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UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY
NEWARK VICINAGE

SEP 20 2007

AT 8:30 6:52 P.M.
WILLIAM T. WALSH, CLERK

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ARELIA MARGARITA TAVERAS,

PLAINTIFF,

V.

RESORTS INTERNATIONAL HOTEL,
INC., D/B/A RESORTS HOTEL AND
CASINO (A wholly owned subsidiary of
Sun International Hotels Limited),
COLONIAL CAPITAL, INC., SUN
INTERNATIONAL HOTELS LIMITED,
BOB BENZ, individually and as an agent of
Resorts International Hotel, Inc., D/B/A
Resorts Hotel And Casino, BETTY
DIANDRIA, individually and as an agent of
Resorts International Hotel, Inc., D/B/A
Resorts Hotel And Casino, AGGIE RENA,
individually and as an agent of JOHN DOE
CORPORATION, TRUMP PLAZA
HOTEL AND CASINO, MGM GRAND
HOTEL AND CASINO, TAJ MAJAL
HOTEL AND CASINO, TROPICANA
HOTEL AND CASINO, HARRAH'S
SHOWBOAT HOTEL AND CASINO,
BALLY'S PARK PLACE HOTEL AND
CASINO, HARRAH'S
ENTERTAINMENT, INC., JOHN DOE
CORPORATION, JOHN DOE#1-5, et al.

Civil Action No.:

COMPLAINT

----- X

PARTIES

Arelia Margarita Taveras
Appearing Pro Se
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Defendants:

Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino
1133 Boardwalk
Atlantic City, New Jersey 08401
Telephone: 1-800-336-6378

Colonial Capital, Inc.
1133 Boardwalk
Atlantic City, New Jersey 08401
Telephone: 1-800-336-6378

Bob Benz, Individually and as an agent of Resorts Hotel and Casino
1133 Boardwalk
Atlantic City, New Jersey 08401
Telephone: 1-800-336-6378

Betty Diandria, Individually and as an agent of Resorts Hotel and Casino
1133 Boardwalk
Atlantic City, New Jersey 08401
Telephone: 1-800-336-6378

Sun International Hotels Limited
1133 Boardwalk
Atlantic City, New Jersey 08401
Telephone: 1-800-336-6378

Trump Plaza Hotel And Casino
The Boardwalk at Mississippi Avenue
Atlantic City, New Jersey 08401

Taj Majal Hotel And Casino
1000 Boardwalk at Virginia Avenue
Atlantic City, NJ 08401
Telephone: (609) 449-1000

MGM Grand Hotel and Casino
3799 Las Vegas Boulevard South
Las Vegas, Nevada 89109

Tropicana Hotel And Casino
2831 Boardwalk
Atlantic City, NJ 08401
Telephone: (609) 340-4000

Harrahs Showboat Hotel And Casino

801 Boardwalk
Atlantic City, NJ 08401

Harrahs Entertainment, Inc.
One Caesar's Palace Drive
Las Vegas, Nevada

Bally's Park Place
1901 Boardwalk
Atlantic City, NJ 08401

John Doe Corporation

John Doe#1-5

JURISDICTION

1. Count I of this action is brought pursuant to the provision of the Racketeer Influenced and Corrupt Organizations Act ("RICO"), codified at 18 U.S.C. §1961. As such, the Court has jurisdiction over the subject matter of Count I of this proceeding pursuant to 28 U.S.C. §1331 and 28 U.S.C. §1391(b) and (c). The court has jurisdiction over the remaining counts of this action, each of those counts being related to the claims set forth in Count I that they form part of the same case or controversy under Article III of the United States Constitution.

VENUE

2. Venue is proper in this judicial district, pursuant to 28 U.S.C. §1391(b) and (c), because the Defendants reside, are licensed to do business and are doing business, and/or are found in this judicial district, there is personal jurisdiction over the Defendant at the time this action was commenced, and further because all or a substantial part of the events or omissions giving rise to Plaintiff's claims occurred in this district.

CAUSE OF ACTION

3. Plaintiff, Arelia Margarita Taveras, appearing pro se in this action and as for her complaint against defendants Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino (A wholly owned subsidiary Of Sun International Hotels Limited), Colonial Capital, Inc., Sun International Hotels Limited, Bob Benz, individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, Betty

Diandria, , individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, Trump Plaza Hotel And Casino, Taj Majal Hotel And Casino, Tropicana Hotel And Casino, Harrah's Showboat Hotel And Casino, Harrah's Entertainment, Inc., John Doe Corporation, John Doe, et al., alleges and states as follows:

1.) That plaintiff, Arclia M. Taveras ("Taveras"), is a resident of Minnesota, at present, and at all times material had been a resident of the city of Corona, County of Queens, State of New York during the time the present cause of action arose.

2.) Plaintiff Taveras was admitted to the practice of law in May of 2004 and had been self-employed since then working at The Taveras Law Group, PLLC.

3.) That Taveras was working and functioning as an attorney on a daily basis, attending court appearances and consulting with clients.

4.) That Taveras had a thriving law practice consisting of over four hundred (400) clients and customers.

5.) That, in addition to her law practice, Taveras was a radio consultant with Radio Station 97.1 and frequently appeared on NBC, Univision and Telemundo as a legal consultant.

6.) That Taveras at the time she began her practice was thirty-two years of age and owned her own condominium and supported her parents solely from her work and income.

7.) That Taveras was earning an income a substantial income in the operation of her practice.

8.) Defendant Resorts International Hotel, Inc., d/b/a Resorts Hotel and Casino, ("Resorts Casino") is, and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1133 Boardwalk, Atlantic City, County of Atlantic, which operates and conducts business as Resorts Hotel and Casino at present (hereinafter referred to as "Resorts").

9.) Defendant COLONIAL CAPITAL, INC., is an owner or has a substantial stake in Resorts International Hotel, Inc., d/b/a Resorts Hotel and Casino, Colonial Capital, Inc. ("Resorts Casino") is, and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1133 Boardwalk, Atlantic City, County of Atlantic, which operates and conducts business as Resorts Hotel and Casino at present (hereinafter referred to as "Colonial Capital").

10.) Defendant SUN INTERNATIONAL HOTELS LIMITED, is an owner or has a substantial stake in Resorts International Hotel, Inc., d/b/a Resorts Hotel and Casino, as in Resorts International Hotel, Inc., d/b/a Resorts Hotel and Casino, is a subsidiary of the SUN INTERNATIONAL HOTELS LIMITED, is, and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1133 Boardwalk, Atlantic City, County of Atlantic, which operates and conducts business as Resorts Hotel and Casino at present, (hereinafter referred to as "Sun Hotels").

11.) BOB BENZ, individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, BETTY DIANDRIA, individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, worked and continue to be employed at "Resorts Casino," at all times and dates material and relevant to this action, (hereinafter referred to as "Benz" and "Diandria" respectively).

12.) Defendant TRUMP PLAZA HOTEL AND CASINO, is, and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at The Boardwalk at Mississippi Avenue, County of Atlantic, which operates and conducts business as Trump Plaza Hotel and Casino at present (hereinafter referred to as "Trump Plaza").

13.) TAJ MAJAL HOTEL AND CASINO, is, and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1000 Boardwalk at Virginia Avenue, County of Atlantic, which operates and conducts business as Taj Majal Hotel and Casino at present (hereinafter referred to as "Taj Mahal").

14.) TROPICANA HOTEL AND CASINO, is and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 2831 Boardwalk, County of Atlantic, which operates and conducts business as Tropicana Hotel and Casino at present (hereinafter referred to as "Tropicana").

15.) HARRAIS SHOWBOAT HOTEL AND CASINO, is and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 801 Boardwalk, County of Atlantic, which operates and conducts business as Harrah's Showboat Hotel and Casino (hereinafter referred to as "Showboat Casino").

16.) HARRAIS ENTERTAINMENT, INC. is and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and Nevada and having its principal place of business located at One Caesar's Palace Drive, Las Vegas, Nevada, which operates and conducts business as Harrah's Showboat Hotel and Casino (hereinafter referred to a "Harrah's Management").

17.) MGM Grand HOTEL AND CASINO, is and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and Nevada and having its principal place of business located at 3799 Las Vegas Boulevard South, Las Vegas, Nevada, which operates and conducts business as MGM Grand Hotel and Casino (hereinafter referred to a "MGM Grand").

18.) BALLY PARK PLACE, is and at all times material has been, a corporation duly organized and existing under the laws of the State of New Jersey and having its principal place of business located at 1901 Boardwalk, County of Atlantic, which operates and conducts business as Bally's Park Place Hotel and Casino (hereinafter referred to as "Bally's Casino").

19.) Plaintiff is informed and believes, and on the basis of that information and belief alleges, that at all times mentioned in this complaint, Defendants were the agents and employees of their codefendants, and in doing the things alleged in this complaint were acting within the course and scope of that agency and employment.

20.) On or about September of 2003, Plaintiff Taveras became a patron of Defendants' casino, she had a Resorts Casino card number of #2523315 and her host was Resorts Casino representative, Bob Benz.

21.) As plaintiff's host, Benz, provided limo services to transport plaintiff to and from the casino, hotel accommodations, casino club privileges and restaurant "comps" free of charge, based on the plaintiff's gaming activities.

22.) That plaintiff would call her host, Benz, each time she desired to play and that, Benz reviewed plaintiff's status and gaming at the casino when providing these services.

23.) That plaintiff and her host, Benz came to know of each other, through regular casino visits and telephone calls.

24.) That Benz was personally familiar with all the habits and gaming activities of plaintiff Taveras at Resorts Casino from gaming reports, personal observation and staff assessments/reports.

25.) That after Benz authorized plaintiff's "comps" at the casino and ordered limousines to pick plaintiff up at her home to transport her to and from the casino at varying hours of the day.

26.) That plaintiff would visit defendant's Resorts Casino for recreational gambling four (4) to five (5) times per year for entertainment and recreational purposes only.

27.) That during plaintiff's tenure as a patron of defendant Resorts casino, plaintiff became known to the defendant and its staff by name and was even permitted to bring her dog to the gaming tables. That the staff at defendant Resorts Casino would rope off a gaming tables in anticipation of plaintiff's gaming activities and accommodate her accordingly.

28.) That during plaintiff's tenure as a patron of defendant Resorts casino plaintiff established a relationship with the staff and the management of the Resorts Casino.

29.) That the staff nicknamed her "BlackJack Queen" because she would gamble at the BlackJack tables for endless hours.

30.) That during plaintiff's tenure as a patron of defendant Resorts Casino plaintiff came to rely and feel safe with the staff and accommodations provided by defendant.

31.) That during plaintiff's tenure as a patron of defendant Resorts Casino, plaintiff entrusted her care and well being, both in being shuttled to the hotel via limousine and when lodging at the hotel.

32.) That defendant Resorts Casino provided security staff to escort her to her room if she felt unsafe or was carrying huge amounts of cash.

33.) That plaintiff entrusted her care and well being to the staff and management of defendant Resorts Casino during her stays there while gambling.

34.) That during plaintiff's tenure as a patron of defendant Resorts Casino, plaintiff trusted and relied on the representations made to her by defendant and its casino Resorts' staff.

35.) That defendant and plaintiff nurtured a fiduciary-type of relationship with each other, as, plaintiff gambled large sums of cash and defendant would provide exclusive, safe and personal service to accommodate plaintiff.

36.) That while gambling at defendant Resorts Casino, the defendant Benz and casino staff became intimately aware of the plaintiff's lifestyle, gaming habits and personal information.

37.) Defendant would regularly provide Plaintiff Taveras with limousines, suites, food and entertainment to continue Taveras' patronage at Resorts Casino.

38.) During the years of 2004 and 2005, Taveras to further continue her patronage, defendant Resorts Casino would send gambling enticements, ads, literature, media kits, casino invitationals, casino event promotions, gambling tournament invitations, promos for free televisions, etc. every day via the United States Postal Service, several promotions at a time.

39.) During the months of September of 2003 through October of 2004, Taveras' exhibited normal gambling habits at Resorts Casino. She would come with family, eat, retreat to her room to rest, take regular breaks to go to the restroom, gambled for a limited amount of time and use the recreational facilities afforded to her by Resorts Casino.

40.) In November of 2004, Taveras' gaming patterns began to change.

41.) From January 2005 through June, Plaintiff's gambling had increased in frequency and duration.

42.) Plaintiff began to gamble for several days straight, often falling asleep at the tables.

43.) Plaintiff would come to the casino alone often exhibiting anti-social and aggressive behavior when gambling.

44.) Plaintiff exhibited aggressive behavior towards other players.

45.) Plaintiff would not eat and gambled for consecutive days without a rest periods or use of the bathroom/restrooms.

46.) Plaintiff began to pass out in the elevators due to her extreme exhaustion, lack of sleep and disorientation after gaming for several days in a row.

47.) Plaintiff's gambling went from recreational to compulsive during the latter part of 2004 and the year of 2005.

48.) In the months of January and February of 2005, Taveras had gambled for over 500 hours in total at defendant Resorts Casino.

49.) At the beginning of March one of the defendant Resorts Casino's night managers/dealers, (hereinafter referred to as "John Doe#1"), advised plaintiff Taveras that she "...look tired and are winning too much...to play the next day when you got more sleep, you have been gambling for more than two days without sleep that's not normal."

50.) Taveras observed that the dealer was being questioned by a "pit boss," John Doe#2, regarding Taveras' gaming at the table, but, that her behavior went ignored even after reported to upper management.

51.) In the month of March of 2005, Taveras gambled from March 19-21, March 25-28, March 31-April 1, each gambling stint was characterized by consecutive days of gambling, without eating or sleeping, all observed under the supervision of Resorts Casino staff and management.

52.) That by the end of March, one of the Resorts Casino's managers, John Doe#3, told her that "...I could lose my job for telling you this, but, you need to go home, the devil's got you with this game, these people don't care about you here, you are addicted to this thing, go home, they know they got you here, you are going to end up giving them all your money!" Taveras continued to gamble uninterrupted by staff under the supervision of Resort Casino management.

53.) In April of 2005, Taveras gambled April 1-4, April 6-7, each gambling stint was characterized by consecutive days of gambling, without eating or sleeping, all under the supervision of defendant Resort Casino's management and staff.

54.) In the month of May, Taveras went to The MGM Grand in Las Vegas and gambled from May 31- June 1st of 2005 on a free invitation by the casino as a result of the release of information between Resorts Casino and the MGM Grand, through their mutual marketing consultant Auggie Rena of John Doe Corporation.

55.) That John Doc Corporation was the disseminator of information between casinos throughout the country and outside of the United States. That it collaborated with casinos to provide gaming information, player stats, play wins/losses, player personal information, player activities, player habits, player preferences, etc.

56.) That MGM Grand and Resorts Casino collaborated with each other to intentionally and maliciously entice and lure a plaintiff, a known compulsive gambler into further gaming activities outside of the state of New Jersey in violation of "RICO" statutes.

57.) In the month of June of 2005, Taveras gambled from June 23-28 this gambling period was characterized by consecutive days of gambling, without eating or sleeping. The only snacks Taveras had were orange juice and snickers bars provided by Resorts Casino.

58.) That on or about June 28th, 2005, one of the dealers, John Doe #4 in the private gambling area exclusive to the plaintiff, the female dealer mentioned, "...you are winning go home, you are tired and no really paying attention to this game, there's something up with you, you can't possibly want to gamble more, you are exhausted and this thing is starting to get you..."

59.) In the month of July 2005, Taveras gambled on July 7-12 and July 25-26 of 2005 each gambling period was characterized by consecutive days of gambling, without eating or sleeping.

60.) That by the end of July of 2005, Taveras completely isolating herself from other gamblers and betting entire tables to avoid permitting other betters to gamble near her.

61.) That her aggression and isolation was observed by management and one of the managers John Doe #5 refused to permit her to continue gambling alone on July 11, 2005. He stated that "...you cannot monopolize a table, plus, you are too tired to keep all the counts straight, maybe you should return another day." Taveras refused and requested her own table, a request that was honored by the pit, boss, Betty Diandria.

62.) That Plaintiff's work began to suffer as well because of her gaming activities.

63.) Plaintiff missed appointments, court appearances and barely worked as a functioning attorney due to her inability to refrain from gambling. She was barely at work and when she was, she was obsessed with gambling thoughts.

64.) In the month of August 2005, Taveras gambled from August 1, 2005 all night, on August 8-12, August 14-16, August 29-September 1, 2005, each gambling period was characterized by consecutive days of gambling, without eating or sleeping.

65.) In the month of September of 2005, Taveras gambled from September 1-2, September 13-15, September 19-21, 2005, each gambling period was characterized by consecutive days of gambling, without eating or sleeping.

66.) That on each gambling instance, the Defendant observed the plaintiff's compulsive behavior and addiction to gambling through wires, hidden cameras, casino bosses, management, video and electronic wiring.

67.) That the Defendant was aware of plaintiff's addiction and compulsion towards gambling through its reporting and surveillance of the plaintiff, but, intentionally, wantonly and maliciously continued to send a limousine to her home at various hours of the night, to bring her to the casino in furtherance of her addiction and promoting, luring and enticing her towards compulsive gambling.

68.) Taveras was compulsively gambling and exhibiting a frenetic, addictive, neurotic state of mind causing her to be unable to cease gambling activities within a reasonable time, her state of mind accompanied by perceptible acts or series of acts which presented clear and recognizable signs of "addiction to gambling."

69.) That in the beginning of 2005, Plaintiff gambled an average of once a month, by the end of June, the plaintiff visited the casino 2-3 times per week, then almost daily.

70.) By the end of July, Plaintiff was gambling 5 days per week and losing an average of Five Thousand (\$5,000) Dollars an hour.

71.) In July, Plaintiff was approached by Resorts Casino Pit Boss Betty and mentioned to her that she thought "there was something wrong with me, I am gambling too many hours and losing too much and I never leave while I am ahead, I think there is something wrong with me."

72.) In August of 2005, Bob Benz, Resorts Casino Manager telephoned Plaintiff Taveras and told her, "...that you must sign a Waiver of Liability for the casino if I wished to continue gambling there."

73.) Taveras continued to gamble at Resorts until September 20, 2005, where she continued to lose approximately One Hundred Fifty Thousand (\$150,000) Dollars over a weekend of continuous gambling.

74.) On September 20, 2005 Plaintiff refused to sign the Waiver of Liability for the benefit of the Defendant, who knew she had a problem and attempted to protect itself, a week later she was terminated from the casino.

75.) a result of the Plaintiff's compulsive gambling nurtured and negligently observed and recklessly disregarded/ignored by Defendant and its staff, plaintiff was disbarred from the practice of law in the state of New York.

76.) As a result of the Plaintiff's compulsive gambling nurtured and negligently observed and recklessly disregarded/ignored by Defendant and its staff, the Plaintiff was hospitalized twice for serious mental and physical ailments.

77.) As a result of the Plaintiff's compulsive gambling nurtured and negligently observed and recklessly disregarded/ignored by Defendant and its staff, the Plaintiff was forced to go to intensive rehabilitation at Vanguard, a thirty-day rehab facility for people with compulsive gambling addictions located in Minnesota.

78.) As a result of the Plaintiff's compulsive gambling nurtured and negligently observed and recklessly disregarded/ignored by Defendant and its staff, the plaintiff was forced to reside at CrossRoads Aftercare Facility for nine (9) months in the state of Minnesota until the mental impairment accompanying compulsive gambling was treated.

79.) That it was foreseeable to the Defendants that if a person developed a compulsive gambling habit observed, recorded and nurtured at Resorts Casino that the attendant damages suffered to the Plaintiff would occur.

80.) That the consequences and damages suffered by the plaintiff in this action were foreseeable consequences to compulsive gamblers when the addiction of gambling has "taken control" of the compulsive gambler's ability to reason and make prudent decisions.

81.) That the defendant, after observing the plaintiff, through cameras, staff, numerous recording devices and other surveillance devices, was in a better position to have recognized a compulsive gambler, like the plaintiff and her behavior and to have intervened to have better protected itself and the compulsive gambler, the plaintiff to this action.

82.) That defendant, through the New Jersey Gambling Commission, seminars, educational materials and required training, was in a better position to have identified the plaintiff as a compulsive gambler and either, suggested treatment, ejected the plaintiff from Resorts Casino or suggested some other precautionary measure to protect itself and the plaintiff from the damages ensued.

83.) That after countless warnings by dealers and staff, the management at Defendant's Resorts Casino, recklessly, intentionally, maliciously and wantonly ignored its staff and continued to send limousines, provide free room and board, send out mailings, make phone calls to the plaintiff, contact the plaintiff at home and her place of business, offer plaintiff invitationals, send plaintiff free gift coupons redeemable at Resorts Casino and actively entice, lure, attract, addict, persuade, convince and use any methods to lure plaintiff, a compulsive gambler, to the casino.

84.) That the defendant was aware of the fact that plaintiff was a compulsive gambler and irresponsibly and recklessly with no regard to the plaintiff's well being continued to pick the plaintiff up at her home and shuttle her to Resorts Casino, knowing that she was a compulsive gambler, unable to recognize the mental impairment on her own.

85.) That the defendants recklessly, intentionally, wantonly, disregarded the plaintiff's safety and benefited from her psychiatric mental impairment to continue to permit her to gamble, lose her money and become physically and psychologically impaired, to the point of losing her career, license to practice law, home, her parent's home, friends, reputation, and social status within her community.

86.) That the defendants' failure/omission to act in a reasonably prudent manner after discovering that plaintiff was a compulsive gambler, through observation and staff reporting, was the proximate cause of the damages suffered by the plaintiff to this action.

87.) That plaintiff suffered severe emotional and mental distress as a result of the events occurred and was treated in a Minnesota rehabilitation center, Vanguard for thirty days, then released to the care of CrossRoads Aftercare Facility for nine months of treatment after that.

88.) That defendants actions and omissions were the proximate cause of plaintiff's injuries and damages.

89.) Plaintiff request relief in the amount of Twenty Million (\$20,000,000.00) Dollars and as further relief the court find just and sufficient.

**AND AS FOR PLAINTIFF'S FIRST CAUSE OF ACTION:
DEFENDANT'S VIOLATION OF THE RACKETEER INFLUENCED
AND CORRUPT ORGANIZATIONS ACT ("RICO") WAS ONE OF
THE PROXIMATE CAUSES OF PLAINTIFF'S INJURIES**

90.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through 88."

91.) Resorts Casino constitutes an "enterprise" as that term is defined in the RICO statutes.

92.) Resorts engaged in a "pattern of racketeering activity" by intentionally engaging in at least two acts of "racketeering activity" defined by the statute.

93.) The three RICO claims alleged by the plaintiff to this action are based on violations of 18 U.S.C. § 1962(a), which prohibits investment or improper use of money obtained from racketeering activity, §1962(c) prohibiting association with an enterprise engaged in racketeering activity, and §1962(d) prohibiting the act of conspiring to violate 18 U.S.C. §1962(a) or §1962(c). The predicate act underlying the RICO claims is Resorts' violation of the mail fraud statute, 18 U.S.C. §1341.

94.) Resorts Casino and all defendants to this action solicited and encouraged patrons, like the plaintiff through the use of the United States Postal Service via mail advertisement and mailings, to induce them through a course of fraudulent and misleading acts and omissions intended to convince plaintiff and others of the false belief concerning how the gaming machines operate, as well as the extent to which there is actually an opportunity to win on any given play.

95.) That Resorts Casino and all defendants to this action, through the use of mailings and false advertising encouraged plaintiff and others into the belief that electronic gambling devices are true games of chance in which each individual play of the game is subject to determinable odds of winning; that the odds are the same on each individual play of the game; that the risk and the rules by which the machines operate do not vary among individual plays of the game; that the operator of the machines, namely Resorts, does not have the ability arbitrarily or selectively to affect whether a particular bet is won or lost to favor particular players over other; and that the operator,

Resorts, cannot know in advance when and how much a particular game will pay off, when it did.

96.) That Resort Casino and all defendants to this action misled plaintiff into thinking that it had no control over gaming and the odds of winning on the slot machines, when it, in fact, did and sent out literature/advertisements luring and enticing plaintiff to its Resorts Casino under false pretenses.

97.) That through the continual and ceaseless use of mailings and advertisements, in cooperation with phone calls and emails, the Defendants enticed, solicited, convinced, misled, fraudulently suggested that the plaintiff's play on the slots during the time she was a patron of the casino would result in high returns and rewards.

98.) That after having been identified as a problem gambler by the casino staff at Resorts Casino, Resorts Casino continued to use mail advertisements and solicitations containing fraudulent information to entice/convince an impaired Plaintiff (an impairment due to her addiction to gambling) to return to Resorts and try "her luck" based on the information supplied by Resorts.

99.) That Resorts Casino misused its privilege to use the United States Postal Service in furtherance of a systematic, intentional and malicious enticement of Plaintiff, known to them to exhibit tendencies of a compulsive gambler, by mailing plaintiff advertisements, invitationals and other gaming paraphernalia which would lure Plaintiff into further gaming activities.

100.) That Resorts collaborated with other casinos, namely MGM Grand and Tropicana Casinos in Las Vegas and Atlantic City, and, Bally's Park Place, Trump Plaza, Taj Mahal, Showboat, Tropicana, Borgata and the Hilton Hotel and Casino in Atlantic City, and all casinos in Atlantic City and Las Vegas in a systematic scheme using a rating and reporting system used only by casinos to rate and report Plaintiff's gaming activities in a central database accessible to these various casinos provided by John Doe Corporation, which in turn, would use this information to maliciously, intentionally and/or recklessly entice player to gamble, but, more specifically, a known compulsive gambler, namely plaintiff into further gaming activities.

101.) That this was an interstate scheme in which defendant released plaintiff's gaming habits and activities to other casinos in other states and other countries

102.) That plaintiff's information was even released to the Atlantis Paradise Island Resort and Casino in the Bahamas in an effort to grant plaintiff free accommodations for her continual gaming activities.

103.) That each casino, including defendant Resort Casino, knew of plaintiff's gaming activities, average bets, reported abnormal activities and personal information, and used this information to unjustly enrich itself and collaborate to enrich other casinos at the expense of plaintiff and the mental impairment of compulsive gambling, which was a malaise created and furthered by defendants' wrongful acts.

104.) That defendants release of plaintiff's personal, gaming and economic information for the benefit it itself, its casino and other casinos within and outside of New Jersey in furtherance of a systematic scheme to defraud and mislead Plaintiff, through the use of the mail and mailings, knowing the defendant to be a compulsive gambler is in violation of RICO statutes and public policy.

105.) Defendant Resorts Casino and all defendants to this action, received income derived, directly or indirectly, from a pattern of racketeering activity and had used or invested, directly or indirectly, some part of all of such income, or the proceeds of such income, in the acquisition of an interest in, or the establishment or operation of, an enterprise which is engaged in, or the activities of which affect, interstate commerce, to-wit, Resorts Hotel and Casino, and all defendants to this action.

106.) That by transporting, disseminating, transmitting, wiring, using telecommunications to forward plaintiff's gaming, personal, economic, habitual and gambling activities to other casinos in the state and out of the state, the defendant engaged in activities that affected interstate commerce in violation of RICO statutes.

107.) As a further direct and proximate result of the defendants' racketeering activities in violation of RICO statutes as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

AND AS FOR PLAINTIFF'S SECOND CAUSE OF ACTION: NEGLIGENCE

108.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "107."

109.) That Defendant after numerous warnings by staff and its management, observation of the ceaseless and compulsive gaming activities of the plaintiff to this action was made aware of the fact that the plaintiff was a compulsive gambler.

110.) That after identifying plaintiff as a compulsive gambler, the defendant failed to act and exercise due care to protect itself and the plaintiff to this action.

111.) That Defendant was under a general duty to exercise reasonable care in the operation of its casino and gaming activities.

112.) That the Defendant was under a duty to use reasonable care under all attendant circumstances to make the premises safe for invitees, such as the plaintiff, considering that it was shuttling the plaintiff to its casino, Resorts and had a personal relationship with the plaintiff.

113.) That the Defendant knowingly knew the harms posed by gambling and its casino, and it was foreseeable that providing gaming activities to the community would produce compulsive gambling, as it did in the Plaintiff Taveras.

114.) That it was foreseeable that if Plaintiff was provided with a forum like Defendant's casino, that there was the possibility that she would become a compulsive gambler.

115.) That it was foreseeable that if the Defendant continued to solicit the plaintiff by mail, phone and internet, that she could become a compulsive gambler, since Defendant already knew she was susceptible to a gambling addiction from intensely observing her gaming activities on a regular basis through surveillance devices and staff.

116.) That it was foreseeable that if the Plaintiff was picked up and shuttled to Resorts Casino by Defendant's limousine company several from a frequency of several times a year to several times a week, that she was becoming a compulsive gambler.

117.) That it was foreseeable that if Plaintiff continued to gamble and lose at the pace she was gambling, that she would become compulsive and addicted to gambling.

118.) That it was foreseeable that if reports from defendant's staff repeatedly mentioned that the plaintiff exhibited compulsive and addictive behavior at the gaming tables, that plaintiff was becoming a compulsive gambler.

119.) That the Defendant was negligent in that it failed to exercise the care that would have been exercised by the reasonably prudent person or casino under the same set of circumstances when faced with someone with a compulsive gambling addiction. "Reasonable care" referred to as "due care", or, "ordinary care" in the treatment of plaintiff.

120.) That once the defendant picked up the plaintiff via limousine, it owed her a duty of care to keep her and the premises Resorts Casino safe for the plaintiff.

121.) That defendant had a duty of care towards the plaintiff after it identified her as a compulsive gambler to act in a reasonably prudent manner.

122.) That defendants' failure to act in a reasonably prudent manner was the proximate cause of plaintiff's injuries.

123.) That the injuries or damages resultant were proximately caused by Defendants' negligent act or failure to act in a timely manner to restrict Plaintiff, admitted compulsive gambler, from access to Defendant's casino, Resorts in Atlantic City, after observing Plaintiff's compulsive and addictive behavior towards the gaming activities offered by defendant.

124.) That the injury or damages caused as a result of defendant's negligence were foreseeable consequences to a compulsive gambler, such as Plaintiff Taveras. That Defendant owed Plaintiff Taveras a Duty of Care, not unlike dram shop owners, when a patron is clearly intoxicated to restrict further beverage service. That Defendant Resorts is familiar, its staff having been trained to recognize and eject compulsive gamblers from the gaming area, was in a better position to have protected Plaintiff Taveras and itself from liability.

125.) That the defendant's negligence is a proximate cause of the plaintiff's harm.

126.) The Defendant Resorts negligently owned and operated Resorts Hotel and Casino by permitting an identified compulsive gambler, Taveras to continue to gamble after having been identified by themselves and staff as a person with a compulsive addiction and failed to protect plaintiff and itself from known dangers Resorts posed to compulsive gamblers.

127.) The Defendants' failure to warn of known dangers casino posed to compulsive gamblers was the proximate cause of Plaintiff Taveras' injuries.

128.) The Defendants' failure to immediately deny access to an identified compulsive gambler and continue to service a compulsive gambler such as Plaintiff Taveras, was the proximate cause of Plaintiff's injuries.

129.) Once Defendant Resorts Casino identified Plaintiff as a compulsive gambler, Defendant Resorts Casino failed to exercise due care.

130.) That the moment the defendant picked up the plaintiff via limousine at her home, it assumed the duty to make the premises, Resort's safe from known and unknown dangers.

131.) That once the defendant realized that the plaintiff was a compulsive gambler, it was under a duty to protect or make the premises safe for the invitee, the plaintiff because of the fact that she was a compulsive gambler, a casino was not a safe refuge for the plaintiff.

132.) That by continuing to shuttle plaintiff to the casino, almost daily, the defendant was negligent in it treatment of the plaintiff and was the proximate cause of plaintiffs resulting injuries and damages.

133.) As a further direct and proximate result of the negligence of defendants as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

AND AS FOR PLAINTIFF'S THIRD CAUSE OF ACTION:
INTENTIONAL AND RECKLESS DISREGARD FOR PLAINTIFF'S SAFETY

134.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "133."

135.) That the defendant owed Plaintiff the duty to exercise reasonable care for her safety. The possessor of the casino, the Defendant, was under the duty to take the precautions that a relatively prudent possessor of land would take under the circumstances to make the premises reasonably safe to for his invitees.

136.) That Defendant was required to inspect the premises to discover dangerous conditions to the Plaintiff, keep the premises in safe repair, remove hazards where invitee would walk, obviate slippery conditions, anticipate foreseeable activities and uses by invitees and other, and of course, conduct active operations on the premises with reasonable care for their safety.

137.) That after observing Plaintiff's gambling patterns, compulsion and addiction to gambling, and concluding that the Defendant was a compulsive gambler, the Defendant as possessor of the casino, as an establishment entrusted with the transportation, lodging and shelter of plaintiff for the time that she was engaged in gaming activities, had an affirmative duty to protect the plaintiff from these gaming activities, when they became a threat to plaintiff's welfare.

138.) That Defendant observed on numerous occasions per month, that the plaintiff had an addiction, could not refrain from gambling, would not eat for days, would not sleep for days, would compulsively wager, expressed aggressive behavior, would not go to the rest room, would not drink liquids and would gamble for endless hours at a time. All caused by an addiction to gaming and the casino establishment.

139.) That Defendant and its staff had been trained regularly on compulsive gambling behavior and protocols by consultant Arnie Wexler and various other gaming specialists.

140.) That Defendant knew early on that each time the plaintiff gambled, it was detrimental and posed a danger to plaintiff's physical, mental and emotional well-being.

141.) That Defendant willfully and wantonly continued to pick up plaintiff via limousine at her home, continued to solicit plaintiff vis a vis telephone and mailings, continued to permit plaintiff on the premises despite knowing the plaintiff's compulsive tendencies and the dangers it posed to her health, i.e., the plaintiff would pass out on the elevators.

142.) That defendant, after identifying plaintiff as a compulsive gambler and having been warned by its staff and by continuing to shuttle plaintiff to and from Resorts Casino, providing room and board, sending continual mailings and advertising to plaintiff's home and place of business, calling plaintiff and work and home, offering incentives to lure plaintiff to casino, and offering other various enticements to attract and entice plaintiff into gaming activities Resorts Casino, the defendant acted willfully, intentionally, maliciously and wantonly in reckless disregard of plaintiff's safety and well being.

143.) The Defendant engaged in willful and wanton misconduct when it consciously acted, solicited and engaged Plaintiff, a compulsive gambler, into gaming activities. The Defendant also engaged in willful and wanton misconduct when it refused to act knowing, or with reckless disregard to the probability, that injury would result to the plaintiff from its conduct or from its failure to take reasonable steps to avoid an impending danger gaming activities posed to a compulsive gambler like plaintiff.

144.) As a further direct and proximate result of the reckless, wanton and willful disregard for plaintiff's well being by the defendants as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

AND AS FOR PLAINTIFF'S FOURTH CAUSE OF ACTION:
BREACH OF COMMON LAW DUTY OF CARE

145.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "144."

146.) That under Common Law, "Those who do act and who choose to engage in activities that create a risk of injury to other, do have a duty to exercise care to avoid injuring others." That defendant chose to engage in providing the public with gaming activities and has a Common Law duty to avoid injuring others.

147.) That by operating a casino in the State of New Jersey, defendant chose to undertake certain inherent risks associated with gambling, namely, that the some of the

patrons to the casino would become addicted to gambling and suffer foreseeable losses if anyone of them became addicted to gambling.

148.) That defendant had an affirmative common law duty to protect its patrons, such as the plaintiff from risks associated with gambling created by the defendant's casino.

149.) That it was a foreseeable consequence to the defendant's casino that someone, like the plaintiff in this action would become addicted and suffer economic losses due to the defendant's continual solicitation of the plaintiff, defendant's continual shuttling and transporting of the plaintiff to and from the casino and defendant's failure to report plaintiff's suspicious activities to the state/gaming commission after its staff had reported her behavior numerous times and defendant's failure to act in a reasonably prudent manner after determining that plaintiff was becoming addicted to gambling by defendant's affirmative acts.

150.) As a further direct and proximate result of the negligence behavior and breach of defendants' common law duty of care towards the plaintiff in this action as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

AS FOR PLAINTIFF'S FIFTH CAUSE OF ACTION: STRICT LIABILITY

151.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "150."

152.) That defendant is strictly liable for the damages suffered by the plaintiff to this action due to the fact that it engaged in an "abnormally dangerous" activity, which in turn was the proximate, direct, and main cause for plaintiff's injuries.

153.) That the defendant became strictly liable for its "affirmative " when actively soliciting the plaintiff at her home and work, after determining through external observations via surveillance devices and staff reports, that plaintiff was a compulsive gambler.

154.) That defendant by engaging in "gaming activities" created an abnormally dangerous risk and activity to the plaintiff, a compulsive gambler, which in turn, caused the resulting injuries.

155.) That "gambling" or engaging in "gambling activities" provides an "ultra-hazardous forum" and an "abnormally dangerous activity" to compulsive gamblers such as plaintiff Taveras.

156.) That compulsive gamblers such as Plaintiff Taveras are injured daily and even, attempt to commit suicide when exposed to this activity due to the disastrous results suffered by the compulsive gambler.

157.) That once defendant determined plaintiff was a compulsive gambler, defendant's Resorts Casino became an ultra-hazardous activity, providing serious risk of economic and psychological injury and even death, to the plaintiff.

158.) That defendant through Resorts Casino, created an "ultra hazardous and abnormally dangerous" forum for the community, particularly compulsive gamblers such as Plaintiff Taveras, and that defendant is strictly liable for any damages or consequences caused by its self-created hazard, even if he exercised the utmost care to prevent harm.

159.) As a further direct and proximate result of the defendant's engagement and creation of an "abnormally dangerous" and "ultra-hazardous activity" to the plaintiff and ensuing community, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

AND AS FOR PLAINTIFF'S SIXTH CAUSE OF ACTION:
DEFENDANT IS STRICTLY LIABLE THROUGH "RESPONDEAT SUPERIOR"
PRINCIPLES FOR THE NEGLIGENT ACTS OF IT AGENTS OR EMPLOYEES

160.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "159."

161.) Bob Benz was an agent, manager and representative of the defendants' Resorts Casino.

162.) That defendant is liable for all agents acts or omissions performed through his/her employment at the defendant's Resorts Casino.

163.) That after numerous observations, reports from casino staff, viewing erratic gaming activity reports for plaintiff, personally watching plaintiff's erratic gaming activities, observing plaintiff gambling for day at a time, observing plaintiff's lack of sleep, observing plaintiff's disruptive and aggressive behavior at the gaming tables and personally observing plaintiff's addictive tendencies towards gambling, failed to act in a reasonably prudent manner in preventing plaintiff's injuries.

164.) That Defendant, Bob Benz, after numerous warnings by staff and its management, observation of the ceaseless and compulsive gaming activities of the plaintiff to this action was made aware of the fact that the plaintiff was a compulsive gambler.

165.) That after identifying plaintiff as a compulsive gambler, the Bob Benz failed to act and exercise due care to protect itself and the plaintiff to this action.

166.) That Defendant Bob Benz was under a general duty to exercise reasonable care in the operation of Resorts Casino and gaming activities.

167.) That the Defendant Bob Benz was under a duty to use reasonable care under all attendant circumstances to make the premises safe for invitees, such as the plaintiff, considering that it was shuttling the plaintiff to its casino, Resorts and had a personal relationship with the plaintiff.

168.) That the Defendant Bob Benz knowingly knew the harms posed by gambling and its casino, and it was foreseeable that providing gaming activities to the community would produce compulsive gambling, as it did in the Plaintiff Taveras.

169.) That it was foreseeable that if Plaintiff was provided with a forum like Defendant's employer, Resorts Casino, that there was the possibility that she would become a compulsive gambler.

170.) That it was foreseeable that if the Defendant Bob Benz continued to solicit the plaintiff by mail, phone and internet, that she could become a compulsive gambler, since Defendant already knew she was susceptible to a gambling addiction from

intensely observing her gaming activities on a regular basis through surveillance devices and staff.

171.) That it was foreseeable that if the Plaintiff, after approval was granted by Bob Benz, was shuttled and transported to Resorts Casino by Defendant's limousine company several from a frequency of several times a year to several times a week, that she was becoming a compulsive gambler.

172.) That it was foreseeable to the defendant Bob Benz, that if Plaintiff continued to gamble and lose at the pace she was gambling, that she would become compulsive and addicted to gambling.

173.) That it was foreseeable to the defendant, Bob Benz, that if reports from defendant's staff repeatedly mentioned that the plaintiff exhibited compulsive and addictive behavior at the gaming tables, that plaintiff was becoming a compulsive gambler.

174.) That the Defendant Bob Benz was negligent in that he failed to exercise the care that would have been exercised by the reasonably prudent person or casino manager under the same set of circumstances when faced with someone with a compulsive gambling addiction. "Reasonable care" referred to as "due care", or, "ordinary care" in the treatment of plaintiff.

175.) That once the defendant Bob Benz authorized the transporting and shuttling of the plaintiff via limousine, he owed her a duty of care to keep her and the premises Resorts Casino safe for her.

176.) That defendant Bob Benz had a duty of care towards the plaintiff after it identified her as a compulsive gambler to act in a reasonably prudent manner.

177.) That defendant Bob Benz failure to act in a reasonably prudent manner was the proximate cause of plaintiff's injuries.

178.) That the injuries or damages resultant were proximately caused by Defendant Bob Benz's negligent acts or failure to act in a timely manner to restrict Plaintiff, admitted compulsive gambler, from access to Defendant's casino, Resorts in Atlantic City, after observing Plaintiff's compulsive and addictive behavior towards the gaming activities offered by defendant.

179.) That the injury or damages caused as a result of defendant's negligence were foreseeable consequences to a compulsive gambler, such as Plaintiff Taveras.

180.) That Defendant Bob Benz owed Plaintiff Taveras a "Reasonable Duty of Care," not unlike dram shop owners, when a patron is clearly intoxicated to restrict further beverage service. That Defendant Resorts is familiar, its staff having been trained to recognize and eject compulsive gamblers from the gaming area, was in a better position to have protected Plaintiff Taveras and itself from liability.

181.) That the defendant Bob Benz's negligence is the proximate cause of the plaintiff's harm.

182.) The Defendant Bob Benz as an employee of Resorts Casino negligently operated Resorts Hotel and Casino by permitting an identified compulsive gambler, Taveras to continue to gamble after having been identified by themselves and staff as a person with a compulsive addiction and failed to protect plaintiff and itself from known dangers Resorts posed to compulsive gamblers.

183.) The Defendants' failure to warn of known dangers casino posed to compulsive gamblers was the proximate cause of Plaintiff Taveras' injuries.

184.) The Defendants' failure to immediately deny access to an identified compulsive gambler and continue to service a compulsive gambler such as Plaintiff Taveras, was the proximate cause of Plaintiff's injuries.

185.) That once Defendant Bob Benz identified Plaintiff as a compulsive gambler, Defendant Resorts Casino failed to exercise due care.

186.) That the moment the defendant picked up the plaintiff via limousine at her home, it assumed the duty to make the premises, Resort's safe from known and unknown dangers.

187.) That once the defendant Bob Benz realized that the plaintiff was a compulsive gambler, it was under a duty to protect or make the premises safe for the invitee, the plaintiff because of the fact that she was a compulsive gambler, a casino was not a safe refuge for the plaintiff.

188.) That by continuing to shuttle plaintiff to the casino, almost daily, the defendant Bob Benz was negligent in its treatment of the plaintiff and was the proximate cause of plaintiff's resulting injuries and damages.

189.) That Defendant Resorts Casino is strictly liable for the vicarious acts of its agents, and is strictly liable for Bob Benz's failure to act in a reasonable prudent manner towards plaintiff, a known compulsive gambler, after receiving sensitivity training in this area, and was the proximate cause of plaintiff's injuries regardless of whether Resort exercised any care to avoid the harm.

190.) As a further direct and proximate result of the negligence of defendants as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

**AND AS FOR PLAINTIFF'S SEVENTH CAUSE OF ACTION: BREACH OF
IMPLIED COVENANT OF GOOD FAITH AND DEALING**

191.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "190."

192.) On or about September of 2003, Plaintiff Taveras became a patron of Defendants' casino, she had a Resorts Casino card number of #2523315 and her host was Resorts Casino representative, Bob Benz.

193.) That once plaintiff became a patron of defendant's Resorts Casino, the casino covenanted to act in good faith and fair dealing.

194.) That once defendant Resorts Casino staff and agents identified plaintiff as a compulsive gambler, a mental impairment existed in plaintiff's reasoning and an addictive behavioral pattern, that this impairment was observed and reported to casino management, who proceeded to ignore it.

195.) That the compulsivity and addictive nature of the "mental disease" of gambling, as termed by the Psychiatric Association, had taken hold of the plaintiff's mental faculties and affected the plaintiff's rational thinking patterns, so much so, that the defendant and its agents commented on it regularly and were in a better position to

have identified this problem and taken measures to prevent injuries to plaintiff and protect itself.

196.) That when Bob Benz suggested that the plaintiff, in her impaired condition, sign a "Waiver of Liability" on behalf of Resorts Casino, to protect itself from any exposure to liability from plaintiff's continued gaming—defendant was not acting in "good faith" or "fairly dealing" with the plaintiff.

197.) That defendant was trying to unjustly enrich itself at the expense of the plaintiff and her impairment and trying to limit liability for itself in the process.

198.) That the plaintiff had a reasonable measure of report and trust established with the defendant and its staff, due to the fact that they chatted regularly, watched and commented on her gambling for days, provided her with comfortable transportation to and from the casino and knew her not to be a foreign customer of the casino. She was known to most of the staff and entrusted her care and well being with them while she was in New Jersey, a state foreign to her own.

199.) That based on this perceived trust between the plaintiff and the defendant, that the defendant took advantage and benefited from the relationship because the defendant was unable to make rational decisions due to the mental defect that accompanies a "gambling addiction."

200.) That the defendant was fully aware of plaintiff's gambling problem after observing her for gaming patterns for over two (2) years.

201.) That Resorts Casino violated the implied covenant of "good faith" and "fair dealing" by attempting to use plaintiff's mental impairment to its economic advantage.

202.) As a further direct and proximate result of the defendants breach of its implied covenant of good faith and fair dealing with the plaintiff when she became a patron of Resorts Casino, as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TEN MILLION (\$10,000,000) DOLLARS.

AND AS FOR PLAINTIFF'S EIGHTH CAUSE OF ACTION:

UNJUST ENRICHMENT

203.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "202."

204.) On or about September of 2003, Plaintiff Taveras became a patron of Defendants' casino, she had a Resorts Casino card number of #2523315 and her host was Resorts Casino representative, Bob Benz.

205.) That once plaintiff became a patron of defendant's Resorts Casino, the casino covenanted to act in good faith and fair dealing.

206.) That once plaintiff was identified by defendant Resorts Casino staff and agents as a compulsive gambler, a mental impairment existed in plaintiff's reasoning.

207.) That the compulsivity and addictive nature of the "mental disease" of gambling, as termed by the Psychiatric Association, has taken hold and the addictive behaviors affected the plaintiff's rational thinking patterns, the defendant and its agents, were in a better position to have identified this problem and taken measures to prevent injuries to plaintiff and protect itself.

208.) That when Bob Benz suggested that the plaintiff, in her impaired condition, sign a "Waiver of Liability" on behalf of Resorts Casino, to protect itself from any exposure to liability from plaintiff's continued gaming—defendant was not acting in "good faith" or "fairly dealing" with the plaintiff.

209.) That defendant was trying to unjustly enrich itself at the expense of the plaintiff and trying to limit liability for itself in the process.

210.) That Resorts Casino violated the implied covenant of "good faith" and "fair dealing" by attempting to use plaintiff's mental impairment to its economic advantage.

211.) That defendant attempted to use plaintiff's gambling addiction to unjustly enrich itself at the expense of the plaintiff.

212.) That defendant did unjustly enrich itself by negligently permitting plaintiff to continually gamble at defendant's Resorts Casino.

213.) That defendant did unjustly enrich itself after identifying plaintiff as a compulsive gambler and continuing to transport her from her home in New York to the

casino on a regular basis, offer casino comps and soliciting her on a regular basis through mailings.

214.) That defendant did unjustly enrich itself by negligently permitting plaintiff to continually gamble and lose over Eight Hundred Thousand (\$800,000) Dollars at Defendants Resorts Hotel and Casino.

215.) As a further direct and proximate result of the defendants negligence and breach of its implied covenant of good faith and fair dealing, and unjust enrichment at the expense of the plaintiff when she became a patron of Resorts Casino, as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

**AND AS FOR PLAINTIFF'S NINTH CAUSE OF ACTION: BANKING FRAUD;
DEFENDANTS' FAILURE TO REPORT VIOLATED THE BANK SECRECY ACT**

216.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "215."

217.) That the defendant Resorts Hotel and Casino had a statutory and federal duty to report cash transactions in excess of Ten Thousand (\$10,000) Dollars to the Internal Revenue Service on a regular basis pursuant to Section 60501, 26 U.S.C. and 31 U.S.C. § 5331, to report these transactions to The Financial Crimes Enforcement Network and file reports pursuant to the Bank Secrecy Act, 31 CFR § 103.

218.) That when plaintiff Taveras was gambling sums in excess of Ten thousand dollars and bringing cash to the casino over these sums, defendant Resorts had a duty to report these transactions to the Internal Revenue Service.

219.) The plaintiff was gambling an average of two to three thousand dollars an hour on any given gambling day.

220.) That plaintiff was gambling for days at a time at defendant Resorts Casino, sometimes gambling as much as One Hundred Fifty Thousand Dollars in cash over a weekend as was the case in September of 2005.

221.) That defendant Resorts watched plaintiff withdraw from one of its cashiers monies in excess of Ten thousand dollars over a series of hours and days, yet failed to report this activity to the IRS.

222.) That the defendant watched plaintiff retrieve, gamble, lose, win, withdraw monies in excess of Ten thousand dollars on an hourly basis daily and failed to report this to the IRS.

223.) That defendant's failure to report to the IRS plaintiff's suspicious, frenetic, compulsive monetary withdrawals, monetary outlays, monetary loses/gains, all in excess of Ten thousand dollars, proximately caused plaintiff's injuries.

224.) That defendants' fraudulent reporting to the IRS was the proximate cause of plaintiff's injuries.

225.) That defendant had a statutory duty to report to the IRS cash transactions by any person who in a single transaction transacted in amounts with defendant Resorts Casino greater than Ten thousand dollars.

226.) That defendant's willful, negligent, intentional, malicious failure in exercising due care in its duty to report excessive cash transactions over Ten thousand dollars to the IRS, which would have alerted the IRS of plaintiff's compulsive gambling habit and possibly theft of escrow funds, were the proximate cause of plaintiff's injuries and damages.

227.) That defendant's willful, negligent, intentional, malicious failure to report, kept plaintiff's gambling activities a secret from the IRS, the Casino Gaming Commission, The Financial Crime Enforcement Network and other public agencies/authorities who would have interceded to curb plaintiff's behavior, at least in handling monies.

228.) That defendant's willful, negligent, intentional, malicious failure to report was done in anticipation of keeping plaintiff's gaming a secret for the benefit of the defendant's casino.

229.) That as a result of the defendant's intentional lack of reporting, plaintiff lost her license to practice law, her parent's home, (worth \$850,000), her car, her

apartment, her law office, her reputation and forced her to seek almost a year of treatment in a rehabilitation facility, as a result of defendants' acts.

230.) That plaintiff spent almost a year of her life in a rehabilitation facility, CrossRoads Aftercare and Vanguard, for compulsive gambling treatment, as a result of defendants' acts.

231.) That plaintiff's life was uprooted and she was removed and relocated to the state of Minnesota where she now resides to continue recovery from the events occurred as a result of defendants' acts.

232.) That the damages suffered by the plaintiff were foreseeable damages as they occur to many compulsive gamblers and the defendant was aware of the consequences its lack of reporting would cause to any gambler, but, namely, the plaintiff to this action.

233.) As a further direct and proximate result of the defendants breach of its duty to report plaintiff's cash transactions in excess of Ten thousand dollars to the IRS and other governmental agencies, as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

**AND AS FOR PLAINTIFF'S TENTH CAUSE OF ACTION: BREACH OF
STATUTORY DUTY TO REPORT GAMING ACTIVITIES IN EXCESS OF TEN
THOUSAND DOLLARS VIA CASINO CURRENCY TRANSACTION REPORT**

234.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "233."

235.) That the defendant Resorts Hotel and Casino had a statutory and federal duty to report cash transactions in excess of Ten Thousand (\$10,000) Dollars to the Internal Revenue Service on a regular basis pursuant to Section 60501, 26 U.S.C. and 31 U.S.C. § 5331, to report these transactions to The Financial Crimes Enforcement Network and file reports pursuant to the Bank Secrecy Act, 31 CFR § 103.

236.) That when plaintiff Taveras was gambling sums in excess of Ten thousand dollars and bringing cash to the casino over these sums, defendant Resorts had a duty to report these transactions to the Internal Revenue Service, but also had a duty to file a

Casino Currency Transaction Report accounting for the sums of money in excess of Ten thousand dollars exhibited, gambled, withdrawn and exchanged at defendant Resorts Casino.

237.) The plaintiff was gambling an average of two to three thousand dollars an hour on any given gambling day.

238.) That plaintiff was gambling for days at a time at defendant Resorts Casino, sometimes gambling as much as One Hundred Fifty Thousand Dollars in cash over a weekend as was the case in September of 2005.

239.) That defendant Resorts watched plaintiff withdraw from one of its cashiers monies in excess of Ten thousand dollars over a series of hours and days, yet failed to report this activity to the IRS.

240.) That the defendant watched plaintiff retrieve, gamble, lose, win, withdraw monies in excess of Ten thousand dollars on an hourly basis daily and failed to report this to the IRS.

241.) That defendant's failure to report to the IRS plaintiff's suspicious, frenetic, compulsive monetary withdrawals, monetary outlays, monetary loses/gains, all in excess of Ten thousand dollars, proximately caused plaintiff's injuries.

242.) That defendants' fraudulent reporting to the IRS was the proximate cause of plaintiff's injuries.

243.) That defendant had a statutory duty to report to the IRS and Casino Gaming Commission cash transactions by any person who in a single transaction transacted in amounts with defendant Resorts Casino greater than Ten thousand dollars.

244.) That defendant's willful, negligent, intentional, malicious failure in exercising due care in its duty to report excessive cash transactions over Ten thousand dollars via a Casino Currency Transaction Report to the State of New Jersey and Federal agencies, which would have alerted them of plaintiff's compulsive gambling habits and possibly theft of escrow funds, were the proximate cause of plaintiff's injuries and damages.

245.) That defendant's willful, negligent, intentional, malicious failure to file an accurate Casino Currency Transaction Report, kept plaintiff's gambling activities a secret from the IRS, the Casino Gaming Commission, The Financial Crime Enforcement Network and other public agencies/authorities who would have interceded to curb plaintiff's behavior, at least in handling monies.

246.) That defendant's willful, negligent, intentional, malicious failure to report was done in anticipation of keeping plaintiff's gaming a secret for the benefit of the defendant's casino.

247.) That as a result of the defendant's intentional lack of reporting, plaintiff lost her license to practice law, her parent's home(worth \$750,000), her car, her apartment, her law office, her reputation and forced her to seek almost a year of treatment in a rehabilitation facility.

248.) That the damages suffered by the plaintiff were foreseeable damages as they occur to many compulsive gamblers and the defendant was aware of the consequences its lack of reporting would cause to any gambler, but, namely, the plaintiff to this action.

249.) As a further direct and proximate result of the defendants breach of its duty to report plaintiff's cash transactions in excess of Ten thousand dollars to the IRS, and filing a true and accurate account of plaintiff's activities via a Casino Currency Transaction Report, as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000) DOLLARS.

AND AS FOR PLAINTIFF'S ELEVENTH CAUSE OF ACTION:

INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

250.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "249."

251.) That Defendant and its staff after numerous warnings by staff and its management, observation of the ceaseless and compulsive gaming activities of the plaintiff to this action was made aware of the fact that the plaintiff was a compulsive gambler.

252.) That after identifying plaintiff as a compulsive gambler, the defendant through its agent, Bob Benz, intentionally, maliciously and wantonly failed to act and exercise due care to protect itself and the plaintiff to this action.

253.) That Defendant Bob Benz was under a general duty to exercise reasonable care in the operation of Resorts Casino and gaming activities.

254.) That due to the nature of the relationship between defendant, its staff and the plaintiff that defendant and its agents were aware of the plaintiffs' gambling addiction and intentionally continued to "fuel" that addiction by transporting her to and from the casino, comping her stay at the casino, mailing her offer and incentives to stay at the casino and enticing her into further gaming activities.

255.) That the defendant's acts were all willful and of its own accord and that defendant knew that its acts would cause severe emotional and mental distress if they continued to solicit the plaintiff in her current mental state.

256.) That it was foreseeable that if Plaintiff was provided with a forum like Defendant's employer, Resorts Casino, that there was the possibility that she would become a compulsive gambler and suffer severe emotional distress.

257.) That it was foreseeable that if the Defendant Bob Benz continued to solicit the plaintiff by mail, phone and internet, that she could become a compulsive gambler, since Defendant already knew she was susceptible to a gambling addiction from intensely observing her gaming activities on a regular basis through surveillance devices and staff.

258.) That it was foreseeable that if the Plaintiff, after approval was granted by Bob Benz, was shuttled and transported to Resorts Casino by Defendant's limousine company several from a frequency of several times a year to several times a week, that she was becoming a compulsive gambler.

259.) That it was foreseeable to the defendant Bob Benz, that if Plaintiff continued to gamble and lose at the pace she was gambling, that she would become compulsive and addicted to gambling and suffer severe emotional distress.

260.) That the Defendant Bob Benz intentionally caused plaintiff severe emotional distress by continuing to entice her into gaming activities

261.) That once the defendant Bob Benz authorized the transporting and shuttling of the plaintiff via limousine, he owed her a duty of care to keep her and the premises Resorts Casino safe for her.

262.) That defendant Bob Benz intentionally failed to act in a reasonably prudent manner and his intentional act was the proximate cause of plaintiff's injuries and mental distress.

263.) That the injuries or damages resultant were proximately caused by Defendant Bob Benz's intentional failure to act in a timely manner to restrict Plaintiff, admitted compulsive gambler, from access to Defendant's casino, Resorts in Atlantic City, after observing Plaintiff's compulsive and addictive behavior towards the gaming activities offered by defendant.

264.) That the injury or damages caused as a result of defendant's intentional acts were foreseeable consequences to a compulsive gambler, such as Plaintiff Taveras.

265.) That Defendant Bob Benz owed Plaintiff Taveras a "Reasonable Duty of Care," not unlike dram shop owners, when a patron is clearly intoxicated to restrict further beverage service. That Defendant Resorts is familiar, its staff having been trained to recognize and eject compulsive gamblers from the gaming area, was in a better position to have protected Plaintiff Taveras and itself from liability.

266.) That the defendant Bob Benz's intentional acts were the proximate cause of the plaintiff's harm and mental distress.

267.) The Defendant Bob Benz as an employee of Resorts Casino negligently operated Resorts Hotel and Casino by permitting an identified compulsive gambler, Taveras to continue to gamble after having been identified by themselves and staff as a person with a compulsive addiction and failed to protect plaintiff and itself from known dangers Resorts posed to compulsive gamblers.

268.) The Defendants' intentional failure to immediately deny access to an identified compulsive gambler and continue to service a compulsive gambler such as Plaintiff Taveras, was the proximate cause of Plaintiff's injuries.

269.) That once Defendant Bob Benz identified Plaintiff as a compulsive gambler, Defendant Resorts Casino failed to exercise due care.

270.) That by continuing to shuttle plaintiff to the casino, almost daily, the defendant Bob Benz intentional act to continue to entice the plaintiff into gaming activities was the proximate cause of plaintiffs resulting injuries, mental distress and damages.

271.) That Defendant Resorts Casino is strictly liable for the vicarious acts of its agents, and is strictly liable for Bob Benz intentional failure to act in a reasonable prudent manner towards plaintiff, a known compulsive gambler, after receiving sensitivity training in this area, and was the proximate cause of plaintiff's injuries regardless of whether Resort exercised any care to avoid the harm.

272.) As a further direct and proximate result of the intentional acts of defendants as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TEN MILLION (\$10,000,000) DOLLARS.

AND AS FOR PLAINTIFF'S TWELFTH CAUSE OF ACTION:
NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS

273.) Plaintiff incorporates by reference and re-alleges as if set forth fully herein the foregoing allegations contained in paragraphs "1" through "272."

274.) That defendant Resorts Casino and its staff after numerous warnings by staff and its management, observation of the ceaseless and compulsive gaming activities of the plaintiff to this action was made aware of the fact that the plaintiff was a compulsive gambler.

275.) That after identifying plaintiff as a compulsive gambler, the defendants through its agents, negligently failed to act and exercise due care to protect itself and the plaintiff to this action and as a result negligently caused plaintiff's mental distress.

276.) That defendant Bob Benz was under a general duty to exercise reasonable care in the operation of Resorts Casino and gaming activities.

277.) That due to the nature of the relationship between defendant, its staff and the plaintiff that defendant and its agents were aware of the plaintiffs' gambling addiction and negligently continued to "fuel" that addiction by transporting her to and

from the casino, comping her stay at the casino, mailing her offer and incentives to stay at the casino and enticing her into further gaming activities.

278.) That the defendants' acts were all negligent and that defendant knew that its acts would cause severe emotional and mental distress if they continued to solicit the plaintiff in her current mental state, but, negligently ignored the risks.

279.) That it was foreseeable that if Plaintiff was provided with a forum like Defendant's employer, Resorts Casino, that there was the possibility that she would become a compulsive gambler and suffer severe emotional distress.

280.) That it was foreseeable that if the Defendant Bob Benz continued to solicit the plaintiff by mail, phone and internet, that she could become a compulsive gambler, since Defendant already knew she was susceptible to a gambling addiction from intensely observing her gaming activities on a regular basis through surveillance devices and staff.

281.) That it was foreseeable that if the Plaintiff, after approval was granted by Bob Benz, was shuttled and transported to Resorts Casino by Defendant's limousine company several from a frequency of several times a year to several times a week, that she was becoming a compulsive gambler.

282.) That it was foreseeable to the defendant Bob Benz, that if Plaintiff continued to gamble and lose at the pace she was gambling, that she would become compulsive and addicted to gambling and suffer severe emotional distress.

283.) That the Defendant Bob Benz negligently caused plaintiff severe emotional distress by continuing to entice her into gaming activities and ignoring warnings from staff.

284.) That once the defendant Bob Benz authorized the transporting and shuttling of the plaintiff via limousine, he owed her a duty of care to keep her and the premises Resorts Casino safe for her.

285.) That defendant Bob Benz intentionally failed to act in a reasonably prudent manner and his intentional act was the proximate cause of plaintiff's injuries and mental distress.

286.) That the injuries or damages resultant were proximately caused by Defendant Bob Benz's negligent failure to act in a timely manner to restrict Plaintiff, admitted compulsive gambler, from access to Defendant's casino, Resorts in Atlantic City, after observing Plaintiff's compulsive and addictive behavior towards the gaming activities offered by defendant.

287.) That the injury or damages caused as a result of defendant's intentional acts were foreseeable consequences to a compulsive gambler, such as Plaintiff Taveras.

288.) That Defendant Bob Benz owed Plaintiff Taveras a "Reasonable Duty of Care," not unlike dram shop owners, when a patron is clearly intoxicated to restrict further beverage service. That Defendant Resorts is familiar, its staff having been trained to recognize and eject compulsive gamblers from the gaming area, was in a better position to have protected Plaintiff Taveras and itself from liability.

289.) That the defendant Bob Benz's negligent acts were the proximate cause of the plaintiff's harm and mental distress.

290.) The Defendant Bob Benz as an employee of Resorts Casino negligently operated Resorts Hotel and Casino by permitting an identified compulsive gambler, Taveras to continue to gamble after having been identified by themselves and staff as a person with a compulsive addiction and failed to protect plaintiff and itself from known dangers Resorts posed to compulsive gamblers.

291.) The Defendants' negligent failure to immediately deny access to an identified compulsive gambler and continue to service a compulsive gambler such as Plaintiff Taveras, was the proximate cause of Plaintiff's injuries.

292.) That once Defendant Bob Benz identified Plaintiff as a compulsive gambler, Defendant Resorts Casino failed to exercise due care.

293.) That by continuing to shuttle plaintiff to the casino, almost daily, the defendant Bob Benz intentional act to continue to entice the plaintiff into gaming activities was the proximate cause of plaintiff's resulting injuries, mental distress and damages.

294.) That Defendant Resorts Casino is strictly liable for the vicarious acts of its agents, and is strictly liable for Bob Benz intentional failure to act in a reasonable

prudent manner towards plaintiff, a known compulsive gambler, after receiving sensitivity training in this area, and was the proximate cause of plaintiff's injuries regardless of whether Resort exercised any care to avoid the harm.

295.) As a further direct and proximate result of the negligent acts of defendants as set forth above, plaintiff sustained the following serious injuries and damages in the amount of TWENTY MILLION (\$20,000,000.00) DOLLARS.

DEMAND

WHEREFORE, the Plaintiff demands relief as follows:

- I. Judgment against the defendants RESORTS INTERNATIONAL HOTEL, INC., D/B/A RESORTS HOTEL AND CASINO (A wholly owned subsidiary of Sun International Hotels Limited), COLONIAL CAPITAL, INC., SUN INTERNATIONAL HOTELS LIMITED, BOB BENZ, individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, BETTY DIANDRIA, individually and as an agent of Resorts International Hotel, Inc., D/B/A Resorts Hotel And Casino, AGGIE RENA, individually and as an agent of JOHN DOE CORPORATION, TRUMP PLAZA HOTEL AND CASINO, MGM GRAND HOTEL AND CASINO, TAJ MAJAL HOTEL AND CASINO, TROPICANA HOTEL AND CASINO, HARRAI'S SHOWBOAT HOTEL AND CASINO, BALLY'S PARK PLACE HOTEL AND CASINO, HARRAI'S ENTERTAINMENT, INC., JOHN DOE CORPORATION, JOHN DOE#1-5, et al., in the amount of TWENTY MILLION DOLLARS (\$20,000,000.00) plus interests and costs for all counts of Plaintiff's Complaint.
- II. And, as for further relief the Court finds just and proper.


Arelia Margarita Taveras

VERIFICATION OF COMPLAINT

State of New Jersey

County of Newark , to wit:

Areliá Margarita Taveras , the Complainant named in the foregoing Complaint being duly sworn, says that the facts and allegations contained therein are true, except so far as they are therein stated to be on information, and that, so far as they are therein stated to be on information, she/he believes them to be true.


Complainant (signature)

Taken, sworn to and subscribed before me this 20th day of September 2007


Notary Public

