

STATE OF NEW MEXICO
COUNTY OF SANTA FE
FIRST JUDICIAL DISTRICT COURT

SONJA BOUCHER, ANDRESS MARTINEZ,
DOMINIC BACA AND LEONA CHAVEZ

Plaintiffs,

v.

No. D-101-CV-2023-02209

NEW MEXICO CORRECTIONS DEPARTMENT;
WEXFORD HEALTH SOURCES, INC.; MHM
CORRECTIONAL SERVICES, LLC d/b/a
Centurion; SUMMIT FOOD SERVICE
MANAGEMENT, LLC, John Doe Defendants 1-10
(employees, staff, agents of Wexford Health
Sources, Inc., and MHM Correctional Services,
LLC, respectively); and John Doe Correctional
Officers 1-10 (employees, staff, agents of New
Mexico Correctional Department).

Defendants.

AMENDED COMPLAINT FOR DAMAGES

COME NOW, PLAINTIFFS by and through their attorneys Collins & Collins, P.C.
(Parrish Collins), brings this Amended Complaint for Damages and Injunctive Relief, under
NMRA 1015(A). For their cause of action, PLAINTIFFS state as follows:

I. PARTIES

A. PLAINTIFFS

1. Andres Martinez (CO Martinez) is a resident of Veguita, Socorro County, New Mexico. Mr. Martinez has been employed as a correctional officer by NMCD since 2005.

2. Sonja Boucher (CO Boucher) is a resident of Albuquerque, Bernalillo County, New Mexico. Ms. Boucher has been employed as a correctional officer by NMCD since 2013.

Ms. Boucher has served as a steward for Local 3422, a chapter of the American Federation of State, County and Municipal Employees, (hereinafter the Union), since 2017.

3. Leona Chavez (CO Chavez) is a resident of Los Lunas, Valencia County, New Mexico. Ms. Chavez has been employed as a correctional officer by NMCD since 2006.

4. Dominic Baca is a resident of Albuquerque, Bernalillo County, New Mexico. Mr. Baca is currently serving as Sergeant and has been employed as a by NMCD since 2010.

B. DEFENDANTS

5. DEFENDANTS NEW MEXICO CORRECTIONS DEPARTMENT (NMCD) and all NMCD correctional facilities are entities of the State of New Mexico.

6. Central New Mexico Correctional Facility (CNMCF) is a NMCD prison facility located in Los Lunas, Valencia County, New Mexico.

7. NMCD retains ultimate authority and responsibility over all NMCD facilities including CNMCF in accordance with NMCD rules, policies, and procedures.

8. At all material times, NMCD acted through its respective officers, directors, employees, agents, or apparent agents.

9. Wexford Health Sources, Inc. is a foreign corporation registered to do business in New Mexico whose registered agent is in Hobbs, New Mexico.

10. Wexford, by the terms of Professional Services Contract # 20-770-1200-0043 (“PSC”), was contracted by NMCD for the purposes of providing medical care to prisoners incarcerated in the NMCD prison system. Upon information and belief, the PSC was executed in Santa Fe, New Mexico. The term of the PSC began on or about October 18, 2019, and was in effect

at all times relevant to this Complaint.

11. Under the PSC, Wexford was acting as the apparent and actual agent, servant, and contractor of NMCD and was responsible for the care, health, safety, and proper medical treatment of all prisoners in NMCD's facilities. Pursuant to the PSC, NMCD adopted Wexford's policies, practices, habits, customs, procedures, training, and supervision as its own, and Wexford adopted NMCD's policies, practices, habits, customs, procedures, training, and supervision as its own.

12. At all times relevant to this Complaint, Wexford acted through its owners, officers, directors, employees, agents or apparent agents, including, but not limited to, administrators, management, nurses, doctors, technicians and other staff, and is responsible for their acts or omissions pursuant to the doctrines of *respondeat superior*, agency, or apparent agency.

13. Defendant MHM Correctional Services, LLC d/b/a Centurion ("MHM") is a for-profit foreign limited liability company registered to do business in New Mexico whose registered agent is in Espanola, New Mexico.

14. MHM, by the terms of Professional Services Contract # 21-770-1300-0004 ("MHM Contract"), was contracted by NMCD for the purposes of providing licensed behavioral health providers and services to prisoners incarcerated in the NMCD prison system, including Natasha. Upon information and belief, the term of the MHM Contract began on or about July 1, 2020, and was in effect at all times relevant to this Complaint.



15. At all times relevant to this Complaint, MHM acted through its owners, officers, directors, employees, agents or apparent agents, including, but not limited to, administrators, management, nurses, doctors, technicians and other staff, and is responsible for their acts or omissions pursuant to the doctrines of *respondeat superior*, agency, or apparent agency.

16. Summit Food Service Management, LLC, a New Mexico **Domestic Profit Corporation** entered into Food Services Contract #20-000-00-00070 on or about November 1, 2012. Summit continues to provide food services to NMCD. Upon information and belief, the contract was renewed under either Summit Food Service, LLC, a **New Mexico Domestic Limited Liability Company, who is now providing food services to NMCD.**

17. At all times relevant to this Complaint, Summit Food Service (Summit) acted through its owners, officers, directors, employees, agents or apparent agents, including, but not limited to, administrators, management, inmates and other staff, and is responsible for their acts or omissions pursuant to the doctrines of *respondeat superior*, agency, or apparent agency.

II. JURISDICTION AND VENUE

18. All acts complained of herein occurred within the Central New Mexico Correctional Facility (CNMCF), a NMCD prison facility located in Valencia County, New Mexico.

19. Jurisdiction and venue are proper under [N.M. Stat. Ann. § 38-1-16](#), [NMSA 1978, §§ 38-3-1](#) , [N.M. Stat. Ann. § 41-4-18](#), and [NMSA 41-4-6](#)  .

III. STATEMENT OF FACTS

A. DUTIES OF DEFENDANTS

20. NMCD has a duty to operate safe facilities to protect the safety of NMCD employees, staff and agents.

21. NMCD has a duty to operate safe facilities to protect the safety of the public including neighbors to NMCD facilities.

22. NMCD should not take any actions that unnecessarily endanger employees, staff, agents, inmates or the community.

23. NMCD has a duty to provide full, complete and accurate information to the American Correctional Association (ACA) for purposes of ACA auditing.

24. NMCD has a duty to provide full, complete and accurate information to the New Mexico legislature.

25. NMCD has a duty to enforce contracts with its vendors including medical and food vendors.

26. As agents of NMCD, NMCD is liable for the acts and omissions of its vendors.

27. Wexford by contract has a duty to provide constitutional adequate healthcare to NMCD inmates.

28. MHM by contract has a duty to provide constitutionally adequate mental health and behavioral health services to inmates at CNMCF.

29. Summit by contract has a duty to provide constitutionally adequate nutrition to inmates at CNMCF.

30. All DEFENDANTS have failed in their respective duties.

B. CNMCF PHYSICAL CONDITIONS VIOLATE NMCD DUTIES

31. CNMCF is in a dangerous state of disrepair and mismanagement putting all within its walls in a constant state of unnecessary heightened danger, stress and anxiety.

32. The CNMCF building and equipment are in dangerous disrepair putting all users of the facility at risk including:

- i. Outdated, poorly maintained technology fails routinely,
- ii. Malfunctioning video cameras,
- iii. Malfunctioning doors and gates,
- iv. Inoperable telephones in units and pods,
- v. Severely deficient communication devices necessary in case of emergencies.

C. CNMCF DANGEROUS UNDERSTAFFING VIOLATE NMCD DUTIES UNDER [NMSA §41-4-6](#) 

33. CNMCF is dangerously understaffed putting the facility, everyone in the facility and the local community at significant risk including but not limited to:

34. Correctional officers covering multiple units and pods by themselves, an inability to fill mandatory posts. Correctional officers and staff are retaliated against for refusal to leave mandatory posts to cover other mandatory posts.

35. Correctional officers and other staff are compelled to leave critical mandatory posts under threat of reprimand.

36. Failure to properly staff control center posts which puts all users of the facility and the community at risk,

37. NMCD is attempting to substitute unreliable technology to monitor the facility rather than Correctional officers and staff monitoring the control centers.

38. The substitute technology has failed numerous times since implementation, putting the facility at risk.

39. NMCD is attempting to negotiate with the Union to eliminate mandatory posts due to understaffing and the inability to staff the posts.

40. NMCD is attempting to negotiate with the Union to eliminate other critical security posts. To do this, NMCD is transferring FTEs (full time employee) to other facilities and positions to mask the severe staffing shortages at CNMCF.

41. Behavioral health is critically short on therapists and have replaced them with unlicensed psych techs with no formal education or training necessary to provide therapeutic services to inmates suffering from mental health issues.

42. Mentally ill inmates are conducting watch over other mentally ill inmates, including those on suicide watch.

43. NMCD fails to properly staff security at public hospitals when inmates are hospitalized. Two officers are mandated by NMCD policy for Level 3 and above, three officers are required for high risk and gang affiliated inmates while in the hospital. Currently, NMCD is allowing only one officer for hospital security putting the officer and the hospital community at risk.

44. NMCD falsifies staffing numbers by a number of means:

- a. Taking FTEs from CNMCF redistributing them to other facilities.
- b. Reducing the mandatory FTEs at CNMCF to conceal understaffing despite the continuing need for the FTEs. Essentially, rather than filling critical security positions, they are eliminating the positions entirely so no shortage is indicated.
- c. Reducing mandatory FTEs. Mandatory posts are critical to the safety, security and safe operation of the facility, staff, inmates and public.
- d. Reclassification of mandatory posts to non-mandatory posts,
- e. Double counting staff at multiple facilities,

- f. Control centers are unmanned,
- g. Some outer perimeter posts have been shut down entirely while others are shut down regularly creating escape risks.

D. NMCD UNDERSTAFFING IS PUTTING USERS OF CNMCF AT UNNECESSARILY HIGH RISK

45. Due to severe understaffing, Correctional officers and staff are compelled to work regularly double shifts and sometimes triple shifts due to staff shortage. Staff are working 1 to 4 double shifts per week.

46. Staff are required to cover 3 to 4 jobs that in the past required a FTE for each.

47. Officers with low seniority are compelled to work at night by themselves covering multiple units and posts putting the officer at high risk.

48. As a result, Correctional officers and staff are being reprimanded and disciplined for incidents related to short staffing.

49. Correctional officers and staff are verbally reprimanded publicly and on the radio allowing other staff and even inmates to hear undermining the authority and safety of correctional officers.

50. Correctional officers and staff have suffered severe emotional distress.

51. Nurses are left alone with no security personnel.

E. WEXFORD UNDERSTAFFING

52. Nurses are forced to conduct the duties of techs due to a shortage of nurses, medical assistants and nursing assistants.

53. Nurses are forced to do inmate laundry due to lack of biohazard staff,

54. Individual nurses are forced to cover multiple units at once.

55. Nurses are overburdened being compelled to cover sick calls, medical emergencies and MedPass (distribution of medication) on their own which is not possible without jeopardizing the health of inmates.

56. Inmates do not receive their medications, including psychiatric medication in a timely manner, and frequently not at all. This creates enormous risks for all users of the building.

57. Wexford's medical care for inmates is severely deficient causing conflict between correctional officers and inmates who blame the correctional officers for the lack of care.

58. Wexford relies excessively on agency nurses who are transient employees. Poorly qualified agency nurses are brought in routinely.

59. Reliance on agency nurses causes morale issues with staff nurses due to disproportionate pay received by agency nurses with less responsibility and experience than staff nurses.

60. Wexford has a extensive employment turnover with medical staff due to job conditions.

61. Wexford medical personnel fear for their licenses causing many to leave and others to work under extreme stress.

62. Wexford's practices put inmates at high risk which in turn puts all users of the building and the community at high risk.

F. NMCD UNDERSTAFFING PREVENTS TRANSFER OF INMATES TO OUTSIDE MEDICAL PROVIDERS

63. NMCD understaffing results in the inability to transport inmates for outside medical care:

64. Inmate hospital and medical appointments are routinely cancelled due to lack of staffing of transport officers.

65. Inmates are late for appointments due to insufficient transport staffing resulting in cancellation of medical appointments.

G. BREACH OF DUTIES BY SUMMIT FOOD SERVICES

66. Summit fails to provide proper nutrition or even minimally required caloric intake causing conflict between correctional officers and inmates who blame the correctional officers for the insufficient nutrition.

67. Summit provides meals that are virtually all carbohydrates for every meal. Inmates are served trays of potatoes, beans and rice routinely.

68. Summit provides medical food trays that are virtually identical to the regular trays other than substitution of apple sauce for the regular cookie or cake. The apple sauce is high in sugar.

69. Leftovers are repurposed for subsequent meals.

70. Summit largely ignores the requirements for medical diets, regularly ignoring medical provider orders.

71. Summit ignores the requests of correctional and medical personnel when they point out improper medical and religious diets.

72. Summit relies on untrained inmates to provide medically necessary trays which frequently results in the medical and religious trays being provided to the wrong inmates.

73. Summit refuses to adhere to basic nutritional requirements for all inmates.

74. There are no dieticians on site at CNMCF.

75. Summit prepares food at Level 2 due to the rodent and insect infestations at the main facility.
76. Maggots have infested the trucks used to transport the food.
77. The food transport trucks and carts are not cleaned properly so the food is exposed to insects, rodents, roaches and other possible contaminants.
78. Food is transported in food carts that are not National Safety Foundation (NSF) mandates.
79. The food is served to inmates no matter what the condition of the food upon arrival.
80. These issues have been reported by correctional and medical personnel to no avail.
81. The food provided by Summit causes significant health issues for inmates with chronic health conditions.
82. Summit operations put inmates at high risk of harm which in turn puts correctional officers and other staff at risk as the inmates blame them for the severely inadequate food.
83. NMCD exercises no authority or control over Summit.
84. The acts and omissions of NMCD and Summit cause significant nutritional deficiencies for inmates which in turn puts all users of the building at risk.

H. MENTALLY ILL INMATES AND OTHER INMATES TASKED WITH WATCH OVER MENTALLY ILL AND SUICIDAL INMATES

85. NMCD, MHM and Wexford have collectively compelled inmates in the Mental Health Treatment Center (MHTC) to watch over other MHTC inmates, including suicidal inmates, for up to 16-hour shifts

86. NMCD, MHM and Wexford have collectively allowed seminary inmates to conduct medical watches including medical watch over detoxing inmates. The inmates are neither trained nor otherwise qualified to conduct medical watch.

87. The acts and omissions of NMCD, MHM and Wexford put all users of the building at unnecessarily high risks of harm or death.

I. FALSE AND/OR MISLEADING REPORTING TO AMERICAN CORRECTIONAL ASSOCIATION AUDITORS

88. NMCD provides false and/or misleading information to the American Correctional Association (ACA) auditors including:

89. Staffing of security, mental health, and medical personnel.

90. Mental health and medical services.

91. Functioning of equipment and facilities.

92. Security related matters such as perimeter security, security towers, control centers, gates and keys.

93. Fire inspections and fire safety equipment.

94. Food quality, storage, transport, processing and preparation.

95. Adherence to NMCD policies and procedures.

J. NMCD CONCEALS GRIEVANCES AND OTHER WRITTEN NOTICES OF DEFICIENCIES AT CNMCF

96. Correctional officers and staff are strongly discouraged from putting any complaint, grievance or even suggestions for improvement in writing. This is a long-standing unwritten policy put in place to prevent disclosure of these matters to the public.

97. When correctional officers and staff do put notices of deficiencies in writing, NMCD destroys emails, documents and other communications from correctional officers and staff to conceal both the deficiencies and notice of the deficiencies.

98. NMCD retaliates against correctional officers, staff and contractors who report deficiencies at CNMCF.

99. The deceptions of NMCD regarding medical grievances are reflected in the ACA audits themselves where it is shown that medical grievances are near universally found against the inmates and in the 2022 ACA audit indicating no medical grievances were filed by inmates which is outrageous on its face.

K. SIGNIFICANT INCREASE IN ASSAULTS GOES UNREPORTED BY NMCD

100. Both inmate on inmate assaults, and inmate on correctional officer assaults are on the rise.

101. Plaintiffs report daily inmate on inmate assaults.

102. Plaintiffs report weekly inmate on correctional officer assaults.

103. Plaintiffs report a troubling trend toward inmate assaults on medical personnel.

104. These assaults are perfectly predictable given the grossly inhumane and deficient medical care and nutrition coupled with grossly inadequate staffing of correctional personnel, medical personnel, and mental and behavioral health personnel.

105. NMCD does not accurately report these assaults if at all.

L. PLAINTIFFS HAVE ATTEMPTED TO ADDRESS THE DANGEROUS CONDITIONS AT EVERY LEVEL TO NO AVAIL

106. PLAINTIFFS have attempted to resolve these matters without the necessity of litigation:

107. PLAINTIFFS have reported these problems repeatedly up the chain to supervisors, deputy wardens, wardens, the Secretary of Corrections and the Governor.

108. Plaintiffs, due to their concern for the safety of the community, reported to the Mayor of Los Lunas.

109. Despite their efforts, the security of CNMCF is steadily worsening.

110. Correctional officers, staff and medical personnel are leaving in droves due to the worsening situation.

111. Not only has NMCD failed to replace those employees, but it is now attempting to eliminate the FTEs completely in a seeming effort to improve their staff vacancy numbers.

112. Assaults are increasing due to current conditions and are likely to grow worse as conditions continue to worsen.

113. Rather than address the problems, PLAINTIFFS have suffered retaliation in a number of forms including but not limited to:

- a. Lack of employment advancement opportunities,
- b. Threats of discipline,
- c. Demotions,
- d. Undesirable posts,
- e. High risk posts.

M. IMMINENT RISK OF SERIOUS INJURY OR DEATH

114. At the present time, the safety of PLAINTIFFS, all users of the building (including PLAINTIFFS), and Los Lunas community are at grave risk as a result of the conditions of CNMCF and the lack of appropriate interventions by any NMCD supervisory personnel, managers, wardens or the Office of the Secretary of Corrections.

115. PLAINTIFFS and others fear going to work each day due to persistently malfunctioning equipment, gross understaffing, gross incompetence of NMCD management and threats of retaliation.

116. PLAINTIFFS and other correctional officers and staff are suffering extreme emotional distress often manifesting with physical illness.

117. The allegations set forth above are ongoing and at risk of growing much worse as none of the named DEFENDANTS are inclined to make changes necessary to protect PLAINTIFFS, other users of the building and the community.

118. PLAINTIFFS all want to remain at NMCD. They love their profession as correctional officers. They want to serve the public, the prisoners they oversee, and their correctional officers and staff at NMCD. They have tried many different avenues to try to effect improvements in the management and operation of CNMCF to no avail. They feel the risk level at CNMCF mandates this lawsuit to protect their own health and safety as well as the health and safety of fellow correctional officers and staff, and the local community.

119. They have delayed filing this action for fear of further retaliation, some of which could expose them to risk of harm or death.

120. They have come forward now because they are more fearful of harm or death resulting from the above-stated acts, omissions and conditions than of what they fully expect to be swift retaliation by NMCD.

121. DAMAGES PLAINTIFFS have suffered, include severe emotional distress which has also manifested with physical injuries.

N. DAMAGES

122. As a result of the acts and omissions of DEFENDANTS outlined above, plaintiffs have suffered the following damages:

- a. Severe emotional stress with physical manifestations.
- b. Medical expenses related to emotional stress and injuries.
- c. Expected future medical and mental health expenses related to the trauma that they have suffered.
- d. Loss of promotion and income opportunities due to retaliation by NMCD.
- e. FMLA.
- f. Overtime pay.

123. The acts and omissions of Wexford, MHM and Summit are so extreme that punitive damages should be awarded against them.

**COUNT I: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(Wexford, MHM and Summit)**

124. Each paragraph of this Petition is incorporated as if fully restated herein.

125. The acts and omissions of DEFENDANTS outlined above are extreme and outrageous under the circumstances.

126. The acts and omissions of DEFENDANTS go beyond the bounds of common decency under the circumstances.

127. The acts and omissions of DEFENDANTS are deliberate, cruel and extremely dangerous to all users of the CNMCF and the local community.

128. The acts and omissions of DEFENDANTS illustrate a callous disregard for the health, safety and lives of all users of CNMCF and the local community.

129. As a result of the acts and omissions of DEFENDANTS, PLAINTIFFS have suffered severe emotional distress which has also manifested with physical injuries.

130. PLAINTIFFS should be awarded full compensatory damages and punitive damages as allowed by law.

**COUNT II: VIOLATIONS OF THE WHISTLEBLOWER PROTECTION ACT,
[NMSA §§ 10-16C-1- 10-16C-6](#)**

131. Each paragraph of this Petition is incorporated as if fully restated herein.

132. PLAINTIFFS have attempted to address the above acts, omissions and conditions without the necessity of litigation.

133. PLAINTIFFS have been retaliated against in subtle and not so subtle forms as set forth above.

134. PLAINTIFFS have suffered emotional, physical and financial harm as a result of past retaliation.

135. PLAINTIFFS have suffered and continue to suffer severe emotional distress related to fear of retaliation related to the filing of this Complaint.

136. However, PLAINTIFFS now fear possible harm or death on the job as a result of the above acts, omissions and conditions more than they do retaliation.

137. PLAINTIFFS fear for their own safety as well as that of all other users of CNMCF and the local community as they expect that the response to this Complaint by NMCD and its corporate agents will be not to remedy the errors, omissions and conditions set forth above but to retaliate against PLAINTIFFS and any other users of the building including employees, staff, contractors and inmates that speak up in support of this Complaint.

**COUNT III: INJUNCTIVE RELIEF UNDER 1-066 NMRA
(ALL DEFENDANTS)**

138. Each paragraph of this Petition is incorporated as if fully restated herein.
139. PLAINTIFFS, all users of CNMCF and the local community are at immanent risk of harm.
140. Injunctive relief is necessary to protect users of CNMCF and the local community.
141. PLAINTIFFS are likely to prevail on the merits as they will attest to and provide support for all facts set forth above.
142. In the absence of injunctive relief, PLAINTIFFS are exposed to serious and irreparable harm above and beyond the harm they have already suffered.
143. The potential harm to PLAINTIFFS includes severe emotional and physical injury and/or death. Injunctive relief will not harm NMCD, Wexford, MHM or Summit as the PLAINTIFFS are asking simply that the DEFENDANTS abide by their legally binding duties and obligations to which:
- a. NMCD has attested in ACA audits and the Secretary has attested in public testimony at her reconfirmation hearing.
 - b. Wexford, MHM and Summit have legally contracted to do.
 - c. ALL DEFENDANTS have asserted that they are in compliance with all applicable ACA standards.
144. Failure to issue injunctive relief poses potential grave harm to the users of CNMCF and the local community.
145. Injunctive relief is in the public interest.

146. A remedy at law is insufficient to address the risks to the PLAINTIFFS, others working within CNMCF, CNMCF inmates and the public.

147. Despite having an extremely large budget, NMCD will likely cry insufficient funding. However, “lack of financing is not a defense to a failure to provide minimum constitutional standards.” [*Duran v. Anaya, 642 F. Supp. 510, 511.*](#) Moreover, the” fact that a court's equitable remedies implicate state funds is no bar to the court's exercise of its equitable powers.’ [*Duran v. Anaya, 642 F. Supp. 510, 511.*](#)

148. Wexford, MHM and Summit are all very large out of state corporations being paid enormous sums of money under their respective contracts. They have no excuse for their acts and omissions outlined above.

IV. RELIEF REQUESTED

WHEREFORE, Plaintiffs request judgment as follows:

A. All compensatory damages allowable by law.

B. Punitive damages against Wexford, MHM and Summit.

C. Preliminary injunctive relief against all DEFENDANTS under [1-066 NMRA](#) to include ordering all DEFENDANTS to immediately comply with applicable ACA standards and all terms of NMCD policies and all contracts between NMCD and the corporate defendants.

D. In order to insure that the Court’s order regarding paragraph 1, PLAINTIFFS ask the court to order the following:

1. Independent auditor(s) be appointed to inspect the facility to include all acts, omissions and conditions set forth above.
2. Independent auditor(s) be appointed to review American Correctional Association standards and compliance therewith and to provide a full audit of

the 2 most recent ACA audits to provide a full accounting of all NMCD falsifications on said audits.

3. Auditors should be contractually bound to interview CNMCF Correctional officers, other NMCD staff, medical personnel and inmates to include all current and past inmates who have filed suit against NMCD and its contractors for medical and nutritional neglect.
 4. Appoint an independent ombudsman or similar expert for processing staff grievances.
 5. Appoint an independent professional auditing firm to participate and monitor future ACA audits.
 6. Prohibit retaliation of any kind against PLAITNIFFS, or any other NMCD staff or contractor that submits grievances, cooperates with investigators, provides written or verbal statements regarding the acts, omissions and conditions set forth above.
- E. Award of all costs and attorneys' fees.
- F. Award Pre-judgment and post-judgment interest.
- G. Award such other and further relief as the Court deems just and proper.

Respectfully Submitted:
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