

Plaintiff, individually and on behalf of all other persons similarly situated, by plaintiff's undersigned attorneys, for plaintiff's complaint against defendants, alleges the following based upon personal knowledge as to plaintiff and plaintiff's own acts, and upon information and belief as to all other matters, based on, *inter alia*, the investigation conducted by and through plaintiff's attorneys, which included, amongst other things, a review of the defendants' press releases, Securities and Exchange Commission ("SEC") filings by Home Solutions Of America Inc. ("Home Solutions" or the "Company") and media reports about the Company. Plaintiff believes that substantial evidentiary support will exist for the allegations set forth herein after a reasonable opportunity for discovery.

NATURE OF THE CASE

1. This is a securities class action on behalf of plaintiff and all other persons or entities, except for defendants, who purchased or otherwise acquired Home Solutions securities (the "Class") during the period April 11, 2006 and June 6, 2006, inclusive (the "Class Period"), pursuing remedies under the Securities Exchange Act of 1934 (the "Exchange Act").

JURISDICTION AND VENUE

2. Jurisdiction is conferred by § 27 of the Exchange Act. The claims asserted herein arise under §§ 10(b) and 20(a) of the Exchange Act and Rule 10b-5.

3. Venue is proper in this District pursuant to § 27 of the Exchange Act. The corporate headquarters of Home Solutions is located in the District.

4. In connection with the acts and conduct alleged herein, defendants, directly and indirectly, used the means and instrumentalities of interstate commerce, including the United States mails and the facilities of the national securities exchanges.

PARTIES

5. Plaintiff, as set forth in the accompanying certification, incorporated by reference herein, purchased shares of Home Solutions stock at artificially inflated prices during the Class Period, as described in the attached certification, and was damaged thereby.

6. Defendant Home Solutions offers recovery, restoration, rebuilding/remodeling and specialty interior services to commercial and residential properties in the United States. The Company operates through two segments, Recovery/Restoration and Rebuilding/Remodeling. The Company's principal corporate offices are located at 1500 Dragon Street Suite B, Dallas, TX 75207.

7. Defendant Frank J. Fradella ("Fradella") was, at all relevant times, President, Chief Executive Officer ("CEO") and a Director of Home Solutions. During the Class Period, defendant Fradella *sold of 681,586 shares of Home Solutions stock, for proceeds of \$7.8 million.*

8. Defendant Rick J. O'Brien ("O'Brien") was, at all relevant times, Chief Operating Officer ("COO") of Home Solutions. *During the Class Period, defendant O'Brien sold 469,553 shares of Home Solutions stock, for proceeds of \$5.5 million.*

9. Defendant Jeffrey M. Mattich ("Mattich") was, at all relevant times, Chief Financial Officer ("CFO") of Home Solutions.

10. The individuals named as defendants in ¶¶7-9 are referred to herein as the "Individual Defendants." The Individual Defendants, because of their positions with the Company, possessed the power and authority to control the contents of Home Solutions quarterly reports, press releases and presentations to securities analysts, money and portfolio managers and institutional investors, *i.e.*, the market. Each defendant was provided with copies of the

Company's reports and press releases alleged herein to be misleading prior to or shortly after their issuance and had the ability and opportunity to prevent their issuance or cause them to be corrected. Because of their positions and access to material non-public information available to them but not to the public, each of these defendants knew that the adverse facts specified herein had not been disclosed to and were being concealed from the public and that the positive representations that were being made were then materially false and misleading. The Individual Defendants are liable for the false statements pleaded herein, as those statements were each "group-published" information, the result of the collective actions of the Individual Defendants.

SCIENTER

11. In addition to the above-described involvement, each Individual Defendant had knowledge of Home Solutions' problems. Each defendant was motivated to conceal such problems. Defendants Fradella as CEO, O'Brien as CFO and Mattich as COO each provided for financial reporting and communications with the market. Communications with the market, including conference calls, as well as internal reports showing Home Solutions' forecasted and actual growth, were prepared under their direction. Each Individual Defendant sought to demonstrate that he could lead the Company successfully and generate the growth expected by the market. Each Individual Defendant also owed a duty to the Company and its shareholders not to trade on inside information.

FRAUDULENT SCHEME AND COURSE OF BUSINESS

12. Each defendant is liable for (a) making false statements, *or* (b) failing to disclose adverse facts known to him about Home Solutions. Defendants' fraudulent scheme and course of business that operated as a fraud or deceit on purchasers of Home Solutions' publicly traded securities was a success, as it: (a) deceived the investing public regarding Home Solutions'

prospects and business; (b) artificially inflated the prices of Home Solutions' publicly traded securities; (c) permitted defendants *to sell 1.35 million shares of Home Solutions stock at inflated prices, for proceeds of \$15.7 million*; and (d) caused plaintiff and other members of the Class to purchase Home Solutions' publicly traded securities at inflated prices.

SUBSTANTIVE ALLEGATIONS

13. On or before April 11, 2006, defendants reported of conditions favoring positive business prospects for Home Solutions. For example, in a press release on March 31, 2006, defendants reported that the Company's income from continuing operations in 2005 increased an astonishing 237% versus the previous year, resulting in a diluted EPS of \$0.30. Defendant Fradella reported his belief in strong opportunities for growth, resulting in part from the Company's focus on hurricane-related Recovery/Restoration projects and "strategic growth opportunities with our major customers such as Home Depot and Centex." The Company reiterated its *highly aggressive* full year guidance for the year ending December 31, 2006, *of revenue of \$130 million to \$140 million and diluted earnings per share of \$0.42 to \$0.46*.

14. On April 11, 2006, the Company issued a press release entitled, "Home Solutions of America Awarded Initial Contracts Worth Up to \$40 Million to Perform Hurricane-Related Rebuilding Activities." The press release stated in part:

Home Solutions of America, Inc. (Amex: HOM - News); (the "Company" or "Home Solutions"), a provider of recovery, restoration and rebuilding/remodeling services, announced today that it has been awarded two contracts, each worth up to \$20 million, by C&B Services ("C & B"), a nationally recognized leader in the restoration and rebuilding services industry, to perform, as a sub-contractor, services in connection with the rebuilding of areas affected by Hurricanes Katrina, Rita and Wilma. The agreements represent the initial portion of work surrounding multi-year rebuilding and build back activities between the parties. The work under the agreements is expected to commence immediately, and is anticipated to be completed during 2006.

C&B awarded an initial contract valued at up to \$20 million to the Company's Florida Environmental Restoration Services, Inc. ("FERS") unit and a second agreement, valued at up to \$20 million, to Home Solutions Restoration of Louisiana, Inc. Founded in 1996 and based in Beaumont, Texas, C&B has been

involved in the wind, fire and water restoration business, and as a result of the hurricanes in 2004 and 2005, became a full service provider of disaster recovery services.

"We are pleased that C&B, a company that FERS began to work with informally last year, has elected to significantly expand the relationship between the companies and enter into a formal arrangement," said Frank Fradella, Chairman and CEO of Home Solutions. "The devastation in Florida, Louisiana and Mississippi from the three hurricanes was so great that only now are the authorities beginning to deploy the resources necessary for the cleanup and recovery in the area. While we had been preparing for a portion of the work under these agreements to commence for several months, we are pleased that C&B has elected to significantly expand the role that Home Solutions will play in these high-profile projects and look forward to working closely with them in our role as a sub-contractor."

"Due to the success of our the relationship that we developed last year in seamlessly delivering our restoration and recovery services to customers under highly challenging conditions, we have elected to expand our relationship with Home Solutions, and its subsidiaries in Florida and Louisiana," said Troy Crochet, President of C&B. "The problems created by these devastating hurricanes have created a tremendous amount of work over the coming years, and we look forward to further expanding our relationship with Home Solutions to meet the ongoing needs of our customers."

15. On April 20, 2006, defendants issued a press release entitled, "Neal Home Solutions of America Expands Relationship with The Home Depot - Company Enters into Agreement to Provide Granite Sales and Installation to 25 Additional Locations." The press release stated in part:

Home Solutions of America, Inc. (Amex: HOM - News); (the "Company" or "Home Solutions"), a provider of recovery, restoration and rebuilding/remodeling services, announced today that Cornerstone Granite and Marble, Inc., its wholly-owned subsidiary, has been awarded contracts by The Home Depot®, the world's largest home improvement retailer, to provide, fabricate and install Corian® and Granite countertops for 25 additional stores in Louisiana, Mississippi and Alabama. The new locations increase the number of stores to 150 that Home Solutions provides services to for the leading retailer.

"We are pleased to expand our relationship with one of our largest customers into additional locations," said Frank J. Fradella, Chairman and CEO of Home Solutions. "Cornerstone's competitive pricing, logistical expertise, along with our 10 day sales and service installation commitment provides one of America's largest suppliers of home improvement products a truly distinctive advantage to their customers. We look forward to continuing to grow with this rapidly expanding national retail chain."

16. Then, on May 23, 2006 defendants issued a press release entitled, "American Renaissance Homes Selects Home Solutions of America as Exclusive Provider of Delivery and Installation Services for Modular Housing - Company To Provide Initial Services For Home Installations in St. Bernard Parish." The press release stated in part:

Home Solutions of America, Inc. (Amex: HOM; the "Company" or "Home Solutions"), a provider of recovery, restoration and rebuilding/remodeling services, announced today that its subsidiary, Home Solutions Restoration of Louisiana Inc. (HSRLA), has been awarded a contract by American Renaissance Homes (ARH), a provider of affordable housing, to be the exclusive provider of delivery and installation services for modular housing in New Orleans and surrounding areas. ARH will provide the planning, sales and secure the modular homes, while HSRLA will provide the labor and expertise in delivering the modular homes and installing them. The parties anticipate that St. Bernard Parish, located near the city of New Orleans, will be the initial market, with 75 homes initially being installed per month. ARH estimates that St. Bernard Parish requires up to 17,000 homes to provide shelter for those affected by Hurricane Katrina.

"As a resident of New Orleans, I have seen up close the devastation caused by Hurricane Katrina and the resulting displacement of thousands of families," said Frank J. Fradella, Chairman and CEO of Home Solutions. "I am pleased that ARH has elected the Company as the exclusive provider of installation services for the program. We are now seeing signs that funding is becoming available to rebuild New Orleans. With so much demand from working class families for affordable permanent housing, we believe that the model that has been developed for St. Bernard Parish can quickly be replicated in other parts of the City and surrounding areas."

Currently, many New Orleans area residents live in 200 square foot trailers provided by FEMA. ARH will provide homes between 1,200 and 2,300 square feet at a fraction of the cost of construction in the area, which is currently approaching \$150 per square foot. The cost to FEMA to install and maintain a trailer is estimated to be approximately \$75,000. HSRLA has agreed to provide a small portion of the working capital required to secure the land and modular homes in return for being the sole provider of installation and delivery services for the homes.

"I am delighted that American Renaissance Homes will provide affordable housing to residents of the Parish that have living in temporary housing for far too long," said Charles Ponstein, St. Bernard Parish Development Manager and former Parish President. "I believe modular housing is a far superior alternative to the temporary housing that too many families have had to reside in because there has not been a viable alternative available. I am confident that I and other Parish officials will work closely with ARH, HSRLA, and other members of the private sector to ensure that St. Bernard Parish and the surrounding areas will be rebuilt as quickly as possible."

"We are pleased to select Home Solutions of Louisiana to play an integral role in this important multi-year project," said Steve Richards, President of ARH. "HSRLA has demonstrated its ability to respond quickly to the needs of local businesses and municipalities during the recovery and cleanup activities in the region and in other areas impacted by the Hurricanes. As a former FEMA official, I can attest to the key role that private enterprise will play in the rebuilding of New Orleans. That process is only beginning. We will work closely with Parish officials and residents displaced by Hurricanes Katrina and Rita to provide a quick, efficient and affordable means of permanent housing, which has been desperately needed for far too long."

17. Defendants' press releases issued on April 11, 2006, April 20, 2006 and May 23, 2006, as referenced above, were false and misleading. Defendants already knew or were in conscious and reckless disregard of the fact that despite this steady news of encouraging contracts, the Company had falsely represented the revenue opportunities they represented. Defendants' false representations of dramatic growth in revenues based on the announced contract opportunities served to conceal from the investment community the Company's inability to dramatically expand both revenues and margins, in a low-margin and highly competitive market space. Worse, defendants knew or were in conscious and reckless disregard of the alarming growth in the Company's receivables, relative to revenues for the quarter ending March 31, 2006, a trend that represented an imminent threat to the Company's FY 2006 guidance, cash flow and profitability:

Quarter	1Q06	4Q05	3Q05	2Q05
Revenues	\$19,280,000	\$22,342,000	\$20,376,000	\$16,055,000
Receivables	\$20,857,000	\$20,585,000	\$16,742,000	\$9,501,000

18. Following the April 11, 2006 press release announcing \$20 million in Hurricane Katrina-related rebuilding contracts, the value of Home Solutions stock immediately climbed

10.4% in value, closing at \$7.90 on April 12, 2006. The announcements on April 20, 2006 and May 23, 2006, pointing to contracts with The Home Depot (HD) and American Renaissance Homes (ARH), served to steadily inflate the price of Home Solution stock, resulting in levels as high as closing at \$13.20 on May 23, 2006, an increase of over 14.2% in value.

19. Defendants' continued false and misleading statements and representations continued to support the artificially inflated value of Home Solutions stock. Then, taking advantage of the inflated price of the stock, in a series of transactions, which commenced on May 23, 2006, and abruptly ended on June 5, 2006, Frank J. Fradella, President, CEO and Director of Home Solutions *dumped, in fifteen separate transactions, at prices ranging from approximately \$10 to \$12 a share, a total of 681,586 shares of Home Solutions stock, for proceeds of \$7.8 million.* During this same period, *defendant O'Brien, COO of Home Solutions also sold 469,553 shares of Home Solutions stock, for proceeds of \$5.5 million.* In all, the Company's officers and directors, including the defendants, *sold a total of 1.3 million shares of their Home Solutions stock, resulting in proceeds of well over \$15.7 million.*

THE TRUTH IS REVEALED

20. On June 6, 2006, before the close of the markets, Home Solutions issued a shocking press release entitled, "Home Solutions Comments on Relationship With American Renaissance Homes." The press release stated in part:

Home Solutions (AMEX: HOM - News), a provider of recovery, restoration and rebuilding/remodeling services, commented today on its relationship with American Renaissance Homes (ARH), a provider of affordable housing. *On May 23rd, the Company announced through a press release that it had been awarded a contract by ARH.* The Company has assumed, for purposes of its 2006 business outlook, that this relationship will generate \$5 million in revenue, largely in the fourth quarter, representing a small portion of its 2006 financial guidance of revenue of \$160 million to \$165 million as ARH is a start-up company. In addition, *Home Solutions has entered into an agreement with ARH, under which it would loan up to \$800,000, upon ARH meeting certain performance criteria, to support ARH's working capital requirements, secured by ARH's ownership in modular homes and land. The parties have been in*

discussions regarding Home Solutions taking an ownership position in the Company, but no agreement has been consummated and Home Solutions does not, at the present time, have an ownership stake in ARH.

"We believe this relationship is very strategic for the Company, and as the rebuilding of New Orleans accelerates it will, in future years, become a more important component to our revenue base," said Frank J. Fradella, Chairman and CEO of Home Solutions. "The demand for affordable housing is expected to be significant, however, we have anticipated that much of that work will contribute to 2007 results."

Currently, many New Orleans area residents live in 200 square foot trailers provided by FEMA. ARH will provide homes between 1,200 and 2,300 square feet at a fraction of the cost of construction in the area, which is currently approaching \$150 per square foot.

21. When finally pressed to respond to a barrage of investor concerns, Home Solutions shocked the investment community when it revealed that it was, in fact, in the role of a lender with ARH, of up to \$800,000 for "working capital," secured by its modular homes and land. On the news of undisclosed and highly suspicious dealings having an adverse impact on its previously announced revenue opportunities, Home Solutions' stock price plummeted, losing 29.1% or \$2.80 of its value, to close on June 6, 2006 at \$6.80, on unprecedented trading volume of 26.2 million shares, over eighteen times the normal trading volume.

22. The almost 29.1% decline in Home Solutions stock price on June 6, 2006, at the end of the Class Period, was the direct result of the unraveling of the nature and extent of defendants' fraud finally being revealed to investors and the market. The timing and magnitude of Home Solutions stock price declines negate any inference that the loss suffered by plaintiff and other Class members was caused by changed market conditions, macroeconomic or industry factors or Company-specific facts unrelated to the defendants' fraudulent conduct. While the almost 29.1% decline of Home Solutions stock price occurred as defendants' fraud began to be revealed, the Standard & Poor's 500 securities index was flat. The economic loss, *i.e.*, damages, suffered by plaintiff and other members of the Class was a direct result of defendants' fraudulent

scheme to artificially inflate Home Solutions stock price and the subsequent significant decline in the value of Home Solutions stock when defendants' prior misrepresentations and other fraudulent conduct was revealed.

23. During the Class Period, defendants knew and concealed that:

(a) Company reports of new contract opportunities as indicative of rapid growth and expanding business prospects served to actively conceal the alarming growth of the Company's receivables;

(b) there was no objective reason to communicate that Home Solutions had achieved a contract with American Renaissance Homes, based on the fact that ARH lacked capital and was actually attempting to borrow capital from defendants;

(c) absent the Company's active concealment of the truth about its contracts with other parties, including American Renaissance Homes, defendants would be unable to justify their aggressive revenue guidance for FY 2006; and

(d) stock sales by Company insiders, including defendants, met with artificially inflated prices, a direct result of Company's false and misleading representations to the investment community of the beneficial growth of its purported contracts and revenue opportunities.

DEFENDANTS' CLASS PERIOD STOCK SALES

24. While in a position to understand these alarming trends, the Company's officers and directors aggressively sold shares of their Home Solutions stock in the months prior to the Company's shocking announcement. Accordingly, during the Class Period, Company insiders, including defendants, sold their shares in accordance with the following schedule:

Date	Insider	Shares	Price	Proceeds
26-May-06	O'BRIEN, RICK J.	21687	\$9.12	\$197,866
26-May-06		197866	\$11.45	\$2,265,565
24-May-06		250000	\$12.46	\$3,115,000
22-May-06	JOHNSON, SCOTT	200000	\$11.85	\$2,370,000
5-Jun-06	FRADELLA, FRANK J.	100000	\$10.14	\$1,014,000
26-May-06		63800	\$11.55	\$737,000
26-May-06		5400	\$11.67	\$63,000
25-May-06		87300	\$11.42	\$997,000
25-May-06		140800	\$11.55	\$1,626,000
25-May-06		53100	\$11.68	\$620,000
25-May-06		46800	\$11.79	\$552,000
25-May-06		39200	\$11.91	\$467,000
25-May-06		30200	\$12.05	\$364,000
25-May-06		2200	\$12.27	\$27,000
25-May-06		31200	\$12.28	\$383,000
24-May-06		27900	\$12.11	\$338,000
24-May-06		32400	\$11.98	\$388,000
24-May-06		19486	\$12.27	\$239,000
24-May-06		1800	\$12.32	\$22,176
	Totals	1351139		\$15,785,610

APPLICABILITY OF PRESUMPTION OF RELIANCE

FRAUD-ON-THE-MARKET DOCTRINE

25. During the Class Period, the market for Home Solutions securities was an efficient market, for the following reasons, among others:

(a) Home Solutions' stock met the requirements for listing, and was listed and actively traded on the AMEX, a highly efficient and automated market;

(b) As a regulated issuer, Home Solutions filed periodic public reports with the SEC; and

(c) Home Solutions regularly communicated with public investors via established market communication mechanisms, including through regular disseminations of press releases on the national circuits of major newswire services and through other wide-ranging public disclosures, such as communications with the financial press and other similar reporting services.

26. As a result of the foregoing, the market for Home Solutions' securities promptly digested current information regarding Home Solutions from all publicly available sources and reflected such information in Home Solutions' stock price. Under these circumstances, all persons who purchased or acquired Home Solutions' securities during the Class Period suffered similar injury through their purchase of the aforementioned securities at artificially inflated prices and a presumption of reliance applies.

NO SAFE HARBOR

27. The statutory safe harbor provided for forward-looking statements under certain circumstances does not apply to any of the allegedly false statements pleaded in this complaint. Many of the specific statements pleaded herein were not identified as "forward-looking statements" when made. To the extent there were any forward-looking statements, there were no meaningful cautionary statements identifying important factors that could cause actual results to differ materially from those in the purportedly forward-looking statements. Alternatively, to the extent that the statutory safe harbor does apply to any forward-looking statements pleaded herein, defendants are liable for those false forward-looking statements because at the time each of those forward-looking statements was made, the particular speaker knew that the particular forward-looking statement was false, and/or the forward-looking statement was authorized and/or approved by an executive officer of Home Solutions who knew that those statements were false when made.

CLASS ACTION ALLEGATIONS

28. Plaintiff brings this action as a class action pursuant to Rule 23 of the Federal Rules of Civil Procedure on behalf of all persons who purchased Home Solutions publicly traded securities on the open market during the Class Period (the “Class”). Excluded from the Class are defendants.

29. The members of the Class are so numerous that joinder of all members is impracticable. The disposition of their claims in a class action will provide substantial benefits to the parties and the Court. Home Solutions had more than 33.5 million shares of stock outstanding, owned by hundreds if not thousands of persons.

30. There is a well-defined community of interest in the questions of law and fact involved in this case. Questions of law and fact common to the members of the Class that predominate over questions that may affect individual Class members include:

- (a) Whether the Exchange Act was violated by defendants;
- (b) Whether defendants omitted and/or misrepresented material facts;
- (c) Whether defendants’ statements omitted material facts necessary to make the statements made, in light of the circumstances under which they were made, not misleading;
- (d) Whether defendants knew or deliberately disregarded that their statements were false and misleading;
- (e) Whether the prices of Home Solutions’ publicly traded securities were artificially inflated; and
- (f) The extent of damage sustained by Class members and the appropriate measure of damages.

31. Plaintiff's claims are typical of those of the Class because plaintiff and the Class sustained damages from defendants' wrongful conduct.

32. Plaintiff will adequately protect the interests of the Class and has retained counsel who are experienced in class action securities litigation. Plaintiff has no interests that conflict with those of the Class.

33. A class action is superior to other available methods for the fair and efficient adjudication of this controversy.

COUNT I

For Violation of § 10(b) of the Exchange Act and Rule 10b-5 Against All Defendants

34. Plaintiff incorporates ¶¶ 1-33 by reference.

35. During the Class Period, defendants disseminated or approved the false statements specified above, which they knew or deliberately disregarded were misleading in that they contained misrepresentations and failed to disclose material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading.

36. Defendants violated § 10(b) of the Exchange Act and Rule 10b-5 in that they:

(a) Employed devices, schemes, and artifices to defraud;

(b) Made untrue statements of material facts or omitted to state material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading; or

(c) Engaged in acts, practices, and a course of business that operated as a fraud or deceit upon plaintiff and others similarly situated in connection with their purchases of Home Solutions publicly traded securities during the Class Period.

37. Plaintiff and the Class have suffered damages in that, in reliance on the integrity of the market, they paid artificially inflated prices for Home Solutions publicly traded securities. Plaintiff and the Class would not have purchased Home Solutions publicly traded securities at the prices they paid, or at all, if they had been aware that the market prices had been artificially and falsely inflated by defendants' misleading statements.

38. As a direct and proximate result of defendants' wrongful conduct, plaintiff and the other members of the Class suffered damages in connection with their purchases of Home Solutions publicly traded securities during the Class Period.

COUNT II

For Violation of § 20(a) of the Exchange Act Against All Defendants

39. Plaintiff incorporates ¶¶ 1-38 by reference.

40. The Individual Defendants acted as controlling persons of Home Solutions within the meaning of § 20(a) of the Exchange Act. By reason of their positions as officers and/or directors of Home Solutions, and their ownership of Home Solutions stock, the Individual Defendants had the power and authority to cause Home Solutions to engage in the wrongful conduct complained of herein. Home Solutions controlled each of the Individual Defendants and all of its employees. By reason of such conduct, the Individual Defendants and Home Solutions are liable pursuant to § 20(a) of the Exchange Act.

PRAYER FOR RELIEF

WHEREFORE, plaintiff prays for judgment as follows:

- A. Declaring this action to be a class action properly maintained pursuant to Rule 23 of the Federal Rules of Civil Procedure;
- B. Awarding plaintiffs and other members of the Class compensatory damages;

C. Awarding plaintiffs and members of the Class pre-judgment and post-judgment interest, as well as reasonable attorneys' fees, expert witness fees, and other costs and disbursements;

D. Awarding extraordinary, equitable and/or injunctive relief as permitted by law, equity and the federal statutory provisions sued hereunder, pursuant to Rules 64 and 65 and any appropriate state law remedies to assure that the Class has an effective remedy; and

E. Awarding plaintiffs and other members of the Class such other relief as this Court may deem just and proper under the circumstances.

JURY TRIAL DEMANDED

Plaintiff hereby demands a trial by jury.

DATED: June 20, 2006

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/S/

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