

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

GEGE ODION, individually, and d/b/a )  
SIRIS PROPERTY MANAGEMENT, LLC )  
and OPTIWORLD VISION CENTER )  
)

Plaintiffs,

) CIVIL ACTION FILE

) NO.

v. )  
)

Google Inc., James P. Blum, Jr.; Cynthia D. )  
Wright; Nancy H. Baughn; Sharon Silvermintz;) )  
Gil Chaim Varon; Shabtay (Sabi) Varon; Amy )  
Abrames; Cathy H. Lyon; Tej K. Kaul; Clay M.) )  
Wiebel; Darryl Moss; T. Matthew Mashburn; )  
Anna Rasmussen; Sheri Pan; Consulting )  
Enterprises, Corporation (Delware); Weibel & )  
Associates, Inc.; Stites & Harbison, PLLC )  
Beloin, Brown, Baer & Blum LLC nka Beloin, )  
Brown & Wise, LLC; Law office of Gil Chaim )  
Varon, LLC; Weissman, Nowack, Curry & )  
Wilco, P.C.; Branch Banking and Trust )  
Company, BB&T Investment Services, Inc.; )  
BB&T Investment Properties, LLC; )  
Candler Point, LLC, Candler Medical Center, )

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NOV 25 2013  
JAMES M. MATTIEN, Clerk  
By: *Alexis*  
Deputy Clerk

SCJ

1:13-CV-3906

LLC; Highland Financial Group, LLC; )  
Highshore Medical Center, LLC, Atlas GA II )  
SPE, LLC, and Rainbow Commons Corp. )  
Defendants. )

**COMPLAINT FOR DAMAGES, EQUITABLE RELIEF**

**and REQUEST FOR JURY TRIAL**

COMES NOW Plaintiffs GEGE ODION, individually, and d/b/a Siris Property Management LLC and Optiworld Vision Center (“Odion”), hereby files this complaint against Defendants Google Inc. (“Google”), James P. Blum, Jr. (“Blum”), Cynthia D. Wright (“Wright”), in her individual capacity, Nancy H. Baughn (“Baughn”), Sharon Silvermintz (“Silvermintz”), Gil Chaim Varon (“Gil Varon”), Shabtay (Sabi) Varon (“Sabi Varon”), Amy Abrames (“Abrames”), Cathy Lyon (“Lyon”), Tej K. Kaul (“Kaul”), Clay M. Weibel (“Weibel”), Darryl R. Moss (“Moss”), T. Matthew Mashburn (“Mashburn”), Anna Rasmussen (“Rasmussen”), Sheri Pan (“Pan”), Consulting Enterprises Corporation (Delaware) (“Consulting”), Weibel & Associates, Inc. (“Appraiser”), Stites & Harbison, PLLC (“Stites”), Beloin, Brown, Baer & Blum, LLC nka Beloin, Brown, Blum & Wise, LLC (“Blum Law office”), Law office of Gil Chaim Varon (“Varon Law Office”), Weissman, Nowack, Curry & Wilco, P.C. (“Weissman”), Branch Banking and Trust Company, (“BB&TC”), BB&T Investments Services, Inc. (“BB&TI”), BB&T Investment Properties, LLC, f/k/a BB&T Investments, LLC (“BB&TP”), Candler Point, LLC (“Candler Point”), Candler Medical Center, LLC (“Candler Medical”), Highland Financial Group, LLC (“Highland Financial”), Highshore Medical Center, LLC (“Highshore Medical”), Atlas GA II SPE, LLC (“Atlas”), and Rainbow Commons Corp. (“Rainbow”), shows as follows:

**JURISDICTION, VENUE and PARTIES**

1.

Plaintiff alleges that Federal Subject matter Jurisdiction is established on Diversity of Citizenship and Federal Questions, and the amount involved is above \$75, 000.00.

2.

Plaintiff alleges that in 2012, notice of ante litem was served on some defendants pursuant to O.C.G.A. 50-21-26

3.

Plaintiff alleges that the State law claims fall within the supplemental jurisdiction of this Court pursuant to 28 U.S.C. § 1367.

4.

Venue is proper in this Court pursuant to 28 U.S.C. Section 1391(b).

5.

The Parties are:

Gege Odion is a citizen of United States and a resident of Georgia.

6.

Siris Property Management is an authorized domestic business entity under which Gege Odion operates certain business activities.

7.

Optiworld Vision Center is an authorized domestic business entity under which Gege Odion operates certain business activities.

8.

Blum is an individual believed to reside in Fulton County, Georgia with business office at 2550 Heritage Court, Suite 200, Atlanta, GA 30339.

9.

Blum is subject to the jurisdiction of this Court.

10.

Wright is an individual believed to reside in Fulton County, Georgia with business office at 136 Pryor Street, Suite C-927, Atlanta, GA 30303.

11.

Wright is subject to the jurisdiction of this Court.

12.

Baughn is an individual believed to reside in Fulton County, Georgia with business office at 285 Peachtree Center Ave., N.E., 1500 Marquis Two, Atlanta, GA 30303.

13.

Baughn is subject to the jurisdiction of this Court.

14.

Silvermintz is an individual believed to reside in Fulton County, Georgia with business office at 13000 Deerfield Parkway, Suite 350, Alpharetta, GA 30004.

15.

Silvermintz is subject to the jurisdiction of this Court.

16.

Gil Varon is a resident of Fulton County, Georgia.

17.

Gil Varon is subject to the jurisdiction of this Court.

18.

Sabi Varon is a resident of Fulton County, Georgia.

19.

Sabi Varon is subject to the jurisdiction of this Court.

20.

Abrames is believed to be a resident of Dekalb County, GA.

21.

Abrames is subject to the jurisdiction of this Court.

22.

Lyons is believed to be a resident of Fulton County, Georgia.

23.

Lyons is subject to the jurisdiction of this Court.

24.

Moss is a resident of Georgia. He is subject to the jurisdiction of this Court.

25.

Kaul is a resident of Georgia. He is subject to the jurisdiction of this Court.

26.

Weibel is a resident of Georgia. He is subject to the jurisdiction of this Court.

27.

Mashburn is a resident of Georgia. He is subject to the jurisdiction of this Court.

28.

Moss is a resident of Georgia. He is subject to the jurisdiction of this Court.

29.

Rasmussen is believed to reside in California. Rasmussen is an agent of Google and custodian of its record.

30.

Rasmussen is subject to the jurisdiction of this Court. She can be served with process by delivery of same to Google registered agent Corporation Service Company at 40 Technology Parkway, Southsuite 300, Norcross GA 30092.

31.

Pan is believed to reside in California. Rasmussen is an agent of Google and custodian of its record.

32.

Pan is subject to the jurisdiction of this Court. She can be served with process by delivery of same to Google registered agent Corporation Service Company at 40 Technology Parkway, South Suite 300, Norcross GA 30092.

33.

Blum Law Office is a limited liability company with its principal office at 2550 Heritage Court, Suite 200, Atlanta GA 30339.

34.

Blum Law Office is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Frederic S. Beloin, 2550 Heritage Court, Suite 200, Atlanta GA 30339.

35.

Varon Law Office is a limited liability company with its principal office at 3500 Lenox Rd., Suite 1500, Atlanta GA 30326.

36.

Varon Law office is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its principal and sole member Gil Chaim Varon at 3500 Lenox Rd., Suite 1500, Atlanta GA 30326.

37.

Weissman is a law office with it's principal office at 3500 Lenox Road, Atlanta GA 30326.

38.

Weissman is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Ned Blumenthal, One Alliance Center, 4<sup>th</sup> Floor, 3500 Lenox Rd., Atlanta GA 30326.

39.

BB&TC is a North Carolina bank which does business in Georgia with it's principal office at 271 17<sup>th</sup> Street, N.W. Suite 700, Atlanta GA 30363.

40.

BB&TI and BB&TP are North Carolina companies which does business in Georgia with it's principal office at 271 17<sup>th</sup> Street, N.W. Suite 700, Atlanta GA 30363.

41.

BB&TC is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent CT Corporation Systems at 1201 Peachtree Street, N.E., Atlanta GA 30361.

BB&TP is subject to the jurisdiction of this Court and can be served through its Registered Agent Ronald G. Beebe at 950 S. Enota Dr., N.E., Gainesville, GA 30501.

42.

BB&TI is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent CT Corporation Systems at 1201 Peachtree Street, N.E., Atlanta GA 30361.

43.

Atlas is a North Carolina company which does business in Georgia.

44.

Atlas is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent CT Corporation Systems at 1201 Peachtree Street, N.E., Atlanta GA 30361.

45.

Rainbow is a business corporation in Georgia with principal office at 4620 Wieuca Road, #24, Atlanta GA 30342.

46.



Rainbow is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Andy Radford 4620 Wieuca Road, #24, Atlanta GA 30342.

47.

Consulting is a Delaware corporation doing business in Georgia with principal office at 1048 Industrial Ct., Ste. F, Suwanee GA 30024-8355

48.

Consulting is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Tej K. Kaul, 2776 Eudora Trail, Duluth GA 30097.

49.

Stites is a Kentucky company doing business in Georgia with principal office at 303 Peachtree St., N.E., 2800 SunTrust Plaza, Atlanta GA 30308.

50.

Stites is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent S & H Atlanta, LLC, 303 Peachtree St., N.E., 2800 SunTrust Plaza, Atlanta GA 30308.

51.

Appraiser is a business incorporation with principal office at 3778 LaVista Rd., Suite 200, Tucker GA 30084.

52.

Appraiser is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Clay M. Weibel, 3778 LaVista Rd., Suite 200 Tucker GA 30084.

53.

Candler Medical is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its principal officer Sabi Varon at 1155 Hammond Dr., Bldg D Suite 4060, Atlanta GA 30328.

54.

Candler Point is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its principal officer Sabi Varon at 1155 Hammond Dr., Bldg D Suite 4060, Atlanta GA 30328.

55.

Highland Financial is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its principal officer Sabi Varon at 1155 Hammond Dr., Bldg D Suite 4060, Atlanta GA 30328.

56.

Highshore Medical is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its principal officer Gil Chaim Varon at One Alliance Center, 3500 Lenox Road, 15<sup>th</sup> Floor, Atlanta GA 30326.

57.

Google is a California company which does business in Georgia.

58.

Google is subject to the jurisdiction of this Court. It can be served with process by delivery of same to its registered agent Corporation Service Company, 40 Technology Parkway Southsuite 300, Norcross, GA 30092.

**THE SCHEME TO DEFRAUD.**

59.

Defendants were involved in the fraudulent acquisition and conveyance of properties in which Plaintiffs' interests were vested.

60.

The real properties included 2851 Candler; 2855 Candler, 2849 Candler and 2956 S. Rainbow Drive; and are located in the Northern District of Georgia.

61.

As a result of their fraudulent misconducts, it has caused substantial loss to Plaintiffs in an amount over \$20 million.

63.

Just recently, there were certain ex-parte communications between some of the Defendants on and around October 1<sup>st</sup> and 9<sup>th</sup>, 2012 relating to the above mentioned real properties.

64.

As part of their racketeering and conspiracy, Defendants intentionally subverted the course of justice so as to allow some of the other co-defendants complete and conceal their fraudulent conveyances of the above properties.

65.

These racketeering and conspiracy have caused unnecessary obstruction, expense and hardship on Plaintiff while he is seeking reacquisition of his equitable interests in the above real properties. Additionally, Plaintiff's constitutional rights were also violated.

66.

As recent as November 2012, James Blum and Law Office acquired interests in some of these properties under questionable fraudulent conveyance, even though the record indicate that he is counsel to the other defendants a civil action in Fulton County Superior Court.

67.

This information, along with other acts of deceit forms a pattern of racketeering by which defendants continue to carry out their misdeeds, conceal and legitimize their crimes.

68.

Particularly, Defendants BB&TC and BB&TI, along with others, also used shell entities known as Atlas II SPE and Rainbow Commons to carry out their racketeering schemes; with Blum and the other defendants orchestrating the creation and division of the parcel titles amongst each other in a manner aimed at concealing their illegal activities.

69.

Their fraudulent conveyances were aimed at disassociating and concealing the original titles to 2851 Candler, 2855 Candler and 2956 S. Rainbow drive from Plaintiffs.

70.

In or about October 2012, Odion received, accepted and stored an email message on his business computer.

71.

The email information/data which was partly titled RESCINDING ORDER, was transmitted by Google Inc. to Odion's email address Gegeodion@aol.com. The e-mail information shows the ex-parte communication between the defendants, and revealed their plan to subvert justice in their quest of successful fraudulent conveyances.

72.

The email was stored in Odion's business computer.

73.

Odion believed that his computer system and electronic data/information were secured from unauthorized intrusions; and he used his computer regularly under that belief.

**PRELIMINARY STATEMENT:**

**EXECUTION OF THE SCHEME TO DEFRAUD**

**(A. Electronic data/information acquisition)**

74.

Sometime between October and November, 2012, some email information/data, which are private property of Odion, had vanished from Odion's computer system.

75.

Odion did not disclose the where about or existence of his private/business property to anyone.

76.

Odion did not authorize any one to remove his private/business property from its computer.

77.

This private/business property was also relevant and crucial evidence of ex parte communication between the other defendants, particularly with Wright.

78.

So as to destroy this available evidence of their racketeering and conspiracy, defendants decided to hack into Plaintiffs' computer system and steal all related evidence of their illegal schemes.

79.

On and around Oct. 8, 2012, it is believed Blum, acting on behalf of other defendants, hacked into Odion's computer system.

80.

After successfully stealing Odion's property by cyber-attack and assistance and knowledge of the other defendants, he became secured in the belief that their illegal schemes cannot be detected.

81.

It is believed Blum committed these tortious acts, along with others, with the intent to deprive Odion and others of their interests in the real properties also known as 2851 Candler Road, 2855 Candler Road and 2956 S. Rainbow Drive; disrupt Odion's business and personal activities; cause confusion, obstruction and delay in any possible legal action against them, and cause Odion intentional distress.

82.

It is believed Blum, along with other defendants, are acting in conspiracy with each other as they continue to commit these tortious acts.

83.

It is believed all defendants are still actively engaged in their racketeering and conspiracy so as to achieve the goal of securing their illicit gains at the expense of Odion's and others' interests by covering up for each other as agreed upon.

84.

These racketeering and conspiracy continue to cause unnecessary obstruction, delay, expense and hardship on Plaintiffs while seeking reacquisition of their equitable interests in the above real properties. Additionally, Plaintiff's constitutional rights were also violated.

85.

As recent as November 2012, James Blum and Blum Law Office acquired interests in some of these properties under questionable fraudulent conveyance, even while they are the counsels on record to the other defendants in certain civil actions in Fulton County and Dekalb County Superior Courts.

86.

Defendant BB&TC also used shell entities known as Atlas II SPE and Rainbow Commons to carry out its racketeering schemes (with Blum and the other defendants) by creating and dividing parts of the 2954 S. Rainbow Drive parcel into several titles amongst themselves, in a manner aimed at concealing their illegal activities.

87.

On each act of racketeering, their fraudulent conveyances were aimed at disassociating and concealing the original titles to the 2851 Candler, 2855 Candler and 2956 S. Rainbow Drive properties from Plaintiffs.

88.

In or about October 2012, Odion received and accepted an email message on his business computer.

89.

The email information/data which was partly titled RESCINDING ORDER, was transmitted by Google Inc. to Odion's email address [Gegeodion@aol.com](mailto:Gegeodion@aol.com). The e-mail information shows the ex-parte communication between the defendants, and reveals their plan to subvert justice.

90.

The email was stored in Odion's business computer.

91.

Odion believed that his computer system and electronic data/information were secured from unauthorized intrusions; and he used his computer regularly under that belief.

84.

**(B. Real Estate Acquisition)**

Some of the Defendants the mortgage brokers and experienced in ways of carrying out fraudulent mortgage activities against unsuspecting individuals or clients.

85.

Upon information and belief, Defendants are also known to have engaged in fraudulent financial transactions and swindles in the amounts of \$1500; \$80, 000; \$1,340,000 and \$1,600, 000, S1,250,000.

**COUNT I**

**WIRE FRAUD**

**(18 U.S.C. § 1343)**

86.



Plaintiff realleges the allegations of Paragraphs 1 through 85 of this complaint as if fully set forth herein.

87.

Particularly, Defendants Wright, Blum and Google electronically devised and implemented a program to retrieve private electronic data/information from Plaintiffs' business computer system.

88.

Defendants, thereafter reviewed the stored information in Odion's computer server and removed pertinent electronic data which were the private/business property of Odion.

89.

This activity by Defendants was unknown to Plaintiffs and unauthorized.

90.

Pursuant to their illegal activity, Defendants continue to deny they carried out this artifice or scheme of obtaining Plaintiffs' private property by means of wire communication in interstate commerce.

## **COUNT II**

### **Fraud and Related Activity in Connection with Electronic Mail** (18 USC § 1037)

91.

Plaintiffs realleges the allegations of Paragraphs 1 through 90 of this complaint as if fully set forth herein, and further alleges that:

92.

Defendants Blum and Google intentionally accessed, without authorization, Plaintiff's protected computer in his business facility by use of electronic means.

93.

While in the Plaintiffs' facility, Defendants also reviewed other private information in Plaintiffs' computer system.

94.

At all times, Defendants conspired to access Plaintiffs' facility and the computer system without authorization or legal reasons.

### **COUNT III**

#### **Violation of Fraud and Swindles Act**

(18 U.S.C. § 1341)

95.

Plaintiffs realleges the allegations of Paragraphs 1 through 94 of this complaint as if fully set forth herein, and further alleges that:

96.

Defendants Sabi Varon, Gil Varon, Silvermintz, Weibel, Kaul, Mashburn, Moss, BB&TC, Consulting, Stites, Weissman, Highland Financial, Candler Medical, Highshore Medical, Appraiser, Consulting and others yet to be identified, devised a scheme to defraud Plaintiff of money and property by means of fraudulent representations.

97.

In carrying out their artifice to defraud, Defendants used the U.S. Postal Service and /or private or commercial interstate carriers.

98.

Defendants' violation is a violation of 18 U.S.C. § 1341, and makes him liable to Plaintiffs.

**COUNT IV**

**ATTEMPT and CONSPIRACY**

(18 USC 1349)

99.

Plaintiff realleges the allegations of Paragraphs 1 through 98 of this Complaint as if fully set forth herein.

100.

By their particular pattern of using electronic data/information, either by misrepresenting or concealing, Defendants (particularly Abrames, Baughn, Blum, BB&TC, Silvermintz, Lyon, Candler Point, Atlas and Sabi Varon), used similar artifice to fraudulently convey part of the 2956 S. Rainbow Drive prior to the 2013 fraudulent conveyance.

101.

Along the way, in their nefarious schemes, Defendants exchanged "kickbacks" disguised as a "loan", using fraudulent financial schemes as payments for services.

102.

Blum and other defendants' surreptitious conduct were aimed at exploiting the legal system from both ends: secure attorney fees from Plaintiffs and fraudulently acquire the properties in which Plaintiffs interests were vested.

103.

As a result of their misconducts, Plaintiffs have suffered substantial loss of valuable time, property interests, and peace of mind.

**COUNT V.**

**Obstruction of proceedings before departments, agencies, and committees**  
**(18USC 1505)**

104.

Plaintiff realleges the allegations of Paragraphs 1 through 103 of this Complaint as if fully set forth herein.

105.

Defendants, with intent to evade and obstruct compliance, in whole or in part, with civil investigation, willfully withholds misrepresents, removes from place, conceals, covers up, destroys, alters, falsifies material documents, records, requests and statements.

106.

Defendants' misconducts have harmfully impacted Plaintiff's personal and constitutional rights.

**COUNT VI.**

**THEFT OR ALTERATION OF RECORD and PROCESS**  
**(18 USC § 1506)**

107.

Plaintiff realleges the allegations of Paragraphs 1 through 106 of this Complaint as if fully set forth herein.

108.

Defendants feloniously stole, altered, falsified and otherwise destroyed documents and record so related to their racketeering schemes in order to subvert justice, harm Plaintiffs' guaranteed rights.

109.

In doing the things herein alleged, defendants violated 18 USC § 1506 statute, and caused substantial harm to Plaintiffs.

**COUNT VII.**

**HONEST SERVICE WIRE FRAUD**  
(18 USC 1346)

110.

Plaintiff realleges the allegations of Paragraphs 1 through 109 of this Complaint as if fully set forth herein.

111.

Defendants engaged in fraudulent schemes to deprive Plaintiff of honest services through exchange of bribes and kickbacks amongst each other, sometime using Plaintiffs' money and property interests.

112.

In doing the things herein alleged, Defendants Silvermintz, BB&TC, BB&TP, BB&TI, Wright, Mashburn, Stites, Gil Varon, Highshore Medical, Kaul, Consulting, Weibel, Appraiser, Blum, Blum law office, Candler Point, Atlas, Weissman (and others yet to be identified) violated 18 USC § 1346 statute and caused substantial injury to Plaintiffs.

**COUNT VIII.**

**RACKETEER INFLUENCED AND CORRUPT ORGANIZATION ACT (RICO)**  
**(AGAINST ALL DEFENDANTS)**

(18 USC § 1961 – 1964)

113.

Plaintiff realleges the allegations of Paragraph 1 through 112 of this complaint as if fully set forth herein, and further alleges that:

114.

All defendants are all “persons” within the meaning of Federal Rico Statute.

115.

Each of the defendants constitutes an “enterprise” within the meaning of Federal Rico Statute.

116.

Defendants and each of them individually and jointly participated in “racketeering activities” as defined by Federal Rico Statute.

117.

Defendants and each of them have committed two or more predicate acts constituting a pattern of Racketeering activities in their criminal enterprise.

118.

Defendants’ pattern of criminal fraudulent activity is continuous and is in violation of Federal Rico Act 18 USC Section 1961(1)(B) by use of mail or wire fraud (such the latest known pattern of racketeering activity of 2012).

119.

The purpose of using the mail or wire or causing the wire or mail to be used was to execute the scheme or further the goal of the scheme by concealing, delaying, and obstructing discovery of their illicit deeds.

120.

In addition, Defendants have also fraudulently used one of the Plaintiff's real property to secure and distribute a "loan" of \$80,000.00 between them.

121.

Defendants have also fraudulently procured "mortgage loans" of \$1,340,000.00, \$1,600,000.00 and \$1,250,000.00, illegally secured with the real estates 2851 Candler, 2855 Candler and 2956 S. Rainbow Drive.

122.

Each of the defendants has violated the Federal Rico statutes 18 USCA Section 1962(a) which prohibits any person from receiving any income, directly or indirectly from a Racketeering activity.

123.

Each of the defendants has been engaged in a pattern of racketeering activity which affect inter and intra state commerce.

124.

Plaintiff has been injured in his business within the meaning of 18 USCA Section 1964(c).

125.

As a proximate result of defendants racketeering conduct, and their violation of Federal Rico Statutes 18 USCA Section 1962(a) et seq, Plaintiffs were injured in their businesses, and have suffered monetary loss, loss of business opportunities, severe emotional distress, worry, anxiety and other general and special damages in an amount well in excess \$20,000,000.00 which will be proved at a jury trial.

**COUNT IX**

**UNLAWFUL ACCESS TO STORED COMMUNICATIONS**

18 USC § 2701  
(AGAINST Google, Blum, Wright, Baughn, Silvermintz and BB&TC)

126.

Plaintiffs realleges the allegations of Paragraph 1 through 142 of this complain as if fully set forth herein and further allege that:

127.

Plaintiffs usually and customarily, stores electronic data and information of all private, businesses and employees on his computer server at 2851 Candler Road.

128.

Defendants were not authorized to access Plaintiffs' business premises and computer server at 2851 Candler Road.

129.

Defendants unlawfully and without authority, accessed Plaintiffs' premises and computer server, and stole important electronic data/information.

130.

Defendants were chargeable with the offense of violating 18 USC § 2701, by intentionally accessing, without authorization, the stored electronic communication of Plaintiffs' business facility.

**COUNT X**

**CONSPIRACY AGAINST RIGHTS**



(18 USC Chap 13 § 241)

131.

Plaintiff realleges the allegations of Paragraph 1 through 130 of this complaint as if fully set forth herein, and further alleges that:

132.

Defendants, with intent to prevent or hinder the exercise and enjoyment of Plaintiff's constitutional rights, conspired (by emails, phone and oral communications) to invade Plaintiff's cyberspace premises.

133.

Defendants were chargeable with the offense of violating 18 USC Chapter 13 § 241, by intentionally preventing and hindering Plaintiffs' use and enjoyment of his electronic data/information, invading Plaintiffs' cyberspace and premises without authorization and violating Plaintiff's constitutional rights when they carried out their cyber attack.

134.

Defendants' offenses resulted in Plaintiff's injury and are therefore liable for damages.

## **COUNT XI**

### **DEPRIVATION OF RIGHTS UNDER COLOR OF LAW**

(18 USC Chap 13 § 242)

135.

Plaintiff realleges the allegations of Paragraphs 1 through 134 of this Complaint as if fully set forth herein.

136.

Defendants Wright, Abrames, Lyon, Blum, Baughn, BB&TC, Silvermintz, Gil Varon, and Sabi Varon, have continue to use their influence and access to authority to hinder Plaintiffs' ability to fully investigate and reveal Defendants' continuous pattern of illicit activities, as well as retrieve his fraudulently acquired pecuniary and property interests.

137.

These defendants' misconducts have caused tremendous disruption to Odion's business operation and private life.

**COUNT XII**  
**BROKERAGE RELATIONSHIPS IN REAL ESTATE TRANSACTIONS ACT**  
**(O.C.G.A § 10-6A-2)**  
**(AGAINST SABI VARON, HIGHLAND FINANCIAL GROUP, HIGHLAND**  
**FINANCIAL CAPITAL GROUP, AND CANDLER MEDICAL CENTER)**

138.

Plaintiffs realleges the allegations of Paragraph 1 through 137 of this complaint as if fully set forth herein and further alleges that:

139.

Defendants were chargeable with the corresponding failure to exercise ordinary care in the discharge of their specified duties under the Brokerage Relationship In Real Estate Transactions Act.

140.

Plaintiffs did not discover the self-dealings and lack of exercise of ordinary care on the part of defendants at the onset due to their concealments.

141.

Defendants' violations, including their failure to reveal to Plaintiff their unlawful activities, are in violation of the Act.

142.

Plaintiffs have suffered substantial injury as a result of defendants' violations, and are therefore liable to Plaintiffs.

## COUNT XIII

### Trespass to chattel (ALL DEFENDANTS)

143.

Plaintiffs realleges the allegations of Paragraphs 1 through 142 of this complaint as if fully set forth herein, and further alleges that:

144.

Odion owned all electronic data/information on his computer hard drive.

145.

Odion did not authorize any individual to gain access into his computer hard drive without consent.

146.

Odion did not authorize any individual to remove any electronic data/information from his computer server.

147.

In October, 2012, Blum, assisted by others and acting in conspiracy with them, gained access into Odion's computer server without authorization.

148.

Defendants were acting with the knowledge and intent to steal electronic data/information from Odion's computer server.

149.

Defendants purposefully and knowingly removed electronic data/information from Odion's computer including one titled 'RESCINDING ORDER'.

150.

This electronic data/information is of tremendous value to Odion, and their theft by Defendants has caused Odion substantial loss of valuable property.

**COUNT XIV**

**Conversion**  
**(ALL DEFENDANTS)**

151.

Plaintiffs realleges the allegations of Paragraphs 1 through 150 of this Complaint as if fully set forth herein, and further alleges that:

152.

Certain electronic data/information was received by Odion at his email address Gegeodion@aol.com.

153.

In the course of their theft of Odion's electronic data/information, Defendants used sophisticated computer artistry to carry out their misconducts, hoping to evade detection.

154.

Defendants continue to exercise control and possession over these electronic data/information owned by Odion.

155.

All defendants were aware of their theft of Odion's property and they continue to exercise domain and control over Odion's data/information as well as give each other cover against revelation of the illicit cyber attack and theft.

156.

This intentional exercise of dominion and control over Odion's chattel has seriously interfered with Odion's rights.

157.

Defendants are therefore liable for the full value of Odion's electronic data/information.

#### **COUNT XV**

#### **Invasion of the right of privacy** **(ALL DEFENDANTS)**

158.

Plaintiffs realleges the allegations of Paragraphs 1 through 157 of this Complaint as if fully set forth herein, and further alleges that:

159.

Blum, acting on behalf of other defendants, intentionally intruded upon Odion's private affairs and business in October 2012.

160.

After invading Odion's private and business affairs, Blum rummaged through all aspects of his affairs and committed further torts.

161.

Blum's intentional intrusion is offensive and mentally disturbing to Odion.

162.

Blum's intentional intrusion is offensive to a reasonable person.

163.

All defendants proximately caused harm and are liable to Odion for his tortious conduct.

## **COUNT XVI**

### **Intentional Acts to Further Breach of Covenant of Good Faith and Fair dealing**

164.

Plaintiffs realleges the allegations of Paragraph 1 through 163 of this Complaint as if fully set forth herein, and further alleges that:

165.

Defendants Abrames, Lyon, Wright, Sabi Varon, Gil Varon, Blum, Baughn, BB&TC, Atlas, Rainbow and Silvermintz improper acts and wrongful conducts, which were actively aided and assisted by other defendants, resulted in breaching their covenant of good faith and fair dealing to Plaintiffs.

166.

Defendants undertook such acts and conduct purposefully, even when armed with knowledge of the duties they owed to Plaintiffs, only concerned with the intent to facilitate their unified and ultimate goal of illicit gains at the expense of Plaintiffs.

167.

Defendants' wrongful conduct legally and proximately caused damage to Plaintiffs; and as joint tortfeasors with the other defendants, are therefore liable for all damages flowing from their breaches.

## **COUNT XVII**

### **Tortious Breach of the Covenant of Good Faith and Fair Dealing**

168.

Plaintiffs realleges the allegations of Paragraph 1 through 167 of this Complaint as if fully set forth herein, and further alleges that:

169.

Defendants had a duty to be faithful and fair in dealing with individuals that come before them in their official capacity, and not to use their official capacity to facilitate personal gains at the expense of unsuspecting individuals.

170.

However, contrary to the oath of their office as judicial officers, defendants, while in their individual capacity, used the apparatus of their official office to engage in a systematic scheme of injuring Plaintiffs' interests, in all matters that they are capable of negatively sabotaging.

171.

Plaintiffs were harmed as a result of defendants' tortuous breach.

### **COUNT XVIII**

#### **BREACH OF TRUST: (AGAINST ALL DEFENDANTS)**

172.

Plaintiffs realleges the allegations of Paragraph 1 through 171 of this Complaint as if fully set forth herein, and further alleges that:

173.

Defendants were engaged in self – dealing, misuse and misappropriation of Plaintiffs' personal and real property.

174.

Defendants were engaged in intentional and tortious interference with existing contractual relations involving Plaintiffs.

175.

In furtherance of their conspiratorial racket, Defendants engaged in concealment, deceit, and misrepresentations in order to defraud and harm Plaintiffs.

176.

Defendants also engaged in wrongful disclosure of confidential information involving Plaintiffs' interests.

177.

Upon information and belief, Defendants are co-conspirators, con artists and schemers with strong backing of influential entities in Georgia.

178.

The trust and confidence imposed by Plaintiffs on the Defendants was reasonable.

179.

As a direct and proximate result of defendants' breach of trust, Plaintiffs have been damaged by a sum which will be proved at trial.

## **COUNT XIX**

### **Intentional Infliction of Emotional stress**



180.

Plaintiffs realleges the allegations of Paragraph 1 through 179 of this Complaint as if fully set forth herein, and further alleges that:

181.

Defendants Abrames, Lyons, Wright, BB&TC and others yet to be identified, by their access to judicial power and influence, schemed and carried out actions intended to severely hinder and gravely harm Plaintiffs ability to pursue recovery for the harm caused by Defendants to their personal, pecuniary and property interests.

182.

Defendants' actions were purposefully carried out at different times in order to cause distress to Plaintiffs.

183.

Plaintiffs, at different times, experienced different types of physical distress during the period defendants were actively orchestrating their injurious goal.

184.

Defendants' acts constitute willful misconduct, malice, bias, prejudice, fraud, discrimination, wantonness, oppression and/ or that entire want of care, which emanates out of the feeling of being above the law, and raises the presumption of their conscious indifference to consequences.

185.

Defendants acted with specific intent to cause harm to Plaintiffs.

186.

Defendants' wrongful conduct directly and proximately caused damage to Plaintiffs.

**COUNT XX.**

**NEGLIGENCE**  
**(AGAINST ALL DEFENDANTS)**

187.

Plaintiffs realleges the allegations of Paragraph 1 through 186 of this Complaint as if fully set forth herein, and further alleges that:

188.

Plaintiffs allege that defendants owed legal duties of care to Plaintiffs against an unreasonable risk of harm.

189.

Plaintiffs allege that defendants breached their duties by failing to conform their conduct to the legally required standard.

190.

Plaintiffs alleges that as a result of defendants' breaches, Plaintiffs suffered substantial legal and proximate harm.

191.

Plaintiffs have suffered actual harm to their personal, property and pecuniary interests that is measurable and compensable in money damages, as well as other applicable reliefs.

**ACCOUNTING**  
**(AGAINST ALL DEFENDANTS)**

192.

Plaintiffs realleges the allegations of Paragraph 1 through 191 of this Complaint as if fully set forth herein, and further alleges that:

193.

As a result of the Defendants misconducts, defendants have been making substantial financial acquisition from rental profits, fraud documentations, fraudulent conveyances and misrepresentations since 2004. This substantial sum of money have been “dry cleaned” into other investment sources or carted away by defendants.

194.

Upon information and belief, defendants through the mastermind control of BB&TC, Silvermintz and Baughn, have laundered sums of \$80,000.00; \$1,350,000.00; \$1,600,000.00; \$1,250,000.00, etc at different times during their racketeering activities.

195.

However, no credible accounting has been given by defendants for the disbursement of these large sums of money they have laundered.

196.

While Defendants continue to collect large sums of money from the 2855 Candler Road and 2956 S. Rainbow Drive properties, they should be asked to provide an accurate accounting of all the money collected and used.

197.

Plaintiffs hereby demands accounting of all financial activities of the defendants pertaining to

their racketeering activities; and use, management or sale of 2851 Candler, 2855 Candler and 2956 S. Rainbow Drive properties.

#### FORFEITURE PROVISION

198.

The allegations contained in Count I, Count II, Count III and Count VIII of this Information are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to Title 18, United States Code, Section 981 (a) (1) (c) and Title 28, United States Code, Section 2461 (c); Title 18, United States Code, Section 1037 (c) (1) (A) and Title 18, United States Code, Section 1963 (a), (b) and (c).

199.

Upon conviction of the offense in violation of Title 18, United States Code, Section 1343 set forth in Counts One, Two, Three and Eight of this Information, the Defendants shall forfeit to Plaintiffs, pursuant to Title 18, United States Code, Section 981 (a) (1) (c) and Title 28, United States Code, Section 2461 (c); Title 18, United States Code, Section 1037 (c) (1) (A) and Title 18, United States Code, Section 1963 (a), (b) and (c), any property, real or personal, which constitutes or is derived from proceeds traceable to the offense. The property to be forfeited includes, but is not limited to the following:

- a. MONEY JUDGMENT: A sum of United States currency, representing the total amount of gross proceeds obtained and benefits conferred as part of the wire fraud offense.

WHEREFORE, Plaintiff respectfully prays that:

- (a) The Court enter judgment in his favor and against defendants;
- (b) The Court award Plaintiffs damages for all defendants tortious misconducts, in an amount not less than Nineteenth million, seven hundred thousand dollars (\$23,700, 000.00);

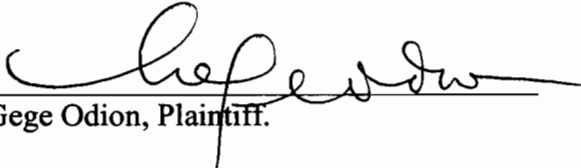
- (c) The Court issue such orders as may be necessary to recover Plaintiff's electronic data/information that is still in defendants' possession and control;
- (d) And as part of remedy, that the Court:
- (1) Enjoin Google from destroying, disposing, or erasing the said electronic information/data from it's record until it has been made available to Plaintiffs.
  - (2) Enjoin Blum, BB&T, Baughn and Wright from destroying, disposing, or erasing the said electronic information/data from it's servers and computer hard drives until it has been made available to Plaintiffs.
  - (3) Enjoin Sabi Varon, Gil Varon, Silvermintz, BB&T, Blum, Blum Law Office, Varon Law office and Candler Point, either directly or through other agents, (Candler Medical, Highshore Medical, Candler Point, Atlas, and Rainbow Commons.) from selling, disposing of, or encumbering the 2855 Candler and 2956 S. Rainbow property, any funds derived from the operation of the two properties, or any property in which the revenues from the operation of the properties have been invested, in order to avoid the dissipation or transfer of those assets before Plaintiff's claims to them have been adjudicated.
  - (4) Issue such orders as may be necessary to bring the 2855 Candler and 2956 S. Rainbow properties under the supervision of the Court until Odion's claims to those properties have been adjudicated, and impose a constructive trust on the 2855 Candler and 2956 S. Rainbow Drive properties;
  - (5) Require that BB&T and Highshore pay all funds received from the operation of 2855 Candler into an escrow account until Plaintiff's claim to those funds have been adjudicated; and account for all revenue it has received from operation of 2855

Candler from October 13, 2004 to date of such report, and to identify any property in which those funds were invested; and further to order an accounting to verify the information provided by Highshore;

- (6) Require that BB&T and Candler Point account for all revenue it has received from sale of condos and land of the 2956 S. Rainbow property since May 2007 to date of such report, and to identify all conveyances and account for the payments received from those conveyances since may 2007; and further to order an accounting to verify the information provided by Candler Point and BB&T;
- (7) Declare that the conveyances of titles in 2956 S. Rainbow Drive are fraudulent and void; and enjoin any further conveyance of any title on the original property area until Plaintiff's claim on the property have been adjudicated;
- (8) Order that Gil Varon and its agents (Highshore Medical Center, LLC) and Sabi Varon and BB&T through their principals or agents (Candler Point, LLC) transfer title to those properties to Plaintiffs;
- (9) Award Plaintiffs their filing fees, legal fees and expenses in an amount to be proven at a jury trial;
- (10). Award Plaintiffs punitive damages against the defendants for their malicious and reckless misconducts, in an amount sufficient to deter such intentional breaches of duty by them, their agents or other principals of defendants, without regard to any statutory limit on the amount of punitive damages or as otherwise determined by the enlightened conscience of a jury; and
- (11) Grant such other and further relief as is just and appropriate.

Respectfully submitted

This 25<sup>th</sup> day of Nov., 2013.

  
Gege Odion, Plaintiff.

2851 Candler Road, Ste 205  
Decatur, GA 30034  
770 265 645