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

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

MARVIN DELEON, an individual, SANDRA
DELEON, an individual, and EDNA DELEON, an
individual, on behalf of themselves and others
similarly situated;

Plaintiffs,

v.

AMERICANS HELPING AMERICA CHAMBER
OF COMMERCE, INC., AMERICANS HELPING
AMERICA, INC., HELAMAN HANSEN, an
individual, and DOES 1-20, inclusive

Defendants.

Case # CIV1504386

CLASS ACTION COMPLAINT

JURY TRIAL DEMANDED

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

INTRODUCTION

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

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

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

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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

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

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

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

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

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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

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

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

SECOND CAUSE OF ACTION
(Breach of Contract)

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

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

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

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

THIRD CAUSE OF ACTION
(Negligent Misrepresentation)

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

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

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

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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.
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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

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

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

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for judgment against defendants as follows:

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

REQUEST FOR JURY TRIAL

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

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1 Respectfully submitted,

2 Date: December, 2nd, 2015

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