 18 U.S.C. § 1962(d). In particular, Bob Clenaghan intended to further an endeavor of MS, Nina Heller and/or Marcia Del Carpio which, if completed, would satisfy all of the elements of a substantive RICO criminal offense and adopted the goal of furthering or facilitating the criminal endeavor. (*See supra, e.g.* ¶¶ 15, 21, 25, 31, 38, 43, 52, 54, 58, 76, 78, 83, 93, 100, 101, 120, 126, 129, 143).

176. Marcia Del Carpio conspired with MS, Nina Heller and/or Bob Clenaghan to conduct or participate, directly or indirectly, in the conduct of the affairs of the enterprise through a pattern of racketeering activity (as described in paragraphs 189-190 in violation of 18 U.S.C. § 1962(d). In particular, Marcia Del Carpio intended to further an endeavor of MS, Nina Heller and/or Bob Clenaghan which, if completed, would satisfy all of the elements of a substantive RICO criminal offense and adopted the goal of furthering or facilitating the criminal endeavor. (*See supra, e.g.* ¶¶ 15, 21, 25, 31, 38, 43, 52, 54, 58, 76, 78, 83, 93, 100, 101, 120, 126, 129, 143).

177. As a direct and proximate result of, and by reason of, the activities of MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio, and their conduct in violation of 18 U.S.C. §§ 1962(d), Plaintiffs have been injured in their business or property, within the meaning of 18 U.S.C. § 1964(c). Among other things, Plaintiffs have suffered damages to the extent they invested time and resources in pursuing what they thought and were led to believe was a legitimate adoption opportunity with MS, to the extent the ability to complete adoptions and or facilitate Guatemalan adoptions were delayed by MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's wrongful actions, and to the extent their property has been misappropriated. Plaintiffs are, therefore, entitled to recover

threefold the damages that they have sustained together with the cost of the suit, including reasonable attorneys' and experts' fees.

COUNT FIVE

UNJUST ENRICHMENT

(Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio)

178. Plaintiffs re-allege paragraphs 1 through 177 as if restated herein.

179. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have, directly or indirectly, wrongfully received all or part of Plaintiffs property and money related to the adoptions.

180. Despite Plaintiff's repeated requests, Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have refused to fully compensate Plaintiffs for the value of the property and money related to the adoptions received.

181. As a result, MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have been unjustly enriched.

182. By reason of the foregoing, and as a direct and proximate result, Plaintiffs are entitled to a judgment in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT SIX

CONVERSION

(Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio)

183. Plaintiffs re-allege paragraphs 1 through 182 as if restated herein.

184. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio have converted to their own use and benefit Plaintiffs property and money related to the adoptions.

185. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's conversion of Plaintiffs assets, Plaintiffs have incurred and/or will continue to incur substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT SEVEN

CIVIL CONSPIRACY

(Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio)

186. Plaintiffs re-allege paragraphs 1 through 185 as if restated herein.

187. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio illegally, maliciously, and wrongfully conspired with one another with the intent to and for the illegal purpose of committing fraudulent adoptions through a **bait and switch scheme**, an adoption scheme that offered illusory promises and conversion of the money and property of the Plaintiffs.

188. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio, in combination, conspired to obtain money through their fraudulent adoption schemes.

189. This conspiracy resulted in the illegal, unlawful, or tortious activity of fraud and violations of the Racketeer Influenced and Corrupt Organizations Act.

190. As a result of the conspiracy and Defendant MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's illegal, wrongful, or tortious acts, Plaintiffs sustained the following damages: loss of money for adoptions, administrative fees,

translation fees, travel fees, lodging costs, fees for hiring adoption facilitators, foreign fees, loss of employment and housing, emotional damages and other damages that may have yet to be determined.

191. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's conspiracy to obtain Plaintiff's assets, Plaintiffs have incurred and/or will continue to incur substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT EIGHT

FRAUDULENT MISREPRESENTATION (Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio)

192. Plaintiffs re-allege paragraphs 1 through 191 as if restated herein.

193. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio intentionally made false representations of material facts to Plaintiffs regarding the success of the adoptions, the ability of selecting a child from photo listings, the ability of the Defendants to "hold" a child for adoption, the ability of Defendants to complete adoptions due to their relationship with Guatemalan officials, the cost of services, the availability of children available to adopt, as set forth in the preceding paragraphs.

194. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's representations were false when they were made.

195. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio knew that the representations were false when they were made or made them recklessly, without knowing whether they were true.

196. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio intended that Plaintiffs rely on the representations.

197. Plaintiffs relied on Defendant's false representations by signing an illusory Adoption Contract in the hopes of adopting a child.

198. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's fraudulent misrepresentation, Plaintiffs have incurred and/or will continue to incur substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT NINE

INNOCENT MISREPRESENTATION (Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio)

199. Plaintiffs re-allege and restate paragraphs 1 through 198 as if restated herein.

200. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's representations, as set forth in the preceding paragraphs, were made in connection with the making of a contract between Plaintiffs and Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio.

201. Plaintiffs would not have entered into the contract to adopt a Guatemalan child if Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio had not made the representations.

202. Plaintiffs suffered substantial economic losses as a result of entering into the contract, and these losses benefited Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio.

203. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's fraudulent misrepresentation, Plaintiffs have incurred and/or will continue to incur substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT TEN

**INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio)**

204. Plaintiffs re-allege paragraphs 1 through 203 as if restated herein.

205. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's fraudulent representations and illegal activities were made intentionally, outrageously and maliciously and have caused Plaintiffs to suffer humiliation, outrage, indignation, sleepless nights, and severe emotional distress.

206. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio continued in their enterprise of fraudulent behavior with reckless disregard to the emotional impact to the Plaintiffs.

207. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's Intentional Infliction of Emotional Distress, Plaintiffs have incurred and/or will continue to incur emotional distress and substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

COUNT ELEVEN

**NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio)**

208. Plaintiffs re-allege paragraphs 1 through 207 as if restated herein.

209. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's fraudulent representations and illegal activities were made intentionally, outrageously and maliciously and have caused Plaintiffs to suffer humiliation, outrage, indignation, sleepless nights, and severe emotional distress.

210. Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio continued in their enterprise of fraudulent behavior with reckless disregard to the emotional impact to the Plaintiffs and their spouses or partners.

211. As a direct and proximate result of Defendants MS, Nina Heller, Bob Clenaghan and/or Marcia Del Carpio's Negligent Infliction of Emotional Distress, Plaintiff's spouses and family members have incurred and/or will continue to emotional distress and substantial damages in an amount to be determined by the Court, but which is in excess of seventy-five thousand (\$75,000).

WHEREFORE, Plaintiffs demand judgment from the Court as follows:

1. To award damages against Defendants MS, Nina Heller, Bob Clenaghan and Marcia Del Carpio, jointly and severally, for a sum of money equal to the amount of damages and/or losses Plaintiffs have sustained or will sustain;
2. To treble the amount of said damages pursuant to 18 U.S.C. § 1964(c);
3. To award prejudgment interest on the amount of damages and/or losses that Plaintiffs have sustained;
4. To award all costs of litigation incurred by Plaintiffs, including their reasonable attorneys' fees and experts' fees, pursuant to 18 U.S.C. § 1964(c), ; and

5. To award damages in an amount in excess of \$75,000 resulting from Defendant's intentional and malicious actions;

6. And to award such other and further relief as the Court deems just and equitable.

FIXEL LAW OFFICES, PLLC

Dated: June 6, 201

/s/ _____
Joni M. Fixel, Esquire
4084 Okemos Rd, Suite B
Okemos, MI 48864
Telephone: (517) 332-3390
Facsimile: (517) 853-0434
jfixel@fixellawoffices.com

/s/ **John S. Tucci Jr., Esquire**
John S. Tucci Jr., Esquire
Marshall, Dennehey, Warner,
Coleman & Goggin
1845 Walnut Street, 21st Floor
Philadelphia, PA 19103
jstucci@mdwcg.com
[Tel:215/575-2616](tel:215/575-2616)
Fax: 215/575-0856

Jury Demand

Plaintiffs demand a Jury Trial.

FIXEL LAW OFFICES, PLLC

Dated: June 6, 2011

//s/

Joni M. Fixel, Esquire

4084 Okemos Rd, Suite B

Okemos, MI 48864

Telephone: (517) 332-3390

Facsimile: (517) 853-0434

jfixel@fixellawoffices.com

/s/ John S. Tucci Jr., Esquire

John S. Tucci Jr., Esquire

Marshall, Dennehey, Warner,

Coleman & Goggin

1845 Walnut Street, 21st Floor

Philadelphia, PA 19103

jstucci@mdwgc.com

[Tel:215/575-2616](tel:215/575-2616)

Fax: 215/575-0856

EXHIBIT A

Exhibit A

From: Nina @ Main Street Adoption [mailto:nina@mainstreetadoption.com]
Sent: Wednesday, February 28, 2007 11:09 AM
To: Melissa
Subject: Main Street Adoption

Melissa

She was assigned to a family.

If you are seriously considering adoption of a child make sure Home Study and immigration obtained first, (unless you have it already)

Feel free to call or email with any additional questions

Take care

Nina

-----Original Message-----

From: Melissa [mailto:girturi@sbcglobal.net]
Sent: Wednesday, February 28, 2007 9:37 AM
To: nina@mainstreetadoption.com
Subject: Gilda

Is baby gilda still available? She is 11 mos. old and on the precious site.

~Melissa Turi

Children are a gift from God.....Psalm 127:3

EXHIBIT B

Exhibit D

-----Original Message-----

From: Melissa [mailto:girlturi@comcast.net]

Sent: Monday, April 09, 2007 12:54 PM

To: Nina @ Main Street Adoption

Subject: Madelin

Hi Nina,

As soon as you have the medical report and bc, please let me know and I'll wire the funds. I'm leaving now to go fax the agreements. I tried unsuccessfully all morning to get my fax machine working. Ugh, I'll have to hire a geek.

Also, please email me or mail me an official referral. I've no idea what it really looks like or do you just email a picture etc. I want to just be able to print it out and mail it to my social worker, along with my copy of my 171H saying, here is my referral etc. I'm suspecting she just needs your name and address the my referrals name?

Thanks,

Melissa

EXHIBIT C

Exhibit J

From: Nina @ Main Street Adoption [mailto:nina@mainstreetadoption.com]
Sent: Tuesday, July 17, 2007 9:26 AM
To: milagro_law@hotmail.com
Subject: FW: Visit Trip /Madeline

Forwarding email from Melissa Turi..who is adopting Madeline

-----Original Message-----

From: Melissa [mailto:girlturi@comcast.net]
Sent: Tuesday, July 17, 2007 11:30 AM
To: Nina @ Main Street Adoption
Subject: Visit Trip

Dear Nina,

I just want to remind you that my husband and I are visiting next week. We will arrive in Guatemala on 7/22 at 7pm and take the shuttle to the Grand Tikal. I have spoken to Milagro and she said she will have Madeline at the hotel at 1pm on Monday the 23rd and have her picked up on Wednesday at 6pm (we leave very early on Thursday). Please confirm this with her so that all is set-up. We do not have anyone's cell numbers for this trip. It would be nice to have the Foster Mother's phone number in case we need to contact her. Also, will Milagro be in Guatemala at that time? If so, could we have her number there.

The morning of the 23rd we will not be at the hotel (we will be at the hogar getting Ana Cristina). I'm fairly sure my cell phone will work in Guat as it works in Italy. The number is 630-347-5319.

Also, we have not received any info on Madeline since 5/15 and then it was only photos. No new medical since 4/6- at referral. Milagro said she would get her to the doctor, has she? The waiting is awful, but it would be more bearable if we got the monthly updates promised. Thanks for your time.

Melissa Turi

EXHIBIT D

Exhibit J

From: Nina @ Main Street Adoption [mailto:nina@mainstreetadoption.com]
Sent: Tuesday, July 17, 2007 9:26 AM
To: milagro_law@hotmail.com
Subject: FW: Visit Trip /Madeline

Forwarding email from Melissa Turi..who is adopting Madeline

-----Original Message-----

From: Melissa [mailto:girlturi@comcast.net]
Sent: Tuesday, July 17, 2007 11:30 AM
To: Nina @ Main Street Adoption
Subject: Visit Trip

Dear Nina,

I just want to remind you that my husband and I are visiting next week. We will arrive in Guatemala on 7/22 at 7pm and take the shuttle to the Grand Tikal. I have spoken to Milagro and she said she will have Madeline at the hotel at 1pm on Monday the 23rd and have her picked up on Wednesday at 6pm (we leave very early on Thursday). Please confirm this with her so that all is set-up. We do not have anyone's cell numbers for this trip. It would be nice to have the Foster Mother's phone number in case we need to contact her. Also, will Milagro be in Guatemala at that time? If so, could we have her number there.

The morning of the 23rd we will not be at the hotel (we will be at the hogar getting Ana Cristina). I'm fairly sure my cell phone will work in Guat as it works in Italy. The number is 630-347-5319.

Also, we have not received any info on Madeline since 5/15 and then it was only photos. No new medical since 4/6- at referral. Milagro said she would get her to the doctor, has she? The waiting is awful, but it would be more bearable if we got the monthly updates promised. Thanks for your time.

Melissa Turi

EXHIBIT E

DNA

Subject: FW: RE: DNA Authorization
Date: Tue, 29 Apr 2008 12:03:02 -0400
From: "Elizabeth Espinosa" <eespinosa@coanet.org> View Contact Details Add Mobile Alert
To: "Melissa Turi" <missturi@sbcglobal.net>

Elizabeth Espinosa
Administrative Coordinator, Hague
Council on Accreditation
120 Wall Street, 11th Floor
New York, NY 10005
Phone: 212.797.3000 ex. 267
Fax: 212.797.1428

From: girturi@comcast.net [mailto:girturi@comcast.net]
Sent: Monday, February 11, 2008 2:16 PM
To: Elizabeth Espinosa
Subject: FW: RE: DNA Authorization

----- Forwarded Message: -----

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>
To: "Melissa Turi" <girturi@comcast.net>
Subject: RE: DNA Authorization
Date: Thu, 4 Oct 2007 19:46:21 +0000
Melissa,

I have been on the phone none stop with Guatemala, Attorneys and families since 6 AM

I really do not know what do you want us to do, we are trying to help

This is not part of the fees or last payment; this is path through payment and must be paid by families at the time when DNA is done

Unless, we receive money from you or you pay directly, we will not be able to have DNA done. Clinic in Guatemala and Lab in US needs to be paid

Local grocery stores and Wall Mart's so is Kmart's have western union or money gram offices inside. You need to complete form (they will have it) with Byron's name and your name on it and pay them.

Money is available in Guatemala immediately. They will give you a reference number we will need that number in order for them to pick up money in Guatemala

In the past we paid in advance as courtesy and families reimbursed us via checks or direct deposit into Main Street account this helped expedite DNA process

We no longer able to do it, most of our resources are being used to pay for foster care on the first of each month, so far only one third of the families paid for foster care due in October ,

We cannot stop issuing formula and diapers for our kids or not take them to a doctor's We are forced to front money , thousands, to keep foster moms and kids taken care of.

Nina Heller

EXHIBIT F

From: girturi@comcast.net [mailto:girturi@comcast.net]
Sent: Tuesday, January 15, 2008 2:31 PM
To: Nina @ Main Street Adoption
Subject: Re: FW: Turi PGN # 12845 was kicked out/please pick it up

Nina,

I'm sick over this. I can't believe it. I emailed her, I hope she clarifies what she means, here. I read it as the birthfather saw Maite with maybe the fostermom and filed some sort of report or made claim to her somehow. This was over 3 months ago, why would it come up now? I don't understand how we can be in the same situation we were with Madeline, all the sudden her birthfather was in the picture. I comb the adoption sites and no one has issues like this, its unbelievable. Please, email me or call me if you talk to Bob tonight and find out what the previo says exactly, I need to have the scan. Spanish is fine, we have a translator. Thanks for letting me know.~Melissa

----- Original message -----

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

I received an email from Milagro. I do not totally understand what she is talking about. What happened on OCT 30???

If that's the case, how is it possible PGN knew about it but we did not? Wouldn't birth father file a police report first or notify attorney or both?

As usual her email creates more questions than answers. Please email her for clarification; I will do the same .Do not make it long as she does not seem to read it.

From: milagro del carplo [mailto:milagro_law@hotmail.com]

Sent: Tuesday, January 15, 2008 10:47 AM

To: Nina @ Main Street Adoption; bob@mainstreetadoption.com; milagro_law@hotmail.com

Subject: RE: Turi PGN # 12845 was kicked out/please pick it up

HI Nina we have the file now

i will see with my own eyes because what they told me

It is incredible

they told me on octover 30 the child was recognized for the father

i need to see this and how we can legal american law continue working in this case

i will hire attorney who is taking care of this.

EXHIBIT G

Subject: RE: FW: Privo fater Maite

Date: Mon, 21 Jan 2008 14:52:02 -0400

From: girturi@comcast.net

To: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

HTML Attachment [[Scan and Save to Computer](#)]

Where is the DNA test proving he is the Father?

----- Original message -----

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

I did not see this email before sending you my previous one.

Milagro is talking to a birth father but I am sure you understand that she needs time. This is not something that can be "fixed" overnight. He legally has a right to this child, however we are hoping he may reconsider after all the facts are presented to him. He is open to communication and has come down considerably.

Please put together pictures for her so she can share pictures with him

Nina

Nina Heller

Bus 717-560-2175

Fax 202-204-4862

Main Street Adoption

Hungary, Ukraine, Russia, China

Kazakhstan, Ethiopia, Rwanda, Guatemala,

Columbia, Peru

From: girturi@comcast.net [mailto:girturi@comcast.net]

Sent: Saturday, January 19, 2008 11:05 AM

To: Nina @ Main Street Adoption

Subject: Re: FW: Privo fater Maite

Is this one previo from 11/28 and one from Monday? I was able to get the page and move it so nevermind on the sep. doc.

Milagro never called Guy back. We need to know what is going on. There is no way that this is happening to us again. This needs to be fixed and is not our situation. Someone is creating these situations. We expect to hear from Milagro or you or Bob regarding status.

We want a full accounting of where our money has gone.

Melissa Turi

----- Original message -----

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

Here it is

Nina Heller

Bus 717-560-2175

Fax 202-204-4862

Main Street Adoption

Hungary, Ukraine, Russia, China

Kazakhstan, Ethiopia, Rwanda, Guatemala,

Columbia, Peru

From: Bob McClenaghan [mailto:mainstreetbob@earthlink.net]



Sent: Saturday, January 19, 2008 9:29 AM

To: Nina

Subject: Privo fater Maite

EXHIBIT H

Tue, 22
Jan 2008
13:58:17



From: girturi@comcast.net  Add to Address Book  Add Mobile Alert
To: "Milagro" <mlira@cfl.rr.com>, "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>, "Bob @ Main Street Adoption" <bob@mainstreetadoption.com>
CC: "Guy Turi" <guyturi@sbcglobal.net>
Subject: Reg Maite's case with Central Authority

Dear Bob,
Please ensure that Maite's case is registered with central authority. I have emailed the same to Milagro (no response).
Sincerely,
Guy Turi - 815-722-1744

EXHIBIT I

1-29-08

Tue, 29
Jan 2008
03:28:40

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>  Add to Address Book  Add Mobile Alert
To: girltuni@comcast.net
Subject: information, need to talk to you

Melissa

I tried to call but you have not been home.

Bob spoke to Milagro yesterday, she told us she met someone (not clear who) who either directly involved or knows that Madeline was placed with another agency under different name and new birth certificate. Something happened, adoption was disrupted and birth mom is in jail. It is not clear who and what. We need to schedule phone conference with Milagro so we can discuss it. I do not want to talk to her and have to translate what she told me and later have her tell us that she did not said what she did. We have Madeline DNA done and I would think we may be able to salvage this but first need to understand what happened.

Milagro was to fly out of Guatemala last night but did not and supposedly flying tonight. She is staying at Radisson Room 1004 (if she is still there)

We need to do this together to make sure Milagro story is the same as she told us. Also I have many questions for Milagro and would be helpful if you were part of the conference call. Bob and I were never told or asked she will ask you for \$3,000. The only thing we ever talked to her about was foster care question and when its due She asked if she can call you and talk to you about foster care, we said yes. Later she called back and told us you agreed to pay for foster care. We really did not think much about it. Attorney last payment is due at the end of the adoption. I think your case is under David DePaz. If thats the case, his final payment is around \$1,200. We just had to pay for another birth mom to come in to sign, I think it was \$500 for this birth moms expenses. We paid over \$59,000 in October and November either to Milagro account or Money grams to Guatemala per her instruction for various bills to keep cases moving forward. Paid for DNA payments, handlers, foster care, doctors and attorneys birth moms expenses. This is very disturbing and we have to get to the bottom of it. We have asked for accounting and receipts but have not received anything to date

I found email from Milagros date 12-04, list of foster moms and kids. She listed Marisol Garcia Aguilar as your foster mom, I am confused is Rosie the same person as this Marisol?

Bob is trying to buy tickets to fly out to Guatemala tomorrow, if not on Wednesday

Nina



Main Street Adoption

Hungary, Ukraine, Russia, China

EXHIBIT J

2-1-08
Answer to Demand Ltr

Fri, 01
Feb 2008
22:29:12

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>  Add to Address Book  Add Mobile Alert
To: girlturi@comcast.net
CC: "Bob @ Main Street Adoption" <bob@mainstreetadoption.com>
Subject: Adoption of Madelyn

We received your letter, I understand you are upset but we do feel we can get Madelyn back. Information Bob received came directly from a person who knows of this situation. If it is true and birth mom does not want her, we have an opportunity to register her and move forward with her adoption

We can have you talk directly to an attorney, he speaks English, I just spoke to him few minutes ago over the phone. Considering we have DNA done and it is a match we know this child belongs to this birth mother so we do not have to worry about it not being a match.

We only have few days to register, we need to hear from you

Please let us know

Nina Heller

Bus 717-560-2175

Fax 202-204-4862

Main Street Adoption

Hungary, Ukraine, Russia, China

Kazakhstan, Ethiopia, Rwanda, Guatemala,

Columbia, Peru

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EXHIBIT K

Okay, this is almost the end of the emails, just a few from the Facilitator that I may forward. This email came last week, and all the sudden they are not talking about Madeline, its back to Maite? Its crazy.

----- Forwarded Message: -----

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

To: <girturi@comcast.net>

Subject: RE: Madeline

Date: Fri, 8 Feb 2008 18:35:01 +0000

Melissa

We have Maite coming this afternoon for finger prints and foot prints and pictures for registration.

Foster mom (Leticia) told Milagro she no longer has Madelyn in her care and gave her back to Birth mom who supposedly according to Leticia does not want her. Melissa keep in mind I am forwarding info as it comes in and cannot verify if this is true or not (Madelyn situation)

Milagro told me she will contact birth mom (I do not know directly or through someone) and have her come in either later today or tomorrow.

She told me she will try to register both girls, I am not sure how she can register both but if she told me she can

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From: girturi@comcast.net [mailto:girturi@comcast.net]

Sent: Friday, February 08, 2008 9:03 AM

To: Nina @ Main Street Adoption; milagro del carpio

Cc: girturi@sbcglobal.net

Subject: Madeline

Nina,

I have not heard anything from anyone other then a message from Milagro over a week ago saying she would get Madeline registered for me.



What's the status?

Plus, no one has asked me for the info required to register, which leads me to believe this is yet another deceptive round around.

Melissa

EXHIBIT L

Wed, 13
Feb 2008
21:15:59

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>  Add to Address Book  Add Mobile Alert
To: girturi@comcast.net
CC: "Bob @ Main Street Adoption" <bob@mainstreetadoption.com>
Subject: maite case was registerd

Sorry only now emailing, we have been trying to arrange for a birth father to come in , it has been going on since 1PM going back and forth

Maite case was registered. Rosie brought Maite yesterday with barely enough time to get it done. Bob spend some time (about 30 minutes) with Maite, while they were doing all the prints and a picture. However birth father did not come as promised and today we have been going back and forth trying to figure out the time.

Last everyone agreed on around 8PM. Bob will be there, attorney will be there and hopefully father will signed all the paperwork. They were also told we must have Maite in our foster care or it is not going to work

We will have more to report later tonight or tomorrow morning.

Hopefully we will be given registration number by Friday, as soon as we receive it will be forwarded

EXHIBIT M

Nina @ Main Street Adoption
<mainstreetnina@earthlink.net> Add
to Address Book Add Mobile Alert
Yahoo! DomainKeys has confirmed that
this message was sent by earthlink.net.
Learn more

To: "Melissa Turi" <missturi@sbcglobal.net>
Subject: RE: African Adoptions
Date: Fri, 25 Apr 2008 15:37:33 -0700

Melissa

I can let you talk to Jayne, who helped many children from Ethiopia find their families in US She lived in Ethiopia and understands culture and challenges associated with adoptions from Africa. She is easy to talk to and does not sugar coat anything. I have spoken to her many of times about you guys, she offered to call you but I told her I have to have your OK first and that we are hoping we can get your case fixed. She also traveled all through Africa and her main focus has been humanitarian aid and helping kids.

Melissa, I understand your anger, I really do, trust me, I can hear it all the way from here and I also understand that its justified. I truly hope when you able to take a step back (given time) you will realize we have done all we can do under the most difficult of circumstances, we are dealing with people, we would have never had to deal in our daily life's trying to save your case. I know for you It does not diminish a sense of lose and feeling of distrust you have for us and everything surrounding Guatemala. On a different level I am going through the same thing and have to force myself daily to keep moving forward for the sake of the remaining cases. I also learned (for me) getting stuck in the anger mode only hurts me in the end, I have to move on and tell myself that there is hope and there is tomorrow and winning a battle will not necessary will win the war. This is not meant to be a "message" other than me sharing how I have to deal with the mess Guatemala presented us with and my way of surviving and keep moving forward.

Jayne can be your point contact. I hope someday we will be able to repair some of the damage that this process created between us and you will be able to move on with your life

Let me know if you want Jayne's phone number or email or both. Or if you want her to call you, I will ask her to give a call. This is no way an obligation on your part other than an opportunity to talk to her and ask questions

Nina Heller

Bus 717-560-2175
Fax 202-204-4862
Main Street Adoption

From: Melissa Turi [mailto:missturi@sbcglobal.net]
Sent: Friday, April 25, 2008 2:37 PM
To: Nina @ Main Street Adoption
Subject: African Adoptions

Nina,

How many African adoptions has mainstreet completed? We would never ever work with you and Bob again, however, if you want to pay for our adoption through another agency and we will not have to deal with either of you, we would consider it.

Please do not take this email as any more then it is, we are not anywhere near working on a resolution with you.

Melissa

*I emailed back on the same day
4/25/08 asking for Jayne's contact info;*

http://us.f837.mail.yahoo.com/ym/ShowLetter?MsgId=5590_0_3781_2421_3139_0_2481... 6/25/2008

NEVER Heard from the again. Melissa

EXHIBIT N

Date: Saturday, November 4, 2006, 8:14 PM

Chris and Shaun

We had several families who adopted through us in Guatemala who initially had documents for Columbia with another agency and decided to change countries. Their adoption was finished in about six months after we submitted completed adoption dossier to Guatemala.

Many documents you have now we will be able to use for Guatemala dossier.

Immigration approval is easily redirected to Guatemala City US consulate. We will help you with all of the above.

You will find that Guatemalan process is much easier then Columbian. Most importantly children are in foster care and you will be able to visit them as often as you wish. You will also receive new pictures and updates every four to six weeks

You will be away from home only there days, no visa required for travel.

Round trip tickets are about \$500 per person. Hotel is about \$75-\$100 per night. No post placements are required therefore additional savings.

Julian and Estella are wonderful, sweet children. They are healthy and doing very well in our foster care. Birth Mom requested for both kids to be placed together. Children of Spanish background.

Main Street is a licensed Adoption agency in the state of PA We are part of BBB . We work with families in continental US and abroad.

In order to start we need you to complete free on line adoption application, adoption agreement is issued shortly after

www.mainstreetadoption.com/123.htm

Fee for adoption of one child from Guatemala \$25,100

We were able to reduce fees for adoption of Julian and Estella to \$32,000 (for both children)

This fees generally includes foster care costs for five months, legal fees, routine medical care, document translations, expenses related to your documents, and court costs. Fed EX and DHL

Main Street does not charge application fees, translation fees , driver fees or documentation fees

\$ 3,000 signing of adoption agreement so we can start working on all the necessary documents

\$ 10,500 child assignment fees (at the time when child/children were assigned)

\$ 12,500 At DNA approval

\$ 6,000 Main Street Fees

Additional expenses will include travel and lodging (for Guatemala = \$ 800 /person), U.S. visa for the child (for Guatemala = \$380), and specific to Guatemala is the mandatory DNA testing of the birth mother and child (\$650). Including cost of DNA and authentication Fed EX or DHL

Feel free to call or email with any additional questions

Nina Vizitei

1-717-560-2175

EXHIBIT O

On Sun, 1/7/07, Nina @ Main Street Adoption <nina@mainstreetadoption.com> wrote:

From: Nina @ Main Street Adoption <nina@mainstreetadoption.com>

Subject: RE: dossier

To: "Chris Denton" <cdenton2@yahoo.com>

Date: Sunday, January 7, 2007, 6:40 PM

Just received information on beautiful little girl Marielena 2 1/2 years old. She looks really scared and tired. Birth Mom traveled 2 days with her to Guatemala City. I am sure in a few days she will be better. Waiting for medical and labs, should have it on Monday. Also we will have new shoes and clothes for her (and few toys). She arrived with absolutely nothing. Don't know much also now although somewhat concern with the way she is standing in a picture... I did ask if she possibly has scoliosis, we should know more on Monday. Also we are accepting several more kids this coming week. I will forward information as soon as I receive it

Take care

Nina

-----Original Message-----

From: Chris Denton [mailto:cdenton2@yahoo.com]

Sent: Thursday, January 04, 2007 4:06 PM

To: Bob; Nina

Subject: dossier

hi bob -

should we set up a conference call time to go over the next steps for our dossier. the only doc we are still waiting for is shaun's BC....

i know we were going to get together with you to go over the affidavit (sp), parents letter, etc.

EXHIBIT P

EXHIBIT Q

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><http://farechase.yahoo.com/>

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here is another email chain where milagro requested money from us well after we fired them. see below.

--- On **Fri, 6/15/07**, **milagro del carpio** <milagro_law@hotmail.com> wrote:

From: milagro del carpio <milagro_law@hotmail.com>

Subject: RE: family court

To: "Chris Denton" <cdenton2@yahoo.com>

Date: Friday, June 15, 2007, 1:16 AM

no William says the mother has a court this coming monday 18....

milagro.

> Date: Mon, 11 Jun 2007 08:39:55 -0700

> From: cdenton2@yahoo.com

> Subject: Re: family court

> To: milagro_law@hotmail.com

>

> milagro - one more question...why would vidalia's

> court date be on june 17th? that is a sunday.

>

> chris.

> --- Chris Denton <cdenton2@yahoo.com> wrote:

>

>> milagro -

>>

>> our lawyers are curious why vidalia has to appear in

>> court if we already have our dossier. as far as we

>> are

>> aware our case is out of family court.

>>

>> why does vidalia have to appear and why are you

>> requesting money from us for her travels?

>>

>> please explain as it's very confusing. thanks! chris

EXHIBIT R

Nugent/Denton Direct Adoption Expense Summary
April 2007 to Present (Including MS Fees paid in 2006)
Date Prepared: Aug 13, 2008

	<u>SPN Accounts</u>	<u>CED Accounts</u>	<u>Total</u>
ATM	\$ 7,837	\$ 5,758	\$ 13,595
Auto	4,644	77	4,721
Bank Charges	2	-	2
Cash to CED *	56,500	-	56,500
Clothes	134	310	444
Computer	134	-	134
Dining	2,049	75	2,125
Groceries	3,394	571	3,966
Household	2,993	3,273	6,267
Legal Fees	47,193	-	47,193
Medical	74	1,461	1,535
Misc	4	-	4
Recreation	154	241	395
Rent	16,750	3,200	19,950
Travel	13,822	50	13,872
TOTAL	<u>\$ 155,685</u>	<u>\$ 15,017</u>	<u>\$ 170,702</u>

* represents cash advances to CED to fund living expenses. No specific detail available.
There was no funding after 3/31/08 and therefore the column CED Accounts is required.

EXHIBIT S



Fw: Assignment of Kimberly

Monday, September 8, 2008 12:21 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

-- On Tue, 8/28/07, Nina @ Main Street Adoption <nina@mainstreetadoption.com> wrote:

From: Nina @ Main Street Adoption <nina@mainstreetadoption.com>
Subject: Assignment of Kimberly
To: dog_lover_wells@yahoo.com
Date: Tuesday, August 28, 2007, 12:31 PM

Lisa

I spoke to Milagro. attorney talk to birth mom she understands she is giving baby up for adoption and seem to be very cooperative. Picture of a young woman holding a baby is of a birth mom. As you know this case or any other may initially look good only to fall apart later. We can only assess situation at the time when birth moms relinquishing her child. We have two options first is to wait for a newborn, second to move forward with Kimberly adoption. I have another family who I forwarded info on Kimberly (just in case you do not move forward with her assignment) and they want her but I told them that we have to wait for your decision first.

If you want to move forward with Kimberly please forward \$6,000 to Milagro so she will cover expenses associated with this case. Total fees (25,750) as I mentioned we are able to keep the same. \$6,000 will be debited out of your second payment of \$9,500 and reminder \$3,500 will be due at DNA approval. Last payment of \$4,000 will remain the same at PGN approval. So to recap

If you forward \$6,000 now

Your next payment at DNA will be \$3,500 (not \$9,500)
Last Payment at PGN \$4,000

Milagro bank information

account number 005569070747
routing number 026009593
name Marcia D Carpio
Bank Of America
address South Alafaya Tr. Orlando Fl 32828

Just to let you know most agencies in situations such as this, pass on the extra cost to families because it is outside of anyone's control. We try to avoid it if at all possible. We will be taking a loss and so is Milagro. We are committed to completing your adoption.

Now regarding Guatemala, we continue to maintain close conversations with our attorneys in Guatemala regarding the anticipated timing of the Guatemalan implementation of The Hague. As passed into law in May, the Hague Treaty was scheduled to go into effect in Guatemala on January first. However, it is likely that implementation will not occur until May 1st or later. With presidential elections in September, the Guatemalan congress has stated that no substantive issues will be taken up by congress until after the election of the next President. Since there are currently 7 candidates for

EXHIBIT T

Subject: RE: Kimberly

nina do you think you will hear from milargo today i mean all this time and still havent gotten dna yet i thought that was the easiest step i sent the 6,000 quick because i thought that would get things going quicker please find out something nina for me as soon as you can thanks

"Nina @ Main Street Adoption" <mainstreetnina@earthlink.net> wrote:

I know, I do too ☺

Nina Heller

Bus 717-560-2175

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Columbia, Peru

From: georgie wells [mailto:dog_lover_wells@yahoo.com]

Sent: Tuesday, October 02, 2007 3:01 PM

To: Nina @ Main Street Adoption

Subject: RE: Kimberly

when will she know about the dna will it be this week beacuse i want to get it asap thanks lisa

"Nina @ Main Street Adoption" <mainstreetnina@earthlink.net> wrote:

I spoke to Milgaro, her only concern was getting the entire DNA we need this week. They can only submit 4 requests each day. She had them go yesterday, they did not except any because of minor clerical issues so they had to come back today. We have several cases that have been difficult to deal with. I asked her about Kimberly, she said that it took longer than she original thought to get paperwork (on Guatemalan end of things) but was not concern about your case other then anxious to get approval from US embassy to take DNA.

Nina Heller

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Columbia, Peru

From: georgie wells [mailto:dog_lover_wells@yahoo.com]

Sent: Tuesday, October 02, 2007 1:56 PM

To: nina@mainstreetadoption.com

Subject: kimberly

nina do you think everything is ok does this ever happenplease let me know

Yahoo! oneSearch: Finally, mobile search that gives answers, not web links.



Fw: update

Monday, September 8, 2008 11:48 AM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

-- On Tue, 10/23/07, Nina @ Main Street Adoption <mainstreetnina@earthlink.net> wrote:

From: Nina @ Main Street Adoption <mainstreetnina@earthlink.net>
Subject: update
To: dog_lover_wells@yahoo.com
Date: Tuesday, October 23, 2007, 8:05 PM

Lisa

We did not get DNA done because of the emergency that happened earlier yesterday it took much of our time

Byron was in line to take a DNA test for another case and right before it was his turn to get it done "birth mom" grabbed her child and run with her. Byron followed her and tried to stop her. She started screaming that her child was stolen from her. Police was called in and everyone was taken to Police Station/jail. This "Birth mom" was screaming none stop that she never wanted to give up "her" child. It took all of yesterday and most of today to deal with jail and waiting for a judge to make a decision to let our representative go or keep him in, pending further investigation. We have all the paperwork and of cause submitted everything, criminal charges should be filed and hopefully this woman will go to jail for a long time. Byron was not able to work on your DNA, he was just released after two days, and we will regroup tomorrow. This was totally unplanned but set everything back.

I will get you up dated tomorrow

Nina Heller

Bus 717-560-2175
Fax 202-204-4862
Main Street Adoption
Hungary, Ukraine, Russia, China
Kazakhstan, Ethiopia, Rwanda, Guatemala,
Columbia, Peru



Fw: RE: getting dna done

Monday, September 8, 2008 11:47 AM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

--- On Thu, 10/25/07, Bob @ Main Street Adoption <bob@mainstreetadoption.com> wrote:

From: Bob @ Main Street Adoption <bob@mainstreetadoption.com>

Subject: RE: getting dna done

To: "georgie wells" <dog_lover_wells@yahoo.com>

Date: Thursday, October 25, 2007, 6:31 PM

Byron had the documents and doesn't want to deal with things because of what happened. The mom was there and now we have to find her again to come in. I'm sorry this happened. It really goofed our week for cases.

I'm keeping the faith that it will work out, need you to do the same.

Bob

From: georgie wells [mailto:dog_lover_wells@yahoo.com]

Sent: Thursday, October 25, 2007 12:18 PM

To: bob@mainstreetadoption.com

Subject: getting dna done

have you heard anything yet about doing dna on the baby we have just lost another week do you think that it will be done today or tomorrow and if you can please find out if the mom is still in the city waiting for test to be done please let me know something as soon as you find out
out
lisa
thanks

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EXHIBIT U



Fw: RE: adoption

Monday, September 8, 2008 11:43 AM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

--- On Thu, 11/1/07, Nina @ Main Street Adoption <mainstreetnina@earthlink.net> wrote:

From: Nina @ Main Street Adoption <mainstreetnina@earthlink.net>

Subject: RE: adoption

To: "georgie wells" <dog_lover_wells@yahoo.com>

Date: Thursday, November 1, 2007, 8:17 PM

Lisa

I am not sure if Bob told you I am traveling, I am not in PA, I did not have access to phones or Emails. Today I was in the meetings most of the day. Checked my cell phone and had numerous phone calls from you.

Late last night when I spoke to Bob he told me he talked to you and I assumed you understood what was happening.

Here is a recap,

1. We have Kimberly in our foster care
2. We obtained approval to do DNA from US Embassy after US embassy reviewed documents and determined that they meet US Government requirements.
3. It took several weeks for us to be able to get it because us EMBASSY REJECTED paperwork three times before we were able to submitted ,
4. Main Street already fronted Money for DNA test for Kimberly and birth Mom.
5. Birth mom waited several days and left because we cannot expected her to wait this long. We cannot indefinitely pay for the hotel room , her meals and Taxis and expenses while US Embassy makes up their mind on what they want. Also she has her own life and we cannot force her to stay if she does not want too.
6. After US Embassy gave us approval to do DNA we try to contact Birth Mom so we can obtain DNA samples.
 - 6 Every day since, people in Guatemala have been trying to find her.
 - 8 In addition to DNA appointment Main Street paid fees for family court for her to be interviewed on Monday, if she does not appear, this interview may be rescheduled for several weeks later. Its critical she shows up.
 9. If she does not show up Monday, we will find another child unless you tell us to wait. Lisa although I understand your frustration you need to understand we cannot control Birth moms and if they choose to not to cooperate we cannot force them. It's a holiday today and many people travel outside of Guatemala City. It's possible she did the same thing.
 10. Yes it is unfortunate we lost several children who were initially assigned, we have several other families who had to go through similar situation and all adopted or in the process of adopting.
 11. We have not asked you to reimburse us for any losses associated with your adoption. Main Street absorbed thousands so far in your case . True, we asked you to forward part of your second

payment ahead so we can assign Kimberly but we did tell you that overall payment structure will not change. Many agencies when they loss kids do to birth mom not showing up or changing her mind pass all the financial losses to families because in reality it is not within agencies control and we cannot guarantee it. International adoption process generally has no guarantees just like domestic one. Many things are outside of our control because of the governmental changes by foreign and US governments. I know you are worried about rumors in the internet. Lisa, call State department and US embassy in Guatemala and ask, ask for written notice of exact dates. If they do not have any info or only offer guesses then why do you believe everything on the internet? Lisa, why do you hold us accountable for birth moms who do not care to show up, change their mind and do not cooperate.

You mentioned to me in one of the conversations you were not sure if child is even in our foster care. If you do not believe us, I invite you to fly to Guatemala and spend time with her. If you doubt we submitted paper work to US Embassy, call them. If you doubt we have an appointment scheduled at family for birth mom, call them. We are working on your case as diligently as possible given unpredictable and corrupt nature of Guatemalan adoption process, that's the best we can do. We have many other cases to take care of in addition to yours and if everyone fell apart emotionally and called us 30 times a day we would not be able to what needs to be done and would spend 90% of our time come everyone down . WE would not have time to actually work.

Nina Heller

Bus 717-560-2175

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Columbia, Peru

EXHIBIT V



Fw: update

Monday, September 8, 2008 11:15 AM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

-- On Tue, 11/6/07, Nina @ Main Street Adoption <mainstreetnina@earthlink.net> wrote:

From: Nina @ Main Street Adoption <mainstreetnina@earthlink.net>

Subject: update

To: dog_lover_wells@yahoo.com

Date: Tuesday, November 6, 2007, 2:05 PM

Lisa

Monday neither family Court or PGN were open. Appointment for birth mom at Family Court was moved to Tuesday (today). She did not show up. We are done with her and will have child picked up from our foster care sometime tomorrow.

We have a set of twin girls coming in. They are under two months old. We do not have any more info then that. We cannot place them together because we do not have family wanting to adopt two kids. As soon as we have info (hopefully today) I will send you pictures. I am sorry I know you are stressed out and all of us were hoping that Birth Mom will show but not much we can do other then move on and assigned another child.

I will email you later tonight and let you know if Twins showed up. We also waiting for more kids to be brought in, Milagro is working on it

Guatemala held presidential elections on Sunday and looks like a moderate candidate won, that's a good news for everyone, other than that there is no news on adoption front,

Nina Heller

Bus 717-560-2175

Fax 202-204-4862

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Columbia, Peru

EXHIBIT W



Monday, September 8, 2008 11:10 AM

Fw: RE: adoption question

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

--- On Sat, 11/10/07, Bob @ Main Street Adoption <bob@mainstreetadoption.com> wrote:

From: Bob @ Main Street Adoption <bob@mainstreetadoption.com>
Subject: RE: adoption question
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Saturday, November 10, 2007, 5:12 PM

Another agency is not going to reduce their fees by the amount you paid to Guatemala. We have to work with the people that lost the cases because we would otherwise have to pay someone the full fees to get a child. That would mean a loss to you which we are trying to avoid. Most agencies if the child / case is lost requires more money or tells the family all the money is lost and that is it. We have avoided that so far with your case. The money you sent so far is all part of the same overall fees for the adoption. No additional fees were added. We are having difficulty continuing to do this for families. Everyone is asking for more money up front and in other cases after yours we have asked families to split the cost of replacing the children which was \$6,000 but we asked for \$2,500.

Bob

From: georgie wells [mailto:dog_lover_wells@yahoo.com]
Sent: Saturday, November 10, 2007 4:10 PM
To: bob@mainstreetadoption.com
Subject: adoption question

bob i was just wondering if you all cannot find a baby soon can we get one off of a photolisting site even if the baby belongs to another agency. i want to get a referrel soon but i really want to see if we can get one that we know the bm is going to cooperate with us. im sorry bob to bother you over the weekend but i just wanted to ask you that. thanks lisa

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EXHIBIT X



Fw: RE: NEED TO ASK QUESTION

Sunday, September 7, 2008 7:52 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

--- On Sat, 12/1/07, Bob @ Main Street Adoption <bob@mainstreetadoption.com> wrote:

From: Bob @ Main Street Adoption <bob@mainstreetadoption.com>

Subject: RE: NEED TO ASK QUESTION

To: "georgie wells" <dog_lover_wells@yahoo.com>

Date: Saturday, December 1, 2007, 2:02 PM

Milagro is traveling to Guatemala. She is going to assess the situation. She has several more children coming in so we can replace Kimberly and move on. She will work each of these cases to get the approvals we need. I can't answer questions in hypothetical's situations, it's getting us confused and I need to work with facts. Fact, the child is walking so either advanced for age, someone goofed on the birth certificate or the mother lied. Think it best to look at other options and if this pans out great but need to be working on another case just to have something tangible.

Bob

From: georgie wells [mailto:dog_lover_wells@yahoo.com]

Sent: Saturday, December 01, 2007 12:49 PM

To: bob@mainstreetadoption.com

Subject: NEED TO ASK QUESTION

please email me i need to know if i get to keep kimberly or what if i cant bob i have got to see about a baby that i can keep please is there anybody else that milargo can use to find a referrel, the ones that got kimberly it seems like they cannot be trusted. i was reading on guatadopt that they are not going to be doing DNA until after the 31 of dec. I dont know bob isnt there anything that can be done to get me a ligitimate referrel that the baby is the right age why couldnt this have been done on the checkup, the babys has had to to get a checkup since august hasnt she that was the date on the medical that i received if the baby was three or four months older wouldnt they have known that? bob i have so many questioins i dont know where to start is there anyway that i can speak to milargo? but i doubt that would do any good. PLEASE BOB LET ME KNOW i cant take the excuses anymore i know its not from you bob ive got to get something because i know its going to be late soon

Never miss a thing. Make Yahoo your homepage.

EXHIBIT Y



Fw: RE: translation has to be paid send \$ 350 to MIRNA LISSETE ORELLANA ORELLANA

Sunday, September 7, 2008 7:17 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

-- On Thu, 1/17/08, milagro del carpio <milagro_law@hotmail.com> wrote:

From: milagro del carpio <milagro_law@hotmail.com>
Subject: RE: translation has to be paid send \$ 350 to MIRNA LISSETE ORELLANA ORELLANA
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Thursday, January 17, 2008, 12:56 PM

Dear Lisa
please send money to the transleter for the file
she is here with me

and she needs to get paid now
this is for legal fee like we are talking about
and her name is

Mirna Lissete Orellana Orellana

she need \$ 355

this is part of the legal fee
than we can discused later tha other legal fee for the lawyer
after i send you the dna forms byron is there on the embassi

and the file was present early in the morning
and we will have the atuhorization in one houre im think

please send this money now
and i will call you now

THANKS MILAGRO
AND FOR ME ALSO I NEED MONEY I HAVE DONE THE MONEY NOW
AND THE LAWYER NEED 1,000
YOU CAN SEND DIRECTLY TO THE LAWYER OR TO ME
I WILL CALL YOU NOW"
HUGS
MILAGRO

Date: Wed, 16 Jan 2008 20:23:20 -0800
From: dog_lover_wells@yahoo.com

EXHIBIT Z



Fw: family court

Sunday, September 7, 2008 6:48 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

--- On Mon, 2/11/08, Erwin Rubio Montenegro <erwinrubio@hotmail.com> wrote:

From: Erwin Rubio Montenegro <erwinrubio@hotmail.com>
Subject: family court
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Monday, February 11, 2008, 3:20 PM

hi lisa, the good news is that we have family court appointment wednesday at 1 pm, william offer the social worker 2500.00 (330.00 usd) to hurry the date of the court so we have to pay her wednesday before the mother goes in the interview, and like always i send you the reciep. we already have the avisos, and everything done. so please send me the money gram for the social woker tomorrow and on wednesday send me the third payment for the mother and i will give to her after we done family court are you happy? i told you to be patient

Invite your mail contacts to join your friends list with Windows Live Spaces. It's easy! Try it!



Fw:

Sunday, September 7, 2008 6:46 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fxellawoffices.com

--- On Wed, 2/13/08, Erwin Rubio Montenegro <erwinrublo@hotmail.com> wrote:

From: Erwin Rubio Montenegro <erwinrubio@hotmail.com>
Subject:
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Wednesday, February 13, 2008, 10:01 PM

HI LISA, SORRY IM WRITING A LITTLE LATE.
TOMORROW WE WILL FINISH THE PROCESS ON FAMILY COURT AND THEN WE JUST HAVE TO HURRY MILAGRO AND HER PEOPLE TO MAKE THINGS FASTER ENOUGH IN PGN
TOMORROW YOU WILL SEND THE THIRD AND LAST PAYMENT FOR THE BIRTH MOTHER AND IF YOU DO I GIVE YOU MY WORD SHE IS NOT COMING BACK FOR THE BABY AND I CAN GARRANTY IT. I PROMISE I WILL CONTINUE HELPING YOU TO THE END OF THE ADOPTION PROCESS, AND KEEPING CLOSE TO YOUR BABY SO SHE WILL HAVE EVERYTHING SHE NEEDS.
PLEASE REMEMBER TELLING ME EVERYTHING MILAGRO TELL YOU TO DO SO I CAN IF IS TRUE OR NOT.
TRY TO SEND 400 USD FOR FOSTER CARE BECAUSE WE REALLY COME SHORT OR TO TIGHT, AND WHEN THE BABY NEED THE EXPENSIVE VACCINES I WILL TELL YOU AND IF YOU SEND THE MONEY FOR THAT I ALWAYS SEND YOU THE RECIEPT.
I WILL TELL THE MOTHER IN A WEEK THAT THE BABY ALREADY LEFT, AND I WILL CONTINUED HELPING HER IN FOOD AND OTHER THINGS LIKE I HAVE BEEN DOING FOR THE PAST TWO MONTHS IT IS UP TO YOU IF YOU WANT TO HELP ME.
REMEMBER LISA THAT I GAVE 500 QUETZALES FOR THE EMERGENCY SHE HAD AND YOU TOLD ME YOU WERE GOING TO SEND IT TO ME SO I DID NOT TAKE IT FROM HER.
TOMORROW I NEED TRANSPORTATION FOR THE MOTHER AND THE BABY FOR SEPARATED FOR TAXI TO TAKE THEM TO THE COURT FEEL FREE TO HELP ME ON THAT.

1535.00 USD FOR THIRD AND LAST PAYMENT
70.00 USD FOR THE MOENY I GAVE FOR EMERGENCY OF THE BROTHOR
35.00 USD FOR TOMORROWS TRANSPORTATION
TOTAL 1640.00 USD

AND YES I WLL SEND RECIEPT FOR EVERYTHING
BYE AND GOOD NIGHT AND REMEMBER HAPPY VALENTINES DAY
SAY HI TO YOUR FAMILY AND I AM WILLING TO MEET EVERYONE

Explore the seven wonders of the world Learn more!

EXHIBIT AA



FW: URGENT#28233 WELLS FAMILY

Friday, September 5, 2008 3:38 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com
PROCESSING TIMES.doc (25KB)

--- On Thu, 3/27/08, Adoptions, Guatemala <Guatemala.Adoptions@dhs.gov> wrote:

From: Adoptions, Guatemala <Guatemala.Adoptions@dhs.gov>
Subject: FW: URGENT#28233 WELLS FAMILY
To: dog_lover_wells@yahoo.com
Date: Thursday, March 27, 2008, 10:00 AM

Dear Wells family:

We received positive DNA results on 02/05/2008. you should hear from us by 04/05/2008, if you do not sent us a new e-mail. See attached.

Adoptions Unit / pam
US Citizenship and Immigration Services
Guatemala City

From: georgie wells [mailto:]
Sent: Thursday, March 27, 2008 7:55 AM
To: Adoptions, Guatemala
Subject: URGENT#28233 WELLS FAMILY

georgie wells <dog_lover_wells@yahoo.com> wrote:
PLEASE. CAN SOMEBODY GET BACK TO ME ABOUT MY PA , NOBODY HHAS
EVE GOTTEN Back to me yet i need to see where i am at in my case our names our HEZEKIAH
SAM WELLS. AND LISA WELLS, BABYS NAME IS EMMA LEEANN RAMIREZ
MARTINEZ. PLEASE LET ME KNOW HOW MY CASE IS COMING ALONG
THANK YOU HEZEKIAH SAM WELLS

Never miss a thing. Make Yahoo your homepage.

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EXHIBIT BB



Fw: RE: I WANT TO CONTINUE ADOPTION, I ALREADY HAVE A I71-H SINCE APRIL OF 2007

Friday, September 5, 2008 3:35 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

-- On Sat, 4/12/08, Adoptions, Guatemala <Guatemala.Adoptions@dhs.gov> wrote:

From: Adoptions, Guatemala <Guatemala.Adoptions@dhs.gov>
Subject: RE: I WANT TO CONTINUE ADOPTION, I ALREADY HAVE A I71-H SINCE APRIL OF 2007
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Saturday, April 12, 2008, 12:07 PM

Dear MS WELLS:

IN MY PREVIOUS E-MAILS I EXPLAINED YOU WHAT WAS YOUR SITUATION AND I WILL CLARIFY IT ONE MORE TIME.

WE SENT AN I-72 ON 04/9/08 TELLING YOU THAT WE HAVE YOUR APPROVED I-71H FOR ONLY ONE CHILD FILE #27281 (KIMBERLY ORODONEZ LOPEZ) AND IS STILL OPEN.

YOUR FILE 28233 (EMMA LEEARN) IS ALSO OPEN AND YOU NEED TO SEND US BY FAX OR E MAIL IF YOU ARE GOING TO CONTINUE WITH BOTH FILES OR ONLY ONE.

IF YOUR INTENTION IS TO CONTINUE WITH BOTH FILES WELL UPDATE YOUR I-171H WITH THIS INFORMATION.

IF NOT SENT US A WITHDRAWAL LETTER CLOSING CASE # 27281.

Adoptions Unit / pam
US Citizenship and Immigration Services
Guatemala City

From: georgie wells [mailto:dog_lover_wells@yahoo.com]
Sent: Saturday, April 12, 2008 12:01 PM
To: Adoptions, Guatemala
Subject: I WANT TO CONTINUE ADOPTION, I ALREADY HAVE A I71-H SINCE APRIL OF 2007

PLEASE TELL ME WHERE DID THE CONFUSION COME FROM ALL I WANT IS MY PA FROM THE EMBASSY FROM THE BABYS DNA RESULTS SO I CAN ADOPT MY BABY. HEZEKIAH SAM WELLS. LISA WELLS, BABYS NAME IS EMMA LEEANN WELLS. I DONT KNOW THE OTHER FILE NUMBER THAT YOU ARE TALKING



Friday, September 5, 2008 3:34 PM

Fw: RE: wells, # 28233

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

-- On **Sat, 4/12/08, Adoptions, Guatemala** <Guatemala.Adoptions@dhs.gov> wrote:

From: Adoptions, Guatemala <Guatemala.Adoptions@dhs.gov>
Subject: RE: wells, # 28233
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Saturday, April 12, 2008, 12:36 PM

Ms Wells:

As soon as we receive your withdrawal letter for case 27281 we will adjudicate your file 28233.

Adoptions Unit / pam
US Citizenship and Immigration Services
Guatemala City

From: georgie wells [mailto:dog_lover_wells@yahoo.com]
Sent: Saturday, April 12, 2008 12:31 PM
To: Adoptions, Guatemala
Subject: RE: wells, # 28233

ii DONT WANT TO CANCEL FOR CASE #28233 I AM ONLY CANCELING CASE #27281 I AM GOING TO SEND THE LETTER OFF TODAY, WILL YOU PLEASE TELL ME THOUGH HOW MUCH LONGER IT WILL BE BEFORE I GET PA FOR EMMA LEEANN THAN YOU SO MUCH FOR ANSWERING ALL OF MY EMAILS I WAS STARTING TO GO CRAZY BECAUSE I DID NOT UNDERSTAND WHY EVERYBODY WAS GETTING THERI PA AND I WASNT, AGAIN I AM TRULY SORRY FOR BOTHERING YOU SO MUCH. THANK YOU THANK YOU FOR GETTING BACK TO ME

"Adoptions, Guatemala " <Guatemala.Adoptions@dhs.gov> wrote:

Dear MS WELLS:
FILE # 28233
DO A LETTER SIGNED BY YOU AND YOUR HUSBAND, SCAN AND SENT IT BY E-MAIL TO CLOSE SUCH CASE.

EXHIBIT CC



Fw: G-56 Notice: WELLS, Case No. 28233

Friday, September 5, 2008 3:32 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>

To: pcade@fixellawoffices.com

-- On Mon, 4/14/08, DONOTREPLY, Guatenotices <Guatemalanotices.DONOTREPLY@dhs.gov> wrote:

From: DONOTREPLY, Guatenotices <Guatemalanotices.DONOTREPLY@dhs.gov>
Subject: G-56 Notice: WELLS, Case No. 28233
To: dog_lover_wells@yahoo.com, lic_g_alonzo@hotmail.com
Cc: "Adoptions, Guatemala" <Guatemala.Adoptions@dhs.gov>
Date: Monday, April 14, 2008, 4:22 PM

G-56 NOTICE

A birth mother interview for subject case has been scheduled as follows:
Esta oficina ha programado una entrevista con la madre biologica en el presente caso de la siguiente forma:

Monday, April 28, 2008 @ 9:00 a.m.
Lunes 28 de abril de 2008 a las 9:00 a.m.

Prospective Adoptive Parent(s): Hezekiah & Lisa Wells
Futuro(s) Padre(s) Adoptivo(s):

Beneficiary Child: Emna Leeann Ramirez Martinez
Menor Beneficiario:

Biological Mother: Elica Midey Ramirez Martinez
Madre Biológica:

Guatemalan Attorney: Guillermo Rolando Alonzo
Abogado Mandatario:

Guatemalan Notary: Carlos Enrique Zamora
Abogado Notario

Please be advised that if the biological mother does not speak the Spanish language, she must be accompanied by a sworn translator of her Mayan language. The translator needs to be certified by the Mayan Language Academy or the San Carlos University, which are the two entities within the Government of Guatemala that provide these accreditations.

For favor tomar nota que si la madre biológica no habla el idioma Español, ella deberá estar acompañada por un traductor jurado de su lengua Maya. El intérprete necesita estar acreditado por la Academia de Lenguas Mayas o la Universidad de San Carlos, que son las dos entidades del Gobierno de Guatemala que proporcionan estas credenciales

Please show-up at the main entrance of the American Embassy in Guatemala City and ask for Astrid Morales, Ext. 4441. /
Presentarse en la entrada principal de la Embajada Americana en la Ciudad de Guatemala y preguntar por Astrid Morales, Ext. 4441.

Sincerely,
Atentamente,

Adoptions' Unit
Department of Homeland Security
U.S. Citizenship and Immigration Services
American Embassy – Guatemala City
Avenida Reforma 7-01, zona 10
01010 Ciudad de Guatemala
Aml.

EXHIBIT DD



Friday, September 5, 2008 3:31 PM

FW:

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

-- On Tue, 4/15/08, milagro del carpio <milagro_law@hotmail.com> wrote:

From: milagro del carpio <milagro_law@hotmail.com>
Subject: FW:
To: "lisa wells" <dog_lover_wells@yahoo.com>
Date: Tuesday, April 15, 2008, 9:54 AM

Milagro cel. 407 952 4064

From: mainstreetnina@earthlink.net
To: milagro_law@hotmail.com
Subject: RE:
Date: Tue, 15 Apr 2008 07:25:51 -0700

You problem

Nina Heller

Bus 717-560-2175
Fax 202-204-4862
Main Street Adoption

From: milagro del carpio [mailto:milagro_law@hotmail.com]
Sent: Monday, April 14, 2008 10:04 PM
To: nina@mainstreetadoption.com
Subject:

nINA
BOB CONFESSE HE WAS THE ONE WHO MADE THE COMPLAIN TO THE EMBASSI IN
TURN THE LISA WELLS CASE
THAT WILL BE AGAINS TO DR RUBIO ALSO
SEE HOW GOOD PERSON IS BOB

AND OF COURSE YOU WILL BE WITH HIM
NOW.
I DONOT GO TO GUATEMALA OBVIOUSLY BECAUSE IS WAITING FOR ME FOR DAMAGE

EXHIBIT EE



Fw: RE: she isnt going to come is she

Friday, September 5, 2008 2:52 PM

From: "georgie wells" <dog_lover_wells@yahoo.com>
To: pcade@fixellawoffices.com

--- On Wed, 5/21/08, Erwin Rubio Montenegro <erwinrubio@hotmail.com> wrote:

From: Erwin Rubio Montenegro <erwinrubio@hotmail.com>
Subject: RE: she isnt going to come is she
To: "georgie wells" <dog_lover_wells@yahoo.com>
Date: Wednesday, May 21, 2008, 8:27 AM

I DONT CARE ANYMORE, DO WHAT EVER YOU WANT TO, THE ISSUE OF THE FOSTER MONEY I NOT MAD AT THAT, ANAYWAY I DID NOT WIN NOTHING EVERYTIME YOU SEND THE MONEY. CARMEN PHONE NMBER IS 502 5385 3331. TELL MILAGRO TO CALL HER AND MAKE HER COME, I AM NOT WAISTING ONE MORE PENNY FOR YOU,

DR. ERWIN RUBIO MONTENEGRO
CEL 5704-9019

Date: Tue, 20 May 2008 17:42:05 -0700
From: dog_lover_wells@yahoo.com
Subject: RE: she isnt going to come is she
To: erwinrubio@hotmail.com

drrubio , milagro and i dont know what you are talking about wh eb you say about the babys birth certificate, we know the birth certificate is not even an issue, we only need the mother to come to the interview we dont understand why you are not cooperating, you are the one who said that everything is good with this mother and baby until the end of the process andnow for second time because i did not pay you fostercre i sent it directly to ingrid you are holding this against me it is very clear because we are talking to carmen all the time after milagro told her not to talk to feliciano after that she took the money for expenses and then dissappear you sent email to milagro that i can forward to you so you will remember that you contact carmen that she tel you that she is not contact you anymore tat is why you are so mad, you want to show that you have the power with carmen, is this truth, you lied to feliciano and milagro telling that the mother is waiting for feliciano to call feliciano has called many times and she does not answer the phone we know you are in control of the mother so now to finish this tell the mother to come to felicianos office to finishb this.

Erwin Rubio Montenegro <erwinrubio@hotmail.com> wrote:

DO WHAT EVER YOU THINK IS RIGHT TO DO, BELIEVE ANYONE YOU WANT , SIGN A COMPLAIN IN THE EMBASSY , MY NAME IS IN ANY PAPER OF YOUR ADOPTION, I DONT CARE ANY MORE, CARMEN TOLD SHE WAS HERE, I BELEIVE PEOPLE

BUT THEY LIE, SO PLEASE LISA FORGET THE MONEY YOU OWE ME, BECAUSE YOU ARE LIKE MILAGRO YOU STOLE MONEY OR DONT PAID, BUT PLEASE DONT EVER CALL ME TO MY HOUSE OR MY CEL , YOU ARE NOT WELCOME ANYMORE.

I AM NOT BLAMING ANYONE , DONT KNOW THE REASON SHE DID NOT COME I JUST CAN GUESS BUT I KEEP TO ME.

FIRST IF YOU PUT THE COMPLAIN, I WILL TELL THEM THE TRUTH THAT MILAGRO CHANGED THE DATE OF BIRTH OF THER BABY AND YOU AGREED WITH THAT, I HAVENT DONE ANYTHING TO THE US SO I HAVE NOTHINMG TO LOOSE.

SO I RECOMEND YOU SENT MILAGRO TO GUATEMALA SHE WANTS TO DO THAT, YOU TO PAY THE TRIP AND SHE WILL GET THE MOTHER FOR YOU, SHE TOLD THE MOTHER NOT TO TRUST ME, SO LIKE YOU SAID YOU ARE NOT ATUPID, PLEASE DO YOUR MATH

DR. ERWIN RUBIO MONTENEGRO
CEL 5704-9019

Date: Tue, 20 May 2008 16:54:56 -0700
From: dog_lover_wells@yahoo.com
Subject: RE: she isnt going to come is she
To: erwinrubio@hotmail.com

drubio what is going on you told me she was there, are you lying to me or what this is ridicolous, who IS DOING THIS TO ME I WANT THE TRUTH YOU SAID YOU HAD CONTROL OF THE MOTHER WHAT HAPPENED I DONT CARE ANYMORE DRRUBIO I WANT THE TRUTH BECAUSE IF YOU KNOW AND IF YOU ARE NOT LETTING HER COME THIS IS AGAINST THE LAW I WILL NOT HAVE THIS. WHY DID YOU LIE TO ME LAST NIGHT ,DRRUBIO WHY DO YOU NOT WANT HER TO GO TO THIS INTERVIEW, IF WE CAN NOT GET A HOLD OF HER FOR ANOTHER INTERVIEW I AM GOING TO THE EMBASSY SHE IS YOUR RESPONSIBILITY, YOU KNOW THAT I HAVE NOTHING TO LOOSE I HAVE ALREADY LOST THE BABY SO I DONT CARE ANYMORE , DRRUBIO YOU NEED FOR HER TO GET IN CONTACT WITH FELICIANO OR CORELLIA OR ALEX BECSUSE IF NOT I AM GOING TO PUT A COMPLAINT IN THE EBASSY AGAINST YOU SAYING THAT YOU WONT LET THE MOTHER COME IN YOU KNOW THIS IS AGAINST THE LAW PLEASE HAVE THE MOTHER TO GET IN CONTACT FELICIANO TOMORROW ,FELICIANO ALREADY TOLD ME THAT CARMEN WOULD NOT TALK TO HIM, THE REASON CARMEN WILL NOT COME IS BECAUSESOMEBODY HAS TOLD HER NOT TO, WE SENT 280.00 THAT WAS MORE THAN I SENT LAST TIME I NEED TO HER TO GET IN CONTACT WITH FELICIANO BECAUSE IF NOT I HAVE NO CHOICE TO THINK THAT YOU ARE NOT COOPERATING .THIS IS SOMEBODYS FAULT . BECAUSE IT HAS HAPPENED TWICE LAST TIME YOU BLAMED WILLIAM WHOSE FAULT IS IT NOW, I AM NOT THAT STUPID DRRUBIO I KNOW SOMETHING IS GOING ON.

Erwin Rubio Montenegro <erwinrubio@hotmail.com>
wrote:

SHE HASNT COME TO MY OFFICE, I WILL MAKE HER TO
COME TO THE EMBASSY, BUT I TIRED OF MILAGRO
BULLSHIT (I AM SORRY BUT I AM MAD AT HER) OF ALL
THE LIES SHE TELL YOU , AND I DONT HAVE ANYTHING
TO DO WITH THAT.

DR. ERWIN RUBIO MONTENEGRO
CEL 5704-9019

Date: Tue, 20 May 2008 07:42:39 -0700
From: dog_lover_wells@yahoo.com
Subject: she isnt going to come is she
To: erwinrubio@hotmail.com

shes not going to come is she, i thought you
were supposed to email me/ to let me know
she was in your office this morning ,the
appointment is in 45 minutes

Get news, entertainment and everything you care about
at Live.com. Check it out!

Invite your mail contacts to join your friends list with Windows Live Spaces. It's
easy! Try it!

Connect to the next generation of MSN Messenger Get it now!

EXHIBIT FF

Sent: Thursday, November 29, 2007 4:39 PM
To: 'Linda Wood'
Subject: RE: Wood Payment

Wheels in motion to finish the case. I sent the fees for the attorney and middle person, registration fees etc. Don't have an eta on the birth cert. The attorney was writing the deed doc so we can obtain the birth cert in your last name. Suspect we will go into the embassy next week sometime after we get everything needed. The embassy has a different process for the end. Now they will send you the Visa Appointment date direct via email. This will come after the 2nd DNA is done and results received by the lab. Usually they issue this within 48 to 72 hours of receipt of results.

Bob

No virus found in this incoming message.
Checked by AVG - <http://www.avg.com>
Version: 8.0.138 / Virus Database: 270.6.7/1628 - Release Date: 8/22/2008 8:32 PM

8/28/2008

EXHIBIT GG

Linda Wood

From: George Wood (Minneapolis) [George.Wood@ticketmaster.com]
Sent: Tuesday, December 18, 2007 8:50 AM
To: bob@mainstreetadoption.com; nina@mainstreetadoption.com
Cc: linda-wood@comcast.net
Subject: Re: Wood Case

From my perspective the plan is about a month late in coming. Who is Hector? If mother is hiding, then why did the notary, and attorney, get paid and why didn't a representative of Mainstreet make it down there sooner? You certainly had enough concerns to warrant an earlier visit.

Why didn't I get the update sooner "that for some reason she is in hiding"? Last I was told, Milagro supposedly knew where the mother worked. We had also been told Milagro was going to go to Guatemala 2-plus weeks ago.

It appears nothing is being done proactively. I certainly have not received proactive updates. Makes me wonder if anything would get done if I simply stopped emailing and calling. Of course it's not worth the \$30k I am out to put that to the test.

As I have been asking for for months, I need focus on this case. It is very clear that an agency that can not take a PGN-approved case further in 4 weeks than ours has progressed is not providing the required focus, or simply does not possess the required skill set.

What is the plan once Hector finds the birth mother? It is important to have one. It is important to have goals in mind and dates to shoot for. What exactly is being shot for?

My patience is gone-and rightfully so. I have asked several questions above and in my email below (which went unanswered). Typically very very few of my questions get answered - instead the issue is diverted. If you have a plan please act on it. If you don't, I will continue to ask these questions until I get answers.

One last question for now: Going forward will I receive proactive and timely updates? Will I hear from you tomorrow regarding any success or results-or lack thereof- of Hector?

--- Original Message ---

From: Bob @ Main Street Adoption <bob@mainstreetadoption.com>
To: George Wood (Minneapolis)
Sent: Tue Dec 18 08:15:26 2007
Subject: RE: Wood Case

Hector is going to Guatemala tomorrow to find the birth mother. For some reason she is hiding and he will find her. This is the plan.

Bob

From: George Wood (Minneapolis) [mailto:George.Wood@ticketmaster.com]
Sent: Tuesday, December 18, 2007 12:00 AM
To: bob@mainstreetadoption.com
Cc: George Wood (Minneapolis); linda-wood@comcast.net
Subject: Re: Wood Case

This is ridiculous Bob. I only get feedback if I email - and when I do, it reflects that absolutely nothing is being done and no

8/28/2008

knowledge at all to speak of.

It has been 4 weeks Wednesday since we received PGN approval. What exactly is going on Bob? Explanations are slim and I am having some dire concerns.

You are paid in full. Your email, dated November 30, 2007, states everyone has been paid (attorney and middle person-and registration fees) yet Milagro is afraid to contact the middle person to find the birth mother??? As stated, the explanations are thin.

We are nearly three weeks removed from everyone being paid and we don't even know where the birth mother is. Worse is that Mainstreet has shown no semblance of a plan to deliver on its obligations.

Bob, I would very much appreciate hearing not of the obstacles of working with Milagro or an unscrupulous notary or whatever, and instead hear about a proactive plan to complete this adoption.

Thank you.

George Wood

----- Original Message -----

From: Bob @ Main Street Adoption <bob@mainstreetadoption.com>
To: George Wood (Minneapolis)
Sent: Mon Dec 17 21:47:14 2007
Subject: RE: Wood Case

George, working with Milagro to get updates. I had a quiet time planned for tonight but she didn't make it. She complained earlier today when we briefly spoke of flu. Family stated she took medicine and is out cold early. I will contact her in the am before her phones go nuts and we can't hold a normal conversation.

Bob

From: George Wood (Minneapolis) [mailto:George.Wood@ticketmaster.com]
Sent: Monday, December 17, 2007 2:48 PM
To: bob@mainstreetadoption.com; nina@mainstreetadoption.com
Subject: Wood Case

Bob and Nina,

Do you have an update on finding the mother and other required steps? Thank you.

George Wood

No virus found in this incoming message.
Checked by AVG - <http://www.avg.com>
Version: 8.0.138 / Virus Database: 270.6.7/1628 - Release Date: 8/22/2008 6:32 PM

8/28/2008

EXHIBIT HH

Linda Wood

From: George Wood (Minneapolis) [George.Wood@ticketmaster.com]
Sent: Monday, January 07, 2008 7:37 PM
To: Bob McClenaghan; bob@mainstreetadoption.com; nina@mainstreetadoption.com; Nina @ Main Street Adoption; info@mainstreetadoption.com
Cc: linda-wood@comcast.net; George Wood (Minneapolis)
Subject: RE: Joseline Wood
Importance: High

Bob,

When delivering news such as this I would have greatly appreciated a phone call, or at least a way to get in contact with you to discuss immediately. As you can imagine, we are utterly deflated. I am leaving on a business trip tomorrow and would like to speak with you tonight. Please give us a call tonight, Bob. I think we deserve one. Thank you. 651-735-7326.

George Wood

From: Bob McClenaghan [mailto:mainstreetbob@earthlink.net]
Sent: Monday, January 07, 2008 4:06 PM
To: George Wood (Minneapolis)
Subject: FW: Joseline Wood

George. I received this email. See my email below Milagro's response. I inquired over the weekend about what happened to the mother coming in and sent my email this morning, this is what I received. I tried to call Milagro several times to clarify without success of reaching. We are taken back by this. Don't get this, don't understand this. I've asked Milagro if she was talking directly to the mother or through this middle person. I would like to get Milagro and you on the phone to discuss this and options.

Bob

From: milagro del carpio [mailto:milagro_law@hotmail.com]
Sent: Monday, January 07, 2008 11:13 AM
To: Bob McClenaghan
Subject: RE: Joseline Wood

MIRIAN SUPOSED TO GO WITH THE MOTHER TO BRING AND SIGN>
I RECIVED A CALL TONIGHT AND SHE TOLD ME SHE IS WITH THE MOTHER
AND SHE WANT THE KID BACK
I SAY IT IS NOT POSSIBLE BECAUSE THE ADOPTION IS DONE
SHE WENT TO THE FOSTER MAN HOUSE AND TOOK THE BABY AND GIVE TO THE MOTHER BECAUSE SHE
TOLD HER
SHE WILL GO TO THE POLICE IF THEY REJECTED TO GIVE HER BABY BACK.

I TOLD MIRIAN DO NOT WE WILL BRING THE BABY TO THE FAMILY COURT AND THE JUDGE MADE THE
DESITION
BUT THEY WAS SCARE ABOUT THE POLICE AND SHE WENT TO THE HOUSE AND TOOK THE BABY

JOSELINE IS GONE
THE MOTHER TOOK HER

8/28/2008

I WROTE AND E MAIL TO THE LAWYER TO START A FORMAL COMPLAIN ABOUT THIS SITUATION
BUT IM KNOW HOW THEY THINK THE MOTHER HAS THE RIGHTS TO DO THIS

BUT HE DID NOT ANSWERED MY E MAILS

WHAT ELSE CAN I DO.....

WE ADVICE THE FAMILY A LONG TIME A TO TO FLY AND BE WITH HER.
BUT SHE DID NOT WANT TO GO
BUT ANY WAY THIS DESITION WAS MADE FOR THE MOTHER PROBABLY A LONG TIME AGO
FOR THE REASON MIRIAN NEVER WANT TO GO AND FIND HER
BECAUSE SHE KNOW HER DESITION IN ADVACEN
BUT SHE NEVER TELL ME NOTHING.....UNTIL LAST NIGHT.

MILAGRO.

From: mainstreetbob@earthlink.net
To: milagro_jaw@hotmail.com
Subject: Joseline Wood
Date: Mon, 7 Jan 2008 11:03:52 -0500

I'm confused by your email about Joseline. Did the mother come back for her or what is happening.
The birth mother was to come in to sign, you were negotiating that with her. Please advise.

Bob

Express yourself instantly with MSN Messenger! [MSN Messenger](#)

No virus found in this incoming message.
Checked by AVG - <http://www.avg.com>
Version: 8.0.138 / Virus Database: 270.6.7/1628 - Release Date: 8/22/2008 6:32 PM

8/28/2008

EXHIBIT II

things like that because they are shooting somewhat from the hip. The constantly changing stories are another indicator of b.s.

Grandmother means nothing. The birthmom is an adult it is her call.

You may wish to try one of the adoption superviros groups out there. But usually they are better with PGN , family court, etc - not with a case like this. with your okay, I'll get some feedbac from them on whether they know of this person.

Gotta run right now.

Kevin

Linda Wood wrote:

<!--[if !supportLineBreakNewLine]-->

<!--[endif]-->

Hi Kevin,

I'm sorry to continue to bother you. I do not know where else to turn at this point, I just received the email below. It has been 10 days since Joseline was taken from her foster mom. We have heard so many different stories since then, I no longer know what to believe. Why would we first be hearing this now if indeed this is true?

Linda Wood

-----Original Message-----

From: Bob McClenaghan [mailto:mainstreetbob@earthlink.net]

Sent: Wednesday, January 16, 2008 3:20 PM

To: 'Linda Wood'

Subject: RE: Wood Case

Just met with the attorneys on your case and they are returning this eve. All agree that the mother needs to be talked to. It appears that the grandparents entered into the picture. We talked to additional attorneys today asking their opinion on the approach and they told us they had similar cases (common here) and the best approach is to talk to the mother and not push as in threats of police etc. The government and law sides on the mother so we won't get any help from authorities. Attorneys are not going to go against anyone here because then the police play both sides and no one wins.

I will try to call you tonight and update.

Bob

From: Linda Wood [mailto:linda-wood@comcast.net]

Sent: Wednesday, January 16, 2008 11:43 AM

To: bob@mainstreetadoption.com

Subject: FW: Wood Case

Hi Bob,

Sorry to bother you again. In the event that you think George and I should not be present at

8/28/2008

EXHIBIT JJ

Linda Wood

From: Nina @ Main Street Adoption [mainstreetnina@earthlink.net]
Sent: Thursday, January 17, 2008 9:29 PM
To: 'Linda Wood'
Subject: RE: Joseline Wood

Linda

I am with you and we are continuously working on getting her back.

Bob and I also emotionally drained trying to deal with people in Guatemala.

I know it seem like time is standing still but it does not mean nothing is being done.

I have not received an update form Bob yet.

It's disturbing and upsetting that adoption of children attracts the lowest of the low of human kind.

I have not seen anything like this in my life not even in Russia

Nina Heller

Bus 717-560-2175
Fax 202-204-4862
Main Street Adoption
Hungary, Ukraine, Russia, China
Kazakhstan, Ethiopia, Rwanda, Guatemala,
Columbia, Peru

From: Linda Wood [mailto:linda-wood@comcast.net]
Sent: Thursday, January 17, 2008 7:19 PM
To: bob@mainstreetadoption.com; nina@mainstreetadoption.com
Subject: Joseline Wood

Bob & Nina,

As I sit this evening wondering what tomorrow will bring, I will share this with you. Tomorrow will be 1 year since Joseline came into our lives, and as I know you understand, I never imagined she would not be here with us at this time. Shortly after we were matched with this beautiful little girl, I placed these words next to her picture that hangs on the refrigerator...

"and I pray that now at last in God's will the way may be opened for me to come to you."

Please understand, we fell in love with this little girl the moment we laid eyes on her. We have watched her grow, and anticipated her arrival. We continue to hope and pray first for Joseline's safety and well being, and then for her to come home to the family that has been waiting to hold her in their arms.

Thank you for help,

The Wood Family,

8/28/2008

EXHIBIT KK

Linda Wood

From: George Wood (Minneapolis) [George.Wood@ticketmaster.com]
Sent: Tuesday, January 22, 2008 8:12 AM
To: linda-wood@comcast.net
Subject: Fw: options you may want to consider

----- Original Message -----

From: Nina @ Main Street Adoption <mainstreetnina@earthlink.net>
To: George Wood (Minneapolis)
Cc: 'Bob @ Main Street Adoption' <bob@mainstreetadoption.com>
Sent: Mon Jan 21 18:12:17 2008
Subject: options you may want to consider

George

Milgaro just told us she arranged conference call between you and the birth mom on Sunday (do not know what time) She said she emailed us shortly after to let us know, we never received an email or phone call from her on Sunday and only learned of this conversation an hr ago asking her for update on your case she told us about. I would have emailed earlier if we knew earlier. Milagro said that in her conversation with you, Birth mom said she changed her mind. Additionally we were told by Milgaro that Guatemalan family court social worker, during her interview with birth mom she told birth mom she can change her mind anytime during adoption process and it almost sounded like she was encouraging her to do so. (According to birth mom) I cannot get into any ones head and tell you why birth mom waited until the last moment and what her true motivation was but according to Guatemalan law she does have a right to take her child back. If this would have happened before we would have worked on finding a new child but with the state of Guatemalan adoption process and uncertainty of what new laws will bring, we do not feel this is a viable option at this time.

Country we would like for you to consider is Ukraine, we completed many adoptions there and although it is a different process then Guatemala it is a good option. All families who adopted from Ukraine are doing well. We would be happy to have you talk to several families who recently adopted. Keep in mind some were caught in government imposed delays but eventually everyone adopted. We are prepared to help you, put you in touch directly with attorney in Ukraine she speaks English her email address is Natalia Koval natalia_koval@ukr.net Her direct fees in Ukraine are \$7,500 plus you need to budget for orphanage donation of \$500 and possibly expedited fees for passport of \$250. All the fees will be paid when you traveled to Ukraine directly to attorney. Main Street fees normally for Ukraine are \$7,000. We will waive our fees.

I know you may not be ready to consider this option now but it is an excellent one and you will be able to adopt at minimal cost (only foreign attorney fees in Ukraine) Ukraine has placed a maximum number of adoptions to all countries at 4,000 for this year. The sooner dossier submitted the sooner you will be able to complete this adoption. Two register you we would need two minimally two documents 1. Intend to adopt 2. POA. Dossier will follow later.

Birth moms cannot change their mind because their parental rights either taken away or birth moms voluntarily gave up their children, Government Orphanages maintain all the paperwork and children who documents cleared all the requirements are made available for adoption. Ukrainian citizen can adopt these children but it happens rarely. Ukraine does require stay in the country of about 4 -5 weeks as majority of eastern European countries. You can also complete your adoption in one or two trips, second trip only one parent can travel at this time

8/28/2008

EXHIBIT LL

Linda Wood

From: George Wood (Minneapolis) [George.Wood@ticketmaster.com]
Sent: Wednesday, March 19, 2008 4:32 PM
To: linda-wood@comcast.net
Subject: Fw: Yet again

----- Original Message -----

From: Bob McClenaghan <mainstreetbob@earthlink.net>
To: George Wood (Minneapolis)
Cc: Nina <nina@mainstreetadoption.com>
Sent: Wed Mar 19 16:27:38 2008
Subject: RE: Yet again

George,

I sent you this email yesterday.

From: Bob McClenaghan [mailto:mainstreetbob@earthlink.net]
Sent: Tuesday, March 18, 2008 7:20 PM
To: 'George Wood (Minneapolis)'
Cc: Nina (nina@mainstreetadoption.com)
Subject: Birth mother meeting

Mariam out of the blue called Feliciano on Saturday to meet in his office with the birth Mother. They were in his office for nearly two hours talking (birth mother, Mariam and Feliciano). The mother stated that she does not want to continue with the adoption, she has a job now and can take care of Joseline herself. Feliciano is again working with Mariam to bring the mother back in to his office to further discuss this matter and see if there is any opportunity to negotiate, convince or demonstrate that Joseline will have a good future with your family etc. He also wants Joseline to be brought in so we can see her and take photos of them together. The mother did not come with Joseline. The mothers story is consistent with what she stated before but we remain hopeful that she will change her position. This week is Holy week and people are not working much the rest of the week if at all. Most likely it will be next week before Mariam can arrange the second meeting. I just found this information out and had a discussion with Feliciano to step up the communication even if a resolution has not been made. Culturally, I'm finding people in Guatemala do not give information out until they have completed all that needs to be done. For example, I sent a fax last week for case updates and did not receive

Bob

From: George Wood (Minneapolis) [mailto:George.Wood@ticketmaster.com]
Sent: Wednesday, March 19, 2008 2:15 PM
To: bob@mainstreetadoption.com; nina@mainstreetadoption.com
Cc: linda-wood@comcast.net

9/2/2008

EXHIBIT MM

Linda Wood

From: Nina @ Main Street Adoption [mainstreetnina@earthlink.net]
Sent: Tuesday, March 25, 2008 4:09 PM
To: 'George Wood (Minneapolis)'; linda-wood@comcast.net
Subject: status and options
Attachments: Picture 217.jpg; ethiopia 2006 314.jpg; Matthew 20.JPG; IMG_0285.JPG; IMG_0703.JPG; Picture 203.jpg; ethiopia 2006 010.jpg

George and Linda

Bob spoke to Feliciano earlier today; he was not able to get a hold of Miriam last week and did not talk to her today. She needs to come in for another case and with Easter holiday last week, very little was done in Guatemala. Of course we are still hoping that birth mom may change her mind although she did tell him during last meeting in his office that she wants to keep Joseline. We told Feliciano if birth mom truly wants to keep her, she has a right to do so but she must sign a document stating she changed her mind and decided to keep Joseline. Because DNA was already done and PGN issued approval we do not believe it is possible for any other family to adopt Joseline, additionally as you know no new cases can be started unless they were registered before Feb 12. We know if this is her final decision, birth mother will not be able to place her for adoption with any attorney.

No one could have predicted your adoption would have been disrupted so late in the process; we had several adoptions disrupted but none took place post PGN approval. In the past we would be able to regroup and find another child in Guatemala but with new laws coming in and Hague implementation in Guatemala it is impossible at this time to open another case unless we wait. It is also unclear how long it will take for Guatemala to reopen and how adoption process will be structured. Majority of money paid to date were forwarded to Guatemala and we will not be able to recover because adoption was completed and PGN did issue approval. However if you are not able to bring Joseline home the fact that your case was approved means very little to you. Main Street is not in the business of starting adoption and not completing it. We are committed to our families and as we have done in the past when the program family initially chose to adopt from no longer available, we are able offer a different program. We would like to offer you the same opportunity; Main Street will pay for foreign fees and will not charge agency fees. You will be able to complete your adoption at no additional cost to you other than cost of authentication of documents and travel. Travel expenses will depend on program you will choose and how long you will have to stay. Some countries require very little travel or child can be escorted, other countries mandate longer time in the country to bond with a child.

We are able to help you adopt from Russia, Kazakhstan (although as of last week Kazakhstan embassy stopped accepting new dossiers but we believe it's temporary) Bulgaria, Hungary, Kirgizstan, Uzbekistan, Rwanda, Burundi, Ukraine, Nepal (temporarily closed) and possibly Ethiopia. Some programs are processed directly through Main Street and others we will be processed through another agency. We will assist with the dossier preparation and take you through the process until you bring your child home.

Countries such as Rwanda and Burundi adoption should not take longer than a few months after submission of dossier and require very short time in the country or we can escort, although prefer for you to travel.

Hungary probably the longest wait, up to two years. Russia and Kazakhstan (when Kazakhstan opens) will take about 3-8 months after submission of documents, depending on availability of children in different regions.

I am forwarding few pictures of children of various ages from Rwanda, Ethiopia and Burundi, so you can see

9/2/2008

what children may look like, obviously kids from these three countries will look different then kids from Russia and Ukraine

Would like to set a conference call with you to talk further about different options and answer any questions you may have. If you are interested in Burundi or Rwanda let me know and I will have Jane call you, she has been involved with Africa programs, lived in Ethiopia , I am sure would be happy to talk to you

As soon we know any new info on birth mom and when she will have a meeting with Feliciano we will let you know

Maria Miller

Bus 717-560-2175
Fax 202-204-4862
Main Street Adoption

Internal Virus Database is out of date.
Checked by AVG - <http://www.avg.com>
Version: 8.0.138 / Virus Database: 270.6.9/1635 - Release Date: 8/26/2008 7:29 AM

9/2/2008

EXHIBIT AAA

privileged, confidential, and exempt from disclosure under applicable law. If you have received this communication in error, please do not distribute it. Please notify the sender by e-mail at the address shown and delete the original message. Thank you.

Este e-mail es solamente para el uso del individuo o la entidad a la cual se dirige y puede contener informacion privilegiada, confidencial y exenta de acceso bajo la ley aplicable. Si usted ha recibido esta comunicacion por error, por favor no lo distribuya. Favor notificar al remitente del e-mail a la direccion mostrada y elimine el mensaje original. Gracias.

Forwarded Message: Darwin**Darwin**

Wednesday, May 23, 2007 11:38 AM

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>

To: nina@mainstreetadoption.
com

Nina, I want to check in regarding Darwin as he is still on the photolist. We have our Guatemala dossier complete, and are waiting for CIS approval. We had our fingerprint 3-4 weeks ago, so we expect our clearance soon. We are hoping to provide a home for a toddler boy. Our first preference is to stay with an 05 birthday, preferably mid to late, but are having difficulty finding a match in that timeframe right now. So we are considering expanding our parameters a little bit. Given the announcement by Guatemala that they intend to implement a Hague resolution in January 08, we'd like to get our paperwork down there and hopefully be done close to that date. So, if you have any further information on Darwin and/or updated photos or medicals, we would be interested in knowing more about Darwin.


Thank you.

Kelly Urbon
Naperville, IL**Forwarded Message: Main Street /boy****Main Street /boy**

Wednesday, May 23, 2007 11:56 AM

From: "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>


To: tkurbon@sbcglobal.
net

 D0EC47D3.jpg (385KB),
7B81A497.jpg (428KB),
C438B7B8.jpg (418KB),
2E1EA30C.jpg (453KB),
AEF9E0CF.jpg (371KB)

Kelly

I feel as long as you have immigration approval and start your case in Guatemala you will be OK. I know Guatemala came out with the statement that they are committed to ratifying Hague by Dec. 31 (same date Bush mentioned in his speech when visiting Guatemala) in reality Hague is not going to be an issue until three months from implementation (latest is Feb./march) so next June the soonest by US

net

 bebes de gutemala 145.jpg (392KB),
bebes de gutemala 146.jpg (379KB),
bebes de gutemala 147.jpg (385KB),
bebes de gutemala 118.jpg (383KB),
bebes de gutemala 120.jpg (464KB),
bebes de gutemala 116.jpg (331KB),
bebes de gutemala 146.jpg (379KB),
bebes de gutemala 120.jpg (464KB),
bebes de gutemala 139.jpg (526KB)

We have not received medical and labs yet

Forwarding few more pictures, taken only an hr ago of Alexander. Our coordinator had him in her hotel. she told me he is very bright curious and affectionate little boy

His nose is clear (doctor removed it (I am not sure what it was. something he picked up))

Birth mom is 27 years old. single

Let me know if you seriously considering him, otherwise I will post his picture on Precious, would like to place him ASAP

Take care

Nina


Forwarded Message: Re: Main Street/additional pictures of Alexander

Re: Main Street/additional pictures of Alexander

Thursday, May 24, 2007 8:09 PM

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>

To: "Nina @ Main Street
Adoption"
<nina@mainstreetadoption.
com>

 DSC00939.JPG (61KB),
DSC00803.JPG (1803KB)

Nina. We are definitely interested in Alexander. There isn't anything we have seen or heard so far that would make us not want to go forward. Obviously we would want to know HIV, Hep B status, etc. And just for our information, is there anything else you can tell us about his background: do you know anything about the environment he has been living in? what do you expect his foster placement to be? what states will his sisters will be living in and would the parents want to exchange letters and photos occasionally? Also, I don't think we know his birthdate, although he looks younger than a two year old to me,

EXHIBIT BBB

next several weeks, we would be happy to have you contact us. I will also try to continue to monitor your website, but I know that not every child gets listed there.

Warmly,
Kelly Urbon

Forwarded Message: Re: Alexander DOB is 8-1-05 !

RE: Alexander DOB is 8-1-05 !

Tuesday, May 29, 2007 2:26 PM

From: "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>

To: "Todd & Kelly
Urbon"
<tkurbon@sbcglobal.net>

Kelly

Thanks for emailing back..

If this is only about his birthday then it should not be an issue. If you have other concerns let me know ...

His birthday is actually **8-1-05**. (look at his medical) In Guatemala date in a month are always reversed.

Alexander will be 2 in August

I have another family for him but they have never adopted in Guatemala and want to move over from China adoption to Guatemala.

I am concerned about their ability to completed dossier in short order. Of course I can post him on Precious but frankly hesitating because it takes to much of my time to answer all the inquires and explain the process to families who are months from being ready to adopt.

Please let me know about Alexander, I prefer to place him with you

let me know ASAP

Thanks

Nina

—Original Message—

From: Todd & Kelly Urbon [mailto:tkurbon@sbcglobal.net]

Sent: Saturday, May 26, 2007 8:09 AM

To: nina@mainstreetadoption.com

Subject: Alexander

Dear Nina.

Sadly, we have decided not to go forward with the adoption of Alexander at this time, solely because of his age. It appears from the medical that his DOB is 1-6-05 which puts him only 4 1/2 months younger than our son. We have decided that a child no older than 2 currently would be

EXHIBIT CCC

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>

Forwarded Message: Re: Main Street/ Problems with phones

Re: Main Street/ Problems with phones

Friday, June 1, 2007 10:44 PM

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>

To: "Nina @ Main Street Adoption"
<nina@mainstreetadoption.com>

Hi Nina. I think we are okay. I looked at all documents. They look pretty standard. We'll fax them out on Monday and Todd will take care of initiating the money transfer. I know your agency charges per month past 5 months for foster care. What is your best guess about what is realistic to expect regarding this fee, just so we have a ballpark to start from as we make our plans. I know nothing is certain -- we've been through this before :-).

As we are starting to share the news with friends and family, we are getting very excited! Alexander is such a beautiful boy.

Kelly

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Forwarded Message: Re: Main Street /Alexander

RE: Main Street /Alexander

Monday, June 4, 2007 8:44 AM

From: "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>

To: "Todd & Kelly Urbon"
<tkurbon@sbcglobal.net>

Few months ago we were able to complete adoptions under 6 months after submission of documents. Environment has changed and I feel more comfortable

with time line of about 7 months.

US consulate is back with faster processing time unlike several months ago when they all but stopped for a month after Bush visited and after that it took them awhile to get back to "normal" As I mentioned this Birth Mom is very cooperative so we are not anticipating any issues with her that focuser focus helps i.e... we do not have to chase after her for family court appointments and DNA. Also DNA is all but 100% is guaranteed so that should take a huge burden worrying about what "IF" . Although we only had this happened one time to a family but it is a shock. so it is nice to know its one less thing to be concerned about.

Looking forward to working with you. We will have POA and a document for US consulate tomorrow ,(you probably did not have to do it in the past it is information US consulate is requesting for all new cases)

Alexander is a beautiful little boy, Milagro told me he is very bright, curios child with tons of personality. He was well taken care of by his birth mom , she has done a good job with all kids ..they all seem to be very good kids. By the way if you are thinking about eventually giving him a different name , let us know we will ask foster mom to start transitioning him into a new name

Phones are back on..

Take care

Nina

-----Original Message-----

From: Todd & Kelly Urbon [mailto:tkurbon@sbcglobal.net]

Sent: Friday, June 01, 2007 11:44 PM

To: Nina @ Main Street Adoption

Subject: Re: Main Street/ Problems with phones

Hi Nina. I think we are okay. I looked at all documents. They look pretty standard. We'll fax them out on Monday and Todd will take care of initiating the money transfer. I know your agency charges per month past 5 months for foster care. What is your best guess about what is realistic to expect regarding this fee, just so we have a ballpark to start from as we make our plans. I know nothing is certain -- we've been through this before :-).

As we are starting to share the news with friends and family, we are getting very excited! Alexander is such a beautiful boy.

Kelly

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EXHIBIT DDD

Tuesday, September 23, 2008 4:10 PM

email4

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>
To: pcade@fixellawoffices.com
Re: Checking in regarding Alexander (8KB),
DCFS Approval (38KB),
Documents on their way (2KB),
Re: Documents on their way (3KB),
Documents (874b), Re: Documents (2KB),
Alexander (923b), One more thing (864b),
Follow up (637b)

Forwarded Message: Re: Checking in regarding Alexander**RE: Checking in regarding Alexander**

Tuesday, July 10, 2007 7:32 PM

From: "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>
To: "Todd Urbon"
<tkurbon@sbcglobal.net>

Hi Nina.

I just thought I would touch base regarding Alexander.

I called the office today and heard that you are traveling overseas. Are you in Guatemala, or somewhere else in the world? We are actually coming back from Hungary ..sitting at Toronto airport ..it does not look like we will be able to fly today because of the bad weather on the east coast and all flights have been canceled .. I can't wait to travel

back to Guatemala again. I understand why :-). Our visit to see Alexander will be our 4th trip there. It was starting to feel familiar and comfortable by the third one. I'm glad to know I'll get go at least 2 more times.

We are wondering about a couple of things when you have a chance. Anything you could tell us about his current foster home would be great -- who is he living with now; what is the family constellation? Is he living in the same foster home as his sisters? We're also curious how he seems to be adjusting to the change. I will ask Milagro, she manages foster moms, speaks English keep us updated on all the kids

Also, at what point do you think we will get updated photos/video? I already asked .. I was hoping we may have them by now ..it looks more like next week now Any additional medical information? We should have updated medical for you then as well
Also, is it possible to send things down for him, or do we just bring things when we go to visit after the DNA test is complete. Sure .. you can either send it directly to Guatemala or send it to Milagro in Florida .. it will be much less expensive to send it to her .. let me know .. I think we will have he travel next week

As you can imagine, we are just hungry for any

EXHIBIT EEE

email4

Tuesday, September 23, 2008 4:10 PM

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>
To: pcade@fixellawoffices.com
Re: Checking in regarding Alexander (8KB),
DCFS Approval (38KB),
Documents on their way (2KB),
Re: Documents on their way (3KB),
Documents (874b), Re: Documents (2KB),
Alexander (923b), One more thing (864b),
Follow up (637b)

Forwarded Message: Re: Checking in regarding Alexander

RE: Checking in regarding Alexander

Tuesday, July 10, 2007 7:32 PM

From: "Nina @ Main Street Adoption" <nina@mainstreetadoption.com>
To: "Todd Urbon" <tkurbon@sbcglobal.net>

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As you can imagine, we are just hungry for any

email7

Tuesday, September 23, 2008 6:03 PM

From: "Todd & Kelly Urbon" <tkurbon@sbcglobal.net>

To: pcade@fixellawoffices.com

Re: update (7KB),
Re: update (11KB),
Re: update (5KB),
Re: update (7KB),
Re: update (5KB),
Re: update (8KB),
Checking in (1KB)

Forwarded Message: Re: update

Re: update

Monday, September 10, 2007 10:23 PM

From: "Todd Urbon" <tkurbon@sbcglobal.net>

To: "Nina @ Main Street
Adoption"
<nina@mainstreetadoption.com>

Cc: "Todd and Kelly"
<tkurbon@sbcglobal.net>

Hi Nina.

Is there anything new that you can tell us? We saw that there will be a second election in November. Given that this first one is now over is there an expectation that a hearing date will be set this week as things settle a little before November?

Thank you

Todd and Kelly

"Nina @ Main Street Adoption" <nina@mainstreetadoption.com> wrote:

Interesting development, another attorney filed a motion in Peten. Sounds like this birth mom was going to offer kids for adoption to another attorney. That explains why she traveled to Peten with children. Her plan fell apart when she was stopped by Police in Peten area, could not sure appropriate paperwork and promptly was thrown in Jail. Judge did not let her out today pending DNA verification. DNA samples have not come back yet. We know they will be a match because DNA was already done on two other cases for US DNA

Birth mom understands that she will not be able to place children with any one also, I think she gets it now. Although in your case DNA was not done she will not be able to work with any one also. PGN is aware of this situation and so is other attorneys. She has two choices when and if she is

EXHIBIT FFF

Also, could you respond to my question regarding where our paperwork is at. I know that DNA is a US requirement, not Guatemala. Are our documents in the PGN currently? Are we waiting for social work interview or did that already happen at some point?

Thank you for the feedback.
Kelly Urbon


Forwarded Message: FW: new Case Kelinton Gabriel.

FW: new Case Kelinton Gabriel.

Friday, October 5, 2007 9:40 PM

From: "Nina @ Main Street Adoption" <mainstreetnina@earthlink.net>

To: tkurbon@sbcglobal.net

 IMG_0268.jpg (24KB),
IMG_0270.jpg (26KB),
IMG_0271.jpg (25KB),
IMG_0272.jpg (25KB),
IMG_0273.jpg (25KB),
IMG_0275.jpg (25KB),
IMG_0276.jpg (25KB),
IMG_0277.jpg (24KB),
IMG_0278.jpg (25KB),
corpolab1.jpg (339KB),
hoja.jpg (465KB)

Forwarding pictures, lab and medical for baby Kelinton Gabriel. His mom single, 22 years old, lives in Guatemala City. She does not know who the father is. Baby kelinton was born in the clinic, medical looks good. I would like you to seriously considering his assignment. We have a window of opportunity here and I am afraid if we wait for Alexander case to get resolved you may not be able to adopt at all.

As I mentioned in my previous email and phone call I am no longer confident that Alexander's adoption will ever be possible considering we have a birth mom who is a criminal. She falsified documents and has done this appears to be several times with several agencies. She is still calling Milgaro (not knowing we know about this other agency) and begging us to help her. I do not believe her and I think they best thing for kids will be to go into a private orphanage, if we can arrange for this, we will. I do not know how much longer it will take for regional court system to make a decision and I afraid that it will be only one very small part of a very long process. Take a look at this website, all three kids are there, different names <http://www.adoption1.com/girls.html>

I tried to call but was not able to get a hold of you, let me know what number I can call you on tomorrow.

Take care

Nina
Nina Heller

Bus 717-560-2175

Fax 202-204-4862

Main Street Adoption

EXHIBIT GGG

<bob@mainstreetadoption.
com>

Kelly

It's has been a nonstop day here.

We have great news for you, we did receive confirmation of DNA match few hrs ago. Have not had a moment to email you earlier, I know you are anxious.

I will pass on info on a new name and will ask foster mom getting him prepared. I have not received any updates, hoping we will get something this week

Don't remember if we forwarded information where to send the money, I think Bob or I did. If not let us know.

Take care

Nina

Nina Heller

Bus 717-560-2175

Fax 202-204-4862

Main Street Adoption

Hungary, Ukraine, Russia, China

Kazakhstan, Ethiopia, Rwanda, Guatemala,

Columbia, Peru

From: Todd Urbon [mailto:tkurbon@sbcglobal.net]

Sent: Monday, November 26, 2007 1:23 PM

To: Nina @ Main Street Adoption; Todd Urbon

Subject: Re: Lab received specimen today

Nina. Nothing back on DNA test yet? Are we okay there? Possibly the holiday held things up. We have the funds ready to transfer as soon as we hear on the DNA result and we know a little more about where our documents are currently, and what you believe a reasonable time frame to complete the adoption will be. We decided on a name recently for Edgar. We are going to go with Daniel Edgar, so you can pass that on to his foster mother if you like. Also, we are interested in any updates on him personally of course as they become available. Do you have any information on how he is adjusting to living in a different environment and being with someone else? Thanks.

Kelly Urbon

"Nina @ Main Street Adoption" <mainstreetnina@earthlink.net> wrote:

Kelly

Received confirmation, specimen was received at the lab today. If all goes according to plan, tomorrow we will have conformation of DNA matching. Be prepared to deposit second Payment and replacement fees into Main Street account so we can get it to Guatemala ASAP and keep working on your case. Because Guatemala is open we can capitalize on extra few days

Stay tuned

Nina

Nina Heller

EXHIBIT HHH

Forwarded Message: Re: Wire Transfer

RE: Wire Transfer

Thursday, January 17, 2008 12:21 AM

From: "Bob McClenaghan" <mainstreetbob@earthlink.net>
To: "Todd & Kelly Urbon"
<tkurbon@sbcglobal.net>
Cc: "Nina" <nina@mainstreetadoption.com>

I'm in Guatemala still and was informed that the new child case has an Social Worker interview in family court set for 23rd.

We have not heard back from you on this child. What do you want us to do?

Bob

---Original Message---

From: Todd & Kelly Urbon [mailto:tkurbon@sbcglobal.net]
Sent: Sunday, December 02, 2007 4:55 PM
To: Nina @ Main Street Adoption; Bob @ Main Street Adoption
Cc: todd_urbon@countrywide.com
Subject: Wire Transfer

Hi Bob. Hi Nina.

We initiated the wire transfer on Saturday (for \$12,000). It should hit your account on Monday. Please let us know if there is any problem.

Thanks.

The Urbons

Forwarded Message: Re: Events of the last few weeks

Re: Events of the last few weeks

Thursday, January 17, 2008 6:16 PM

From: "Todd Urbon" <tkurbon@sbcglobal.net>
To: "Bob McClenaghan" <mainstreetbob@earthlink.net>
Cc: mainstreetnina@earthlink.net, "Todd and Kelly" <tkurbon@sbcglobal.net>

Bob,

Communication:

You put in the subject line "Events of the last few weeks." It is appalling to me that Mainstreet has known, as you admit, for weeks that something was wrong with our adoption but failed to communicate anything to us, despite the fact that we emailed Nina on December 6, December 13, January 9, and January 10 and did not receive any replies to any of these emails. No communication of any kind from Mainstreet from December 3 until January 11 when we called and emailed

Mainstreet once again trying to get some kind of communication from you.

According to Nina the reason we weren't told anything is because you were waiting for photos of a 6 month old boy to help soften the blow of our losing Edgar. This is a very poor excuse for keeping us in the dark for so long.

We were told at the beginning of the process "we promise to communicate with you regularly." That promise was clearly broken.

The POA registered December 27:

- The fact that you registered a POA without our knowledge is unacceptable, unethical, and likely illegal.
- The fact that you registered a POA on December 27 and failed to tell us for 15 days is ridiculous. Seems like an important step that we should know about... apparently you don't think so.
- My name on the POA is misspelled multiple times. Would not have happened if you would have involved us in this.
- You registered this POA for an infant. We have communicated to Mainstreet from the very beginning our desire for a toddler and gave you reasons why we will not be adopting an infant.
- By filing this POA you have put us in a position of having to abandon a little boy that you should have known we would not adopt. This is not fair to us or to him and we hope you have not jeopardized his chances of being adopted.

Money:

We wired \$12,000 to Mainstreet on December 3. We believe \$2,500 of this was to cover additional costs for our first attempt adopting Alexander through Mainstreet which failed. \$9,500 was the scheduled second payment to cover court costs, foster care, attorneys fees, etc. By December 27 you knew we would not be adopting Edgar. These costs could not have been fully realized in just 3 weeks. We request a refund of \$9,500.

Bob and Nina, we continue to think of both Alexander and Edgar and hope for the best for these two little guys. We still wish there was some way we could complete either of these adoptions. We have adopted two previous times and have been tremendously blessed by the experience. We strongly feel that in comparison to our two other agencies that we worked with that Mainstreet needs to change its practices in many ways. Communicate with the families, do not falsify documents, act compassionately, and listen to what your adopting families are asking of you. This is the feedback we are giving to you and to others about you.

Todd and Kelly Urbon
630-718-0384
1571 Abbotsford Drive
Naperville, IL 60563

Bob McClenaghan <mainstreetbob@earthlink.net> wrote:

Todd,

I wanted to give you a report from Guatemala since I'm here. Nina said she talked to you this past week. She also stated that she did not have all the details to answer questions so I will do my best to fill you in as I was explained in the office Saturday.

- We conducted DNA and received a match on the replacement child
- We attempted to obtain Embassy approval on the sister and was questioned on the mother's birth certificate copy presented.
- We went to the registers office where the mother stated and I believe the certificate indicated it was registered.
- Registration office could not find the birth certificate registration (not too uncommon for older birth certificates being incorrectly cataloged)
- We sent our people in three days to physically look through the books to try to find it because the computer didn't have it listed.

CIVIL COVER SHEET

5:11-CV-3761

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

I. (a) PLAINTIFFS

Guy Turi, Melissa Balistreri-Turi, Shaun Nugent, Christine Denton, Lisa & Sam Wells, Linda & George Wood, Kellen & Todd Urbon

DEFENDANTS

Main Street Adoption Services, LLP, Nina Heller, Bob McClenaghan and Marcia Del Carpio aka Milagro Del Carpio

(b) County of Residence of First Listed Plaintiff Will County, IL (EXCEPT IN U.S. PLAINTIFF CASES)

County of Residence of First Listed Defendant Lancaster, PA (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

(c) Attorney's (Firm Name, Address, and Telephone Number)

Fixel Law Offices, PLLC - 4084 Okemos Road, Ste B Okemos, MI 48864 517-332-3390

Attorneys (If Known)

Law Offices of Terrance Ruf, Esq. 37 West Gay Street, West Chester, PA 19380

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State
Citizen of Another State
Citizen or Subject of a Foreign Country
Incorporated or Principal Place of Business In This State
Incorporated and Principal Place of Business In Another State
Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Real Estate, Labor, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding
2 Removed from State Court
3 Remanded from Appellate Court
4 Reinstated or Reopened
5 Transferred from another district (specify)
6 Multidistrict Litigation
7 Appeal to District Judge from Magistrate Judgment

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 18 USC 1341, 1343, 1962 (c) & (d)

Brief description of cause: Violations of the RICO Act and associated State Law Claims

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23 DEMANDS CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE 06/06/2011

SIGNATURE OF ATTORNEY OF RECORD

Handwritten signature of Terrance Ruf

JUN - 7 2011

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

11 3761

FOR THE EASTERN DISTRICT OF PENNSYLVANIA -- DESIGNATION FORM to be used by counsel to indicate the category of the case for the purpose of assignment to the appropriate calendar.

Address of Plaintiff: Buy Turi - 24612 Rylane Ct., Shorewood IL 60431

Address of Defendant: c/o Terence Ruff, Esq., Main Street Adoptions - 65 W Roseville, Lancaster PA

Place of Accident, Incident or Transaction: Nationwide adoption services
(Use Reverse Side For Additional Space)

Does this civil action involve a nongovernmental corporate party with any parent corporation and any publicly held corporation owning 10% or more of its stock?
(Attach two copies of the Disclosure Statement Form in accordance with Fed.R.Civ.P. 7.1(a))

Yes No

Does this case involve multidistrict litigation possibilities?

Yes No

RELATED CASE, IF ANY:

Case Number: 09-5497 Judge Tucker Date Terminated: _____

Civil cases are deemed related when yes is answered to any of the following questions:

1. Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?
Yes No
2. Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?
Yes No
3. Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court?
Yes No
4. Is this case a second or successive habeas corpus, social security appeal, or pro se civil rights case filed by the same individual?
Yes No

CIVIL: (Place in ONE CATEGORY ONLY)

A. Federal Question Cases:

1. Indemnity Contract, Marine Contract, and All Other Contracts
2. FELA
3. Jones Act-Personal Injury
4. Antitrust
5. Patent
6. Labor-Management Relations

7. Civil Rights
8. Habeas Corpus
9. Securities Act(s) Cases

10. Social Security Review Cases
11. All other Federal Question Cases
(Please specify) RICO

B. Diversity Jurisdiction Cases:

1. Insurance Contract and Other Contracts
2. Airplane Personal Injury
3. Assault, Defamation
4. Marine Personal Injury
5. Motor Vehicle Personal Injury
6. Other Personal Injury (Please specify)
7. Products Liability
8. Products Liability — Asbestos
9. All other Diversity Cases
(Please specify)

ARBITRATION CERTIFICATION

(Check Appropriate Category)

Pursuant to Local Civil Rule 53.2, Section 3(c)(2), that to the best of my knowledge and belief, the damages recoverable in this civil action case exceed the sum of

\$150,000.00 exclusive of interest and costs;

Relief other than monetary damages is sought.

DATE: 6-9-11

[Signature]
Attorney-at-Law

MI-P56712
Attorney I.D.#

NOTE: A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P. 38.

I certify that, to my knowledge, the within case is not related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 6-9-11

[Signature]
Attorney-at-Law

MI-P56712
Attorney I.D.#

PBT

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CASE MANAGEMENT TRACK DESIGNATION FORM

Guy Tori, et al

CIVIL ACTION

v.

Main Street Adoption Services, et al

NO. 03

9761

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a Case Management Track Designation Form specifying the track to which that defendant believes the case should be assigned.

SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:

- (a) Habeas Corpus – Cases brought under 28 U.S.C. § 2241 through § 2255. ()
- (b) Social Security – Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ()
- (c) Arbitration – Cases required to be designated for arbitration under Local Civil Rule 53.2. ()
- (d) Asbestos – Cases involving claims for personal injury or property damage from exposure to asbestos. ()
- (e) Special Management – Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ()
- (f) Standard Management – Cases that do not fall into any one of the other tracks. ()

(X)

6-8-11
Date

Joni M. Fixel
Attorney-at-law

Plaintiffs
Attorney for

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