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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF  
CALIFORNIA ex rel. BILL LOCKYER, as  
Attorney General of the State of California,

Plaintiff,

v.

IMMIGRATION SOLUTION CENTER;  
PROYECTO 98 NACARA; MARINA  
BALLADARES; MARIELA LIZCANO;  
CINTHIA RIVERA; LILIAM TAWADROS;  
NORMA TURCIOS; ALEXIS I. TORRES;  
LAW OFFICES OF ALEXIS L. TORRES,  
INC., a Corporation; BALLADARES &  
ASSOCIATES, INC., a Corporation;  
GUSTAVO ZARATE; LAW OFFICES OF  
GUSTAVO A. ZARATE, INC., a Corporation,  
and DOES 3 through 25 and 27 through 50,  
inclusive,

Defendants.

Case No. BC 259053  
Related Case No. BC 259055

**[PROPOSED] FINAL JUDGMENT AND  
PERMANENT INJUNCTION AGAINST  
DEFENDANTS MARINA  
BALLADARES, BALLADARES &  
ASSOCIATES, INC., IMMIGRATION  
SOLUTION CENTER AND PROYECTO  
98 NACARA**

Judge: Thomas L. Willhite

Trial Date: October 15, 2003  
Action Filed: October 3, 2001

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SUPERIOR COURT OF CALIFORNIA  
COUNTY OF LOS ANGELES

THE PEOPLE OF THE STATE OF CALIFORNIA  
ex rel. BILL LOCKYER, as Attorney General of the  
State of California,  
  
Plaintiff,  
  
v.  
  
IMMIGRATION SOLUTION CENTER;  
PROYECTO 98 NACARA; MARINA  
BALLADARES; MARIELA LIZCANO; CINTHIA  
RIVERA; LILIAM TAWADROS; NORMA  
TURCIOS; ALEXIS I. TORRES; LAW OFFICES  
OF ALEXIS L. TORRES, INC., a Corporation;  
BALLADARES & ASSOCIATES, INC., a  
Corporation; GUSTAVO ZARATE; LAW  
OFFICES OF GUSTAVO A. ZARATE, INC., a  
Corporation, and DOES 3 through 25 and 27 through  
50, inclusive,  
  
Defendants.

Case No.: BC 259053  
Related Case No. BC 259055

**[PROPOSED] FINAL  
JUDGMENT AND  
PERMANENT INJUNCTION  
AGAINST DEFENDANTS  
MARINA BALLADARES,  
BALLADARES & ASSOCIATES,  
INC., IMMIGRATION  
SOLUTION CENTER AND  
PROYECTO 98 NACARA**

Judge: Thomas L. Willhite

Trial Date: October 15, 2003  
Action Filed: October 3, 2001

1 The above-entitled cause came on regularly for trial on October 15, 2003, in Department 23 of  
2 the above-entitled court, the Honorable Thomas L. Willhite, Jr., presiding without a jury, and was tried  
3 on that date and on October 16 and 20 through 24, 2003. Deputy Attorneys General Gloria Castro  
4 and Angela Sierra appeared as counsel for plaintiff. Michael P. Rubin, Esq. appeared as counsel for  
5 defendants MARINA BALLADARES, BALLADARES & ASSOCIATES, INC., PROYECTO 98  
6 NACARA and IMMIGRATION SOLUTION CENTER.

7 Oral and documentary evidence was introduced on behalf of the respective parties and the cause  
8 was argued and submitted. The court, having considered the evidence and heard the arguments of  
9 counsel and good cause appearing therefrom:

10 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that:

11 1. The court has jurisdiction of the subject matter and the parties.

12 2. Plaintiff has established that defendants MARINA BALLADARES, BALLADARES  
13 & ASSOCIATES, INC., IMMIGRATION SOLUTION CENTER AND PROYECTO 98  
14 NACARA, by engaging in immigration consulting services in violation of numerous provisions of the  
15 Immigration Consultants Act (Bus. & Prof. Code, § 22440 et seq.), as well as in violation of the  
16 Unauthorized Practice of Law statute (Bus. & Prof. Code, § 6125) and the Lawyer Referral statute  
17 (Bus. & Prof. Code, § 6155), and, further, by engaging in false and/or misleading advertising with  
18 respect to their immigration consulting services, have committed a minimum of 312 violations of sections  
19 17500 and 17200 et seq. of the Business and Professions Code.

20 3. Entry of this Final Judgment and Permanent Injunction (“Judgment”) is in the public  
21 interest.

22 4. The injunctive provisions of this Judgment are applicable to defendants MARINA  
23 BALLADARES and BALLADARES & ASSOCIATES, INC., which currently does business under  
24 the fictitious name of IMMIGRATION SOLUTION CENTER (“ISC”), and to their business entities,  
25 agents, employees, representatives, successors, assigns, and to all persons acting by, through, under or  
26 on behalf of any of them, and to all persons acting in concert with or participating with any of them with  
27 actual constructive knowledge of this Judgment all of whom shall be referred to as “Defendants.”

28 **INJUNCTIVE PROVISIONS REGARDING BUSINESS PRACTICES**

1           5. Pursuant to California Business and Professions Code sections 17203, Defendants are  
2 hereby enjoined and restrained from directly or indirectly doing any of the following, in connection with  
3 any business or activity that operates from within their state or which affects California residents:

4           a. Violating and/or aiding and abetting any violations by any individual, including any of  
5 Defendants' agents, servants, employees, and representatives and/or business entities of any of the  
6 provisions of California's Immigration Consultants Act ("ICA") (Bus. & Prof. Code, § 22440 et seq.)  
7 and any of its statutory progeny. This permanent injunction includes the following:

8           (i) Defendants shall not fail to include in clear and conspicuous language, in English  
9 and Spanish, advertisements for services on radio and television, billboards, the outer walls of any  
10 office, Web sites, brochures, flyers, business cards, in immigration seminars and any other medium  
11 printed, displayed, published, distributed or broadcasted that Defendants are immigration consultants  
12 and that Marina Balladares is not an attorney and that Balladares & Associates, Inc. or any of  
13 defendants' businesses are not law firms as required by Business and Professions Code<sup>1/</sup> sections  
14 22442.2, subdivision (c)(1), 17200 and 17500.

15           (ii) Defendants shall not make untrue or misleading statements in English and  
16 Spanish advertisements on radio, television, billboards, bus benches, wall signs, Web sites, brochures,  
17 flyers, business cards, in immigration seminars and any other medium printed, displayed, published,  
18 distributed or broadcasted that Defendants are attorneys, law offices, and/or "representatives," in  
19 violation of sections 22442.3, 6126, 17200 and 17500.

20           (iii) Defendants shall not fail to conspicuously display in Defendants' offices, and  
21 anywhere Defendants might meet with clients or provide service, notices of at least 12 to 20 inches with  
22 boldface type or print with characters at least one inch in height, in English and Spanish, providing for  
23 each and every immigration consultant their full names, addresses, evidence of compliance with bonding  
24 requirements, stating the immigration consultant is not an attorney, the services that the immigration  
25 consultant provides, the current and total fee for each service and the name of each consultant  
26 employed at each location, as required by sections 22442.2, subdivision (a), and 17200.

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28           1. Unless otherwise indicated, all references are to the Business and Professions Code.

1 (iv) Defendants shall not fail to provide to consumers, prior to providing any services, a  
2 written disclosure, in the native language of the client which includes the names, addresses, telephone  
3 numbers, agents for service of process of the immigration consultant, and evidence of compliance with  
4 any applicable bonding requirements, including bond numbers, and the legal name of the employee who  
5 consulted with the client, if different from the immigration consultant, as required by sections 22442.2,  
6 subdivision (b), and 17200.

7 (v) Defendants shall not fail to ensure that each and every immigration consultant in  
8 Defendants' businesses at all times has filed with the Secretary of State a bond of \$50,000 executed by  
9 a corporate surety qualified to do business in the State of California, as required by sections 22443.1,  
10 subdivisions (a) through (e), and 17200.

11 (vi) Defendants shall refrain from making untrue or misleading statements to clients while  
12 providing client services, and from giving oral guarantees or promises, for which they have no basis in  
13 fact for making regarding individuals' likelihood to obtain legal residency in the United States, as  
14 prohibited by section 22444, subdivisions (a) through (b), and 17200.

15 (vii) Defendants shall not fail to provide their clients in English and Spanish with the  
16 following contract provisions, as required by section 22442, subdivisions (a)-(g), and California Code  
17 of Regulations, title 16, section 3840: 1) a statement in 10-point bold type that the immigration  
18 consultant is not an attorney and may not perform the legal services an attorney performs; 2) a  
19 statement that it is a violation of California law for the immigration consultant to keep any of the client's  
20 original documents because the client has failed to pay fees or expenses to the immigration consultant;  
21 3) a statement that the client has the right to cancel the contract at any time; 4) a statement advising the  
22 client that if the contract is canceled within 72 hours of signing it, the client is entitled to a refund of any  
23 fees or expenses previously paid; 5) a statement advising the client that if the contract is canceled after  
24 72 hours of signing it, the client shall pay the full contract fee and expenses "if the contract was  
25 substantially completed or fully performed, or the reasonable value of the services provided and  
26 expenses incurred, whichever is less"; 6) a statement detailing the services to be performed; 7) a list of  
27 the documents to be prepared by the immigration consultant; 8) an explanation of the purpose and  
28 process of each document; 9) the purpose for which the immigration consultant has been hired; and 10)

1 the actions to be taken by the immigration consultant regarding each document, including the agency  
2 and office where each document will be filed and the approximate processing times according to  
3 current published agency guidelines.

4 (viii) Defendants shall not fail to immediately return any original document that do not need  
5 to be submitted to immigration authorities as an original document to the client after making a copy or  
6 reproduction thereof nor fail to deliver to clients copies containing the name and address of the  
7 immigration consultant of documents or forms completed on behalf of clients prior to submission to any  
8 agency as required by sections 22443 and 17200.

9 (ix) Defendants shall not provide legal advice or assistance to clients in violation of section  
10 22441, subdivision (d), of the ICA, including: (a) advising clients about the legal requirements,  
11 procedures and ramifications of applying for certain immigration benefits as applied to the clients'  
12 specific circumstances; (b) advising clients about which type of immigration proceeding will solve their  
13 specific immigration problems; (c) preparing legal forms on behalf of clients without the clients' specific  
14 directions as to which forms to prepare and what information to include on the forms; and (d) preparing  
15 and submitting to the United States Citizenship and Immigration Services (USCIS), formerly known as  
16 the INS, legal correspondence on behalf of clients without the clients' specific direction or knowledge.

17 b. Defendants shall not violate and/or aid and abet any violations by any individual  
18 and/or business entity of the Unauthorized Practice of Law statute (Bus. & Prof. Code, § 6125) and  
19 any of its statutory progeny. This permanent injunction includes the following:

20 (i) Defendants shall not advertise and/or hold themselves out as attorneys practicing or  
21 entitled to practice immigration law or otherwise practice law in violation of Business and Professions  
22 Code section 6126.

23 (ii) Defendants shall not practice law without a license from the State Bar of California by,  
24 among other things, providing legal advice to clients about their individual immigration matters or legal  
25 advice regarding immigration benefits for which they qualify, in violation of Business and Professions  
26 Code section 6125. Defendants shall not advise clients of Defendants' opinion as to whether the clients  
27 are eligible for immigration benefits and/or about the legal requirements, procedures and ramifications  
28 were the client to apply for particular immigration benefits.

1 (iii) Defendants shall not accept compensation from clients or potential clients in exchange  
2 for the provision of services of non-attorneys who are engaged in the unauthorized practice of law  
3 either as employees, agents, and/or representatives of Defendants.

4 (iv) Defendants shall not aid or abet non-attorneys who are engaged in the  
5 unauthorized practice of law.

6 (v) Defendants shall not assist attorneys who are engaged in aiding and abetting non-  
7 attorneys in the unauthorized practice of law.

8 (vi) Defendants shall not recruit, pay and/or employ any attorney for the purpose of  
9 providing legal services in immigration matters for the benefit of anyone other than for themselves.

10 c. Defendants shall not violate and/or aid and abet any violations by any individual and/or  
11 business entity of the Lawyer Referral statute (Bus. & Prof. Code, § 6155), and any of its statutory  
12 progeny. This permanent injunction includes the following:

13 (i) Defendants shall not refer potential clients to attorneys, unless all of the requirements of  
14 Business and Professions Code section 6155, subdivision (a), are met. This prohibition includes  
15 referring clients to attorneys for any services, including the making of court appearances or the signing  
16 of immigration documents on behalf of clients.

17 (ii) Defendants shall not pay for, or accept compensation for, client referrals  
18 from individuals who refer potential clients to attorneys, unless all of the requirements of Business and  
19 Professions Code section 6155, subdivision (a), are met.

20 (iii) Defendants shall not recruit, pay and/or employ any attorney for the purpose of  
21 providing nonlegal/legal services in immigration matters for the benefit of anyone other than for  
22 themselves.

### 23 **MONETARY RELIEF**

24 6. Pursuant to Business and Professions Code section 17206, defendants MARINA  
25 BALLADARES, BALLADARES & ASSOCIATES, INC., IMMIGRATION SOLUTION  
26 CENTER and PROYECTO 98 NACARA shall jointly and severally pay to the California Department  
27 of Justice on entry of this Judgment a civil penalty in the sum of \$479,500.

28 7. Plaintiff is the prevailing party. MARINA BALLADARES, BALLADARES &

1 ASSOCIATES, INC., IMMIGRATION SOLUTION CENTER and PROYECTO 98 NACARA  
2 shall jointly and severally pay plaintiff's costs.

3 **RETENTION OF JURISDICTION**

4 8. This court shall retain jurisdiction over this matter for the purpose of enabling any party to  
5 this Judgment to apply to the court at any time for such further orders or directions as may be necessary  
6 or appropriate, for the construction or carrying out of this Judgment, for modification of the injunctive  
7 provisions of this Judgment, and for plaintiff to apply at any time for enforcement of any provisions of  
8 this Judgment and for punishment of any violations of this Judgment.

9 9. This Judgment shall take effect immediately upon its entry.

10 10. The clerk is ordered to enter this Judgment forthwith.

11 IT IS SO ORDERED:

12 Date: \_\_\_\_\_

13 \_\_\_\_\_  
14 JUDGE OF THE SUPERIOR COURT

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19 Submitted by:

20 BILL LOCKYER  
Attorney General of the State of California  
21 SUZANNE M. AMBROSE  
Supervising Deputy Attorney General  
22 GLORIA L. CASTRO  
Deputy Attorney General

23  
24 ANGELA SIERRA  
25 Deputy Attorney General  
Attorneys for Plaintiff

26 THE PEOPLE OF THE STATE OF CALIFORNIA  
27 ex rel. BILL LOCKYER, as Attorney General  
of the State of California  
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