



**IN THE SUPERIOR COURT OF THE STATE OF DELAWARE**

THE STATE OF DELAWARE, )  
 )  
 *Plaintiff,* )  
 )  
 v. ) C.A. No.  
 )  
 GOLD FEVER, LLC, GOLD FEVER )  
 FINANCE, LLC, SHAUN S. REILLY, )  
 KISHA A. REILLY, and DENISE C. TOY, )  
 )  
 *Defendants.* )

**COMPLAINT**

This Action (hereinafter the “Action” or the “Complaint”), brought by the State of Delaware (“the State”), by and through the Delaware Department of Justice and the undersigned Deputy Attorneys General, against Defendants Gold Fever, LLC (“Gold Fever, LLC”), Gold Fever Finance, LLC (“Gold Fever Finance”), Shaun S. Reilly (“Mr. Reilly”), Kisha A. Reilly (“Ms. Reilly”), and Denise C. Toy (“Ms. Toy”), seeks asset forfeiture and civil penalties arising from a criminal enterprise operated by the Defendants in violation of the Delaware Organized Crime and Racketeering Act, 11 *Del. C.* Ch. 15 (“the State R.I.C.O. statute”).

**I. PARTIES**

1. The Plaintiff, the State of Delaware, brings this action through the Delaware Department of Justice. The Attorney General has standing to bring this Action under 11 *Del. C.* § 1505(b) and 11 *Del. C.* § 1506.

2. The Defendant, Gold Fever, LLC is a Delaware Limited Liability Company.

3. The registered agent of Gold Fever, LLC is Ms. Toy with an address at 970 Cox Neck Road, New Castle, Delaware 19720.

4. The Defendant, Gold Fever Finance is a Delaware Limited Liability Company.

5. The registered agent of Gold Fever Finance is Gold Fever Finance, LLC with an address at 16 North Broad Street, Middletown, Delaware 19709.

6. Mr. Reilly is currently a resident of the State of Delaware and presently resides at Howard Young Correctional Institution, where service of process may be effected. He is married to Ms. Reilly.

7. Ms. Reilly is currently a resident of the State and resides at 970 Cox Neck Road, New Castle, Delaware 19720, where service of process may be effected. She is married to Mr. Reilly.

8. Ms. Toy is currently a resident of the State and resides at 970 Cox Neck Road, New Castle, Delaware 19720 (“Toy Residence”), where service of process may be effected. She is Mr. Reilly’s mother.

## **II. JURISDICTION AND VENUE**

9. Exclusive jurisdiction is vested with this Court under 11 *Del. C.* § 1505(a).

10. Venue is proper in this Court because at all relevant times the conduct at issue occurred within the State.

11. The amount in controversy exceeds one million dollars, exclusive of civil penalties.

### **III. FACTS**

12. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 11 of this Complaint.

13. On September 12, 2013, Gold Fever, LLC registered with the Delaware Secretary of State as a “retailer of various products.” Ms. Toy was the sole owner and registered agent of Gold Fever, LLC.

14. On June 3, 2015, Ms. Toy registered Gold Fever Finance with the Delaware Secretary of State as a “financing and small loan agency.”

15. Beginning in or around September 2013 and continuing through August 1, 2016, the Defendants operated a licensed pawn shop known as “Gold Fever Pawn Shop” which was located at 16 North Broad Street, Middletown, Delaware 19709.

#### **Receiving Stolen Property**

16. From at least January 2015 through August 1, 2016, the Defendants associated to use Gold Fever Pawn Shop as a front for a criminal enterprise

organized to acquire and sell stolen merchandise to unknowing interstate and intrastate consumers through online commerce (“E-Commerce”).

17. Ms. Toy, Mr. Reilly and Ms. Reilly shared in the daily management of Gold Fever Pawn Shop and the criminal enterprise.

18. To facilitate the criminal enterprise, Ms. Toy, Mr. Reilly and Ms. Reilly associated with other individuals and family members who supplied the Defendants with stolen merchandise, worked at the Defendants’ pawn shop, processed online sales of the stolen merchandise, packaged the stolen merchandise for shipment, and took packages containing stolen merchandise to the post office for shipment.

19. The Defendants, either individually or together, knowingly enlisted individuals (“shoplifters”) to shoplift from retail outlets in Delaware and surrounding states.

20. Many of the shoplifters suffered from serious chemical dependencies. The Defendants employed this to their advantage by recruiting individuals with serious chemical dependencies to shoplift goods for them.

21. The Defendants, either individually or together, paid shoplifters approximately one-third of the re-sale value of the stolen merchandise. The Defendants sometimes paid the shoplifters after delivery of the stolen merchandise and sometimes paid the shoplifters in advance in anticipation of future deliveries.

22. Mr. Reilly and Ms. Reilly regularly communicated with shoplifters by phone and text.

23. Mr. Reilly and Ms. Reilly regularly transacted business with shoplifters in Gold Fever Pawn Shop and transacted business with shoplifters in public places where they exchanged cash for stolen merchandise.

24. When the Defendants' online sales showed a high demand for specific products, Mr. Reilly and Ms. Reilly directed shoplifters to steal specific products to keep up with demand.

25. The Defendants received stolen property from shoplifters on at least 21 separate occasions.

26. The stolen merchandise was stored in Gold Fever Pawn Shop or in a storage trailer located at the Toy Residence.

### **Possession of Firearms by Persons Prohibited**

27. Over the course of transactions with the shoplifters to deter misconduct and safeguard the financial transactions in which he engaged on behalf of the criminal enterprise, Mr. Reilly knowingly possessed or controlled a firearm as defined by 11 *Del. C.* § 222(12) in violation of 11 *Del. C.* § 1448.

28. Mr. Reilly displayed his firearm during the course of business transactions conducted to further the activities and financial interests of the criminal enterprise.

29. Mr. Reilly is a person prohibited from possession of a firearm, and he was a person prohibited from possession of a firearm at all times relevant to this Action.

30. Over the course of transactions with the shoplifters to deter misconduct and safeguard the financial transactions in which she engaged on behalf of the criminal enterprise, Ms. Reilly knowingly possessed or controlled a firearm as defined by 11 *Del. C.* § 222(12) in violation of 11 *Del. C.* § 1448.

31. Ms. Reilly displayed her firearm during the course of business transactions conducted to further the activities and financial interests of the criminal enterprise.

32. Ms. Reilly is a person prohibited from possession of a firearm, and she was a person prohibited from possession of a firearm at all times relevant to this Action.

33. Ms. Toy supplied the firearms to Mr. Reilly and Ms. Reilly.

34. Gold Fever, LLC paid for the firearms supplied to Mr. Reilly and Ms. Reilly.

### **Tax Evasion**

35. In order to fulfill online orders, at least six individuals, including Ms. Toy, Mr. Reilly, Ms. Reilly, and employees A.H. (Ms. Reilly's daughter), M.R.

(Mr. and Ms. Reilly's son), and J. Slade ("employees"), worked to prepare the stolen merchandise for sale and/or ship the stolen merchandise after sale.

36. Ms. Toy, Mr. Reilly and Ms. Reilly did not report personal income derived from Gold Fever, LLC.

37. The Defendants did not withhold state or federal taxes for Ms. Toy, Mr. Reilly and Ms. Reilly or employees.

### **Wire Fraud**

38. The Defendants listed the stolen merchandise for sale online, primarily on Amazon.com.

39. The Defendants listed stolen merchandise for sale online on at least 21 occasions.

40. The Defendants did not disclose in the online advertisements that the merchandise for sale was stolen.

41. The Defendants sold stolen merchandise online to obtain financial remuneration from unsuspecting consumers.

42. The Defendants' use of E-Commerce in this manner constituted a scheme or artifice to defraud unsuspecting purchasers by means of false or fraudulent pretenses, representations or promises, and the transmission of writings, signs, signals, pictures, or sounds for the purpose of executing such scheme or artifice by means of wire in interstate commerce in violation of 18 *U.S.C.* § 1343.

43. The Defendants committed wire fraud on at least 21 occasions.

### **Mail Fraud**

44. The Defendants were notified by way of an electronic alert when an item was sold online.

45. After receiving an electronic alert, Ms. Toy, Mr. Reilly, or Ms. Reilly, either individually or together, processed and packed orders for shipment or directed employees A.H, M.R., and J. Slade to process and pack orders for shipment.

46. The stolen merchandise was prepared for shipment at the Gold Fever Pawn Shop and at the Toy Residence.

47. Once packaged, Ms. Toy, Mr. Reilly, or Ms. Reilly, either individually or together, would bring the packages containing the stolen merchandise to the United States Post Office to be mailed and delivered to consumers by mail carrier.

48. The merchandise mailed by the Defendants did not contain any indication that the merchandise was stolen.

49. The Defendants mailed the stolen merchandise through the United States Postal Service (“Postal Service”) to obtain financial remuneration from unsuspecting consumers.

50. Because the Defendants did not have the right to sell stolen merchandise, the merchandise was sold under counterfeit or spurious title.

51. The Defendants' use of the Postal Service in the manner described herein constituted a scheme or artifice to defraud unsuspecting purchasers by means of false or fraudulent pretenses, representations or promises, and to sell, dispose of, exchange, alter, give away, distribute, supply, or furnish counterfeit or spurious articles that were sent or delivered by private or commercial interstate carriers or the Postal Service, in violation of 18 *U.S.C.* § 1341.

52. The Defendants committed mail fraud on at least 21 occasions.

### **Funds of the Criminal Enterprise**

53. Between May 10, 2014 and August 13, 2016, the Defendants' online Amazon.com store generated \$1,565,978.47, representing over 58,000 separate transactions.

54. The Defendants deposited funds derived from online sales into a Gold Fever, LLC business bank account number ending in 6136 ("Account 6136"). Ms. Toy, Mr. Reilly and Ms. Reilly were authorized to transact business on this account.

55. The Defendants used funds obtained from the criminal enterprise and deposited into Account 6136 for investments, including wiring funds to a trust account in Florida (Ms. Toy's sister and brother-in-law are the named trustees for

the trust account), for auto loan payments for the Defendants' personal vehicles used to facilitate the criminal enterprise, for a storage trailer at the Toy Residence used to store stolen merchandise, and for firearms used to facilitate the criminal enterprise. The Defendants used over \$23,000.00 for the purchase of registered pit-bull mix puppies, and for a 1568-square-foot addition and home remodel of the Toy Residence.

56. The Defendants used Account 6136 to pay operating costs associated with the criminal enterprise, including purchasing packing supplies and postage, shop rent, taxes, a security system for Gold Fever Pawn Shop, paying accountants, paying local tax, obtaining business licenses for the LLCs, for insurance, and making cash payments to themselves, employees and shoplifters.

57. The Defendants used Account 6136 to pay Ms. Toy's estimated Federal and State taxes.

58. The Defendants used Account 6136 to pay personal expenses such as credit card bills, personal cell phones, oil and utility payments for the Toy Residence, auto insurance premiums, little league membership fees, personal medical insurance premiums, paying rent for a friend's apartment, personal medical insurance premiums, concert and event tickets, airfare, a cruise vacation, and the renovation and addition at the Toy Residence.

59. The Defendants frequently withdrew large sums of cash from Account 6136 and deposited large sums of cash into personal accounts.

60. The Defendants hid large sums of cash in the walls and under the bed at the Toy Residence.

61. The Defendants paid no taxes on funds diverted into these activities.

### **Criminal Investigation and Prosecution**

62. On August 1, 2016, following a criminal investigation into the Defendants' activities, a grand jury indicted a total of 23 individuals, including Ms. Toy, Mr. Reilly, and Ms. Reilly, on multiple charges including Racketeering, Conspiracy to Commit Racketeering, and Organized Retail Theft.

63. After the indictment and a series of arrests, several shoplifters admitted to law enforcement that they shoplifted specific items in specific quantities for the Defendants' online store at the direction of Mr. Reilly and Ms. Reilly.

64. On February 1, 2017, Ms. Toy pled guilty to Providing a Firearm to a Person Prohibited, Conspiracy in the Third Degree, and Theft (Organized Retail Crime).

65. On April 10, 2017, Mr. Reilly pled guilty to Racketeering, Conspiracy to Commit Racketeering, and Possession of a Firearm During the Commission of a Felony.

66. On April 24, 2017, Ms. Reilly pled guilty to Criminal Solicitation in the Second Degree, Felony Theft (Organized Retail Crime), and two counts of Possession of a Firearm by a Person Prohibited.

### **Racketeering Organization**

67. The pawn shop described herein, the affiliated limited liability companies, the activities of the hired shoplifters, Ms. Toy, Mr. Reilly, Ms. Reilly, and the employees, constituted an “enterprise” operated by the Defendants within the meaning of 11 *Del. C.* § 1502(3).

68. Each person employed by the Defendants to work in the Gold Fever Pawn Shop or at the Toy Residence to prepare and process shipments; each shoplifter that engaged in shoplifting activities at the direction of the Defendants; and Mr. Reilly, Ms. Reilly, and Ms. Toy, engaged in a role within a group organized in an ongoing structure and designed to further the activities and financial interests of the organization.

69. This organization possessed a framework for making and carrying out decisions; various associates within this organization functioned as a continuing unit; and the enterprises of mail fraud, wire fraud and receiving stolen property existed separate and apart from the discrete acts in which individual members engaged to further the financial interests of Mr. Reilly, Ms. Reilly and Ms. Toy.

**COUNT ONE**

**ORGANIZED CRIME AND RACKETEERING ACT  
RECEIVING STOLEN PROPERTY  
11 *Del. C.* § 1502(9)b., 11 *Del. C.* § 1503(b)  
(All Defendants)**

70. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 69 of this Complaint.

71. Through the acts described in this Complaint, multiple violations of 11 *Del. C.* § 1503(b) occurred involving the Defendants' receipt of stolen property in violation of 11 *Del. C.* § 851 in felony quantities.

72. The receipt of stolen property is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

73. Each incident of receipt of stolen property is a separate predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

74. The receipt of stolen property is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

75. The receipt of stolen property was related to the affairs of the "enterprise" within the meaning of 11 *Del. C.* § 1502(3). The Defendants owned and operated the enterprise.

76. The Defendants directed the shoplifters to steal property that the Defendants received.

77. The Defendants directed their employees to possess and package the stolen goods for shipment.

78. The Defendants conducted or directed the affairs of the enterprise through a pattern of racketeering activity including the conduct of their employees and the shoplifters.

79. The Defendants conducted the affairs of the enterprise through a pattern of racketeering activity in which they knowingly received stolen property in violation of 11 *Del. C.* § 851.

80. The Defendants' enterprise derived profits from the receipt of stolen property as part of a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

## **COUNT TWO**

### **ORGANIZED CRIME AND RACKETEERING ACT POSSESSION OF A FIREARM DURING COMMISSION OF A FELONY 11 *Del. C.* § 1502(9)b., 11 *Del. C.* § 1503(a) (Shaun Reilly)**

81. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 80 of this Complaint.

82. Through the acts described in this Complaint, Mr. Reilly violated 11 *Del. C.* § 1503(a) by possessing a firearm as a person prohibited in his conduct of the affairs of the enterprise.

83. Mr. Reilly is a person prohibited from the possession of a firearm.

84. The possession of a firearm by a person prohibited is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9)b.

85. Mr. Reilly's possession of a firearm by a person prohibited is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

86. Mr. Reilly's possession of a firearm by a person prohibited was related to the affairs of the "enterprise" within the meaning of 11 *Del. C.* § 1502(3).

87. Mr. Reilly was associated with the enterprise.

88. Mr. Reilly possessed a firearm during multiple business transactions in the course of his pattern of racketeering activity on behalf of the enterprise.

89. Mr. Reilly conducted or participated in the conduct of the affairs of the enterprise through a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

90. Through the actions described in this Complaint, Mr. Reilly violated 11 *Del. C.* § 1503(a).

**COUNT THREE**

**ORGANIZED CRIME AND RACKETEERING ACT  
POSSESSION OF A FIREARM BY A PERSON PROHIBITED**

**11 *Del. C.* § 1503(a)**

**(Kisha Reilly)**

91. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 90 of this Complaint.

92. Through the acts described in this Complaint, Ms. Reilly violated 11 *Del. C.* § 1503(a) by possessing a firearm as a person prohibited in her conduct of the affairs of the enterprise.

93. Ms. Reilly is a person prohibited from the possession of a firearm.

94. Ms. Reilly's possession of a firearm by a person prohibited is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9)b.

95. Ms. Reilly's possession of a firearm by a person prohibited is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

96. Ms. Reilly's possession of a firearm by a person prohibited was related to the affairs of the "enterprise" within the meaning of 11 *Del. C.* § 1502(3).

97. Ms. Reilly was associated with the enterprise.

98. Ms. Reilly possessed a firearm during multiple business transactions in the course of her pattern of racketeering activity on behalf of the enterprise.

99. Ms. Reilly conducted or participated in the conduct of the affairs of the enterprise through a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

100. Through the actions described in this Complaint, Ms. Reilly violated 11 *Del. C.* § 1503(a).

#### **COUNT FOUR**

**ORGANIZED CRIME AND RACKETEERING ACT  
FAILURE TO COLLECT OR PAY OVER TAX  
11 *Del. C.* § 1502(9)b., 11 *Del. C.* § 1503(b)  
(All Defendants)**

101. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 100 of this Complaint.

102. Through the acts described in this Complaint, the Defendants violated 30 *Del. C.* § 572 by failing to report personal income derived from criminal activities at Gold Fever, LLC.

103. The willful failure to report or pay tax on taxable income is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9)b.

104. The willful failure to report or pay tax on taxable income derived from criminal activities is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

105. The willful failure to report or pay tax on taxable income derived from criminal activities was related to the affairs of the “enterprise” within the meaning of 11 *Del. C.* § 1502(3). The Defendants owned and operated the enterprise.

106. The Defendants conducted or directed the affairs of the enterprise through a pattern of racketeering activity including the conduct of the shoplifters and their employees.

107. The Defendants’ enterprise derived profits from a willful failure to report or pay tax on taxable income derived from criminal activities as part of a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

**COUNT FIVE**

**ORGANIZED CRIME AND RACKETEERING ACT  
WIRE FRAUD  
11 *Del. C.* § 1502(9)a., 11 *Del. C.* § 1503(b)  
(All Defendants)**

108. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 107 of this Complaint.

109. Through the acts described in this Complaint, the Defendants violated 11 *Del. C.* § 1503(b) by obtaining money or property through false pretenses, representations or promises in violation of 18 *U.S.C.* § 1343.

110. Wire fraud is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

111. Each incident of wire fraud by the Defendants is a separate predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

112. The wire fraud is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

113. The wire fraud was related to the affairs of the “enterprise” within the meaning of 11 *Del. C.* § 1502(3). The Defendants owned and operated the enterprise.

114. The Defendants conducted or directed the affairs of the enterprise through a pattern of racketeering activity including the conduct of their employees and the shoplifters.

115. The Defendants’ enterprise derived profits from wire fraud as part of a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

## **COUNT SIX**

### **MAIL FRAUD**

**11 *Del. C.* § 1502(9)a., 11 *Del. C.* § 1503(b)  
(All Defendants)**

116. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 115 of this Complaint.

117. Through the acts described in this Complaint, the Defendants violated 11 *Del. C.* § 1503(b) by obtaining money or property through false pretenses, representations or promises in violation of 18 *U.S.C.* § 1341.

118. Mail fraud is a predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

119. Each incident of mail fraud by the Defendants is a separate predicate act of racketeering within the meaning of 11 *Del. C.* § 1502(9).

120. The mail fraud is a portion of a pattern of racketeering activity within the meaning of 11 *Del. C.* § 1503.

121. The mail fraud was related to the affairs of the aforementioned “enterprise” within the meaning of 11 *Del. C.* § 1502(3). The Defendants owned and operated the enterprise.

122. The Defendants conducted or directed the affairs of the enterprise through a pattern of racketeering activity including the conduct of their employees and the shoplifters.

123. The Defendants’ enterprise derived profits from mail fraud as part of a pattern of racketeering activity in violation of 11 *Del. C.* § 1503(b).

### **COUNT SEVEN**

#### **ORGANIZED CRIME AND RACKETEERING ACT 11 *Del. C.* § 1503(d) (All Defendants)**

124. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 123 of this Complaint.

125. The Defendants conspired to violate 11 *Del. C.* § 1503(a).

126. The Defendants conspired to violate 11 *Del. C.* § 1503(b).

127. The Defendants conspired to violate 11 *Del. C.* 1503(c).

128. The Defendants violated 11 *Del. C.* 1503(d).

### **COUNT EIGHT**

#### **ORGANIZED CRIME AND RACKETEERING ACT**

#### **11 *Del. C.* § 1503(a)**

#### **(All Defendants)**

129. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 128 of this Complaint.

130. The Defendants operated an “enterprise” within the meaning of 11 *Del. C.* § 1502(3).

131. The acts discussed in this Complaint constitute a pattern of racketeering activity conducted in furtherance of the financial interests of the enterprise.

132. The enterprise derived proceeds from a pattern of racketeering activity because the Defendants profited by having their employees and associates engage in acts of theft, receiving stolen property, mail fraud, wire fraud, and possession of a firearm by a person prohibited.

133. Mr. Reilly’s conviction by guilty plea is an admission of liability on his behalf.

134. Ms. Reilly's conviction by guilty plea is an admission of liability on her behalf.

135. The Defendants violated 11 *Del. C.* § 1503(a) by conducting or participating in the conduct of the affairs of their enterprise through a pattern of racketeering activity.

**COUNT NINE**

**ORGANIZED CRIME AND RACKETEERING ACT  
11 *Del. C.* § 1503(b)  
(All Defendants)**

136. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 135 of this Complaint.

137. The Defendants operated an "enterprise" within the meaning of 11 *Del. C.* § 1502(3).

138. The acts discussed in this Complaint constitute a pattern of racketeering activity conducted in furtherance of the financial interests of the Defendants' enterprise.

139. The Defendants' enterprise derived proceeds from a pattern of racketeering activity because the Defendants profited by having their employees and associates engage in acts of theft, receiving stolen property, mail fraud, wire fraud, and possession of a firearm by a person prohibited.

140. Mr. Reilly's conviction by guilty plea is an admission of liability on his behalf.

141. Ms. Reilly's conviction by guilty plea is an admission of liability on her behalf.

142. The Defendants violated 11 *Del. C.* § 1503(b) by acquiring or maintaining an interest in or control of their enterprise through a pattern of racketeering activity or the proceeds derived therefrom.

### **COUNT TEN**

#### **ORGANIZED CRIME AND RACKETEERING ACT**

#### **11 *Del. C.* § 1503(c)**

#### **(All Defendants)**

143. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 142 of this Complaint.

144. The State re-alleges and incorporates by reference the allegations made in Paragraphs 1 through 144 of this Complaint.

145. The Defendants operated an "enterprise" within the meaning of 11 *Del. C.* § 1502(3).

146. The acts discussed in this Complaint constitute a pattern of racketeering activity conducted in furtherance of the financial interests of the Defendants' enterprise.

147. The Defendants' enterprise derived proceeds from a pattern of racketeering activity because the Defendants profited by having their employees and associates engage in acts of theft, receiving stolen property, mail fraud, wire fraud, and possession of a firearm by a person prohibited.

148. Mr. Reilly's conviction by guilty plea is an admission of liability on his behalf.

149. Ms. Reilly's conviction by guilty plea is an admission of liability on her behalf.

150. The Defendants reinvested assets acquired from an enterprise engaged in a pattern of racketeering activities into a trust fund, vehicles, and real property, namely the Toy Residence.

151. The reinvestment of money derived from a pattern of racketeering activities into the operation of an enterprise is a violation of 11 *Del. C.* § 1503(c).

### **PRAYER FOR RELIEF**

WHEREFORE, the State respectfully requests that:

A. judgment be entered in the State's favor against the Defendants for the 64 violations of 11 *Del. C.* § 1503 or incidents of activity constituting a violation of the State R.I.C.O. statute which the State has alleged;

B. pursuant to 11 *Del. C.* § 1505(b), judgment be entered in the State's favor against the Defendants in an amount not less than \$6,400,000 in civil penalties,

an amount constituting \$100,000.00 in civil penalties for each of the 64 violations of 11 *Del. C.* § 1503 or incidents of activity constituting a violation of the State R.I.C.O. statute described in this Complaint;

C. judgment be entered in the State's favor against Mr. Reilly for the violation of 11 *Del. C.* § 1503 or incidents of activity constituting a violation of the State R.I.C.O. statute which the State has alleged;

D. pursuant to 11 *Del. C.* § 1505(b), judgment be entered in the State's favor against Mr. Reilly in an amount not less than \$100,000.00 in civil penalties, for his violation of 11 *Del. C.* § 1503 described in Count Two of this Complaint;

E. pursuant to 11 *Del. C.* § 1505(b), judgment be entered in the State's favor against Ms. Reilly in an amount not less than \$100,000.00 in civil penalties, for her violation of 11 *Del. C.* § 1503 described in Count Three of this Complaint;

F. the Defendants pay the State's costs of this Action including a reasonable fee for its attorneys pursuant to 11 *Del. C.* § 1505(c);

G. the Defendants be permanently enjoined from owning, operating or having any business interest in any business in the State pursuant to 11 *Del. C.* § 1505(a);

H. the State be permitted to commence a R.I.C.O. forfeiture proceeding pursuant to 11 *Del. C.* § 1506(b) on any property identified in the State and found to be owned by the enterprise described in this Complaint and used or intended for use

in the course of, derived from, or realized through a pattern of racketeering conduct;  
and

I. the State receive all additional relief that the Court deems just and proper.

**STATE OF DELAWARE  
DEPARTMENT OF JUSTICE**

*/s/ Oliver J. Cleary*  
\_\_\_\_\_  
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*Attorneys for Plaintiff*

Dated: September 1, 2017