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7 UNITED STATES DISTRICT COURT
8 DISTRICT OF NEVADA

9 MARLE CORDEIRO,
10 Plaintiff,

Case No. 2:20-cv-640

11 vs.

COMPLAINT AND DEMAND FOR TRIAL
BY JURY

12 MICHAEL L. POSTLE,
13 Defendant.

14
15 Comes now Marle Cordeiro (“Ms. Cordeiro” or the “Plaintiff”), by and through counsel,
16 The VerStandig Law Firm, LLC, and as and for her complaint (the “Complaint”) against
17 Michael L. Postle (“Mr. Postle” or the “Defendant”) states as follows:

18 **Parties**

19 1. Ms. Cordeiro is a natural person who is a citizen of the State of Nevada by virtue
20 of her ongoing domicile therein.

21 2. Mr. Postle is a natural person who, upon information and belief, is a citizen of
22 the State of California by virtue of his ongoing domicile therein.
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1 **Jurisdiction and Venue**

2 3. This Honorable Court enjoys jurisdiction over the matter *sub judice* pursuant to
3 the allowances of Section 1331 of Title 28 of the United States Code, as this case involves a
4 claim for relief arising under the Racketeer Influenced Corrupt Organization Act codified at
5 Section 1961, *et seq.* of Title 18 of the United States Code.
6

7 4. This Honorable Court further enjoys jurisdiction over the matter *sub judice*
8 pursuant to the allowances of Section 1332 of Title 28 of the United States Code, as this suit
9 concerns citizens of different states and the matter in controversy exceeds the sum of Seventy
10 Five Thousand Dollars and No Cents (\$75,000.00).

11 5. Venue is properly laid in this Honorable Court pursuant to the allowances of
12 Section 1391(b)(2) of Title 28 of the United States Code, and consistent with the doctrine set
13 forth in *Calder v. Jones*, 465 U.S. 783 (1984), as this suit concerns an intentional tort directed
14 toward, *inter alia*, Ms. Cordeiro, while she was present in the State of Nevada.
15

16 **General Allegations: Stones Live Poker**

17 6. Kings Casino, LLC d/b/a Stones Gambling Hall (“Stones”) operates a casino in
18 Citrus Heights, California from which games of poker at a featured table were regularly
19 broadcast over the internet for multiple years preceding the revelation of the events giving rise
20 to this Complaint.

21 7. To facilitate these broadcasts, Stones installed a single poker table imbedded
22 with radio-frequency identification (“RFID”) capabilities, procured playing cards containing
23 RFID sensors, and installed various motion picture cameras around the subject poker table (the
24 “RFID Table”).
25
26

1 8. While games of poker are traditionally played in a manner where at least some of
2 each respective player’s cards are concealed from everyone except that individual player (the
3 “Hole Cards”), the RFID Table introduced the ability of Stones to transmit – in real time – the
4 identity of each player’s Hole Cards to a control room, where such information can be utilized
5 to produce a broadcast of the subject poker game to the public at large.

6
7 9. The phenomenon of broadcasting poker games where the public is able to see
8 players’ Hole Cards is neither new nor novel; this has been an emerging trend in the poker
9 industry for much of the past few decades, and one that has allowed television and internet
10 content producers to create more dramatic, appealing programs, by satisfying the desire of
11 viewers to assume an omniscient posture while consuming poker programming.

12 10. To avoid the precise variety of cheating evidenced in this case, most purveyors
13 of RFID technology in live poker games feed the information – through one or more encrypted
14 channels – to a separate control room, away from the physical area in which the poker game is
15 being played, and then have the control room produce the broadcast on a delay of typically
16 fifteen (15) to thirty (30) minutes.

17
18 11. Other operators of RFID-enabled poker games – such as the World Series of
19 Poker and the Bicycle Casino in Bell Gardens, California – take extensive steps to ensure the
20 security of players’ Hole Cards, so as to protect the integrity of the poker games being
21 broadcast, to entice reputable poker players to participate in such games, and to avoid enabling
22 the sort of rampant criminality alleged in this Complaint.

23
24 12. Stones used its RFID Table to broadcast “live” poker games (typically on a
25 delay, as discussed *supra*) several nights a week, airing such games on various internet
26 platforms and publicizing such games as “Stones Live Poker.”

General Allegations: Cheating

1
2 13. Mr. Postle was a regular and habitual participant in Stones Live Poker games
3 during a period of time commencing in or before January 2018 and continuing thereafter at all
4 times relevant except where otherwise noted herein.

5
6 14. While playing in Stones Live Poker games, Mr. Postle won more money than
7 any other participant, in total, and was oftentimes the winningest player on the show on any
8 given night in which he was a participant.

9
10 15. Mr. Postle’s winnings on the Stones Live Poker broadcast, and his correlative
11 play of poker, were so exceptionally outstanding as to lead the games’ commentators to note his
12 seemingly mystical abilities on numerous occasions, and to lead Stones Like Poker to produce
13 various graphics portraying Mr. Postle as a deity-like individual imbued with omniscient
14 powers (with one such graphic conflating an image of Mr. Postle and an image of Jesus Christ).

15
16 16. These winnings and this aura were brought about by Mr. Postle’s peculiar ability
17 to make an optimal decision in almost every situation with which he was confronted while
18 playing on Stones Live Poker from July 2018 onward.

19
20 17. This optimal decision making was so precise as to allow Mr. Postle to record net
21 winnings in more than ninety four percent (94%) of the Stones Live Poker games in which he
22 played from July 18, 2018 onward, even though such games are of fixed duration and elevated
23 variance (relative to “normal” poker games); such a winning percentage, under these confined
24 circumstances in a streamed environment, is not known to have ever been achieved by any other
25 poker player – professional or amateur – over such a significant period of time.

26 18. This optimal decision making was also so precise as to allow Mr. Postle to
record an average profit of more than sixty (60) “big blinds per hour” (a metric used by

1 professional poker player to track winnings, adjusting for the different stakes of various games);
2 by contrast, it is generally noted in poker circles five (5) big blinds per hour is a goal for which
3 one should aspire, ten (10) big blinds per hour is exceptional, and anything more than twenty
4 five (25) big blinds per hour is stratospherically phenomenal over any appreciable period of
5 time due to the high presence of chance in games of poker and the inherent skill of other
6 players.
7

8 19. A detailed review of Mr. Postle’s play reveals not only statistics unfathomable in
9 the world of professional poker but, too, situation-specific decision making in which almost
10 every so-called “guess” to be made by Mr. Postle is done so in a manner that optimally benefits
11 his monetary interest.

12 20. Analytical observation reveals Mr. Postle’s exponential winnings cannot be
13 explained through finely-honed abilities to “read” opponents, as myriad optimal plays made by
14 Mr. Postle required not merely an analysis of his opponent’s self-perceived strength or
15 weakness in a poker hand but, rather, the precise composition of such hand; while such may be
16 anecdotally attributed to guess work in a vacuum, Mr. Postle was continuously correct in
17 making such assessments over a period of time in excess of a full year, being analogous to
18 correctly predicting the outcome of a coin toss several hundred times in a row.

19 21. In short, Mr. Postle’s poker winnings – considered in the prism of both metrics
20 and hand-for-hand decision-making – on Stones Live Poker have been not merely outliers but,
21 in fact, exponential outliers, representing a quality of play multiple degrees higher than that
22 achieved by the best poker players in the world.
23

24 22. Despite these metrics, Mr. Postle has – since commencing his run on Stones Live
25 Poker – only rarely played cash poker games in other forums, almost never played in any cash
26

1 poker games at Stones aside from those broadcast on Stones Live Poker, and habitually stopped
2 playing on the Stones Live Poker game as soon as the broadcast ended (even though it is
3 common for players to remain and play “offline” for some time thereafter).

4 23. Similarly, Mr. Postle is not known – since commencing his run on Stones Live
5 Poker – to have played on any other streamed poker game, even though at least one other stream
6 (offering higher stakes and, thus, a greater chance for profit) runs regularly in California; nor
7 has Mr. Postle been known to play with great frequency and regularity in any other cash poker
8 games (streamed or unstreamed), in any location, during this time (even though higher stake
9 games – offering, again, a greater chance for profit – regularly run in Las Vegas, Reno, Los
10 Angeles, Atlantic City, Southern Florida, and other locations to which poker professionals
11 regularly travel to maximize their earnings).

12
13 24. This is all-the-more unusual considering Mr. Postle travels habitually from his
14 home in Antelope, California to Reno, Nevada, often for extended periods of time.

15
16 25. Upon information and belief, Mr. Postle regularly engages in other gambling
17 activities in Reno, Nevada, but generally (albeit perhaps not always) abstains from playing
18 poker in Reno, Nevada.

19 26. Mr. Postle was able to achieve these results by engaging in a pattern and practice
20 of using one or more wire communication mechanisms to defraud his opponents by gaining
21 knowledge of their Hole Cards during the play of poker hands.

22 27. To carry out this pattern and practice, Mr. Postle was aided by one or more
23 confederates – defendants who will be joined in this litigation once their identities are learned
24 through discovery – who furnished him with this information, for purposes of carrying out a
25 fraud, through one or more concealed communicative mechanisms.
26

1 28. Specifically, Mr. Postle used a cellular telephone, lodged between his legs so as
2 to have its screen beyond the view of others, to access the identity of the Hole Cards of other
3 players, in real time, while playing in Stones Live Poker games.

4 29. While playing in Stones Live Poker games, Mr. Postle would stare – often
5 repeatedly – between his legs, at his cellular telephone, so as to study the Hole Cards of other
6 players, and would then use the superior knowledge gleaned from such study (the ultimate form
7 of poker cheating) to defraud those players in a systematic and highly-effective manner.
8

9 30. As Mr. Postle has declined to share the specific software he used to defraud other
10 players and the identities of his confederate(s), this case implicates the doctrine set forth in
11 *Neubronner v. Milken*, 6 F.3d 666, 672 (9th Cir. 1993), where “the general rule that allegations
12 of fraud based on information and belief do not satisfy Rule 9(b) may be relaxed with respect to
13 matters within the opposing party's knowledge.”
14

15 31. Specifically, Ms. Cordeiro alleges who cheated (Mr. Postle), what he did (use his
16 cellular telephone to access the identity of others’ Hole Cards), when he cheated (on the dates
17 set forth *infra*), where he cheated (at Stones’ eponymous facility in Citrus Heights, California),
18 and how he cheated (by using his phone to discover the Hole Cards of the Plaintiffs); she does
19 not, however, know the precise software he used, nor the identities of all his confederates, as
20 such information is exclusively within the possession of Mr. Postle and his confederates.
21

22 32. For the avoidance of doubt, Ms. Cordeiro makes her allegation of Mr. Postle
23 systematically, habitually and regularly cheating at Stones Live Poker games based not on a
24 hunch or suspicion but, rather, based on a statistical analysis of his results, analytical review of
25 the manner in which he played, and extensive footage of his placing his cellular telephone
26

1 between his legs and thereafter gazing at it when needing to make certain game-optimal
2 decisions.

3 33. For the avoidance of doubt, Ms. Cordeiro alleges Mr. Postle to have used one or
4 more wire communication facilities, with the aid of a confederate, based on an understanding
5 that this cheating behavior occurred only at the RFID Table; the RFID Table is equipped to
6 reveal players' concealed cards through wire communications; and it would not be possible for
7 Mr. Postle to have such information relayed to him without the aid of a confederate.
8

9 34. There exists, too, instance-specific evidence of Mr. Postle being aware of other
10 players' precise hidden cards; on May 6, 2019, he visited the commentary booth immediately
11 after a Stone Live Poker game to discuss his play, and indicated he was aware that a specific
12 hand's broadcast had only displayed "two of our cards" to the viewing public (whereas four
13 cards should have been displayed, based on the type of poker being played), even though he
14 would not have had the opportunity to view the broadcast – and, thus, become aware of this
15 technical malfunction – prior to making that comment, unless he had illicitly accessed the
16 information in real time, with the aid of one or more confederates.
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18 35. During this hand, in which only two (2) of each player's four (4) Hole Cards
19 were captured by the RFID Table, Mr. Postle can be seen repeatedly looking at his cellular
20 telephone under the table and endeavoring to spread all four (4) of his Hole Cards over the
21 RFID Table's censor, in a deliberate and highly unusual manner; his demeanor throughout the
22 hand is exceedingly strange, and it is manifest this technical malfunction (which, in turn, denies
23 him the ability to play the hand with knowledge of his opponents' Hole Cards) is distressing to
24 Mr. Postle even though the malfunction is one of which he would have no real time knowledge
25 if he was not engaged in fraudulent cheating behavior.
26

1 36. Following the subject hand, Mr. Postle was interviewed by the commentator and
2 during said interview Mr. Postle asked (nearly immediately upon arriving in the commentator's
3 booth), "so what happened on that PLO hand where it only showed two of our cards?"

4 37. "PLO" is shorthand for "pot limit Omaha," a game in which players are dealt
5 four (4) Hole Cards; in contrast, during Texas hold 'em (the predominant game on Stones Live
6 Poker), players are only dealt two (2) cards.

7 38. The RFID Table malfunctioned transitioning from Texas hold 'em to pot limit
8 Omaha during the May 3, 2019 game (the two games were played on a rotation on that given
9 Stones Live Poker broadcast), and thusly only displayed two (2) of the players' Hole Cards in a
10 pot limit Omaha hand where players were dealt four (4) cards.

11 39. This is what caused Mr. Postle confusion while playing the subject hand; he
12 could not view the entirety of every other player's Hole Cards on his phone, in his lap, and thus
13 had to actually play a hand without omniscient knowledge of his opponents' holdings.

14 40. Mr. Postle could not have known of the malfunction unless he was viewing the
15 RFID Table's feed – on his phone, in his lap – in real time; yet his question to the commentator
16 – "what happened on that PLO hand where it only showed two of our cards" – immediately
17 following his leaving the game, shows he did, in fact, have knowledge of the malfunction in real
18 time.

19 41. While there are a handful of Stones Live Poker sessions in which Mr. Postle did
20 not make money, and in which he played in a sub-optimal manner, Ms. Cordeiro suspects such
21 sessions correlate to the absence of Mr. Postle's suspected chief confederate.
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1 42. Additionally, Mr. Postle’s participation in Stones Live Poker games was
2 uncharacteristically rare – in contrast to his normal schedule – when the person suspected of
3 being his chief confederate was absent from the Sacramento area.

4 43. Further, in the Stones Live Poker sessions where Mr. Postle played in a sub-
5 optimal manner, he did not habitually stare at his lap, tended to keep his cellular telephone in
6 plain view (ie, not concealed between his legs), and evidenced the sort of mediocre poker
7 analytical and decision-making skills indicative of a rather average (if not below-average)
8 player.

9 44. These “honest” sessions actually function as evidence of Mr. Postle’s cheating in
10 and of themselves, as rather than serving to merely break his unworldly statistical trends, they
11 act as a makeshift “placebo” in which Mr. Postle behaves differently, plays differently, and
12 makes frequently-horrendous game-centric decisions when not imbued with the ability to utilize
13 his cellular telephone for cheating purposes.

14
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16 **General Allegations: Ms. Cordeiro Lured Into Playing with the Defendant**

17 45. Ms. Cordeiro is a professional poker player residing in Las Vegas, Nevada.

18 46. As a member of the poker community, Ms. Cordeiro regularly consumes online
19 poker content, and became familiar with the Stones Live Poker broadcasts – and Mr. Postle as
20 the Stones Live Poker “local celebrity” – while at home in Nevada.

21 47. While in Nevada, she was invited to travel to Stones’ facility in Citrus Heights,
22 California, to partake in one of the Stones Live Poker broadcasts.

23 48. On September 21, 2019, Ms. Cordeiro, believing Stones Live Poker to be an
24 honest operation consisting of honest players, traveled to Citrus Heights, California and played
25 in a no limit Texas hold ‘em game with, *inter alia*, Mr. Postle, at “\$10/\$25/\$50” stakes
26

1 (meaning a small blind would wager a compulsory \$10 each hand, a big blind would wager a
2 compulsory \$25 each hand, and a \$50 “straddle” would be wagered each hand).

3 49. Ms. Cordeiro entered the Stones Live Poker game, after arriving at the Stones
4 facility, following another player exiting the game.

5 50. While playing in the Stones Live Poker game with the Defendant, Ms. Cordeiro
6 was dealt a hand consisting of the queen of spades and the ten of diamonds (♠Q♦10); she wagered
7 One Hundred Fifty Dollars and No Cents (\$150.00) with these “pocket” cards and the
8 Defendant, holding a superior hand of the queen of diamonds and the jack of hearts (♠Q♥J),
9 having already tendered a “big blind” of Twenty Five Dollars and No Cents (\$25.00), placed
10 another One Hundred Twenty Five Dollars and No Cents (\$125.00) in the pot to contest Ms.
11 Cordeiro in the subject hand, with no one else electing to participate further in the hand.
12
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14 51. The “flop” then dealt was the nine of diamonds, the jack of diamonds, and the
15 eight of spades (♠9♦J♦8♠), giving the Defendant the top pair and a chance of improving to a flush, a
16 straight, three of a kind, or two pair, while giving Ms. Cordeiro a straight.
17

18 52. The Defendant’s holding in this position is extremely strong; of the myriad hands
19 Ms. Cordeiro could contextually have – even if the Defendant were able to “read” her
20 perceptive strength based on her mannerisms, actions, habits, and/or tendencies – his hand
21 would be superior to many of them, and the implied value of the manner in which his hand
22 could improve added great value to it.

23 53. Ms. Cordeiro wagered Two Hundred Dollars and No Cents (\$200.00) and the
24 Defendant called her wager.

25 54. A fourth community card, in the form of the four of spades (♠4) was then dealt.
26

1 55. At this juncture, all of the hands to which the Defendant could have improved
2 remained viable save for a flush; yet in light of Ms. Cordeiro already holding a straight (which
3 would not be detectable at this juncture), it was no longer possible for the Defendant to beat her
4 in this hand – he could only tie (“chop” in poker parlance), and there were but three cards
5 remaining in the deck that would even allow him to do that.
6

7 56. Ms. Cordeiro wagered a mere Six Hundred Dollars and No Cents (\$600.00) at
8 this point; a pittance of the Twenty Six Thousand Dollars and No Cents (\$26,000.00) the
9 Defendant was holding.

10 57. Despite Ms. Cordeiro’s modest wager, and despite the Defendant’s hand being
11 among the better of possible hands at this moment in the game, the Defendant folded – almost
12 instantly.
13

14 58. Following the Defendant folding, the game’s commentator – who was privy to
15 the Hole Cards of both players – exclaimed, “It doesn’t make sense!”
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17 59. In a vacuum, this could be attributed to the Defendant having a conservative
18 demeanor, having a quality “read” on Ms. Cordeiro, or being exhausted at the end of a long
19 night of poker; in the context of his fraudulent cheating operation, and realizing he was playing
20 with the illicit advantage of knowing Ms. Cordeiro’s Hole Cards, this is only attributable to his
21 tortious conduct.
22

23 60. In an honest game, Ms. Cordeiro almost assuredly would have profited several
24 thousand dollars off of this one hand; in the Stones Live Poker construct where the Defendant
25 was cheating, Ms. Cordeiro made only a *de minimis* gain.
26

1 61. This was not the only hand Ms. Cordeiro and the Defendant both played that
2 evening; it is, however, the one most demonstrably evidencing the Defendant’s utilization of
3 illegal cheating methods to swindle Ms. Cordeiro.

4 **Count I – Violation of the Racketeer Influenced and Corrupt Organizations Act**

5 **As Codified at Section 1962(c) of Title 18 of the United States Code**

6 62. Ms. Cordeiro repeats and realleges each and every foregoing paragraph of this
7 Complaint, as though fully set forth herein.

8 63. The Defendant and his confederate(s), “devised ... [a] scheme or artifice to
9 defraud, or for obtaining money ... by means of false or fraudulent pretenses, [and]
10 representations,” in furtherance of which they did “transmit[] or causes to be transmitted by
11 means of wire ... communication in interstate or foreign commerce, ... signals, pictures, or
12 sounds for the purpose of executing such scheme or artifice,” in contravention of Section 1343
13 of Title 18 of the United States Code.

14 64. Specifically, the Defendant and his confederate(s) used one or more
15 instrumentalities of wire transmissions to relay to the Defendant, while playing in the Stones
16 Live Poker games, information concerning the concealed card holdings of other players in the
17 game, with such being transmitted for the express purpose of aiding the Defendant in a scheme
18 to make money from such other players by fraudulently cheating in such game; the Defendant
19 and his confederate(s), working together, directed the scheme.

20 65. Based on a review of video footage of several Stones Like Poker games, this
21 scheme to defraud involved transmitting to the Defendant, via his cellular telephone,
22 information concerning the concealed cards of other players, on multiple occasions.
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1 66. The specific mechanism(s) through which such information was fed to the
2 Defendant by his confederate(s) is known only to them as of the filing of this Complaint, and
3 will be learned through discovery herein; Ms. Cordeiro does, however, have information
4 sufficient to specifically allege wire communications to have been sent to the Defendant's
5 telephone, and further that such transmissions occurred during Stones Live Poker games, to
6 allege such transmissions were made for purposes of defrauding Ms. Cordeiro (and others), and
7 to allege such transmissions contained information concerning the concealed cards of Ms.
8 Cordeiro (and others).
9

10 67. The actions alleged in this Count I all occurred after the Defendant and his
11 confederate(s) devised a scheme to defraud individuals – including Ms. Cordeiro – by having
12 the Defendant cheat while playing in Stones Live Poker games.

13 68. The fraudulent conduct alleged in this Count I occurred on at least the following
14 dates:
15

- 16 i. July 18, 2018
- 17 ii. July 30, 2018
- 18 iii. August 1, 2018
- 19 iv. August 3, 2018
- 20 v. August 6, 2018
- 21 vi. August 10, 2018
- 22 vii. August 15, 2018
- 23 viii. August 22, 2018
- 24 ix. August 29, 2018
- 25 x. September 5, 2018
- 26

- 1 xi. September 15, 2018
- 2 xii. September 24, 2018
- 3 xiii. September 26, 2018
- 4 xiv. October 10, 2018
- 5 xv. October 17, 2018
- 6 xvi. October 19, 2018
- 7 xvii. October 20, 2018
- 8 xviii. October 24, 2018
- 9 xix. October 29, 2018
- 10 xx. November 7, 2018
- 11 xxi. November 21, 2018
- 12 xxii. November 26, 2018
- 13 xxiii. November 28, 2018
- 14 xxiv. December 5, 2018
- 15 xxv. December 12, 2018
- 16 xxvi. December 16, 2018
- 17 xxvii. December 17, 2018
- 18 xxviii. January 2, 2019
- 19 xxix. January 7, 2019
- 20 xxx. January 9, 2019
- 21 xxxi. January 12, 2019
- 22 xxxii. January 14, 2019
- 23 xxxiii. January 16, 2019

- 1 xxxiv. January 19, 2019
- 2 xxxv. January 30, 2019
- 3 xxxvi. February 9, 2019
- 4 xxxvii. February 16, 2019
- 5 xxxviii. February 25, 2019
- 6 xxxix. February 27, 2019
- 7
- 8 xl. March 9, 2019
- 9 xli. March 13, 2019
- 10 xlii. March 16, 2019
- 11 xliii. March 18, 2019
- 12 xliv. March 23, 2019
- 13 xlv. March 25, 2019
- 14 xlvi. April 8, 2019
- 15 xlvii. April 20, 2019
- 16 xlviii. April 22, 2019
- 17 xlix. April 30, 2019
- 18
- 19 l. May 2, 2019
- 20 li. May 3, 2019
- 21 lii. May 4, 2019
- 22 liii. May 8, 2019
- 23 liv. May 13, 2019
- 24 lv. May 18, 2019
- 25 lvi. May 20, 2019
- 26

1 lvii. July 20, 2019

2 lviii. July 22, 2019

3 lix. July 31, 2019

4 lx. August 3, 2019

5 lxi. August 5, 2019

6 lxii. August 7, 2019

7 lxiii. August 14, 2019

8 lxiv. August 17, 2019

9 lxv. August 21, 2019

10 lxvi. September 9, 2019

11 lxvii. September 18, 2019

12 lxviii. September 21, 2019

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14 69. Ms. Cordeiro, through her counsel, is in possession of records requisite to
15 identify the individual participants in the Stones Like Poker games on each of the foregoing
16 dates; this information is known to the Defendant (who participated in each such game and who
17 has online access to complete footage of each such game). Ms. Cordeiro refrains from listing
18 such information in this Complaint solely in the interest of keeping an already-lengthy pleading
19 from becoming overly voluminous, however to the extent this Honorable Court believes such
20 allegations should be included herein so as to comply with governing pleading rigors, Ms.
21 Cordeiro is prepared to amend this Complaint to include such specific information.
22

23
24 70. The fraudulent conduct alleged in this Count I was carried out at Stones'
25 eponymous facility in Citrus Heights, California.
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1 71. The fraudulent conduct alleged in this Count I was carried out by the Defendant
2 and his “enterprise,” as defined *infra*.

3 72. The fraudulent conduct alleged in this Count I consists of the Defendant’s
4 cheating, as alleged *passim*.

5 73. The fraudulent conduct alleged in this Count I was accomplished through the use
6 of a cellular telephone, as described *supra*.

7 74. The Defendant and his confederate(s) did constitute an “enterprise,” as that term
8 is defined in Section 1961(4) of Title 18 of the United States Code, at all times relevant.

9 75. While Ms. Cordeiro does not know how many persons participated in such
10 “enterprise,” and will need discovery to learn such information as it is uniquely known to the
11 Defendant and his confederates as of present, Ms. Cordeiro does specifically allege the
12 Defendant had at least one confederate, that such confederate – John Doe 1 – is the individual
13 who caused to be transmitted to the Defendant the information concerning other players’ Hole
14 Cards during Stones Live Poker games, and that such confederate also took steps to allay
15 suspicions and concerns regarding the Defendant’s cheating so as to allow the same conduct to
16 continue in an unabated manner for a protracted period of time in excess of one (1) year.

17 76. The actions of the Defendant and his confederate(s) did constitute a “pattern of
18 racketeering activity,” as that term is defined in Section 1961(5) of Title 18 of the United States
19 Code, as individual acts of wire fraud occurred on at least sixty eight (68) separate occasions,
20 correlating to every time the Defendant cheated in a Stones Live Poker game throughout the
21 calendar years 2018 and 2019.
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1 77. Ms. Cordeiro's property interests have been damaged through the racketeering
2 conduct set forth herein, as she has been deprived of monies – or the opportunity to win monies
3 in an honest poker game – by reason of the racketeering conduct.

4 WHEREFORE, Ms. Cordeiro respectfully prays this Honorable Court (i) enter judgment
5 in her favor and against Mr. Postle, in an amount equal to three times the damages she suffered,
6 pursuant to the allowances of Section 1964(c) of Title 18 of the United States Code; (ii) award
7 Ms. Cordeiro her attorneys' fees and suit costs incurred in connection with this action, and
8 reduce the same to judgment in favor of Ms. Cordeiro and against Mr. Postle, pursuant to the
9 allowances of Section 1964(c) of Title 18 of the United States Code; and (iii) afford such other
10 and further relief as may be just and proper.
11

12 **Count II – Fraud**

13 78. Ms. Cordeiro repeats and realleges each and every foregoing paragraph of this
14 Complaint, as though fully set forth herein.
15

16 79. The Defendant and his confederate(s) implicitly represented to all players
17 participating in Stones Live Poker games – including Ms. Cordeiro – that the Defendant is a
18 fellow honest participant in such games.

19 80. This representation was false, as the Defendant and his confederate(s) were
20 utilizing various wire communication facilities to permit the Defendant to cheat in such games.
21

22 81. The Defendant and his confederate(s) had knowledge of the falsity of these
23 representations, as their own overt conduct was required to carry out the fraud alleged herein.

24 82. The Defendant and his confederate(s) made these implicit representations with
25 the intent to defraud others by inducing their play in Stones Live Poker games where the
26 Defendant could then take their money.

1 83. The Defendant did this knowing the games in which he was playing were being
2 broadcast in the State of Nevada, knowing a large number of poker players – including Ms.
3 Cordeiro – would view them within the State of Nevada, and knowing many such players –
4 including Ms. Cordeiro – would then travel from the State of Nevada to Stones to participate in
5 such games on the fraudulent understanding these were honest games.
6

7 84. Ms. Cordeiro justifiably relied on these fraudulent representations, electing to
8 wager her hard-earned money in a Stones Live Poker game believing such to be honest and fair
9 contest, and electing to expend the time and resources to travel to Stones to participate in that
10 game.
11

12 85. Ms. Cordeiro has been damaged in the form of the loss of opportunity to earn
13 monies through an honest game of poker broadcast to the viewing public on a stream.

14 WHEREFORE, Ms. Cordeiro respectfully prays this Honorable Court (i) enter judgment
15 in her favor, and against Mr. Postle, in an amount equal to the damages she suffered; (ii) enter
16 judgment in her favor, and against Mr. Postle, as and for punitive damages, in the sum of Two
17 Hundred Fifty Thousand Dollars and No Cents (\$250,000.00); and (iii) afford such other and
18 further relief as may be just and proper.

19 **Count III – Negligent Misrepresentation**

20 86. Ms. Cordeiro repeats and realleges each and every foregoing paragraph of this
21 Complaint, as though fully set forth herein.
22

23 87. The Defendant implicitly and explicitly herein represented the Stones Live Poker
24 games to be honest poker games in which he participated as an honest player.

25 88. The Defendant did so through the conduct alleged *supra* in Count II of this
26 Complaint.

1 89. This representation was untrue, as the Defendant was cheating in the Stones Live
2 Poker games from at least July 2018 onward.

3 90. The Defendant made this representation without a reasonable basis for believing
4 it to be true, inasmuch as he personally knew of his own cheating conduct.

5 91. This representation was made with an intent to induce reliance on the part of
6 poker players (including Ms. Cordeiro), in the form of having such players continue to travel to
7 the Stones facility to play in the Stones Live Poker games in which the Defendant also played
8 and profited.

9 92. Ms. Cordeiro did detrimentally rely on this representation by traveling to the
10 Stones facility and wagering her money in a game of poker in which the Defendant was
11 participating.

12 93. Ms. Cordeiro has been damaged in the form of the loss of opportunity to earn
13 monies through an honest game of poker broadcast to the viewing public on a stream.

14 WHEREFORE, Ms. Cordeiro respectfully prays this Honorable Court (i) enter judgment
15 in her favor, and against Mr. Postle, in an amount equal to the damages she suffered; and (ii)
16 afford such other and further relief as may be just and proper.

17
18
19 **Count IV – Negligence Per Se**

20 94. Ms. Cordeiro repeats and realleges each and every foregoing paragraph of this
21 Complaint, as though fully set forth herein.

22 95. The Defendant and his confederate(s) “devised ... [a] scheme or artifice to
23 defraud, or for obtaining money ... by means of false or fraudulent pretenses, [and]
24 representations,” in furtherance of which they did “transmit[] or causes to be transmitted by
25 means of wire ... communication in interstate or foreign commerce, ... signals, pictures, or
26

1 sounds for the purpose of executing such scheme or artifice,” in contravention of Section 1343
2 of Title 18 of the United States Code.

3 96. This violation of controlling law, on the part of the Defendant and his
4 confederates, has caused Ms. Cordeiro to be damaged in the form of the loss of opportunity to
5 earn monies through an honest game of poker broadcast to the viewing public on a stream.
6

7 WHEREFORE, Ms. Cordeiro respectfully prays this Honorable Court (i) enter judgment
8 in her favor, and against Mr. Postle, in an amount equal to the damages she has suffered; and
9 (ii) afford such other and further relief as may be just and proper.

10 **Count V – Negligence Per Se**

11 97. Ms. Cordeiro repeats and realleges each and every foregoing paragraph of this
12 Complaint, as though fully set forth herein.

13 98. Section 337x of the California Penal Code provides, “It is unlawful to cheat at
14 any gambling game in a gambling establishment.”
15

16 99. This provision is intended to protect players participating in games at California
17 gambling establishments from such cheating.

18 100. Ms. Cordeiro, as a poker player engaged in poker games at Stones (a California
19 gambling establishment), falls within the class of persons sought to be protected by this statute.

20 101. The Defendant violated this statute by cheating in Stones Live Poker games, as
21 alleged *passim*.

22 102. This violation of controlling law, on the part of the Defendant and his
23 confederates, has caused Ms. Cordeiro to be damaged in the form of the loss of opportunity to
24 earn monies through an honest game of poker broadcast to the viewing public on a stream.
25
26

