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FIRST CIRCUIT COURT
STATE OF HAWAII
FILED

2006 JUN -6 AM 11:11

H. CHING
CLERK

IN THE CIRCUIT COURT OF THE FIRST CIRCUIT

STATE OF HAWAII

STATE OF HAWAII, by its Office of)
Consumer Protection,)
)
Plaintiff,)

vs.)

USA INTERNATIONAL UNIVERSITY,)
LLC, a Hawaii corporation,)
)
Defendant.)

CIVIL NO. 06-1-0962-06 E E H
(Other Civil Action)

COMPLAINT AND SUMMONS

COMPLAINT

Plaintiff, for a cause of action against the above-named defendants,
aver and allege that:

ALLEGATIONS COMMON TO ALL COUNTS

1. This is an action brought by the Office of Consumer Protection of the
State of Hawaii pursuant to Hawaii Rev. Stat. Chapters 446E, 480 and 487 seeking

to enjoin the Defendant from engaging in certain acts or practices in violation of Hawaii's consumer protection laws and to obtain other and additional relief.

2. This court has subject matter jurisdiction over this case pursuant to Hawaii Rev. Stat. §§ 480-21 and 603-21.5.

3. Defendant USA International University, LLC ("USAIU") is a Hawaii corporation. The principal behind USAIU is believed to be Zouair Zawde, who apparently resides in Cairo, Egypt.

4. Defendant USAIU maintains a website located at <http://www.usaiu.com>. That uniform resource locator address is registered to TenaMax, Inc., a website design firm located in Wilmington, Delaware.

5. Defendant USAIU is not now and never has been accredited by a recognized accrediting agency or association recognized by the United States Secretary of Education.

6. Defendant USAIU is an "unaccredited institution" as that phrase is defined in Hawaii Rev. Stat. § 446E-1.

7. Defendant USAIU has a "presence" in the State of Hawaii as that term is used in Haw. Rev. Stat. §446E-1.

COUNT I
FAILURE TO PRODUCE RECORDS, DOCUMENTS AND INFORMATION

8. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 7 as though fully set forth herein.

9. On April 21, 2006 Plaintiff requested, via issuance and service of a subpoena duces tecum, USAIU produce certain documents, records and information and provide testimony.

10. USAIU has failed to produce the requested documents, records and information in violation of Hawaii Rev. Stat. §446E-2(c).

11. Violations of Hawaii Rev. Stat. § 446E-2(c) constitute *per se* violations of Hawaii Rev. Stat. § 480-2(a).

COUNT II
FAILURE TO HAVE AN OFFICE LOCATED IN HAWAII

12. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 11 as though fully set forth herein.

13. Defendant USAIU has failed to have an office located in Hawaii in violation of Hawaii Rev. Stat. §446E-5(d).

14. Violations of Hawaii Rev. Stat. § 446E-5(d) constitute *per se* violations of Hawaii Rev. Stat. § 480-2(a).

COUNT III
INJUNCTIVE RELIEF

15. Plaintiff repeats and realleges the allegations contained in paragraphs 1 through 14 as though fully set forth herein.

16. Unless Defendant is restrained and enjoined by this court from continuing to violate Hawaii Rev. Stat. Chap. 446E and § 480-2(a) in the manner described herein, it will continue to do so, irreparably harming and injuring the consuming public of the State of Hawaii.

WHEREFORE, plaintiff prays that this court:

1. Find, order, adjudge and declare that Defendant's conduct, as alleged herein, violates the statutory provisions set forth above.

2. Issue a temporary restraining order, preliminary injunction and permanent injunction directing the Business Registration Division of the Department of Commerce and Consumer Affairs of the State of Hawaii to dissolve, terminate, revoke and/or cancel all tradenames, trademarks, corporate registrations (including that for USAIU), certificates of authority held by or for the defendant.

3. Issue a temporary restraining order, preliminary injunction and permanent injunction enjoining the defendants, their agents, employees, successors and assigns, directly or indirectly, individually or in concert with others, or through any corporate or other device from any of the following:

- a. Providing any post-secondary instructional programs or courses leading to a degree;
- b. Acting as or holding themselves out as a "college, academy, institute, institution, university" or anything similar thereto;
- c. Failing to comply with Hawaii Rev. Stat. Chap. 446E or § 480-2(a) in any particulars; and
- d. Owning or operating any business in the State of Hawaii,

claiming to operate under the laws of the State of Hawaii, or
having a presence in Hawaii until all restitution, civil penalties and
costs entered herein are fully satisfied.

4. Assess appropriate civil penalties against the defendant pursuant to
Hawaii Rev. Stat. § 480-3.1 and enter judgment in favor of plaintiff accordingly.

5. Award any consumers injured by the aforementioned violations full
restitution, including pre and post judgment interest, against the defendant, pursuant
to Hawaii Rev. Stat. § 487-14 and the court's inherent authority and enter judgment
accordingly.

6. Assess and award judgment in favor of plaintiff and against the
defendant, for attorneys' fees, costs, costs of investigation, interest, and other
expenses.

7. Award plaintiff such other relief as the court may deem just and
equitable under the circumstances.

DATED: Honolulu, Hawaii, June 6, 2006.

Jeffrey E. Brunton
JEFFREY E. BRUNTON
Attorney for Plaintiff

State of Hawaii vs. USA International University, LLC; Civil No. _____;
COMPLAINT AND SUMMONS.

STATE OF HAWAII CIRCUIT COURT OF THE FIRST CIRCUIT	SUMMONS TO ANSWER CIVIL COMPLAINT	CASE NUMBER CIVIL NO.
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PLAINTIFF STATE OF HAWAII, by its Office of Consumer Protection	vs.	DEFENDANT USA INTERNATIONAL UNIVERSITY, LLC, a Hawaii corporation
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PLAINTIFF'S ATTORNEY (Name, Address, Tel. No.)
 JEFFREY E. BRUNTON #2833
 Office of Consumer Protection
 235 South Beretania Street, Room 801
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TO THE DEFENDANT(S):

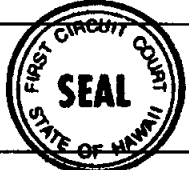
You are hereby summoned and required to serve upon plaintiff's attorney, whose address is stated above, an answer to the complaint which is attached. This action must be taken within twenty (20) days after service of this summons upon you, exclusive of the day of service.

If you fail to make your answer within the twenty (20) day time limit, judgment by default will be taken against you for the relief demanded in the complaint.

If you fail to obey this summons this may result in an entry of default and default judgment.

Pursuant to Rule 4(b) of the Hawai'i Rules of Civil Procedure, this summons shall not be delivered between 10:00 p.m. and 6:00 a.m. on premises not open to the public, unless a judge of the District or Circuit courts permits, in writing on the summons, personal delivery during those hours.

In accordance with the Americans with Disabilities Act, and other applicable state and federal laws, if you require a reasonable accommodation for a disability, please contact the ADA Coordinator at the First Circuit Court Administration Office at PHONE NO. 539-4333, FAX 539-4322, or TTY 539-4853, at least ten (10) working days prior to your hearing or appointment date.

DATE ISSUED	CLERK		
JUN 6 2006	H. CHING		
I do hereby certify that this is a full, true, and correct copy of the original on file in this office.		CIRCUIT COURT CLERK	