

**DISTRICT COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX**

Eleanor Abraham, et al.,)	
)	
Plaintiffs,)	
)	
v.)	CIVIL NO. <u>12 - 11</u>
)	
St. Croix Renaissance Group, LLLP,)	ACTION FOR DAMAGES
)	
Defendant.)	JURY TRIAL DEMANDED

**DEFENDANT ST. CROIX RENAISSANCE GROUP L.L.L.P.'S
NOTICE OF REMOVAL OF A MASS ACTION UNDER 28 U.S.C. 1332(d)**

COMES NOW Defendant, St. Croix Renaissance Group, L.L.L.P. ("SCRG") and gives notice pursuant to the *Class Action Fairness Act of 2005* ("CAFA") 28 U.S.C. 1442(d) and 28 U.S.C. 1441 -- of the removal of a mass civil action.

I. Introduction

More than 500 individual Plaintiffs domiciled in various jurisdictions brought this action in the Superior Court of the U.S. Virgin Islands: *Abraham v. St. Croix Renaissance Group, LLLP*, CIVIL NO. SX-11 CV-550. See Complaint, attached as **Exhibit A**, and Summons attached as **Exhibit B**. Defendant has not answered, filing only a motion for more definite statement and to sever, attached as **Exhibit C**. There are no other pleadings before the Superior Court.

Service of the Complaint on defendant SCRG occurred less than thirty (30) days prior to the filing of this notice of removal.

Federal jurisdiction exists for “mass actions” pursuant to the *Class Action Fairness Act of 2005* -- as those requirements of CAFA were codified within 42 U.S.C. § 1332(d). A mass action requires that there be 100 or more plaintiffs, common questions of law or fact, and that it not be a class action certified under Federal Rule of Civil Procedure 23. *Cappuccitti v. DirecTV, Inc.* 611 F.3d 1252, 1255 (11th Cir. 2010). Plaintiffs must meet several requirements for CAFA jurisdiction, such as a \$5,000,000 aggregate amount in controversy and minimal diversity -- and must not fall within certain, delineated exceptions.¹

“Congress's goal[] in enacting CAFA [was] to place more [statutorily delineated] actions in federal court by lifting barriers to their removal (which would result in most published CAFA cases being heard in a removal posture).” *Cappuccitti* at 611 F.3d 1255.

¹ In general jurisdictional statutes must be narrowly construed. However CAFA's express, unique stated purpose is to “restore the intent of the framers” by extending federal court jurisdiction over “interstate cases of national importance under diversity jurisdiction.” See CAFA, Pub. L. No. 109-2, § 2, 119 Stat. 4, 4-5 (2005). **Congress intended the exceptions to CAFA to be narrowly construed, “with all doubts resolved ‘in favor of exercising jurisdiction over the case.’”** *Evans v. Walter Indus., Inc.*, 449 F.3d 1159, 1163 (11th Cir. 2006) (emphasis added) (quoting S. Rep. 109-14, at 42 (2005), as reprinted in 2005 U.S.C.C.A.N. 3, 40). Once a defendant makes a *prima facie* showing of jurisdiction under CAFA, **the burden shifts to the plaintiff to demonstrate that some exception might apply.** See *Kaufman v. Allstate New Jersey Ins. Co.*, 561 F.3d 144, 153 (3d Cir. 2009) (“*Kaufman I*”) (burden for establishing applicability of exceptions to CAFA falls on party seeking remand). This burden shifting applies both to the local controversy exception and to the exceptions to the mass action provision. See *Lowery v. Honeywell Int'l, Inc.*, 460 F. Supp. 2d 1288, 1301 (N.D. Ala. 2006) (plaintiffs have burden of proof for local controversy and mass action exceptions).

II. Applicable Law

The CAFA provisions of section 1332 provide:

d(11) (A) For purposes of this subsection and section 1453, a mass action shall be *deemed* to be a class action removable under paragraphs (2) through (10) if it otherwise meets the provisions of those paragraphs.

(B) (i) As used in subparagraph (A), the term "mass action" means any civil action (except a civil action within the scope of section 1711(2)) in which monetary relief claims of 100 or more persons are proposed to be tried jointly on the ground that the plaintiffs' claims involve common questions of law or fact, except that jurisdiction shall exist only over those plaintiffs whose claims in a mass action satisfy the jurisdictional amount requirements under subsection (a).

(ii) As used in subparagraph (A), the term "mass action" shall not include any civil action in which--

(I) all of the claims in the action arise from an event or occurrence in the State in which the action was filed, and that allegedly resulted in injuries in that State or in States contiguous to that State;

(II) the claims are joined upon motion of a defendant;

(III) all of the claims in the action are asserted on behalf of the general public (and not on behalf of individual claimants or members of a purported class) pursuant to a State statute specifically authorizing such action; or

(IV) the claims have been consolidated or coordinated solely for pretrial proceedings.

* * * *

(D) The limitations periods on any claims asserted in a mass action that is removed to Federal court pursuant to this subsection shall be deemed tolled during the period that the action is pending in Federal court.

(e) The word "States", as used in this section, includes the Territories, the District of Columbia, and the Commonwealth of Puerto Rico.

III. Argument

A. The Elements of CAFA are Met

This action meets the requirements set forth in the statute in that, with regard to the causes herein²:

- A. "monetary relief claims" are being made by
- B. "100 or more persons" and are
- C. "proposed to be tried jointly"
- D. "on the ground that the plaintiffs' claims involve common questions of law or fact" and
- E. the "plaintiffs. . .claims. . .satisfy the jurisdictional amount requirements under subsection (a) in that each claim has a value that exceeds \$75,000."
- F. not "all of the claims in the action arise from *an event or occurrence*³ in the State in which the action was filed, and that allegedly *resulted in*

² SCRG notes that:

- (II) the claims are [not] joined upon motion of a defendant;
- (III) all of the claims in the action are [not] asserted on behalf of the general public (and not on behalf of individual claimants or members of a purported class) pursuant to a State statute specifically authorizing such action; or
- (IV) the claims have [not] been consolidated or coordinated solely for pretrial proceedings.

and that:

- (I) to cases [have not been] certified pursuant to rule 23 of the Federal Rules of Civil Procedure; or
- (II) if plaintiffs [do not] propose that the action proceed as a class action pursuant to rule 23 of the Federal Rules of Civil Procedure.

injuries in that State or in States contiguous to that State" as (1) this is not a single event or occurrence such as the Court noted was the case in *Abednego v. Alcoa Inc.*, 2011 Westlaw 941569 (D.V.I. March 17, 2011)(emphasis added), and in any case, (2) many of the plaintiffs are now in other jurisdictions where the injuries are allegedly occurring.

D. For the purposes of CAFA, "an unincorporated association shall be deemed to be a citizen of the State where it has its principal place of business and the State under whose laws it is organized." 28 U.S.C. (d)(10). SCRG is a citizen of (1) its state of incorporation (Delaware) and (2) its "principal place of business," which is Massachusetts -- pursuant to the "nerve center" test set forth in *Hertz Corp. v. Friend*, 130 S.Ct. 1181 (2010). Plaintiffs are domiciled in the U.S. Virgin Islands, non-contiguous states and other countries.

B. Related Disputes Shed Light on the Individual Amounts in Controversy

Plaintiff's counsel and various of the plaintiffs have been involved in other, longstanding litigation of intimately related claims involving many of the same plaintiffs going back as far as 1999. See e.g. *Henry v. St. Croix Alumina, LLC*, 2000 U.S. Dist. LEXIS 13102, *8 (D.V.I. Aug. 7, 2000) (along with subsequent related actions "*Henry*"). During that period various combinations of plaintiffs' counsel and hundreds of persons

³ One series of the plaintiffs' claims stems from "red mud" which was left on the property by alumina refining operators of the Site prior to SCRG's ownership. Another, series of claims relates to another, totally unrelated, source and circumstances -- those claims arise from (non-red mud) asbestos which was only coincidentally present in the structure/construction of the plant facility. Such asbestos was not a byproduct of the "Bayer Process" used in the refining of bauxite ore into alumina, and had nothing to do with the industrial disposal of a waste byproduct.

(and experts) have made numerous representations and claims about the facts⁴ -- and amounts -- at issue.

In *Abednego v. St. Croix Alumina LLC et al.*, Civ. No. 1:10-cv-00009, plaintiff could not dispute the \$5,000,000 collective amount⁵, but did contest the \$75,000 per plaintiff amount.⁶ See e.g. Defendants' Response in Opposition to Plaintiffs' Third Motion to Remand, at D.E. 128, page 7. As noted in that Opposition at 7-10:

In *Frederico v. Home Depot*, 507 F.3d 188 (3d Cir. 2007), the Third Circuit unified several lines of cases to clarify the test for determining whether the jurisdictional amount is satisfied. The Third Circuit recognized that there are two types of cases, to which different standards apply. In the first, "where the plaintiff's complaint specifically (and not impliedly) and precisely (and not inferentially) states that the amount sought in a class action diversity complaint" will not exceed the jurisdictional minimum, "the party wishing to establish subject matter jurisdiction has the burden to prove by a legal certainty that the amount in controversy exceeds the statutory threshold." *Id.* at 196 (quoting *Morgan v. Gay*, 471 F.3d 469, 471

⁴ For example, in the *Abednego* case (1:10-cv-00009 at D.E. 126), when it was convenient to do so, plaintiffs alleged the direct opposite of what is alleged here:

When they sold the site to SCRG, Alcoa and SCA left behind bauxite, red mud, asbestos, coal dust, and other particulates **and concealed from SCRG and Plaintiffs the true nature of the toxic materials**. Doc. No. 12-3, at ¶¶ 2924-2926; 111-2, at ¶¶ 2083-87, 2091-94.

⁵ In any case, this would be less than \$10,000 per plaintiff due to the more than 500 plaintiffs here. In *Abednego* the Court noted that "This lawsuit meets many of the criteria of a mass action. It contains claims by more than 100 persons whose claims involve common questions of law and fact and whose claims in the aggregate exceed \$5 million exclusive of interest and costs." See 28 U.S.C. § 1332(2). [1:10-cv-00009, D.E. 133 at 3].

⁶ Although Plaintiffs' complaint is extremely confusing (persons listed in the caption are not in the body and *vice versa*) it appears that approximately 80% of the plaintiffs in the instant case are plaintiffs in *Abednego*. In turn, many of "the same individuals [plaintiffs in *Abednego*] sought essentially the same relief for essentially the same alleged injuries in *Henry*. (See Third Am. Compl., ¶ 2108 ("Plaintiffs herein are former members of the original class in *Henry*. . . .")) *Id.* at 11.

(3d Cir. 2006)). This is commonly referred to as the *Morgan* standard. In the second type of case, **where the plaintiff has not disclaimed recovery above the jurisdictional minimum, jurisdiction exists unless “it appears to a legal certainty that the plaintiff cannot recover the jurisdictional amount.”** *Raspa v. Home Depot*, 533 F. Supp. 2d 514, 522 (D.N.J. 2007) (emphasis added) (citing *Samuel-Bassett v. Kia Motors America, Inc.*, 357 F.3d 392 (3d Cir. 2004)). This is commonly referred to as the ***Samuel-Bassett* standard.**

This case must be decided under the *Samuel-Bassett* standard, as Plaintiffs have not disclaimed recovery above the jurisdictional minimum or stipulated that they would not accept an award of damages in excess of that figure. See, e.g., *Lohr v. United Fin. Cas. Co.*, 2009 U.S. Dist. LEXIS 75388, *11 (W.D. Pa. Aug. 25, 2009) (citing *Frederico*, 507 F.3d at 196-97) (“Because Plaintiffs have not explicitly limited the damages sought to an amount less than \$5,000,000, we conclude this case does not fall into the scope of *Morgan*, but rather *Samuel-Bassett*.”); *Lorah v. Suntrust Mortgage, Inc.*, 2009 U.S. Dist. LEXIS 12318, *14 (E.D. Pa. Feb. 17, 2009). Instead, they have merely stated that “they reasonably believe their individual damages do not exceed \$75,000.00.”² (Third Am. Compl., ¶ 2.) Courts analyzing similar language have held that such unsupported, equivocal allegations regarding plaintiffs’ subjective belief – here, purportedly held universally by each of the thousands of Plaintiffs – are insufficient to impose on defendants a burden of proving to a legal certainty that a plaintiff could recover more than the jurisdictional minimum. For instance, in *Lorah*, while the class representatives did

specifically and precisely expressly limit their individual damages to below \$75,000, they do not state that the class damages are below five million dollars. Rather, they state, “there is no CAFA jurisdiction . . . because it is not certain or likely that more than 100 persons will opt-in to the class or that the aggregate amount in dispute in this opt-in class will exceed the five million dollar requirement of CAFA.” The Court finds that ***the wording of the Lorahs’ class action complaint is sufficiently equivocal*** so as to make the instant case subject to *Samuel-Bassett* standard rather than the *Morgan* standard.

2009 U.S. Dist. LEXIS 12318 at *13-14 (emphasis added, internal citations omitted, ellipses in original) (citing *Samuel-Bassett*, 357 F.3d 392; *Morgan*, 471 F.3d 469). See also *Salce v. First Student, Inc.*, 2009 U.S. Dist. LEXIS 94589, *5-6 (D.N.J. Oct. 8, 2009) (statement that plaintiff “would likely accept a settlement offer at or below \$75,000 in support of

the argument that the amount in controversy will not exceed \$75,000" did not permit application of *Morgan*).

* * * *

While Plaintiffs ask the Court to apply the higher standard of *Morgan*, they seek to avoid having the Court do so at the expense of their potential recovery. But *Frederico* is intended to proscribe exactly that sort of double dealing. Because Plaintiffs have not "specifically (and not impliedly) and precisely (and not inferentially)" limited their recovery, but instead have made vague, non-binding statements about their subjective beliefs of the value of their claims, the *Morgan* standard is inapplicable. Instead, the *Samuel-Bassett* standard applies, and Defendants need only show by a preponderance of evidence that it is not a legal certainty that Plaintiffs will recover less than the jurisdictional minimums. See *Frederico*, 507 F.3d at 198 (to the extent that a dispute exists regarding the facts relevant to jurisdiction, a "preponderance of the evidence standard [is] appropriate. Once the findings of fact have been made, the court may determine whether [the] 'legal certainty' test for jurisdiction has been met") (citing *McNutt v. General Motors Acceptance Corp. of Indiana*, 298 U.S. 178 (1936)).

Here Plaintiffs have claimed exposure to both red dust and also to structural asbestos completely unrelated to the Bayer Process. The complaint recites extensive damages from two entirely independent sources -- and punitive damages, alleging:

482. As a result of Defendant's conduct, plaintiffs suffered and continue to suffer physical injuries, medical expenses, damage to their properties and possessions, loss of income, loss of capacity to earn income, mental anguish, pain and suffering and loss of enjoyment of life, a propensity for additional medical illness, and a reasonable fear of contracting illness in the future, all of which are expected to continue into the foreseeable future.

483. To this date, Defendant is continuing to expose plaintiffs to red dust, bauxite, asbestos and other particulates and hazardous substances, Defendants' conduct is also continuing to prevent plaintiffs from freely enjoying their properties.

In the *Henry* case(s) individuals sought relief for lesser alleged injuries over a far smaller time period. However, as has been noted in the related cases:

Plaintiffs' counsel represented to this Court during a telephonic conference on September 12, 2008, that she expected to be able to recover \$150,000 not only for each class representative in *Henry*, but also for every Rule 23(b)(3) class member – that is to say, Plaintiffs. See Declaration of Bernard C. Pattie, Esq., ¶ 8 (“Pattie Dec.”)[⁷], attached as Exhibit 1. Plaintiffs' counsel stated that this would be her demand even if all of her key experts were struck (as they eventually were).

See e.g. Defendants' Response in Opposition to Plaintiffs' Third Motion to Remand at D.E. 128, page 18. This was a discussion with the Court -- definitely **not** a settlement discussion between the parties.⁸ Moreover, although the experts were later struck -- plaintiff submitted averments as the statements of her clients containing amounts in excess of \$75,000 each -- which are probative under the *Samuel-Bassett* standard.

In addition, in determining the amount in controversy, the Court must also consider “the value of the right sought to be protected by the injunctive relief.” *Byrd v. Corestates Bank, N.A.*, 39 F.3d 61, 65 (3d Cir. 1994) as well as requests for punitive damages. See *Frederico*, 507 F.3d at 198-99 (citing *Golden v. Golden*, 382 F.3d 348, 356 (3d Cir. 2004)).

⁷ That Pattie Declaration is incorporated by reference herein.

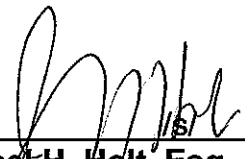
⁸ *Id.* at 12:

[T]he statements were not made during “settlement negotiations,” but rather during a status conference with this Court. Second, courts have repeatedly held that even statements made in the settlement context can be used to establish the amount in controversy for jurisdiction purposes. See, e.g., *McPhail v. Deere & Co.*, 528 F.3d 947, 956 (10th Cir. 2008) (“a plaintiff’s proposed settlement amount is relevant evidence of the amount in controversy,” and is admissible for that purpose under Fed. R. Evid. 408); *Rising-Moore v. Red Roof Inns, Inc.*, 435 F.3d 813, 816 (7th Cir. 2006) (same); *Cohn v. Petsmart, Inc.*, 281 F.3d 837, 840 n.3 (9th Cir. 2002) (“reject[ing] the argument that Fed. R. Evid. 408 prohibits the use of settlement offers in determining the amount in controversy”).

Finally, it should be noted that Plaintiffs' counsel and many of the plaintiffs themselves are now well-educated regarding the concept that plaintiffs are "masters of their own complaint." The \$75,000 amount could have been summarily pled, but was not. This was clearly intentional -- because plaintiffs seek, and do not wish to be limited to a lesser amount than \$75,000. While understandable, this choice results in the application of the Samuel-Bassett standard. Thus, Defendants have the right to rely the plaintiffs calculated decision not to plead the \$75,000 amount, the prior statements of plaintiffs through counsel and the asserted calculations of plaintiffs' own experts.

A copy of this Notice will be filed with the Clerk of the Superior Court after filing with this Court.

Dated: February 2, 2012

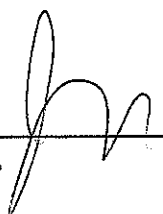


Joel H. Holt, Esq.
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Christiansted, VI 00820
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CERTIFICATE OF SERVICE

I hereby certify that on this ^{2nd} day of February, 2012, I filed the foregoing with the Clerk of the Court, and hand-delivered said filing to the following:

Lee J. Rohn, Esq.
Law Office of Rohn and Carpenter, LLC
1101 King St.
Christiansted, VI 00820
Counsel for the Plaintiffs



/s/
Joel H. Holt, Esq.

EXHIBIT A

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

Abraham, Eleanor; Abraham, Ratcliffe; Abreu, Elizabeth Acosta, Martha; Acosta, Tomas J.; Acosta, Tomas Jr.; Acosta, Yamaris; Albert, Charmaine N. individually and as parent to minors Andre, Austin B. Andre, Bevington R., Andre, Chris L. and Andre, Felisha C; Aldonza, Davidson, individually and as parent to minors Aldonza, Abigail, Aldonza, Brianner Aldonza, Bryson and Aldonza, Ruthlin.; Alexander, Christina; Alexander, Olive; Alphonse, Anastasia; Alphonse, Brian; Alphonse, Kelvin; Andrew, Julita; Anthony, Jerome; Anthony, Violet; Antoine, Priscilla; Arroyo, Hector M. Jr.; Arroyo, Hector M. Sr.; Arroyo, Maria C.; Arroyo, Marilyn; Arroyo, Paula; Arroyo, Petra; Athill, Christopher; Augustine, Denis J.; Ayala, Carmela; Ayala, Evangelista J. Jr.; Ayala, Evangelista J. Sr.; Ayala, Jahaira; Ayala, Jesus M.; Ayala, Manuel; Ayala, Rosanda individually and as parent to minors Ayala, Jason A. and Ayala, Jesus JB., citizens of St. Croix U.S. Virgin Islands; Barnard, Melvina A.; Barnard, Sandra individually and as parent to minor Concepcion, Trejuan.; Barnard, Shawn; Barnard-Liburd, Leonor individually and as parent to minor Parris, Millina, Benjamin, Akima; Benjamin, Alie; Benjamin, Ashsba; Benjamin, Yvette individually and as parent to minors Harris, Ashema and Harris, Joseph N., Boulogne, Carlo J.; Bright, Lestroy; Brown, Iva T.; Browne, Gweneth; Browne, Sylvia; Bryan, George O. Jr.; Candelario, Aura E.; Carmona, Francisco J.; Carmona, Wilfredo Jr.; Carrasquillo, Lao Carmen; Carrasquillo, Amparo individually and as parent to minor Navarro, Jahvan J., Carrasquillo, Angel Mario; Carrasquillo, Julio A.; Carrasquillo, Leisha L. individually and as parent to minors Nolasco, Marcus A. Jr. and Villanueva, Edilberto III Anthony, Cedeno, Valentin; Cepeda, Johanna; Cepeda, Luz individually and as parent to minor Cepeda, Anthony, Cepeda, Regalado III; Cepeda, Regalado IV; Cepeda, Regalado, Jr.; Chassana, Vitalienne A.; Christophe, Joseph; Christophe, Maryanna; Cirlio, Ana; Cirlio, Sonia N.; Clarke, Tuwanda; Clovis, Celestin; Clovis, Regina J.; Codrington, Raymond; Colon, Luis R.; Cordice, Lendale Jr.; Coron, Domingo; Correa, Maria P.; Cuencas, Alfredo Jr.; Daniel, Cammie O.; Daniel, Cyril Jr.;

CIVIL NO. SX-11 CV- 550

ACTION FOR DAMAGES

JURY TRIAL DEMANDED



SUPERIOR COURT OF THE VIRGIN ISLANDS
Office of the Clerk
P. O. Box 929
Christiansted, St. Croix, U.S.V.I. 00821-0929

COMPLAINT

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Daniel, Suzette; Davis, Enrique; Davis, Mercedes; Davis, Samuel; Davis-Feliz, Gladys individually and as parent to minor Davis, Eric O.; DeJesus, Theodore M.; deLande, Kevin F.; Denis, Matthew; Diaz, Elizabeth; Diaz, Fiadaliza; Drew, Maud; Durand, Benjamin; Durand, David; Durand, Fennella individually and as parent to minors Coureure, Jasi R. and Coureure, Shomalie C.; Durand, Gweneth; Durand, Jamal R.; Durand, Kishma R.; Durand, Rudolph; Durand, Rudolph Jr.; Duvivier, Brandon C.; Edward, Leara individually and as parent to minor Cooper, Neges; Edward, Patrick; Ettienne, Carlton; Ettienne, Madona individually and as parent to minors Ettienne, Kareem and Sylvain, Jady; Evelyn, Sylvia; Felix, Alane K.; Felix, Alvin; Felix, Domingo; Felix, Edymarie; Felix, Hyacinth M.; Felix, Isabel; Felix, Isidoro; Felix, Jasmine; Felix, Maria B.; Felix, Marius F.; Felix, Mathilda; Felix, Sasha Marie individually and as parent to minors Felix, Taheyrah, Hospedales, Dani Marie Hospedales, Dennis K. and Hospedales, Destani L.; Ferdinand, Neeshawn; Ferdinand, Pearlina; Ferdinand, Renee; Ferdinand, Rinel; Fulgencio, Jose Antonio; Fulgencio, Luis M.; Fulgencio, Nilsa Cruz; Garcia, Martha; George, Inez; George, Lucia M.; Gill, Sharon E.; Glasgow, George; Glasgow, Wilhemina; Gomez, Angel Luis; Greenaway, Charles; Greenaway, Veronica; Grouby, Wendell; Guadalupe, Margarita; Guerrero, Alcides; Guerrero, Casiano; Hanes, Veronica; Hendrickson, Kenisha C. individually and as parent to minors Almestica, Zaquan, Jonas, Jahi and Jonas, Zaryah; Henry, Josephat; Henry, Lucille; Henry, Mary; Hepburn, Maria; Hodge, Edmond; Irwin, Vera; Jacobs, Janet C. individually and as parent to minor Joseph, Justin J.; James, Akeem; James, Kareem; James, Sybil; Jean-Baptiste, George; Jean-Baptiste, Lisa; Jean-Baptiste, Magdalena individually and as parent to minors Jean-Baptiste, Tamera and Jean-Baptiste, Tia; John, Ignatius; Khan, Ingema; Kiture, Emily J. individually and as parent to minors Carmona, Kish'Marie V., Carmona, Wilmarice S. and Carmona, E'Marley; Kiture, Janice; Kiture, Lucina; LaForce, Cassandra; LaForce, Joseph Jr.; Lebron, Fermin Jr.; Lebron, Mariluz; Leo, John B.; Leonce, Herbert; Liburd, Leonard; Llanos, Veronica individually and as parent to minor Llanos, Veronique; Lopez, Carmen

M. individually and as parent to minors Lopez, Jashira M. and Allen, Alloy O. Jr.; Lopez, Maishaleen; Lopez, Miguel A.; Lopez, Miguel A. Jr.; Lopez, Myrna; Lubin, Apreel; Lubin, Joel Patrick; Lubin, Jonah Newell; Lubin-Duman, Beverly Ann; Malaykhan, Ejajie; Malaykhan, Sham; Malaykhan, Suraj; Martinez, Humberto; Martinez, Lynnette individually and as parent to minor Vazquez, Jose E. Jr.; Martinez, Ramon; Matthew, Alford; Matthew, Asiah; Matthew, Estine; Matthew, Michael L.; Maynard, Chamarie ; Maynard, Maria; Maynard, Nadeen V. individually and as parent to minor Walters, Nadean V.; Melendez, Jose Reyes; Miranda, Andrea; Miranda, Miguel; Mitchell, Claire-Mina; Mitchell, Clarie-Mina A.; Mitchell, Janice individually and as parent to minor Mitchell, Queana; Mitchell, Nancy; Morales, Maria Luz; Morris, Ersilie; Morris, Sennet E.; Morton, Catherine; Morton, Monroe; Navarro, Carmen, individually and as parent to minor Ruiz, Cristina; Navarro, Luz D.; Navarro, Marco A.; Navarro, Maria Mercedes; Navarro, Nelson; Nicholas, Joan; Noorhasan, Dorette F.; Noorhasan, Lennox E.; Noorhasan, Shane Antonio; Paige, Alvin; Paige, Ara individually and as parent to minor Burke, Ian; Parrilla, Carmen Amaro individually and as parent to minors Parrilla, Christian Jr., Parrilla, Miguel J. and Parrilla, Natacha; Parrilla, Delores I., individually and as parent to minor Parrilla, Roberto Jr.; Parrilla, Joel; Parrilla, Juan; Parrilla, Orlando; Parrilla, Pedro Juan; Parrilla, Roberto Sr.; Parrilla, Sonia M.; Parrilla, Wilfredo; Parrilla, Orlimagelys; Parrilla-Ferdinand, Delores; Pemberton, Candis M.; Pemberton, Majorie C.; Perez, Carlos A.; Perez, Carlos Alberto; Perez, Carmen L.; Perez, Jorge A.; Perez, Jose M.; Perez, Naishma K.; Perez, Nydia, individually and as parent to minor Perez, Paula Y.; Perez, Tuwanda; Perez, Victor M.; Perez, Xavier M.; Perez, Yamileisy; Perez, Yaritza; Perez, Ylonis J.; Perez, Yomar A.; Perez, Zalemie Y.; Perez-Ayala, America individually and as parent to minors Perez, Neishalee and Perez, Victor Manuel III; Phillip, Arthur; Phillip, Martial; Phillip, Marva; Phillip, Marvin; Phillip, Terry M.; Picart, Jose; Piliier, Demetrio A. individually and as parent to minors Piliier, Lizandro and Piliier, Lizangel; Plaskett, Cripson; Plaskett, Dilia individually and as parent to minor Ventura, Angela S.; Plaskett, William A.; Polidore, Cornelia; Polidore, Keriscia; Prescott,

COMPLAINT

Miscelda; Preville, Godfrey G.; Pryce, David; Pryce, Philbert Jr.; Quildan, Isabella N.; Quildan, Kareem; Quinones, Iris M.; Quinones, Jose William; Quinones, Ruth A.; Quinones, Sila; Ramos, Brunilda; Ramos, Daniel; Ramos, Gabriel; Ramos, Jorge; Ramos, Josefina; Ramos, Marcela; Reyes, Eridania; Reyes, Evaristo; Reyes, Francisca C., individually and as parent to minor Reyes, Nayoshe; Reyes, Juan A.; Reyes, Juanico; Reyes, Maximo Guerrero; Reyes, Wanda J.; Richardson, Laurencea; Richardson, Marilyn, individually and as parent to minor Gonzague, Jovon; Rivera, Ana Celia; Rivera, Belkis; Rivera, Miriam; Rivera, Sandro; Robles Jessica C.; Robles, Benjamin Jr.; Robles, Benjamin Sr.; Robles, Elise; Robles, Ismael ; Robles, Ivette; Robles, Jose Luis; Rodney, Martina L.; Rodriguez, Julio; Rodriguez, Lillian R. individually and as parent to minor Rodriguez, Miguel A.; Rodriguez, Miguely; Rogers, Akeel; Rojas, Pablo; Roldan, Frenando L.; Roldan, Jeremy L.; Rosario, Angela Pagan; Ross, Neelia; Ruiz, Joanne, individually and as parent to minors Carmona, Angelo J., Greenidge, Alaika E., Greenidge, Allen H., Jr., Greenidge, Talalya A. and Ruiz, Takima T.; Ruiz, Rut individually and as parent to minor Leo, Jahliah T.; Saldana, Carmen; Saldana, Eddie Adner; Saldana, Edwin; Saldana, Raquel individually and as parent to minor Maragh, Krystal; Sanchez, Angel Alberto; Sanchez, Edith; Sanchez, Jose Alberto; Sanchez, Jose E.; Sanchez, Jose Roberto; Sanes, Angel L.; Sanes, Miguel Angel; Santana, Yadira; Santiago Jose Lanso; Santiago, Artemia; Santiago, Carlos L.; Santiago, Chayanne; Santiago, Eliever; Santiago, Lydia; Santiago, Maynaly; Santos, Angelica; Santos, Ramona; Santos, Theresita; Serrano, Maria; Serrano, Martha; Serrano, Martin Jr.; Shalto, Greta; Shaw- Jacobs Jeanette; Shirley, Helen; Slater, Ramisha individually and as parent to minor Wilson, Brandon T.B. II; Smith, Keisha P.; Smith, Kevin E.; Smith, Natasha; Soto, Jennifer; Soto, Jeremy; Soto, Jorge ; Soto, Luis Enrique individually and as parent to minor Soto, Luis E.; Soto, Maria L.; Soto, Rosa; St. Brice, Anthony; Stevens, Claudia; Stubbs, Jeremiah C. individually and as parent to minor Stubbs, Mariah C.; Taylor, Annette J.; Taylor, Beryl E.; Taylor, Debbie R.; Theophilus, Alita V.; Torres Jose Manuel, Jr.; Torres, Linda; Valentine, Carmen; Valentine,

Santiago O. Jr.; Vasquez, Noemi S.; Vega, Efrain; Vega, Luis Felx Jr.; Vega, Luz Delia individually and as parent to minors, Vega, Shanley T. and Vega, Fransheska citizens of St. Croix U.S. Virgin Islands; Vega, Luis Felix; Vegas Lebron, Fermin; Velez, Carmen R.; Velez, Corporina; Velez, Jose; Velez, Jose Ramon; Velez, Margarita; Ventura, Angel L.; Ventura, Anna Maria; Ventura, Edna; Ventura, Jose Miguel; Ventura, Karla Jeanette; Ventura, Noelia Soto; Ventura, Xiomara I. individually and as parent to minor Denis, Diane N.; Villanueva, Shelia L.; Williams, Clayton; Williams, Idelfonsa; Williams, Urma; Wilson, Alfred; Wilson, Brandon T.B.; Wilson, Cindy, individually and as parent to minor Rivera, Justin; Wilson, Diana N., individually and as parent to minor Roldan, Shaedean N., citizens of St. Croix U.S. Virgin Islands; Wiltshire, Dunn; Wiltshire, Ethelbert; Wiltshire, Gregg; Wiltshire, Hermine, individually and as guardian to minor Wiltshire, Christina, and Wiltshire, Peter,

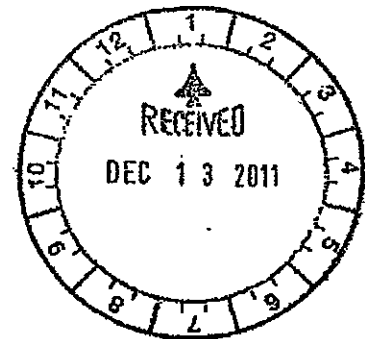
Plaintiffs,

v.

St. Croix Renaissance Group LLLP,

Defendant.

SUPERIOR COURT OF THE VIRGIN ISLANDS
Office of the Clerk
P. O. Box 929
Christiansted, St. Croix, U.S.V.I. 00821-0929



COMPLAINT

COME NOW, the Plaintiffs by and through their undersigned counsel, and file their Complaint and respectfully represent to the Court as follows:

1. This Court has jurisdiction pursuant to 4 V.I.C Section 76, *et seq.*
2. Abraham, Eleanor is a citizen of St. Croix, United States Virgin Islands.
3. Abraham, Phillip is a citizen of St. Croix, United States Virgin Islands.
4. Abraham, Ratcliffe is a citizen of St. Croix, United States Virgin Islands.
5. Abreu, Elizabeth is a citizen of St. Croix, United States Virgin Islands.

6. Acosta, Edelmiro is a citizen of St. Croix, United States Virgin Islands.
7. Acosta, Martha is a citizen of St. Croix, United States Virgin Islands.
8. Acosta, Tomas J. is a citizen of St. Croix, United States Virgin Islands.
9. Acosta, Tomas Jr. is a citizen of St. Croix, United States Virgin Islands.
10. Acosta, Yamaris is a citizen of St. Croix, United States Virgin Islands.
11. Albert, Charmaine N. individually and as parent to minors Andre, Austin B. Andre, Bevington R., Andre, Chris L. and Andre, Felisha C., citizens of St. Croix U.S. Virgin Islands;
12. Aldonza, Davidson, individually and as parent to minors Aldonza, Abigail, Aldonza, Brianner Aldonza, Bryson and Aldonza, Ruthlin, citizens of St. Croix U.S. Virgin Islands;
13. Alexander, Christina is a citizen of St. Croix, United States Virgin Islands.
14. Alexander, Olive is a citizen of St. Croix, United States Virgin Islands.
15. Alphonse, Anastasia is a citizen of St. Croix, United States Virgin Islands.
16. Alphonse, Brian is a citizen of St. Croix, United States Virgin Islands.
17. Alphonse, Kelvin is a citizen of St. Croix, United States Virgin Islands.
18. Andrew, Julita is a citizen of St. Croix, United States Virgin Islands.
19. Anthony, Jerome is a citizen of St. Croix, United States Virgin Islands.
20. Anthony, Violet is a citizen of Miramar, Florida.
21. Antoine, Priscilla is a citizen of St. Croix, United States Virgin Islands.
22. Arjune, Camille is a citizen of Tampa, Florida.
23. Arjune, Ian is a citizen of St. Croix, United States Virgin Islands.
24. Arroyo, Hector M. Jr. is a citizen of St. Croix, United States Virgin Islands.

25. Arroyo, Hector M. Sr. is a citizen of St. Croix, United States Virgin Islands.
26. Arroyo, Maria C. is a citizen of St. Croix, United States Virgin Islands.
27. Arroyo, Marilyn is a citizen of St. Croix, United States Virgin Islands.
28. Arroyo, Paula is a citizen of St. Croix, United States Virgin Islands.
29. Arroyo, Petra is a citizen of St. Croix, United States Virgin Islands.
30. Athill, Christopher is a citizen of St. Croix, United States Virgin Islands.
31. Auguste, Merkey R. is a citizen of St. Croix, United States Virgin Islands.
32. Augustine, Denis J. is a citizen of St. Croix, United States Virgin Islands.
33. Ayala, Awilda is a citizen of St. Croix, United States Virgin Islands.
34. Ayala, Carmela is a citizen of St. Croix, United States Virgin Islands.
35. Ayala, Evangelista J. Jr. is a citizen of St. Croix, United States Virgin Islands.
36. Ayala, Evangelista J. Sr. is a citizen of St. Croix, United States Virgin Islands.
37. Ayala, Jahaira is a citizen of St. Croix, United States Virgin Islands.
38. Ayala, Jesus M. is a citizen of St. Croix, United States Virgin Islands.
39. Ayala, Manuel is a citizen of Oviedo, Florida.
40. Ayala, Rosanda individually and as parent to minors Ayala, Jason A. and Ayala, Jesus JB., citizens of St. Croix U.S. Virgin Islands;
41. Barnard, Melvina A. is a citizen of St. Croix, United States Virgin Islands.
42. Barnard, Sandra individually and as parent to minor Concepcion, Trejuan, citizens of St. Croix U.S. Virgin Islands;
43. Barnard, Shawn is a citizen of St. Croix, United States Virgin Islands.
44. Barnard-Liburd, Leonor individually and as parent to minor Parris, Millina, citizens of St. Croix U.S. Virgin Islands;

45. Benjamin, Akima is a citizen of St. Croix, United States Virgin Islands.
46. Benjamin, Alie is a citizen of St. Croix, United States Virgin Islands.
47. Benjamin, Ashsba is a citizen of St. Croix, United States Virgin Islands.
48. Benjamin, Yvette individually and as parent to minors Harris, Ashema and Harris, Joseph N., residents of St. Croix U.S. Virgin Islands.
49. Beras, Catherine is a citizen of St. Croix, United States Virgin Islands.
50. Beras, Lulila is a citizen of St. Croix, United States Virgin Islands.
51. Bonif, Andria is a citizen of St. Croix, United States Virgin Islands.
52. Bonit, Timothy is a citizen of St. Croix, United States Virgin Islands.
53. Boulogne, Carlo J. is a citizen of St. Croix, United States Virgin Islands.
54. Bright, Alexis is a citizen of St. Croix, United States Virgin Islands.
55. Brooks, Edred is a citizen of St. Croix, United States Virgin Islands.
56. Bright, Lestroy is a citizen of St. Croix, United States Virgin Islands.
57. Brown, Iva T. is a citizen of St. Croix, United States Virgin Islands.
58. Browne, Gweneth is a citizen of St. Croix, United States Virgin Islands.
59. Browne, Sylvia is a citizen of St. Croix, United States Virgin Islands.
60. Bryan, George O. Jr. is a citizen of St. Croix, United States Virgin Islands.
61. Burgos, Kayla K. is a citizen of St. Croix, United States Virgin Islands.
62. Caines, Imogen is a citizen of St. Croix, United States Virgin Islands.
63. Candelario, Aura E. is a citizen of St. Croix, United States Virgin Islands.
64. Carmona, Francisco J. is a citizen of St. Croix, United States Virgin Islands.
65. Carmona, Wilfredo Jr. is a citizen of St. Croix, United States Virgin Islands.
66. Carrasquillo Lao Carmen is a citizen of St. Croix, United States Virgin Islands.

67. Carrasquillo, Amparo individually and as parent to minor Navarro, Jahvan J., citizens of St. Croix U.S. Virgin Islands;
68. Carrasquillo, Angel Mario is a citizen of St. Croix, United States Virgin Islands.
69. Carrasquillo, Julio A. is a citizen of St. Croix, United States Virgin Islands.
70. Carrasquillo, Leisha L. individually and as parent to minors Nolasco, Marcus A. Jr. and Villanueva, Edilberto III Anthony, citizens of Charlotte, North Carolina.
71. Cartier, Shermaine is a citizen of St. Croix, United States Virgin Islands.
72. Cedeno, Valentin is a citizen of St. Croix, United States Virgin Islands.
73. Cepeda, Johanna is a citizen of St. Croix, United States Virgin Islands.
74. Cepeda, Luz individually and as parent to minor Cepeda, Anthony, citizens of St. Croix U.S. Virgin Islands;
75. Cepeda, Regalado III is a citizen of St. Croix, United States Virgin Islands.
76. Cepeda, Regalado IV is a citizen of St. Croix, United States Virgin Islands.
77. Cepeda, Regalado, Jr. is a citizen of St. Croix, United States Virgin Islands.
78. Chassana, Vitalienne A. is a citizen of St. Croix, United States Virgin Islands.
79. Christophe, Joseph is a citizen of St. Croix, United States Virgin Islands.
80. Christophe, Maryanna is a citizen of St. Croix, United States Virgin Islands.
81. Cirlio, Ana is a citizen of St. Croix, United States Virgin Islands.
82. Cirlio, Sonia N. is a citizen of St. Croix, United States Virgin Islands.
83. Clarke, Tuwanda is a citizen of St. Croix, United States Virgin Islands.
84. Clerch, Skitter is a citizen of St. Croix, United States Virgin Islands.
85. Clovis, Celestin is a citizen of St. Croix, United States Virgin Islands.
86. Clovis, Regina J. is a citizen of St. Croix, United States Virgin Islands.

87. Cobb, Theophilus is a citizen of St. Croix, United States Virgin Islands.
88. Cobb, Veronica is a citizen of St. Croix, United States Virgin Islands.
89. Codrington, Raymond is a citizen of St. Croix, United States Virgin Islands.
90. Colon, Ivette is a citizen of Kissimmee, Florida
91. Colon, Luis R. is a citizen of St. Croix, United States Virgin Islands.
92. Cordice, Lendale Jr. is a citizen of St. Croix, United States Virgin Islands.
93. Coron, Domingo is a citizen of St. Croix, United States Virgin Islands.
94. Correa, Maria P. is a citizen of St. Croix, United States Virgin Islands.
95. Cruz, Christina is a citizen of St. Croix, United States Virgin Islands.
96. Cruz, Maria is a citizen of St. Croix, United States Virgin Islands.
97. Cruz, Orlando is a citizen of St. Croix, United States Virgin Islands.
98. Cuencas, Alfredo Jr. is a citizen of St. Croix, United States Virgin Islands.
99. Daniel, Adrea Y. is a citizen of St. Croix, United States Virgin Islands.
100. Daniel, Cammie O. is a citizen of St. Croix, United States Virgin Islands.
101. Daniel, Cyril Jr. is a citizen of St. Croix, United States Virgin Islands.
102. Daniel, Stanley is a citizen of St. Croix, United States Virgin Islands.
103. Daniel, Suzette is a citizen of St. Croix, United States Virgin Islands.
104. David, Francis is a citizen of St. Croix, United States Virgin Islands.
105. David, Ruby C. is a citizen of St. Croix, United States Virgin Islands.
106. Davis, Enrique is a citizen of Kissimmee, Florida.
107. Davis, Mercedes is a citizen of St. Croix, United States Virgin Islands.
108. Davis, Samuel is a citizen of St. Cloud, Florida.

109. Davis-Feliz, Gladys individually and as parent to minor Davis, Eric O., citizen of Kissimmee, Florida.
110. DeJesus, Elie is a citizen of Kissimmee, Florida.
111. DeJesus, Theodore M. is a citizen of St. Croix, United States Virgin Islands.
112. deLande, Kevin F. is a citizen of St. Croix, United States Virgin Islands.
113. Denis, Matthew is a citizen of St. Croix, United States Virgin Islands.
114. Dennie, Mary is a citizen of St. Croix, United States Virgin Islands.
115. Dennie, Nkosi B. is a citizen of St. Croix, United States Virgin Islands.
116. Diaz, Elizabeth is a citizen of St. Croix, United States Virgin Islands.
117. Diaz, Fiadalizo is a citizen of St. Croix, United States Virgin Islands.
118. Drew, Maud is a citizen of St. Croix, United States Virgin Islands.
119. Durand, Benjamin is a citizen of St. Croix, United States Virgin Islands.
120. Durand, David is a citizen of St. Croix, United States Virgin Islands.
121. Durand, Fennella individually and as parent to minors Coureure, Jasi R. and Coureure, Shomalie C. citizens of St. Croix U.S. Virgin Islands;
122. Durand, Gweneth is a citizen of St. Croix, United States Virgin Islands.
123. Durand, Jamal R. is a citizen of St. Croix, United States Virgin Islands.
124. Durand, Kishma R. is a citizen of St. Croix, United States Virgin Islands.
125. Durand, Rudolph is a citizen of St. Croix, United States Virgin Islands.
126. Durand, Rudolph Jr. is a citizen of St. Croix, United States Virgin Islands.
127. Duvivier, Brandon C. is a citizen of St. Croix, United States Virgin Islands.
128. Edward, Leara individually and as parent to minor Cooper, Neges, citizens of St. Croix U.S. Virgin Islands.

129. Edward, Patrick is a citizen of St. Croix, United States Virgin Islands.
130. Estephane, Virginia is a citizen of West Palm Beach, Florida.
131. Ettienne, Carlton is a citizen of St. Croix, United States Virgin Islands.
132. Ettienne, Madona individually and as parent to minors Ettienne, Kareem and Sylvain, Jady, citizens of St. Croix U.S. Virgin Islands;
133. Evelyn, Sylvia is a citizen of Miami, Florida.
134. Felix, Alane K. is a citizen of St. Croix, United States Virgin Islands.
135. Felix, Alvin is a citizen of St. Croix, United States Virgin Islands.
136. Felix, Domingo is a citizen of St. Croix, United States Virgin Islands.
137. Felix, Edymarie is a citizen of St. Croix, United States Virgin Islands.
138. Felix, Hyacinth M. is a citizen of St. Croix, United States Virgin Islands.
139. Felix, Isabel is a citizen of St. Croix, United States Virgin Islands.
140. Felix, Isidoro is a citizen of St. Croix, United States Virgin Islands.
141. Felix, Jasmine is a citizen of St. Croix, United States Virgin Islands.
142. Felix, Maria B. is a citizen of St. Croix, United States Virgin Islands.
143. Felix, Marius F. is a citizen of St. Croix, United States Virgin Islands.
144. Felix, Mathilda is a citizen of St. Croix, United States Virgin Islands.
145. Felix, Sasha Marie individually and as parent to minors Felix, Taheyrah, Hospedales, Dani Marie Hospedales, Dennis K. and Hospedales, Destani L., citizens of St. Croix U.S. Virgin Islands;
146. Ferdinand, Neeshawn is a citizen of Orlando, Florida.
147. Ferdinand, Pearline is a citizen of St. Croix, United States Virgin Islands.
148. Ferdinand, Renee is a citizen of St. Croix, United States Virgin Islands.

149. Ferdinand, Rinel is a citizen of St. Croix, United States Virgin Islands.
150. Fulgencio, Jose Antonio is a citizen of St. Croix, United States Virgin Islands.
151. Flavien, Delia is a citizen of St. Croix, United States Virgin Islands.
152. Fontenelle, Kenyan is a citizen of St. Croix, United States Virgin Islands.
153. Fulgencio, Luis M. is a citizen of St. Croix, United States Virgin Islands.
154. Fulgencio, Nilsa Cruz is a citizen of St. Croix, United States Virgin Islands.
155. Garcia, Martha is a citizen of St. Croix, United States Virgin Islands.
156. George, Alcenta is a citizen of St. Croix, United States Virgin Islands.
157. George, Amos is a citizen of St. Croix, United States Virgin Islands.
158. George, Charles is a citizen of St. Croix, United States Virgin Islands.
159. George, Inez is a citizen of St. Croix, United States Virgin Islands.
160. George, Lucia M. is a citizen of St. Croix, United States Virgin Islands.
161. Gill, Sharon E. is a citizen of St. Croix, United States Virgin Islands.
162. Glasgow, George is a citizen of St. Croix, United States Virgin Islands.
163. Glasgow, Wilhemina is a citizen of St. Croix, United States Virgin Islands.
164. Gomez, Angel Luis is a citizen of St. Croix, United States Virgin Islands.
165. Green, Vernon is a citizen of St. Croix, United States Virgin Islands.
166. Greenaway, Charles is a citizen of St. Croix, United States Virgin Islands.
167. Greenaway, Veronica is a citizen of St. Croix, United States Virgin Islands.
168. Grouby, Wendell is a citizen of St. Croix, United States Virgin Islands.
169. Guadalupe, Margarita is a citizen of St. Croix, United States Virgin Islands.
170. Guerrero, Alcides is a citizen of St. Croix, United States Virgin Islands.
171. Guerrero, Casiano is a citizen of St. Croix, United States Virgin Islands.

172. Hanes, Veronica is a citizen of St. Croix, United States Virgin Islands.
173. Hendrickson, Kenisha C. individually and as parent to minors Almestica, Zaquan, Jonas, Jahi and Jonas, Zaryah , citizens of St. Croix U.S. Virgin Islands;
174. Henry, Josephat is a citizen of St. Croix, United States Virgin Islands.
175. Henry, Lucille is a citizen of Mableton, Georgia.
176. Henry, Mary is a citizen of St. Croix, United States Virgin Islands.
177. Henry, Mary is a citizen of St. Croix, United States Virgin Islands.
178. Hepburn, Maria is a citizen of St. Croix, United States Virgin Islands.
179. Hodge, Edmond is a citizen of St. Croix, United States Virgin Islands.
180. Irwin, Vera is a citizen of St. Croix, United States Virgin Islands.
181. Isaac, Stella B. is a citizen of St. Croix, United States Virgin Islands.
182. Isaac, Verrall is a citizen of St. Croix, United States Virgin Islands.
183. Jacobs, Janet C. individually and as parent to minor Joseph, Justin J., citizens of St. Croix U.S. Virgin Islands.
184. Jairam, Barbara is a citizen of St. Croix, United States Virgin Islands.
185. Jairam, Kelman is a citizen of St. Croix, United States Virgin Islands.
186. James, Akeem is a citizen of St. Croix, United States Virgin Islands.
187. James, Kareem is a citizen of St. Croix, United States Virgin Islands.
188. James, Sybil is a citizen of St. Croix, United States Virgin Islands.
189. Jean-Baptiste, George is a citizen of St. Croix, United States Virgin Islands.
190. Jean-Baptiste, Lisa is a citizen of St. Croix, United States Virgin Islands.
191. Jean-Baptiste, Magdalena individually and as parent to minors Jean-Baptiste, Tamera and Jean-Baptiste, Tia, citizens of St. Croix U.S. Virgin Islands.

192. John, Alfred Jr. is a citizen of St. Croix, United States Virgin Islands.
193. John, Estrellita Marie is a citizen of St. Croix, United States Virgin Islands.
194. John, Ignatius is a citizen of St. Croix, United States Virgin Islands.
195. John, Yahmillia is a citizen of St. Croix, United States Virgin Islands.
196. Jordan, John is a citizen of St. Croix, United States Virgin Islands.
197. Khan, Ingema is a citizen of St. Croix, United States Virgin Islands.
198. Kiture, Emily J. individually and as parent to minors Carmona, Kish'Marje V.,
Carmona, Wilmarice S. and Carmona, E'Marley residents of St. Croix U.S. Virgin
Islands.
199. Kiture, Janice is a citizen of St. Croix, United States Virgin Islands.
200. Kiture, Lucina is a citizen of St. Croix, United States Virgin Islands.
201. Knight, Barbara citizens of St. Croix U.S. Virgin Islands.
202. LaForce, Cassandra is a citizen of St. Croix, United States Virgin Islands.
203. LaForce, Joseph Jr. is a citizen of St. Croix, United States Virgin Islands.
204. Lebron, Fermin Jr. is a citizen of St. Croix, United States Virgin Islands.
205. Lebron, Mariluz is a citizen of St. Croix, United States Virgin Islands.
206. Leo, John B. is a citizen of St. Croix, United States Virgin Islands.
207. Leonce, Herbert is a citizen of St. Croix, United States Virgin Islands.
208. Liburd, Leonard is a citizen of St. Croix, United States Virgin Islands.
209. Llanos, Veronica individually and as parent to minor Llanos, Veronique, citizens
of St. Croix U.S. Virgin Islands.
210. Lopez, Carmen M. individually and as parent to minors Lopez, Jashira M. and
Allen, Alloy O. Jr., citizens of St. Croix U.S. Virgin Islands;

211. Lopez, Maishaleen is a citizen of St. Croix, United States Virgin Islands.
212. Lopez, Miguel A. is a citizen of St. Croix, United States Virgin Islands.
213. Lopez, Miguel A. Jr. is a citizen of St. Croix, United States Virgin Islands.
214. Lopez, Myrna is a citizen of St. Croix, United States Virgin Islands.
215. Lubin, Apreel is a citizen of St. Croix, United States Virgin Islands.
216. Lubin, Joel Patrick is a citizen of Charlotte, NC.
217. Lubin, Jonah Newell is a citizen of St. Croix, United States Virgin Islands.
218. Lubin-Duman, Beverly Ann is a citizen of St. Croix, United States Virgin Islands.
219. Lugo, Corali individually and as parent to minors Lugo, Giselle and Lugo, Marc A. is a citizen of St. Croix, United States Virgin Islands.
220. Lugo, Jerge L. is a citizen of St. Croix, United States Virgin Islands.
221. Lugo, Krystal is a citizen of St. Croix, United States Virgin Islands.
222. Malaykhan, Ejajie is a citizen of St. Croix, United States Virgin Islands.
223. Malaykhan, Sham is a citizen of St. Croix, United States Virgin Islands.
224. Malaykhan, Suraj is a citizen of St. Croix, United States Virgin Islands.
225. Maldonado, Ana is a citizen of St. Croix, United States Virgin Islands.
226. Mark, Cynthia is a citizen of St. Croix, United States Virgin Islands.
227. Martinez, Humberto is a citizen of St. Croix, United States Virgin Islands.
228. Martinez, Andrea is a citizen of St. Croix, United States Virgin Islands.
229. Martinez, Conception is a citizen of St. Croix, United States Virgin Islands.
230. Martinez, Lynnette individually and as parent to minor Vazquez, Jose E. Jr., citizens of Longwood, Florida.
231. Martinez, Ramon is a citizen of St. Croix, United States Virgin Islands.

232. Matthew, Afford is a citizen of St. Croix, United States Virgin Islands.
233. Matthew, Asiah is a citizen of St. Croix, United States Virgin Islands.
234. Matthew, Estine is a citizen of Baytown, Texas.
235. Matthew, Euphelie is a citizen of St. Croix, United States Virgin Islands.
236. Matthew, Maria is a citizen of St. Croix, United States Virgin Islands.
237. Matthew, Martin is a citizen of St. Croix, United States Virgin Islands.
238. Matthew, Michael L. is a citizen of St. Croix, United States Virgin Islands.
239. Matthew, Shirley (La Force) is a citizen of St. Croix, United States Virgin Islands.
240. Maynard, Chamarie is a citizen of St. Croix, United States Virgin Islands.
241. Maynard, Maria is a citizen of St. Croix, United States Virgin Islands.
242. Maynard, Nadeen V. individually and as parent to minor Walters, Nadean V., citizens of St. Croix U.S. Virgin Islands.
243. Melendez, Jose Reyes is a citizen of St. Croix, United States Virgin Islands.
244. Miranda, Andrea is a citizen of St. Croix, United States Virgin Islands.
245. Miranda, Miguel is a citizen of St. Croix, United States Virgin Islands.
246. Mitchell, Claire-Mina is a citizen of St. Croix, United States Virgin Islands.
247. Mitchell, Clarie-Mina A. is a citizen of St. Croix, United States Virgin Islands.
248. Mitchell, Janice individually and as parent to minor Mitchell, Queana, citizen of St. Croix U.S. Virgin Islands.
249. Mitchell, Nancy is a citizen of St. Croix, United States Virgin Islands.
250. Mitchell, Sharon is a citizen of St. Croix, United States Virgin Islands.
251. Moe, Melwyn is a citizen of St. Croix, United States Virgin Islands.
252. Morales, Maria Luz is a citizen of St. Croix, United States Virgin Islands.

253. Morris, Ersilie is a citizen of St. Croix, United States Virgin Islands.
254. Morris, Sennet E. is a citizen of St. Croix, United States Virgin Islands.
255. Morton, Catherine is a citizen of St. Croix, United States Virgin Islands.
256. Morton, Julian E. Jr. is a citizen of St. Croix, United States Virgin Islands.
257. Morton, Monroe is a citizen of St. Croix, United States Virgin Islands.
258. Navarro, Carmen, individually and as parent to minor Ruiz, Cristina, residents of St. Croix U.S. Virgin Islands.
259. Navarro, Luz D. is a citizen of St. Croix, United States Virgin Islands.
260. Navarro, Marco A. is a citizen of St. Croix, United States Virgin Islands.
261. Navarro, Maria individually and as parent to minors Navarro, Gilberto and Navarro, Gilmarie citizens of St. Croix, United States Virgin Islands.
262. Navarro, Maria Mercedes is a citizen of St. Croix, United States Virgin Islands.
263. Navarro, Nelson is a citizen of St. Croix, United States Virgin Islands.
264. Nicholas, Joan is a citizen of St. Croix, United States Virgin Islands.
265. Nicholas, Latoya Y. is a citizen of St. Croix, United States Virgin Islands.
266. Nucholas, Sandy is a citizen of St. Croix, United States Virgin Islands.
267. Noorhasan, Dorette F. is a citizen of St. Croix, United States Virgin Islands.
268. Noorhasan, Lennox E. is a citizen of St. Croix, United States Virgin Islands.
269. Noorhasan, Shane Antonio is a citizen of St. Croix, United States Virgin Islands.
270. Nyack, Marilyn is a citizen of St. Croix, United States Virgin Islands.
271. O'Reilly, Wilburn is a citizen of St. Croix, United States Virgin Islands.
272. Paige, Alvin is a citizen of St. Croix, United States Virgin Islands.

273. Paige, Ara individually and as parent to minor Burke, Ian, citizens of St. Petersburg, Florida.
274. Parrilla, Carmen Amaro individually and as parent to minors Parrilla, Christian Jr., Parrilla, Miguel J. and Parrilla, Natacha, citizens of St. Croix U.S. Virgin Islands;
275. Parrilla, Delores I., individually and as parent to minor Parrilla, Roberto Jr., citizens of St. Croix U.S. Virgin Islands.
276. Parrilla, Joel is a citizen of St. Croix, United States Virgin Islands.
277. Parrilla, Juan is a citizen of St. Croix, United States Virgin Islands.
278. Parrilla, Orlando is a citizen of St. Croix, United States Virgin Islands.
279. Parrilla, Raquel is a citizen of St. Croix, United States Virgin Islands.
280. Parrilla, Pedro Juan is a citizen of St. Croix, United States Virgin Islands.
281. Parrilla, Roberto Sr. is a citizen of St. Croix, United States Virgin Islands.
282. Parrilla, Sonia M. is a citizen of St. Croix, United States Virgin Islands.
283. Parrilla, Tara is a citizen of Orlando, Florida.
284. Parrilla, Wilfredo is a citizen of St. Croix, United States Virgin Islands.
285. Parrilla, Orlimagelys is a citizen of St. Croix, United States Virgin Islands.
286. Parrilla-Ferdinand, Delores is a citizen of St. Croix, United States Virgin Islands.
287. Pemberton, Candis M. is a citizen of St. Croix, United States Virgin Islands.
288. Pemberton, Majarie C. is a citizen of St. Croix, United States Virgin Islands.
289. Pena, Marco Garcia is a citizen of St. Croix, United States Virgin Islands.
290. Perez, Carlos A. is a citizen of St. Cloud, Florida.
291. Perez, Carlos Alberto is a citizen of St. Cloud, Florida.
292. Perez, Carmen L. is a citizen of St. Cloud, Florida.

293. Perez, Jorge A. is a citizen of Atlanta, Georgia.
294. Perez, Jose M. is a citizen of St. Croix, United States Virgin Islands.
295. Perez, Naishma K. is a citizen of St. Cloud, Florida.
296. Perez, Nydia, individually and as parent to minor Perez, Paula Y., citizens of San Antonio, Texas.
297. Perez, Tuwanda is a citizen of St. Croix, United States Virgin Islands.
298. Perez, Victor M. is a citizen of St. Croix, United States Virgin Islands.
299. Perez, Xavier M. is a citizen of St. Croix, United States Virgin Islands.
300. Perez, Yamileisy is a citizen of St. Croix, United States Virgin Islands.
301. Perez, Yaritza is a citizen of St. Croix, United States Virgin Islands.
302. Perez, Ylonis J. is a citizen of St. Croix, United States Virgin Islands.
303. Perez, Yomar A. is a citizen of St. Cloud, Florida.
304. Perez, Zalemie Y. is a citizen of San Antonio, Texas.
305. Perez-Ayala, America individually and as parent to minors Perez, Neishalee and Perez, Victor Manuel III, residents of St. Croix U.S. Virgin Islands.
306. Phillip, Arthur is a citizen of St. Croix, United States Virgin Islands.
307. Phillip, Martial is a citizen of St. Croix, United States Virgin Islands.
308. Phillip, Marva is a citizen of St. Croix, United States Virgin Islands.
309. Phillip, Marvin is a citizen of St. Croix, United States Virgin Islands.
310. Phillip, Terry M. is a citizen of St. Croix, United States Virgin Islands.
311. Picart, Jose is a citizen of St. Croix, United States Virgin Islands.
312. Piliier, Demetrio A. individually and as parent to minors Piliier, Lizandro and Piliier, Lizangel, citizens of St. Croix U.S. Virgin Islands.

313. Plaskett, Cripson is a citizen of St. Croix, United States Virgin Islands.
314. Plaskett, Dilia individually and as parent to minor Ventura, Angela S., citizens of St. Croix U.S. Virgin Islands.
315. Plaskett, William A. is a citizen of St. Croix, United States Virgin Islands.
316. Polidore, Cornelia is a citizen of St. Croix, United States Virgin Islands.
317. Polidore, Keriscia is a citizen of St. Croix, United States Virgin Islands.
318. Polydore, Lawrence citizens of St. Croix U.S. Virgin Islands.
319. Prescott, Miscelda is a citizen of Mattapan, Massachusetts.
320. President, Kimbel is a citizen of St. Croix, United States Virgin Islands.
321. President, Kimberly is a citizen of St. Croix, United States Virgin Islands.
322. Preville, Godfrey G. is a citizen of St. Croix, United States Virgin Islands.
323. Profil, Migdalia is a citizen of St. Croix, United States Virgin Islands.
324. Pryce, David is a citizen of St. Croix, United States Virgin Islands.
325. Pryce, Philbert Jr. is a citizen of St. Croix, United States Virgin Islands.
326. Quildan, Isabella N. is a citizen of St. Croix, United States Virgin Islands.
327. Quildan, Kareem is a citizen of St. Croix, United States Virgin Islands.
328. Quinones, Iris M. is a citizen of St. Croix, United States Virgin Islands.
329. Quinones, Jose William is a citizen of St. Croix, United States Virgin Islands.
330. Quinones, Ruth A. is a citizen of St. Croix, United States Virgin Islands.
331. Quinones, Sila is a citizen of St. Croix, United States Virgin Islands.
332. Ramirez, Andres Mercado is a citizen of St. Croix, United States Virgin Islands.
333. Ramos, Brunilda is a citizen of St. Croix, United States Virgin Islands.
334. Ramos, Daniel is a citizen of St. Croix, United States Virgin Islands.

335. Ramos, Gabriel is a citizen of St. Croix, United States Virgin Islands.
336. Ramos, Jorge is a citizen of St. Croix, United States Virgin Islands.
337. Ramos, Josefina is a citizen of St. Croix, United States Virgin Islands.
338. Ramos, Marcela is a citizen of St. Croix, United States Virgin Islands.
339. Reyes, Eridania is a citizen of St. Croix, United States Virgin Islands.
340. Reyes, Evaristo is a citizen of St. Croix, United States Virgin Islands.
341. Reyes, Francisca C., individually and as parent to minor Reyes, Nayoshe, citizens of St. Croix U.S. Virgin Islands.
342. Reyes, Juan A. is a citizen of St. Croix, United States Virgin Islands.
343. Reyes, Juanico is a citizen of St. Croix, United States Virgin Islands.
344. Reyes, Maximo Guerrero is a citizen of St. Croix, United States Virgin Islands.
345. Reyes, Wanda J. is a citizen of St. Croix, United States Virgin Islands.
346. Richardson, Laurencea is a citizen of St. Croix, United States Virgin Islands.
347. Richardson, Marilyn, individually and as parent to minor Gonzague, Jovon, citizens of St. Croix U.S. Virgin Islands.
348. Rios, Cecilla is a citizen of St. Croix, United States Virgin Islands.
349. Rivera, Ana Celia is a citizen of St. Croix, United States Virgin Islands.
350. Rivera, Beatrice is a citizen of St. Croix, United States Virgin Islands.
351. Rivera, Belkis is a citizen of St. Croix, United States Virgin Islands.
352. Rivera, Ebony is a citizen of St. Croix, United States Virgin Islands.
353. Rivera, Miriam is a citizen of St. Croix, United States Virgin Islands.
354. Rivera, Sandro is a citizen of St. Croix, United States Virgin Islands.
355. Robles Jessica C. is a citizen of St. Croix, United States Virgin Islands.

356. Robles, Benjamin Jr. is a citizen of St. Croix, United States Virgin Islands.
357. Robles, Benjamin Sr. is a citizen of St. Croix, United States Virgin Islands.
358. Robles, Elise is a citizen of St. Croix, United States Virgin Islands.
359. Robles, Ismael is a citizen of St. Croix, United States Virgin Islands.
360. Robles, Ivette is a citizen of St. Croix, United States Virgin Islands.
361. Robles, Jose Luis is a citizen of St. Croix, United States Virgin Islands.
362. Rodney, Martina L. is a citizen of St. Croix, United States Virgin Islands.
363. Rodriguez, Julio is a citizen of St. Croix, United States Virgin Islands.
364. Rodriguez, Lillian R. individually and as parent to minor Rodriguez, Miguel A. ,
citizens of St. Croix U.S. Virgin Islands.
365. Rodriguez, Miguely is a citizen of St. Croix, United States Virgin Islands.
366. Rogers, Akeel is a citizen of St. Croix, United States Virgin Islands.
367. Rojas, Pablo is a citizen of St. Croix, United States Virgin Islands.
368. Roldan, Frenando L. is a citizen of St. Croix, United States Virgin Islands.
369. Roldan, Jeremy L. is a citizen of St. Croix, United States Virgin Islands.
370. Rosario, Angela Pagan is a citizen of St. Croix, United States Virgin Islands.
371. Ross, Neelia is a citizen of St. Cloud, Florida.
372. Ruiz, Joanne, individually and as parent to minors Carmona, Angelo J.,
Greenidge, Alaika E., Greenidge, Allen H., Jr., Greenidge, Talaiya A. and Ruiz,
Takima T., citizens of St. Croix U.S. Virgin Islands.
373. Ruiz, Rut individually and as parent to minor Leo, Jahliah T., citizens of St. Croix
U.S. Virgin Islands.
374. Saldana, Carmen is a citizen of St. Croix, United States Virgin Islands.

375. Saldana, Eddie Adner is a citizen of St. Croix, United States Virgin Islands.
376. Saldana, Edwin is a citizen of Bronx, NY.
377. Saldana, Raquel individually and as parent to minor Maragh, Krystal, citizens of St. Croix U.S. Virgin Islands.
378. Sanchez, Angel Alberto is a citizen of St. Croix, United States Virgin Islands.
379. Sanchez, Edith is a citizen of St. Croix, United States Virgin Islands.
380. Sanchez, Jose Alberto is a citizen of St. Croix, United States Virgin Islands.
381. Sanchez, Jose E. is a citizen of St. Croix, United States Virgin Islands.
382. Sanchez, Jose Roberto is a citizen of St. Croix, United States Virgin Islands.
383. Sanes, Angel L. is a citizen of St. Croix, United States Virgin Islands.
384. Sanes, Joshua citizens of St. Croix U.S. Virgin Islands.
385. Sanes, Miguel Angel is a citizen of St. Croix, United States Virgin Islands.
386. Santana, Yadira is a citizen of St. Croix, United States Virgin Islands.
387. Santiago Jose Lanso is a citizen of St. Croix, United States Virgin Islands.
388. Santiago, Artemia is a citizen of St. Croix, United States Virgin Islands.
389. Santiago, Carlos L. is a citizen of St. Croix, United States Virgin Islands.
390. Santiago, Chayanne is a citizen of St. Croix, United States Virgin Islands.
391. Santiago, Eliever is a citizen of St. Croix, United States Virgin Islands.
392. Santiago, Lydia is a citizen of St. Croix, United States Virgin Islands.
393. Santiago, Maynalys is a citizen of St. Croix, United States Virgin Islands.
394. Santos, Angelica is a citizen of St. Croix, United States Virgin Islands.
395. Santos, Ramona is a citizen of St. Croix, United States Virgin Islands.
396. Santos, Theresita is a citizen of St. Croix, United States Virgin Islands.

397. Serrano, Maria is a citizen of Sanford, Florida.
398. Serrano, Martha is a citizen of San Antonio, Texas.
399. Serrano, Martin Jr. is a citizen of San Antonio Texas.
400. Shalto, Greta is a citizen of St. Croix, United States Virgin Islands.
401. Shaw- Jacobs Jeanette is a citizen of St. Croix, United States Virgin Islands.
402. Shirley, Helen is a citizen of St. Croix, United States Virgin Islands.
403. Slater, Ramisha individually and as parent to minor Wilson, Brandon T.B. II, citizens of St. Croix U.S. Virgin Islands.
404. Smith, Keisha P. is a citizen of St. Croix, United States Virgin Islands.
405. Smith, Kevin E. is a citizen of St. Croix, United States Virgin Islands.
406. Smith, Natasha is a citizen of St. Croix, United States Virgin Islands.
407. Soto, Jennifer is a citizen of Camden, New Jersey.
408. Soto, Jeremy is a citizen of St. Croix, United States Virgin Islands.
409. Soto, Jorge is a citizen of St. Croix, United States Virgin Islands.
410. Soto, Luis Enrique individually and as parent to minor Soto, Luis E., citizens of St. Croix U.S. Virgin Islands.
411. Soto, Maria L. is a citizen of Miramar, Florida.
412. Soto, Rosa is a citizen of St. Croix, United States Virgin Islands.
413. St. Brice, Anthony is a citizen of St. Croix, United States Virgin Islands.
414. Stevens, Claudia is a citizen of St. Petersburg, Florida.
415. Stubbs, Jeremlah C. individually and as parent to minor Stubbs, Mariah C., citizens of St. Croix U.S. Virgin Islands.
416. Taylor, Annette J. is a citizen of St. Croix, United States Virgin Islands.

417. Taylor, Beryl E. is a citizen of Dundee, Florida.
418. Taylor, Debbie R. is a citizen of St. Croix, United States Virgin Islands.
419. Theophilus, Alita V. is a citizen of St. Croix, United States Virgin Islands.
420. Thomas, Marsha individually and as parent to minors Tanis, Tamirea N. and Tanis, Nahomey citizens of St. Croix U.S. Virgin Islands.
421. Torres Jose Manuel, Jr. is a citizen of St. Croix, United States Virgin Islands.
422. Torres, Linda is a citizen of St. Croix, United States Virgin Islands.
423. Valentine, Carmen is a citizen of St. Croix, United States Virgin Islands.
424. Valentine, Santiago O. Jr. is a citizen of St. Croix, United States Virgin Islands.
425. Vasquez, Noemi S. is a citizen of St. Croix, United States Virgin Islands.
426. Vega, Efrain is a citizen of St. Croix, United States Virgin Islands.
427. Vega, Luis Felix Jr. is a citizen of St. Croix, United States Virgin Islands.
428. Vega, Luz Delia individually and as parent to minors, Vega, Shanley T. and Vega, Fransheska citizens of St. Croix U.S. Virgin Islands.
429. Vega, Luis Felix is a citizen of St. Croix, United States Virgin Islands.
430. Vegas Lebron, Fermin is a citizen of St. Croix, United States Virgin Islands.
431. Velez, Carmen R. is a citizen of St. Croix, United States Virgin Islands.
432. Velez, Corporina is a citizen of St. Croix, United States Virgin Islands.
433. Velez, Jose R. is a citizen of St. Croix, United States Virgin Islands.
434. Velez, Jose Ramon is a citizen of St. Croix, United States Virgin Islands.
435. Velez, Margarita is a citizen of St. Croix, United States Virgin Islands.
436. Velez, Miguel Angel citizens of St. Croix U.S. Virgin Islands.
437. Velez, Norma citizens of St. Croix U.S. Virgin Islands.

438. Velez, Yesenia citizens of St. Croix U.S. Virgin Islands.
439. Ventura, Angel L. is a citizen of St. Croix, United States Virgin Islands.
440. Ventura, Anna Maria is a citizen of St. Croix, United States Virgin Islands.
441. Ventura, Carlos Jr. citizens of St. Croix U.S. Virgin Islands.
442. Ventura, Carmen L. citizens of St. Croix U.S. Virgin Islands.
443. Ventura, Edna is a citizen of Boston, Massachusetts.
444. Ventura, Jose Miguel is a citizen of St. Croix, United States Virgin Islands.
445. Ventura, Karla Jeanette is a citizen of St. Croix, United States Virgin Islands.
446. Ventura, Noelia Soto is a citizen of Carolina, Puerto Rico.
447. Ventura, Xiomara I. individually and as parent to minor Denis, Diane N., citizens of St. Croix U.S. Virgin Islands.
448. Villanueva, Shelia L. is a citizen of Charlotte, North Carolina.
449. Williams, Clayton is a citizen of St. Croix, United States Virgin Islands.
450. Williams, Idelfonsa is a citizen of St. Cloud, Florida.
451. Williams, Urma is a citizen of St. Croix, United States Virgin Islands.
452. Wilson, Alfred is a citizen of St. Croix, United States Virgin Islands.
453. Wilson, Brandon T.B. is a citizen of St. Croix, United States Virgin Islands.
454. Wilson, Cindy, individually and as parent to minor Rivera, Justin citizens of St. Croix U.S. Virgin Islands.
455. Wilson, Diana N., individually and as parent to minor Roldan, Shaedean N., residents of St. Croix U.S. Virgin Islands.
456. Wiltshire, Dunn is a citizen of St. Croix, United States Virgin Islands.
457. Wiltshire, Ethelbert is a citizen of St. Croix, United States Virgin Islands.

458. Wiltshire, Gregg is a citizen of St. Croix, United States Virgin Islands.
459. Wiltshire, Hermine individually and as guardian to minor Wiltshire, Christina, citizens of St. Croix U.S. Virgin Islands.
460. Wiltshire, Peter is a citizen of St. Croix, United States Virgin Islands.

FACTUAL BACKGROUND

461. For about thirty years, an alumina refinery located near thousands of homes on the south shore of the island of St. Croix was owned and/or operated by a number of entities. The facility refined a red ore called bauxite into alumina, creating enormous mounds of the by-product, bauxite residue, red mud, or red dust.
462. St. Croix Renaissance Group LLLP ("SCRG") upon information is a Limited Liability Limited Partnership and is deemed to be a citizen of Delaware, Florida, Massachusetts, Puerto Rico and St. Croix, U.S. Virgin Islands. In or about 2002, Alcoa World Alumina, LLC ("ALCOA") and St. Croix Alumina, LLC ("SCA") entered into a Purchase and Sale Agreement ("PSA") for the refinery with Brownfields Energy Recovery Corporation ("BRC") and Energy Answers Corporation of Puerto Rico ("EAPR") and BRC and EAPR immediately transferred their interests in the refinery to St. Croix Renaissance Group ("SCRG").
463. SCRG has owned and/or operated the refinery from 2002 to the present.
464. Alumina is extracted from a naturally-occurring ore called bauxite. Bauxite is red in color. The Material Safety Data Sheets ("MSDS") for bauxite warn that it can cause irritation of the eyes, skin and upper respiratory tract.

465. The byproduct of the alumina refining process used at the St. Croix refinery is a red substance called bauxite residue, or "red mud" or "red dust," which is indistinguishable in color and texture from bauxite. Red mud causes damages to real and personal property.
466. Red mud causes significant physical injuries. The MSDS for red mud states that it can cause "severe irritation and burns [of eyes], especially when wet," "can cause severe irritation [of skin], especially when wet," "can cause irritation of the upper respiratory tract," and that is a "cancer hazard." The MSDS also advises against skin and eye exposure to red mud.
467. From the beginning of the alumina refinery's operations, hazardous materials, including chlorine, fluoride, TDS, aluminum, arsenic, molybdenum, and selenium, as well as coal dust and other particulates were buried in the red mud, and the red mud was stored outdoors in open piles that at times were as high as approximately 120 feet and covered up to 190 acres of land. The piles of red mud erode into the environment if they are not secured by vegetation or retaining walls. For years, the uncovered piles often emitted fugitive dust when winds blew across the refinery and on the frequent occasions when bulldozers ran over them.
468. In addition, the refinery contained asbestos and other particulates and hazardous substances in various conditions that were never removed from the premises, in violation of law.
469. The bauxite was stored in a steel A-frame structure with plastic sheets hung down the sides, called the bauxite storage shed. In 1995, Hurricane Marilyn hit

- St. Croix and damaged the roof of the bauxite storage shed, which allowed the dusty bauxite to be blown out of the shed.
470. Previous owners ALCOA and St. Croix Alumina added red dust, coal dust and other particulates to the materials left behind by Virgin Islands Alumina Company, Glencore, Ltd., Glencore International AG, and Century Aluminum Company, the former owners and/or operators of the refinery, and continued to stack and store them in huge uncovered piles.
471. When SCRG purchased the refinery it had knowledge of the potential for red mud releases. It was aware of the loose bauxite and piles of red mud and knew that those substances had the propensity for particulate dispersion when exposed to wind and that the refinery was in close proximity to thousands of residential dwellings. It knew that every time there was a strong wind the toxic substances in the piles would be dispersed into the air, where they were inhaled by Plaintiffs, deposited onto Plaintiffs' persons and real and personal properties, and deposited into the cisterns that are the primary source of potable water for many Plaintiffs.
472. Despite that knowledge SCRG failed to take proper measures to control those emissions.
473. In addition, SCRG took actions related to the red mud piles that increased the disbursement of the toxic substances into Plaintiffs' properties and further resulted in Plaintiffs' additional exposure to those toxic substances.
474. Red mud contains caustic soda, crystalline silica, iron oxide, titanium dioxide, and other toxic substances that make it a health risk to Plaintiffs and exposes

Plaintiffs to toxic injuries.

475. SCRG discovered that ALCOA had not abated the asbestos in the property on or about 2006 when it was informed by DPNR.
476. SCRG attempted to conceal the fact it had friable asbestos in the plant and left it there for years.
477. SCRG knew that friable asbestos was being blown into Plaintiffs' homes and being inhaled by Plaintiffs but failed to disclose its knowledge or warn Plaintiffs.
478. During its operation and/or ownership of the alumina refinery, SCRG failed to remove the asbestos from the refinery for years and upon information asbestos remains in the property.
479. Upon information the asbestos has been friable and in an extremely dangerous condition for at least 10 years but Plaintiffs had no way of knowing or discovering that. In particular, Defendant concealed the existence of the friable asbestos from Plaintiffs until 2010, when DPNR produced documents, indicating the presence of asbestos in discovery in the Bennington v. SCRG matter indicating that unencapsulated asbestos fibers were permitted to hang and blow about freely.
480. Upon information SCRG hid the fact that it had friable asbestos not only from the Plaintiffs but also from Department of Natural Resources (DPNR) and Environmental Protection Agency (EPA) and in fact, made false reports concerning the same.
481. SCRG has done nothing to remove that asbestos to the present.
482. As a result of Defendant's conduct, Plaintiffs suffered and continue to suffer

physical injuries, medical expenses, damage to their properties and possessions, loss of income, loss of capacity to earn income, mental anguish, pain and suffering and loss of enjoyment of life, a propensity for additional medical illness, and a reasonable fear of contracting illness in the future, all of which are expected to continue into the foreseeable future.

483. To this date, Defendant is continuing to expose Plaintiffs to red dust, bauxite, asbestos and other particulates and hazardous substances. Defendants' conduct is also continuing to prevent Plaintiffs from freely enjoying their properties.

COUNT I: Abnormally Dangerous Condition

484. Plaintiffs repeat and re-allege each allegation of Paragraph 1-483 as if set forth herein verbatim.

485. The actions of the Defendant constitute maintaining an abnormally dangerous condition.

486. The St. Croix alumina refinery is located in a known hurricane zone at the head of the Kraus Lagoon Channel at Port Alucroix, which leads to the Caribbean Sea. The natural resources of the Virgin Islands are particularly sensitive and precious.

487. Thousands of residential dwellings are located in close proximity to the refinery.

488. Defendant's use, storage, disposal and failure to remediate the bauxite, red dust and/or red mud, asbestos, coal dust, and other particulates and hazardous materials at the refinery is solely for Defendant's own business purposes.

489. Defendant knows and understands that there is a high risk that strong winds

could blow bauxite, red mud, asbestos and other particulates and hazardous materials into Plaintiffs' neighborhoods.

490. Defendant's ongoing storage, disposal, and failure to remediate the bauxite, red mud, asbestos, and other particulates and hazardous materials presented and continues to present a high risk of great harm to Plaintiffs' health, chattel, and properties. Bauxite and red mud can irritate the skin, respiratory tract, and eyes and can permanently stain, clog, and otherwise damage property and objects. Friable asbestos is also a known carcinogen that can cause a variety of respiratory illnesses.

491. Defendant's ongoing use, storage, disposal and failure to remediate bauxite, red mud, asbestos and other particulates and hazardous materials at the alumina refinery caused and continue to cause serious harm to Plaintiffs' persons, chattel, and properties. As a result, the Plaintiffs suffered damages as alleged herein.

COUNT II: Public Nuisance

492. Plaintiffs repeat and re-allege each allegation of Paragraph 1-491 as if set forth herein verbatim.

493. The actions of Defendant constitutes a public nuisance.

494. Specifically, the ongoing release of harmful dusts, including bauxite, red mud, coal dust, asbestos, and other particulates and hazardous materials, from the alumina refinery unreasonably threatens and interferes with the public rights to safety, health, peace, comfort, and the enjoyment of private land and public natural resources.

495. The actions of Defendant violated the statutes of the Virgin Islands (including, but

not limited to, 12 V.I.R. & R. § 204-20(d) & (e), §§ 204-25(a)(2) & (3), § 204-25(c), and § 204-27(a)) and constitute nuisance *per se*.

496. Defendant knows or has reason to know that its conduct has a significant effect on the public rights.
497. Plaintiffs are entitled to damages as a result, thereof.
498. The Plaintiffs are further entitled to an injunction requiring Defendant to desist all activities that allow the release of pollutants, further requiring Defendant to remove the piles of "red dust", coal dust and other particulates and hazardous materials, to remove all such pollutants, "red dust", coal dust and other particulates and hazardous materials including asbestos from the island of St. Croix, and to refrain from allowing said substances from accumulating again on St. Croix.

COUNT III: Private Nuisance

499. Plaintiffs repeat and re-allege each allegation of Paragraph 1-498 as if set forth herein verbatim.
500. Defendant's actions constitute a private nuisance in violation of 28 V.I.C. § 331 and Virgin Islands common law.
501. Defendant's recurring releases of massive quantities of bauxite, red mud, asbestos, and other particulates and hazardous substances have stained, clogged, and otherwise significantly damaged and/or destroyed Plaintiffs' homes and yards, and the damages and destruction continue to date.
502. Defendant's recurring releases of massive quantities of bauxite, red mud, asbestos, and other particulates and hazardous substances have exposed and

continue to expose Plaintiffs' bodies to toxic and/or irritating dusts.

503. By so doing, Defendant has wrongfully and unreasonably interfered with Plaintiffs' private use and enjoyment of their homes and properties. As a result, plaintiffs have been damaged, and continue to be damaged, as alleged, herein.

504. Pursuant to 28 V.I.C. § 331, in addition to damages, Plaintiffs are entitled to a warrant to abate the nuisance and/or an injunction to prevent the continuance of the nuisance.

COUNT IV: Intentional Infliction of Emotional Distress.

505. Plaintiffs repeat and re-allege each allegation of Paragraph 1-504 as if set forth herein verbatim.

506. The actions of Defendant constitute the intentional infliction of emotional distress on Plaintiffs.

507. Defendant knows and understands that exposure to bauxite, red mud, asbestos, and other particulates and hazardous substances presented and continues to present serious risks to the health and property of thousands of St. Croix residents. Defendant also understands that the emissions posed and continue to pose serious threats to the local environment and natural resources.

508. Defendant knows that wind, rain and/or flooding, and other physical disturbances could release bauxite, red mud, asbestos and other particulates and hazardous substances from the alumina refinery into Plaintiffs' neighborhoods.

509. Defendant understands that St. Croix is a hurricane-prone area and that local residents rely on cisterns as their primary source of potable water.

510. Since at least 2006, Defendant SCRG also knew that dangerous friable asbestos

was present at the refinery and could, along with the red mud and related particulates and hazardous substances, be blown by winds into Plaintiffs' neighborhoods.

511. Despite this knowledge, Defendant has knowingly and intentionally failed to take precautions to prevent bauxite, red mud, asbestos and other particulates and hazardous substances from blowing into Plaintiffs' neighborhoods.
512. After Defendant permitted Plaintiffs to be exposed to bauxite, red mud, asbestos and other particulates and hazardous substances emissions from the alumina refinery, Defendant purposefully concealed and/or misrepresented the health risks associated with exposure to the emissions from Plaintiffs.
513. Years after learning that emissions from the alumina refinery presented high risk of serious injury to Plaintiffs and the natural resources of the Virgin Islands, Defendant continues to allow bauxite, red mud, asbestos and other particulates and hazardous substances to blow into Plaintiffs' neighborhoods and cause significant harm to Plaintiffs' minds, bodies, and property.
514. As a result of Defendant's callous disregard for the health, safety, well-being and property of Plaintiffs, Plaintiffs have suffered damages as alleged herein, including severe emotional distress and physical ailments resulting from such distress.

COUNT V: Negligent Infliction of Emotional Distress

515. Plaintiffs repeat and re-allege each allegation of Paragraph 1-514 as if set forth herein verbatim.
516. In the alternative to intentional infliction of emotional distress, the actions of

Defendant constitute the negligent infliction of emotional distress.

517. As a result, Plaintiffs have been damaged as alleged, herein.

COUNT VI: Negligence as to Defendant

518. Plaintiffs repeat and re-allege each allegation of Paragraph 1-517 as if set forth herein verbatim.

519. The actions of Defendant constitutes negligence.

520. SCRG has owned and/or operated the alumina refinery from 2002 to the present.

521. SCRG has failed and continues to fail to properly store and/or secure bauxite, red mud, related particulates, hazardous substances, and asbestos on the premises.

522. SCRG knew and/or should have known that its failure to secure these dangerous materials would allow them to blow freely into Plaintiffs' neighborhoods and harm Plaintiffs and their properties.

523. SCRG's failure to properly secure, store and/or maintain the bauxite, red mud, related particulates, hazardous substances, and asbestos at the alumina refinery has allowed and continues to allow these materials to blow into the nearby areas and harm Plaintiffs and their properties.

524. As a result Plaintiffs have been damaged as alleged, herein.

COUNT VII: Punitive Damages

525. Plaintiffs repeat and re-allege each allegation of Paragraph 1-524 as if set forth herein verbatim.

526. The actions of Defendant was and are so callous and done with such extreme indifference to the rights and interests of the Plaintiffs and the citizens of St. Croix

so as to entitle Plaintiffs to an award of punitive damages.

WHEREFORE, Plaintiffs pray for damages as they may appear, compensatory and punitive, an injunction requiring that Defendant cease and desist all activities that result in pollutants being discharged and, further requiring a cleanup of all pollutants and removal of the piles of "Red Dust", coal dust and particulates and hazardous substances, costs and fees and such other relief as this Court deems fair and just.

RESPECTFULLY SUBMITTED
LAW OFFICES OF ROHN AND CARPENTER, LLC
Attorneys for Plaintiff

DATED: December 9, 2011

BY: 

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EXHIBIT B

SUMMONS

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS DIVISION OF ST. CROIX

Abraham, Eleanor; Abraham, Ratcliffe; Abreu, Elizabeth Acosta, Martha; Acosta, Tomas J.; Acosta, Tomas Jr.; Acosta, Yamaris; Albert, Charmaine N. individually and as parent to minors Andre, Austin B. Andre, Bevington R., Andre, Chris L. and Andre, Felisha C; Aldonza, Davidson, individually and as parent to minors Aldonza, Abigail, Aldonza, Brianner Aldonza, Bryson and Aldonza, Ruthlin et al.,

Plaintiff,

v.

ST. CROIX RENAISSANCE GROUP LLLP,

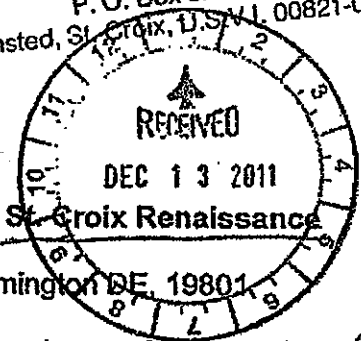
Defendants.

CIVIL NO. 54-11-CV-550

ACTION FOR DAMAGES

JURY TRIAL DEMANDED

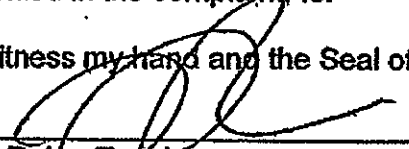
SUPERIOR COURT OF THE VIRGIN ISLANDS
Office of the Clerk
P. O. Box 929
Christiansted, St. Croix, U.S.V.I. 00821-0929



TO: The Corporation Trust Company as Registered Agents for St. Croix Renaissance Group LLLP, Defendant
ADDRESS: Corporation Trust Center 1209 Orange Street, Wilmington DE, 19801

Within the time limited by law (see note below) you are hereby required to appear before this Court and answer to a complaint filed against you in this action and in case of your failure to appear or answer, judgment by default will be taken against you as demanded in the complaint, for

Witness my hand and the Seal of the Court this 15th day of DEC, 2011.



Lee J. Rohn, Esquire
VI Bar No. 52
Law Offices of Rohn and Carpenter, LLC
1101 King Street
Christiansted, VI 00820
Telephone: (340) 778-8855
Facsimile: (340) 773-2954

VENETIA H. VELAZQUEZ
Clerk of the Court

By: 

Court Clerk II

Note: The defendant, if served personally, is required to file his answer or other defense with the Clerk of this Court, and to serve a copy thereof upon the plaintiff's attorney within twenty (20) days after service of this summons, excluding the date of service. The defendant, if served by publication or by personal service outside the jurisdiction, is required to file his answer or other defense with the Clerk of this Court, and to serve a copy thereof upon the attorney for the plaintiff within thirty (30) days after the completion of the period of publication or personal service outside of the jurisdiction.

RETURN OF SERVICE

I hereby certify that I received this summons on the _____ day of _____, 2011, and that thereafter, on the _____ day of _____, 2011, I did serve the same on the above-named defendant, _____ by showing h _____ this original and by then delivering to h _____ a copy of the complaint and of the summons which were forwarded to me attached thereto.

Marshal

Deputy

RETURN OF NON-SERVICE

I hereby certify that I received this summons on the _____ day of _____, 2011, and that after making a careful, diligent search, the Defendant cannot be found in this jurisdiction.

Marshal

Deputy

EXHIBIT C

IN THE SUPERIOR COURT OF THE VIRGIN ISLANDS
DIVISION OF ST. CROIX

Eleanor Abraham, <i>et al.</i> ,)	
)	
Plaintiffs,)	
v.)	CIVIL NO. SX-11 CV-550
)	
St. Croix Renaissance Group, LLLP,)	ACTION FOR DAMAGES
)	
Defendant.)	JURY TRIAL DEMANDED
<hr/>		

DEFENDANT ST. CROIX RENAISSANCE GROUP L.L.L.P.'S
MEMORANDUM IN SUPPORT OF ITS MOTIONS
FOR SEVERANCE PURSUANT TO RULE 21
AND
FOR A MORE DEFINITE STATEMENT PURSUANT TO RULE 12

The complaint filed in this case lists over 400 plaintiffs, either in the caption or in the body, seeking damages for property damages and personal injuries from different kinds of alleged exposures (asbestos, bauxite, bauxite residue, etc.) that emanated from the former alumina processing plant located on a site ("Site") now owned by the defendant, St. Croix Renaissance ("SCRG"). While the complaint alleges that SCRG operated the refinery, it never did – as it bought the Site after the refinery ceased operations. In fact, SCRG dismantled the processing units under DPNR supervision.

The complaint also alleges a variety of exposures by multiple individuals, some of whom are described as domiciliaries of the Territory while others are not. It is not specifically alleged when or how these exposures occurred. Clearly, the alleged exposures did not affect all of them at the same times and in the same manner as those who no longer live here ceased being exposed to the alleged offending agents. For

those who lived here before 2002, the exposures might have come from actual operations at the Site.

As for those who still reside on St. Croix, the civil disclosure sheets filed with the complaint list residents of multiple areas on the island, some who live near SCRG's site (such as the Harvey or Profit area) and others who live far away from the site -- in places like Barren Spot, Strawberry, Castle Burke, Concordia, Mount Pleasant, Whim, Water Gut, New Works, Clifton Hill, Profit Hills, La Reine, White Bay, Fredensberg, Rattan, Mutual Homes, Aureo Diaz Housing Project and Mon Bijou. See Exhibit A attached. Clearly these alleged exposures are significantly different for the individual plaintiffs, even within the Harvey or Profit areas which are large. Moreover, personal and real property damages are alleged as well, each similarly unique.

In short, the complaint is a clear misjoinder of significantly varied individual claims. Equally important, it does not contain enough specific facts as to each plaintiff, as required by the applicable law, to allow SCRG to intelligently respond. For example, the complaint does not identify the address or place that any plaintiff was actually located when supposedly exposed to these unidentified releases -- or during which periods they lived there. Without the (1) times of residence of each specific plaintiff in the area where these releases allegedly took place, (2) the precise injury of each plaintiff (asbestosis, silicosis, property damage, etc.) or (3) property damages, an identification of the ownership interest of each plaintiff in said residence in order to determine what "property" interest was allegedly damaged, SCRG has no notice of the essential facts needed to file an answer with the appropriate affirmative defenses.

With these general comments in mind, SCRG hereby moves pursuant to *Fed.R.Civ.P. 21* to first require the plaintiffs to re-file individual complaints for each person, as this is a "shot-gun" pleading where the parties and claims have been misjoined. This is a request for which there is direct precedent in this Court. See Exhibit B. Secondly, after that has been done, pursuant to Rule 12 (e), a more definite statement must be provided as to each plaintiff so that SCRG can intelligently respond to their claims.

Thus, For the reasons set forth herein, it is respectfully submitted that the relief sought pursuant to these two rules be granted, requiring the re-filing of individual complaints with facts sufficient as to each person so as to allow SCRG to then assert a proper answer with appropriate affirmative defenses.

I. THE COMPLAINT

The complaint is an improperly mixed group of parties who are unmatched to any of the vague, general claims asserted in the complaint. The complaint makes no attempt to be comprehensible, much less conform to basic rules of pleading. Many "plaintiffs" listed in the caption do not even show up in the body. For example, the second person listed in the body of the complaint, "Abraham, Phillip" is listed in *paragraph 3* as a party, yet no such person is listed in the caption of the case, even though *Fed.R.Civ.P 10*, applicable in this Court, requires the title of the complaint to ("must") name all the parties. Thus, it is unclear as to whether Mr. Abraham is intended to be a plaintiff or not. This occurs repeatedly.¹

¹ By way of another quick example, a few paragraphs later there is an "Acosta, Edelmiro" listed at *paragraph 6* who is not listed in the caption either.

Similarly, other names appear in the caption of the case, but there is no reference to them in the complaint, with no averments whatsoever being made as to the claims they may or may not be asserting against SCRG. Examples of this sort of misidentification include Davidson, Abigail, Brianner and Bryson Aldonza, who are nowhere to be found in the body of the complaint. SCRG should not be required to try to "match up" parties or try to guess who are and are not intended to be plaintiffs.

Aside from these problems, the SCRG Site is a "brownfields" property being rehabilitated by SCRG after years of being operated as an aluminum plant. It was owned by several different prior industrial "operators" during different periods of its existence since 1967. Some of these operators are remediating conditions on the Site under agreements and orders with DPNR and the EPA. There is also pending litigation specifically dealing with the various responsibilities directly related to the red mud. Thus, this case may require third party and other special pleadings, but the complaint does not provide enough information for SCRG to make this analysis. For example, the complaint specifically alleges this complex prior ownership at paragraph 470:

Previous owners ALCOA and St. Croix Alumina added red dust, coal dust and other particulates to the materials left behind by Virgin Islands Alumina company, Glencore, Ltd., Glencore International AG, and Century Aluminum company, the former owners and/or operators of the refinery, and continued to stack and store them in huge uncovered piles.

However, as noted above, the complaint does not make any averments as to the periods of residence of any specific plaintiff, nor does it provide information as to whether any individual plaintiff resided there during and/or before SCRG's ownership. Thus, SCRG cannot even determine who else may be responsible for the alleged

injuries in order to possibly join necessary parties in this suit.² In short, there is no averment that any one of the plaintiffs was present nearby at any particular period from the time alumina processing started at the site to the present -- and if so, during which time period. Without such basic information SCRG cannot begin to answer as to each of them or determine if other parties must be joined, if any.

Even more important is the fact that while the complaint refers to claims for injuries to the plaintiffs' real properties, there is no averment as to which (if any) of the plaintiffs actually owned real property (and if so which property), which were tenants, which were guests -- and so forth. Without this, SCRG cannot possibly respond to the averments as to real property, such as those alleged in paragraph 473:

It [SCRG] knew that every time there was a strong wind the toxic substances in the piles would be dispersed into the air, where they were inhaled by Plaintiffs, deposited onto plaintiffs' persons and real and personal properties, and deposited into the cisterns that are the primary source of potable water for many Plaintiffs. [Emphasis added]

Similarly, there is no description of any actual *personal injury* or *effect* regarding any individual plaintiff. There is a completely vague and general statement that all plaintiffs were exposed, but there is no allegation that any person has suffered any effect or how -- any specific effect, symptom, medical condition or specific personal injury or harm.

Pursuant to recent U.S. Supreme Court decisions, SCRG has the right to understand at a "notice" level if and how each plaintiff has allegedly been affected/injured.

² Indeed, there are prior owners not even identified by the plaintiffs. One example of this is Lockheed Martin. These may be necessary parties. Thus, periods of residence and prior alleged exposure (depending on the time period a particular plaintiff lived in the area) would determine which of these operators should be joined.

In this regard, a review of the complaint demonstrates a variety of different major groups of plaintiffs with significantly different claims, with a few examples as follows:

- 1) Persons making claims for damages to real property based on "red dust" who could be in one or more of the following groups:**
 - Persons who were property owners both before and after SCRG's ownership
 - Persons who were property owners only after SCRG's ownership for all of the time
 - Persons who were property owners only after SCRG's ownership for part of the time
 - Persons who were tenants both before and after SCRG's ownership
 - Persons who were tenants only after SCRG's ownership for all of the time
 - Persons who were tenants only after SCRG's ownership for part of the time

- 2) Persons making claims for damages to real property based on "asbestos" who could be in one or more of the following groups:**
 - Persons who were property owners both before and after SCRG's ownership
 - Persons who were property owners only after SCRG's ownership for all of the time
 - Persons who were property owners only after SCRG's ownership for part of the time
 - Persons who were tenants both before and after SCRG's ownership
 - Persons who were tenants only after SCRG's ownership for all of the time
 - Persons who were tenants only after SCRG's ownership for part of the time

- 3) Persons making claims for damages to real property based on "coal dust" who could be in one or more of the following groups:**
 - Persons who were property owners both before and after SCRG's ownership
 - Persons who were property owners only after SCRG's ownership for all of the time
 - Persons who were property owners only after SCRG's ownership for part of the time
 - Persons who were tenants both before and after SCRG's ownership
 - Persons who were tenants only after SCRG's ownership for all of the time
 - Persons who were tenants only after SCRG's ownership for part of the time

- 4) Persons making claims for personal injury based on "red dust" who could be in one or more of the following groups:**

- Persons who were residents both before and after SCRG's ownership-symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-symptomatic
- Persons who were residents both before and after SCRG's ownership-not symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-not symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-not symptomatic

5) Persons making claims for personal injury based on "asbestos" who could be in one or more of the following groups:

- Persons who were residents both before and after SCRG's ownership-symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-symptomatic
- Persons who were residents both before and after SCRG's ownership-not symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-not symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-not symptomatic

6) Persons making claims for personal injuries based on "coal dust" who could be in one or more of the following groups:

- Persons who were residents both before and after SCRG's ownership-symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-symptomatic
- Persons who were residents both before and after SCRG's ownership-not symptomatic
- Persons who were residents only after SCRG's ownership for all of the time-not symptomatic
- Persons who were residents only after SCRG's ownership for part of the time-not symptomatic

Fortunately, there is a VERY simple solution to this vagueness. While these subgroups are not an exhaustive list of the potential claims asserted in the complaint, they demonstrate the simple but critical facts that each individual can supply to allow the Defendant to understand the outlines of their claims: For each, the alleged exposure was allegedly (1) for residence at a specific place for some specific period(s) of time, (2) to different levels of specific materials, (3) and each person does or does not have specific physical symptoms, (4) and has or has not been diagnosed with a specific condition, (5) and has or has not been treated by a doctor or sustained medical expenses. In short, each of these cases is completely different and SCRG has a right to the basic level of facts that will give notice of what effect/injury is claimed.

With this analysis of the complaint in mind, it is now appropriate to review the applicable law and why it supports the granting of the relief sought by SCRG.

II. APPLICABLE LAW

Rule 12 of the *Federal Rules of Civil Procedure* provides that certain defenses are waived if not raised in the initial response, including the joinder of certain parties under Rule 19, but then provides a defendant with protections from vague or ambiguous pleadings, providing as follows:

(e) Motion for a More Definite Statement. A party may move for a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response. The motion must be made before filing a responsive pleading and must point out the defects complained of and the details desired. . . .

In addition, Rule 21 of the Federal Rules of Civil Procedure provides:

On motion or on its own, the court may at any time, on just terms, add or drop a party. The court may also sever any claim against a party.

As then Superior Court Judge Maria Cabret (now of the Supreme Court) made clear in a prior case before this Court (See Exhibit B), in this jurisdiction long-term, non-particularized exposure to a similar contaminant is not proper grounds for this sort of shot-gun joinder -- and should be severed where:

there are no allegations that each individual's exposure occurred out of the same transaction, occurrence or series of transactions or occurrences. Indeed, it appears to the Court that plaintiffs' arbitrary joinder is an attempt to avoid paying the required filing fees.

SCRG seeks relief from this Court under these two specific rules, which will be discussed separately for the sake of clarity.

A. MOTION FOR A MORE DEFINITE STATEMENT

In 2009 the U.S. Supreme Court issued two significant decisions which altered the requirements of "notice pleading" holding that "[t]hreadbare recitals of the elements of a cause of action, supported by mere conclusory statements, do not suffice." *Ashcroft v. Iqbal*, 129 S. Ct. 1937, 1949 (2009) (citing *Twombly*, 550 U.S. at 555). If a complaint lacks sufficient specific factual allegations, "a claimant cannot satisfy the requirement [under Federal Rule of Civil Procedure 8] that he or she provide not only 'fair notice,' but also the 'grounds' on which the claim rests." *Phillips v. County of Allegheny*, 515 F.3d 224, 233 (3d Cir. 2008) (citing *Twombly*, 550 U.S. at 556 n.3). This was a major change, and the appropriate pleading standards now require more from a complaint than "naked assertion[s] devoid of further factual enhancement" and "legal conclusions." *Iqbal*, 129 S. Ct. at 1949 (internal quotations omitted). This case involves exactly such

"naked assertions." Thus, while the court must accept all well-pleaded facts as true, it must also disregard conclusory statements. *Henry v. Hyannis Air Services, Inc.* 2011 WL 652781, 1 (D.V.I. 2011). Here the plaintiff alleges only that: somehow everyone was exposed and somehow everyone is injured.

Moreover, not only do the facts stated have to be more than conclusory, they must also allow enough information to make it possible for the defendant to respond. Defendants must be able to answer the averments and also know if other parties are necessary to the case. Therefore, a defendant can properly "move for a more definite statement of a pleading to which a responsive pleading is allowed but which is so vague or ambiguous that the party cannot reasonably prepare a response."

Fed.R.Civ.P. 12(e). [Emphasis added] As discussed in more detail below, *Fed.R.Civ.P.*

10(b) requires that:

A party must state its claims or defenses in numbered paragraphs, each limited as far as practicable to a single set of circumstances. A later pleading may refer by number to a paragraph in an earlier pleading. If doing so would promote clarity, each claim founded on a separate transaction or occurrence-and each defense other than a denial-must be stated in a separate count or defense. [Emphasis added]

Here, the complaint recites an endless list of plaintiffs but when it reaches the specific different Counts, it entirely fails to allege even one single fact related to any individual upon which to draw an inference of several necessary elements of the causes of action stated for that individual – or allow SCRG to respond to each individual's alleged injury, damages or claims.³ For example:

³ This is not a class action, so the instant situation is not permitted in the more liberal pleading as to individual assertions under Rule 23. Here, each plaintiff must individually

- 1) For a number of persons listed, such as Phillip Abraham, Edelmiro Acosta, the various Lugos and others -- they are not even listed as plaintiffs in the caption. The fact that averments are made as to their domicile is meaningless if they are not plaintiffs.
- 2) For all plaintiffs listed, there is no allegation as to residence in the area of alleged contamination during any specific periods of alleged exposure. Moreover, a general averment that "plaintiffs lived there at some time that SCRG owned the Site" would be equally insufficient -- as there were many earlier operators and such a general statement would not inform SCRG with regard to the necessity of joining necessary parties or responding with defenses based on alleged times of releases. Thus, the pleading rules require specific dates of residency and locations of residence for each Plaintiff.
- 3) Similarly, there is no allegation of the physical effects or injuries experienced by any specific plaintiff -- or the nature of the symptoms, nor is there any allegation of the injury alleged caused by the exposure (asbestosis, silicosis, pulmonary restrictions, etc.) or any other statement of what the specific claims of the individual plaintiffs might be.
- 4) With regard to the general assertion of property damage, there is no allegation as to whether any individual plaintiff's residence in the area of alleged contamination occurred while they were an owner, renter, guest or otherwise, which the pleading rules require under the case law cited.
- 5) For all persons listed, there is no allegation as to the specific property allegedly damaged and whether it was real or personal property (a house, a car, furniture, etc.), which again should be specifically alleged.⁴
- 6) In fact, there is no allegation as to whether the individual plaintiffs are seeking relief on any or all of the Counts and what specific relief is being sought for each count.

meet the requirement of stating facts that give notice as to each element of the cause of action -- as well as alleging an individual injury.

⁴ How can a plaintiff who was a renter or guest allege -- as was done in paragraph 465 - - that "red mud" caused injury to plaintiffs' "real property"? If an individual plaintiff brought a suit alleging injury to his or her real property they would have to claim a title interest in a specific piece of real property to enable a defendant to respond. Grouping does not excuse this requirement. For this reason, each plaintiff should have to give adequate notice of his or her own specific facts of exposure and individualized personal property and real property damages, doing so in separate counts.

Simply, Plaintiffs have engaged in the filing of what virtually all courts have criticized as a "shotgun pleading"⁵ or the grouping a lot of plaintiffs together using collective terms but no details -- which absolutely does not satisfy the requirement that each plaintiff give adequate notice as to how and when he or she was injured, and at least the nature of the individual injuries. Each plaintiff must separately satisfy the *Twombly/Iqbal* standard of a factual statement of the alleged facts. See Kilaru, Rakesh, *THE NEW RULE 12(B)(6): TWOMBLY, IQBAL, AND THE PARADOX OF PLEADING*, Stanford Law Review, Vol. 62, Issue 3, at 905 (2010).

As the Third Circuit has observed, a "complaint, although voluminous, [is] vague and ambiguous, [when it fails] to provide a short and plain statement of each claim against each defendant". *Binsack v. Lackawanna County Prison*, 438 Fed.Appx. 158, 160, 2011 WL 2909318, 1 (3d Cir. 2011). See also *Everly v. Allegheny County Executive Director*, 2012 WL 19652, 1 (3d Cir. 2012) ("Everly filed a complaint in July 2010 that was exceptionally under-developed. He claimed that his constitutional rights had been violated, but did not explain who violated his rights, what conduct was at issue, when the violation occurred, or what injury he suffered." [Emphasis added])

This sort of "shotgun pleading" is not allowed. This is not a class action. Where each claim is based on the particular facts as to when and how each plaintiff was

⁵ See e.g. *Nicholson v. City of Daphne*, 2009 WL 1789385, 2 (S.D.Ala. 2009)

The document, in short, is a clear example of a "shotgun pleading" long condemned by the Eleventh Circuit. E.g., *Davis v. Coca-Cola Bottling Co.*, 516 F.3d 955, 979-80 & n. 57 (11th Cir.2008) (a complaint alleging numerous forms of . . .violations. . .[regarding] multiple plaintiffs in a single count violated Rules 8(a) and 10(b) and constituted a shotgun pleading).

injured, notice must be individually given. In *Taddeo v. Meridian Private Residences Homeowners Ass'n*, 2010 WL 3896129, 5 (D.Nev. 2010) the court referred to Moore's Federal Practice for the proposition that

"[E]ach plaintiff's claim being founded upon a separate transaction or occurrence, it is properly "stated in a separate count ... [because] a separation facilitates the clear presentation of the matters set forth." Fed.R.Civ.P. 10(b); James Wm Moore, et al., *Moore's Federal Practice*, § 10.03[2][a] (3d ed.1997). "Separate counts will be required if necessary to enable the defendant to frame a responsive pleading or to enable the court and the other parties to understand the claims." *Moore's*, § 10.03[2][a].

"Collective references" to Plaintiffs simply being somehow "injured" or the victim of property damage are insufficient -- without factual notice as to when and where each plaintiff was allegedly exposed (i.e. the time they resided at the location when the exposures occurred on the property), how each plaintiff was injured (i.e. what injuries or damages they suffered), and what relief they are now each seeking (i.e. are they claiming injury to the person, personal property or real property, and if real property, the basis for their ownership or right to claim such damages). As noted in *Oginsky v. Paragon Properties of Costa Rica LLC*, 784 F.Supp.2d 1353, 1361 -1362 (S.D.Fla.,2011):

The collective references throughout the complaint to "Paragon" and "the Paragon Entities," however, is problematic. Plaintiffs explain they used the collective reference for the sake of brevity—because the alleged misrepresentations in each Plaintiff's Agreement for Deed are identical, Plaintiffs sought to avoid repeating the *1362 same allegations again and again. The collective references are not objectionable in Section I of the complaint, which describes the overall scheme generally. . . .

However, such a collective reference is only permissible if Defendants and the Court can ascertain which Defendants are alleged to have engaged in what wrongdoing. . . .If Plaintiffs wish Section II to serve as the factual basis for the counts pled in Section III, Section II must be pled with the

specificity required by Rule 8 and *Twombly*. Although this complaint is not as egregious as the "shotgun pleadings" discussed above, the collective references in Section II render many of Plaintiffs' claims insufficient under Rule 8, and where applicable, Rule 9(b).

Thus, because each plaintiff was located in a different place for different periods of time (which may overlap with other Site operators), had their own individual physical effects/symptoms and injuries and suffered different injuries to real or personal property, notice at least as to these basics should be given.⁶

In summary, requiring each Plaintiff to provide a more definite statement pursuant to Rule 12(e) is warranted where, as here, a large number of Plaintiffs have joined claims that overlap in part as to the cause – but are not conceivably identical to one another as to effects:

In short, and in view of the inclusion of multiple individual plaintiffs and defendants in this action, the various disparate allegations made by plaintiffs in their recitation of factual allegations, and the complaint's failure to provide anything other than a generic and collective charge of liability as to all defendants in the aggregate, defendants have been deprived [of] a fair opportunity to frame a responsive pleading. Thus, a more definite statement is warranted under FRCP 12(e). [Emphasis added]

Lam v. City & County of San Francisco, 2010 U.S. Dist. LEXIS 4899, 34 (N.D. Cal. Jan. 21, 2010) (citing *McHenry v. Renne*, 84 F.3d 1172, 1176 (9th Cir. 1996)); see also, e.g., *Walker v. Wentz*, 2008 U.S. Dist. LEXIS 11592, 17 (M.D. Pa. Feb. 15, 2008); *Folkman v. Roster Fin. LLC*, 2005 U.S. Dist. LEXIS 18117, *4 (D.N.J. Aug. 16, 2005)(internal quotations omitted).

⁶ See, e.g., *Allen v. Land Resource Group of North Carolina, LLC*, 2010 WL 5557503, 1 (N.C.Super. 2010) (Each plaintiff had their own fact specific property damage claim).

For the reasons set forth herein, it is respectfully requested that this Court grant the Rule 12 (e) relief being sought and require each plaintiff to re-file their complaint providing the necessary factual information, as identified herein, before SCRG is required to respond thereto.

B. MOTION TO SEVER

This case is really an attempt to file a class action in an action where each plaintiff has a unique set of circumstances. The obvious dangers of combining these multiple claims are clearly compounded by the total lack of specificity as to the circumstances, injuries, exposure, effects, and other factors set forth in the *Motion for More Definite Statement* above. The attempt to plead that SCRG did a set of unspecified acts and therefore that GENERALLY "plaintiffs and their property were injured" is not a pleading. It is a poorly pled class action.

As set forth above, mere exposure to similar contaminants over incidents (some of which are already the subject of other litigation -- at least one of which this defendant has already been dismissed) over a long period is not proper grounds for joinder. These plaintiffs should be severed, as noted by Judge Cabret (see Exhibit B) where "there are no allegations that each individual's exposure occurred out of the same transaction, occurrence or series of transactions or occurrences." [Emphasis added] How can two people who did not even live there at the same time be injured out of the same occurrence?

It is also improper to attempt to aggregate people living over a very large and varied physical area for dramatically different periods of time -- all of whom have

completely different levels of exposure, different types of personal injury claims unique to each person and differing property damage allegations.

Improper joinder also poses serious practical problems for this Court in administering the cases as well as holding a trial on such individualized claims, as noted in *Gary v Albino*, Civ.10-886, 2010 WL 2546037 (D.N.J. June 21, 2010):

Although Rule 21 is most commonly invoked to sever parties improperly joined under Rule 20, "the Rule may also be invoked to prevent prejudice or promote judicial efficiency." *Lopez v. City of Irvington*, 2008 WL 565776, *2 (D.N.J.2008); see also *Sporia v. Pennsylvania Greyhound Lines, Inc.*, 143 F.2d 105 (3d Cir.1944) (not limiting Rule 21 severance to cases of misjoinder); *Wyndham Assoc. v. Bintliff*, 398 F.2d 614 (2d Cir.) (same, citing *Sporia*), cert. denied, 393 U.S. 977, 89 S.Ct. 444, 21 L.Ed.2d 438 (1968); *Rohr v. Metropolitan Ins. & Cas. Co.*, 2007 WL 163037 (E.D.La. Jan.17, 2007) (court may also consider whether jury confusion would result from the volume of evidence if the plaintiffs were joined); 4 James Wm. Moore et al., *Moore's Federal Practice* § 21.02(1) (3d ed.2007) (courts may issue severance orders under Rule 21, even in the absence of misjoinder and non-joinder of parties, "to construct a case for the efficient administration of justice").

Specific factors to be considered in determining whether severance is warranted include: "(1) whether the issues sought to be tried separately are significantly different from one another, (2) whether the separable issues require the testimony of different witnesses and different documentary proof, (3) whether the party opposing the severance will be prejudiced if it is granted, and (4) whether the party requesting severance will be prejudiced if it is not granted." *German v. Federal Home Loan Mortgage Corp.*, 896 F.Supp. 1385, 1400 (S.D.N.Y.1995). [Emphasis added]

In this case, jury confusion would certainly result just from the volume of evidence if the plaintiffs were joined. How can a jury possible consider the following facts for each and every plaintiff and keep them distinct:

1. Where each plaintiff lived;
2. Whether they are a homeowner or tenant;
2. The period or periods they were present;

3. What knowledge they did or did not have as to the presence of the materials;
4. The symptoms and effects from the exposure for each separate plaintiff;
5. Whether they have been seen by doctors, and if so which ones;
6. Whether there was any treatment, and if so the costs and prognosis;
7. Whether there are claims for pain and suffering -- and the individual facts; and
8. What damages (personal injury or property damage)

Add this to hundreds of thousands of pages of documents created by 400 plaintiffs and the length of time to put each of 400 plaintiffs on the stand for just two hours each -- and you have a year-long, massive trial that no juror could possibly comprehend -- with the plaintiffs' testimony alone taking 800 hours or almost a half-year at 7 hours of trial per day just for the plaintiffs' testimony.

While the issues regarding the acts of SCRG may be similar, the majority of each of these cases will turn on the factors discussed above. Add to that the fact that where there is overlap with earlier parties (who actually operated the refinery) you have a conflagration of plaintiffs and defendants -- and the requirement of determining comparative fault over 400 cases on a case-by-case basis. This would be impossible -- even if a jury could be found that could sit for the half year required.

Finally, there is no prejudice to any of the individual plaintiffs if severance is granted other than the \$50 filing fee, which Judge Cabret notes this Court should collect -- since such fees are charged to help the Court in the administration of such cases. Other than this one set-back, each plaintiff would benefit by being able to have his or her own "day in court" with all of the rights and protections that attend an individual trial. On the other hand, SCRG would be severely prejudiced if it had to try what would be a "mega-case" lasting for more than a year.

In short, relief under Rule 21 is clearly appropriate in this case for all of the foregoing reasons, as was previously granted by this Court. See Exhibit B.

III. CONCLUSION

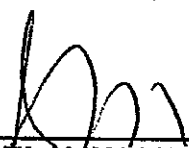
Thus, pursuant to Rule 12 and Rule 21, SCRG respectfully requests that the plaintiff:

- (1) be required to re-file each complaint separately, as was found by Judge Cabret, and
- (2) for each re-filed case the plaintiff be required to provide the following minimum allegations to give SCRG ample notice of their respective claims:

1. The date(s) when the plaintiff was allegedly exposed to something emanating from the site.
2. The location where the plaintiff was residing when this exposure occurred.
3. The substance to which the plaintiff was exposed.
4. The physical effect or injuries the plaintiff has allegedly suffered as a result of the specific exposure alleged and the nature of the alleged personal injury.
5. And, whether the plaintiff is making a claim for damage to real or personal property and if so, the plaintiff's title or other interest in the property and the type of property damage.

The relief being sought is nothing more than what the rules require for basic, simple notice that will allow SCRG to file an answer and affirmative defenses (or some other appropriate Rule 12 motion) as well as possible third party actions as appropriate in each case.

Dated: January 30, 2012



JOEL H. HOLT, ESQ
St. Croix Renaissance Group, L.L.L.P.
Law Office of Joel H. Holt, P.C.
2132 Company Street
Christiansted, V.I. 00820

CERTIFICATE OF SERVICE

I hereby certify that on this 30th day of January 2012, I filed the foregoing with the Clerk of the Superior Court of the Virgin Islands, and hand delivered said filing to the following:

Lee J. Rohn, Esq.
Law Office of Rohn & Carpenter, LLC
1101 King Street
Christiansted, VI 00820
Counsel for Plaintiffs

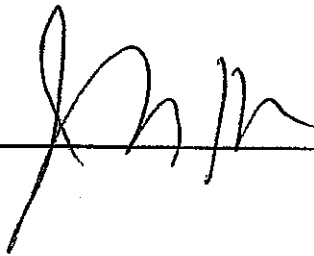


EXHIBIT A



CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohm and Carpenter, LLC

Today's Date: April 2011

1. Full Name: E. Morley Lawrence Commona Age: 4

2. Mail Address: P.O. Box 9423 Kings Hill VI 00850

Physical Address: # Liberty Project

3. Telephone numbers:

(home) 330-1706
(work) 330-1706
(home) 713-3307
(cell) 330-2873
3

4. Date of Birth: _____
Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3/10/11

1. Full Name: Elizabeth S. Abreu Age: _____

2. Mail Address RR#2 BOX 977B Kings Hill ST. CROIX 00850

Physical Address #10 B EST PROFIT

3. Telephone numbers:

(home) 778-3913 (work) _____ (cell) _____

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3-6-11

1. Full Name: Felisha Christina Andre Age: 13

2. Mail Address Box 3568 Kingshill 00851

Physical Address #30 Mt. Pleasant Fsted St. Croix

3. Telephone numbers:

(home) 340 772-4329 (work) _____ (cell) 340 514 6209

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3-1-2011

1. Full Name: Bryson Aldonza Age: 12
2. Mail Address P.O. Box 4084 Kings Hill V.I. 00851
Physical Address 166 F. Whim F. St. St. Crsit 00840
3. Telephone numbers:
(home) 340-719-6116 (work) _____ (cell) 340-271-2512
4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

SUPERIOR COURT OF THE VIRGIN ISLANDS
Office of the Clerk
Law Offices of Rohn and Carpenter, LLC, Box #29
Christiansburg, St. Croix, U.S.V.I. 00821-0929

Today's Date: 3/2/11

1. Full Name: Julita Andrew

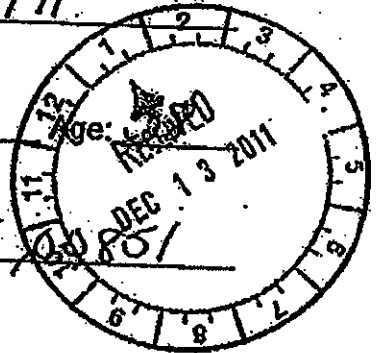
2. Mail Address P.O. Box 3361 Kingshill V.I.

Physical Address 9 A Water Cut

3. Telephone numbers:

(home) 340-713-0413 (work) _____ (cell) 340-277-8414

4. Date of Birth: _____ Social Security #: _____



CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohri and Carpenter, LLC

Today's Date: 4-29-11

1. Full Name: Jerome Anthony Age: 35

2. Mail Address 6476 Sunny Lake St. Cape May NJ 0823
Physical Address Plot 54 New World

3. Telephone numbers:
(home) 340277-8221 (work) '' (cell) ''

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: March 10, 2011

1. Full Name: Priscilla Antoine Age: 81

2. Mail Address P.O. Box 4684 Ringhill, St. Croix U.S.V.I 00851

Physical Address 142 Clifton Hill, Ring Quarter St. Croix U.S.V.I
00851

3. Telephone numbers:

(home) 340-778-4914 (work) - (cell) ~~340-778-4914~~

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 5-3-2011

1. Full Name: Vitalienne A. Chassano Age: _____
2. Mail Address P.O. Box 1756 Kingshill 00851
Physical Address 708 Strawberry Hill, St Croix
3. Telephone numbers:
(home) 719-0623 (work) _____ (cell) 690-5414
4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohri and Carpenter, LLC

Today's Date: 4-1-11

1. Full Name: Dilia Plaskett Age: 54
2. Mail Address 9203 ~~5th~~ Kingshill VI 00851
Physical Address 67 B Concordia
3. Telephone numbers:
(home) _____ (work) _____ (cell) (340) 514-5069
4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3/14/11

1. Full Name: IRIS m. Quinones Age: 51

2. Mail Address R.R. 2. Box 9315 Kingshill St Croix V.I. 00850

Physical Address 471 Castle Burke site 2

3. Telephone numbers:

(home) _____ (work) 642-4390 (cell) 201-4229
(Godfrey)

4. Date of Birth: _____ Social Security #: _____

* Contact Person :

Elisabeth Harper

Jsted St Croix

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohri and Carpenter, LLC

Today's Date: 3/2/11

1. Full Name: Arthur Phillip Age: 29

2. Mail Address P.O. Box 2434 Kingshill St. Croix V.I. 00851

Physical Address # 106 Profit Hills

3. Telephone numbers:

(home) (340) 778-9657 (work) _____ (cell) _____

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohri and Carpenter, LLC

Today's Date: 3-17-2011

1. Full Name: ERSILE MORRIS Age: _____
2. Mail Address PO Box 3751 King Hill St Croix 00861
Physical Address # 91 Estate La-Riene
3. Telephone numbers:
(home) 340-778-8123 (work) _____ (cell) 340-277-9860
4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3-2-11

1. Full Name: Anthony St. Bruce Age: 20

2. Mail Address PO Box 4136 King Hill St. Croix USVI 00851

Physical Address H9 White Bay. Fsted

3. Telephone numbers:

(home) 340-772-0184 (work) _____ (cell) _____

4. Date of Birth: _____ Social Security #: _____



CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 03-15-2011

1. Full Name: Lizengel, Dilier Age: 14
2. Mail Address RR1 Box 9203 Kings Hill U.S.V.I. 00850
Physical Address #191A Old Fredericksburg Village
3. Telephone numbers:
(home) 340-779-3282 (work) _____ (cell) _____
4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 3/22/11

1. Full Name: Kimberly Fabiana Resident Age: 18

2. Mail Address P.O. Box 8201 Sunny Isles

Physical Address 112 Batten

3. Telephone numbers:

(home) (340) 719-5454 (work) _____ (cell) _____

4. Date of Birth: 3/11/93 Social Security #: 111-11-1111

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohn and Carpenter, LLC

Today's Date: 4-1-11

1. Full Name: William A. Plashett Age: 20

2. Mail Address 9203 K'hill

Physical Address Bld 50 Apt B1. Mutual homes

3. Telephone numbers:

(home) _____ (work) _____ (cell) (316) 571-7515

4. Date of Birth: _____ Social Security #: _____

CLIENT DATA SHEET

RED DUST CLIENTS

Law Offices of Rohri and Carpenter, LLC

Today's Date: 3/14/11

1. Full Name: Alie Benjamin Age: 24

2. Mail Address Aureo Diaz B6 Apt 29 00951

Physical Address Aureo Diaz B6 Apt 29

3. Telephone numbers:

(home) 340779-3729 (work) _____ (cell) 382-7592

4. Date of Birth: _____

Social Security #: _____

EXHIBIT B

IN THE TERRITORIAL COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

LOUIS ALEXANDER & MARY Plaintiff)
ALEXANDER, et al.,)

Vs.)

HOVIC, Amerada Hess Corp., et al.,)
Defendant)

CASE NO. Civ. 323/97, 324/97, 19
328/97, 329/97, 400/97, 417/97, 513/97,
563/97, 687/97, 688/97
ACTION FOR: _____

NOTICE
OF
ENTRY OF JUDGMENT/ORDER

TO: Thomas H. Hart, III, Esquire
Jacqueline W. Mills, Esquire
Douglas L. Capdeville, Esquire
Mary Faith Carpenter, Esquire
Britain H. Bryant, Esquire
Richard H. Daley, Esquire

Felice M. Quigley, Esq.
Michael J. Sanford, Esq.
George H. Logan, Esq.
John H. Benham, Esq.
John R. Coon, Esq.
Kevin A. Rames, Esq.

Please take notice that on DECEMBER 12, 1997 Judgment/Order was

entered by this Court in the above-entitled matter.

C. Michael Evert, Jr., Esq.
James L. Hynes, III, Esq.
Bernard C. Pattie, Esq.

Dated: DECEMBER 12, 1997

YVONNE V. WESSELHOFT

Clerk of the Territorial Court

By: *Harold P. Turnbull*
Deputy



THE TERRITORIAL COURT OF THE VIRGIN ISLANDS

DIVISION OF ST. CROIX

Louis Alexander & Mary Alexander, et. al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 323/1997
Kevin Manbodh, et. al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 324/1997
Josephat Henry, et. al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 328/1997
Arthur Paul, et. al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 329/1997
Joseph King, et.al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 400/1997
Logan N. Joseph, et.al. Plaintiffs v. HOVIC, Amerada Hess Corp. et.al. Defendants	Civil No. 417/1997

Hector Martinez, et. al.)
Plaintiffs)
v.)
HOVIC, Amerada Hess Corp. et.al.)
Defendants)
Civil No. 513/1997

Francis Laurencin, et. al.)
Plaintiffs)
v.)
HOVIC, Amerada Hess Corp. et.al.)
Defendants)
Civil No. 514/1997

Ralph Soodeen, et.al.)
Plaintiffs)
v.)
HOVIC, Amerada Hess Corp. et.al.)
Defendants)
Civil No. 563/1997.

Rahamut Ali & Ameena Ali, et. al)
Plaintiffs)
v.)
HOVIC, Amerada Hess Corp. et.al.)
Defendants)
Civil No. 687/1997

Roy Clement, et.al.)
Plaintiffs)
v.)
HOVIC, Amerada Hess Corp. et. al)
Defendants)
Civil No. 688/1997

ORDER

The Court acting *sua sponte* has reviewed the 13 cases filed by 235 plaintiffs against a total of 30 defendants which allege exposure to asbestos and related

complications. In the eleven cases captioned above, each complaint consists of 15 to 30 plaintiffs. The court finds that joinder improper and will therefore sever the plaintiffs.


The Federal Rules of Civil Procedure provide generally that persons who assert any right to relief, whether jointly, severally or in the alternative, may join in one action as plaintiffs if their cause of action arises out of the same transaction, occurrences, or series of transactions or occurrences, if any question of fact or law common to all these persons will arise in the action. *Fed.R.Civ.P. 20*. Adversely, Rule 21 permits a court to drop or add parties on its own initiative, or sever a claim against a party and proceed with each separately on such terms as are just. *Fed.R.Civ.P. 21*.

In each case, plaintiffs allege employment at the Hess Oil Refinery on St. Croix between the years of 1971 and 1990, and that each plaintiff encountered the alleged exposure during his or her employment. The court finds these allegations an insufficient basis to justify a Rule 20 joinder. While all plaintiffs may have worked with the same employer, there are no allegations that each individual's exposure occurred out of the same transaction, occurrence or series of transactions or occurrences. Indeed, it appears to the Court that plaintiffs' arbitrary joinder is an attempt to avoid paying the required filing fees. The premises considered, it is hereby

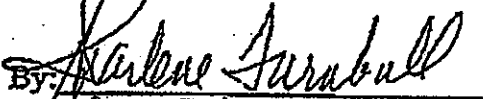
ORDERED that in the above-captioned complaints, except for the first mentioned plaintiffs and spouses, all other plaintiffs shall re-file individual complaints within thirty (30) days of the date of entry of this order; and it is finally

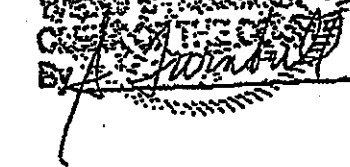
ORDERED that failure of the plaintiffs to proceed as ordered herein shall result in the DISMISSAL of their causes of action.

DATED: December 11, 1997.


MARIA M. CABRET
Judge

ATTEST:
YVONNE V. WESSELHOFT
Clerk of the Court

By: 
Deputy Clerk
12/12/97

RECEIVED TO BE A TRUE COPY
THE 12th day of Dec 1997
By:  Deputy