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 9 **UNITED STATES DISTRICT COURT**  
 10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,  
 12 Plaintiff,  
 13 v.  
 14 PETER B. DAVIS, Jr.,  
 15 Defendant.

) Case No. **2:13-cv-01252-GMN-CWH**

) **CONSENT JUDGMENT**

16 WHEREAS, Plaintiff United States of America, on behalf of the United States Railroad  
 17 Retirement Board (RRB), filed a Complaint initiating this action against Defendant Peter B. Davis, Jr.  
 18 (Davis);

19 WHEREAS, the United States alleges that Davis unlawfully and fraudulently obtained and used  
 20 unemployment benefits from the RRB by submitting approximately 16 unemployment claim forms via  
 21 the Internet and falsely stated in each that he had not worked during the claim period dates.

22 WHEREAS, the United States further alleges that Davis knew each of the 16 separate  
 23 unemployment claim forms he submitted to the RRB were false or fraudulent, because Davis knew he  
 24 was employed and receiving income from Walmart, and also knew he was required to report this  
 25 employment and income as a condition of qualifying for RBB unemployment benefits.

26 . . .

1           WHEREAS, the United States further alleges that Davis's false statements and fraudulent claims  
2 were material to the RRB's payment of benefits in the amount of \$12,870.00.

3           WHEREAS, the Davis does not contest the accuracy of these allegations or any allegations set  
4 forth in the Complaint filed in this action;

5           **THEREFORE, IT IS ORDERED, ADJUDGED AND DECREED** as follows:

- 6           1. This court has jurisdiction over this matter under 31 U.S.C. §§ 3732 and 28 U.S.C. § 1331,  
7           1345, and 1355 and Defendant Davis acknowledges and accepts service of the Complaint in  
8           this action.
- 9           2. Defendant Davis acknowledges his liability to the United States and agrees to the entry of  
10           Judgment in the amount of \$42,240, which represents the government's double damages of  
11           \$25,740 plus three civil penalties in the amount of \$5,500 each, in connection with  
12           Defendant Davis's fraudulent receipt of RRB unemployment benefits to which Defendant  
13           Davis was not entitled and as is more fully set out in the Complaint filed in this action.
- 14           3. Defendant Davis agrees to notify the United States Attorney's Office within 30 days of any  
15           change of address, telephone number, or employment until the judgment debt is paid in full,  
16           by providing such information to: U.S. Attorney's Office, 333 Las Vegas Boulevard South,  
17           Suite 5000 Las Vegas, Nevada 89101.
- 18           4. The United States will record a judgment lien against Defendant Davis to secure payment of  
19           this judgment debt. Without otherwise limiting enforcement of the judgment, the proceeds  
20           from the sale of any real estate in which Defendant Davis has an interest may be used to  
21           satisfy a portion or all of this judgment debt.
- 22           5. Defendant Davis admits and acknowledges that his actions, which gave rise to the present  
23           dispute between the parties, constitute false pretenses, false representations, and/or fraud that  
24           resulted in his obtaining federal RRB unemployment benefits to which he was not entitled,  
25           and agrees and acknowledges that the debt owed to the United States as set forth herein is  
26           non-dischargeable in bankruptcy under 11 U.S.C. § 523.

