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Complaint Against:
Richard M. Coan
495 Orange Street
New Haven, Connecticut 06511
(203) 624-4756

In the UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

Albert L. Peia,) PDF Formatted Pleadings,
Plaintiff) Addenda, and Such Other Documents
-vs-) as Will Assist the Court in the Matter
Richard M. Coan, Coan,) Concerning the Complaint Against
Lewendon ,Gulliver, and Miltenberger, LLC.) Attorney Richard M. Coan:
)
) VERIFIED COMPLAINT
John Doe Surety 1, John Doe Insurer 2,) UNDER THE RACKETEER
John Does 3 – 10,) INFLUENCED AND CORRUPT
Defendants) ORGANIZATIONS ACT (RICO)
----- CASE NO. 3:08-CV1584 (JCH)
JURY TRIAL DEMANDED

NATURE OF THE COMPLAINT

The following 5 page RICO Litigation Summary was prepared at the request of and for the FBI under penalty of perjury which best describes how Coan fit into the RICO pattern. The recap/summary that follows includes a succinct summary, including negligence in the alternative, vis-à-vis Coan. This and referenced documents are provided on (3 copies of) the PDF formatted autorun CD which is included herewith to facilitate the Court's review hereof.

**SUMMARY OF THE SUBJECT CIVIL RICO/NEGLIGENCE LITIGATION
[Provided to the FBI Under Penalty of Perjury at Their Request]**

The client, Bodyrite Repair Co. (bus repair, building "lounge" buses, etc.), Inner Circle Qonnexions, Inc. (Atlantic City Casino "tours/excursions", etc.) had been

referred to me by an insurance agency I had known and serviced while employed by Hartford Ins. Group as marketing/sales representative. The companies had three shareholders, George Bauman (painting/repair), Carlo Dilena (bodywork/fabrication/repair/building-conversion to lounge buses), and Peter Palluzzi (deal-maker, etc.). All had roots to the notoriously corrupt Hudson County, New Jersey, and Palluzzi still resided in Jersey City, N.J.. Bauman and Dilena were concerned with the extent to which Palluzzi was involving himself in a very big way with the mob and that the businesses were becoming integrally involved and intertwined with said nefarious mafia groups, particularly with regard to Atlantic City, N.J. which at that time was essentially the only concentrated center of gambling activity outside of Las Vegas, Nevada and the cash business attendant thereto. I sorely underestimated the clout of same in such an already corrupt/mob infested state as N.J. *vis-a-vis* the processes (ie., judicial, political, law enforcement, etc.), institutions (ie., courts, banks, businesses, etc.), and people (there was no one and I mean no one they couldn't get to, etc.). I, in my capacity as attorney for Bauman and Dilena, through a voting trust for said two shareholders was able to edge out Palluzzi whose interest in the companies was subsequently bought out by Bauman and Dilena. Both the attorney, Joseph Tumulty, and accountant, Brannigan, were from Jersey City, N.J., and were chosen by and loyal/answered to palluzzi. Indeed, the books did not balance and there was I'm sure well founded suspicions of impropriety concerning same which essentially was subsumed in the sale. Moreover, there was a prosecution of a mobster named Costello for which a federal subpoena issued from New York sought copies of checks relating to Costello and related companies which I personally delivered to the FBI Office in New York, FBI Agent Jenkins, upon receipt of same from Bauman/Dilena/companies.

Needless to say, the mob hated me and I hated them back. In truth, I probably hated and still hate them more than they hated/hate me for innumerable reasons beyond the scope of this writing. There had been subtle ways in which they attempt to draw you in as discussed *infra*. Anthony Crincoli had been the cpa/firm referred by lawyers (O'Donnell, Kennedy, Vespoli, Piechta, et als – their accountant) I had known (and worked with Leon Piechta) for approximately 6 years to replace the accountants

(brannigan, jersey city) whose books didn't balance. Crincoli was well paid for his services and consistent with their policy, was given roughly a third of what, ie., tax refunds, they recovered (one such instance was a third of \$28,000 which I didn't recommend, especially since I was deferring fees, even as I was beginning to expand my practice into other areas, ie., entertainment, requiring some trips to California), etc. Bauman subsequently passed away. Crincoli subsequently also became accountant for palluzzi and I presumed him (correctly I believe) to be at the least, mob-connected (typical jersey) and suspect particularly when the bookkeeper, Peter Baratta (upon information, they had him committed to a mental institution) alerted me to improprieties concerning the books and monies improperly taken out, ie, from the pension, loans erased, etc., which were not being reflected in the statements. At or around this time, there was an accusation that Dilena had bribed an inspector (named Jack) from Baltimore Transit Authority and contract business began to dry up. Despite same, there was substantial work being done on buses without contract or (legitimate) revenue source, fake names/employees on the census data for pension/401k and improprieties concerning same, even as I was retained to represent the companies/Dilena in what was sought as a substantial property purchase in or around Atlantic City, N.J.. I sought to "cash out", get the money I was owed, pursue other areas, and clashed with [ultimately I demanded certified statements from the CPA/Crincoli owing to perceived improprieties in same, pension, etc. (and ultimately drug money laundering) which they refused to do and I wanted to replace them which was at the time/just before I was constrained to file the RICO action] Dilena who admitted to the laundering of illicit funds, said he had no choice, and that he did it for his family, and that's how he was going to pay me (assuming my complicity). I assumed someone else to be "pulling his strings" since this would otherwise be crazy and a simple action/RICO action for me given what I presumed to be meaningful federal law and process, and filed the action shortly thereafter. The RICO case was (not surprisingly with hindsight) assigned to newly appointed federal judge maryanne trump barry, donald trump's sister, who sat on a simple frivolous motion to dismiss by dilena et als, even as upon information, money flows to the trump casinos increased from the already substantial levels (her clerk, noel hillman I believe, fielded my calls

regarding the inordinate delay), with substantial pressure being applied on me from innumerable sources, leading ultimately to my filing for Chapter 11 bankruptcy protection. I met with and spoke directly with Hugh Leonard, U.S. Trustee, and sought either a separate motion by him or at least to join in my motion to recuse trump barry for the obvious conflict which he refused and the RICO case ultimately wrongfully/illegally dismissed [in part and then without prejudice sometime in I believe around 1989 but after I had moved to Connecticut where I filed a Chapter 13 proceeding which should have crystallized the legal/ property aspects of the case if not for improprieties by Alan Shiff of the bankruptcy court in Connecticut, when I finally, in light of the corrupt processes, filed a Chapter 7 in Virginia where I maintained an office seeking an orderly liquidation of my properties/assets, payment of creditors, and in light of the substantial equity in my real properties a substantial sum even at substantially reduced prices, the RICO action being the primary thorn in the side of said court and again the matter wrongfully/illegally handled and never consummated according to law which otherwise would have concluded all matters except for, by inference, the RICO action]. Upon information, Hugh Leonard not long thereafter joined Cole, Shotz, et als, on retainer with dilena and companies as his primary client. Concurrently, I had been to the U.S. Attorney's office in Newark, N.J. prior to any bankruptcy proceeding, met personally with Jonathon Lacy, Assistant U.S. Attorney to whom I gave probative documents as I explained the various illegal/actionable conduct supporting the case. Not long thereafter, upon inquiry, I was told that Lacy was no longer employed at said office and that the file was gone/could not be located. I thereupon delivered by hand new copies of the said probative documents in a sealed package addressed to Sam Alito, U.S. Attorney, and assured by the person accepting same that said documents would go directly to him. Not long thereafter, upon inquiry, said documents were once again gone, with Sam Alito ultimately on the same court of appeals for the 3rd circuit as maryanne trump barry (rewards for illegal complicity cover-up including ultimately the "big, supreme court" for alito – I believe Iran-contra to have been a similar excuse/modus operandi to line pockets at that time and as stated to me by FBI Agent Jeff Hayes in California to whom I delivered probative documents, pervasive – Agent Hayes was transferred not long thereafter). Subsequent bankruptcy

filings were for a paper trail and the legal implications derived thereby and from the illegal acts in the corrupted process. I faxed to the FBI and U.S. Attorney's Office in Connecticut, and was as well, given the direct fax and telephone line to FBI Director Louis Freeh to whom I sent and faxed and called concerning numerous probative documents concerning the wrongful/illegal conduct. I also filed a RICO action in Connecticut which was assigned to Judge Gilroy Daley who had handled organized crime cases and who had stayed same owing to the parallel bankruptcy/adversary proceedings. Upon his passing, said case was assigned to Judge Thompson, and then Judge Arterton who dismissed same without prejudice based upon her presumption that said case was being resolved in the bankruptcy/adversary proceedings even though said proceedings had just been dismissed with prejudice by shiff owing to Defendant Coan's failure to file papers as ordered by the court's deadline (this case). Defendant coan has attempted to avoid process/accountability for his wrongful/illegal/actionable conduct and had attempted to prevent me from suing him by suing me which relief was denied by the Honorable Robert N. Chatigny, Chief Judge, U.S.D.C., District of Connecticut but has gotten help in the corrupt judicial process toward that end by, ie., Judges Dorsey, Kravitz, Underhill. Moreover, even a judgment entered in my favor by the U.S.D.C., District of Connecticut remains unaccounted for.

While I for too many now lost years of my life, loss of property, irreparable harm to my family, business, etc., wanted justice, I believe same to be permanently elusive in this nation in light of the pervasive corruption, and want merely to resolve all matters for the substantially compromised amount of the \$5 million sum certain amount for which there is no legitimate defense on the part of defendant coan as set forth in my cross-motion for the entry of judgment dated 8-15-05. Inasmuch as I stand by what I say, although I don't have standing to assert the government's relevant tax claim (property sales/surplus/capital gains), the \$3 million amount to me, \$1 million essentially for gifts to non-disputed creditors/interested parties/persons, and \$1 million to the government would stand. This would not require reopening cases necessarily but upon payment to me of even the bottom-line amount of \$3 million, if not the \$5 million sum certain amount, rights of assignment of claims and/or subrogation would accrue

and inure to the benefit of the payor and for which there is also applicable insurance/surety coverage. I believe this to be the wisest course for all persons/entities/parties concerned. That's what I want, in response to your query.

I, Albert L. Peia, hereby declare the foregoing statements to be true under penalty of perjury under the laws of the United States of America.

Dated:

Signed: _____
Albert L. Peia

RECAP/SUMMARY

I filed a RICO action in Connecticut which was assigned to Judge Gilroy Daley who had handled organized crime cases and who had stayed same owing to the parallel bankruptcy/adversary proceedings. Upon his passing, said case was assigned to Judge Thompson, and then Judge Arterton who dismissed same without prejudice based upon her presumption that said case was being resolved in the bankruptcy/adversary proceedings even though said proceedings had just been dismissed with prejudice by shiff owing to Defendant Coan's failure to file papers as ordered by the court's deadline (this case). Defendant coan has attempted to avoid process/accountability for his wrongful/illegal/actionable conduct and had attempted to prevent me from suing him by suing me which relief was denied by the Honorable Robert N. Chatigny, Chief Judge, U.S.D.C., District of Connecticut. Moreover, a judgment entered on or around 9-19-97 in my favor by the Judge Thompson, U.S.D.C., District of Connecticut, Docket #3:93cv2065(AWT), remains unaccounted for.

In the alternative:

“THIRD COUNT - NEGLIGENCE/BREACH OF FIDUCIARY DUTY

50. Plaintiff repeats and realleges the averments contained in paragraphs 1 through 49 as if set forth at length herein.

51. On or about May 1, 1996, defendant Richard M. Coan succeeded to the interests of the estate of plaintiff herein in his capacity as Chapter 7 Trustee, said case having originated under Chapter 13 of Title 11, U.S.C., and designated as Case No. 95-51862, United States Bankruptcy Court, in the District of Connecticut.

52. At all times relevant hereto, Richard M. Coan had a fiduciary duty to said estate, creditors thereof including the U.S. government, which duty he breached through wrongful and otherwise negligent and culpable conduct.

53. To wit, Richard M. Coan, in his capacity as successor plaintiff was ordered by the court to file papers consistent with his capacity and duty as successor plaintiff and Trustee, in a number of adversary proceedings brought by debtor/plaintiff herein for which the entry of default had been requested and the entry of default judgment appropriate inasmuch as proper service had been made with some matters being without defense, ie., properties (outside the state of Connecticut, ie., New Jersey) sold during the pendency of the automatic stay pursuant to §362 of Title 11, U.S.C., unaccounted for substantial funds (in New Jersey) generated from said wrongful acts, theft of personalty/business assets (in California, New Jersey, and Connecticut), loss of rents (in New Jersey, California, and Connecticut), among other causes and damages, including a substantial fraud on debtor/plaintiff herein perpetrated by R.I.C.O. defendants/co-conspirators involved in laundering drug money through the Trump (of New York) casinos (in New Jersey) along with other criminal activities covered by and violative of federal law.

54. All of said matters were meritorious, substantial, some without defense, as well as some for which partial settlements and/or payments had been made.

55. Richard M. Coan, in his capacity as Trustee and to cover-up various criminal activities including, *inter alia*, illegal drug money laundering, bribery, fraud, theft, other violations of federal law including §362 of Title 11, U.S.C., and the illegal, wrongful and culpable failure to conclude the 1989 Virginia Chapter 7 proceeding under Title 11 in accordance with federal law, among others, wrongfully, negligently, and culpably failed to file any document whatsoever.

56. As a direct consequence of the aforesaid negligent, wrongful and culpable breaches of fiduciary duty the subject adversary proceedings were dismissed with prejudice as set forth in Exhibit "A", annexed hereto and incorporated herein by reference thereto, causing and resulting in great damage to plaintiff herein.

57. Defendant Richard M. Coan is liable to plaintiff for the damages caused by said negligent, wrongful and culpable breaches of fiduciary duty, in amounts compensatory and punitive, to be determined at trial.

FOURTH COUNT - NEGLIGENCE

58. Plaintiff repeats and realleges the averments contained in paragraphs 1 through 57 as if set forth at length herein.

59. On or about May 1, 1996, defendant Richard M. Coan succeeded to the interests of the estate of plaintiff herein in his capacity as Chapter 7 Trustee,

said case having originated under Chapter 13 of Title 11, U.S.C., and designated as Case No. 95-51862, United States Bankruptcy Court, in the District of Connecticut.

60. At all times relevant hereto, defendant Richard M. Coan, acting within the scope of his employment, and defendant Coan, Lewendon, Gulliver, and Miltenberger, LLC., thereby

(1) had a duty to act as a reasonable and prudent person in performing his duties in his capacity as Chapter 7 Trustee, consistent with his duties as a fiduciary and the foreseeability of harm/injury/damage to plaintiff in failing to so conform to said standard of care;

(2) defendant Richard M. Coan, acting within the scope of his employment and defendant Coan, Lewendon, Gulliver, and Miltenberger, LLC., thereby, breached said duty of due care in failing to perform his duties in accordance with reasonable prudence by, *inter alia*, failing to timely file documents pursuant to court order and otherwise act in a reasonably prudent manner;

(3) as a direct and proximate result of the aforesaid breach of duty by defendant Richard M. Coan, acting within the scope of his employment and defendant Coan, Lewendon, Gulliver, and Miltenberger, LLC., thereby,

(4) plaintiff has sustained substantial harm/injury/damage.

61. As a result of the negligence of defendant Richard M. Coan, acting within the scope of his employment and defendant Coan, Lewendon, Gulliver, and Miltenberger, LLC., thereby, said defendants are liable to plaintiff for damages in an amount to be determined at trial.”

Dated:

Signed: _____

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VERIFICATION

I declare under penalty of perjury that:

(a) I have read Rule 83.2 of the Local Civil Rules of the United States District Court for the District of Connecticut, governing complaints against attorneys, and

(b) The statements made in this complaint (including attachments) are true and correct to the best of my knowledge.

Executed on
(Date)

(Signature) _____

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