

CAUSE NO. _____

GERARDO GARCIA,	§	IN THE DISTRICT COURT OF
	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	HARRIS COUNTY, TEXAS
	§	
MARCY BRYAN CROFT, ROC NATION,	§	
LLC, MJ LEGAL, P.A., JESSICA SANTIAGO,	§	
QUINN EMANUEL URQUHART &	§	
SULLIVAN, LLP,	§	
	§	
<i>Defendants.</i>	§	_____ DISTRICT COURT

**PLAINTIFF’S ORIGINAL PETITION FOR BARRATRY
AND CONSPIRACY TO COMMIT BARRATRY**

Plaintiff files this Original Petition against Defendants Marcy Bryan Croft, MJ Legal, P.A., Investigator Jessica Santiago, Roc Nation, LLC, and Quinn Emanuel Urquhart & Sullivan, LLP (“Quinn Emanuel”), seeking damages, and respectfully shows this Honorable Court the following:

Defendants have conspired to obstruct justice by engaging shadowy operatives to illegally seek out more than two dozen¹ current and former clients of The Buzbee Law Firm to convince those clients to bring frivolous cases against The Buzbee Law Firm. Defendant Roc Nation is financing the effort. Its attorneys, Marcy Croft and Quinn Emanuel, are orchestrating the effort. In some cases, Defendants’ agents pretend to work for the State of Texas and have flashed fake badges.² Soliciting clients is a crime in the State of Texas. Paying individuals to file false claims is unethical and criminal in the State of Texas. Impersonating a state official is a crime. In at least one case, Defendants’ agents offered as much as \$10,000 to a former client of the Buzbee Law

¹ Exhibit 1. Transcript between Jessica Santiago and Gerardo Garcia. “Exactly, we have like 70 people that are in this class action, and there will be more. You are on the list but we have other people too. Today I’m visiting with you, and with 3 more people who will sign up to be in the lawsuit. And it will increase daily. We have more pages with people. I don’t know how many but there are many. And if there are more people in the class action, that is better for you, because that means you will collect something.”

² Exhibit 1. Transcript between Jessica Santiago and Gerardo Garcia. “We are from the state.”

Firm to sue the firm.³ Unfortunately for the Defendants, their agents are not very smart, or careful. Their agents were caught on audiotape, red handed. Not knowing they were being recorded, Defendant's agents admitted that Defendant Marcy Croft,⁴ a licensed Texas lawyer and member of "Team Roc," was orchestrating the effort, and in another recording those agents described the criminal conspiracy in great detail, going so far to admit that the lawsuits would be in the press, and that some former clients had already accepted money to join the effort.

Roc Nation and Jay Z are synonymous. Jay Z is founder and Chairman of Roc Nation. At the same time the illegal conduct described herein continues, The Buzbee Law Firm is pursuing claims on behalf of at least one client against Jay Z in New York Federal Court. And, as a result of that client's claims, Jay Z sued the Buzbee Law Firm in Los Angeles state court. Defendant Quinn Emanuel, who represents Jay Z in both cases, and who also frequently represents Roc Nation, denied in open court and in the press involvement in the scheme described herein.⁵ That denial was a bold-faced LIE. The illegal effort described here, which Roc Nation is funding, and Defendant Croft and Defendant Quinn Emanuel are orchestrating, is intended to interfere with The Buzbee Law Firm's ability to represent its clients, and offer pertinent evidence to authorities.

³ Exhibit 2. Affidavit of Skylar Taylor; Exhibit 3. Affidavit of Shannon Champagne. The Defendants were aggressive. "These men offered me money to sign on as a client with them. Specifically. they offered me \$10,000 in exchange for signing with them as a client." Affidavit of Shannon Champagne. Defendants' scheme has been successful in two instances thus far. Two cases have been filed to date—both utterly frivolous and patently false. Both will undoubtedly needlessly subject the former Buzbee Law Firm clients to fees and expenses, and will result in bar action against the law firms who accepted referrals of the cases from Defendant Marcy Croft. Croft, of course, will also be subject to bar complaints. Her conduct is despicable and criminal, despite being mandated by her client and self-described benefactor Roc Nation.

⁴ Defendant Roc Nation routinely employs the law firm of Quinn Emanuel. Quinn Emanuel is also the law firm representing Jay-Z in the case he filed against the Buzbee Law Firm in Los Angeles, as well as a case where Jay Z was sued by a client of the Buzbee Law Firm in New York. Defendant Marcy Croft has a long association with Quinn Emanuel and Roc Nation.

Defendants' scheme is summarized in the following recording transcript:

What we're trying to do is, we are trying put this thing together for the company that we're working for--

We could get you paid, . . . you could get money right soon, you know?

We gave this kid 1,000 bucks to start yesterday just to get him on the right path.

At the end of the day, this is going to go through the courts, Buzbee is getting sued . . .” Exhibit 4 . Page. 6.

As part of their scheme, Defendants attempted to use the Plaintiff herein as a pawn. On behalf of Defendant Marcy Croft, two individuals approached the Plaintiff. They were pushy. They told him he had to talk to them, because they were with the State. They told him that they were putting together a lawsuit on behalf of Defendant Marcy Croft and the company she was working for, and that she would assign his case to someone who could get him a lot of money. Thankfully, rather than go along with their illegal efforts, the Plaintiff recorded them instead. He now files suit for barratry, both a crime and a civil action in the State of Texas. This is just one of multiple cases to be filed by Plaintiffs who have been illegally solicited by investigators working as part of a cabal headquartered in New York City. Defendants have a long history of the type of abusive and egregious conduct described herein. Because they have gotten away with it for so long, Defendants think they can come down to Texas and do whatever they choose with impunity. They are wrong. Their behavior will have consequences, both civilly and criminally.

I. **PARTIES**

Plaintiff is a resident of Texas and Harris County.

Defendant Marcy Bryan Croft is a Texas licensed attorney, and a self-admitted member of “Team Roc.” She can be served through the Texas Secretary of State at her office at 1501

Jacksonian Plaza 12159, Jackson, MS 39211. Marcy's connection with Defendants Roc Nation and Quinn Emanuel is plainly demonstrated below:

MARCYBCROFT
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January 28, 2020



marcybcroft
Parchman, Mississippi

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Maron Marvel Bradley Anderson & Tardy LLC has been retained by Alex Spiro, Jay-Z, and RocNation in the lawsuit filed on behalf of mistreated inmates over inhumane conditions at Parchman Prison. Maron Marvel shareholder, **Marcy Croft** will serve as lead Mississippi Counsel.

https://lnkd.in/gu_Pg6M

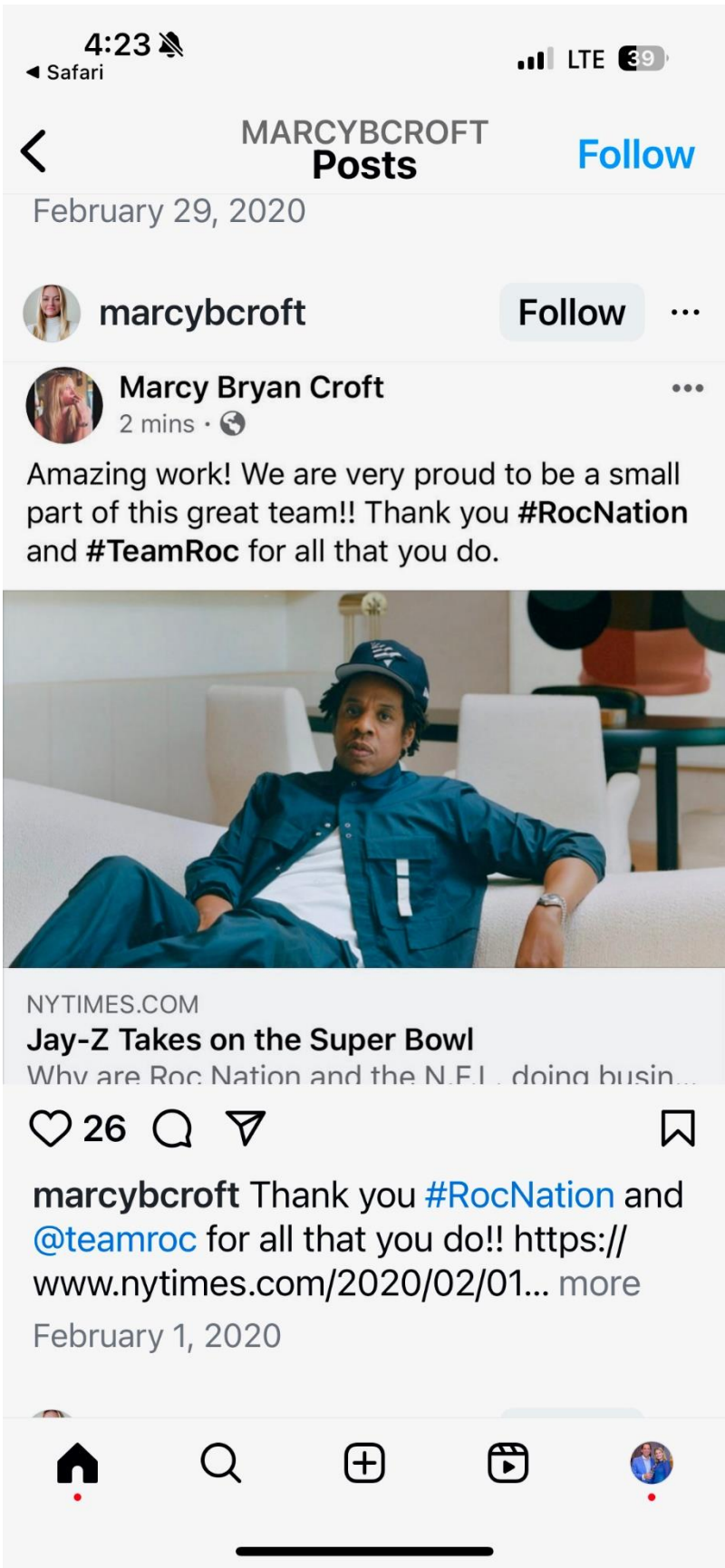


30 3

marcybcroft It's an honor and a privilege to work on such a worthy cause. The situation at Parchman is an on... more

January 26, 2020







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marcybcroft Thanks, @teamroc! We appreciate everything you are doing to help Mississippi and hold #MDOC... more

January 29, 2020



marcybcroft

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Defendant MJ Legal, P.A., is a business corporation and law firm performing legal services in Texas. This Defendant can be served through the Texas Secretary of State at her office via personal service to March Bryan Croft at 1501 Jacksonian Plaza 12159, Jackson, MS 39211.

Defendant Roc Nation, LLC is a limited liability company organized in Delaware and headquartered in New York. This Defendant can be served through the Texas Secretary of State via registered agent at C/O Corporate Creations Network, Inc., 600 Mamaroneck Avenue #400, Harrison, New York 10528.

Defendant Quinn Emanuel Urquhart & Sullivan, LLP is a limited liability partnership which may be served at its Houston office located at 700 Louisiana Street, Suite 3900, Houston, Texas 77002. Quinn Emanuel frequently represents Roc Nation and currently represents Jay-Z in a lawsuit against the Buzbee Law Firm.

Defendant Jessica Santiago is a resident of Harris County, Texas, and can be served via personal service at her home address in Harris County, or wherever she may be found.

II. **VENUE AND JURISDICTION**

Venue is proper in Harris County, Texas pursuant to Section 15.002(a)(1) of the Texas Civil Practices and Remedies Code because all or a substantial part of the events or omissions giving rise to the claims occurred in Harris County, Texas.

The Court has subject matter jurisdiction because the amount in controversy is within the jurisdictional limits of this Court. Moreover, all of the incidents in question occurred in Harris County.

III.
DISCOVERY CONTROL PLAN

Plaintiff intends to conduct discovery under Level 3 of Texas Rule of Civil Procedure 190.4 and affirmatively pleads that this suit is not governed by the expedited-actions process in Texas Rule of Civil Procedure 169, because Plaintiff requests injunctive relief and Plaintiff seeks monetary relief over \$100,000.

IV.
EVIDENCE

This filing is supporting by the following evidence, which is attached and incorporated herein:

- A. Transcript of Defendant Jessica Santiago and Gerardo Garcia.
- B. Transcript of Defendants' agent and Skylar Taylor.
- C. Affidavit of Skylar Taylor.
- D. Affidavit of Shannon Champagne.

V.
FACTS

On behalf of two clients, Tony Buzbee and the Buzbee Law Firm ("Firm") sent demand letters to Shawn "Jay Z" Carter's attorneys in New York. The letters made no monetary demand. They only sought a confidential sit down to discuss the clients' allegations. In response to the two letters, Defendant Quinn Emanuel filed suit against the Buzbee Law Firm. That suit alleged that the Firm was trying to extort Shawn "Jay Z" Carter." That lawsuit was, and is, frivolous, and will be dismissed.

Several weeks later, the Buzbee Law Firm, on behalf of one of the clients who sent a demand letter, filed a lawsuit against Mr. Carter. At or around that time, Defendants' conspiracy began. As part of that conspiracy, current and former clients of The Buzbee Law Firm began

receiving solicitations from investigators asking current and former clients to sue the Firm. The investigators used burner phones. Many times the investigators used fake names, or flashed badges or credentials but would not let the clients see them. During some of the contacts, the investigators were pushy, and in at least two, they pretended to be acting on behalf of the State of Texas. Several of these calls were caught on either camera or tape. In each instance, the investigators were careful not to disclose on whose behalf they were working. For good reason. The Defendants in this case did not want to disclose their participation in the flagrant violation of Texas law. Indeed, these Defendants openly and brazenly violated Texas' criminal laws dozens of times.

One such target of Defendant's solicitation was Plaintiff Gerardo Garcia. Mr. Garcia is a resident of Harris County. He was injured in a Jones Act lawsuit and hired The Buzbee Law Firm to represent him. His case was settled in 2020. He was happy with the resolution of his case, and had no complaints with the Buzbee Law Firm. Nearly five years later after his case had resolved, not seeking to hire lawyer or file a lawsuit, Mr. Garcia was contacted out of the blue by two "investigators." This contact was an illegal solicitation and was made on behalf of and as part of a conspiracy involving Defendants Croft, Roc Nation, and Quinn Emanuel. One of these investigators identified herself as Jessica Santiago.

These two investigators approached Mr. Garcia at his home and flashed a badge. They told Plaintiff Garcia several times that they were from the "State." They asked Mr. Garcia if he was unhappy with his settlement from 2020 and whether they could see his settlement documents. They were pushy. They followed this up by explaining to him that they were with the State but could connect him with a private lawyer so he could sue the Buzbee Law Firm. They told Garcia several times that there was "money in this for you." These investigators' requests became increasingly aggressive and hostile. At some point, Defendants' agents demanded Mr. Garcia

produce his medical records, and offered him money to hire the private lawyer to sue the Buzbee Law Firm. Mr. Garcia decided to call the Buzbee Law Firm and report the conduct.

Despite her best efforts in disguising the identities of those she was working for, investigator Jessica Santiago was caught on tape disclosing to Mr. Garcia that she was working for an attorney named Marcy Croft at the law firm MJ Legal, P.A. Defendant Marcy Croft is an attorney in Jackson, Mississippi. Defendant MJ Legal is the law firm Ms. Croft purportedly owns. Ms. Croft advertises herself as a member of “Team Roc.” Moreover, Ms. Croft advertises that she has become “actively involved with criminal justice reform and prison reform alongside RocNation’s philanthropic arm, Team Roc.” She further advertises herself as being involved in “numerous litigation actions pending on behalf of Team Roc, families, and hundreds of incarcerated men.” Marcy Croft has worked with Roc Nation for years, alongside Quinn Emanuel’s Alex Spiro. Spiro and Quinn Emanuel are currently opposing the Buzbee Law Firm in at least two cases.

V. **CAUSES OF ACTION**

A. BARRATRY/SOLICITATION: TEXAS PENAL CODE SEC. 38.12 – ALL DEFENDANTS

Plaintiff incorporates the preceding paragraphs of this Petition as if set forth fully herein.

Defendant Roc Nation, LLC in conspiracy with Quinn Emanuel orchestrated and instructed Defendants Croft and MJ Legal to send agents (private investigators) in Texas to the homes of the Firm’s ex-clients who were also in Texas. One of those ex-clients was Plaintiff Gerardo Garcia. Once there, these agents/investigators solicited employment for Defendant Croft and Defendant MJ Legal. Each of these Defendants offered money to Plaintiff to hire Defendant Croft and sue the Firm. To add insult to injury, these investigators sent by Defendants acted as if they were

government officials or police officers, even going so far as to brandish a badge and tell Mr. Garcia they were from the “state.”

Defendant Roc Nation is knowingly financing the commission of these criminal offenses, and is therefore guilty of same. Quinn Emanuel is assisting in the conspiracy, and has publicly lied about its involvement, and has also had its lawyers lie directly to a state court judge in Texas about its involvement.

B. CIVIL CONSPIRACY – ALL DEFENDANTS

Plaintiff incorporates the preceding paragraphs of this Petition as if set forth fully herein.

Defendants make up more than two persons who sought to accomplish a goal of committing barratry and soliciting clients to sue the Firm. All Defendants had a meeting of the minds on this organized criminal conduct, and then took many unlawful acts to accomplish this criminal conduct. As a result, Plaintiff suffered damages in an amount to be proven at trial.

Because Defendants’ conduct was committed with actual malice, Plaintiff seeks exemplary damages against Defendants.

C. PUNITIVE DAMAGES

Plaintiff incorporates the preceding paragraphs of this Petition as if set forth fully herein.

Defendants’ conduct was committed with actual malice, and, as such, Plaintiff seeks exemplary damages against Defendants.

Moreover, because this involves the violation of a criminal statute, no damage caps are applicable to Plaintiff’s damages.

As a proximate result of Defendants’ conduct, Plaintiff has suffered damages in an amount to be proven at trial.

VI.
DAMAGES

Plaintiff incorporates the preceding paragraphs of this Petition as if set forth fully herein.

As a direct and proximate result of the occurrence made the basis of this lawsuit, Plaintiff suffered injury. Plaintiff seeks the following damages pursuant to Texas law:

- A. Compensatory damages in an amount to be proven at trial;
- B. Consequential and special damages in an amount to be proven at trial;
- C. Exemplary damages;
- D. Interest on damages (pre- and post-judgment) in accordance with law;
- E. Costs of court;
- F. Attorneys' fees; and
- G. Such other and further relief to which Plaintiff is entitled.

VII.
DEMAND FOR JURY

Plaintiff respectfully demands a jury trial on those issues where appropriate.

VII.
CONCLUSION AND PRAYER

Upon trial of this matter, Plaintiff respectfully prays for judgment as follows:

- a. That the Defendants be restrained as set forth herein;
- b. The Court enter judgment in favor of Plaintiff for damages permitted by law;
- c. Such other relief, at law or in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

THE BUZBEE LAW FIRM

By: /s/ Anthony G. Buzbee

Anthony G. Buzbee

State Bar No. 24001820

tbuzbee@txattorneys.com

David C. Fortney

State Bar No. 24068740

dfortney@txattorneys.com

JPMorgan Chase Tower

600 Travis Street, Suite 7500

Houston, Texas 77002

Tel: (713) 223-5393

Fax: (713) 223-5909

www.txattorneys.com

ATTORNEYS FOR PLAINTIFF