

STATE OF INDIANA ) IN THE MARION CIRCUIT/SUPERIOR COURT  
 ) SS: 49D05 09 05 10 24 03 5  
COUNTY OF MARION ) CAUSE NO. \_\_\_\_\_

STATE OF INDIANA, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
INTERNATIONAL CORPORATE MARKETING, )  
INC.; PAPILLON GLOBAL MARKETING, LLC; )  
AARON VINCENT WILLIAMS, individually; and )  
LISA DIANE BROWN, a/k/a LISA D. NEWBERRY, )  
individually; all at various time doing business as )  
INDIANA CORPORATE COMPLIANCE, and/or )  
ANNUAL CORPORATE COMPLIANCE, )  
 )  
Defendants. )

**FILED**  
MAY 21 2009  
194  
Elizabeth J. White  
CLERK OF THE MARION CIRCUIT COURT

**COMPLAINT FOR INJUNCTION, RESTITUTION, COSTS,  
CIVIL PENALTIES, AND OTHER EQUITABLE RELIEF**

The Plaintiff, State of Indiana, by Attorney General Gregory F. Zoeller, Deputy Attorney General Jeremy R. Comeau, and Graduate Legal Intern Adam D. Dolce, petitions the Court pursuant to the Indiana Deceptive Consumer Sales Act, Indiana Code §24-5-0.5-1 *et seq.*, for injunctive relief, consumer restitution, civil penalties, costs, and all other appropriate relief.

**PARTIES**

1. The Plaintiff, State of Indiana (“State”), is authorized to bring this action and to seek injunctive and other statutory relief pursuant to Ind. Code §§ 24-5-19-4, and -11.

2. At all times relevant to this Complaint, Defendant International Corporate Marketing, Inc. (“International”) is a corporation organized under the laws of the State of California with a principle place of business at 3960 Howard Hughes Parkway, Suite 500, Las

Vegas, NV 89109. International is engaged in business in Indiana by transmitting solicitations to Indiana businesses from outside Indiana to locations throughout the State of Indiana.

3. At all times relevant to this Complaint, Defendant Papillon Global Marketing, LLC. (“Papillon”) is a corporation organized under the laws of the State of Nevada with principle place of business at 101 Convention Center Dr., Suite 700, Las Vegas, NV 89109. Papillon is engaged in business in Indiana by transmitting solicitations to Indiana businesses throughout the state of Indiana.

4. At all times relevant to this Complaint, the Defendant Aaron Vincent Williams (“Williams”) resides at 4151 Redwood Avenue, Apt. 304, Los Angeles, CA 90066-5631, and is doing business in Indiana by direct mail solicitations of Indiana businesses throughout the state of Indiana to provide services to Indiana business. In addition, Williams leases private UPS Store mailboxes in Marion County, Indiana, for the receipt of payments and other correspondence related to the solicitations.

5. At all times relevant to this Complaint, the Defendant Lisa Diane Brown (“Brown”) resides at 4151 Redwood Avenue, Apt. 304, Los Angeles, CA 90066-5631, and is doing business in Indiana by direct mail solicitations of Indiana businesses throughout the state of Indiana to provide services to Indiana business. In addition, Brown leases private UPS Store mailboxes in Marion County, Indiana, for the receipt of payments and other correspondence related to the solicitations.

6. When, in this Complaint, reference is made to any act of International, Papillon, Williams, and/or Brown, all at various time doing business as Indiana Corporate Compliance, or Indiana Corporate Compliance, (collectively “Defendants”) such allegations shall be deemed to mean that the principals, agents, representatives, or employees of Defendants did or authorized

such acts to be done while actively engaged in the management, direction, or control of the affairs of Defendants and while acting within the scope of their duties, employment, or agency.

### DEFENDANTS' BUSINESS PRACTICES

7. Defendants have engaged in direct mail solicitations to businesses located throughout the state of Indiana.

8. From January 1, 2007 to May 1, 2009, Defendants agreed among each other to transmit solicitations to provide services including preparation of corporate minutes, to at least 324 Indiana businesses.

9. The solicitations, examples of which are attached as **Exhibit A** and **Exhibit B**, both incorporated herein by reference, were transmitted by Defendants by United States mail to businesses located in Indiana.

10. Defendants Williams and International control the mailboxes at 133 W. Market Street #247, Indianapolis, Indiana; and 1350 W. Southport Rd Ste C314, Indianapolis, IN 46217 for the receipt of payments and correspondence in relating to the solicitations, and defendants Brown and Papillon control the mailbox at 10535 E. Washington Street, #353, Indianapolis, 46229, for the receipt of payments and correspondence relating to the solicitations.

11. When Defendant Williams used the corporate form of International, and when Defendant Brown used the corporate form of Papillon, the corporate form was so ignored, controlled or manipulated that it was merely the instrumentality of Williams or Brown and that misuse of the corporate form would constitute a fraud or promote an injustice.

**VIOLATIONS OF THE DECEPTIVE COMMERCIAL SOLICITATION ACT**

12. Defendants are persons as defined by Ind. Code §24-5-19-2 and §24-5-0.5-2(2).

13. Defendants did send, deliver, or transmit by mail, or agree to send, deliver, or transmit by mail the solicitations from outside Indiana to a location or person in Indiana. Defendants use a post office box, private mailbox, and/or mailing service, in Indiana.

14. The solicitations, knowingly or intentionally transmitted by Defendants, constitute writings that could reasonably be interpreted to be a compliance notice, legal notice, or other notice of a governmental entity, to solicit payment of money by another person for services not yet performed and not yet ordered.

15. The actions in the preceding paragraphs constitute violations of Ind. Code §24-5-19-4, which states:

A person that is not a governmental entity may not knowingly or intentionally send, deliver, or transmit a writing that purports to be a compliance notice, legal notice, or other notice of a governmental entity, or a writing that could reasonably be interpreted to be a compliance notice, legal notice, or other notice of a governmental entity, to solicit payment of money by another person for goods not yet ordered or for services not yet performed and not yet ordered.

16. The actions in preceding paragraphs subject Defendants to the remedies in Ind. Code §24-5-0.5-1 *et. seq.* pursuant to Ind. Code §24-5-19-11.

17. Defendants transmitted solicitations to numerous businesses in Indiana, including but not limited to those business listed in **Exhibit C**, attached hereto and incorporated herein by reference.

18. Businesses listed in **Exhibit D**, attached hereto and incorporated herein, believing the solicitation to be a compliance notice, legal notice or other notice of a governmental entity, paid Defendants the sums referenced in **Exhibit D**.

## **RELIEF SOUGHT**

### **A. Injunctive Relief**

WHEREFORE, the Plaintiff, State of Indiana, requests the Court permanently enjoin Defendants International Corporate Marketing, Inc.; Papillon Global Marketing, LLC; Aaron V. Williams, individually; and Lisa D. Brown, individually, their successors, assigns, employees, offers, and agents; all at various times doing business as Indiana Corporate Compliance and Annual Corporate Compliance; pursuant to Ind. Code §24-5-0.5-4(c)(1), from:

- i. transmitting to any person in the State of Indiana any writing in violation of Ind. Code §24-5-0.5-4(c)(1) that could reasonably be interpreted to be a compliance notice, legal notice, or other notice of a governmental entity, to solicit payment of money by another person.
- ii. leasing, renting, or paying for any mailbox, mail collection service, or mail forwarding service in Indiana for the purpose of receiving payment or correspondence from a solicitation sent in violation of Ind. Code §24-5-19-4.

### **B. Restitution**

AND WHEREFORE, the Plaintiff, State of Indiana, requests the Court enter judgment against the Defendants for restitution pursuant to Ind. Code §24-5-0.5-4(c)(2), for reimbursement of all funds obtained from Indiana businesses in response to solicitations in violation of Indiana law, including but not limited to, those business and amounts listed in the attached Exhibit D.

### **C. Costs, Civil Fines, and Penalties**

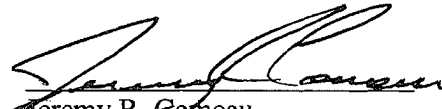
AND WHEREFORE, the Plaintiff, State of Indiana, requests the Court enter judgment against the Defendants for the following relief:

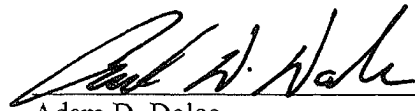
1. Costs pursuant to Ind. Code §24-5-0.5-4(c)(3), awarding the Office of the Attorney General its reasonable expenses incurred in the investigation and prosecution of this action;
2. Civil penalties pursuant to Ind. Code §24-5-0.5-4(g) for the Defendants' knowing violations of the Deceptive Commercial Sales Act, in the amount of Five Thousand Dollars (\$5,000.00) per violation, payable to the State of Indiana; and
3. All other just and proper relief.

Respectfully Submitted,

GREGORY F. ZOELLER  
Indiana Attorney General  
Atty. No. 1958-98

By:

  
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