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5 *Attorney for Plaintiff and on*  
6 *behalf of all others similarly situated*

7 **IN THE SUPERIOR COURT OF CALIFORNIA**  
8 **FOR THE COUNTY OF MARIN**

9 MARVIN DELEON, an individual, SANDRA )  
10 DELEON, an individual, and EDNA DELEON, an )  
11 individual, on behalf of themselves and others )  
12 similarly situated; )

Case # CIV1504386

13 Plaintiffs, )

**CLASS ACTION COMPLAINT**

14 v. )

15 AMERICANS HELPING AMERICA CHAMBER )  
16 OF COMMERCE, INC., AMERICANS HELPING )  
17 AMERICA, INC., HELAMAN HANSEN, an )  
18 individual, and DOES 1-20, inclusive )

**JURY TRIAL DEMANDED**

19 Defendants. )  
20 )  
21 )  
22 )  
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26 )  
27 )  
28 )

29 Plaintiffs, on behalf of themselves and all others similarly situated against Defendants Americans  
30 Helping America Chamber of Commerce, Inc., Americans Helping America, Inc., (herein collectively  
31 referred to as “AHA”), Helaman Hansnen and DOES 1-20, alleges as follows:

32 **INTRODUCTION**

33 The Defendant corporations, AHA, claim to be an organization with an IRS tax-exempt status,  
34 which offers several different services to members that pay a fee to join their organization. The  
35 centerpiece of the service offered by AHA is “immigration integration.” AHA claims that, by filing  
36 paperwork through state courts, the plaintiffs, who are without immigration status, will gain US  
37 citizenship. In fact, none of the documents filed on behalf of the plaintiffs result in any change of  
38 **CLASS ACTION COMPLAINT**

1 immigration status, and worse yet, some of the paperwork may actually be fraudulent. AHA has bilked  
2 each initial plaintiff \$7,000. More recently, new members are now being charged \$10,000 for this  
3 “service.” AHA, by all appearances, is completely defrauding hundreds of people, with the false hope of  
4 citizenship which will never be possible under the method AHA claims is fool-proof.  
5

6 **THE PARTIES**

7 **A. PLAINTIFFS**

8 1. Plaintiff Marvin DeLeon, Edna DeLeon, and Sandra DeLeon, are at all times mentioned herein is,  
9 individuals residing in Marin County, California. They reside at 320 Glen Park Ave., San Rafael, CA  
10 94901.  
11

12 **B. DEFENDANTS**

13 2. Defendant Americans Helping America Chamber of Commerce is a California corporation, with a  
14 business address of 9795 Business Park Drive Sacramento, CA 95827. It also has a business address of  
15 14257 San Pablo Ave, San Pablo, CA 94806.  
16

17 3. Defendant Americans Helping America, Inc. is a California corporation, with a business address  
18 of 9795 Business Park Drive Sacramento, CA 95827.

19 4. Helaman Hansnen is an individual that is the “Chairman of the Board” for AHA. His residential  
20 address is 8464 Banyon Tree Ct., Elk Grove, CA 95624.  
21

22 5. The true names and capacities, whether individual, corporate, associate, or otherwise of  
23 defendants named herein as Does 1 through 20, inclusive, are unknown to plaintiffs, who therefore sue  
24 these defendants by such fictitious names. Plaintiffs will amend this Complaint to show the true names  
25 and capacities of these defendants when the same have been ascertained. Plaintiffs are informed, and  
26 believe that each fictitiously named defendant is responsible in law and in fact for the obligations alleged  
27 herein.  
28

**CLASS ACTION COMPLAINT**

1 **JURISDICTION & VENUE**

2 6. Each defendant has sufficient minimum contacts with California or otherwise purposefully avails  
3 itself of the benefits from California, or has property in California so as to render the exercise of  
4 jurisdiction over it by California courts consistent with traditional notions of fair play and substantial  
5 justice  
6

7 7. Jurisdiction and venue are proper in this court because the amount in controversy exceeds the  
8 minimum of this court, and by virtue of the fact that the acts complained of, and practices giving rise to  
9 this action took place in the State of California, and the County of Marin. Plaintiffs, on information and  
10 belief, allege that the Defendants’ contractual obligations to Plaintiffs and other members of the proposed  
11 Class are to be performed in this County. Code Civ. Proc. § 395(a).  
12

13 **COMMON FACTUAL ALLEGATIONS**

14 8. AHA is a corporation that offers various services to its members. Its primary focus appears to be  
15 immigration-based services. AHA holds “seminars” every Sunday, at their offices in Sacramento.  
16 During the seminars, AHA introduces attendees to its “immigrant service” program. After several hours’  
17 worth of slick sales promotion, coupled with a complete mangling of the U.S. immigration laws, AHA  
18 invites attendees to become “members” of AHA. As part of the membership, the attendees are entitled to  
19 immigration ‘services’ program. The services, the seminar explained, allow an alien without status to  
20 gain US citizenship. Plaintiff attended many of these seminars, and saw hundreds of people in  
21 attendance.  
22

23 9. AHA claims US citizenship can be obtained through adult adoption. AHA alleges that this  
24 citizenship path is a 24 step “program,” which takes one year to go through. The process includes  
25 “training,” “profiling,” “how to become an American citizen,” and “businessman.” At the end of the time  
26 period, the applicant “becomes” a citizen.  
27  
28

**CLASS ACTION COMPLAINT**

1 10. The AHA immigrant members are promised, among other things, a social security number, valid  
2 driver's license, a "new" birth certificate, and once citizenship is gained, a US passport, and other  
3 benefits conferred to a US citizen.  
4

5 12. AHA offered the service for \$7,000.

6 13. This method of becoming a U.S. citizen is impossible. The Immigration and Nationality Act (  
7 "INA") allows a child under 16 to that is adopted by a US citizen, or lawful permanent resident to gain  
8 immigration status in the U.S. But, under current federal law, adult adoption does NOT provide a path to  
9 permanent residence, or US citizenship. Plaintiff initially discovered he was defrauded after consulting  
10 with immigration lawyer Joseph LaCome. LaCome concluded based on his research of the issue that  
11 adult adoption will not result in any change of immigration status. He urged them to pursue a lawsuit,  
12 but Plaintiffs were reluctant at first because they believed they would be deported for speaking out  
13 against AHA. Attorney LaCome resolved their concerns, and this lawsuit follows.  
14  
15

#### 16 **CLASS ACTION ALLEGATIONS**

17 14. Plaintiffs bring this action on behalf of themselves, and the other class members pursuant to Code  
18 of Civ. Proc. § 382.

19 15. The requested class membership includes those individuals who purchased a membership for the  
20 purpose of AHA's "immigration service" for \$7,000 with AHA.  
21

22 16. Plaintiffs are informed, believe, and allege that there are hundreds, if not thousands of members  
23 of the class, thus joinder is impractical. The disposition of the subject claims in a class action will  
24 provide substantial benefits to both the parties, and the court system.

25 17. The membership payment made to AHA is uniform, or substantially uniform in all respects  
26 relevant to this complaint.  
27

28 18. Plaintiff's claim is typical of the claims of the Class. Plaintiffs are a members of the class he

**CLASS ACTION COMPLAINT**

1 seeks to represent. Members of the class are ascertainable from Plaintiff's description of the Class and/or  
2 Defendant's records and the Class is sufficiently numerous.

3  
4 19. Plaintiffs will fairly, and adequately, represent the members of the class and have no interest that  
5 is antagonistic to the claims of the class. Plaintiff's interests in this action are antagonistic to the interests  
6 of Defendants, and plaintiff will vigorously pursue the claims of the Class. Plaintiffs are members of the  
7 Class, and are similarly situated to the other members of the Class and are an adequate representative of  
8 the Class.

9  
10 20. Common questions of law and fact impact the rights of each member of the class and a common  
11 remedy, by way of permissible damages, injunctive relief, and/or declaratory relief and accounting, is  
12 sought for the Class.

13  
14 21. There are numerous and substantial questions of law and fact common to all members of the class  
15 which will predominate over any individual issues. These common questions of law and fact include,  
16 without limitation:

- 17 a. Whether AHA falsely induced the plaintiffs into paying for an immigration service that had  
18 no chance of working under current federal law
- 19 b. Whether the Immigration and Nationality Act allows an adult adoption as a path to US  
20 citizenship
- 21 c. Whether AHA is defrauding hundreds of immigrants without status under current immigration  
22 law based on a false promise of US citizenship.

23  
24 22. Plaintiffs and class members suffered substantial damages as a result of Defendants' wrongful  
25 conduct. Because the size of the claims of the individual class members are relatively small, few, if any,  
26 class members can afford to seek legal redress for the wrongs complained of herein. Moreover, AHA has  
27 fraudulently concealed their actions that give rise to Plaintiffs and the Class Members' causes of action.  
28 Many of the class members may never discover the wrongful acts of AHA. A class action, therefore, is  
superior to other available methods for fair and efficient adjudication of this controversy. Trial of  
Plaintiffs and the Class Members' claims is easily manageable.

**CLASS ACTION COMPLAINT**

1 23. The persons in the Class are so numerous that the disposition of their claims in this case and as  
2 part of a single class action lawsuit, rather than numerous individual lawsuits, will benefit the parties and  
3 greatly reduce the aggregate judicial resources that would be spent.  
4

5 24. Plaintiff knows of no difficulty that will be encountered in the management of this litigation,  
6 which would preclude its maintenance of as a class action.

7 25. AHA has acted on grounds generally applicable to the entire class, thereby making final  
8 injunctive relief or corresponding declaratory relief appropriate with respect to the class as a whole.  
9 Prosecution of separate actions by individual members of the class would create the risk of inconsistent  
10 or varying adjudications with respect to individual members of the Class that would establish  
11 incompatible standards of conduct for the Defendants.  
12

13 26. Without a class action, Defendants will likely retain the benefit of their wrongdoing and will  
14 continue a course of action, which will further damage the plaintiffs and the Class.  
15

16 **CAUSES OF ACTION**

17 **FIRST CAUSE OF ACTION**  
18 **(Fraud – False Promise)**

19 27. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

20 28. Since the beginning, the Defendants, claimed they would change the plaintiff-class's status to  
21 citizenship. Based on this promise, the class paid \$7,000, respectively, to AHA.

22 29. Plaintiffs are informed, believe, and thereon allege that defendants, and each of them, had no  
23 intention of changing their immigration status.  
24

25 30. Plaintiffs relied on the Defendant's assertions

26 31. Plaintiffs are informed, believe, and thereon allege that defendants, and each of them, defrauded  
27 the plaintiff-class, all with malice towards the plaintiffs  
28

**CLASS ACTION COMPLAINT**

1 32. Plaintiffs have been injured by loss of use of the funds. Plaintiffs seeks compensatory damages in  
2 the amount of \$7,000, for said acts.

3  
4 33. These acts were malicious, fraudulent and oppressive, justifying an award of punitive damages so  
5 that defendants and each of them will not engage in such conduct in the future and make an example of  
6 them.

7 **SECOND CAUSE OF ACTION**  
8 **(Breach of Contract)**

9 34. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

10 35. The contract upon which this action is based was made and was to be performed in the County in  
11 which the adult adoption was to be filed, which for many class members, occurred in Marin County,  
12 California.

13  
14 36. Plaintiffs, and AHA, entered an into an agreement to join AHA, whereby plaintiffs paid \$7000 for  
15 immigration services.

16 37. Plaintiffs have performed all of the conditions, covenants and promises required by it to be  
17 performed in accordance with the terms and conditions of the contract, by giving the defendants \$7,000  
18 for its “membership” for immigration services. Defendants have breached the contract by being unable  
19 to adjust status of the Plaintiffs through adult adoption.  
20

21 **THIRD CAUSE OF ACTION**  
22 **(Negligent Misrepresentation)**

23 38. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

24 39. Defendants specifically and expressly misrepresented material facts to Plaintiffs, as discussed  
25 above.

26  
27 40. Defendant knew, or in the exercise of reasonable diligence should have known, that their  
28 statements concerning a change of immigration status through adult adoption would mislead Plaintiffs.

**CLASS ACTION COMPLAINT**

1 41. Plaintiffs justifiably relied on Defendant's misrepresentations and have been damaged thereby.

2 **FOURTH CAUSE OF ACTION**  
3 **(California Civil Code § 1710 – Deceit)**

4 42. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

5 43. Based on Defendant's conduct as discussed above, Defendant has engaged in fraud and deceit as  
6 set forth in Cal. Civil Code § 1710. Plaintiff has reasonably relied on the material misrepresentations and  
7 omissions made by Defendant and have been damaged thereby.  
8

9 **FIFTH CAUSE OF ACTION**  
10 **(Unfair Business Practices B&P 17200)**

11 44. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

12 45. Defendants have defrauded the plaintiffs by falsely promising them the ability to obtain US  
13 Citizenship, when in fact the method by which AHA is attempting to secure citizenship is not allowed  
14 under US immigration law.

15 46. By reason of Defendant AHA, fraudulent, deceptive, unfair, and other wrongful conduct as herein  
16 alleged, said Defendant AHA has violated California Business and Professions Code § 17200 by  
17 consummating an unlawful, unfair, and fraudulent business practice, designed to deprive plaintiff-class of  
18 \$7,000, per plaintiff.  
19  
20

21 **SIXTH CAUSE OF ACTION**  
22 **(Unjust Enrichment)**

23 47. Plaintiffs reallege and reincorporate by reference all of the allegations made in paragraphs 1-26

24 48. Plaintiffs conferred to the Defendants an economic benefit

25 49. Defendants financial benefits resulting from their unlawful and inequitable conduct are traceable  
26 economically to Plaintiffs  
27  
28

**CLASS ACTION COMPLAINT**

1 50. It would be inequitable and unjust for Defendants and their co-conspirators to be permitted to  
2 retain any of the unlawful proceeds resulting from their fraudulent, illegal and inequitable conduct.

3  
4 51. As alleged in the complaint, the Defendants have been unjustly enriched as a result of their  
5 wrongful conduct, and unfair business practices. Plaintiffs are accordingly entitled to equitable relief,  
6 including restitution, and/or disgorgement of all revenues, earnings, profits, compensation and benefits  
7 which may have been obtained by Defendants as a result of such unlawful business practices.

8  
9  
10 **PRAYER FOR RELIEF**

11 **WHEREFORE**, Plaintiff prays for judgment against defendants as follows:

- 12 1. Certification of the proposed Class and notice hereto to be paid by Defendants;
- 13 2. For damages, restitution, and all other appropriate legal and equitable relief;
- 14 3. For pre-judgment and post-judgment interest;
- 15 4. For punitive and exemplary damages, as requested herein;
- 16 5. Civil penalties pursuant to Business and Professions code 17200 in the amount of \$2,500  
17 for each violation of Defendants' unfair business practices as set forth in the complaint.
- 18 6. For reasonable attorneys' fees and litigation expenses;
- 19 7. For appropriate injunctive relief
- 20 8. For costs of the suit herein;
- 21 9. For such other and further relief as the court may deem just and proper.
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**REQUEST FOR JURY TRIAL**

Plaintiff hereby demands a trial by jury on all causes of action so triable.

1 Respectfully submitted,

2 Date: December, 2<sup>nd</sup>, 2015

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4 \_\_\_\_\_  
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**CLASS ACTION COMPLAINT**