

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTER SMITH



ARIZONA CORPORATION COMMISSION

AZ Corp. Commission



04492351

JODI JERCH
Executive Director

PATRICIA L. BARFIELD
Director
Corporations Division

Date December 9, 2013

OMEGA SCHOOLS INC
8632 W NORTHERN AVE
GLENDALE, AZ 85305

Dear Sir or Madam:

Enclosed is a copy of the following document(s) that were served upon the Arizona Corporation Commission on 12/06/2013 as agent for **OMEGA SCHOOLS INC**:

Case caption: **ARIZONA INSTITUTE FOR COMMUNICATION & COGNITIVE DISORDERS, INC v.**
OMEGA SCHOOLS INC,

Case number: **CV2013-054414**

Court: **MARICOPA COUNTY SUPERIOR COURT**

- ☒ Summons
- ☒ Complaint
- ☐ Subpoena
- ☐ Subpoena Duces Tecum
- ☐ Default Judgment
- ☐ Judgment
- ☐ Writ of Garnishment
- ☐ Motion For Summary Judgment
- ☐ Motion for
- ☐ Other

Sincerely,

A handwritten signature in black ink, appearing to read "Lynda B. Griffin", written over a horizontal line.

Lynda B. Griffin
Custodian of Records

Initials ML

File number -0757136-0

COMMISSIONERS
BOB STUMP - Chairman
GARY PIERCE
BRENDA BURNS
BOB BURNS
SUSAN BITTERSMTIH



ARIZONA CORPORATION COMMISSION

JODI JERICH
Executive Director

PATRICIA L. BARFIELD
Director, Corporations Division

CERTIFICATE OF MAILING

Date: **December 9, 2013**

I, **MARY LEE** am an employee of the Arizona Corporation Commission ("ACC"). I hereby certify that on the **6TH** day of **DECEMBER, 2013**, I received on behalf of the ACC service of the following documents upon the ACC as agent for **OMEGA SCHOOLS INC.**

Case caption: **ARIZONA INSTITUTE FOR COMMUNICATION & COGNITIVE DISORDERS, INC** v.
OMEGA SCHOOLS INC,
Case number: **CV2013-054414**
Court: **MARICOPA COUNTY SUPERIOR COURT**

- | | |
|--|--|
| <input checked="" type="checkbox"/> Summons | <input type="checkbox"/> Default Judgment |
| <input checked="" type="checkbox"/> Complaint | <input type="checkbox"/> Judgment |
| <input type="checkbox"/> Subpoena | <input type="checkbox"/> Writ of Garnishment |
| <input type="checkbox"/> Subpoena Duces Tecum | |
| <input type="checkbox"/> Motion For Summary Judgment | |
| <input type="checkbox"/> Motion for | |
| <input type="checkbox"/> Other | |

I hereby certify that on the **9TH** day of **DECEMBER, 2013**, I placed a copy of the above listed documents in the United States Mail, postage prepaid, addressed to

OMEGA SCHOOLS INC

at its last known place of business as follows:

8632 W NORTHERN AVE
GLENDAL, AZ 85305

OR

I hereby certify that I was unable to mail the above listed documents to

because that entity is not a registered corporation or limited liability company in the State of Arizona, and the Arizona Corporation Commission has no record of its known place of business.

I declare and certify under penalty of perjury that the foregoing is true and correct.

Executed on this date: **December 9, 2013**

(signature) _____

Angelo Patane (014864)
THE PATANE LAW FIRM
13951 North Scottsdale Road
Suite 220
Scottsdale, AZ 85254
480-607-1711
Attorney for Plaintiff

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

ARIZONA INSTITUTE FOR
COMMUNICATION
& COGNITIVE DISORDERS, INC.,
an Arizona Corporation,

Plaintiff,

v.

OMEGA SCHOOLS, INC., an Arizona
Corporation,

Defendant.

Case No.

CV2013-054414

SUMMONS

If you would like legal advice from a lawyer,
contact the Lawyer Referral Service at

602-257-4434

or

www.lawyerfinders.org.

Sponsored by the
Maricopa County Bar Association

THE STATE OF ARIZONA TO OMEGA SCHOOLS, INC.:

YOU ARE HEREBY SUMMONED and required to appear and defend, within the time applicable in this action in this Court. If served within Arizona, you shall appear and defend within 20 days after the service of the Summons and Complaint upon you, exclusive of the day of service. If served out of the State of Arizona – whether by direct service, by registered mail, or by publication – you shall appear and defend within 30 days after the service of the Summons and Complaint upon you is complete exclusive of the day of service. Where process is serviced upon the Arizona Director of Insurance as an insurer's attorney to receive service of legal process against it in this state, the insurer shall not be required to appear, answer or plead, until expiration of 40 days after the date of such service upon the Director. Service by registered or certified mail without the State of Arizona is complete 30 days after the dates of filing the receipt and affidavit of service with the Court. Service by publication is complete 30 days after the date of first publication. Direct service is complete when made. Service upon the Arizona Motor Vehicle Superintendent is complete 30 days after filing the Affidavit of Compliance and return receipt or Officer's Return. ARCP 4; ARS Section 20-222, 28-502, 28-503.

REQUESTS FOR REASONABLE ACCOMMODATION FOR PERSONS WITH
DISABILITIES MUST BE MADE TO THE DIVISION ASSIGNED TO THE CASE BY
PARTIES AT LEAST 3 JUDICIAL DAYS IN ADVANCE OF A SCHEDULED COURT
PROCEEDING.

1 **YOU ARE HEREBY NOTIFIED** that in case of your failure to appear and defend
2 within the time applicable, judgment by default may be rendered against you for the relief
3 demanded in the Complaint.

4 **YOU ARE CAUTIONED** that in order to appear and defend, you must file an Answer
5 or proper response in writing with the Clerk of this Court, accompanied by the necessary filing
6 fee, within the time required, and you are required to serve a copy of any Answer or response
7 upon the Plaintiff's attorney. ARCP 10(D); ARS Section 12-311; ARCP 5.

8 The name and address of Plaintiff's attorney is:

9 Angelo Patane
10 13951 North Scottsdale Road
11 Suite 220
12 Scottsdale, AZ 85254

13 SIGNED AND SEALED THIS DATE

COPY

SEP 06 2013



MICHAEL K. JEANES, CLERK
W. POWLEY
DEPUTY CLERK

By

Deputy Clerk

1 Angelo Patane (014864)
2 THE PATANE LAW FIRM
3 13951 North Scottsdale Road
4 Suite 220
5 Scottsdale, AZ 85254
6 480-607-1711
7 Attorney for Plaintiff

COPY

SEP 06 2013



MICHAEL K. JEANES, CLERK
W. POWLEY
DEPUTY CLERK

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

CV2013-054414

7 ARIZONA INSTITUTE FOR
8 COMMUNICATION
9 & COGNITIVE DISORDERS, INC.,
an Arizona Corporation,

10 Plaintiff,

11 v.

12 OMEGA SCHOOLS, INC., an Arizona
Corporation,

13 Defendant.

Case No.

CERTIFICATE OF COMPULSORY
ARBITRATION

14
15 Pursuant to Rule 5(i) and 72(e), ARCP, the undersigned certifies that he knows the dollar
16 limits and other limitations set forth by the local rules of practice and certifies that this case IS
17 subject to compulsory arbitration, as provided by Rules 72 through 76 of the Arizona Rules of
18 Civil Procedure.
19

20 Dated September 3, 2013.

21 
22 _____
23 Attorney for Plaintiff
24
25

COPY

SEP 06 2013



MICHAEL K. JEANES, CLERK
W. POWLEY
DEPUTY CLERK

Angelo Patane (014864)
THE PATANE LAW FIRM
13951 North Scottsdale Road
Suite 220
Scottsdale, AZ 85254
480-607-1711
Attorney for Plaintiff

SUPERIOR COURT OF ARIZONA

MARICOPA COUNTY

ARIZONA INSTITUTE FOR
COMMUNICATION
& COGNITIVE DISORDERS, INC.,
an Arizona Corporation,

Plaintiff,

v.

OMEGA SCHOOLS, INC., an Arizona
Corporation,

Defendant.

Case No.

CV2013-05441 4

COMPLAINT

(Breach of Contract)

Plaintiff, Arizona Institute for Communication & Cognitive Disorders, Inc., alleges as follows:

PARTIES

1. Plaintiff is Arizona Institute for Communication & Cognitive Disorders, Inc., ("AICCD").
2. Defendant is Omega Schools, Inc. ("Omega" or "Omega Schools").
3. At all times relevant to this complaint, Plaintiff was and is a corporation licensed by the State of Arizona.
4. At all times relevant to this complaint, Defendant was and is a corporation licensed by the State of Arizona.

5. At all times relevant to this complaint, Plaintiff was engaged in the business of providing therapy and other services in the area of communication and cognitive disorders.
6. At all times relevant to this complaint, Defendant was engaged in operating charter schools in Arizona with a principal business location of 8632 West Northern Avenue, Glendale, AZ 85305.
7. Defendant operated its charter schools as "Omega Schools DBA Omega Academy."

COUNT I

BREACH OF CONTRACT AND QUANTUM MERUIT

8. Plaintiff and Defendant agreed that for Omega's school year 2010-2011, Defendant would pay Plaintiff for speech and language therapy services provided on its behalf to Omega's students.
9. Plaintiff and Defendant agreed upon the amount of financial compensation Defendant would pay Plaintiff for services rendered.
10. For the school year 2010-2011, Plaintiff, through its employees, provided speech and language therapy services to Defendant's students.
11. Plaintiff submitted bills to Defendant for services rendered as follows:

| | |
|----------|--------------|
| 03/01/11 | \$ 4,149.75 |
| 04/04/11 | \$ 5,788.75 |
| 05/02/11 | \$ 3,203.75 |
| 06/02/11 | \$ 3,602.50. |

- 1 12. With regard to the above invoices, Plaintiff received payment in the amount of
2 \$3,003.75, leaving a balance due to Plaintiff of \$13,741.00 for the school year 2010-
3 2011.
- 4 13. Plaintiff has made multiple demands for payment of the outstanding balance.
- 5 14. On June 30, 2011, Dr. Patricia A. Bassett, who identified herself as Defendant's
6 "President/CEO/Superintendent," wrote to Plaintiff: "The purpose of this letter is to
7 tell you that we intend to pay you. It is just going to take a little bit of time."
8
- 9 15. As of the filing of this lawsuit, Defendant has not paid the outstanding balance due
10 for the school year 2010-11, and the principal balance of \$13,741.00 remains due and
11 payable.
- 12 16. A valid contract exists between Plaintiff and Defendant.
- 13 17. Defendant has breached the contract.
- 14 18. Alternatively, because Plaintiff provided Defendant valuable services, Plaintiff is
15 entitled to recover damages under the theory of *quantum meruit*.

16 **COUNT II**

17 **BREACH OF CONTRACT AND QUANTUM MERUIT**

- 18 19. On or about September 6, 2011, Plaintiff and Defendant entered into a written
19 agreement whereby Plaintiff and Defendant agreed that for Omega's school year
20 2011-2012, Defendant would pay Plaintiff for speech and language therapy services
21 provided on its behalf to Omega's students.
- 22 20. The above agreement was signed by Linda Parson, whose title was listed as "Business
23 Manager," on the agreement.
- 24 21. Ms. Parson had actual authority to bind Defendant to an agreement with Plaintiff.
25

1 22. For the school year 2011-12, Plaintiff provided valuable speech and language therapy
2 services to Defendant.

3 23. Plaintiff submitted bills to Defendant for services rendered as follows:

4 04/16/12 \$2,126.85

5 05/08/12 \$2,594.90.

6 24. The balance due to Plaintiff for the school year 2010-2011 is \$4,721.75.

7 25. Plaintiff has made multiple demands for payment of the outstanding balance.

8 26. As of the filing of this lawsuit, Defendant has not paid the outstanding balance due
9 for the school year 2010-11 and the principal balance of \$4,721.75 remains due and
10 payable.
11

12 27. A valid contract exists between Plaintiff and Defendant.

13 28. Defendant has breached the contract.

14 29. Alternatively, because Plaintiff provided Defendant valuable services, Plaintiff is
15 entitled to recover damages under the theory of *quantum meruit*.
16

17 WHEREFORE, Plaintiff asks for the following relief:

18 1. Compensatory damages in the amounts of \$13,741.00 and \$4,721.75 for a total of
19 \$18,462.75,
20

21 2. Pre-judgment interest on the principal amounts due at the rate authorized under law,

22 3. Post-judgment interest on the principal amounts due at the rate authorized under law,

23 4. Attorney's fees pursuant to A.R.S.12-341.01,

24 5. Taxable costs as authorized under law,

25 6. All other relief that is just and due under the circumstances.

1
2 Dated: September 3, 2013

3
4 

5 Angelo Patane
6 Attorney for Plaintiff
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA IN AND FOR THE COUNTY OF MARICOPA

**ARIZONA INSTITUTE FOR COMMUNICATION &
COGNITIVE DISORDERS, INC., AN ARIZONA
CORPORATION**

Plaintiff/Petitioner

vs.

**OMEGA SCHOOLS, INC., AN ARIZONA
CORPORATION**

Defendant/Respondent

Hearing Date:

CASE NO: CV2013-054414

DECLARATION OF NON SERVICE OF:
**SUMMONS; COMPLAINT; CERTIFICATE ON
COMPULSORY ARBITRATION; \$25 SERVICE FEE
CHECK TO ARIZONA CORPORATION COMMISSION**

The undersigned hereby declares: That s(he) is now and at all times herein mentioned was a citizen of the United States, over the age of eighteen, not an officer of a plaintiff corporation, not a party to nor interested in the above entitled action, and is competent to be a witness therein.

Declarant states s(he) attempted to serve **PATRICIA BASSETT AS REGISTERED AGENT FOR OMEGA SCHOOLS, INC.** at the address of: **8632 W NORTHERN AVE, GLENDALE, Maricopa County, AZ 85305** and was unable to effect service for the following reasons:

10/31/2013 2:24 PM: Per RAMONA, RECEPTIONIST, SCHOOL RECEPTIONIST, a black-haired Hispanic female contact approx. 35-45 years of age and weighing 140-160 lbs; subject not available at this time. Per Ramona subject is never on campus.

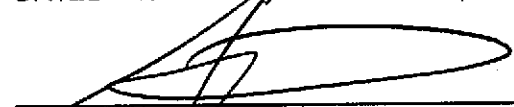
11/4/2013 2:16 PM: Per PAT KEECH, Charter Rep. In charge, a black-haired white female contact approx. 45-55 years of age, 5'6"-5'8" tall and weighing 140-160 lbs; subject does not visit this campus ever.

11/8/2013 2:01 PM: No access to subject's door (business closed). Closed on Fridays.

11/13/2013 8:37 AM: Per RAMONA, RECEPTIONIST, a black-haired Hispanic female contact approx. 35-45 years of age, 5'4"-5'6" tall and weighing 140-160 lbs; subject not available at this time. Subject never comes on campus.

Declarant hereby states under penalty of perjury under the laws of the State of Arizona that the statement above is true and correct.

DATED this **27th** day of **November, 2013.**



Larry Head, Reg. # 8131, Maricopa, AZ

29 W. Thomas Rd., Suite 205, Phoenix, AZ 85013, 602-253-4563

FOR: THE PATANE LAW FIRM,
PLLC
REF: OMEGA_SCHOOLS

ORIGINAL PROOF OF
NON-SERVICE

Tracking #: 7892856 SEA





CORPORATIONS DIVISION
RECORDS SECTION
1300 West Washington
Phoenix, Arizona 85007-2929

User Id: MLEE
Invoice No.: 4357150

Check Batch:
Invoice Date: 12/06/2013
Date Received: 12/06/2013
Customer No.:

ATTN:
(CASH CUSTOMER)

| Quantity | Description | Amount |
|----------|-------------|--------|
|----------|-------------|--------|

| | | |
|---|--|---------|
| 1 | SERVICE OF PROCESS -0757136-0 OMEGA SCHOOLS, INC. | \$25.00 |
|---|--|---------|

| | | |
|---------------------|--|-------|
| Total Documents: \$ | | 25.00 |
|---------------------|--|-------|

| | | | |
|---------|-------|--------|---------|
| PAYMENT | CHECK | 715564 | \$25.00 |
|---------|-------|--------|---------|

| | | |
|-----------------|--|------|
| Balance Due: \$ | | 0.00 |
|-----------------|--|------|

Corporate Inquiry

12/06/2013

State of Arizona Public Access System

1:56 PM

File Number: -0757136-0

Corp. Name: OMEGA SCHOOLS, INC.

Domestic Address
8632 W NORTHERN AVE

GLENDAL, AZ 85305

Second Address

Agent: PATRICIA A BASSETT
Status: APPOINTED 09/06/1995
Mailing Address:
8632 W NORTHERN AVE

GLENDAL, AZ 85305

Agent Last Updated: 05/26/2010

*** SEE COMMENTS ***

Business Type: EDUCATIONAL

Domicile: ARIZONA
County: MARICOPA
Corporation Type: NON-PROFIT
Life Period: PERPETUAL
Incorporation Date: 09/06/1995
Approval Date: 09/06/1995
Last A/R Received: 5 / 2013
Date A/R Entered: 07/01/2013
Next Report Due: 05/06/2014

LAST RECORD IN MICROFILM FILE FOR THIS CORPORATION. (A205)

Dave Matthews

