

**IN THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION**

DISTRICT OF COLUMBIA,
a municipal corporation,
441 4th Street, N.W.
Washington, D.C. 20001,

Plaintiff,

v.

EDWARD SMITH
301 Benam Court
Accokeek, Maryland 20607

and

RAYNA BAILEY-SMITH
301 Benam Court
Accokeek, Maryland 20607,

Defendants.

Case No.: _____

JURY TRIAL DEMANDED

FALSE CLAIMS ACT COMPLAINT AND JURY DEMAND

The District of Columbia (District), by its Office of the Attorney General, brings this action against Defendants Edward Smith and Rayna Bailey-Smith pursuant to the District's False Claims Act, D.C. Code § 2-381.02(a), seeking treble damages and civil penalties, and the common law. The District alleges as follows:

Jurisdiction

1. This Court has subject matter jurisdiction over this case pursuant to D.C. Code § 11-921 and § 2-381.02(a).
2. This Court has personal jurisdiction over the Defendants pursuant to D.C. Code § 13-423(a)(1) and (3).

Parties

3. The District, a municipal corporation empowered to sue and be sued, is the local government for the territory constituting the permanent seat of the government of the United States. The District is represented by and through its chief legal officer, the Attorney General for the District of Columbia. The Attorney General has general charge and conduct of all legal business of the District and all suits initiated by and against the District and is responsible for upholding the public interest. D.C. Code §§ 1-301.81(a)(1). The Attorney General is specifically authorized to enforce the District's False Claims Act, pursuant to D.C. Code § 2-381.03(a).

4. Defendants Edward Smith and Rayna Bailey-Smith are married individuals residing at 301 Benam Court, Accokeek, Maryland 20607. Defendant Smith is, and at all times relevant to this Complaint has been, employed as an officer by the District of Columbia Metropolitan Police Department. Defendant Bailey-Smith is, and at all times relevant to this complaint has been, employed as a social worker by the District of Columbia Child and Family Services Agency.

Defendants' Children

5. Defendants have four children: A.S., S.S., N.S., and L.S. A.S. was enrolled in District public charter schools beginning in the 2006-2007 school year and continued to be enrolled in District public charter schools or District of Columbia Public Schools (DCPS) schools through the 2016-2017 school year. S.S. also began attending District public charter schools in the 2006-2007 school year and continued to be enrolled in District public charter schools or DCPS schools through the 2016-

2017 school year. N.S. began attending DCPS schools in the 2011-2012 school year and continued to be enrolled in DCPS schools through the 2016-2017 school year. L.S. began attending DCPS schools in the 2014-2015 school year and continued to be enrolled in DCPS schools through the 2016-2017 school year.

6. At all times relevant to the acts described in this Complaint, Defendants and their children resided in the State of Maryland.

District of Columbia False Claims Act

7. The District's False Claims Act provides that:

(a) Any person who commits any of the following acts shall be liable to the District for 3 times the amount of damages which the District sustains because of the act of that person. A person who commits any of the following acts shall also be liable to the District for the costs of a civil action brought to recover penalties or damages, and may be liable to the District for a civil penalty of not less than \$5,500, and not more than \$11,000, for each false or fraudulent claim for which the person:

* * *

(b) Knowingly makes, uses, or causes to be made or used, a false record or statement material to an obligation to pay or transmit money or property to the District, or knowingly conceals or knowingly and improperly avoids or decreases an obligation to pay or transmit money or property to the District

D.C. Code § 2-381.02 (2013).

8. The District's False Claims Act defines "knowing" or "knowingly" to mean that "a person, with respect to information, does any of the following: (i) Has actual knowledge of the information; (ii) Acts in deliberate ignorance of the truth or falsity of the information; or (iii) Acts in reckless disregard of the truth or falsity of the information." D.C. Code § 2-381.01(7)(A). The terms "knowing" and "knowingly"

do not require proof of specific intent to defraud. D.C. Code § 2-381.01(7)(B).

9. The District’s False Claims Act defines “material” as “having a natural tendency to influence, or be capable of influencing, the payment or receipt of money or property.” D.C. Code § 2-381.01(8).

10. The District’s False Claims Act defines “obligation” as “an established duty, whether or not fixed, arising from . . . statute or regulation, or from the retention of any overpayment.” D.C. Code § 2-381.01(9).

Nonresident Tuition

11. D.C. Code § 38-302(a)(2) requires that nonresident tuition be paid for each student who attends a District public school and does not have a parent, guardian, custodian, or other primary caregiver who resides in the District. *See also* D.C. Code § 38-1800.02(25), (26); 5-A D.C.M.R. § 5001.5. Nonresident tuition rates are set by the District’s Office of the State Superintendent of Education (OSSE) to “cover all expenses” incurred by District schools in educating the student. D.C. Code § 38-302(b).

12. D.C. Code § 38-301(11) defines “parent” as “a natural parent, stepparent, or parent by adoption who has custody or control of a student, including joint custody.” D.C. Code § 38-1800.02(26) defines “parent” as a person who has custody of a student, and who (i) is a parent or stepparent, (ii) has adopted the student, or (iii) has been “appointed as a guardian for the [student] by a court of competent jurisdiction.”

13. Public charter schools in the District are District government-funded schools that are “open to all students who are residents of the District, and, if space is available,” to nonresident students for whom tuition must be paid. D.C. Code § 38-1802.06(a), (e).

14. Nonresidents are required to pay tuition to enroll their children in District schools because public funds are appropriated to the schools for the sole purpose of educating the children and youth of District residents. D.C. Code § 38-2902.

Defendants’ Children’s Attendance at District Schools

15. In October 2005, Defendants moved to 3610 Wood Creek Drive, Suitland, Maryland 20746.

16. In February 2012, Defendants moved to 301 Benam Court, Accokeek, Maryland 20607.

17. In 2006, A.S. began attending Eagle Academy Public Charter School (Eagle Academy). A.S. attended Eagle Academy tuition-free, as if she were a District resident, for the entirety of the 2006-2007 and 2007-2008 school years. A.S. then attended Hope Community Charter School (Hope Community) tuition-free, as if she were a District resident, for the entirety of the 2008-2009, 2009-2010, and 2010-2011 school years. A.S. then attended Ludlow-Taylor Elementary School (Ludlow-Taylor ES), a DCPS school, tuition-free, as if she were a District resident, for the entirety of the 2011-2012 and 2012-2013 school years. A.S. also attended Stuart-Hobson Middle School (Stuart-Hobson MS), a DCPS school, tuition-free, as if she were a District

resident, for the entirety of the 2014-2015 school year. During the entirety of these time periods, A.S. lived with Defendants in Maryland.

18. In 2006, S.S. began attending Eagle Academy. S.S. attended Eagle Academy tuition-free, as if she were a District resident, for the entirety of the 2006-2007 and 2007-2008 school years. S.S. then attended Hope Community tuition-free, as if she were a District resident, for the entirety of the 2008-2009, 2009-2010, and 2010-2011 school years. S.S. then attended Ludlow-Taylor ES tuition-free, as if she were a District resident, for the entirety of the 2011-2012, 2012-2013, and 2013-2014 school years. S.S. then attended Stuart-Hobson MS tuition-free, as if she were a District resident, for the entirety of the 2014-2015 school year. During the entirety of these time periods, S.S. lived with Defendants in Maryland.

19. In 2011, N.S. began attending Ludlow-Taylor ES. N.S. attended Ludlow-Taylor ES tuition-free, as if she were a District resident, for the entirety of the 2011-2012, 2012-2013, and 2013-2014 school years. During the entirety of these time periods, N.S. lived with Defendants in Maryland.

20. In 2014, L.S. began attending Ludlow-Taylor ES. L.S. attended Ludlow-Taylor ES tuition-free, as if she were a District resident, for the entirety of the 2014-2015 school year. During this time period, L.S. lived with Defendants in Maryland.

**Defendants' Failure to Pay Nonresident Tuition Owed
to District Schools**

21. Nonresident tuition for A.S. to attend District public charter schools and DCPS schools for the school years identified above totals \$72,637.00.

22. Nonresident tuition for S.S. to attend District public charter schools and DCPS schools for the school years identified above totals \$84,574.00.

23. Nonresident tuition for N.S. to attend DCPS schools for the school years identified above totals \$45,560.00.

24. Nonresident tuition for L.S. to attend DCPS schools for the school years identified above totals \$12,719.00.

25. The total amount of nonresident tuition for Defendants' children's attendance at District public charter schools and DCPS schools for these time periods was \$215,490.00.

26. To date, Defendants have not paid any of the nonresident tuition owed for Defendants' children's attendance at District public charter schools and DCPS schools for these time periods, nor have any tuition payments been made on their behalf.

**Defendant Rayna Bailey-Smith's False Statements to DCPS to Enroll A.S.
(2013-2014 School Year)**

27. On May 1, 2013, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, A.S., as a student at Stuart-Hobson MS for the 2013-2014 school year. On the Enrollment Form, Defendant Bailey-Smith listed her address as 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019. Under the Parent/Guardian Information and Other Primary Caregiver Information section, Defendant Bailey-Smith identified herself as a Parent or Guardian and as A.S.'s mother; she also identified Defendant Edward Smith as A.S.'s father and living at 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019.

Under the “Residency Status” section of the Enrollment Form, Defendant Bailey-Smith checked the box on the form next to “D.C. Resident (Student and parent or legal guardian live in D.C.),” indicating that she and A.S. were District residents. Under the “Housing Status” section, Defendant Bailey-Smith checked the box next to “Permanent.” Defendant Bailey-Smith signed the Enrollment Form, certifying that she completed the form, that the information on the form was accurate, and that she understood that “providing false information for purposes of defrauding the government is punishable by law.”

28. Relying on the residency information provided by Defendant Bailey-Smith in the Enrollment Forms, Stuart Hobson MS enrolled A.S. as a student for the 2013-2014 school year. A.S. was enrolled as a District resident.

29. Defendant Bailey-Smith knew the information she provided on the Enrollment Form was incorrect because when she signed and submitted the form, she knew that A.S. was living with her and Defendant Smith in Accokeek, Maryland and not at the District address she stated on the form.

30. A.S. attended a DCPS school tuition-free for the entirety of the 2013-2014 school year. Nonresident tuition for A.S. was \$9,586.00 for that school year.

**Defendant Bailey-Smith’s False Statements to DCPS Enrolling N.S.
(2014-2015 School Year)**

31. On May 1, 2014, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, N.S., as a student at Ludlow-Taylor ES for the 2014-2015 school year. On the Enrollment Form, Defendant Bailey-Smith listed her address as 4736 Benning Road, S.E., Apt. 104,

Washington, D.C. 20019. Under the Parent/Guardian Information and Other Primary Caregiver Information section, Defendant Bailey-Smith identified herself as a Parent or Guardian and as N.S.'s mother; she also identified Defendant Edward Smith as N.S.'s father and living at 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019. Under the "Residency Status" section of the Enrollment Form, Defendant Bailey-Smith checked the box on the form next to "D.C. Resident (Student and parent or legal guardian live in D.C.)," indicating that she and N.S. were District residents. Under the "Housing Status" section, Defendant Bailey-Smith checked the box next to "Permanent." Defendant Bailey-Smith signed the Enrollment Form, certifying that she completed the form, that the information on the form was accurate, and that she understood that "providing false information for purposes of defrauding the government is punishable by law."

32. Relying on the residency information provided by Defendant Bailey-Smith in the Enrollment Form, Ludlow-Taylor ES enrolled N.S. as a student for the 2014-2015 school year. N.S. was enrolled as a District resident.

33. Defendant Bailey-Smith knew the information she provided on the Enrollment Form was incorrect because when she signed and submitted the form, she knew that N.S. was living with her and Defendant Smith in Accokeek, Maryland and not at the District address she stated on the form.

34. N.S. attended a DCPS school tuition-free for the entirety of the 2014-2015 school year. Nonresident tuition for N.S. was \$9,492.00 for that school year.

**Defendant Bailey-Smith's False Statements to DCPS Enrolling A.S., S.S.,
N.S., and L.S. (2015-2016 School Year)**

35. On April 28, 2015, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, A.S., as a student at Stuart Hobson MS for the 2015-2016 school year.

36. On April 28, 2015, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, S.S., as a student at Stuart Hobson MS for the 2015-2016 school year.

37. On April 27, 2015, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, N.S., as a student at Ludlow-Taylor ES for the 2015-2016 school year.

38. On June 8, 2015, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, L.S., as a student at Ludlow-Taylor ES for the 2015-2016 school year.

39. On each of these Enrollment Forms, Defendant Bailey-Smith listed her address as 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019. Under the Parent/Guardian Information and Other Primary Caregiver Information sections, Defendant Bailey-Smith identified herself as a Parent or Guardian and as the children's mother; she also identified Defendant Edward Smith as the children's father and living at 4736 Benning Road, S.E. Apt. 104, Washington. D.C. 20019. Under the "Housing Status" section, Defendant Bailey-Smith checked the box next to "Permanent." Defendant Bailey-Smith signed the Enrollment Forms, certifying that she completed the form, that the information on the form was accurate, and that she

understood that “providing false information for purposes of defrauding the government is punishable by law.”

40. Relying on the residency information provided by Defendant Bailey-Smith in the Enrollment Forms, Stuart Hobson MS and Ludlow-Taylor ES enrolled A.S., S.S., N.S., and L.S. as students for the 2015-2016 school year. All four children were enrolled as District residents.

41. Defendant Bailey-Smith knew the information she provided on the Enrollment Forms was incorrect because when she signed and submitted the forms, she knew that her children were living with her and Defendant Smith in Accokeek, Maryland and not at the District address she stated on the forms.

42. A.S., S.S., N.S. and L.S. attended DCPS schools tuition-free for the 2015-2016 school year. Nonresident tuition for A.S. was \$10,251.00, for S.S. was \$10,251.00, for N.S. was \$9,492.00, and for L.S. was \$12,340.00 for this school year.

**Defendant Bailey-Smith’s False Statements to DCPS Enrolling A.S. and L.S.
(2016-2017 School Year)**

43. On April 25, 2016, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, A.S., as a student at Duke Ellington for the 2016-2017 school year. On this Enrollment Form, Defendant Bailey-Smith listed her address as 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019.

44. On May 2, 2016, Defendant Bailey-Smith signed and submitted a D.C. Residency Verification Form to OSSE for A.S. Defendant Bailey-Smith certified that she resided at 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019, signed a

sworn statement of D.C. Residency, and certified that she understood the penalties for submitting false statements to the District.

45. On April 25, 2016, Defendant Bailey-Smith signed and submitted an Annual Student Enrollment Form to enroll her daughter, L.S., as a student at Ludlow-Taylor ES for the 2016-2017 school year. On this Enrollment Form, Defendant Bailey-Smith listed her address as 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019. Under the Parent/Guardian Information and Other Primary Caregiver Information section, Defendant Bailey-Smith identified herself as a Parent or Guardian and as L.S.'s mother; she also identified Defendant Edward Smith as L.S.'s father and living at 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019. Under the "Housing Status" section, Defendant Bailey-Smith checked the box next to "Permanent." Defendant Bailey-Smith signed the Enrollment Form, certifying that she completed the form, that the information on the form was accurate, and that she understood that "providing false information for purposes of defrauding the government is punishable by law."

46. Relying on the residency information provided by Defendant Bailey-Smith in the Enrollment Forms, Duke Ellington and Ludlow-Taylor ES enrolled A.S. and L.S. as students for the 2016-2017 school year. Both children were enrolled as District residents.

47. Defendant Bailey-Smith knew the information she provided on the enrollment forms was incorrect because when she signed and submitted the forms,

she knew that her children were living with her and Defendant Smith in Accokeek, Maryland and not at the District address she stated on the forms.

48. A.S. and L.S. attended DCPS schools tuition-free for the 2016-2017 school year. Non-resident tuition for A.S. was \$11,812 and for L.S. was \$12,586 for this school year.

**Defendant Edward Smith's False Statements to DCPS Enrolling A.S., S.S.,
N.S. and L.S. (2016-2017 School Year)**

49. On July 13, 2016, Defendant Smith signed and submitted an Annual Student Enrollment Form to enroll his daughter, A.S., as a student at Duke Ellington for the 2016-2017 school year. On this Enrollment Form, Defendant Smith listed his address as 2047 36th Street, S.E., Washington, D.C. 20020.

50. On July 13, 2016, Defendant Smith signed and submitted an Annual Student Enrollment Form to enroll his daughter, S.S., as a student at Stuart Hobson MS for the 2016-2017 school year. On this Enrollment Form, Defendant Smith listed his address as 2047 36th Street, S.E., Washington, D.C. 20020.

51. On July 13, 2016, Defendant Smith signed and submitted an Annual Student Enrollment Form to enroll his daughter, N.S., as a student at Ludlow-Taylor ES for the 2016-2017 school year. On this Enrollment Form, Defendant Smith listed his address as 2047 36th Street, S.E., Washington, D.C. 20020.

52. On April 13, 2016, Defendant Smith signed and submitted a D.C. Residency Verification Form to OSSE for L.S. Defendant Smith certified that he resided at 4736 Benning Road, S.E., Apt. 104, Washington, D.C. 20019, signed a

sworn statement of D.C. residency, and certified that he understood the penalties for submitting false statements to the District.

53. On the Enrollment Forms for A.S., S.S., and N.S., Defendant Smith listed his address as 2047 36th Street, S.E., Washington, D.C. 20020. Under the Parent/Guardian Information and Other Primary Caregiver Information sections, Defendant Smith identified himself as a Parent or Guardian and as the children's father; he also identified Defendant Bailey-Smith as the children's mother and living at 2047 36th Street, S.E., Washington, D.C. 20020. Under the "Housing Status" sections, Defendant Smith checked the box next to "Permanent." Defendant Smith signed the Enrollment Forms, certifying that he completed the forms, that the information on the forms was accurate, and that he understood that "providing false information for purposes of defrauding the government is punishable by law."

54. Relying on the residency information provided by Defendant Smith in the Enrollment Forms, Duke Ellington, Stuart Hobson MS, and Ludlow-Taylor ES enrolled A.S., S.S., N.S., and L.S. as students for the 2016-2017 school year. All four children were enrolled as District residents.

55. Defendant Smith knew the information he provided on the enrollment forms was incorrect because, when he signed and submitted the forms, he knew that his children were living with him and Defendant Bailey-Smith in Accokeek, Maryland and not at the District addresses he stated on the forms.

56. A.S., S.S., N.S., and L.S. attended DCPS schools tuition-free for the 2016-2017 school year. Nonresident tuition for A.S. was \$11,812.00, for S.S. was \$10,456.00, for N.S. was \$9,682.00, and for L.S. was \$12,586.00 for this school year.

**Defendants' Knowing Avoidance of an Obligation to Pay
District Nonresident Tuition**

57. Defendant Rayna Bailey-Smith, a resident of Maryland, knew she was obligated to pay nonresident tuition for her children to attend District public charter schools or DCPS schools because she knew that she, her children, and Defendant Edward Smith resided in Maryland, and not in the District. During the 2016-2017 school year, Defendant Bailey-Smith resided, and continues to reside, in Accokeek, Maryland.

58. Defendant Bailey-Smith also knew that, by failing to notify OSSE that she, Defendant Edward Smith, and their children were Maryland residents, she improperly avoided an obligation to pay nonresident tuition to the District.

59. Defendant Edward Smith, a resident of Maryland, knew he was obligated to pay nonresident tuition for his children to attend District public charter schools or DCPS schools because he knew that he, his children, and Defendant Rayna Bailey-Smith resided in Maryland, and not in the District. During the 2013-2014, 2014-2015, and 2016-2017 school years, Defendant Smith resided, and continues to reside, in Accokeek, Maryland.

60. Defendant Smith also knew that, by failing to notify OSSE that he, Defendant Bailey-Smith, and their children were Maryland residents, he improperly avoided an obligation to pay nonresident tuition to the District.

**Defendants' Failure to Pay Nonresident Tuition Owed
to District Schools – False Claims Act**

61. Nonresident tuition for Defendants' child A.S. to attend District schools during the 2013-2014, 2015-2016, and 2016-2017 school years totaled \$31,649.00.

62. Nonresident tuition for Defendants' child S.S. to attend District schools during the 2015-2016 and 2016-2017 school years totaled \$20,707.00.

63. Nonresident tuition for Defendants' child N.S. to attend District schools during the 2014-2015, 2015-2016, and 2016-2017 school years totaled \$28,666.00.

64. Nonresident tuition for Defendants' child L.S. to attend District schools during the 2015-2016 and 2016-2017 school years totaled \$25,059.00.

65. The total amount of nonresident tuition for Defendants' children's attendance at District schools for these time periods was \$106,081.00.

66. To date, Defendants have not paid any of the nonresident tuition owed to the District for Defendants' children's attendance at District public charter schools and DCPS schools for these time periods, nor have any tuition payments been made on their behalf.

COUNT I

False Claims Act

**Knowingly Making a False Record or Statement Material
to an Obligation to Pay the District and Knowingly
Concealing and Knowingly and Improperly Avoiding or
Decreasing an Obligation to Pay the District
(D.C. Code § 2-381.02(a)(6) (2013))**

67. The allegations of paragraphs 1 through 66 are realleged as if fully set forth herein.

68. Defendant Rayna Bailey-Smith knowingly concealed or knowingly and improperly avoided an obligation to pay the District. Defendant Bailey-Smith signed and submitted false enrollment documents for her children, causing DCPS to decline to charge nonresident tuition for A.S. during the 2013-2014 school year; N.S. during the 2014-2015 school year; A.S., S.S., N.S., and L.S. during the 2015-2016 school year; and A.S. and L.S. during the 2016-2017 school year in violation of D.C. Code § 2-381.02(a)(6).

69. Defendant Edward Smith knowingly concealed or knowingly and improperly avoided an obligation to pay the District. Defendant Smith signed and submitted false enrollment documents for his children, causing DCPS to decline to charge nonresident tuition for A.S., S.S., and N.S. during the 2016-2017 school year in violation of D.C. Code § 2-381.02(a)(6).

70. Defendant Rayna Bailey-Smith knowingly avoided an obligation to pay the District. Defendant Bailey-Smith knew that she had an obligation to pay nonresident tuition for her children because she, Edward Smith, and their four children did not reside in the District. Defendant Bailey-Smith failed to notify the District of Defendant Edward Smith's and their children's correct address, causing DCPS to decline to charge nonresident tuition for A.S., S.S., and N.S. during the 2016-2017 school year in violation of D.C. Code § 2-381.02(a)(6).

71. Defendant Edward Smith knowingly avoided an obligation to pay the District. Defendant Smith knew that he had an obligation to pay nonresident tuition for his four children because he, Rayna Bailey-Smith, and their four children did not

reside in the District. Defendant Smith failed to notify the District of Defendant Bailey-Smith's and their children's correct address, causing DCPS to decline to charge nonresident tuition for A.S. during the 2013-2014 school year, N.S. during the 2014-2015 school year, A.S., S.S., N.S., and L.S. during the 2015-2016 school year, and A.S., and L.S. during the 2016-2017 school year in violation of D.C. Code § 2-381.02(a)(6).

COUNT II
Unjust Enrichment

72. The allegations of paragraph 1 through 66 are realleged as if fully set forth herein.

73. By enrolling their children and having them attend District public schools during the 2006-2007, 2007-2008, 2008-2009, 2009-2010, 2010-2011, 2011-2012, 2012-2013, 2013-2014, 2014-2015, 2015-2016, and 2016-2017 school years, while Defendants and their children resided in Maryland, thereby avoiding their obligation to pay nonresident tuition to the District, Defendants have been unjustly enriched to the detriment of the District in the amount of \$321,571.00.

Prayer for Relief

WHEREFORE, the District respectfully requests that the Court enter judgment in its favor and award damages as follows:

- (1) On Count I against Defendants, awarding the District treble statutory damages in an amount to be determined at trial, but not less than \$318,243.00 (single damages of \$106,081.00), and civil penalties of not

less than \$5,500.00, and not more than \$11,000.00, payable to the District, for each violation of the District's False Claims Act;

- (2) On Count II against Defendants, award the District actual damages in an amount to be determined at trial, but not less than \$321,571.00;
- (3) Awarding the District interest, costs, and other recoverable expenses permitted by law; and
- (4) Awarding the District such further and additional relief as the Court may deem just and proper.

Jury Demand

The District of Columbia hereby demands a trial by jury by the maximum number of jurors permitted by law.

Date: August 15, 2019

Respectfully submitted

KARL A. RACINE
Attorney General for the District of Columbia

JIMMY R. ROCK
Acting Deputy Attorney General
Public Advocacy Division

/s/ Catherine A. Jackson
CATHERINE A. JACKSON
Chief, Public Integrity Section
D.C. Bar #1005415

/s/ Jessica M. Micciolo

JESSICA M. MICCIOLO
Assistant Attorney General
D.C. Bar #1049090
Suite 630 South
441 4th Street, N.W.
Washington, D.C. 20001
(202) 741-0762
(202) 730-1896 (fax)
jessica.micciolo@dc.gov

Attorneys for the District of Columbia