

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL  
CIRCUIT IN AND FOR MIAMI-DADE COUNTY, FLORIDA

FIRST LADY OF HAITI MARTINE  
MOISE, individually and as the legal  
representative of the ESTATE OF JOVENEL  
MOISE; JOMARLIE MOISE, an individual;  
and JOVENEL MOISE, JR., an individual,

CIRCUIT CIVIL DIVISION

CASE NO.:

Plaintiffs,

v.

RODOLPHE JAAR, an individual; MARIO  
ANTONIO PALACIOS PALACIOS, an  
individual; CHRISTIAN EMMANUEL  
SANON, an individual; ANTONIO  
INTRIAGO, an individual; WALTER  
VEINTEMILLA, an individual; JAMES  
SOLAGES, an individual; JOSEPH  
VINCENT, an individual; ARCANGEL  
PRETEL ORTIZ, an individual; GERMAN  
ALEJANDRO RIVERA GARCIA, an  
individual; JOSEPH JOEL JOHN, an  
individual; FREDERICK JOSEPH  
BERGMANN, JR., an individual; TRACY L.  
MARTIN, an individual; CTU SECURITY,  
LLC, a Florida limited liability company;  
COUNTER TERRORIST UNIT FEDERAL  
ACADEMY, LLC, a Florida limited liability  
company; WORLDWIDE INVESTMENT  
DEVELOPMENT GROUP LLC, a Florida  
limited liability company; and  
WORLDWIDE CAPITAL LENDING  
GROUP INC., a Florida corporation,

Defendants.

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**COMPLAINT**

1. Not long after midnight on July 7, 2021, Jovenel Moise, the then-President of the Republic of Haiti ("President Moise") and his family were at home in their bedrooms when a cabal of assassins trespassed upon the home, fired rounds of ammunition, shot then-First Lady of Haiti

Martine Moise (“First Lady Moise”),<sup>1</sup> left her for dead, and shot and murdered President Moise. Upon hearing the terrifying noises of the infiltrators, Jomarlie and Jovenel, Jr.—the couple’s two children home at the time of the invasion—hid in a bathroom in silence and darkness, listening to the stomping of footsteps up and down stairs and the blasting of gunfire. The assassins found and tied up the two remaining persons in the house—a cook and groundskeeper.

2. Leading up to this tragic occurrence, several masterminds and accomplices recruited, financed, trained, and housed a team of mercenaries; provided them with weapons, transportation, and other equipment; and orchestrated a plot to kidnap or murder the President of Haiti. The mercenaries carried out this plan in the middle of the night by deceiving and restraining the heavily guarded home where President Moise, First Lady Moise, and their family were resting. The implausible goal of the co-conspirators, after the assassination of President Moise in cold blood, was to install their own kangaroo government that would then summarily pardon the assassins. Setting aside the sheer insanity of their end game, the assassins succeeded in part. The United States government’s team of attorneys and agents have worked tirelessly since the days following the assassination to piece together the actions of the assassins and their identities, arresting and incarcerating many of the co-conspirators in the United States as they await trial for their crimes.

3. At approximately 1:00 a.m. on July 7, 2021, the highly trained and heavily armed assassins swarmed and infiltrated the private residence of President Moise in Port-au-Prince, Haiti. These mercenaries brutally attacked and eventually assassinated President Moise in his bedroom with his wife, First Lady Moise, their daughter, Jomarlie Moise (“Jomarlie”), and one of their sons, Jovenel Jr. (“Jovenel Jr.”) at the home. During the attack, the murderers ransacked and burglarized

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<sup>1</sup> First Lady Moise was the First Lady of Haiti from February 7, 2021 to July 7, 2021.

the bedroom of the President and First Lady. The cook and groundskeeper were tied up. Jomarlie and Jovenel Jr. hid in a windowless bathroom, trying to calm their distraught dog and praying no one would find them. During the home invasion, First Lady Moise attempted to hide under the bed, but assailants saw and shot her multiple times, leaving her for dead. First Lady Moise survived but required extensive emergency medical treatment and multiple surgeries.

4. Following the killing of President Moise, investigations revealed that a host of individuals and corporate entities, many of them based in Florida, conspired, schemed, and plotted to conduct the attack on Haiti's President. The co-conspirators include Florida security and financing companies and their owners; a self-proclaimed doctor and pastor from South Florida who claimed it was his calling to replace President Moise; other individuals from South Florida with connections to Haiti, and who claimed to be translators or interpreters; several prominent individuals from Haiti, many of them present and former politicians and judges; and a group of ex-soldiers from Colombia who carried out the plot following, some of them responsible for the violent attack on President Moise and First Lady Moise.

5. Plaintiffs seek to hold Defendants responsible for their heinous acts that resulted in President Moise's assassination and that injured First Lady Moise.

#### **PARTIES, JURISDICTION, AND VENUE**

6. Plaintiff First Lady Moise is *sui juris* and a citizen of Haiti.
7. Plaintiff Jomarlie is *sui juris* and a citizen of Haiti.
8. Plaintiff Jovenel Jr. is *sui juris* and a citizen of Haiti.
9. Defendant Rodolphe Jaar ("Jaar") is *sui juris* and a citizen of Haiti and Chile. Upon information and belief, Jaar is currently incarcerated at the Federal Detention Center in Miami located at 33 NE 4th Street, Miami, Florida 33132 ("FDC Miami"). This Court has personal

jurisdiction over Jaar because (i) he is within the jurisdictional reach of the Court; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

10. Jaar is a Haitian businessperson who admitted to planning and financing the enterprise. Specifically, Jaar admitted to providing \$130,000 for the enterprise, procuring guns, and providing a safehouse for the Colombians. Jaar was involved in communicating with the assailants and with other co-conspirators immediately following the invasion that resulted in the murder of President Moise and near death of First Lady Moise.

11. On March 24, 2023, Jaar pled guilty to all three counts alleged against him in his criminal case related to the conspiracy to assassinate President Moise, and on that same day he entered into a plea agreement. Jaar admitted, among other things, to having provided material support and resources, including personnel, funds, and his properties, to carry out the plot that resulted in the assassination. On June 5, 2023, a judgment entered as to Jaar imposed upon him three life sentences, one for each of the counts alleged against him, to run consecutively.

12. Defendant Mario Antonio Palacios (“Palacios”) is a citizen of Colombia. Upon information and belief, Palacios is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Palacios because (i) he is within the jurisdictional reach of the Court; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

13. Palacios is a Colombian mercenary who was one of the leaders of the attack on President Moise and First Lady Moise.

14. Defendant Joseph Joel John (“John”) is *sui juris* and a citizen of Haiti. Upon information and belief, John is currently incarcerated at FDC Miami. This Court has personal

jurisdiction over John because (i) he is within the jurisdictional reach of the Court; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

15. John is a former Haitian Senator who was present at the meetings to plan the enterprise, and he also participated in creating the initial plan to kidnap President Moise. John was also involved in discussions and planning the assassination including the procurement of vehicles and weapons.

16. Defendant Christian Emmanuel Sanon (“Sanon”) a/k/a “Kumbe,” “Pumba,” and “Bubba,” is *sui juris* and resides in Miami-Dade County, Florida. Upon information and belief, Sanon is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Sanon because (i) he is within the jurisdictional reach of the Court; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

17. Sanon is a self-proclaimed doctor and pastor who resides in South Florida and Haiti. Sanon claimed that God had sent him on a mission to replace President Moise. Sanon and others recruited and trained a group of approximately twenty Colombian citizens with military training. The ex-soldiers were recruited to carry out the invasion and assassination under the guise that the men with military backgrounds would be providing security services to wealthy Haitians. Sanon initially sought to replace President Moise but did not have enough support. He was directly involved in shipping ballistic vests to the mercenaries for the attack on President Moise.

18. Defendant Antonio Intriago (“Intriago”) a/k/a “The General” is *sui juris* and resides in Miami-Dade County, Florida. Upon information and belief, Intriago is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Intriago because (i) he resides in Miami-

Dade County; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

19. Intriago is the manager and president of CTU and CTUFA (as defined in paragraphs 35 and 36), which were instrumental in providing training and equipment to the mercenaries. Intriago had several text message conversations regarding the procurement of weapons and ammunition for the assassination.

20. Defendant Walter Veintemilla (“Veintemilla”) is *sui juris* and resides in Broward, Florida. Upon information and belief, Veintemilla is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Veintemilla because (i) he resides in Florida; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

21. Veintemilla is the Manager and President of WCLG and WIDG (as defined in paragraphs 37 and 38), which contributed to financing the enterprise through these companies. Particularly, Veintemilla raised approximately \$175,000.00 from investors through his companies and gave this money to Sanon through a loan that Veintemilla negotiated directly with Sanon, CTU, and CTUFA (as defined in paragraphs 35 and 36). This loan provided direct funding for the attack and assassination. The loan proceeds were then used to fund recruitment and training efforts of the mercenaries who would eventually conduct the attack on President Moise and First Lady Moise.

22. Defendant Joseph Vincent (“Vincent”) a/k/a “Mr. White” and “Blanco” is *sui juris* and resides in Miami-Dade County, Florida. Upon information and belief, Vincent is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Vincent because (i) he

resides in Miami-Dade County; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

23. Vincent was a mercenary who was present at the assassination. Vincent attended meetings with other co-conspirators regarding Haitian regime change and had several text message conversations regarding the conspiracy and murder of President Moise.

24. Defendant James Solages (“Solages”), a/k/a “Yacov” and “Junior” is *sui juris* and resides in Miami-Dade County, Florida. Upon information and belief, Solages is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Solages because (i) he resides in Miami-Dade County; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

25. Solages previously worked as a bodyguard for a company contracted to provide security for the Canadian Embassy in Haiti. He has held both security officer and firearms licenses. Solages and Vincent each admitted to Haitian law enforcement that they were involved in the conspiracy. Each claimed their only role was to serve as interpreters for the individuals who directly carried out the murder. The Haitian authorities captured both Solages and Vincent during the exchange of gunfire between law enforcement and the participants in the assassination, which took place beginning immediately after the assassination and going into the next day.

26. Solages was particularly involved in the logistical work of supplying weapons, equipment, and vehicles to facilitate carrying out the enterprise, in concert with his Haitian compatriots.

27. Defendant Arcangel Pretel Ortiz (“Pretel Ortiz”) a/k/a “Colonel Gabriel” is *sui juris* and resides in Miami-Dade County, Florida. Upon information and belief, Pretel Ortiz is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Pretel Ortiz because (i) he

resides in Florida; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

28. Pretel Ortiz is a principal of CTU and CTUFA (as defined in paragraphs 35 and 36), the companies used to fund, train, and arm the Colombian mercenaries. Pretel Ortiz sent Veintemilla a photo of a whiteboard with a drawing of the assault plan.

29. Defendant German Alejandro Rivera Garcia (“Rivera Garcia”) a/k/a “Colonel Mike,” is a citizen of Colombia. Upon information and belief, Rivera Garcia is currently incarcerated at FDC Miami. This Court has personal jurisdiction over Rivera Garcia because (i) he is within the jurisdictional reach of the Court; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

30. Rivera Garcia was one of the leaders of the assassins and was present for the attack.

31. Defendant Frederick Joseph Bergmann, Jr. (“Bergmann”) is *sui juris* and resides in Hillsborough County, Florida. This Court has personal jurisdiction over Bergmann because (i) he resides in Florida; (ii) he operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) he committed a tortious act within this state.

32. Bergmann participated in smuggling ballistic vests and other contraband to the would-be assassins. He also participated in multiple meetings regarding the plot to murder President Moise.

33. Defendant Tracy L. Martin (“Martin”) is *sui juris* and resides in Hillsborough County, Florida. This Court has personal jurisdiction over Martin because (i) she resides in Florida; (ii) she operated, conducted, engaged in, or carried on a business or business venture in this state; and (iii) she committed a tortious act within this state.

34. Upon information and belief, Martin, the spouse of Bergmann, aided and abetted Bergmann's participation in the smuggling of ballistic vests and other contraband to the would-be assassins in Haiti.

35. Defendant CTU Security, LLC ("CTU") is a Florida limited liability company organized and operating under the laws of the State of Florida, with its core executive and administrative functions in Miami-Dade County, Florida. This Court has general personal jurisdiction over CTU because it is a company registered to do business in Florida and it does business generally in Miami-Dade County.

36. Defendant Counter Terrorist Unit Federal Academy, LLC ("CTUFA") is a Florida limited liability company organized and operating under the laws of the State of Florida, with its core executive and administrative functions in Miami-Dade County, Florida. This Court has general personal jurisdiction over CTUFA because it is a company registered to do business in Florida and does business generally in Miami-Dade County.

37. Defendant, Worldwide Investment Development Group, LLC ("WIDG"), is a Florida limited liability company organized and operating under the laws of the State of Florida, with its core executive and administrative functions in Miami-Dade County, Florida. This Court has general personal jurisdiction over WIDG as a Florida limited liability company.

38. Defendant, Worldwide Capital Lending Group Inc. ("WCLG"), is a Florida for-profit corporation organized and operating under the laws of the State of Florida, with its core executive and administrative functions in Miami-Dade County, Florida. This Court has general personal jurisdiction over WCLG as a Florida for-profit corporation.

39. This is a civil controversy that exceeds the sum or value of \$50,000, exclusive of interest and costs.

40. Venue is proper pursuant to Sections 47.011 and 47.021, Florida Statutes, because several of the Defendants reside or maintain their principal place of business in Miami-Dade County, Florida, and because a substantial portion of the causes of action accrued in Miami-Dade County, Florida.

41. All conditions precedent which are necessary to maintain this action have been met, satisfied, performed, or have been waived.

42. Plaintiffs are contractually obligated to pay their attorneys a reasonable fee for their services in prosecuting this action.

### **STATEMENT OF FACTS**

#### **The Plot and Conspiracy to Assassinate the President of Haiti**

43. While this is a vast conspiracy with many people involved in one way or another, several co-conspirators were the architects of the enterprise to assassinate President Moise.

44. The initial plan of the enterprise was to kidnap President Moise on or about June 18, 2021, and remove him from Haiti. Later, after the co-conspirators failed to secure adequate weaponry or transportation, the enterprise abandoned the plan to kidnap and instead pursued an assassination plan.

45. The entire plot began in February 2021 when Pretel Ortiz and Intriago (principals of CTU and CTUFA) began discussions with Sanon, who opposed President Moise's administration and was interested in becoming president of Haiti. CTU agreed to support Sanon in his efforts.

46. CTU and CTUFA, are Florida security companies based in Miami, which were used as vehicles to legitimize the enterprise, recruit, and train the mercenaries. These mercenaries were

approximately twenty Colombian citizens with military training, including Palacios, a former Colombian military officer.

47. On or about March 15, 2021, CTU entered an agreement with Solages to be CTU's exclusive representative in Haiti. Intriago and Solages signed this agreement.

48. In April 2021, Solages, John, and others met several times in South Florida to discuss a regime change in Haiti, the acquiring of weapons and military equipment, and a plan to remove President Moise to replace him with Sanon.

49. Following one of these meetings, John texted Solages a list of equipment and weapons necessary for the "operation," which included M-4 rifles, M-60 machine guns, Kalashnikovs, pistols, silencers, hand grenades, a gas mask, helmets, full bulletproof vests, 4 RPGs, tear gas, and ammunition worth more than \$13,000.

50. Solages then forwarded this list of weaponry to Sanon and Pretel Ortiz.

51. At these April 2021 meetings, the attendees began to promote Sanon as a candidate to replace President Moise.

52. Also, during this time, Pretel Ortiz represented that CTU was associated with the United States government and he arranged a meeting with the FBI by advising the FBI that he had information about terrorism.<sup>2</sup>

53. On April 20, 2021, Pretel Ortiz told Solages that President Moise is a thief and to "delete the messages that could compromise [Solages]" in case he was captured.

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<sup>2</sup> Ortiz was, at that time, a confidential source for the FBI and tried to use that relationship to suggest CTU was associated with the FBI. Ortiz did not disclose his criminal conduct and was subsequently deactivated as a source for the FBI.

54. On April 27, 2021, Pretel Ortiz sent a text message to Rivera Garcia with a photo of a whiteboard with a drawing of the assault plan.<sup>3</sup> Rivera Garcia responded that they would need to contemplate reserve and arrival time, the principal route, and alternative communications.

55. By the end of April 2021, Veintemilla, through WCLG, agreed to finance CTU's support of Sanon and provided a \$175,000 line of credit. Intriago and Veintemilla executed the line of credit with Pretel Ortiz signing as a witness.

56. Provided Sanon could secure the presidency, Pretel Ortiz and Intriago (through CTU) and Veintemilla (through WCLG) all stood to reap financial benefits, given that Sanon would cause each of them to be awarded contracts for Haiti's infrastructure, security, and military-style equipment.

57. On or about May 7, 2021, Vincent and Solages exchanged text messages that began with a cat reacting alertly to the sound of gunfire. Vincent later said: "That's the way Jovenel [President Moise] will be pretty much, but sonner [*sic*] if you guys really up to it!!" Solages responded "trust me brother, we definitely working our final decision."

58. Around the same time as these text messages, Veintemilla held several meetings to provide funding for the plot. One such meeting took place on May 12, 2021, at the Tower Club in Fort Lauderdale, Florida, with Sanon, Intriago, John, Solages, and others in attendance.

59. On or about May 17, 2021, Sanon signed a consulting agreement with CTU and CTUFA wherein Sanon agreed to provide, among other things, ballistic vests for his "private military" forces in Haiti.

60. On another occasion, Veintemilla paid Intriago a similar amount of money, which Intriago and Pretel Ortiz—through CTU Security and CTUFA—used to fund recruitment and

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<sup>3</sup> On May 6, 2021, Pretel Ortiz sent this same photo to Veintemilla.

training efforts of the Colombian ex-soldiers who would eventually attack President Moise and First Lady Moise.

61. The ex-soldiers were recruited to carry out the invasion and assassination under the guise that the men with military backgrounds would be providing security services to wealthy Haitians.

62. On or about May 22, 2021, Pretel Ortiz texted Solages stating: “If things do not go well in the next few days, things could come against us. You are still an American citizen and for conspiracy you can get 25 years in prison, you have to be very careful with everything you say, especially in a group, and I know you were very uncomfortable with everything I was saying, losing control.”

63. Rivera Garcia was the leader of the cabal of assassins who traveled to Haiti in early June 2021. The mercenaries also provided security for Sanon, as Sanon was seeking a position of significant political power in Haiti.

64. On or about June 2, 2021, Solages texted Intriago a photo of himself, John, Vincent and other conspirators sitting at a table and “conducting the hitting plans now.”

65. On or about June 3, 2021, Veintemilla messaged Bergmann that he wired Solages \$15,000 “for screw.” That same day, Intriago texted Solages that “15k on the way” and “please make it happens [*sic*].” Solages responded “getting screws as we speak.” Intriago then responded: “Ok hope you got enough screws but remember the 20 workers don’t work without tools.” Intriago continued by asking Solages what type of tools he had because it “must be the complete set short drills and long ones.” Solages texted that “the screws cases 556 cost \$3500.”

66. “Screws” and “nails” were words used as coded references to ammunition, and “tools” or “instruments” were words used as coded references to firearms.

67. On or about June 7, 2021, Palacios arrived in Haiti and received equipment and training needed for the assassination. Palacios has admitted that, although the initial plan was to “capture” President Moise, by July 6, 2021, he was informed the plan was to assassinate the Haitian President.

68. When Palacios and the other mercenaries arrived in Haiti, Jaar arranged for their accommodations. Several of the would-be assassins stayed at a residence controlled by Jaar.

69. Also on June 7, 2021, Veintemilla sent Pretel Ortiz a document titled “Loan Provided to Christian Sanon” that included \$15,000 to Solages for “screws and nails,” and \$250,000 for “100 Complete vest.”

70. On or about June 8, 2021, Bergmann and Intriago exchanged messages regarding shipping ballistic vests from Florida to Haiti. Intriago suggested they could be sent as “paintball protection” vests and Bergmann responded that his research company could ship them as “x-ray protective” vests.

71. On or about June 8, 2021, Bergmann arranged for a shipping company in Florida to export the ballistic vests to Haiti falsely representing them as “medical x-ray vests” with a value of approximately \$1,000.

72. By this point on June 8, 2021, Pretel Ortiz sent an audio message to Solages saying “we are in the red numbers and need go [*sic*] forward.” Pretel Ortiz sent Solages another audio message in which Veintemilla spoke. Veintemilla said: “the plan has to be simultaneously... it cannot be hit the rat, that’s not how that’s going to work ‘cause then we are going to look horrible.”

73. On or about June 9, 2021, Bergmann signed a shipper’s letter of instruction dated June 10, 2021, for the export of the ballistic vests to Haiti falsely representing them as “medical

x-ray vests.” Bergmann then sent Sanon a commercial invoice and shipper’s letter of instruction for the ballistic vests.

74. On or about June 9, 2021, Bergmann, Sanon, and Intriago messaged each other and discussed the shipment of the ballistic vests and ensuring the delivery of the vests to the mercenaries upon their shipment in Haiti.

75. On or about June 9, 2021, Veintemilla sent a message to Bergmann stating:

Fred it is very important that you and everyone there understand that we have lost the element of surprise. Every day Mr. P and everyone there run the risk of having 200 or 300 personal [*sic*] of the rat going there and arresting everyone. If this happened then what are you going to do. From what we are told Mr. P has meetings with many people. And ant [*sic*] one of these people can inform the rat. This is very dangerous for this reason is that we are pressuring for things to happen. Later we do not want for you guys to tell us why didn’t you factor this in and let us know. So please understand the party has to happen or the personal [*sic*] is coming back because they do not want to get caught in this situation.<sup>4</sup>

76. The next day, Intriago delivered the vests to the shipment company in Florida.

77. Upon arrival in Haiti, Sanon provided paperwork falsely describing the vests as “medical x-ray vests” to the individual in Haiti handling the Haitian customs, and then ultimately delivered the ballistic vests to the mercenaries in Haiti.

78. On or about the same day, June 10, 2021, Solages asked Intriago in a text message for 150-200 zip-tied handcuffs. Intriago replied with a photograph of the zip-tied handcuffs.

79. Around the same time, Jaar provided weapons to the assassins to carry out their mission.

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<sup>4</sup> Upon information and belief, the term “party” was used to refer to the operation, and that the conspirators referred to Sanon as “Mr. President,” and therefore it appears that references herein to “Mr. P” are references to Sanon.

80. On approximately June 15, 2021, Rivera Garcia sent Pretel Ortiz a text message stating, in substance, that the Colombian nationals needed a battering ram to breach doors, as well as black caps, cash, balaclavas, gun holsters, and other materials.

81. As the enterprise shifted to a plot to kill President Moise, on or about June 20, 2021, Solages texted Pretel Ortiz saying they needed “10 DEA Velcro patches, Front & Back and 26 mask full face cover” to arrive by June 22.

82. On approximately June 28, 2021, Intriago texted Solages and asked, “When do you think we are going to have all the instruments ready for the party?”

83. On approximately June 28, 2021, Solages traveled from Haiti to the United States to provide a pretext for the attack. Specifically, a document was allegedly signed by a Haitian judge for the arrest and imprisonment of President Moise. The document also purported to provide immunity for the assassins after they completed the purported arrest and imprisonment.

84. On approximately June 28, 2021, the cabal of assassins who were, at the time, in South Florida met and shared the arrest warrant.

85. On approximately July 1, 2021, Solages flew from Florida to Haiti to participate in the assassination.

86. On approximately July 6, 2021, Solages, John, Vincent, Rivera Garcia, and others in the enterprise met at a house near President Moise’s residence. The firearms and equipment were distributed, and Solages stated the mission was a “CIA Operation” to kill President Moise.

87. With the cabal of assassins in place, armed with heavy weapons and bulletproof vests, and with their marching orders in place, the assassins began their attack.

88. On July 7, 2021, the conspirators drove in a convoy to President Moise’s residence. Solages, Rivera Garcia, and Vincent traveled in the same vehicle.

### **The Assassination**

89. On July 7, 2021, in the affluent neighborhood of Port-au-Prince known as Pélerin 5, Rivera Garcia, Palacios, and their cabal of assassins stormed the private residence of President Moise and First Lady Moise with the intent and purpose of ransacking the house and killing President Moise and First Lady Moise.

90. In the heat of the moment, having heard suspicious activity before the attack, First Lady Moise ran down the stairs to check on her children, Jomarlie and Jovenel Jr., instructing them to hide. She then went back upstairs to the bedroom of President Moise and First Lady Moise, where she remained with her husband. President Moise made several calls to the police and the family's security personnel, but no one arrived on time.

91. The assassins falsely represented themselves as DEA agents to deter President Moise's security forces.

92. Most of the security forces did not resist and the would-be assassins disarmed the guards.

93. The assassins aimlessly fired rounds of bullets into President Moise's office and bedroom without concern for the sanctity of life. Once they entered President Moise's bedroom, they shot him twelve times, killing him, and leaving his mangled remains.

94. The assassins also shot First Lady Moise multiple times, first in her hand and elbow. She managed to survive. Following the gruesome attack, she was first transported to a local hospital and was later airlifted to a hospital in Miami, Florida, where she received critical treatment for the multiple bullets that had penetrated her body.

95. During the invasion, the assassins were communicating with outside individuals and took photographs of President Moise's mangled, bullet-riddled body as proof that they had carried out their mission.

96. The assassins also ransacked the bedroom, appearing to be searching for specific items belonging to President Moise.

97. Following the invasion, the assassins fled the scene, running through neighborhoods to escape law enforcement. Several co-conspirators helped the assailants escape the Haitian authorities and hide in a discreet location.

98. Later on, Haitian authorities and the assassins engaged in a firefight, resulting in the authorities killing three of the Colombian mercenaries, arresting eighteen Colombian mercenaries, and arresting two Haitian American mercenaries. Many of those arrested remain in custody in Haiti, and others (including several Defendants) have faced extradition to the United States, where they are currently detained awaiting criminal prosecution.

99. Since the assassination, eleven individuals<sup>5</sup> named in this complaint have been arrested and are in federal prison in Florida. Some Defendants, including Bergmann, are out of prison on house arrest.

### **COUNT 1**

#### **Negligence (First Lady Moise as Personal Representative)**

***Alleged Against Jaar, Palacios, Sanon, Intriago,  
Veintemilla, Rivera Garcia, Solages, Vincent, Pretel Ortiz, John, Bergmann,  
CTU, CTUFA, WIDG, and WCLG (the "Wrongful Death Defendants")***

100. Plaintiffs reaffirm and reallege paragraphs 1 through 99 as if fully set forth herein.

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<sup>5</sup> The individuals are Jaar, Palacios, Sanon, Intriago, Veintemilla, Solages, Vincent, Ortiz, Rivera Garcia, John, and Bergmann.

101. At all times material hereto, the Wrongful Death Defendants owed a duty of care to President Moise to prevent injury or death.

102. At all times material hereto, the Wrongful Death Defendants acted carelessly and recklessly causing the death of President Moise.

103. The Wrongful Death Defendants breached their duty of care to President Moise.

104. President Moise was 53 years of age and in good health when he died and had a long life expectancy.

105. Pursuant to the provisions of the Florida Wrongful Death Act, Sections 768.19 through 768.26, Florida Statutes, First Lady Moise, as the surviving spouse and personal representative of decedent, President Moise, brings these claims for negligence.

106. As a direct and proximate result of the Wrongful Death Defendants' conduct and the death of President Moise, the surviving spouse has suffered in the past, and in all reasonable probability, will continue to suffer damages in the future. First Lady Moise, as personal representative of the Estate of President Moise, is entitled to recover the following damages:

- a. For the estate, loss of prospective net accumulations of an estate, which may have been reasonably expected but for the wrongful death;
- b. Each survivor may recover the value of lost support and services from the date of death of President Moise to present value;
- c. All children of President Moise may recover for lost parental companionship, instruction, and guidance, and for mental pain and suffering from the date of death; and
- d. Funeral expenses due to the death of President Moise.

**WHEREFORE**, First Lady Moise, as personal representative of the Estate of President Moise, demands judgment against Defendants and requests: (a) the Wrongful Death Defendants be found liable for negligence; (b) an award of compensatory damages; (c) pre- and post-judgment interest; and (e) such further relief deemed just and proper.

**COUNT 2**

**Negligence (First Lady Moise)**

***Alleged Against Jaar, Palacios, Sanon, Intriago, Veintemilla, Rivera Garcia, Solages, Vincent, Pretel Ortiz, John, Bergmann, CTU, CTUFA, WIDG, and WCLG  
(the “Count 2 Defendants”)***

107. First Lady Moise realleges and incorporates by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

108. At all times material hereto, the Count 2 Defendants owed a duty of care to First Lady Moise to prevent injury.

109. At all times material hereto, the Count 2 Defendants acted so carelessly and recklessly so as to cause grave injury to First Lady Moise.

110. The Count 2 Defendants breached their duty of care to First Lady Moise, causing her to suffer grave physical injury as the result of multiple gunshot wounds to her body as a result of the Count 2 Defendants’ illicit plan to attack the home of the Moise family and assassinate President Moise.

111. As a direct and proximate result of the Count 2 Defendants’ conduct, First Lady Moise suffered injury.

**WHEREFORE**, First Lady Moise demands judgment against the Count 2 Defendants and requests: (a) the Count 2 Defendants be found liable for negligence; (b) an award of compensatory damages; (c) pre- and post-judgment interest; and (e) such further relief deemed just and proper.

**COUNT 3**  
**Loss of Consortium (First Lady Moise)**  
***Alleged Against All Defendants***

112. First Lady Moise realleges and incorporates by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

113. At all times material hereto, President Moise and First Lady Moise were living together as husband and wife and were dependent upon each other for support and services.

114. As a result of the wrongful and intentional acts of Defendants, resulting in the torture and killing of President Moise, Plaintiff First Lady Moise has suffered and will continue to suffer loss of consortium, society, affection, assistance, and conjugal fellowship, all to the detriment of the marital relationship of First Lady Moise and President Moise.

115. As a direct and proximate result of Defendants' above-stated wrongful, intentional acts, First Lady Moise has suffered and will continue to suffer the loss of President Moise's services, support, consortium, and the care and comfort of his society. These damages are continuing in nature.

**WHEREFORE**, Plaintiff First Lady Moise, in her individual capacity, demands judgment against Defendants and requests: (a) Defendants be found liable to Plaintiff for loss of consortium; (b) an award of compensatory damages against Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 4**  
**Intentional Infliction of Emotional Distress**  
***Alleged Against Jaar, Palacios, Sanon, Intriago, Veintemilla, Rivera Garcia,***  
***Solages, Vincent, Pretel Ortiz, John, Bergmann, CTU, CTUFA, WIDG, and WCLG***  
***(the "IIED Defendants")***

116. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

117. The IIED Defendants engaged in extreme and outrageous conduct in conspiring to torture and assassinate President Moise, invading Plaintiffs' residence, causing injury and death to President Moise, and causing injury and attempting to murder First Lady Moise.

118. By engaging in such conduct, the IIED Defendants intended to cause, or had a reckless disregard to the probability of causing, emotional distress to Plaintiffs. The IIED Defendants knew or should have known that emotional distress would likely result.

119. The conduct by the IIED Defendants was so outrageous in character and extreme in degree that is considered atrocious and intolerable.

120. Such actions caused emotional distress to Plaintiffs, which was severe in nature.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., demand judgment against the IIED Defendants and request: (a) the IIED Defendants be found liable to Plaintiffs for intentional infliction of emotional distress; (b) an award of compensatory damages against the IIED Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

#### **COUNT 5**

##### **Civil Conspiracy**

***Alleged Against Jaar, Palacios, Sanon, Intrigo, Veintemilla, Rivera Garcia, Solages, Vincent, Pretel Ortiz, John, Bergmann, CTU, CTUFA, WIDG, and WCLG  
(the "Conspiracy Defendants")***

121. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

122. The Conspiracy Defendants worked together to conduct the unlawful acts described in this Complaint including but not limited to intentional infliction of emotional distress.

123. The Conspiracy Defendants worked together using unlawful means to conduct the unlawful acts described in this Complaint including but not limited to intentional infliction of emotional distress.

124. As described above, each of the Conspiracy Defendants committed an overt act in pursuance of the conspiracy. These acts include, without limitation:

- a. Meeting on several occasions to plan the conspiracy;
- b. Facilitating the movement of funds, equipment, and people to carry out the conspiracy;
- c. Providing training, weapons, and other equipment to the members of the conspiracy who invaded the private residence of President Moise and First Lady Moise; and
- d. Invading the home, assaulting President Moise and First Lady Moise, and killing President Moise.

125. Plaintiffs were damaged as a result of this conspiracy.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., demand judgment against the Conspiracy Defendants and request: (a) the Conspiracy Defendants be found liable to Plaintiffs for civil conspiracy; (b) an award of compensatory damages against the Conspiracy Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 6**  
**Assault (First Lady Moise)**  
***Alleged Against Palacios, Rivera Garcia, Solages, and Vincent (the “Assault/Battery Defendants”)***

126. First Lady Moise realleges and incorporates by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

127. The Assault/Battery Defendants intended to cause First Lady Moise to fear immediate injury or intended to actually injure First Lady Moise.

128. First Lady Moise reasonably had a well-founded fear of imminent violence and bodily injury by virtue of the Assault/Battery Defendants’ actions and ability to inflict injury, First Lady Moise reasonably had a well-founded fear of imminent violence and bodily injury.

129. The Assault/Battery Defendants acted with malice or reckless indifference.

**WHEREFORE**, Plaintiff First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, demands judgment against the Assault/Battery Defendants and request: (a) the Assault/Battery Defendants be found liable to Plaintiff for assault; (b) an award of compensatory damages against the Assault/Battery Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 7**  
**Battery of President Moise and First Lady Moise (First Lady Moise)**  
***Alleged Against Palacios, Rivera Garcia, Solages, and Vincent (the “Assault/Battery Defendants”)***

130. First Lady Moise realleges and incorporates by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

131. The Assault/Battery Defendants engaged in harmful or offensive contact against President Moise and First Lady Moise.

132. The Assault/Battery Defendants intended to cause harmful or offensive contact resulting in the death of President Moise and the torture and attempted murder of First Lady Moise.

133. The Assault/Battery Defendants acted with reckless disregard of the consequences of their acts.

**WHEREFORE**, Plaintiff First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, demands judgment against the Assault/Battery Defendants and requests: (a) the Assault/Battery Defendants be found liable to Plaintiff for battery; (b) an award of compensatory damages against the Assault/Battery Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 8**  
**Civil Conspiracy to Commit Assault and Battery**  
***Alleged Against the Conspiracy Defendants***

134. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

135. The Conspiracy Defendants agreed to participate together in a common scheme to commit unlawful acts, or to commit lawful acts by unlawful means, including, without limitation, unlawfully invading the residence of President Moise under false pretenses, brutally assaulting President Moise and First Lady Moise, assassinating President Moise, and committing attempted murder on First Lady Moise, resulting in great injury to her.

136. The Conspiracy Defendants performed overt acts in furtherance in the conspiracy, including, without limitation:

- a. Meeting on several occasions to plan the conspiracy;
- b. Facilitating the movement of funds, equipment, and people to carry out the conspiracy;

- c. Providing training, weapons, and other equipment to the members of the conspiracy who invaded the private residence of President Moise and First Lady Moise; and
- d. Invading the home, assaulting President Moise and First Lady Moise, and killing President Moise.

137. Pursuant to and in furtherance of that common scheme, the Conspiracy Defendants' intentional acts caused immediate injury to President Moise and First Lady Moise. In addition, their actions caused immediate apprehension of harmful or offensive bodily contact to Jomarlie and Jovenel Jr., who were present in the residence and feared for their own lives.

138. Based on the foregoing, the Conspiracy Defendants are liable to Plaintiffs as civil co-conspirators for the resulting damage.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., demand judgment against the Conspiracy Defendants and request: (a) the Conspiracy Defendants be found liable to Plaintiffs for civil conspiracy to commit assault and battery; (b) an award of compensatory damages against the Conspiracy Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

#### **COUNT 9**

**Violation of RICO, 28 U.S.C. § 1962(c)**

**Conducting the Affairs of the Enterprise**

***Alleged against Jaar, Palacios, Sanon, Intriago, Veintemilla, Rivera Garcia, Solages, Vincent, Pretel Ortiz, John, Bergmann, CTU, CTUFA, WIDG, and WCLG (the "RICO Defendants")***

139. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

140. Each RICO Defendant meets the definition of a “person” as defined under 18 U.S.C. § 1961(3).

141. The RICO Defendants collectively make up an enterprise by “association in fact” (the “RICO Enterprise”) pursuant to 18 U.S.C. § 1961(4).

142. The RICO Enterprise is an association in fact based on the evidence and allegations set forth herein. Specifically, the RICO Defendants have come together for several purposes, including the following:

- a. Planning an attack and assassination of President Moise to insert Sanon as President of Haiti for the personal and political gain of each of the RICO Defendants; and
- b. Intentionally participating in a scheme to assassinate President Moise and injure his family and using the mails and wires in furtherance of that scheme.

143. The RICO Defendants participated in the operation or management of the criminal enterprise by taking several actions, including the following, without limitation:

- a. Meeting and conspiring, primarily in Florida, to develop a plan to infiltrate the home of President Moise with the intent of kidnapping him and later causing his death;
- b. Providing funding from Florida to finance the scheme—first to kidnap, and ultimately to assassinate—President Moise; and
- c. Shipping and smuggling ballistic vests, arms, bullets, and other equipment from Florida used to carry out the attack on the home of the Moise family,

resulting in the assassination of President Moise and serious injury to First Lady Moise.

144. The RICO Defendants and the RICO Enterprise are separate and distinct. Each RICO Defendant is free to act independently of the others and to advance its own interest, but each is also part of the conspiracy.

145. Pursuant to and in furtherance of the fraudulent scheme, the RICO Defendants committed multiple related acts of mail and wire fraud. Such acts of mail and wire fraud constitute a pattern of racketeering activity pursuant to 18 U.S.C. § 1961(5).

146. Moreover, the RICO Defendants engaged in a pattern of racketeering activity by committing multiple predicate acts within a ten-year period, which predicate acts are in violation of 18 U.S.C. § 1341 (mail fraud) and § 1343 (wire fraud). The RICO Defendants' specific actions to this effect include the following:

- a. Generally, the RICO Defendants maintained a WhatsApp chat group to exchange messages regarding their fraudulent and illegal conduct regarding the plot to kidnap, and later assassinate, President Moise.
- b. In approximately April of 2021, after a meeting in Florida to discuss the plot to remove President Moise from office, John texted to Solages a list of equipment and weapons necessary for the "operation." Among the items in the list were M-4 rifles, M-60 machineguns, Kalashinkovs, pistols, silencers, hand grenades, a gas mask, helmets, bulletproof vests, tear gas, and more than \$13,000 worth of ammunition.
- c. On approximately April 20, 2021, Solages forwarded to Pretel Ortiz the list of equipment that John had sent to Solages.

- d. On approximately April 27, 2021, Pretel Ortiz exchanged messages with Rivera Garcia regarding an assault plan, with Pretel Ortiz first sending a photo of a whiteboard containing a drawing of the assault plan. Rivera Garcia responded regarding logistics to conduct the operation.
- e. On April 30, 2021, Veintemilla, WIDG, and WCLG provided Intriago, Pretel Ortiz, CTU, and CTUFA with a \$175,000 line of credit, executed by Intriago and Veintemilla with Pretel Ortiz signing as a witness. Veintemilla, WIDG, and WCLG used wires to extend the line of credit to Intriago, Pretel Ortiz, CTU, and CTUFA, fraudulently under the guise of investing in development projects, to partially finance the plot to assassinate President Moise.
- f. Beginning in April of 2021, Pretel Ortiz, Intriago, CTU, and CTUFA used the wires to retain a group of more than 20 Colombian nationals with military training, including Palacios and Rivera Garcia, fraudulently representing they would provide security for Sanon in Haiti.
- g. Pretel Ortiz, Intriago, CTU, and CTUFA used the wires to expend funds to further the plot to replace President Moise with Sanon.
- h. On approximately June 2, 2021, Veintemilla, as principal of WIDG and WCLG, used wires to pay \$9,145 to fund the travel of at least 18 Colombian nationals to Haiti to participate in the kidnapping or assassination plot.
- i. On June 2, 2021, Solages sent to Intriago a photograph of Solages, John, Vincent, and other conspirators sitting around a table, with the message stating “conducting the hitting plans right now.”

- j. On approximately June 3, 2021, Veintemilla sent a message to Bergmann indicating that he had just wired \$15,000 to Solages for “screws.”
- k. On approximately June 3, 2021, Intriago messaged Solages that the \$15,000 were on their way. Solages responded “getting the screws as we speak.” The word “screws” was used as a code word for ammunition.
- l. On approximately June 7, 2021, Veintemilla sent to Pretel Ortiz a document entitled “Loan Provided to Christian Sanon” referencing the \$15,000 wired to Solages for “screws and nails,” and also referencing \$250,000 for “100 complete vest.”
- m. Veintemilla, WIDG, and WCLG used the wires to transmit funds to Sanon and Solages for the purchase of ammunition and military equipment used in the assassination plot.
- n. On approximately June 8, 2021, Bergmann and Intriago exchanged messages regarding the shipping of ballistic vests from Florida to Haiti, describing the manner in which the RICO Defendants would conceal the true nature of the vests by claiming they are x-ray vests.
- o. Bergmann utilized a shipping company to mail ballistic vests to Haiti, falsely representing to the shipping company that the ballistic vests used in the attack of the Moise family were “medical x-ray vests.”
- p. On approximately June 9, 2021, Bergmann signed a commercial invoice for the export of the ballistic vests, fraudulently representing that those goods were “medical x-ray vests” with an approximate value of \$1,000.

- q. That same day, Bergmann signed a shipper's letter of instruction for the export of those vests, again representing that the vests were "medical x-ray vests."
- r. On approximately June 9, 2021, Bergmann sent to Sanon the commercial invoice and shipper's letter of instruction, both depicting the ballistic vests as "medical x-ray vests."
- s. On approximately June 10, 2021, Sanon provided the commercial invoice and shipper's letter of instruction that falsely represented the ballistic vests were "medical x-ray vests" to the individual in Haiti who handled the Haitian customs process.
- t. On approximately June 10, 2021, Solages messaged Intriago requesting 150-200 zip-tied handcuffs. Intriago replied with a photograph of the zip-tied handcuffs.
- u. On approximately June 15, 2021, Rivera Garcia messaged Pretel Ortiz requesting a battering ram to breach doors for the Colombian mercenaries, along with black caps, cash, balaclavas, gun holsters, and other materials.
- v. Pretel Ortiz, Intriago, CTU, CTUFA, Veintemilla, WIDG, and WCLG used mail and wires to further their diverted plan to support former Haitian judge Wendelle Coq a/k/a Wendelle Coq-Thelot ("Coq") to replace President Moise in exchange for an award of contracts within Haiti that would serve their financial interests. Pretel Ortiz, Intriago, CTU, CTUFA, Veintemilla, WIDG, and WCLG used mail to sign "consultation agreements" with Coq in which the judge promised them future business contracts.

- w. In approximately June or early July 2021, prior to the attack, several of the RICO Defendants met with Coq, along with another judicial official, and obtained the signature of a document that would authorize the arrest of President Moise. Solages then traveled to the United States to deliver the document. On approximately June 30, 2021, Pretel Ortiz messaged a copy of this document to Intriago, Veintemilla, Solages, Rivera Garcia, and another conspirator who was killed after the assassination. The messages exchanged regarding this document reflect that the RICO Defendants believed they would have immunity once President Moise was assassinated and Coq sworn in as President.
- x. On approximately June 19, 2021, or shortly thereafter, Solages, Vincent, and Rivera Garcia, among other RICO Defendants, exchanged messages regarding a plan to arrest President Moise, detain him, and take him by airplane to an unknown location.
- y. On approximately June 20, 2021, Solages messaged Ortiz with a request for “10 DEA Velcro patches, Front & Back and 26 mask full face cover” to arrive by June 22, ostensibly for the assassins to claim they were DEA agents, which they later would do during the attack.
- z. On July 6, 2021, Intriago and Veintemilla exchanged messages regarding payment for the mercenaries already in Haiti who would carry out the assassination plot.

aa. Jaar used the mail and wires to communicate with the other conspirators regarding the assassination plan, and to provide funding for military equipment and ammunition used in the assassination.

bb. After the assassination, Jaar messaged other RICO Defendants and the Colombian mercenaries, including Palacios, directing them to hide in another country's embassy in Haiti.

147. The RICO Defendants' predicate acts are related. The RICO Defendants share similar purposes. The methods of commission of the predicate acts are also related, involving use of the mail and wires to commit fraud, injury, and violations of law.

148. The RICO Defendants' acts were continuous in nature, conducted during the course of several months leading up to July 7, 2021, and in the days following the assassination of President Moise and the serious injury caused to First Lady Moise.

149. The RICO Defendants' activities have affected interstate or foreign commerce and have caused a domestic injury. A substantial amount of the predicated acts occurring domestically, including meeting in Florida to plan the assassination scheme, exporting equipment from Florida, and using the mail and wires from Florida to carry out the scheme. In addition, the RICO Defendants' actions causing life-threatening injury to First Lady Moise required Plaintiffs to travel to Florida to receive several surgeries, extended hospitalization, and ongoing physical therapy treatment to recover from the many gunshot wounds that forever impaired the use of her right arm and hand.

150. As described above, each RICO Defendant was associated with and conducted at least two incidents of conduct to bring about the objective of the enterprise.

151. Defendants engaged in a pattern of conduct that was intended to and did result in this objective.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., demand judgment against the RICO Defendants and request: (a) the RICO Defendants be found liable to Plaintiffs for RICO; (b) an award of compensatory damages against the RICO Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 10**  
**Violation of RICO, 28 U.S.C. § 1962(d)**  
**Conspiracy to Conduct the Affairs of the Enterprise**  
***Alleged Against the RICO Defendants***

152. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 and 139 through 151 as if fully set forth herein.

153. As set forth above in Count 9, the RICO Defendants did agree and conspire to conduct and participate in the above RICO enterprise through a pattern of racketeering activity, in violation of 18 U.S.C. § 1962(c) and (d).

154. The RICO Defendants committed two or more of said offenses in such a manner that they calculated and premeditated intentionally to threaten continuity. In other words, Defendants posed a continuing threat of their respective racketeering activities.

155. Within ten calendar years, all RICO Defendants did cooperate jointly and severally in the commission of two or more predicate acts itemized at 18 U.S.C. §§ 1961(a) and (b).

156. The RICO Defendants worked together to form an enterprise. The objective of the enterprise was to cause harm to President Moise or otherwise remove him as President.

157. As described above, each RICO Defendant was associated with and conducted at least two incidents of conduct to bring about the objective of the enterprise.

158. Each RICO Defendant agreed to the overall objective of the conspiracy and willfully became a member of the conspiracy. Or, in the alternative, at least one defendant agreed with at least one other defendant to commit two predicate acts as part of the conspiracy.

159. As a direct and proximate result of the RICO Defendants' conspiracy, the overt acts taken in furtherance of that conspiracy, and violations of 18 U.S.C. § 1962(d), Plaintiffs have suffered damages.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarie Moise, and Jovenel Moise, Jr., demand judgment against the RICO Defendants and request: (a) the RICO Defendants be found liable to Plaintiffs for RICO; (b) an award of compensatory damages against the RICO Defendants; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

**COUNT 11**  
**Aiding and Abetting Conspiracy**  
***Alleged Against Martin***

160. Plaintiffs reallege and incorporate by reference the allegations set forth in paragraphs 1 through 99 as if fully set forth herein.

161. The Conspiracy Defendants committed tortious activity by committing overt acts in furtherance of a conspiracy to harm President Moise, which they carried out resulting in the death of President Moise and grave injury to First Lady Moise.

162. As part of the conspiracy, Bergmann agreed to falsify export documents to smuggle ballistic vests and other contraband to the would-be assassins in Haiti.

163. Martin, the spouse of Bergmann, was aware of Bergmann's plan to smuggle ballistic vests and other contraband to Haiti.

164. Martin knew that Bergmann's plan was a wrongful, unlawful, and tortious act, and aided and abetted Bergmann.

165. Plaintiffs have suffered damage due to the aiding and abetting of Martin.

**WHEREFORE**, Plaintiffs First Lady Moise, in her individual capacity and in her capacity as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., demand judgment against Defendant Martin and request: (a) Defendant Martin be found liable to Plaintiffs for aiding and abetting conspiracy; (b) an award of compensatory damages against Defendant Martin; (c) pre- and post-judgment interest; and (d) such further relief deemed just and proper.

### **PUNITIVE DAMAGES**

Plaintiffs reserve the right to seek entitlement to, and an award of, punitive damages against Defendants.

### **REQUEST FOR JURY TRIAL**

Plaintiffs First Lady Moise, individually and as the legal representative of President Moise, Jomarlie Moise, and Jovenel Moise, Jr., request a trial by jury of all matters so triable.

Dated: June 22, 2023

Respectfully submitted,

/s/ Paul D. Turner

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