1 2 3 4 5 6 7 8 9	Estela S. Richeda (SBN 143917)  LAW OFFICES OF ESTELA S. RICHEDA 150 So. El Molino Avenue, Suite 100 Pasadena, California 91101 Tel. (626) 304-0648 Fax. (626) 304-0844 E-mail: estela@richedalaw.com  R. Brian Kramer (SBN 102371) LAW OFFICE OF R. BRIAN KRAMER 1230 Rosecrans Ave., Suite 300 Manhattan Beach, California 90266 Tel. (310) 536-9501 Fax. (310) 536-9503 E-mail: briankramerlaw@aol.com  Attorneys for Plaintiff, JOSE RIVERA		. Slayton, Executive Officer/Clerk of Court, by Edward Madrid, Deput		
10	SUPERIOR COURT OF THE STATE OF CALIFORNIA				
11	FOR THE COUNTY OF LOS ANGELES (UNLIMITED)				
12	JOSE RIVERA, an individual;	) CAS	ENO: 23AHCV00379		
13	Plaintiff,	) )			
14	vs.	CON	MPLAINT FOR DAMAGES:		
15 16 17 18	CALIFORNIA STATE LOTTERY COMMISSION, a public entity; STATE OF CALIFORNIA, a public entity; "REGGIE", an individual; EDWIN CASTRO, an individual; and DOES 1 through 50, inclusive, Defendants.	1. 2. 3. 4.	DECLARATORY RELIEF; CONVERSION; TRESPASS TO CHATTEL; INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS;		
19		5.	NEGLIGENT INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS;		
20					
21	COMES NOW plaintiff, JOSE RIVERA, and for causes of action against defendants, and				
22	each of them, complains and alleges as follows:				
23	GENERAL ALLEGATIONS				
24	1. At all times mentioned herein, plaintiff, JOSE RIVERA, was, and now is, a				
25	resident of the County of Los Angeles, State of California.				
26	2. Plaintiff is informed and believes and thereupon alleges defendant, CALIFORNIA				
27	STATE LOTTERY COMMISSION, is and has been a public entity organized under the				
28	Constitution of the State of California.				
			MACES		

- 3. Plaintiff is informed and believes and thereupon alleges defendant, STATE OF CALIFORNIA, is a public entity.
- 4. Plaintiff is informed and believes and thereupon alleges defendants, CALIFORNIA STATE LOTTERY COMMISSION and STATE OF CALIFORNIA, own, manage, operate, control and/or supervise the Powerball Lottery in California.
- 5. Plaintiff is informed and believes and thereupon alleges that at all times mentioned herein defendant "REGGIE" is an individual and was, and now is, a resident of the County of Los Angeles, State of California. When the full legal name of "REGGIE" is obtained, plaintiff will seek leave of court to amend this Complaint to assert the true name and/or capacity of "REGGIE" as DOE 1.
- 6. Plaintiff is informed and believes and thereupon alleges that at all times mentioned herein defendant, EDWIN CASTRO, was, and now is, a resident of the County of Los Angeles, State of California.
- 7. The true names and/or capacities, whether individual, corporate, associate or otherwise of defendants, DOES 1 through 50, inclusive, are unknown to plaintiff at this time and, therefore, plaintiff sues said defendants by said fictitious names, and when the true names and capacities of said defendants are ascertained, plaintiff will amend this complaint accordingly. Plaintiff is informed and believes and thereupon alleges that each defendant designated herein as a DOE is legally responsible, negligently or in some other actionable manner, for the events and happenings hereinafter referred to and proximately thereby caused the injuries and damages to plaintiff as hereinafter alleged. Plaintiff will seek leave of court to amend this complaint to insert the true names and/or capacities of such fictitiously named defendants when the same have been ascertained.
- 8. Plaintiff is informed and believes and thereupon alleges that at all times mentioned herein defendants, and each of them, including DOES 1 through 50, inclusive, and each of them, were the agents, servants, employees and/or joint venturers of their co-defendants, and were, as such, acting within the course, scope permission, consent and authority of said agency, employment and/or joint venture and that the acts of every defendant were ratified by

- 9. On or about November 7, 2022, plaintiff, JOSE RIVERA, purchased a lottery ticket for the \$2.04 Billion Powerball Lottery draw that was scheduled for November 7, 2022 (hereinafter "SUBJECT LOTTERY TICKET"). The draw for the \$2.04 Billion Powerball Lottery actually took place on November 8, 2022.
- 10. Plaintiff, JOSE RIVERA, was over the age of 18 years and lawfully purchased the "SUBJECT LOTTERY TICKET" at Joe's Service Center in Altadena, California, and plaintiff was at all times mentioned herein the rightful and lawful owner of the "SUBJECT LOTTERY TICKET".
- 11. On or about November 7, 2022, defendant "REGGIE" stole the "SUBJECT LOTTERY TICKET" from plaintiff, JOSE RIVERA.
- 12. After defendant "REGGIE" stole the "SUBJECT LOTTERY TICKET" from plaintiff, JOSE RIVERA, numerous requests and demands were made by plaintiff to defendant "REGGIE" to return the "SUBJECT LOTTERY TICKET" but defendant "REGGIE" refused to return the "SUBJECT LOTTERY TICKET" to plaintiff.
- 13. On November 8, 2022, the following winning numbers were picked for the \$2.04 Billion Powerball Lottery: 10, 33, 41, 47, 56 and 10. This was and remains the largest prize in lottery history. Plaintiff contends the winning numbers are on the "SUBJECT LOTTERY TICKET" which belongs to plaintiff.
- 14. After the winning numbers were picked on November 8, 2022, plaintiff made repeated requests that "REGGIE" return the "SUBJECT LOTTERY TICKET" to plaintiff. "REGGIE's responses included, but were not limited to, the ticket was a loser or if I find the ticket we can split the winnings 50/50. Plaintiff refused to be blackmailed and repeatedly requested the "SUBJECT LOTTERY TICKET" be returned to plaintiff. "REGGIE" refused to return the "SUBJECT LOTTERY TICKET" to plaintiff.
- 15. Plaintiff, JOSE RIVERA, reported the theft of the "SUBJECT LOTTERY TICKET" to the California Lottery and law enforcement.

- 16. On February 14, 2023, defendants, CALIFORNIA STATE LOTTERY COMMISSION and STATE OF CALIFORNIA, announced EDWIN CASTRO was the winner of the \$2.04 Billion Lottery. Plaintiff is informed and believes and thereupon alleges defendant EDWIN CASTRO refused to attend the California Lottery press conference and failed to allow disclosure of his age, education, residence or occupation, among other things.
- 17. Upon plaintiff's learning on February 14, 2023, that a certain EDWIN CASTRO was claimed to be the owner of the winning ticket, plaintiff, JOSE RIVERA, attempted on February 15, 2023, to present a Claim Form to the California Lottery in Chatsworth, California, but plaintiff was advised his Claim Form would not be accepted as the matter was closed.
- 18. On February 17, 2023, plaintiff, JOSE RIVERA, presented a Claim Form to the California Lottery in Santa Fe Springs, California, along with a Declaration that the "SUBJECT LOTTERY TICKET" was stolen, and the Claim Form was accepted by the Lottery office.
- 19. On February 17, 2023, plaintiff, JOSE RIVERA, by and through his counsel, sent a letter to the California Lottery, including to Director Johnson, Deputy Director Shergill-Chima and Chief Legal Counsel Aceves, and advised the California Lottery of plaintiff's claim the "SUBJECT LOTTERY TICKET" was stolen and plaintiff is the rightful owner of the "SUBJECT LOTTERY TICKET". The February 17, 2023, letter included a copy of the Claim Form plaintiff presented earlier that day to the California Lottery in Santa Fe Springs, California. The February 17, 2023, letter stated, among many other things, the following:

Attached is a signed Claim Form on behalf of Jose Rivera in connection with the prize claim of \$2.04 Billion. Mr. Rivera insists the California Lottery withhold making any payment to Edwin Castro or any other individual until the facts and circumstances of the purchase, theft and submitting of the winning Powerball ticket is fully investigated by the California Lottery and law enforcement. The funds should be interplead so the rightful owner can be determined in a court of law.

Mr. Rivera is willing to fully cooperate with your investigation, including meeting with your investigators to give a detailed statement concerning the purchase and theft of the ticket, along with threats of blackmail. We request an opportunity to view the video depicting the date and time of the purchase of the winning lottery ticket at Joe's Service Center in Altadena, California, where Mr. Rivera purchased the ticket on November 7, 2022. We also look forward to viewing any video that purports to depict Edwin Castro purchasing the winning ticket.

It was recently reported in the news there is an extensive vetting process that is performed when someone presents a winning ticket. We assume the California Lottery has taken or will take into consideration Mr. Rivera's reported theft allegations. The following was recently reported in the news media concerning the vetting process:

California Lottery spokesperson Russ Lopez explained that when the winner shows up, an extensive vetting process takes place to make sure they're the actual winner.

Officials will even check store surveillance video from the time when the ticket was purchased.

"We look at the ticket, we make sure this is a valid ticket, this is the right ticket, **this is the right person**, the signatures match, we look at identities and we look at a lot of things. People shouldn't be intimidated. This is for their own safety," Lopez said. (Emphasis added)

Mr. Rivera claims he is the "right person". Mr. Rivera acted promptly upon learning that a certain Edwin Castro was claiming to be the winner. Up until the announcement on February 14, 2023, Mr. Rivera had been threatened that his winning ticket would be destroyed if he did not agree to split the winnings. Mr. Rivera refused to accept that threat of blackmail. The disclosure of the alleged winner on February 14, 2023, indicates the stolen ticket was not destroyed but is now in the possession and safety of the California Lottery.

- 20. Plaintiff, JOSE RIVERA, by and through his counsel, further corresponded with the California Lottery on February 21, 2023, and requested the California Lottery preserve all videos depicting the individual purchasing the "SUBJECT LOTTERY TICKET" at Joe's Service Center and plaintiff made a Public Records Act Request to the California Lottery for the video depicting the purchase of the "SUBJECT LOTTERY TICKET".
- 21. Plaintiff, JOSE RIVERA, has not received a response from the California Lottery concerning plaintiff's assertion plaintiff is the rightful owner of the "SUBJECT LOTTERY TICKET" and plaintiff is entitled to the proceeds of the winning ticket.
- 22. Plaintiff, JOSE RIVERA, is informed and believes defendant, EDWIN CASTRO, elected to receive the lump sum payment of about \$997.6 million. Plaintiff contends plaintiff is the lawful and rightful owner of the "SUBJECT LOTTERY TICKET" and entitled to receipt of the lump sum payment of about \$997.6 million or the 30 annual payments. It is not known if any payment has been made to EDWIN CASTRO.

23. Plaintiff, JOSE RIVERA, contends an actual controversy has arisen between the parties and their respective rights and obligations as to whether plaintiff must be awarded the \$2.04 Billion Powerball lottery prize for the draw on November 8, 2022. To the extent defendants, CALIFORNIA STATE LOTTERY COMMISSION, STATE OF CALIFORNIA, have made or make any payment to any individual other than the actual and lawful owner of the "SUBJECT LOTTERY TICKET", plaintiff, JOSE RIVERA, will seek the amount of those payments as damages against defendants.

### FIRST CAUSE OF ACTION

# (DECLARATORY RELIEF - by plaintiff, JOSE RIVERA, against defendants, CALIFORNIA STATE LOTTERY COMMISSION, STATE OF CALIFORNIA, EDWIN CASTRO and DOES 1 through 50, inclusive)

- 24. Plaintiff, JOSE RIVERA, realleges as though fully set forth at length and incorporates herein by reference all of the allegations and statements contained in Paragraphs 1 through 23, inclusive, of the GENERAL ALLEGATIONS above.
- 25. Plaintiff, JOSE RIVERA, is informed and believes and thereupon alleges an actual controversy has arisen between the parties and their respective rights and obligations as to the ownership of the "SUBJECT LOTTERY TICKET" and whether plaintiff must be awarded the \$2.04 Billion Powerball lottery prize for the draw on November 8, 2022.
  - 26. Plaintiff, JOSE RIVERA, is informed and believes and thereupon alleges:
    - a. Plaintiff is the rightful and lawful owner of the "SUBJECT LOTTERY
       TICKET" and entitled to the payout of the \$2.04 Billion;
    - b. The "SUBJECT LOTTERY TICKET" was stolen from plaintiff by
       "REGGIE" who thereafter provided the "SUBJECT LOTTERY TICKET"
       to others;
    - c. The "SUBJECT LOTTERY TICKET" was presented to the California

      Lottery without the consent, permission or knowledge of plaintiff;

**COMPLAINT FOR DAMAGES** 

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31. That at all times mentioned herein defendant "REGGIE" and DOES 1 through 50,				
inclusive, intentionally took possession of the "SUBJECT LOTTERY TICKET" without the				
consent or permission of plaintiff and deprived and prevented plaintiff from having access to or				
possession of the "SUBJECT LOTTERY TICKET" so as to be able to present the "SUBJECT				
LOTTERY TICKET" with a Claim Form to California Lottery to collect on the winning numbers				
on the "SUBJECT LOTTERY TICKET" thereby causing harm to plaintiff in the amount of the				
\$2.04 Billion Lottery prize which plaintiff claims he won with the numbers on the "SUBJECT				
LOTTERY TICKET".				

- 32. That as a direct and proximate result of the wrongful conduct of defendant "REGGIE" and DOES 1 through 50, inclusive, plaintiff was harmed as said defendants later presented the "SUBJECT LOTTERY TICKET" to the California Lottery as if defendants and others were the rightful and lawful purchasers and owners of the "SUBJECT LOTTERY TICKET".
- 33. Plaintiff is informed and believes and thereupon alleges defendants' conduct was willful, intentional and designed to deprive plaintiff of the proceeds of the "SUBJECT LOTTERY TICKET" and plaintiff seeks damages in the amount of the \$2.04 Billion Lottery prize, damages for emotional distress, along with punitive damages, according to proof.

### THIRD CAUSE OF ACTION

## (TRESPASS TO CHATTELS - By Plaintiff, JOSE RIVERA, Against Defendants, "REGGIE" and DOES 1 through 50, inclusive)

- 34. Plaintiff, JOSE RIVERA, realleges as though fully set forth herein at length and incorporate herein by reference all of the allegations and statements contained in Paragraphs 1 through 23, inclusive, of the GENERAL ALLEGATIONS above.
- 35. That at all times mentioned herein plaintiff, JOSE RIVERA, owned, possessed, and was the was the lawful owner of the "SUBJECT LOTTERY TICKET" and defendant "REGGIE" wrongfully exercised control over and stole the "SUBJECT LOTTERY TICKET" without the consent of plaintiff.

- 36. That at all times mentioned herein defendant "REGGIE" and DOES 1 through 50, inclusive, intentionally interfered with plaintiff's use and possession of the "SUBJECT LOTTERY TICKET" and defendants took possession of the "SUBJECT LOTTERY TICKET" without the consent of plaintiff and deprived and prevented plaintiff from having access to or possession of the "SUBJECT LOTTERY TICKET" so as to be able to present the "SUBJECT LOTTERY TICKET" with a Claim Form to California Lottery to collect on the winning numbers on the "SUBJECT LOTTERY TICKET" thereby causing harm to plaintiff in the amount of the \$2.04 Billion Lottery prize which plaintiff claims he won with the numbers on the "SUBJECT LOTTERY TICKET".
- 37. That as a direct and proximate result of the wrongful conduct of defendant "REGGIE" and DOES 1 through 50, inclusive, plaintiff was harmed as said defendants later presented the "SUBJECT LOTTERY TICKET" to the California Lottery as if defendants and others were the rightful and lawful purchasers and owners of the "SUBJECT LOTTERY TICKET".
- Plaintiff is informed and believes and thereupon alleges defendants' conduct was willful, intentional and designed to deprive plaintiff of the proceeds of the "SUBJECT LOTTERY TICKET" and plaintiff seeks damages in the amount of the \$2.04 Billion Lottery prize, damages for emotional distress, along with punitive damages, according to proof.

### FOURTH CAUSE OF ACTION

# (INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS - By Plaintiff, JOSE RIVERA, Against Defendants, "REGGIE" and DOES 1 through 50, inclusive)

- 39. Plaintiff, JOSE RIVERA, realleges as though fully set forth herein at length and incorporate herein by reference all of the allegations and statements contained in Paragraphs 1 through 23, inclusive, of the GENERAL ALLEGATIONS above.
- 40. Plaintiff is informed and believes and thereupon alleges plaintiff and the California Lottery were in an economic relationship that probably would have resulted in an

economic benefit to plaintiff.

- 41. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, knew of the economic relationship between plaintiff and the California Lottery.
- 42. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, intended to disrupt the economic relationship between plaintiff and the California Lottery by depriving plaintiff of the "SUBJECT LOTTERY TICKET" and benefits provided by the winning ticket.
- 43. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, engaged in wrongful conduct by taking the "SUBJECT LOTTERY TICKET" from plaintiff and thereafter presenting the "SUBJECT LOTTERY TICKET" to the California Lottery and representing the "SUBJECT LOTTERY TICKET" belonged to someone other than plaintiff.
- 44. Plaintiff is informed and believes and thereupon alleges the economic relationship between plaintiff and the California Lottery was disrupted by defendants, and each of them.
- 45. That at all times mentioned herein defendant "REGGIE" and DOES 1 through 50, inclusive, intentionally deprived and prevented plaintiff from having access to or possession of the "SUBJECT LOTTERY TICKET" so as to be able to present the "SUBJECT LOTTERY TICKET" with a Claim Form to California Lottery to collect on the winning numbers on the "SUBJECT LOTTERY TICKET" thereby causing harm to plaintiff in the amount of the \$2.04 Billion Lottery prize which plaintiff claims he won with the numbers on the "SUBJECT LOTTERY TICKET".
- 46. That as a direct and proximate result of the wrongful conduct of defendant 'REGGIE" and DOES 1 through 50, inclusive, plaintiff was harmed as said defendants later presented the "SUBJECT LOTTERY TICKET" to the California Lottery as if defendants and others were the rightful and lawful purchasers and/or owners of the "SUBJECT LOTTERY TICKET".
- 47. Plaintiff is informed and believes and thereupon alleges defendants' conduct was willful, intentional and designed to deprive plaintiff of the proceeds of the "SUBJECT LOTTERY TICKET" and plaintiff seeks damages in the amount of the \$2.04 Billion Lottery

prize, damages for emotional distress resulting from defendants' intentional conduct, along with punitive damages, according to proof.

### FIFTH CAUSE OF ACTION

# (NEGLIGENT INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS - By Plaintiff, JOSE RIVERA, Against Defendants, "REGGIE" and DOES 1 through 50, inclusive)

- 48. Plaintiff, JOSE RIVERA, realleges as though fully set forth herein at length and incorporate herein by reference all of the allegations and statements contained in Paragraphs 1 through 23, inclusive, of the GENERAL ALLEGATIONS above.
- 49. Plaintiff is informed and believes and thereupon alleges plaintiff and the California Lottery were in an economic relationship that probably would have resulted in an economic benefit to plaintiff.
- 50. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, knew or should have known of the economic relationship between plaintiff and the California Lottery.
- 51. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, knew or should have known this economic relationship between plaintiff and the California Lottery would be disrupted if defendants failed to act with reasonable care and deprived plaintiff of the "SUBJECT LOTTERY TICKET".
- 52. Plaintiff is informed and believes and thereupon alleges defendants, and each of them, failed to act with reasonable care and deprived plaintiff of the "SUBJECT LOTTERY TICKET".
- 53. Plaintiff is informed and believes and thereupon alleges the economic relationship between plaintiff and the California Lottery was disrupted by defendants, and each of them, as a result of defendant's negligent, careless and reckless conduct.
- 54. That at all times mentioned herein defendant "REGGIE" and DOES 1 through 50, inclusive, negligently and carelessly deprived and prevented plaintiff from having access to or

possession of the "SUBJECT LOTTERY TICKET" so as to plaintiff to be able to present the "SUBJECT LOTTERY TICKET" with a Claim Form to California Lottery to collect on the winning numbers on the "SUBJECT LOTTERY TICKET" thereby causing harm to plaintiff in the amount of the \$2.04 Billion Lottery prize which plaintiff claims he won with the numbers on the "SUBJECT LOTTERY TICKET".

- 55. That as a direct and proximate result of the wrongful conduct of defendant "REGGIE" and DOES 1 through 50, inclusive, plaintiff was harmed as said defendants later presented the "SUBJECT LOTTERY TICKET" to the California Lottery as if defendants and others were the rightful and lawful purchasers and/or owners of the "SUBJECT LOTTERY TICKET".
- 56. Plaintiff is informed and believes and thereupon alleges defendants negligently interfered with a relationship between plaintiff and the California Lottery that probably would have resulted in an economic benefit to plaintiff.
- 57. Plaintiff is informed and believes and thereupon alleges defendants' conduct was negligent and careless and deprived plaintiff of the proceeds of the "SUBJECT LOTTERY TICKET" and plaintiff seeks damages in the amount of the \$2.04 Billion Lottery prize and damages for emotional distress resulting from defendants' negligent conduct, according to proof.

WHEREFORE, plaintiff, JOSE RIVERA, prays for judgment against defendants, and each of them, as follows:

- (1) That the Court declare the rights and obligations of each party with respect to this dispute;
- (2) That the Court declare plaintiff, JOSE RIVERA, is the lawful and rightful owner of the "SUBJECT LOTTERY TICKET" and the winner of the November 7 (8), 2022, \$2.04 Billion Powerball Lottery and entitled to the payout of the \$2.04 Billion;
- (3) That the Court declare plaintiff, JOSE RIVERA, has presented substantial proof that plaintiff is the rightful owner of the "SUBJECT LOTTERY TICKET" and plaintiff is the winner of the November 7 (8), 2022, \$2.04 Billion Powerball Lottery and entitled to the payout of the \$2.04 Billion;

1	(4)	(4) That the Court award and enter judgment in favor of plaintiff, JOSE RIVERA,			
2	and against o	ainst defendants in the amount of the grand prize for the \$2.04 Billion Powerball Lottery			
3	draw on November 8, 2022;				
4	(5)	For all economic and non-economic damages, according to proof;			
5	(6)	For punitive damages, according to proof;			
6	(7)	For costs of suit incurred herein; and,			
7	(8)	For such other and further relief as the Court deems just and proper.			
8	DATED: F	ebruary 22, 2023	LAW OFFICE OF ESTELA RICHEDA		
-9			and		
10			LAW OFFICE OF R. BRIAN KRAMER		
11		BY:	/s/ Estela S. Richeda		
12			ESTELA RICHEDA, Esq.		
13			R. BRIAN KRAMER, Esq. Attorneys for Plaintiff, JOSE RIVERA		
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**COMPLAINT FOR DAMAGES**