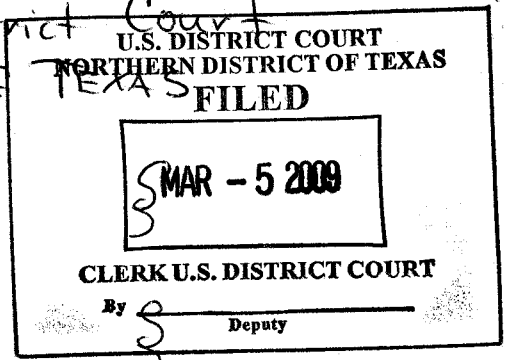


IN The United States District Court
for The Northern District of Texas



Emilio H. CHAVEZ, JR et AL;

CHAVEZ Estate

v

CAUSE NO.

5-09MCO006-C

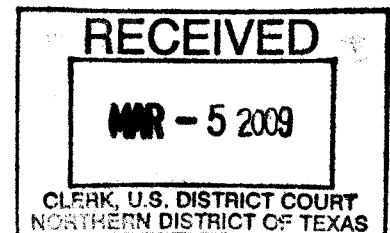
IRVING PICARD; BERNARD MADOFF; Peter MADOFF; SHANG MADOFF; ANDREW MADOFF; Banco SANTANDER; MANUEL EcheveGria; ROBERT JAFFE, Cohmand SECURITIES; FAIRFIELD GREENWICH GROUP; OPTIMAL INVESTMENTS SERVICES.SP; Richard Piccoli; GENSEE CAPITAL CORP; PRICE WATERHOUSE COOPER; HSBC Holding PLC; BANK MEDICI

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ORIGINAL PETITION for Complaint on BREACH of Contract.

TO THE HONORABLE COURT:

COMES NOW Emilio CHAVEZ, JR Petition By and Through HIMSELF. Files ORIGINAL PETITION for Complaint on BREACH of Contract. & will show



Parties of Interest

1) Plaintiff(s)

This suit is brought by Emilio CHAVEZ, JR. who RESIDES at PRESTON, SMITH unit 1313 CR 19 LAMESA, TEXAS 79331.

AS OWNER OF OR S^r PARTNER, EXECUTIVE OFFICER
AUTHORIZED to Act on behalf of:

- a) CHAVEZ, holding LLC 2302 36th Lubbock,
TX 79412
- B) CHAVEZ TRANSPORTATION 2302 36th Lubbock
TX 79412
- c) CHAVEZ foundation 2302 36th Lubbock
TX 79412
- D) CHAVEZ family TRUST 2302 36th Lubbock
TX 79412
- E) WEST TEXAS OUTREACH, INC. 2302 36th Lubbock
TX 79412
- F) WEST TEXAS HUMAN RESOURCE CORP 2302
36th Lubbock, TX 79412
- G) Jenny Holding, LLC 2302 36th Lubbock,
TX 79412
- H) THE JENNY GROUP, AG 2302 36th Lubbock
TX 79412
- I) Jenny Global, Ltd. 2302 36th Lubbock
TX 79412

- J) Jenny financial Group, AG 2302 36th
Lubbock, TX 79412
- K) JENTECH, AG 2302 36th Lubbock,
TX 79412
- L) Chavez Capital Holding, LLC 2302 36th
Lubbock, TX 79412
- M) Christian family OUTREACH, INC. 2302 36th
Lubbock, TX 79412
- N) Chavez Estate 2302 36th Lubbock, TX 79412

2) Defendant(s)

This is a suit, ALLEGED violation of
SECURITIES Act of 1933, SECURITIES Exchange
Act of 1934, Hobbs Act, RICO Act by USE or
Through Extortion, fraud misrepresentation,
DECEPTIVE TRADE PRACTICE, Misappropriation
of funds, theft, Bab faith Against:

- a) BERNARD L. Madoff - ^{Manhattan} ~~NEW YORK~~, NY
- B) BERNARD L. MADOFF INVESTMENT SECURITIES
LLC / Through TRUSTEE: IRVING H. PICARD
2100 MCKINNEY AVE. Suite 800 DALLAS,
TX 75201
- c) PETER Madoff - ADDRESS UNKNOWN
- d) SHANA Madoff - ADDRESS UNKNOWN
- e) ANDREW Madoff - ADDRESS UNKNOWN
- f) Banco Santander - Madrid Spain
- g) MANUEL Echevegria - GENEVA

- H) Robert JAFFE - PALM BEACH, CA
- I) Command SECURITIES - ~~NEW YORK, NY~~ MANHATTAN
- J) Bank Medici - VIENNA, ITALY
- K) Fairfield GREENWICH Group
ADDRESS UNKNOWN
- L) OPTIMAL INVESTMENTS SERVICES, SP.
ADDRESS UNKNOWN (SWITZERLAND)
- M) Richard Piccoli - Buffalo, NY
- N) GEN-SEE Capital Corp - Buffalo, NY
- O). PRICEWATERHOUSE COOPER - ADDRESS
UNKNOWN
- P) HSBC Holding IWC. ADDRESS UNKNOWN
- Q) Bank

Jurisdiction

Jurisdiction is appropriate, Petition is filed Pursuant to 28 USC § 1332, § 1331, § 1334

The District Court shall have ORIGINAL Jurisdiction of All Action ARISING Under The Constitution, DIVERSITY of Citizenship and AMOUNT of Controversy EXCEEDS \$ 75,000.

Petition Meets Absolute diversity of Citizenship & Amount. & Fed. R. C. P 9(b); 8(a)

CAUSE of Action

PETITIONER COMPLAINT ALLEGES THAT AS A DIRECT and PROXIMATE Acts OR OMISSIONS By defendants; Violating and or Sustaining INJURIES from Elements of offense proscribed by THE Hobbs Act 18 USC § 1951, RICO Act 18 USC § 1961; SECURITIES EXCHANGE Act of 1934 § 10(b) 15 USC § 78(b) 17 CFR § 240.10b-5; SECURITIES Act of 1933 § 12, 15 USC § 77; probably or Did Cause defendant's to breach an IMPLIED CONTRACT by breaching a fiduciary Duty Through FRAUD; MISREPRESENTATION, MISAPPROPRIATION of funds, MISMANAGEMENT, DECEPTION, EXTORTION, PETITIONER SUFFERED ACTUAL LOSSES, ECONOMIC LOSS, LOSS OF INTEREST INCOME, IN EXCESS of \$ 750 Million Dollars.

Defendants,

IRVING H. PICARD - for BERNARD L. MADOFF SECURITIES INVESTMENT SECURITIES; BERNARD L. MADOFF; PETER MADOFF; SHAWA MADOFF; ANDREW MADOFF; BANCO SANTANDER; MANUEL ECHEVEGRIA; ROBERT JAFFE; COHMAN SECURITIES; FAIRFIELD GREENWICH GROUP; OPTIMAL INVESTMENT SERVICES, SP; RICHARD PICCOLI; GEN-SEE CAPITAL CORP; HERE AFTER DEFENDANTS GROUP;

This is a SECURITIES FRAUD ACTION AGAINST DEFENDANTS GROUP. FOR MAINTAINING A PONZI SCHEME, FROM SPRING 1998 THROUGH WINTER 12/2005.

PETITIONER OPENED SEVERAL ACCOUNTS, FOR THE SOLE PURPOSE OF INVESTMENTS, IN HOPE OF MAKING PROFIT FROM INTEREST, DIVIDENDS. PETITIONER WAS MISLEAD TO BELIEVE HIS INVESTMENTS WERE WITHIN THE MEANING OF SECURITIES ACT, DEFENDANTS GROUP ISSUED PETITIONER SECURITIES THAT WERE NOT REGISTERED, TO WHICH STOCKS AND BONDS, PETITIONER, ALLEGES BONDS ISSUED THROUGH BERNARD L. MADOFF INVESTMENT SECURITIES ARE WORTHLESS, CUSIP ISSUED TO PETITIONER BY BERNARD L. MADOFF ARE NOT REGISTERED ISSUED BY BERNARD L. MADOFF TO MASK THE FRAUDULENT PONZI SCHEME. THIS CRIMINAL ENTERPRISE PREPARED FALSE PAPER WORK & ISSUED NON-REGISTERED SECURITIES

facilitated by gross negligence, fraud, deception, Misappropriation, Mismanagement, Extortion, A breach of fiduciary duty and breach of an implied contract, more than \$ 750 million Dollars was Diverted from the true purchase of securities into a criminal enterprise as a direct result, Petitioner suffered injuries of economic loss, actual loss, loss of interest income and other damages in excess of \$ 750 million Dollars. for all the above and foregoing reasons Petitioner demand of and from the Defendant's group the respective sum of \$ 750 million plus cost herein & pre, post judgment interest.

Defendants,

PRICE WATERHOUSE COOPER; HSBC Holding PLC, Bank Medici; As the Auditors and Actors as custodians for the assets failed in the fiduciary duties to the client for failure to expose or discover the POWZI scheme.

Petitioner Request to preserve his best interest & all the plaintiffs This Court appoint a trustee for the Chavez Trust, to be established by interpleader. Pursuant to interpleader Act § 1335, 1397, 2361

PETITIONER REQUEST a PRELIMINARY hearing, in which an appointment of TRUSTEE for The Chavez TRUST, PETITIONER will TENDER or TRANSFER ALL SECURITIES PURCHASED BY PETITIONER'S FROM BERNARD L MADOFF INVESTMENTS SECURITIES SEE AFFIDAVIT PG 3-6 to TRUST fund.

WHEREFORE PETITIONER PRAYS for General Relief. PRAYS, SERVICE by Publication DUE to VAST DIVERSITY
RESPECTFULLY Submitted

Emilio CHAVEZ, JR
TDCS 1369270

Certificate of SERVICE

I Emilio CHAVEZ, JR TDCS 1369270 CERTIFY THAT a TRUE & CORRECT COPY OF THE FORGOING WAS PLACED IN THE Smith Unit MAIL SYSTEM. Addressed to CLERK, U.S. DISTRICT COURT for NORTHERN DISTRICT of TEXAS 1205 TEXAS AVE ~~Box~~ Lubbock, TX 79401.

SIGN This The 3rd DAY of March, 2009

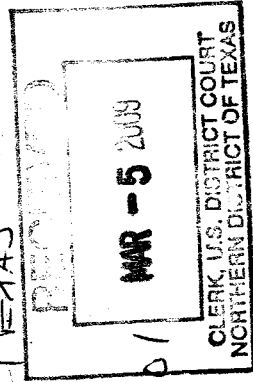
Emilio CHAVEZ, JR
TDCS 1369270

Emilio Chavez, JR
Preston Smith Unit
1313 CR 19
LUTAMESA, TX 79331

1369270



CLERK
U.S. District Court
Northern District of Texas
Lubbock Division
1205 TEXAS AVE
Lubbock, TX 79401



LEGAL MAIL

79401+4037 0063

