

ZENA M. KARELIN,	§	IN THE DISTRICT COURT
PLAINTIFF,	§	
	§	
VS.	§	296 TH JUDICIAL DISTRICT
	§	
ADVANTAGE CONFERENCES, LLC,	§	
TIMOTHY S. DARNELL,	§	
INDIVIDUALLY,	§	
JACK M. WEINZIERL,	§	
INDIVIDUALLY, AND	§	
JAMES MCHUGH, INDIVIDUALLY	§	
DEFENDANTS.	§	COLLIN COUNTY, TEXAS

PLAINTIFF'S FIRST AMENDED ORIGINAL PETITION

COMES NOW Plaintiff, Zena M. Karelin, complaining of Defendants, Advantage Conferences, LLC, Timothy S. Darnell, Individually, Jack M. Weinzierl, Individually, and James McHugh, Individually, and would show the Court as follows:

DISCOVERY LEVEL

1. DISCOVERY IS INTENDED TO BE CONDUCTED UNDER LEVEL 2 OF RULE 190 OF THE TEXAS RULES OF CIVIL PROCEDURE.

PARTIES

2. Plaintiff, Zena M. Karelin, is an individual who resides in Modesto, California.
3. Defendant, Advantage Conferences, LLC has appeared herein.
4. Defendant, Timothy S. Darnell has appeared herein.
5. Defendant, Jack M. Weinzierl has appeared herein.
6. Defendant, James McHugh has appeared herein.

VENUE

7. Venue of this suit is proper in Collin County, Texas because a substantial part of the acts or omissions giving rise to Plaintiff's causes of action occurred in Collin County, Texas and because at least one of the Defendants resides in Collin County, and so venue is proper as to all of the Defendants.

CAUSES OF ACTION

FRAUD AND CONSPIRACY

8. Based on information and belief, Plaintiff states that Defendants, acting separately, jointly, and/or in concert made material misrepresentations to Plaintiff in order to induce Plaintiff into investing money in the Advantage Conferences "Christ-center business opportunity" or alternatively, concealed material facts from Plaintiff that, had those facts been known by Plaintiff, Plaintiff would not have invested such funds into such venture.
9. Based on information and belief, Defendants knew that these representations were false when made or the representations were asserted without knowledge of the truth of the representations. Defendants also knew the misrepresented and/or concealed facts were material to the investment being made by Plaintiff.
10. Based on information and belief, Defendants intended that Plaintiff rely on the representations.
11. Plaintiff relied on these representations.

12. As a direct and proximate result of the misrepresentations and/or concealment of facts by Defendants, Plaintiff has sustained damages in excess of the minimum jurisdictional limits of the Court.
13. Defendants' conduct as described above was malicious and the tortious conduct occurred in whole or in part in Collin County, Texas. Accordingly, Plaintiff requests that exemplary damages be awarded against Defendants.
14. Based upon information and belief, these false, misleading and deceptive representations made to Plaintiff and the concealment of material facts were part of the common scheme and common devices used by Defendants in their conspiracy to induce Plaintiff and hundreds of other individuals to invest money into the Advantage Conferences "Christ-center business opportunity."

DECEPTIVE TRADE PRACTICES ACT

15. Defendants' conduct described above also violated the Texas Deceptive Trade Practices Act ("DTPA") and, as such, Defendants are liable to Plaintiff pursuant to that statute.
16. Plaintiff also is entitled to her reasonable attorneys' fees pursuant to section 17.50(d) of the Texas Deceptive Trade Practices Act.
17. The acts and practices described above violate DTPA sections 17.46(b)(3), (5), (7), (12), and (24). The conduct was also an unconscionable action or course of action as described in DTPA section 17.45(5), in that it took advantage of Plaintiff's lack of knowledge, ability and experience and capacity to a grossly unfair degree and because it resulted in a gross disparity between the

consideration paid in the transaction and the value received. With respect to these causes of action, the conduct described above were the producing cause of actual damages to Plaintiff.

18. Defendants had an actual awareness of the false, deception, and unfairness of the acts and practices set forth above. Alternatively, Defendants committed the acts and practices above intentionally.

19. No written notice of the claims made in this Petition under the DTPA was given prior to filing this suit because the statute of limitations applicable to this action was expected to expire during the notice period.

PRAYER

WHEREFORE, THE ABOVE PREMISES CONSIDERED, Plaintiff Zena M. Karelin respectfully requests that Defendants be cited to appear and answer, and upon final trial, Plaintiff have judgment against the Defendants for the following:

1. Actual damages and exemplary damages against Defendants in an amount in excess of the minimum jurisdictional limits of the Court;
2. Additional damages provided for by Section 17.50(b)(1) of the Texas Deceptive Trade Practices Act;
3. Attorney's fees pursuant to section 17.50(d) of the Texas Deceptive Trade Practices Act;
4. Pre-judgment and post-judgment interest at the maximum legal rate;
5. Cost of courts; and
6. Such other and further relief to which Plaintiff may be justly entitled.

Respectfully submitted,

The Law Office of
FOSTER & FOSTER, P.C.

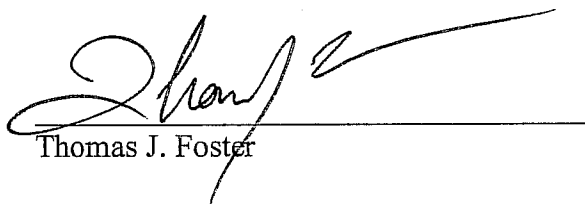
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ATTORNEYS FOR PLAINTIFF

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above Plaintiff's First Amended Original Petition was served via facsimile on this 29th day of April, 2008 on Jason Charles Ciarochi.


Thomas J. Foster