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and Willie Jessop*

**IN THE FIFTH JUDICIAL DISTRICT COURT
WASHINGTON COUNTY, STATE OF UTAH**

R & W EXCAVATING, INC., a Utah
corporation; BOULDER MOUNTAIN
GROUP, LLC, a Nevada limited liability
company; and WILLIE JESSOP, individually
and on behalf of his minor children,
Plaintiffs,

vs.

WARREN JEFFS; LYLE JEFFS; JOHN
WAYMAN; NEWERA MANUFACTURING,
INC., a Nevada Corporation; and DOES 1
through 25.
Defendants.

COMPLAINT

Civil No. _____

Judge _____

Plaintiffs R & W Excavating, Inc. ("R&W"), Boulder Mountain Group, LLC ("BMG")
and Willie Jessop ("Jessop") through their legal counsel allege as follows:

1. Plaintiff R&W is a Utah corporation headquartered in Hildale, Utah.
2. Plaintiff BMG is a Nevada limited liability company that owns the Boulder Mountain Ranch ("BMG Ranch"), a cattle ranch located near Hildale, Utah.

3. Plaintiff Jessop is an individual who resides in Hildale, Utah and is the owner of BMG and R&W. Jessop previously has acted as bodyguard for Warren Jeffs and at times has acted as spokesman for the Fundamentalist Church of Jesus Christ of Latter Day Saints ("FLDS Church").

4. Defendant Warren Jeffs is president of the FLDS Church and is recognized by some members of that Church as a prophet. In 2006, Jeffs was placed on the FBI's 10 Most Wanted List, and in 2011 he was convicted in Texas of two felony counts of child sexual assault. Warren Jeffs presently is serving a life sentence in Texas as a result of the felony convictions. On information and belief, all acts complained of herein were done with Warren Jeffs' knowledge, under his direction, with his consent, and on his behalf and at his instance.

5. Defendant Lyle Jeffs is the brother of Warren Jeffs and is a high-ranking leader of the FLDS Church. Since Warren Jeffs' incarceration, Lyle Jeffs has acted at the behest of his brother, Warren, and as a leader of the FLDS Church.

6. Defendant John Wayman ("Wayman") is an individual who is the brother-in-law of Warren Jeffs and is a high-ranking leader of the FLDS Church. On information and belief, all acts complained of herein were done with Wayman's knowledge, under his direction, with his consent, and on his behalf and at his instance.

7. Defendant Does 1 through 25 are individuals or entities who have acted on behalf of, at the instance of, and/or in conjunction with the other named Defendants to bring about the harm and damages to Plaintiffs that are at issue in this lawsuit. Lyle Jeffs, Warren Jeffs, John Wayman, and the Doe defendants collectively are referred to herein as "Defendants."

8. Several of Does 1 through 25 are entities, controlled by the named individual defendants, that own and control various assets, including real estate.

GENERAL ALLEGATIONS

9. For many years, Willie Jessop was an ardent supporter and defender of the FLDS Church and its leadership and, more particularly and most recently, of Warren Jeffs, the man who claimed to be the leader and prophet of the FLDS Church.

10. In 2008, in connection with the State of Texas' raid on the FLDS Church's Yearning for Zion Ranch located in Texas, an event that received extensive nation-wide media coverage, Willie Jessop became privy to information that caused him to conclude that Warren Jeffs' conduct was indefensible, that Mr. Jeffs could not possibly be a true "prophet" on behalf of the FLDS Church, and that Jessop could no longer defend Jeffs publicly or privately.

11. Prior to that time, Jessop had been a true believer in what he believed was the divine calling of Warren Jeffs as prophet of the FLDS Church, and Jessop had acted as an ardent Warren Jeffs' supporter. Upon the death of Rulon Jeffs (Warren Jeffs' father), Warren Jeffs claimed the right to succeed his father as leader and prophet of the FLDS Church. As an ardent supporter of Rulon Jeffs, and then Warren Jeffs, and of the FLDS Church, over the years Jessop provided significant resources to and for the benefit of the FLDS Church, its members and its leaders - in the form of money, credit, time, equipment, materials and other resources, including having arranged for and paid literally hundreds of thousands of dollars in legal fees incurred in the defense of Warren Jeffs against various criminal charges brought against him.

12. Jessop is the owner and Chief Executive Officer of R&W, which Jessop had helped develop into a very successful earth excavating company, doing business in Southern Utah and multiple adjoining states. Jessop often provided substantial, very valuable equipment and resources of R&W for the use of the FLDS Church, typically at little or no cost to the Church.

13. Jessop also is the owner of BMG, which in turn owns the Boulder Mountain Ranch ("BMG Ranch"), a cattle ranch located near Hildale, Utah.

14. Commencing in the early 2000 timeframe, a series of events transpired that led to Jessop withdrawing his support for Warren Jeffs. Those events included the following: law enforcement agencies in Utah and Arizona had issued warrants for the arrest of Warren Jeffs, who was listed on the FBI's 10 Most Wanted list, and had gone into hiding. Eventually, Jeffs was apprehended, tried and convicted of criminal conduct in state court in St. George, Utah. The State of Texas thereafter conducted a raid on the FLDS' Yearning for Zion Ranch in Texas. During this same time period, the State of Utah, in a series of highly-publicized, contentious events, sought and obtained the appointment of a trustee over assets belonging to the FLDS Church. During this time of turmoil for the FLDS Church, Jessop became known to many as the "face" of the FLDS Church, having acted as a bodyguard for Warren Jeffs and often as a spokesman for the Church. As a result, Jessop became privy to significant facts and information relating to Warren Jeffs and certain activities of other church leaders, including facts and information that were highly scandalous in nature—some of which have never been made public.

15. Jessop's initial response to the information he learned was that of doubt, distrust, disbelief and outright rejection of the accuracy or truthfulness of what he was learning. It was inconceivable to Jessop that the information he had been provided – particularly with respect to Warren Jeffs - could possibly be true. Ultimately, however, following his own, independent investigation, Jessop was forced to acknowledge the accuracy of the information he had been provided (including information in the form of audio tapes, pictures, and video tapes). Jessop came to acknowledge, both privately and publicly, that in good conscience he could no longer continue to support Warren Jeffs.

16. Late one night in February, 2011, after having recently returned from Texas, Willie Jessop was awakened from his sleep and summoned at the request of Lyle Jeffs to appear at a meeting. Lyle Jeffs is the brother of Warren Jeffs and a high-ranking FLDS Church official. Lyle Jeffs acts on behalf and at the instance of his incarcerated brother, Warren Jeffs. A short time prior to this occasion, Warren Jeffs had commissioned Lyle Jeffs to be the "Judge over all of Israel" – an appointment of extraordinary significance to members of the FLDS Church.

17. Jessop learned upon appearing at the meeting, which took place at the Leroy S. Johnson meeting house in Colorado City, that the reason for the meeting was for Lyle Jeffs to confront Jessop over his failure to comply with instructions Jessop earlier had received from Lyle Jeffs, who was acting with John Wayman on behalf of Warren Jeffs and the FLDS Church. The instructions had been issued to Jessop in the form of a letter that Warren Jeffs had prepared from his jail cell. The letter had purported to instruct Jessop that he place in the priesthood record of the FLDS Church information in the form of a letter or affidavit to the effect that past high-ranking leaders of the FLDS Church (who Warren Jeffs subsequently had expelled from the Church) had conspired against Warren Jeffs by providing information to Canadian law enforcement officials relating to trafficking of underage girls between the United States and Canada. These girls were young daughters of FLDS members in Canada who Warren Jeffs had ordered sent to the United States so he could marry them.

18. Knowing that the information he had been instructed to place in the priesthood records of the FLDS Church was false, Jessop had refused to place such information in the Church's records. This refusal, together with Warren Jeffs having learned that Willie Jessop had disclosed to certain close friends facts Willie Jessop had learned about Warren Jeffs and that Willie Jessop had taken the position that he could no longer morally defend Warren Jeffs, had

led to a falling out between Willie Jessop, on the one hand, and Warren Jeffs, his brother, Lyle Jeffs, John Wayman, and other leaders of the FLDS Church who had not been expelled from the church, on the other hand.

19. When Jessop arrived at the meeting late in the night, he found Lyle Jeffs, who was accompanied by a number of men, including off-duty law enforcement officials.

20. At the meeting, Lyle Jeffs read what purported to be a “revelation” from Warren Jeffs directing that Willie Jessop, based on his failure to place the information he had been asked to place in the records of the FLDS Church, was to have the priesthood taken from him; that he was not to return to his home or business; that he was to forfeit his home and his family; and that he must remove himself entirely from and not associate with anyone who was a member of the FLDS community.

21. When asked if he acknowledged that this directive was God speaking through Warren Jeffs, Willie Jessop, possessed with the host of information and knowledge he had learned about Warren Jeffs, including the plethora of information obtained from the Escalade in which Warren Jeffs was riding in at the time of his arrest from hiding, and knowing that Warren Jeffs himself had confessed he had committed a sexual assault; that he professed not to be a prophet; and that he did not hold priesthood, declined.

22. In response, Lyle Jeffs, acting on behalf of himself, Warren Jeffs, John Wayman, and the other doe Defendants, threatened Willie Jessop that if he did not accept the directive, that Lyle Jeffs would publicly declare Willie Jessop an adulterer – an allegation that was false and that Warren Jeffs, Lyle Jeffs, and John Wayman knew to be false. On information and belief, Lyle Jeffs made this threat, on behalf of himself, Warren Jeffs, John Wayman, and the Doe defendants listed in this Complaint, at least in part in an effort to cause Jessop not to publicly

disclose his knowledge that Warren Jeffs, Lyle Jeffs and John Wayman had impregnated other men's wives – something Warren Jeffs publicly had confessed that he had wrongfully done and allowed – after Warren Jeffs had ordered Lyle Jeffs and John Wayman to “return” the wives of other men to their rightful husbands.

23. Willie Jessop was shocked by this threat of blackmail. Jessop had become privy to and held in his possession information that overwhelmingly demonstrated that Warren Jeffs had been involved in immoral, illegal, unthinkable acts that were contrary to everything Willie Jessop had been taught and that he had believed with respect to someone who he had considered to be a prophet of God. Jessop had confided in close friends regarding some of the information he had learned and the fact that Warren Jeffs had secretly plotted blood atonement. Jessop learned that Warren Jeffs also had engaged in the practice of group sex with girls as young as twelve years old, which acts Jeffs had recorded. Jessop was aware that Jeffs further had engaged in other activities that were wholly inappropriate and highly embarrassing. Jessop also had witnessed the excommunication from the FLDS Church at the hands of the individual Defendants named in this case of numerous life-long, faithful FLDS leaders, and he was aware of illegal conduct in which the leaders of the Church had engaged.

24. Early in the morning hours following the meeting with Lyle Jeffs and others, Willie Jessop went to the house of his father and explained what had happened. His father encouraged Willie to take a stand based on the information he had learned and told him he would do the same if he possessed the same information and knowledge. He told Willie Jessop he understood the very difficult situation in which Willie Jessop found himself and that he was glad he did not possess, and thus was not forced to deal with, the knowledge that Willie had learned.

25. Willie Jessop then returned home, wakened his family, explained the threats he had received from Lyle Jeffs , who was acting on behalf of all Defendants, and explained to his family based on the knowledge he had that he could no longer support Warren Jeffs or the other FLDS Church leadership acting on behalf and at the instance of Warren Jeffs.

DEFENDANTS' DESTRUCTION OF R&W

26. As a result of Jessop having failed to follow the directive regarding placing false information in the records of the FLDS Church, and as a result of Jessop having withdrawn his support of Warren Jeffs, Lyle Jeffs, and other Church leaders who regularly act in concert with them, Lyle Jeffs, and, on information and belief, John Wayman, both acting on behalf of and at the instructions of Warren Jeffs, and all of whom were acting in their capacities as leaders of the defendant entities listed in this Complaint, ordered a night-time raid on the offices of R&W.

27. The intent and purposes of the raid included (1) destruction of R&W as a going concern; (2) retaliation against Jessop as a result of Jessop's having withdrawn his support of Warren and Lyle Jeffs; and (3) removal and destruction of files and other materials belonging to Jessop that were located at the R&W offices because defendants were fearful that the release of those materials would reveal to the FLDS Church membership information that would cause the membership to withdraw their support of Warren and Lyle Jeffs and John Wayman as high ranking church officials.

28. In addition to ordering the raid, on April 6, 2011, Lyle Jeffs and John Wayman, acting on behalf of Warren Jeffs, all of whom were acting as ranking FLDS Church officials, informed the employees of R&W that if they continued their employment with R&W, they would be excommunicated from the FLDS Church. Virtually all of R&W employees quit their employment with R&W as a result.

29. The result of the actions of Warren Jeffs, Lyle Jeffs, and John Wayman, acting on behalf of each of the named Defendants, was devastating to R&W and to Jessop. The raid resulted in the removal of computers and hard drives belonging to R&W that were integral to the ongoing operations of R&W. Records of job costing, site plans, scope of work descriptions, invoicing, receivables, and payables were lost. Important financial information, including information relating to the payment of payroll and income taxes, was lost. Lyle Jeffs specifically instructed Willie Jessop/R&W's accountant not to assist with taxes and not to turn over information necessary to file taxes. Bid information was taken. Virtually all information relating to R&W's long-term and day-to-day operations was stolen, directly and foreseeably resulting in the shut-down and demise of R&W.

30. Prior to the raid, R&W was a successful, rapidly growing business whose monthly revenues on average exceeded hundreds of thousands of dollars. After the raid, with the information necessary to operate the business gone and with its workforce decimated, R&W has for all intents and purposes ceased doing business.

31. In addition, the raid resulted in the loss to Jessop of many personal items, including court files and information of incredible personal value to Jessop that he had collected for his own purposes.

32. Raiding the offices of his business; stealing computers and equipment belonging to R&W; ordering an accountant who had been providing services to R&W and who had been prepaid by R&W to cease providing services; and causing the employees of R&W to quit their employment with R&W was not enough, however. Defendants have engaged in a campaign of other destruction and harassment of Jessop, R&W, BMG, and Jessop's family.

33. Jessop often provided the use of R&W's equipment and work force to the FLDS Church at no charge to the Church. Currently, there are multiple pieces of R&W equipment located on FLDS Church properties that are titled in the name of R&W and that belong to R&W. Jessop has demanded on behalf of R&W the return of all such equipment, but Warren Jeffs, Lyle Jeffs and John Wayman, acting on behalf of the Defendants, have refused to return the equipment to R&W.

DEFENDANTS' EFFORTS TO DESTROY BMG

34. BMG owns the Boulder Mountain Ranch, which is located near Hildale, Utah. The ranch is a cattle ranch. Jessop had mortgaged the ranch and provided it as collateral for a loan that Lyle Jeffs had asked Willie Jessop to take out to assist in paying the legal fees of Warren Jeffs. Lyle Jeffs and Warren Jeffs, acting on behalf of each of the Defendants, agreed to pay the entirety of the loan and make all payments on the loan as they came due.

35. Defendants have engaged in a campaign to destroy the operations of the ranch. Among other things, in April 2011, Lyle Jeffs ordered Jessop's cattle removed from certain UEP property in Hildale and returned to the BMG Ranch. Lyle Jeffs subsequently caused 28 of the BMG's steers, which weighed between 700 and 800 pounds each, to be removed from the ranch and slaughtered or sold. Lyle Jeffs thereafter threatened Jessop's extended family with excommunication from the FLDS Church if they continued any involvement with BMG. Lyle Jeffs, acting on behalf of himself, Warren Jeffs, and John Wayman, as well as on behalf of the other Defendants, also caused to be removed from BMG a large generator used to pump irrigation water; Defendants have failed to make \$24,000 in payments owed on the loan for which the ranch serves as collateral; and Defendants have caused all members of the FLDS Church who worked on the ranch to cease their ranch employment.

36. Even these actions by Defendants' toward R&W and BMG apparently were not enough. Defendants have engaged in a campaign of harassment designed to harm Jessop and his family. Among other things, they have stationed guards and cameras outside of Jessop's home, his business, and his ranch to provide 24 hour surveillance; they have expelled Jessop's minor children from the schools; they have verbally harassed Jessop and his family, accusing them of apostasy, calling them "Judas," publicly stating that they have betrayed other church members, and claiming they will suffer eternal damnation. Defendants have raided locations where Willie Jessop has maintained living accommodations, stealing his computers and other personal items.

FIRST CAUSE OF ACTION
(R&W: Conversion – All Defendants)

37. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

38. Defendants unlawfully have converted and possessed for their own use and possession property and equipment with the intent to permanently deprive R&W of access and use of such property and equipment.

39. As a direct and proximate result of such conversion, R&W has not only lost the possession and use of its property, but Defendants' unlawful conversion has resulted in the demise of R&W as an ongoing business entity.

40. As a direct and proximate result of Defendants' conversion, R&W is entitled to judgment against Defendants, jointly and severally, in the amount of at least \$26 million, comprised of at least \$1 million representing the value of the equipment converted and an additional \$25 million in the form of damages to and destruction of R&W as a going concern.

41. Defendants have acted with malicious intent and in disregard of the personal and property rights of R&W, entitling it to punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$10 million.

**SECOND CAUSE OF ACTION
(BMG: Conversion – All Defendants)**

42. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

43. Defendants unlawfully have converted and possessed for their own use and possession property and equipment with the intent to permanently deprive BMG of access and use of its property and equipment.

44. As a direct and proximate result of Defendants' conversion, BMG has lost property, with a value of at least \$43,000.

45. In addition, as a direct and proximate result of Defendants' conversion, BMG has suffered consequential damages in the form of lost feed and the inability to cover expenses due to lost profits, and Defendants' conduct has jeopardized BMG's ongoing operations. BMG has suffered consequential damages as a result in the amount of at least \$1 million.

46. Defendants have acted with malicious intent and in disregard of the personal and property rights of BMG, entitling it to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$1 million.

**THIRD CAUSE OF ACTION
(Jessop: Conversion – All Defendants)**

47. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

48. Defendants unlawfully have converted and possessed for their own use and possession property and equipment with the intent to permanently deprive Jessop of access and use of his property and equipment.

49. As a direct and proximate result of Defendants' conversion, Jessop personally is entitled to judgment against Defendants, jointly and severally, in an amount to be established at trial, but in no event less than \$500,000.

50. Defendants have acted with malicious intent and in disregard of the personal and property rights of Jessop, entitling him to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$1 million.

FOURTH CAUSE OF ACTION
(Jessop: Intentional Infliction of Emotional Distress – All Defendants)

51. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

52. Through their intentional acts and directives of intimidation, harassment, refusal to provide necessary medical care, and other conduct, as previously described, Defendants intentionally have inflicted emotional distress on Jessop, resulting in physical sickness, emotional trauma, and mental stress to Jessop.

53. As a direct and proximate result of Defendants' intentional infliction of emotional distress, Jessop is entitled to recover from Defendants, jointly and severally, an amount to be established at trial, but in no event less than \$1 million.

54. Defendants have acted with malicious intent and in disregard of the rights of Jessop, entitling Jessop to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$1 million.

FIFTH CAUSE OF ACTION
(R&W – Trespass - All Defendants)

55. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

56. Defendants have unlawfully entered onto the property of R&W, with the intent to harm R&W, which intent Defendants carried out.

57. As a direct and proximate result of Defendants' trespasses, R&W has been Injured and is entitled to recover from Defendants, jointly and severally, an amount to be established at trial, but in no event less than \$25 million.

58. Defendants have acted with malicious intent and in disregard of the rights of R&W, entitling it to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$10 million.

SIXTH CAUSE OF ACTION
(BMG – Trespass - All Defendants)

59. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

60. Defendants have unlawfully entered onto the property of BMG, with the intent to harm BMG, which intent Defendants carried out.

61. As a direct and proximate result of Defendants' trespasses, BMG has been injured, and each is entitled to recover from Defendants, jointly and severally, an amount to be established at trial, but in no event less than \$1 million.

62. Defendants have acted with malicious intent and in disregard of the rights of BMG, entitling it to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$10 million.

SEVENTH CAUSE OF ACTION

(R&W: Intentional Interference with Economic Relations – All Defendants)

63. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

64. Defendants, with the improper purpose of attempting to destroy the business of R&W, and through improper means, including by threatening R&W's employees and through conversion and trespass, intentionally interfered with R&W's economic relations (both existing and prospective).

65. As a direct and proximate result of Defendants' intentional interference with R&W's economic relations, R&W has been injured and is entitled to recover from Defendants, jointly and severally, an amount to be established at trial, but in no event less than \$25 million.

66. Defendants have acted with malicious intent and in disregard of the rights of R&W, entitling R&W to an award of punitive damages against defendants, jointly and severally, in an amount to be determined at trial but in no event less than \$10 million.

EIGHTH CAUSE OF ACTION

(Jessop: Breach of Contract – All Defendants)

67. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

68. Jessop allowed Defendants to use his credit, in the form of credit cards and ranch collateral belonging to Jessop, in order to pay legal and other related expenses pertaining to Warren Jeffs, contingent on Defendants' agreement they would make the monthly payment on the credit card debt and pay all debt incurred by them based on Jessop's credit.

69. Defendants have incurred over \$950,000 in debt based on Jessop's credit and, until recently, had made the monthly payments on the debt. Defendants have ceased making the monthly payment on the debt, however, and the balance owed on the debt is now due and owing.

70. Jessop is entitled to judgment against the Defendants, jointly and severally, in the amount of \$ 950,000, representing the amount owing on the debt credit .

**NINTH CAUSE OF ACTION
(R&W: Declaratory Judgment – All Defendants)**

71. R&W, BMG and Jessop incorporate by reference the foregoing paragraphs of this Complaint as if fully repeated here.

72. R&W is entitled to a declaration from the Court that the earth-moving and related equipment located on properties owned and/or controlled by the FLDS Church legally and rightfully belongs to R&W and that any dispute relating to the ownership of any particular equipment will be established by Jessop's sworn declaration, subject to review by the Court.

73. R&W is further entitled to an order from the Court allowing R&W, without harassment, intervention or opposition, to enter onto the premises of the FLDS Church, wherever located, and remove all machinery and other equipment belonging to R&W therefrom.

WHEREFORE, R&W, BMG and Jessop request that judgment be entered in their favor and against Defendants, jointly and severally on each cause of action, as follows:

A. On the First Cause of Action, for judgment in favor of R&W in an amount of at least \$26 million, comprised of at least \$1 million representing the value of the equipment converted and an additional \$25 million in the form of damages to and destruction of R&W as a going concern, plus punitive damages of at least \$10 million.

B. On the Second Cause of Action, for judgment in favor of BMG in an amount of at least \$1 million, plus punitive damages of at least \$1 million.

C. On the Third Cause of Action, for judgment in favor of Jessop in an amount to be proved at trial but in no event less than \$500,000, plus punitive damages of at least \$1 million.

D. On the Fourth Cause of Action, for judgment in favor of Jessop in an amount to be established at trial but in no event less than \$1 million and for an award of punitive damages in an amount to be determined at trial but in no event less than \$1 million.

E. On the Fifth Cause of Action, for judgment in favor of R&W in an amount to be established at trial but in no event less than \$1 million and for an award of punitive damages in an amount to be determined at trial but in no event less than \$1 million.

F. On the Sixth Cause of Action, for judgment in favor of BMG in an amount to be established at trial but in no event less than \$1 million and for an award of punitive damages in an amount to be determined at trial but in no event less than \$1 million.

G. On the Seventh Cause of Action, for judgment in favor of R&W in an amount to be established at trial but in no event less than \$26 million and for an award of punitive damages in an amount to be determined at trial but in no event less than \$10 million.

H. On the Eighth Cause of Action, for judgment in favor of Jessop in an amount to be established at trial but in no event less than \$950,000.00.

1. On the Ninth Cause of Action, for a declaration from the Court in R&W's favor that the following equipment located on properties owned and/or controlled by the FLDS Church legally and rightfully belongs to R&W; that any dispute regarding the ownership of any particular equipment will be resolved by Declaration of Jessop, subject to review by the Court; and for an order from the Court authorizing R&W, without harassment, intervention or

opposition, to enter onto the premises of the FLDS Church and/or any of the Defendants, wherever located, and remove all machinery and other equipment belonging to R&W therefrom.

J. On all Causes of Action, for pre- and post-judgment interest at the applicable rate, plus, to the extent properly recoverable, and for attorneys' fees as well as costs.

K. On all Causes of Action, for such other and further relief as the Court deems just.

DESIGNATION OF ACTION AS TIER III

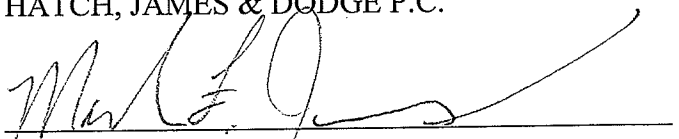
Inasmuch as the damages sought herein are well in excess of \$300,000.00, this action is designated a Tier III action.

DATED this 6th day of February, 2012.

Respectfully submitted

HATCH, JAMES & DODGE P.C.

By:


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