

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK

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PEOPLE OF THE STATE OF NEW YORK, by  
ANDREW M. CUOMO, Attorney General of the State of  
New York,

Plaintiff,

**VERIFIED COMPLAINT**

-against-

RINCHER'S BOOKSTORE  
A/K/A RINCHER ASSOCIATES, INC.  
A/K/A RINCHER ASSOCIATES & BOOKSTORE  
A/K/A RINCHER'S MULTI SERVICES,  
HAITIAN AMERICAN ENTREPRENEUR'S GROUP, LLC  
A/K/A DELRIN ASSOCIATES, LLC,  
DESLANDE RINCHER  
A/K/A DISLANDE RINCHER, AND  
SHARLENE M. SEIXAS-RINCHER,

Index No.

Defendants.

-----X  
Plaintiff, the People of the State of New York, by its attorney, ANDREW M. CUOMO,  
Attorney General of the State of New York ("Attorney General"), respectfully alleges, upon  
information and belief:

**PRELIMINARY STATEMENT**

1. The Attorney General brings this action pursuant to New York Executive Law § 63(12),  
and other state and local statutes cited herein, against Rincher's Bookstore a/k/a Rincher  
Associates, Inc. a/k/a Rincher Associates & Bookstore a/k/a Rincher's Multi Services  
("Defendant Rincher's Bookstore"), Haitian American Entrepreneur's Group, LLC a/k/a Delrin  
Associates, LLC ("Defendant HAEG"), Deslande Rincher a/k/a Dislande Rincher ("Defendant  
Rincher") and Sharlene M. Seixas-Rincher ("Defendant Seixas-Rincher") (collectively

“Defendants”) for repeatedly engaging in, and/or facilitating, deceptive, fraudulent, illegal and discriminatory business practices in providing immigration related legal services to New York State consumers primarily of Haitian descent. The Attorney General seeks injunctive relief, damages, penalties and costs against Defendants, and the dissolution of Defendant Rincher’s Bookstore, and Defendant HAEG and a permanent bar on Defendants’ principals from conducting any business relating to immigration services in the State of New York.

2. On January 12, 2010, Haiti experienced a devastating earthquake. In response, the United States government granted Haitians residing in the United States a special immigration benefit known as Temporary Protected Status (“TPS”). This benefit would allow eligible Haitian nationals to remain and work in the United States legally for at least the next eighteen (18) months. TPS applications must be filed by July 20, 2010 in order to be considered. Thus, many Haitian residents have been seeking legal assistance in filing the applications.

3. Under New York State Judiciary Law § 478, non-attorneys cannot provide legal advice. New York State residents seeking assistance in immigration matters may retain the services of a licensed attorney or a recognized organization by the United States Board of Immigration Appeals (“BIA”) to provide such services.

4. Defendants are not authorized to provide immigration services under current state and federal law. However, Defendants took advantage of vulnerable immigrants seeking the services of authorized individuals to assist them in the application process by claiming to be authorized to provide immigration services, while charging fees exceeding that which is permitted under law. The fraudulent practices of and misleading representations by Defendants are in direct violation of several statutes including the General Business Law.

5. Defendants' illegal conduct has caused and continues to cause numerous immigrants to pay substantial fees for incorrect "legal" advice that could inflict permanent damage to their immigration status in the United States.

6. The ongoing nature of the fraud and illegality perpetrated mainly against the Haitian community warrants injunctive relief. Unless enjoined, Defendants will continue to engage in this unlawful conduct and will continue to cause substantial injury to New York State residents. Further, the unlawful conduct is so pervasive that dissolution is necessary to protect the public from further substantial harm.

#### **JURISDICTION AND VENUE**

7. This Court has jurisdiction over this action pursuant to New York Executive Law § 63(12), which authorizes the Attorney General to seek injunctive relief and damages against any person who engages in repeated fraud or illegality in the conduct of business.

8. Further, New York General Business Law ("GBL") Article 22-A, § 349 empowers the Attorney General to seek injunctive relief and civil penalties against any person who engages in deceptive acts and practices in the conduct of business.

9. Similarly, GBL Article 28-C, § 460-h empowers the Attorney General to seek injunctive relief and civil penalties against any person who violates the provisions of the New York State Immigrant Assistance Services Law, without requiring proof that any person has, in fact, been injured or damaged thereby.

10. New York Judiciary Law § 476-a authorizes the Attorney General to bring an action enjoining the unlawful practice of the law.

11. Further, New York Human Rights Law empowers the Attorney General to seek an

injunction, damages and penalties for discriminatory practices.

12. The Court also has jurisdiction over this action pursuant to its general jurisdiction under the New York Constitution, Art. VI § 7, and New York Judiciary Law § 140-b.

13. Venue is proper in this county pursuant to CPLR § 503(a) because the Attorney General maintains an office in New York County.

### PARTIES

14. Plaintiff is the People of the State of New York, by the Attorney General.

15. Defendants Deslande Rincher a/k/a Dislande Rincher and Sharlene M. Seixas-Rincher are individuals who conduct business at 826 Rogers Ave., Brooklyn, New York 11226 and 2704 Church Street, Brooklyn, New York 11226 under the name Rincher's Bookstore a/k/a Rincher Associates, Inc. a/k/a Rincher Associates & Bookstore a/k/a Rincher's Multi-Services, Haitian American Entrepreneur's Group, LLC a/k/a Delrin Associates, LLC.

16. Defendant Rincher's Bookstore a/k/a Rincher Associates, Inc. a/k/a Rincher Associates & Bookstore a/k/a Rincher's Multi Services is a for-profit entity that has not been registered with the New York State Department of State. Defendant Rincher's Bookstore maintains offices at 826 Rogers Avenue, Brooklyn, New York 11226 and 2704 Church Avenue, Brooklyn, New York 11226.

17. Defendant Haitian American Entrepreneur's Group, LLC a/k/a Delrin Associates, LLC is a domestic limited liability company registered with the New York State Department of State. Defendant HAEG maintains offices at 826 Rogers Avenue, Brooklyn, New York 11226 and 2704 Church Avenue, Brooklyn, New York 11226.

18. Defendants are primarily engaged in the business of providing services, for a fee, to

individuals who reside in immigrant communities in New York City, including, but not limited to, immigration services.

19. The Attorney General has provided Defendants with pre-litigation notice pursuant to GBL § 349(c).

### **FACTUAL BACKGROUND**

20. The Attorney General commenced this action upon learning that Defendants engage in unlawful business practices, including the unauthorized practice of law, in representing individuals in immigration-related legal filings and proceedings before the United States Citizenship and Immigration Services (“USCIS”).

21. In January 2010, there was a devastating earthquake in Port-au-Prince, Haiti. On January 15, 2010, the United States Department of Homeland Security issued a decision granting Haitian citizens TPS. Haitian nationals were given one hundred and eighty (180) days to file for TPS. The deadline to apply for this immigration benefit is July 20, 2010.

22. The TPS immigration benefit allows Haitian citizens residing in the United States to adjust their status. Thus, many Haitian residents have been seeking the services of authorized individuals who may be able to assist them in the application process.

23. The Attorney General commenced an investigation upon receiving complaints from consumers and a government agency alleging that Defendants are engaged in defrauding Haitian citizens residing in New York State by offering and providing fraudulent and illegal immigration services, engaging in the unauthorized practice of the law, and discriminatory conduct targeting Haitian immigrants.

24. The Attorney General commenced an investigation into Defendants’ business practices

by, among other things, reviewing Defendants' policies, practices, bank statements and tax filings. The Attorney General also conducted an undercover investigation of Defendants' operations by sending an investigator to Defendants' business addresses of 826 Rogers Ave., Brooklyn, New York 11226 and 2704 Church Avenue, Brooklyn, New York 11226.

25. The investigation revealed that, since 1994 and in direct violation of numerous state, city and federal laws, Defendants repeatedly solicit individuals to pay substantial fees for legal immigration-related services, and misrepresent to the public their ability and qualifications to provide legal services. Victims and their families pay substantial fees and risk facing permanent damage to their immigration status as a result of receiving incorrect legal advice from unqualified and unauthorized individuals.

26. In addition, when an undercover investigator visited Defendants' business address of 826 Rogers Avenue, a sign stated that Defendants' business had moved to 2704 Church Street, Brooklyn, New York. The investigator then visited the Defendants' 2704 Church Street location and inquired whether Defendants assist in TPS applications. A woman who stated that her name was "Rachelle" (Rachelle's last name unknown ("LNU")) was behind the counter of Defendants' business and explained that Defendants would complete and file TPS applications and that she needed the investigator's original documents to complete the application. She then provided legal advice to the investigator regarding the legal process of applying for TPS.

27. Rachelle LNU also offered to file the TPS application for an inflated price in addition to the government filing fees, even though the United States Department of Homeland Security is encouraging Haitian immigrants to file for fee waivers, and the TPS application should be filled out for a nominal fee.

28. During the course of the investigation, the Attorney General received additional information on Defendants' fraudulent conduct and illegal immigration filings.

29. In response to the subpoena *duces tecum*, Defendants admitted that they have no lawyers on staff but denied that they offered immigration services. Yet, Defendants produced a list showing the types of immigration services they provide and the prices for those services. These documents, on their face, demonstrate that Defendants are engaged in the unauthorized practice of law.

30. Further, the evidence shows that Defendants have filed more than twenty five (25) applications with the United States Citizenship and Immigration Service ("USCIS") on behalf of immigrants where they placed their address as the Petitioner's and accepted correspondence on their behalf.

31. In addition to defrauding members of the public, the Attorney General's investigation revealed that Defendants failed to comply with the provisions of the law regulating their purported business as an immigrant assistance service provider. Defendants fail to provide victims with a contract and fail to post any required signage stating that Defendants are not attorneys until after the Attorney General began its investigation and subpoenaed Defendants. Defendants did not provide the proper surety bond, and did not keep the files of their clients for the statutorily required period.

32. Defendants' illegal conduct has caused and continues to cause thousands of individuals and their families to pay substantial fees for often inaccurate "legal" advice or mistakes on applications that cause or threaten to cause permanent damage to their immigration status in the United States.

33. The investigation revealed fraud and illegality so pervasive that Defendant Rincher's Bookstore and Defendant HAEG must be terminated and dissolved, respectively, to protect the public from further substantial harm and the assets used to provide restitution to victims who have been defrauded.

**Defendants Engage in a Scheme to Defraud Immigrants**

34. Defendants are engaged in an organized scheme to defraud by charging immigrants large sums of money while falsely guaranteeing their ability to obtain legal immigration status through special immigration benefits such as TPS, permanent residency, and even citizenship.

35. Defendants lure victims by advertising they provide immigration services within a predominantly Haitian community. Defendants post several large signs stating "Rinchers/Seixas Bookstore and Immigration Services 718-282-4033," including one posted on the side of a three story building located at 826 Rogers Avenue, Brooklyn, New York 11226.

**Defendants Engage in the Unauthorized Practice of Law and Violate Civil Rights Laws**

36. In targeting and carrying out their scheme to defraud Haitian immigrants, Defendants also engage in the unauthorized practice of law and violate several civil rights laws. Although they are not qualified or licensed to provide legal services, Defendants violate several provisions of New York State, New York City and federal law and regulations by providing legal services.

37. New York State law expressly prohibits non-lawyers from providing legal advice or conveying the impression that they are lawyers or qualified to provide legal services, so as to protect consumers against the dangers of legal representation and advice given by persons not trained, examined and licensed for such work. Specifically, Judiciary Law § 478 makes it unlawful for any person to practice or appear as an attorney-at-law or counsel to render legal

services, or to himself out to the public as being entitled to practice law.

38. The law not only prohibits non-lawyers from representing clients, but also prohibits non-lawyers from conveying the impression that they are legal practitioners of law or are qualified to provide legal services.

39. New York State residents seeking assistance in immigration matters may retain the services of a licensed attorney or, alternatively, seek out the services of certain non-lawyers, known as “immigrant assistance service providers” (“IASPs”). However, IASPs are restricted to providing only clerical services.

40. Only attorneys and accredited representatives of organizations recognized by the BIA may represent immigrants before federal immigration authorities. An individual who is not an attorney can obtain accreditation only through an organization recognized by the BIA. Neither Defendant Rincher’s Bookstore nor Defendant HAEG is a recognized organization by the BIA. Further, neither Defendant Rincher nor Defendant Seixas-Rincher is an attorney.

**Requested Relief Is Necessary To Prevent Further Fraud And Harm To The Public**

41. Defendants reap substantial benefits from their fraudulent conduct, which has resulted in substantial harm to immigrants of predominantly Haitian descent who reside in New York State and have an interest in adjusting their immigration status in the United States under very special circumstances only available to Haitian immigrants and for a very short period of time.

42. As a result of Defendants’ fraudulent and discriminatory acts, individual victims have paid hundreds of dollars without having their legal immigration needs met, while the Defendants have benefited financially.

43. Unless enjoined and ultimately dissolved, Defendants will continue to engage in this

fraudulent scheme and will continue to cause substantial injury to thousands of New York State residents.

**FIRST CAUSE OF ACTION:**  
**NEW YORK EXECUTIVE LAW § 63(12)**  
**FRAUD**

44. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

45. New York Executive Law § 63(12) prohibits fraud in the conduct of any business, trade or commerce.

46. Defendants, in their capacity as for-profit businesses or individual immigration service providers, carry on, conduct and transact business in connection with these immigration service transactions.

47. By reason of the conduct alleged above, Defendants are repeatedly engaging in fraudulent acts and practices in connection with the transactions in violation of New York Executive Law § 63(12).

**SECOND CAUSE OF ACTION:**  
**NEW YORK GENERAL BUSINESS LAW § 349**  
**DECEPTIVE ACTS AND PRACTICES**

48. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

49. New York General Business Law § 349 prohibits “deceptive acts or practices in the conduct of any business, trade or commerce or in the furnishing of any service” in New York State.

50. By acting as for-profit businesses or individual immigration service providers,

Defendants conduct “business” or provide a “service” within the meaning of New York General Business Law § 349.

51. Defendants engage in one or more of the following deceptive acts or practices in connection with these immigration services transactions:

- a. misrepresenting to the public that Defendants can represent individuals seeking to file applications before the United States Citizenship and Immigration Services (“USCIS”);
- b. misrepresenting Defendants’ qualifications and authority to provide immigration services; and
- c. permitting non-lawyers to provide legal services to immigrants;

52. By reason of the conduct alleged above, Defendants are engaging in deceptive business conduct in violation of New York General Business Law § 349 and Defendant Rincher and Defendant Seixas-Rincher should be prohibited from further operating any business related to immigration services in the State of New York.

**THIRD CAUSE OF ACTION:**  
**PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) – ILLEGALITY**  
**VIOLATIONS OF NEW YORK GENERAL BUSINESS LAW § 349**  
**DECEPTIVE ACTS AND PRACTICES**

53. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

54. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63(12) and is actionable thereunder when persistent or repeated.

55. Defendants’ repeated and persistent violations of GBL Article 22-A, § 349 are thus violations of the Executive Law § 63(12).

56. By their actions in violation of GBL § 349, Defendants are engaging in repeated and persistent illegality in violation of New York Executive Law § 63(12).

**FOURTH CAUSE OF ACTION**  
**NEW YORK JUDICIARY LAW § 478**  
**UNAUTHORIZED PRACTICE OF THE LAW BY**  
**DEFENDANT RINCHER AND DEFENDANT SEIXAS-RINCHER**

57. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

58. New York Judiciary Law § 478 prohibits individuals from practicing or appearing as attorneys-at-law without being admitted and registered. By advising individuals in immigration matters such as instructing individuals on which immigration forms to complete and file with the immigration authorities in order to obtain a certain immigration benefit, and advising individuals on the purported best course of action for their immigration matters, Defendant Rincher and Defendant Seixas-Rincher repeatedly and persistently violated N.Y. Judiciary Law § 478.

59. By filing Form G-28 for each one of their customers, Defendant Rincher and Defendant Seixas-Rincher repeatedly and persistently violated New York Judiciary Law § 478.

60. By reason of the conduct alleged above, Defendant Rincher and Defendant Seixas-Rincher are engaging in the unauthorized practice of the law in violation of New York Judiciary Law § 478.

**FIFTH CAUSE OF ACTION:**  
**PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) – ILLEGALITY**  
**VIOLATIONS OF NEW YORK JUDICIARY LAW § 478**  
**UNAUTHORIZED PRACTICE OF THE LAW BY**  
**DEFENDANT RINCHER AND DEFENDANT SEIXAS-RINCHER**

61. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

62. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63 (12) and is actionable thereunder when persistent and repeated.

63. Defendant Rincher's and Defendant Seixas-Rincher's repeated and persistent violations of New York Judiciary Law § 478 are thus violations of New York Executive Law § 63(12).

64. By reason of the conduct alleged above, Defendant Rincher and Defendant Seixas-Rincher are repeatedly and persistently engaging in illegality in violation of New York Executive Law § 63(12).

**SIXTH CAUSE OF ACTION:**  
**NEW YORK GENERAL BUSINESS LAW §§ 460-a through 460-j**  
**IMMIGRANT ASSISTANCE SERVICE PROVIDERS**

65. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs. New York General Business Law, Article 28-C (§§ 460-a through 460-j) regulates the conduct of immigration service providers, defined as any person "providing assistance, for a fee, or other compensation, to persons who have [...] come to the United States [...], in relation to any proceeding, filing or action affecting the non-immigrant, immigrant or citizenship status of a person which arises under the immigration and nationality law, executive order or presidential proclamation, or which arises under actions or regulations of the [United States Citizenship and Immigration Services ("USCIS"), United States Department of Labor, or the United States Department of State]."

66. By failing to provide proper written contracts to their clients, Defendants repeatedly and persistently violate GBL § 460-b.

67. By failing to post signs where Defendants provide immigration services, indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any

immigration authority, Defendants repeatedly and persistently violate GBL § 460-c.

68. By failing to include the required language in their advertisements indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate GBL § 460-d.

69. Defendants repeatedly and persistently violate GBL § 460-e by:

- a. advising each victim on the process to follow and forms required to adjust their immigration status;
- b. retaining fees for services that were not performed or costs not actually incurred;
- c. failing to provide customers with copies of documents filed with a governmental entity and/or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the professional relationship; and
- d. making false statements and misrepresentations about the process for immigrants to adjust their status in the United States.

70. Defendants fail to comply with the surety requirement provided by GBL § 460-g.

71. By reason of the conduct alleged above, Defendants are engaging in illegal conduct in violation of New York General Business Law §§ 460-a through 460-j.

**SEVENTH CAUSE OF ACTION:**  
**PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12) - ILLEGALITY**  
**VIOLATIONS OF NEW YORK GENERAL BUSINESS LAW §§ 460-a through 460-j**  
**IMMIGRANT ASSISTANCE SERVICE PROVIDERS**

72. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

73. A violation of state law constitutes illegality within the meaning of New York Executive Law § 63(12) and is actionable thereunder when persistent or repeated.

74. Defendants' repeated and persistent violations of GBL Article 28-C, §§ 460-a through 460-j are thus violations of New York Executive Law § 63(12).

75. By their actions in violation of GBL §§ 460-a through 460-j, Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

**EIGHTH CAUSE OF ACTION:**  
**PURSUANT TO NEW YORK EXECUTIVE LAW § 63(12)**  
**VIOLATIONS OF NEW YORK CITY**  
**IMMIGRATION ASSISTANCE SERVICES LAW**  
**§§ 20-770 THROUGH 20-780**

76. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

77. Title 20 of the Administrative Code of the City of New York §§ 20-770 through 20-780 ("NYC Immigration Assistance Services Law") regulates the conduct of immigration assistance service providers in New York City.

78. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(b) by retaining fees for services that were not performed or costs not actually incurred.

79. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(c) by failing to provide customers with copies of documents filed with a governmental entity and/or refusing to return original documents supplied by, prepared on behalf of, or paid for by the customer, upon the request of the customer, or upon termination of the professional relationship.

80. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(e) by advising each immigrant on the process to follow and forms required to adjust their immigration status.

81. Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-771(f) by guaranteeing or promising to adjust the victims' immigration status when some victims have no viable claim to do so.

82. By failing to provide written contracts to their clients in English and in a language they would understand, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-772.

83. By failing to post signs where Defendants provide immigration services, indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-773.

84. By failing to include the required language in their advertisements indicating that they are not attorneys and are not authorized to represent individuals before the USCIS or any immigration authority, Defendants repeatedly and persistently violate NYC Immigration Assistance Services Law § 20-774.

85. Defendants fail to comply with the surety requirement provided by NYC Immigration Assistance Services Law § 20-776.

86. By reason of the conduct alleged above, Defendants engage in illegal conduct in violation of NYC Immigration Assistance Services Law §§ 20-770 through 20-780.

87. By their actions in violation of NYC Immigration Assistance Services Law §§ 20-770

through 20-780, Defendants are engaging in repeated and persistent illegality in violation of New York Executive Law § 63(12).

**NINTH CAUSE OF ACTION:**  
**PURSUANT TO EXECUTIVE LAW § 63(12)**  
**VIOLATIONS OF NEW YORK STATE HUMAN RIGHTS LAW**  
**DISCRIMINATION BASED ON NATIONAL ORIGIN**

88. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

89. New York State Human Rights Law § 296(2)(a) prohibits discrimination in public accommodations based on national origin.

90. In their capacity as immigration service providers, Defendants Rincher's Bookstore and HAEG, under the direction and control of Defendant Rincher and Defendant Seixas-Rincher, are places of public accommodation and illegally seek to defraud Haitian immigrants based on their national origin.

91. By reason of the conduct alleged above, Defendants Rincher's Bookstore and HAEG, under the direction and control of Defendant Rincher and Defendant Seixas-Rincher, are repeatedly engaging in discrimination in connection with the transactions in violation of New York State Human Rights Law § 296(2)(a).

92. By their actions in violation of New York State Human Rights Law § 296(2)(a), Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

**TENTH CAUSE OF ACTION:**  
**PURSUANT TO EXECUTIVE LAW § 63(12)**  
**VIOLATIONS OF NEW YORK CITY HUMAN RIGHTS LAW**  
**DISCRIMINATION BASED ON ALIENAGE,**  
**CITIZENSHIP STATUS AND NATIONAL ORIGIN**

93. The Attorney General repeats and re-alleges, as though fully set forth herein, all of the preceding paragraphs.

94. Title 8 of the Administrative Code of the City of New York (“New York City Human Rights Law”) § 8-107(4) prohibits discrimination in public accommodations based on national origin, citizenship status and alienage.

95. In their capacity as immigration service providers, Defendants Rincher’s Bookstore and HAEG, under the direction and control of Defendant Rincher and Defendant Seixas-Rincher, are places of public accommodation and illegally seek to defraud Haitian immigrants based on their national origin, citizenship status and alienage.

96. By reason of the conduct alleged above, Defendants Rincher’s Bookstore and HAEG, under the direction and control of Defendant Rincher and Defendant Seixas-Rincher, are repeatedly engaging in discrimination in connection with the transactions in violation of New York City Human Rights Law § 8-107(4).

97. By their actions in violation of New York City Human Rights Law § 8-107(4), Defendants are engaged in repeated and persistent illegal conduct in violation of New York Executive Law § 63(12).

**PRAYER FOR RELIEF**

**WHEREFORE**, Plaintiff respectfully requests that a judgment and order be issued:

1. Permanently enjoining Defendants, and their employees, agents, successors, heirs and

assigns, directly or indirectly, from engaging in the fraudulent and illegal practices alleged herein;

2. Permanently enjoining Defendants from engaging in the business of immigration services;
3. Permanently enjoining Defendants from engaging in the unauthorized practice of the law;
4. Directing Defendants to provide an accounting of each immigration assistance service transaction;
5. Directing Defendants to pay restitution, compensatory and punitive damages to the victims harmed by their fraudulent conduct;
6. Directing Defendants to pay a penalty to the State of New York for each violation of General Business Law Article 28-C pursuant to GBL § 460-h;
7. Directing Defendants to pay a penalty to the State of New York for each violation of General Business Law Article 22-A pursuant to GBL § 350-d;
8. Awarding Plaintiff the costs of this proceeding, including \$2,000 in additional costs against Defendants pursuant to CPLR § 8303(a)(6);
9. Terminating the authority of Defendant Rincher's Bookstore and its principals from conducting any business related immigration services in the State of New York;
10. Dissolving Defendant HAEG; and

11. Granting Plaintiff such other and further relief as this Court finds appropriate and equitable, including injunctive, monetary and declaratory relief as may be required in the interests of justice.

Dated: New York, New York  
June 8<sup>th</sup>, 2010

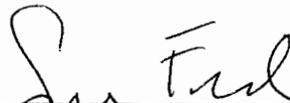
ANDREW M. CUOMO  
Attorney General of the State of New York

CIVIL RIGHTS BUREAU

By:



Alphonso B. David  
Special Deputy Attorney General  
for Civil Rights



Spencer Freedman  
Chief Counsel for Civil Rights

Elizabeth De León  
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Vilda Vera Mayuga  
Assistant Attorney General

Office of the NYS Attorney General  
120 Broadway  
New York, NY 10271  
Tel. (212) 416-8250  
Fax (212) 416-8074

**VERIFICATION**

STATE OF NEW YORK     )

COUNTY OF NEW YORK   ) ss:

ALPHONSO B. DAVID, being duly sworn, deposes and says:

I am Special Deputy Attorney General for Civil Rights in the office of Andrew M. Cuomo, Attorney General of the State of New York, and am duly authorized to make this verification.

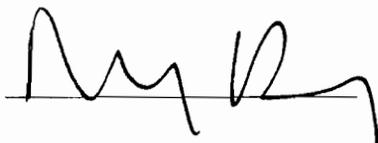
I have read the foregoing complaint and know the contents thereof, which are to my knowledge true, except as to matters stated to be alleged on information and belief, and as to those matters, I believe them to be true. The grounds for my belief as to all matters stated upon information and belief are investigative materials contained in the files of the Attorney General's office.

The reason this verification is not made by Plaintiff is that Plaintiff is a body politic and the Attorney General is its duly authorized representative.



ALPHONSO B. DAVID

Sworn to before me this  
8<sup>th</sup> day of June, 2010



MOLLY DOHERTY  
Notary Public, State of New York  
No. 02DG6062497  
Qualified in New York County  
Commission Expires ~~August 6, 2009~~ October 5, 2013