

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
Tallahassee Division**

CHRISTOPHER VILLANUEVA,)	
)	
Plaintiff,)	
)	
vs.)	Case No.
)	
MICHAEL D. CREWS, in his)	
official capacity as Secretary of the)	
Florida Department Corrections;)	
CORIZON, LLC, an out of state)	
corporation registered and doing business)	
in Florida;and WILLIAM NIELDS, in his)	
individual capacity,)	
)	
Defendants.)	
)	

**VERIFIED COMPLAINT
DAMAGES AND INJUNCTIVE RELIEF SOUGHT
WITH JURY DEMAND**

Preliminary Statement

1. This is an action for declaratory and injunctive relief, and damages, alleging that the Defendants, in violation of the Americans with Disabilities Act (ADA), Section 504 of the Rehabilitation Act of 1973 (§ 504), and the Cruel and Unusual Punishments Clause of the Eighth Amendment, deliberately deprived Plaintiff Villanueva of a prosthesis used to overcome the amputation of his left leg below the knee for nearly two years causing him serious and permanent physical and mental injury, and are currently denying him physical therapy so he can use his new prosthesis.

Jurisdiction and Venue

2. Jurisdiction of this Court is invoked pursuant to 28 U.S.C. § 1331 in that this is a civil action arising under the Constitution of the United States.

3. Jurisdiction of the Court is invoked pursuant to 28 U.S.C. § 1343(a)(3) in that this action seeks to redress the deprivation, under color of state law, of rights secured to the Plaintiff by the Constitution and laws of the United States.

4. Plaintiff's claims for relief are predicated, in part, on Title II of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*, and 42 U.S.C. § 12205, which authorizes the award of attorneys' fees and costs to a prevailing Plaintiff in actions brought pursuant to Title II of the Americans with Disabilities Act, 42 U.S.C. § 12101 *et seq.*

5. Plaintiff's claims for relief are predicated, in part, on Section 504 of the Rehabilitation Act, and Section 505 of the Rehabilitation Act, 29 U.S.C. § 794a, which authorizes the award of attorneys' fees and costs to a prevailing Plaintiff in actions brought pursuant to Section 504 of the Rehabilitation Act.

6. Plaintiff's claims for relief are predicated, in part, upon 42 U.S.C. § 1983 which authorizes actions to redress the deprivation, under color of state law, of rights, privileges, and immunities secured by the Constitution and laws of the United States, and upon 42 U.S.C. § 1988 which authorizes the award of attorney's fees and costs to prevailing plaintiffs in actions brought pursuant to 42 U.S.C. § 1983.

7. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) and § 1391(c), as Defendants Crews, Corizon, LLC, and Niels do business in this judicial district and many of the events or omissions giving rise to the claims occurred in this judicial district.

8. Plaintiff seeks a preliminary and permanent injunction pursuant to Rule 65, Federal Rules of Civil Procedure.

Parties

9. Plaintiff, Christopher Villaneueva, is a citizen of the United States and a resident of St. Johns County, Florida. He is, and at all times material to this action he was, a prisoner incarcerated at Mayo Correctional Institution. Mr. Villaneueva was initially received and classified at the Reception and Medical Center (RMC) in Lake Butler, Florida.

10. Defendant, Michael D. Crews, is, and at all times material to this action was, the Secretary of the Florida Department of Corrections in Tallahassee (often referred to as "FDOC"). As such, he is responsible for the overall operation of the FDOC, including the operation of Mayo Correctional Institution, a facility located in Mayo, Lafayette County, Florida, and Utilization Management at the FDOC. Defendant Crews has a non-delegable duty to provide medical care to all inmates in his custody despite his contracting away such services to Defendant Corizon. He is sued in his official capacity for injunctive relief and damages.

11. Defendant Corizon, LLC, is an out-of-state corporation, registered and doing business in Florida (hereinafter referred to as "Corizon"). Defendant Corizon has since at least October 1, 2012, contracted with the Florida Department of Corrections to provide medical and mental health care services to all inmates confined in the Florida Department of Corrections in Region Two, which includes Mayo Correctional Institution. Defendant Corizon is sued for injunctive relief and damages.

12. Defendant William Niels at all times material to this action was the Physician Advisor Committee Chairman for Utilization Management at the Defendant Florida Department of Corrections. He is sued in his individual capacity for compensatory and punitive damages.

13. The actions of the Defendants, as herein alleged, were performed under color of state law and constitute state action.

Factual Allegations

14. As the result of an ATV accident in 1991, Plaintiff Villaneueva injured his left leg, and due to a resulting infection, it had to be amputated below the left knee in 1993.

15. After Mr. Villaneueva's leg was amputated, Plaintiff purchased in 1993 a titanium and carbon fiber prosthesis costing at that time between \$8,000-\$10,000. Mr. Villanueva's prosthesis permitted him to use his left leg in a manner similar to the way a natural leg is used and contributed to his being able to maintain his physical and mental health.

16. Plaintiff first came into the custody of the Florida Department of Corrections on May 23, 2000 and was released on August 18, 2005. During the entire five years he was first incarcerated in the FDOC, Mr. Villanueva was allowed to keep his titanium and carbon fiber prosthesis without any incidents whatsoever.

17. As a result of having his prosthesis the first time he was incarcerated, Mr. Villanueva was able to walk, run, exercise, work, easily get around the prison, and otherwise participate in all FDOC programs and services just as if he was a non-disabled inmate. Furthermore, by having a prosthesis the first time he was incarcerated, Mr. Villanueva did not lose muscle tone and muscle mass in his left side and leg, did not experience the same type of pain in his left leg as he is currently experiencing, and did not suffer great embarrassment and mental stress.

18. After he was released in 2005, Mr. Villanueva failed to register as a convicted felon and was returned to the custody of the FDOC on March 22, 2012. During the initial classification process at the Reception and Medical Center (RMC) in Lake Butler, the security officer doing Mr. Villanueva's intake took his prosthesis from him stating it was "a security risk" despite DOC Procedure 604.101 allowing for the use of health care appliances such as a leg prosthesis. On information and belief, the security officer who took the Plaintiff's prosthesis did so without consulting the Chief Health Care Officer as required. Plaintiff was instead given a pair of wooden crutches. The use of wooden crutches quickly proved to be inadequate as a substitute or reasonable accommodation for his prosthesis.

19. Soon after Mr. Villanueva left RMC and arrived at his first and only institution -- Mayo Correctional Institution -- in April 2012, Plaintiff requested his prosthesis be returned, or a new prosthesis be manufactured. Plaintiff also complained that his left leg was in pain, he was losing weight, muscle tone, strength and mass in his leg, and his lower body was atrophying. It is not unusual for inmates to be allowed to possess a titanium and carbon fiber prosthesis just as Mr. Villanueva had the first time he was incarcerated as long as it is not used as a weapon, to hide contraband, or to hit someone.

20. All attempts by Dr. Solorzano, the Chief Health Officer at Mayo Correctional Institution, to obtain Plaintiff a consult at the prosthesis clinic in Lake Butler were denied by Defendant Niels at Utilization Management at the FDOC. In response to his request for a prosthesis clinic for Mr. Villanueva, Defendant Niels on September 12, 2012 denied the request stating: "Recommend continuing his plan of care from prior to incarceration. Consider crutches." Seeking Utilization Management approval is the last step in having a medical procedure ap-

proved. Utilization Management acts as the Defendants' "gatekeeper." Without prior approval by Utilization Management, a medical procedure requiring any significant expenditure of money is simply not performed. As a result of the Defendants not approving either the return of the prosthesis taken from Mr. Villanueva when he entered or the manufacture of a new one, Mr. Villanueva was without a prosthesis for nearly two years, and after one was provided three weeks ago, Mr. Villanueva was denied any physical therapy, and as a result he quickly developed blisters as a result and has been unable to use his new prosthesis as his left leg below the knee is now frozen from two years of non-use.

21. Plaintiff has fully used the inmate grievance process at the institutional levels and on appeal to both Defendants. Plaintiff also submitted an ADA Grievance to Martie Taylor, the FDOC's ADA Coordinator in Tallahassee. Ms. Taylor never even bothered to respond to Mr. Villanueva's ADA Grievance.

22. At no time during his prior incarceration from 2000-2005 did Mr. Villanueva ever use his prosthesis as a weapon, as a place to conceal contraband, or in any other fashion that would dictate its removal for reasons of security. Defendant Crews had no basis whatsoever to take Mr. Villanueva's prosthesis, nor to deny that a new prosthesis be manufactured for nearly two years. On information and belief, Defendant Crews made no effort to have the Chief Health Care Officer at RMC determine whether providing crutches was an equivalent or superior to having a prosthesis when Mr. Villanueva entered the FDOC in 2012. Defendants Crews and Corizon did not approve the purchase and manufacture of Mr. Villanueva's prosthesis (or the return of his titanium and carbon fiber prosthesis) until approximately four weeks ago.

23. As a result of not having a prosthesis and having to instead use wooden crutches for the past two years, Plaintiff has lost muscle tone and muscle mass in his left leg, the entire left side of his body has atrophied, and his leg below the knee has lost full range of motion. As a result of being denied the return of his prosthesis or the manufacture of a new one for the past two years, Mr. Villanueva was excluded from participation in or denied the benefits of being able to work in more meaningful jobs, to exercise, to run, to walk just as able bodied inmates are allowed to do by the FDOC, and the failure to accommodate his disability has resulted in his inability to participate in these and other FDOC programs, services and benefits offered at Mayo CI. The lack of a prosthesis has also caused the Plaintiff great mental distress and embarrassment.

24. Plaintiff requires the use of a prosthesis in order to adequately engage in the daily activities of living such as walking, running, working, and exercising. Not having a prosthesis made these and other similar daily activities exceedingly difficult, if not impossible for the past two years. As a result of not having a prosthesis and having to use crutches, Mr. Villanueva is confined most of the day in his bunk and unable to enjoy the out of doors. Despite now having been given a new prosthesis after two years without same, Mr. Villanueva is still not able to use his new prosthesis because the Defendants failed to provide him with any physical therapy on using the new prosthesis, he immediately developed blisters, has lost range of motion in his left leg below the knee, and as a result is unable to use the new prosthesis for an extended period of time and has muscle spasms and cramps after attempting to use the new prosthesis for 20 minutes or less.

25. The willful and deliberate acts of Defendant Crews in removing Plaintiff's prosthesis and not replacing it with another, has caused Plaintiff great physical and mental discomfort

in his daily activities of living and has prevented Plaintiff from walking, running, working, and exercising, thereby causing him to suffer a loss of strength on his left side.

26. The willful and deliberate acts of Defendants in not approving the manufacture of Plaintiff's prosthesis for a year and eleven months has caused Plaintiff great physical and mental discomfort in his daily activities of living and has prevented Plaintiff from walking, running, working, and exercising, thereby causing him to suffer a loss of strength on his left side.

27. On September 11, 2013, Plaintiff was finally sent to the brace clinic to be fitted for a new prosthesis. However, after the fitting occurred, Plaintiff did not receive his prosthesis for over 5 months because Defendant Crews' and Defendant Corizon's employees failed and intentionally refused to instruct the brace clinic to make the prosthesis and deliver it to Mr. Villanueva. During this time, Plaintiff repeatedly told Defendant Crews' and Defendant Corizon's employees that he needed his prosthesis, that he had not received it despite his fitting at the brace clinic, and that he was suffering from pain, loss of muscle mass and strength, and the increasing loss of the use of his leg.

28. Approximately four weeks ago, Plaintiff was finally provided a prosthesis after being without same for one year and eleven months. Unfortunately, Defendant Crews and Defendant Corizon failed to provide the Plaintiff with any physical therapy or anyone trained in prosthetic fitting and adjustment after initially providing the prosthesis. As a result, the Plaintiff immediately developed a blister and has been unable to wear the prosthesis beyond 15 or 20 minutes. He also has lost muscle mass, muscle tone, and range of motion below the knee due to being without a prosthesis for two years. Plaintiff is in need of physical therapy by someone

trained in prosthesis fitting and usage, as well as the proper adjustment of his prosthesis so he can successfully wear it.

Count I

Defendant Crews' Violations of Title II of the ADA

28. Plaintiff repeats and realleges paragraphs one (1) through twenty-seven (27) as if fully set forth herein.

29. This Count One is a claim by Mr. Villanueva for disability discrimination against Defendant Crews for violations of Title II of the Americans with Disabilities Discrimination Act, 42 U.S.C. § 12101 et seq., (hereinafter the "ADA"), which provides in pertinent part at 42 U.S.C. § 12132:

No qualified individual with a disability shall, by reason of such disability, be excluded from participation in or be denied the benefits of the services, programs, or activities of a public entity, or be subjected to discrimination by such entity.

Title II of the Act prohibits, among other things:

- limiting a qualified individual's enjoyment of any right, privilege, advantage, or opportunity enjoyed by others receiving an aid, benefit, or service of an agency; and
- subjecting a qualified individual to discrimination under any program or activity conducted by an agency.

28 C.F.R § 35.130.

30. Mr. Villanueva is disabled as defined at 42 U.S.C. § 12102(1) and is a "qualified individual" as defined at 42 U.S.C. § 12131(2), as being an amputee, he has a permanent physical disability.

"Qualified Individual" means an individual with a disability who meets the essential eligibility requirements for the receipt of services or the participation in programs or activities provided by the entity (with or without regard to any auxiliary aids or modifications).

42 U.S.C. § 12131(2).

31. Defendant Crews, sued in his official capacity, is to be considered as if he is the FDOC. The FDOC is a public governmental entity that has violated Title II of the ADA.

32. Defendant Crews' prisons and their operations comprise a program and service for purposes of Title II of the ADA.

33. Defendant Crews acknowledged that his agents and employees were authorized to act for the FDOC when they committed the ADA violations alleged herein. Defendant Crews' agents and employees accepted the undertaking of acting on behalf of Defendant Crews and the FDOC when they committed the ADA violation alleged herein. Defendant Crews had control over his FDOC agents and employees when they committed the ADA violations alleged herein.

34. The ADA violations alleged herein and committed by Defendant Crews, his agents, and employees, were done while acting within the course and scope of their employ and/or agency with the FDOC. Thus, Defendant Crews is liable and/or vicariously liable for the ADA violations alleged herein.

35. Mr. Villanueva grieved to Defendant Crews, the Warden at Mayo CI, the ADA Coordinator, Utilization Management, his medical contractor Defendant Corizon, and other FDOC policymakers of his need for a reasonable accommodation.

36. Defendant Crews, the Warden at Mayo, the ADA Coordinator, Utilization Management, his medical contractor Defendant Corizon, Defendant Niels, and other FDOC

policymakers acted intentionally and/or with deliberate indifference to Mr. Villanueva's need for a reasonable accommodation by, among other things:

A. Intentionally taking away Mr. Villanueva's titanium and carbon fiber prosthesis and deliberately refusing to return his prosthesis when such equipment was necessary to reasonably accommodate his disability;

B. Intentionally failing and deliberately refusing to ensure that the FDOC medical department, ADA Coordinator, his medical contractor Defendant Corizon, Defendant Nields, and Utilization Management approved either returning Mr. Villanueva's prosthesis, or making him a new prosthesis for nearly two years;

C. Intentionally failing and deliberately refusing to investigate whether giving an amputee wooden crutches or a wheel chair was a reasonable accommodation; and

D. Intentionally failing and deliberately refusing to reasonably accommodate Mr. Villanueva's serious disability by providing him with physical therapy so he could use the new prosthesis.

WHEREFORE, on this Count One, Mr. Villanueva demands the following relief:

A. a judgment declaring that Defendant Crews has discriminated against Mr. Villanueva in violation of Title II of the Americans with Disabilities Act;

B. a preliminary and permanent injunction enjoining Defendant Crews, his successors in office, his agents and employees, and all other persons in concert therewith, from ever taking away Mr. Villanueva's prosthesis again as long as it is properly used for

the purpose intended, and not used to hide contraband or to hit or injure another inmate or staff;

C. a preliminary and permanent injunction enjoining Defendant Crews from transferring Mr. Villanueva to an institution where he is not allowed to have his prosthesis;

D. a preliminary and permanent injunction ordering Defendant Crews to ensure the Plaintiff is provided the level of physical therapy necessary so he can successfully use his new prosthesis, and until he is able to use it, to provide him in the interim with aluminum crutches;

E. award to Mr. Villanueva his attorneys' fees, expenses and costs of suit, pursuant to 42 U.S.C. § 12205;

F. award to Mr. Villanueva compensatory damages for unjust discrimination;

G. award to Mr. Villanueva compensatory damages for the loss of muscle tone and muscle mass, embarrassment and mental anguish; and

H. such other relief as the Court may deem equitable and just under the circumstances.

Count II

Defendants Crews and Corizon's Violations of § 504 of the Rehabilitation Act

37. Plaintiff repeats and realleges paragraphs one (1) through twenty-seven (27) as if fully set forth herein.

38. Plaintiff Villanueva is an amputee, who is physically handicapped, and therefore a "qualified individual."

39. This Count Two is for disability discrimination against Defendants Crews and Corizon for violations of Section 504 of the Rehabilitation Act (hereinafter the "Rehabilitation Act").

40. Defendants Crews and Corizon were and are recipients of federal funds now and at all times relevant, and are therefore subject to suit under the Rehabilitation Act.

41. Defendant Corizon is principally engaged in the business of providing health care, and is therefore subject to suit under the Rehabilitation Act.

42. Defendant Crews, sued in his official capacity, is to be considered as if he is the FDOC. Defendant Crews' prisons are facilities, and their operations comprise a program and services for purposes of the Rehabilitation Act.

43. Defendants Crews and Corizon acknowledged that their agents and employees were authorized to act for them when they committed the Rehabilitation Act violations alleged herein. Defendants Crews' and Corizon's agents, contractors, and employees accepted the undertaking of acting on behalf of Defendants Crews and Corizon when they committed the Rehabilitation Act violations alleged herein. Defendants Crews and Corizon had control over

their agents, their contractors, and employees when they committed the Rehabilitation Act violations alleged herein.

44. The Rehabilitation Act violations alleged herein and committed by Defendants Crews and Corizon, their agents, their contractors, and employees were done while acting within the course and scope of their employ and/or agency with FDOC and Corizon. Thus, Defendants Crews and Corizon are liable and/or vicariously liable for the Rehabilitation Act violations alleged herein.

45. Plaintiff Villanueva alerted Defendants Crews and Corizon, their agents, their contractors, and other FDOC and Corizon policymakers of his need for a reasonable accommodation.

46. Defendants Crews and Corizon, their agents, their contractors, and other FDOC and Corizon policymakers knew and/or should have known of Mr. Villanueva's need for a reasonable accommodation.

47. Defendants Crews and Corizon, their agents, their contractors, and other FDOC and Corizon policymakers acted intentionally and/or with deliberate indifference to Mr. Villanueva's need for a reasonable accommodation by, among other things:

A. Intentionally taking away Mr. Villanueva's titanium and carbon fiber prosthesis and deliberately refusing to return his prosthesis for nearly two years when such equipment was necessary to reasonably accommodate his disability;

B. failing and intentionally refusing to ensure that the FDOC's and Corizon's medical departments, ADA Coordinator, and Utilization Management approved either returning Mr. Villanueva's prosthesis, or making him a new prosthesis for nearly two

years, and once a prosthesis was finally made, providing physical therapy so he could use the prosthesis;

C. failing and intentionally refusing to investigate whether giving an amputee wooden crutches or a wheel chair was a reasonable accommodation; and

D. failing and intentionally refusing to reasonably accommodate Mr. Villanueva's serious disability by providing him a prosthesis for nearly two years.

WHEREFORE, on this Count Two, Mr. Villanueva demands the following relief:

A. a judgment declaring that Defendants Crews and Corizon have discriminated against Mr. Villanueva in violation of § 504 of the Rehabilitation Act;

B. a preliminary and permanent injunction enjoining Defendants Crews and Corizon, their successors in office, their agents and employees, and all other persons in concert therewith, from failing to provide Mr. Villanueva a reasonable accommodation by either returning his prosthesis or providing him with a new prosthesis of comparable quality for nearly two years; a preliminary and permanent injunction enjoining Defendants Crews and Corizon from taking away Mr. Villanueva's prosthesis as long as it is properly used for the purpose intended, and not used to hide contraband or to hit or injure another inmate or staff;

C. a preliminary and permanent injunction enjoining Defendants Crews and Corizon from transferring Mr. Villanueva to an institution where he is not allowed to have his prosthesis;

E. a preliminary and permanent injunction ordering Defendant Crews to ensure the Plaintiff is provided the level of physical therapy necessary so he can

successfully use his new prosthesis, and until he can, to provide him in the interim with aluminum crutches as a reasonable accommodation;

F. award to Mr. Villanueva his attorneys' fees, expenses and costs of suit, pursuant to 42 U.S.C. § 12205;

G. award to Mr. Villanueva compensatory damages for unjust discrimination;

H. award to Mr. Villanueva compensatory damages for the loss of muscle tone and muscle mass, embarrassment and mental anguish; and

I. such other relief as the Court may deem equitable and just under the circumstances.

Count III

All Defendants' Violations of the Eighth Amendment

47. Plaintiff Villanueva repeats and realleges Paragraphs one (1) through twenty-seven (27) as if fully set forth herein.

48. Although persons are sent to the Florida Department of Corrections for punishment for committing a crime, Defendants Crews, Corizon, and Nields in refusing to permit Mr. Villanueva to possess and use his prosthesis for nearly two years despite the absence of a "clear indication of a security problem" have imposed punishment far in excess of that authorized by law, contrary to the Cruel and Unusual Punishments Clause of the Eighth and Fourteenth Amendments.

49. Chapter 33-210.201, ADA Provisions for Inmates, Florida Administrative Code, which governs the prescription and approval of a health care appliance requires that prior to its removal, security is required to confer with Chief Health Care Official and determine whether

the removal of Plaintiff's prosthesis and substituting crutches was a reasonable and suitable alternative equivalent to or superior to the appliance (prosthesis) being taken. On information and belief, Defendants Crews, Corizon and Nields failed to determine that the taking of the Plaintiff's prosthesis and substituting crutches was a reasonable and suitable alternative which was equivalent to or superior to the health care appliance taken.

50. Refusing to permit and authorize an amputee such as Mr. Villanueva to possess and use a prosthesis for nearly two years violates all standards of decency, contrary to the Cruel and Unusual Punishments Clause of the Eighth Amendment, applicable to the states through the Fourteenth Amendment.

51. Defendants' refusal to permit Plaintiff Villanueva to possess and use his prosthesis for nearly two years or to provide him with a replacement prosthesis constitutes deliberate indifference to Plaintiff's serious medical needs, in violation of the Eighth and Fourteenth Amendments.

52. Defendants' intentional failure to provide Plaintiff Villanueva with a physical therapist trained and experienced in properly fitting and adjusting Mr. Villanueva's new prosthesis so he can regain use of his left leg below the knee and use the new prosthesis is medical care so cursory as to amount to no medical care at all.

53. Plaintiff has no adequate remedy at law.

WHEREFORE, on this Count Three, Plaintiff Villanueva demands the following relief:

A. Enter judgment declaring that the Defendants Crews, Corizon, and Nields have violated the Plaintiff's right to be free from Cruel and Unusual Punishment, as se-

cured by the Eighth and Fourteenth Amendments to the Constitution of the United States of America;

B. Enter preliminary and permanent injunctions enjoining Defendants Crews, Corizon, and Niels; their successors in office, agents, and employees, and all other persons in concert therewith, from taking or continuing any action which has the purpose or effect of imposing Cruel and Unusual Punishment on Plaintiff by virtue of his amputee status and require Defendants to immediately provide Plaintiff with physical therapy for the use of his prosthesis until he is able to adequately use his prosthesis, and to provide him with aluminum crutches in the interim;

C. Award Plaintiff compensatory and punitive damages against Defendants Corizon and Niels;

D. Award attorneys' fees, expenses and costs of suit; and

E. Award such other relief as the Court may deem equitable and just under the circumstances.

Jury Demand

Plaintiff demands trial by jury on all such counts which are triable by a jury.

Respectfully submitted,

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Attorneys for the Plaintiffs

DECLARATION OF CHRISTOPHER VILLANUEVA

I, Christopher Villanueva, pursuant to 28 U.S.C. Section 1746, make this Unsworn Declaration Under Penalty of Perjury, and declare that the statements made below are true, and state:

My name is Christopher Villanueva. I have reviewed the Verified Complaint set forth above and I find the facts contained therein to be true and accurate to the best of my knowledge and belief.

I understand that a false statement in this declaration will subject me to penalties for perjury.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: March 14, 2014

s/Christopher Villanueva
Christopher Villanueva

Certificate of Service

I HEREBY CERTIFY that on March 17, 2014, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or *pro se* parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

By: s/ Randall C. Berg, Jr.
Randall C. Berg, Jr., Esq.

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