



UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF CALIFORNIA

RANDALL HENRI STEINMEYER, an
individual

Case No. ^{22 CV 1213} -DMS-DDL, S.D. Cal.

Plaintiff,

vs.

VERIFIED FIRST AMENDED
COMPLAINT

LABORATORY CORPORATION OF
AMERICA HOLDINGS, a Delaware
Corporation; GEORGE MAHA, an
individual, Honorable GARY BUBIS,
as Judge of Superior Court of San
Diego, ROB BONTA, as Attorney
General of California

Defendants.

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INTRODUCTION

1. Defendants Lab Corporation of America, Inc (Lan Corp) and its Vice President George C. Maha have been caught red-handed in a scheme to, amongst other things, violate the California Blood Testing Statutes including Fam Code sections 7551 through 7555 (2016).
2. In Plaintiff's underlying case, Defendants LabCorp and Maha were Court appointed as expert witness and laboratory, respectively. Defendants accepted appointment with intent to defraud the Plaintiff.
3. Defendants secretly switched Plaintiffs "*paternity test*" and replaced it with a *meaningless test* in order to sell the meaningless "evidence" resulting therefrom to the San Diego County Court and obtain improper reimbursement from Plaintiff (and the Federal government).
4. Defendants removed the maternal DNA from Plaintiffs "**paternity test, thereby converting it to a 2-person meaningless "test"**¹ causing material damages to Plaintiff. By removing the maternal DNA from Plaintiff's paternity test, the evidence "**against** paternity" is switched to "**for paternity.**"
5. Defendant's meaningless test caused significant damages to Plaintiff exceeding \$2,000,000.

¹ In Steinmeyer v. LabCorp, Defendants removed the maternal DNA despite the fact that the mother (and maternal grandparents) were in the court-room and the mother was physically inside the lab.

6. Plaintiff seeks monetary damages exceeding \$2,000,000.

JURISDICTION AND VENUE

7. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. § 1332, because the matter in controversy exceeds the sum or value of \$75,000, exclusive of interest and costs, and is between citizens of different States.

8. As stated *infra*, Plaintiff Randall Henri Steinmeyer is a citizen of California. Having conducted a good faith inquiry regarding the citizenship of the Defendants, Plaintiff alleges, on information and belief, that none of the Defendants is a citizen of California for purposes of determining diversity jurisdiction.

9. This complaint is also filed under Sections 2 of the Sherman Act, to recover treble damages, equitable relief, costs of suit, and under under the 5th and 14th Amendment of the Constitution of the United States, seeking injunctive relief

10. This Court court has federal question jurisdiction over this action pursuant to Articles III of the Constitution and 28 USC 1331.

11. Venue is proper in this District pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the conduct giving rise to the claims asserted herein occurred in this District. Among other things, Defendants were court “appointed” as expert witness and laboratory, respectively, in this District.

12. A material amount of the conduct took place in a courtroom in this District and accordingly, on information and belief, the conduct took place in the District.

PARTIES

13. Plaintiff Randall Steinmeyer (hereinafter "Plaintiff") suffered material damages as a result of Defendants' so called motherless 2-person paternity test. Plaintiff resides at 700 West Harbor Drive San Diego, California. Plaintiff is a citizen of California.

14. Defendant Lab Corporation of America Inc. (hereinafter "LabCorp") principal place of business is 358 S. Main St., Burlington, North Carolina. Defendant LabCorp is a publicly traded corporation trading under the symbol "LH." LabCorp is a citizen of North Carolina.

15. Defendant George Maha (hereinafter "Maha") is an associate vice president of LabCorp. Defendant Maha resides at 119 Butternut Dr, Chapel Hill, NC 27514. Defendant Maha is a citizen of North Carolina.

16. Defendant Honorable Gary Bubis is named in his official capacity as Judge of Superior Court of San Diego. Defendant Bubis is a citizen of California.

17. Defendant Ron Bonta is named in his official capacity as Attorney General of California, Defendant Bonta is a citizen of California.

PATERNITY TESTING

18. A Paternity test includes a minimum of 3-people (1) mother (2) mother's child and (3) alleged father.

19. There are **three** steps to a paternity test.

20. First, the "*maternal obligate alleles*" (MOAs) are derived by comparing the mother's DNA to the child's DNA.

21. Second, as a consequence of deriving the *maternal obligate alleles*, the *paternal obligate alleles* (POAs) are derived, as they are the alleles left over **after identification** and **removal** of the **maternal** obligate alleles from the child's DNA pattern.

22. Third, the child's paternal obligate alleles are compared to the alleged father's DNA.

22. If, between the child's paternal **obligate** alleles and the alleged father's DNA, there are 20 matches (as is expected for every biological father to each of his children), then a *paternity index* is assigned to each match, giving an indication of the strength of paternity evidence to each match. Multiplying all 20 *Paternity Indexes* creates a "*combined paternity index*" or CPI using the CPI, the probability of paternity (PoP) is calculated. Criminal and family courts usually accept a PoP of 99.99% or greater as positive evidence of paternity.

23. Without maternal DNA, the determination of the child's MOAs is not possible.

24. Without the determination of the child's MOA, determination of the child's paternal obligate alleles matches is not possible.

25. Without the child's POAs, no paternal matches between the child's DNA and the alleged father's DNA can be made.

26. Without paternal matches, no PI's can be assigned to any random matches of the child's DNA and the alleged father's DNA (these random matches could be matches between the child's MOAs and the alleged father's DNA which provide ZERO evidence of potential paternity).

27. Without 20 individual PIs (related to the paternal matches), no CPI can be calculated.

Without a maternal DNA, **neither** a *paternity index (PI)* **nor** a *combined paternity index (CPI)* can be calculated. Without a CPI, no PoP can be calculated.

28. In summary, without maternal DNA,

- No MOAs can be determined
- No POAs can be determined
- No matches of the child's POAs to the alleged father's DNA can be made
- No PIs can be assigned to any matches
- No CPI can be calculated
- No PoP can be calculated.

29. On Plaintiff's test, the following meaningless calculations claiming to be the statutorily required were parading on thereon:

(A) 20 *paternity indexes (PI)*

(B) *combined paternity index (CPI)* and

(C) Probability of paternity (PoP)

30. Magically, Defendants made these calculations, despite no maternal DNA.

31. Absent maternal DNA the *paternity indexes (PI)*, the *combined paternity index (CPI)* and the *Probability of Paternity (PoP)* are not even possible to be calculated, but in Plaintiff's case, Defendants pretend otherwise.

32. The so-called paternity test (and results) are meaningless, and not replicable.

PATERNITY TESTING ILLUSTRATED

33. Random, unrelated two humans can share 15, 20, or even 30 alleles but this “sharing” is not any indication of ***any biological relationship***. Without more DNA, this information is meaningless.

34. In standard paternity testing, the DNA from the mother, her child, and the alleged father are used to determine a set of 20 autosomal markers. Each person carries two of such sets, one inherited from his/her biological mother and one from his/her biological father. As a consequence of biology, the child's DNA contains 40 alleles of 20 DNA markers, ie. 20 alleles from the *biological* mother (MOAs) ***plus*** 20 alleles from the *biological* father (POAs).

35. To identify which 20 come from the biological father, the 20 alleles that came from the biological mother must be **both** *identified* and *removed*. The 20 alleles leftover are the 20 “paternal obligate alleles” (or “POAs.”)

36. If an alleged father matches all 20 of the Child's POAs, he can also be the biological father. For legal purposes, if a man matches less than 10 POAs of a child in question, he cannot be considered to be the biological father. For all mismatches, corrective PIs are assigned, which lower the CPI and the PoP in subsequent valuation of the evidence.

37. **To illustrate** a paternity test's dependence on maternal DNA, consider the following example of how a Family Code Section 7551 through 7555, Paternity test is conducted:

STATUTORY WAY

38. For a single marker “A”, using alleles 8, 10, 12 14

Mother carries a 10 and 14,

Child carries a 10 and 12,

Alleged father carries a 10 and 8

39. Step 1

The Child's *maternal obligate alleles* (MOAs) are derived using the maternal DNA:

Mother: **10** and 14

Child: **10** and 12

Here the Child's MOA is a **10**

(***Maternal** allele in bold)

40. Step 2

Now we know both the MOA, the POA can be derived.

The POA is what is left over after the MOA is removed.

Here, the Child's MOA is the "**10**", and therefore removed, leaving only the POA which in this case is the 12.

41. Step 3

Compare Child's POA to Alleged Father's DNA.

The Child's POA is a 12

Alleged father: 10 and 8

42. Because the "alleged father" does **not** carry a 12 (which is the child's Paternal Obligated Allele for this marker A) there is a mismatch (or exclusions), which is evidence against paternity.

43. However, as illustrated below, by removing the maternal DNA from the paternity test, the evidence "against paternity" was switched to a meaningless match without evidence and presented by Defendants falsely as evidence "for paternity."

44. **FRAUDULENT WAY of generating meaningless comparisons, matches and presenting non-existing evidence to courts**

45. Using Defendants' 2 person "motherless" test, we get completely different results.

Here, maternal DNA removal conceals the mismatches, and therefore creates matches between

Child and Alleged Father:

Marker A

Child 10 and 12

Alleged father 10 and 8

Match: 10

46. Defendants present the existence of an identical allele as evidence for paternity, and are reporting matches like the above 10 at Marker "A" as evidence for paternity, even though that match is clearly a match between the biological mother and the child.

47. Without hesitation, Defendants then progress to present this evidence (the meaningless match) to the courts as evidence. Furthermore, by assigning (without any evidence for a paternal match) a PI to this meaningless match (and to all other 19 matches presented to the courts), using the assigned non existing PI for this match to calculate a meaningless CPI and consequently a meaningless PoP, they present completely meaningless (and fictitious) evidence to the courts, pretending it to be evidence in support of a potential paternity of alleged fathers.

48. As demonstrated, and also used in forensic laboratories and statutory compliant commercial labs, in the case of paternity testing, maternal DNA (or reconstruction²) is a **condition precedent** for paternity results.

49. To illustrate the paradox created by the maternal DNA removal, consider the following:

Question

At Marker A, which allele of the child is the alleged father compared to, the 10 or the 12?

50. Answer

Neither the expert nor lab know until the maternal allele is **both identified and removed** to compare to the alleged father. Until then, it's not even a paternity test.

51. Without maternal DNA, the alleged father "appears" to match the Child as he has a 10 and the Child has a 10. However, this 10/10 match is **not** a POA match, it is a random match (and meaningless).

52. In fact, as illustrated above is actually a mismatch (or exclusion) evidencing "non-fatherhood," not fatherhood; however, Defendants' meaningless test creates "matches," through random matches, **not** POA matches, and not 20/20 POA matches.

Effects of Maternal DNA removal from Plaintiff's "paternity" test converted it to a meaningless test

² Reconstruction vis a vis biological relatives of the mother i.e., maternal parents.

53. As a result of the maternal DNA removal Defendants are in total violation of Fam Code Sections 7551 through 7555 (2016). Nevertheless, Defendants **falsely** assert compliance with Sections 7551 through 7555.

54. Defendants made these false assertions to hide the fact that Defendants create illusions of “*paternal obligate allele matches*”, through “random matches,” and generate meaningless results. These meaningless results are then sold (by statute and order) to the victims of the fraud, the alleged fathers, including Plaintiff. That is, if the “test” does **not** exclude the alleged father, through mismatches, the Alleged father is forced to pay for the “paternity test,” by statute.

55. First, Defendants **create** *fictitious matches*, (**not paternal obligate allele matches**), by removing the maternal DNA, which hides the **mismatches** i.e., evidence **against** paternity.

56. Second, Defendants **create** *fictitious matches* by *pretending* to conduct a fictitious linkage analysis.³

57. Third, Defendants **pretend** to conduct results including CPI⁴ (and 99.99% PoP). The CPI and PoP are meaningless and non-replicable.

58. Fourth, Defendants **fictitiously stamped** an AABB mark on Plaintiffs result to signify compliance with AABB regulations despite being in total violation therewith.

³ Linked-loci

⁴ Of 10 million to 1

59. Fifth, Defendants use a **false** sworn declaration as to compliance with Fam Code 7551 through 7555 despite being in total violation therewith.

60. In addition to the meaningless test schemes. Defendants employed the following schemes to effectuate their respective goals and obfuscate the same :

- (a) Meaningless Test “Results” scheme
- (b) Monopolization scheme
- (c) Fictitious definition of biological father scheme
- (d) Fictitious Marketing Scheme
- (e) Statutory violations scheme
- (f) Regulations violation scheme
- (g) Violate Court Order scheme
- (h) Fictitious Genetic Markers Scheme
- (i) Sale of “legal” services scheme (vis-a-vis fictitiously positive meaningless tests)
- (j) Reaffirmation Scheme
- (k) Violation of Contract Scheme
- (l) Reclassification of income scheme
- (m) Denial of Right to Counsel Scheme
- (n) Destruction of Paternity Evidence scheme
- (o) Reimbursement scheme

BACKGROUND

61. After acquiring the commercial paternity testing industry in 2011 vis-a vis the acquisition of Orchid Labs, Defendants agreed to conduct paternity testing for the Defendant County of San Diego, but discovered the paternity tests could be more profitable (and predictable) by removing the most important (and expensive) part of the test, the maternal DNA.

62. Defendants cannot complete a paternity test without the maternal DNA (or its reconstruction).⁵ The cost of collecting the maternal DNA (or reconstruction) was eroding the profitability of Defendant LabCorp's paternity contracts. Defendants' paternity contracts with the California counties (and sister States) mirror the costs of maternal DNA (or reconstruction). Reconstruction of maternal DNA vis-a-vis "mother-not-tested" cases "increases cost and turnaround time."

63. In 2012, in the case of County of San Diego v. Mason, then acting Attorney General, Kamala Harriss confirmed the San Diego Superior Court's paternity testing was based upon **maternal DNA**, i.e. authentic paternity testing.

<https://casetext.com/case/cnty-of-san-diego-v-mason>

64. In 2015, Labcorp scientist Dr. Gary Stuhlmiller appeared at the annual Fatherhood Conference. Dr. Stuhlmiller's DNA presentation at the Annual Fatherhood conference never mentioned 2-person motherless testing, instead Dr. Gary Stuhlmiller referenced only authentic paternity testing (mother, child, alleged father.)

⁵ vis-à-vis the maternal parents or relatives

https://youtu.be/Lb_fxv10N8

65. In 2015, Defendant Maha presented “Advances in DNA Testing: The Art and Science of Parentage” and never mentioned 2-person motherless testing, instead Defendant Maha only referenced authentic paternity testing (mother, child, alleged father.)

<https://wicsec.org/sites/default/files/conference-materials/T-18%20Advancements%20in%20DNA%20Testing%20-%20The%20Art%20and%20Science%20of%20Parentage%20-%20George%20Maha%20C%20Dr.%20M.%20Baird%20-%20CLE.pdf>

FACTUAL ALLEGATIONS

January and February 2017

66. In January and February 2017, and in exchange for the promise of money, San Diego County Employees directed the mother to place Plaintiff’s name on a birth certificate in lieu of the actual biological father.

67. Presumably, the Defendants directed the mother to do so because the County and States sought to collect from Plaintiff versus biological father⁶ because Plaintiff had a materially larger taxable income than the biological father and Defendants sought to acquire the right to collect from the Plaintiff, in lieu of the biological father.

68. Defendants collectively sought to make monetization of the right to collect from Plaintiff, in lieu of biological father, and as profitable as possible for purposes of (i) totally offsetting County

⁶ A resident of San Diego.

liability, (II) reclassify Plaintiffs garnished income (vs biological father) as non-tax deductible (III) allow the county of San Diego to charge Plaintiff for the fictitious tests (IV) allow the county to charge Plaintiff for fictitious legal services tied to the fictitious positive paternity test (V) and allow the State of California to realize higher reimbursement from the federal government than it should, for fictitiously closed paternity cases.

March 22-24, 2017

69. On March 22 and 23 and 24th 2017, Plaintiff was directed to the site LabCorpDNA.com

On Defendants website, LabcorpDNA.com, on March 22 and 23, and 24 of 2017, the

Defendants **falsely** claimed that:

- (1) maternal DNA was “**optional**” in a paternity test
- (2) its 2-person test could calculate CPI and 99.99% PoPs
- (3) its 2-person tests excluded “99.99% of non-fathers.”
- (4) its 2 person test was a “paternity test” and
- (5) Its paternity tests for the consumer and government market were identical

March 28 2017

70. On March 28th, 2017 Defendants caused Plaintiff to sit for a meaningless **test** under the pretenses it was (a) court ordered (b) a paternity test (c) and complied with Fam Code 7552.2 et seq.

April 2017

71. On April 18th 2017, without following statutory procedure, without using a statutory paternity test and with no notice to plaintiff, judge Bubis announced that “ the biological results show Plaintiff as the biological father.”

April 2017

72. Thereafter Defendants purchased the right Defendants created through false sworn declaration and simultaneously claimed Plaintiff's “test” was (a) court ordered (b) a paternity test (c) and complied with Fam Code 7552.2 et seq.

2019

73. In late 2019, more than 2 years later Defendants caused coDefendants to issue wrongful garnishments on Plaintiff’s income together with *fictitious* reimbursement charges to Plaintiff for the cost of the “test” and fictitious legal services conditioned upon positive paternity tests. ⁷

2020

74. On or about March of 2020, Plaintiff contacted Defendants regarding the validity of Plaintiff’s paternity test. On April 1, 2020, to stave off Plaintiff’s inquiry into the validity of Defendant’s so-called “motherless paternity tests” Defendant Maha directed in-house LabCorp counsel to lie to Plaintiff about the validity of the test.

⁷ (This conversion continues and occurred twice in the month of October.)

75. At Defendant Maha’s behest, in-house legal counsel sent Plaintiff a letter stating there was no reason to question the validity of the *fictitious* test results. Defendants: (a) claimed to have conducted an “investigation” in response to Plaintiff’s March 2020 contact, and (b) reaffirmed the 2-person test was a valid and statutory “paternity” test complying with Section 7551-7555..The letter, in relevant part, stated as follows: “Dear Mr. Steinmeyer, I write in response to your recent inquiry directed to Dr. George Maha regarding the validity of certain DNA paternity testing performed by Laboratory Corporation of America (“LabCorp”). **LabCorp investigated your concerns and concluded that there is no reason to question the validity of paternity results.**”

DEFENDANTS’ SCHEME BEGINS TO UNRAVEL

2021

76. In March of 2021, a peer reviewed scientific study was published regarding so-called “motherless testing.” The peer reviewed 2021 study found that by omitting maternal DNA from the paternity test, it artificially spikes the probability of determining a random man as a potential “biological“ father of a child by about **a factor of approximately 100,000.**

77. Further, the 2021 scientific study concluded: **“Motherless paternity testing could have dire financial and legal consequences, not only for the testing facility, but also for the wrongly included fathers....”**

78. On November 22, 2021, in a telephone exchange, Plaintiff spoke to Defendant Maha, who explained why Defendants sell these so-called “motherless” paternity tests to courts and consumers. Defendant Maha succinctly explained the situation as follows: *“If the courts and private parties want the tests that way, who are we to stop them?”*

79. On February 22, 2022, in a telephone exchange, Plaintiff spoke to LabCorp DNA Director Gary Stuhlmiller, who revealed he was unsure what motivated judges to order “motherless testing” but added it was likely for “financial reasons.” Stuhlmiller resigned weeks after making this statement.⁸

80. In March 2022, a DNA expert produced a report revealing that the “motherless test” Defendants subjected Plaintiff to **was not a paternity test**. Further, the forensic DNA expert opined “the test” did **not** have the ability to exclude Plaintiff, rendering it worthless.

THE TRUTH IS REVEALED

81. On or about April 12, 2022, Defendant Maha made a stunning admission. During a telephonic conversation with Plaintiff, Defendant Maha was confronted with the core issues plaguing Defendants’ “tests” including the maternal DNA omission⁹ together with the

⁸ The cost of a motherless test is only 66% of the cost of an authentic “trio” test.

⁹ Maternal DNA omission alone creates 100,000 fold illusion of fatherhood

fictionalized (linked-loci) analysis.¹⁰ There, Defendant Maha admitted that the “**biological** evidence” in the motherless tests was switched with “**social** science evidence.”

82. Defendant Maha’s April 12, 2022 admission illuminates not only the falsity of Defendants prior statements¹¹ but also Defendants’ intent. In August 2022, Plaintiff filed Steinmeyer v. Lab Corporation of America. Inc et al.

In October 2022, Plaintiff filed the Declaration of Forensic DNA Expert Sheila Gentile which confirms the 2-person test is not a paternity test and cannot identify the biological father.

83. In October 2022, the Defendant State of California garnished Plaintiff’s income at least two different times under the pretense that Defendants; 2-person “test” confirmed biological paternity between Plaintiff and the Child in question.

84. On November 4, 2022 the County of San Diego advised Plaintiff, it will garnish/levy Plaintiffs income/assets if Plaintiff does not pay the balance owing for County related fees, including legal fees, tied to the Defendants’ meaningless test.

MONOPOLIZATION SCHEME

85. First, Defendants acquired most of the “commercial” paternity testing industry via the acquisition of Orchid Labs and its contracts in 2011.

¹⁰ The confrontation occurred vis-à-vis a telephone interview of Dr. Maha

¹¹ As alleged herein Defendants false claims to Plaintiff continued after the April 2017 fictitious results through April 12, 2022, the date of Defendant Maha’s admission.

86. Second, after acquiring Orchid's paternity testing contracts whereby Defendants agreed to conduct "paternity testing Defendants secretly switched the "paternity test" and replaced it with a meaningless test and began selling meaningless "evidence" resulting therefrom to both governments and consumers.

87. Third, to hide the charade from the regulator, Defendants acquired control of the regulator. Paradoxically, Defendant LabCorp pays Maha to violate the very regulations Maha claims to uphold in order for LabCorp to pretend to sell science but deliver pure fiction. Put another way, Defendant Labcorp is bribing its regulator (Defendant Maha) to allow it to commit fraud and leveraged the bribes and LabCorp's largesse to exclude competing labs from the commercial paternity market whilst wielding monopoly power in order to preserve the same.

FICTITIOUS DEFINITION OF BIOLOGICAL FATHER SCHEME

88. **A. Regulatory (AABB) threshold:** Non-fatherhood equals "more than 2 " mismatches. An alleged father **must** be excluded when there is no chance of paternity which occurs at 3 mismatches.

89. **B. Defendants Fictitious threshold :** Non-fatherhood equals "4 or more" mismatches.

90. Defendants' fictitious "4 or more" threshold violates the regulatory threshold of "2" and can be found nowhere in science. The conclusions drawn from a test using "4 or more" mismatches are **neither** statutory nor do they reflect reproduction biology.

91. Using Defendants *fictitious* "4 or more" mismatch threshold, the alleged father need only **appear** to be 75% biological father to effectuate "conclusive evidence of paternity at 99.99%."

92. A child is composed of 50% mother and 50% father.

To illustrate how unbiological the test is, at 4 or "5" exclusions, an alleged father need only be 75% biological father (an impossibility).

That is $5 \cdot 20 = 15$ (or $15/20$) $75/100$ or 75%.

Where does the other 25% of the biological father¹² come from?

93. Defendants did not stop there, Defendants created meaningless tests and then caused victims of the meaningless results, including Plaintiff, to pay for the same and whatever else could be bootstrapped thereto.

MEANINGLESS TEST SCHEME

94. A. Maternal DNA removal

A paternity test is a minimum of a person test (including the mother).

¹² Or 13 % total

95. However, if the mother is truly unavailable her biological parents (or relatives) are used to reconstruct the maternal DNA. Thus, if the mother’s parents are added to the test, *in lieu of*, mother, then the test is already a minimum of a 4 person test.

96. Defendant Maha restates the law (and science) on this point:

The UPA 2017: The Science of It All” :

*“The biological relatives ideal for testing are both of the missing [mother’s] alleged biological parents (the alleged grandparents), as they will contain all the biological material their child has. When both of the alleged grandparents are not available, other relatives can be used. The greater the number of relatives tested, the more likely an expert is to be able to reconstruct the genetic material in the missing [mother].”*¹³ Defendants' own paternity contracts with the California counties (and sister States) mirror this reconstruction reality together with the increased costs associated therewith. Reconstruction of maternal DNA vis-a-vis "mother-not-tested" cases “increases cost and turnaround time.”

97. Defendants meaningless test scheme did not end with maternal DNA removal.

98. B. Creating matches through fictitious linkage analysis

Defendants create matches with a fictional linkage analysis that cannot be done as a matter of fact.

13

https://www.americanbar.org/groups/family_law/publications/family-advocate/2018/spring/4spring2018-maha/n See also George C. Maha, Determining Paternity After Death: Genetic Testing When a Party is Not Available, in Disputed Paternity Proceedings (N. M. Vitek, ed., Mathew Bender & Co.) (1999).

99. First, with respect to linked loci generally, the AABB denies that link-loci analysis is in the tests. Wenk, Relationship Testing 1.0 (AABB 2018) at 13.

100. Second with respect to Plaintiff's test, a motherless linked-loci analysis is not possible and Defendants have publicly admitted the same in 2010. In 2010, Maha published Implementation of a 21-Locus Panel for Human Relationship Testing, 21st International Symposium on Human Identification, October 2010, Abstract #100, on a corporate website. Further, the paper was never peer-reviewed. The 2010 paper claims statistical value can be derived from physically linked-loci. However, maternal DNA is a condition precedent to paternity from linked-loci.

<https://www.promega.com/resources/scientific-posters/posters/implementation-of-a-21-locus-panel-for-human-relationship-testing/> Thus, a linked-loci analysis cannot exist absent mothers DNA.

Despite this impossibility, in Plaintiff's test Defendants pretend this "analysis" can be effectuated, when it cannot.

101. Third, Defendants weighted the impossible "analysis" as the single largest factor therein. ¹⁴

102. Fourth, from a review of all other Defendant LabCorp "paternity tests results acquired through investigation , in every test where alleged father was "not " excluded **there was also a "linkage analysis"**. Conversely in every case where the alleged father was excluded there was not a "linkage analysis."

¹⁴ By a factor of 4.

103. That the linkage analysis appears to be a symbol of Defendants own intent to and which is added ex post facto. A motherless linkage analysis isn't possible but there purely to simply "create matches" (and hide mismatches.)

Accordingly, in Plaintiff's motherless test, no linkage analysis is (or was) possible.

MEANINGLESS RESULTS SCHEME

104. Defendant's meaningless results scheme largely is centered around creating **matches**, and avoidance of **mismatches**, in meaningless tests pretending to be paternity tests.

On the non-scientist, by removing the maternal DNA **mismatches** "disappear" and **matches** "appear."

105. Random, unrelated two persons can share 15, 20, or even 30 alleles but this "sharing" is not any indication of **any biological relationship**.

Without more DNA, this information is meaningless. In the case of paternity, maternal DNA (or reconstruction) is a condition precedent for paternity results.

106. A "paternity test" is defined as a paternity test because of its ability to identify Paternal Obligate Allele("POA") matches and then calculate CPI (and PoP).¹⁵ The Defendants 2-person, meaningless test cannot identify POA matches and simply calculates numbers for no reason.

¹⁵ If and only if there are 20/20 POA matches.

107. These meaningless tests cannot calculate CPI (or PoP) and only pretend to calculate CPI (and PoP). The CPI and PoP results are meaningless. These CPI and PoP results are not replicable by any forensic labs.

108. A paternity test is a minimum of a 3-person test (including the mother).

However, if the mother is truly unavailable, her biological parents (or other biological relatives) are used to reconstruct the maternal DNA. Thus, if the mother's parents are added to the test, *in lieu of*, mother, then the test is a minimum of a 4-person test.

109. Defendant Maha concedes these points in his own legal article about paternity and the statutes.

110. The UPA 2017: The Science of It All:

*“The biological relatives ideal for testing are both of the missing [mother’s] alleged biological parents (the alleged grandparents), as they will contain all the biological material their child has. When both of the alleged grandparents are not available, other relatives can be used. The greater the number of relatives tested, the more likely an expert is to be able to reconstruct the genetic material in the missing [mother].”*¹⁶

¹⁶

https://www.americanbar.org/groups/family_law/publications/family-advocate/2018/spring/4spring2018-maha/n See also George C. Maha, Determining Paternity After Death: Genetic Testing When a Party is Not Available, in Disputed Paternity Proceedings (N. M. Vitek, ed., Mathew Bender & Co.) (1999).

111. Defendants' own paternity contracts mirror this reconstruction reality and costs associated therewith. Reconstruction of maternal DNA, "mother-not-tested" cases "increases cost and turnaround time."

112. The Defendant's contractual quality control systems are based on maternal DNA. Defendants are contractually obligated to use a scientific tri-colored buccal swab system, with every test. The **contracts require that the mothers DNA be removed with a "pink" swab**, the Child's "yellow" and alleged father, a blue "swab."

In Plaintiff's test, Defendants replaced the tri-colored buccal swabs system with white swabs. In so doing, the Defendants obfuscated the maternal DNA removal.

113. In a "paternity" test, confusing maternal DNA with paternal DNA destroys the test. Here, Plaintiff's "paternity" test was already destroyed with Defendants maternal DNA removal, switching the "colored" swabs to "white" was just another step of the profitable schemes. In the wake of Defendants abandonment of the maternal DNA driven quality controls, Defendants leave only the label of science, but have removed the science

114. The following table summarizes the issues:

**Comparison of Legal, Scientific, and Statutory Problems
in Labcorp/Promega Distributed and Performed so-called
“Paternity Tests”**

Topic	LabCorp’s Fictional and Non-Statutory “Tests”	Court Standard Test	
	LabCorp “motherless” DUO	CA Statutes	Forensic Labs
Tested DNA	Child in question Alleged Father	Child in question Alleging Mother Alleged Father	Child in question Alleging Mother Alleged Father
Child ID	No MOA matches No proof the alleging mother is biological mother NO proof the child at sample taking is the child in question	Determined by comparison to maternal DNA	Determined by comparison to maternal DNA
Maternal DNA	No maternal DNA A) No paternity test possible with DUO <ul style="list-style-type: none"> • No MOAs determined • No POAs determined • No Child POAs can be matched • No PIs can be assigned to matches • No CPI can be calculated • No PoP can be calculated B) Violation of Calif Fam Code 7551 through 7555 (2016)* C) Court evidence falsified (POA matches, PIs, CPI, PoP) D) Matches to maternal alleles of child presented as POA matches to alleged father E) Violating Court order for a “Motherless Paternity Test” F) Evidence destroyed by maternal DNA removal; MOAs, POAs, PIs, CPI, PoP	Sampled and included in analysis	Sampled and included in analysis
Linkage Analysis	Not possible. Not used in criminal courts, FBI or forensic labs “Motherless” Linked-loci analysis not acknowledged as reliable by AABB. AABB denies** it’s use in paternity tests.	No provision for Linkage Analysis	Not part of approved tests (CORE)

Additional Markers Penta DF13A01 F13B LPL Penta E FESFPS Penta C	None of them part of Core Loci used in criminal courts, FBI or forensic labs Penta C not even listed in NIST STRBase Additional markers not acknowledged as reliable by AABB.	All markers and tests need to be explicitly acknowledged as reliable	Defined CORE markers (20) approved and mandatory for testing
Selective omission or inclusion of Linkage Analysis	Presenting or destroying of Linkage Analysis evidence based on case-by-case test results	All test results included in court documents as evidence	All test results included in court documents as evidence
Exclusion limits For paternal mismatches	4 or more	2 or less	2 or less

FICTITIOUS MARKETING SCHEME

115. On March 22 and 23 and 24th 2017, and prior to the March 24th Order, Plaintiff was directed to the site LabCorpDNA.com

On Defendants website, LabcorpDNA.com, on March 22 and 23rd and 24th 2017 , the Defendants **falsely** claimed that:

- (1) maternal DNA was “**optional**” in a paternity test
- (2) its 2-person test could calculate CPI and 99.99% PoPs
- (3) its 2-person tests excluded “99.99% of non-fathers.”
- (4) its 2-person test was a “paternity test” and
- (5) Its paternity tests for the consumer and government market were identical

116. Plaintiff relied on these statements made by Defendants.

STATUTORY VIOLATIONS SCHEME VIS-A-VIS MATERNAL DNA

REMOVAL ALONE

117. Defendants violate statues 7551 through 7555 vis-a-vis Defendants’ “maternal DNA removal scheme” which nullifies the governing statutes¹⁷ rendering them inoperable.

¹⁷ (And tests)

118. In Defendants' scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting it into a 2-person meaningless "test"¹⁸ in violation of statute :**

119. **A. 7551:**

120. 7551 expressly makes the AABB's acknowledgement of the test's *reliability a condition precedent*. AABB admits Defendants' "motherless 2-person test" is NOT reliable and will result in the "falsely accused" appearing to be guilty (when innocent)

121. Second, there is no statutory authority to conduct 2-person tests for "*evidence of paternity*." The statute states the lab can test "*the mother, child, and alleged father,*" not simply "alleged father and child," for "*evidence of paternity*."

122. Third, without maternal DNA, there is no "*evidence of paternity*."

123. Fourth, the motherless 2-person "test" does **not** meet the statutory definition of a "genetic test,"

124. **B. 7552:**

125. First, the "2 person test" does **not** meet the statutory definition of a *genetic test*.

¹⁸ In Steinmeyer v. LabCorp, Defendants removed the maternal DNA despite the fact that the mother (and maternal grandparents) were in the court-room and the mother was physically inside the lab.

126. Second, the purpose of 7552 is to allow other experts to evaluate the *genetic test* results. Without maternal DNA, there are no “*other experts, qualified as examiners of [DNA]*” who can “*perform independent tests*” on “*the results, which may be offered into evidence,*” because there are no results (ie CPI or PoP).

127. Third, “*the evidence*” in a “*paternity test*” is “the paternal (obligate allele) matches.” Without maternal DNA there can be no “paternal (obligate allele) matches,” and therefore no “*paternity evidence.*”

128. Fourth, “the results” in a paternity test are the CPI and PoP. Absent maternal DNA, neither CPI nor PoP can exist.

129. C. 7552.5:

130. First, section 7552.5 makes 4 references to a “*genetic test*” which this motherless 2-person test fails to meet the statute’s definition.

131. Second, absent maternal DNA there can be no “*paternity index*” (nor *combined paternity index*) and a “paternity index of “100” is simply impossible.

132. Third, absent maternal DNA, there can be **neither** ” analysis” of paternity **Nor** “evidence” of “paternity.”

133. D. 7554:

134. First, if no maternal DNA, there can be **neither** *evidence of paternity,* ” **nor** “*probability of the alleged father ’s paternity*”

135. Second, “*Probability of the alleged father ’s paternity*”, means “*Probability of paternity*” (PoP). Absent maternal DNA, there can be no “PoP”

136. Third, Probability of paternity “(PoP)” equals “99.99%” (PoP).

A 99.99% PoP requires a **minimum** corresponding CPI of “10,000.”

No CPI can exist absent maternal DNA, not 1, and certainly not “10,000.”

137. E. 7555:

First, without maternal DNA, no “*paternity index*” (nor *combined paternity index*) can be computed, no expert can calculate a “*paternity index*” at “100” or any number.

138. Second, without maternal DNA, there is no “*relative strength*” [*i.e., no CPI*] “*of the test results, for or against paternity.*”

139. Third, International Conference on Parentage Testing at Airlie House, Virginia, May 1982, sponsored by the American Association of Blood Banks, methodologies and mathematical paternity formulas are all maternal DNA dependent. Absent maternal DNA the formulas are meaningless

REGULATIONS

140. AABB Regulations prohibit 2-person motherless testing, because it results in falsely accused appearing to be guilty and incentivizes fraud.

COURT ORDER

141. The March 24th Court Order itself precludes motherless 2 person testing.

On the court “order”, the California Blood Testing Statutes Fam Code 7551 and 7552.5 are stamped thereon. Neither Section 7551 nor 7552.5 allow 2-person paternity testing.

142. **Section 7551 (2016) limits the court's authority for “paternity tests” to 3 persons “mother, child, and alleged father and creates a condition precedent requiring the “genetic test” to be acknowledged as “reliable” by the [AABB]. Because the AABB admits these tests are not reliable, the Defendant’s 2-person test cannot reach the AABB’s reliability “condition precedent.**

143. With regard to 7552.5, the statute prohibits the 2-person test :First, section 7552.5 makes 4 references to a “*genetic test*” in which the motherless 2-person test fails to meet the statute’s definition. Second, absent maternal DNA, there can be no “*paternity index*” (nor *combined paternity index*) and a “paternity index of “100” is simply impossible. Third, absent maternal DNA, there can be **neither** ” analysis” of paternity. **nor** “evidence” of “paternity.”

144. A “motherless paternity test” is actually a minimum of a 4-person test and requires the maternal DNA to be reconstructed i.e. maternal relatives.

145. Even Defendant Maha agrees on this point “If the mother’s DNA is not available, it is simply reconstructed by obtaining DNA from close relatives of the missing mother. Maha admits the same in his own 2018 article entitled, “The UPA 2017: The Science of It All” writing, “The biological relatives ideal for testing are both of the missing [mother’s] alleged biological parents (the alleged grandparents), as they will contain all the biological material their child has. When both of the alleged grandparents are not available, other relatives can be used. The greater the number of relatives tested, the more likely an expert is to be able to reconstruct the genetic material in the missing [mother].

146. According to the order, its purpose was to appoint as expert witness: George Maha, JD, PhD, Lab Corporation of America. The purpose of appointment was to “to examine the DNA samples and issue a report on the findings on **whether the alleged or presumed fathers is the biological parent of the child.**”

147. **The question of whether the Plaintiff “ is the biological parent of the child,” can only be resolved through maternal DNA (or reconstruction), not its removal.**

148. The Court order goes on to point out that Plaintiff would be charged for the paternity test, if positive, “The county will advance the cost of the test, examiner and expert witness, subject to repayment.”

149. The order continues:

“At the very bottom of the document is a notice "section 7552.5 (B) provides that a blood and or a swab test will be admitted into evidence without the need for testimony unless a party filed a written objection. This objection must be filed with the court at least five days before the hearing. The objections must also be served to other parties at least five days before the hearing.”

150. With regard to the admission of results into evidence, unless objected to, in writing, 5 days before the hearing, Defendants admitted the “results” without evidence, or showing them to anyone, the day after issued by Defendant LabCorp.

151. The biological results were simultaneously declared from the bench, and admitted into evidence. This occurred with no notice to Plaintiff, and designed to circumvent the statutory notice requirements. i.e. there could be no objections.

152. Then at the very bottom of the Order is stamped in capital letters “Genetic Test .”

“Genetic Test” is defined by Section 7551 which expressly makes the AABB’s acknowledgement of the test’s *reliability* a *condition precedent*.

153. Defendants meaningless 2-person “test” does not meet the statutory definition of a “genetic test,” “AABB admits Defendants’ “motherless 2-person test ” is NOT reliable and will result in the “falsely accused” appearing to be guilty (when innocent).¹⁹

¹⁹ Wenk Relationship Testing 1.0 (AABB) (2018)

FICTITIOUS GENETIC MARKERS

154. In courts, the gold standard is driven by the 20 Core loci published by NIST and used by the FBI. The core markers of a paternity test consists of 20 core mandatory markers. The FBI and criminal courts all use these same 20 core markers.²⁰ Whilst other markers can be added to a test of 20, they cannot be replaced.

155. Defendants switched 7 of the standard 20 genetic marker tests with its own home brew. In place of the required markers, D1S1656, D2S441, D2S1338, D10S1248, D12S391, D19S433, D22S1045, and Amelogenin, Defendants cooked up their own home-brew. Specifically, in Plaintiff's test, these 7 markers were replaced with: Penta D, F13A01, F13B, LPL, Penta E, FESFPS and Penta C, (collectively Defendants "home-brew"). This ad hoc switch is not a recognized legally permissible forensic practice.

In criminal court, this 13 plus 7 home brewed test would **not** be attempted.

In civil court, if the AABB wishes to deviate from existing scientific practices it must acknowledge the practice as reliable. The AABB cannot meet this reliability threshold. In Plaintiff's test, Defendants replaced a core marker with "Penta C." There are no standards for "Penta C." Penta C is not in the NIST database and cannot be used by FBI or criminal courts.

156. Absent standards, there is no reliability. Furthermore, there is no acknowledgement from the AABB. Accordingly, this Penta "C" switch cannot begin to be permissible.²¹

²⁰ U.S. Core Loci (required in all tests after January 1, 2017): CSF1PO, FGA, TH01, TPOX, VWA, D3S1358, D5S818, D7S820, D8S1179, D13S317, D16S539, D18S51, D21S11, D1S1656, D2S441, D2S1338, D10S1248, D12S391, D19S433, D22S1045, and Amelogenin

²¹ Because of the maternal DNA removal, the test is also not permissible.

157. Likewise, there are no “standards” for replacing 7 of the 20 markers with Defendants’ home-brew. The AABB has neither acknowledged this switch of 7 nor claimed it to be a reliable practice.

MONETIZATION SCHEME

158. Fictitious basis for continuing paternity action against Plaintiff :

Defendants caused an action for paternity against Plaintiff, to be continued, knowing he was not the biological father and despite having actual knowledge no *paternity* evidence could be produced from Defendants 2-person test.

Paternity evidence was not even the core objective of the scheme, its monetization scheme 2.5 years later, was, but had several steps along the way:

A. Fictitious birth certificate (2017)

159. *In January and February 2017, and in exchange for the promise of money, a County employee (PL) directed the mother to place Plaintiff’s name on a birth certificate in lieu of the actual biological father. The mother was so directed because the the County sought to collect from Plaintiff versus biological father²² because Plaintiff had a larger taxable income than the biological father.*

²² A resident of San Diego.

B. Fictitious paternity test (2017)

160. In sworn declaration, Defendants claimed the test was (a) court ordered (b) a paternity test (c) and complied with Fam Code 7552.2 et seq.

C. Creation of Fictitious legal right

161. Using a false sworn declaration, Defendants falsely claimed its fictitious 2-person test was a (a) court ordered (b) a paternity test (c) and complied with Fam. Code 7552.2 et seq.

D. Purchase of fictitious legal right

162. Then Defendant Maha and LabCorp causes the State to purchase “the right” Defendants created through false sworn declaration which thereon claimed Plaintiff’s “test” was (a) court ordered (b) a paternity test (c) and complied with Fam Code 7552.2 et seq.

E. Factual beginning of Monetization of fictitious right

163. In 2019, to effectuate the monetization of the “right” scheme, Defendants Labcorp and Maha caused their sworn declaration to be filed in a subsequent action whereby the Defendants repeated their chant i.e. the 2-person test is a (a) court-ordered (b) a paternity test (c) and complied with Fam Code 7552.2 et seq.

SALE OF “LEGAL” SERVICES VIS-A-VIS FICTITIOUSLY

POSITIVE TESTS

164. That Defendant Maha caused or otherwise, unwittingly, induced the County
The county is selling fictitious legal services , conditioned upon fictitiously positive paternity
testing the Defendants know is absolute fiction.

REAFFIRMATION SCHEME

165. To dissuade Plaintiff from disrupting the monetization scheme Defendants repeatedly
reaffirmed the 2 person test was a “paternity” test complying with section Fam Code 7552.2” et
seq.

A. Reaffirmation of paternity test:

166. In March of 2020, Plaintiff confronted Defendants regarding the validity of the motherless
2-person testing. In April 1 2020, Defendants : (a) denied Plaintiff's claim, (b) claimed to have
conducted an “investigation” and (c) reaffirmed the 2-person test was a “paternity” test
complying with section Fam Code 7552.2” et seq.

167. In 2021, both Maha and Stuhlmiller reaffirmed the 2-person test as a paternity test.

B. Admission:

168. In April 2022, Maha admitted the test was not a “paternity” test.

In August 2022, Plaintiff filed Steinmeyer v. Lab Corporation of America. Inc et al.

C. Defendants Reaffirmation post-filing:

(September-October 2022)

169. Before the court (and whilst seeking sanctions) Defendants *falsely* claimed Plaintiffs' 2-person test was (a) "court ordered, (b) a "paternity test and (c) and compiled with "Fam Code 7552.2" et seq.

170. Defendants summarized Plaintiff's case as follows: "Plaintiff alleges that because the court ordered paternity test did not analyze the DNA of both parents i.e. was a motherless paternity test, the test must be junk science."

171. Thereafter, in the same document, Defendants **falsely** reaffirmed again that Defendant LabCorps "test" was a "paternity test" that was "court ordered."

172. Defendants **falsely** claimed *the test was capable of producing "paternity evidence."*

VIOLATION OF CONTRACT SCHEME

173. Defendants agreed to conduct paternity testing for the Defendant County of San Diego, but discovered the tests could be more profitable (and predictable) by removing the most important part of the test, the maternal DNA.

174. Defendants cannot complete a paternity test without the maternal DNA (or its reconstruction).²³ The cost of collecting the maternal DNA (or reconstruction) was eroding the profitability of Defendant LabCorp's paternity contracts.

175. Defendants' paternity contracts with the California counties (and sister States) mirror the costs of maternal DNA (or reconstruction). Reconstruction of maternal DNA vis-a-vis "mother-not-tested" cases "increases cost and turnaround time."

Defendants are authorized and contractually obligated to to conduct "paternity" testing, not meaningless tests.

176. A "paternity test" is a paternity test because of its ability to identify Paternal Obligate Allele("POA") matches and then calculates CPI (and PoP), if and only if there are 20/20 POA matches.

177. **The Defendants 2-person test cannot identify POA matches and simply calculates numbers for no reason. These 2-person tests cannot calculate CPI (or PoP) and only pretend to calculate CPI (and PoP).**

The CPI and PoP results are fictitious.

These CPI and PoP results are not replicable by any forensic labs.

²³ vis-à-vis the maternal parents or relatives

178. A paternity test is a minimum of a 3 person test (including the mother).

179. However, if the mother is truly unavailable her biological parents (or relatives) are used to reconstruct the maternal DNA.

Thus, if mothers parents are added to the test, *in lieu of*, mother, then the test is already a minimum of a 4 person test.

180. Defendant Maha restates the law (and science) on this point .:

The UPA 2017: The Science of It All”:

*“The biological relatives ideal for testing are both of the missing [mother’s] alleged biological parents (the alleged grandparents), as they will contain all the biological material their child has. When both of the alleged grandparents are not available, other relatives can be used. The greater the number of relatives tested, the more likely an expert is to be able to reconstruct the genetic material in the missing [mother].”*²⁴

181. Defendants' own paternity contracts mirror this reconstruction reality and costs associated therewith. Reconstruction of maternal DNA, "mother-not-tested" cases “increases cost and turnaround time.”

²⁴

https://www.americanbar.org/groups/family_law/publications/family-advocate/2018/spring/4spring2018-maha/n See also George C. Maha, Determining Paternity After Death: Genetic Testing When a Party is Not Available, in Disputed Paternity Proceedings (N. M. Vitek, ed., Mathew Bender & Co.) (1999).

182. The Defendant's contractual quality control systems are based on maternal DNA. Defendants are contractually obligated to use a scientific tri-colored buccal swab system, with every test. The **contracts require that the mothers DNA be removed with a "pink" swab**, the Child's "yellow" and alleged father, a blue "swab." In Plaintiff's test, Defendants replaced the tri-colored buccal swabs system with white swabs. In so doing, the Defendants obfuscated the maternal DNA removal.

183. In a "paternity" test, confusing maternal DNA with paternal DNA destroys the test. Here, Plaintiff's "paternity" test was already destroyed with Defendants maternal DNA and home-brew, switching the; "colored" swabs to "white" was just another step of the profitable scheme.

RECLASSIFICATION OF INCOME SCHEME

184. In 2019, after taking Plaintiff's income through improper garnishment, Defendants caused co Defendant Bonto, to not only garnish Plaintiff's funds but cause reclassification of the same "non-deductible" in years 2021 and presumably 2022 until stopped.

DENIAL OF RIGHT TO COUNSEL SCHEME

185. That Defendant Maha, as expert witness, caused or otherwise induced a judge, unwittingly, to hide the material DNA and therefore the paternity evidence vis-a-vis a judicial order.

186. On April 7th 2017, to stop Plaintiff from disrupting the schemes, Defendant Maha induced Judge Bubis to order that Plaintiff not disclose anything about the underlying case to Plaintiff's personal lawyers.

Judge Bubis threatened Plaintiff with 5 days in jail and \$1,000 fine per violation. Accordingly, all communications with counsel were terminated.

187. In relevant part, the transcript from April 7th 2017, is as follows:

The Court: "I would ask that the father be reminded not to disclose any confidential information about this case to outside parties without the courts permission."

The Court: "I'll order that you not disclose anything about this case to outside parties."

The Father: "They are counsel."

The Court: "Those are your attorneys?"

The Father: "Yes."

The Court: "You have other Attorneys involved in the Dependency proceedings."

The Father: "There is another proceeding going on."

The Court: "They're still not involved in the Dependency Proceeding."

The Father: "This goes to the heart of the proceedings that are about to take place."

The Court: "Are you talking about Family Law Proceedings?"

The Father: "No."

The Court: "Would you care to share with me what other proceedings you're talking about? Talk to your attorney."

The Father: "I don't think so. I don't think it would be appropriate."

The Court: “ You don’t think you want to do that? Okay. Then I want to tell you this. I’mIm going to order you comply with the Welfare and Institutions code that requires these things be made confidential. If you violate that, you’re subject to contempt of court. For each finding of contempt, you’re subject to five days in jail and a \$1,000 fine. If you think you can just give these to somebody else because you think it’s- you’re wrong—We’ll hold contempt proceedings.”

The Father: “Understood.”

DESTRUCTION OF PATERNITY EVIDENCE SCHEME

188. That Defendant Maha caused or otherwise induced a judge, unwittingly, to hide the material DNA and therefore the paternity evidence vis a vis a judicial order. On or about April 18 2017, Judge Bubis ordered that Baby Doe’s mother’s address be hidden for 2 years, which ran congruent to the Bradley Amendment 2 year statute. The order was crafted to ensure that an authentic paternity test could not be effectuated within the Bradley Amendment 2-year limitation, given that Baby Doe’s mother’s location was hidden for the relevant 2 year period. By removing and hiding the maternal DNA, Defendants destroyed or altered more than 100 pieces of evidence for the purpose of depriving Plaintiff of the use of that evidence, including but not limited to, the following:

189. By intentionally withholding maternal DNA,

- (1) The maternal obligate allele evidence was destroyed at all 20 markers
- (2) The paternal obligate allele evidence was destroyed at all 20 markers
- (3) The paternity index evidence was destroyed at all 20 markers

- (4) The CPI evidence was destroyed.
- (5) The PoP evidence was destroyed
- (6) The linked-loci analysis evidence was destroyed
- (7) The exclusionary evidence was destroyed

FICTITIOUS REIMBURSEMENT SCHEME

Fictitious Consumer reimbursement scheme :

190. With each fictitious positive paternity test, Defendants cause the State to charge the consumer for each batch of Defendants meaningless test (and meaningless evidence) claiming to be “positive” evidence of paternity.

Fictitious Federal Reimbursement scheme:

191. With each fictitious positive paternity test Defendants cause Federal funds to be taken by the State of California via reimbursement under the premise for paternity tests resulting in paternity evidence.

192. No paternity evidence can be extracted from these meaningless tests.

In truth, Defendants scheme causes the State to take from the Federal Treasury.

DEFENDANTS “MIX-AND-MATCH” EVIDENCE SCHEME

193. Unlike a paternity test which tests 20 markers and reports all 20 results , defendants secretly test "32" markers and then simply select “matches” until they get to 16 "matches."

194. Defendants LabCorp and Maha use the standard "13 " markers for the first 13 tests.

Then something bizarre happens. Defendants cycle through the rest of the 19 markers to get to the results , and cherry pick the results they want.

195. So, using 32 markers but only reporting 20, technically there could be 16 mismatches and one could still be the biological father .

196. The 16 "best" matches are sorted by value and the top 16 are reported. The remaining 16 mismatches are concealed.

197. Using this scheme, every person could be the "biological father."

COUNT ONE

(Intentional Misrepresentation as Against Defendants Maha and LabCorp)

198. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

199. Plaintiff is informed and believes and thereon alleges that Defendant, Maha and Dr. Gary Stuhlmiller who made the representations herein, are the authorized agents of defendant LabCorp

and at the time of making the representations herein alleged and at all times herein mentioned, were acting within the course and scope of his agency and authority for LabCorp.

On March 22, 23 and 24, through LabCorpDNA.com, Defendants claimed maternal DNA was “optional” and not necessary for a paternity test with CPI and 99.99% PoP and Plaintiff relied on the same to his detriment.

200. Defendant Maha, on behalf of LabCorp made the following representations to Plaintiff that its motherless paternity test was actually a paternity test. When Maha made this representation, he knew them to be false and made this representation with the intention to deceive, defraud and induce Plaintiff to act in reliance on these representations in the manner hereinafter, or with the expectation that Plaintiff would so act.

201. Plaintiff, at the time this representation was made by Defendant and at the time Plaintiff took the actions herein alleged, was ignorant of the falsity of Defendants’ representations and believed them to be true. In reliance on these representations, Plaintiff was induced to submit to a motherless paternity test.

202. Had Plaintiff known the actual facts, he would have requested an actual scientific paternity test which would have excluded him as the alleged father. Plaintiff’s reliance on Defendants’ representation was justified because there is no reason a layperson would have otherwise not relied on the statement made by an officer of a publicly traded corporation such as LabCorp.

203. As a proximate result thereof, Plaintiff has been damaged in an amount to be proven at trial but not less than the jurisdictional limit of this court.

The aforementioned conduct was an intentional misrepresentation, deceit and/or concealment of material facts known to Defendants, with the intention on the part of Defendants of thereby depriving Plaintiff of property, legal rights or otherwise causing injury and was despicable conduct that subjected to cruel and unjust hardship and conscious disregard of Plaintiff's rights, so as to justify an award of exemplary and punitive damages.

COUNT TWO

(Fraudulent Concealment as Against Defendants Maha and LabCorp)

204. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

205. Plaintiff is informed and believes and thereon alleges that Defendant, Maha and, Dr. Gary Stuhlmiller who concealed certain information, are the authorized agents of Defendant LabCorp and at the time of making the representations herein alleged and at all times herein mentioned, were acting within the course and scope of his agency and authority for LabCorp. The court appointed LabCorp and Maha as Plaintiff's genetic experts in his underlying case. Therefore, LabCorp and Maha had a duty to Plaintiff to provide genetic testing services in compliance with Section 7551-7555 and disclose the truth concerning 2-person "motherless" testing.

Maha on behalf of LabCorp, deliberately concealed the true facts regarding motherless testing and deliberately concealed the true facts known to them or failed to make any reasonable

investigation to determine the true facts from which representations were made as to motherless testing to determine whether they were true or false, and without having any sufficient basis on which to make any representations, knowingly made false representations, concealing the defectiveness of 2-person motherless testing as set forth in this complaint.

206. Not only did Defendants conceal information from Plaintiff, they intentionally switched Plaintiff's paternity test with a meaningless test including a fictitious linked-loci analysis. Defendant's agents concealed the facts when they each knew the true and correct facts regarding motherless testing. The concealment of the true facts from Plaintiff was done with the intent to induce Plaintiff to submit to motherless testing and continue their profitable enterprise of marketing non-scientific and non-complaint genetic tests to the courts.

207. That had Plaintiff known that motherless testing was not a scientific genetic test or an actual paternity test, he would not have submitted to a motherless test and instead requested a trio paternity test.

208. Defendants' concealment of information and act of intentionally switching Plaintiff's paternity test with a meaningless test, harmed Plaintiff. The aforementioned conduct was deceitful and/or a concealment of material facts known to Defendants, with the intention on the part of Defendants of thereby depriving Plaintiff of property, legal rights or otherwise causing injury and was despicable conduct that subjected to cruel and unjust hardship and conscious disregard of Plaintiff's rights, so as to justify an award of exemplary and punitive damages.

COUNT THREE

(Negligence Per Se as Against Defendants Maha and LabCorp)

209. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

210. LabCorp and Maha were negligent and negligence per se in the performance of their duties as experts on behalf of Plaintiff in the underlying case. Defendants violated genetic testing standards under Section 7551-7555 of the Family Law Code, prohibiting 2 person paternity testing.

211. Plaintiff is a member of the class of persons the statutes and regulations were designed to protect, that is, alleged fathers. In other respects, Defendants were also negligent because they owed a duty to Plaintiff to perform accurate genetic testing that included performing 20 subtests, identifying 20 paternal matches between alleged father and child, performing a scientific and biological genetic test, and proper linked loci analysis.

Defendants breached their duty to Plaintiff because they switched Plaintiff's paternity test with a motherless kinship test that is unable to determine paternity between Plaintiff and Little Doe in Plaintiffs underlying case. As a direct and proximate result of the negligence and negligence per se of Defendants, Plaintiff sustained damages. All damages suffered by Plaintiff were incurred as a result of the negligence or negligence per se, carelessness, and/or recklessness of Defendants.

COUNT FOUR

Violation of California Consumer Legal Remedies Act (Cal. Bus. & Prof. Code, § 1770) as Against Defendants Maha and LabCorp)

212. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

213. Defendant LabCorp was engaged in the business of marketing and selling paternity testing across the State of California, including to the San Diego Superior Court. On or about March of 2017, Plaintiff agreed to submit to what he believed to be a statutory and scientific paternity test. LabCorp violated Section 1770 of the Act by, among other things, representing that Plaintiff's motherless test was a scientific and statutory paternity test.

214. More than 30 days before filing this suit, Plaintiff notified LabCorp of its deceptive business practice and demanded that LabCorp rectify the deception. LabCorp refuses and still refuses to rectify the deceptive business practices by continuing to market motherless testing as scientific paternity testing. As a proximate result of LabCorp's deceptive business practice, Plaintiff suffered injuries including but not limited to actual damages in the amount of \$2,000,000.

215. As a result of LabCorp's deceptive business practice, Plaintiff is entitled to bring this suit to recover actual damages, court costs as a prevailing Plaintiff pursuant to Civil Code, Section 1780.

COUNT FIVE

Violation of California False Advertising Law (Cal. Bus. & Prof. Code, § 17500 et seq.) as Against Defendants Maha and LabCorp)

216. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

217. Section 17500 makes it unlawful:

“For any person,... corporation... or any employee thereof with intent directly or indirectly to dispose of real or personal property or to perform services... or to induce the public to enter into any obligation relating thereto, to make or disseminate... before public in this state,... in any newspaper or other publication... or in any other manner or means whatever... any statement, concerning that real or personal property or those services... which is untrue or misleading, and which is known, or which by exercise of reasonable care, should be known, to be untrue or misleading....” (§ 17500)

218. Beginning on or about a date unknown to Plaintiff, and continuing to the date of this complaint, Defendants have conducted a campaign of advertising to the public. This advertising consists of false statements made on LabCorp’s website, SEC filings and representations to alleged fathers and the court regarding the validity of its motherless testing for purposes of determining paternity. This marketing and advertising were and are disseminated to the public across the state of California.

219. Defendants have made and disseminated this advertising with the intent directly or indirectly to induce courts, private parties (such as Plaintiff), and other members of the public to purchase or submit to motherless testing for the purposes of determining paternity. Defendants' advertising was untrue or misleading, and likely to deceive the public, as follows: (1) LabCorp's motherless testing is not scientific and not an actual paternity test, (2) LabCorp's motherless testing does not actually determine CPI or PoP, (3) LabCorp's motherless testing does not perform 20 subtests, (4) Labcorp's motherless test is not biological evidence, it is social science based.

220. In making and disseminating the above statements, Defendants knew, or by the exercise of reasonable care should have known, that these statements were untrue or misleading. Plaintiff is informed and believes, and on the basis of that information and belief alleges, that, unless enjoined by this court, Defendants will continue to engage in the untrue and misleading advertising alleged above.

221. As a direct and proximate result of the advertising described above, Defendants have received from Plaintiff, and continue to hold, an amount to be determined at trial. Plaintiff is informed and believes, and on the basis of that information and belief alleges, that as a further direct and proximate result of the advertising described above, Defendants have received from members of the general public, and continue to hold, money acquired from the general public by Defendants as a result of marketing and selling unscientific kinship tests sold as scientific paternity tests.

COUNT SIX

Violation of the California Unfair Competition Law (Bus. & Prof. Code, § 17200) as Against Defendants Maha and LabCorp)

222. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

223. Commencing on a date unknown to Plaintiff, Defendants have committed the following acts of unfair competition, as defined by Business and Professions Code section 17200, by engaging in deceptive, untrue, or misleading advertising of its motherless testing as scientific paternity tests.

224. The acts described above were and are likely to mislead the general public and therefore constitute fraudulent or misleading acts within the meaning of Business and Professions Code section 17200. The fraudulent business and misleading practices of Defendants are likely to continue and therefore will continue to mislead the public by inducing alleged fathers like Plaintiffs to submit to unscientific paternity testing and presents a continuing threat to the public.

225. As a direct and proximate result of Defendants' conduct, Defendants have received and continue to receive profits generated by sales that rightfully belong to members of the general public who have been adversely affected by Defendants' conduct, as well as to Plaintiff by virtue of Plaintiff's monetary damages exceeding \$2,000,000.

COUNT SEVEN

Violation of Fam Code 7551

(Against Defendants LabCorp and Maha)

226. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

227. Defendants violate statutes 7551 vis-a-vis Defendants' "maternal DNA removal scheme" which nullifies the governing statutes²⁵ rendering them inoperable. In Defendants' scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting it into a 2-person fictitious "test"**²⁶ causing material damages to Plaintiff in violation of Section 7551

228. First, Section 7551 expressly makes the AABB's acknowledgement of the test's *reliability* a *condition precedent*. AABB admits Defendants' "motherless 2-person test" is NOT reliable and will result in the "falsely accused" appearing to be guilty (when innocent).

229. Second, there is no statutory authority to conduct 2-person tests for "*evidence of paternity.*" The statute states the lab can test "*the mother, child, and alleged father,*" not simply "alleged father and child," for "*evidence of paternity.*"

²⁵ (And tests)

²⁶ In Steinmeyer v. LabCorp, Defendants removed the maternal DNA despite the fact that the mother (and maternal grandparents) were in the court-room and the mother was physically inside the lab.

230. Third, without maternal DNA, there is no “*evidence of paternity.*”

231. Fourth, the motherless 2-person “test” does not meet the statutory definition of a “genetic test,

COUNT EIGHT

Violation of Fam Code 7552

(Against Defendants LabCorp, and Maha)

232. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

233. Defendants violate statutes 7552 vis-a-vis Defendants’ “maternal DNA removal scheme” which nullifies the governing statute rendering them inoperable. In Defendants’ scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting it into a 2-person fictitious “test causing material damages** to Plaintiff in violation of Section 7552.

234. First, the “2 person test” does not meet the statutory definition of a “*genetic test.*”

235. Second, the purpose of 7552 is to allow other experts to evaluate the “*genetic test*” results. Without maternal DNA, there are no “*other experts, qualified as examiners of [DNA]*” who can

“perform independent tests” on “the results, which may be offered into evidence,” because there are no results (i.e., CPI or PoP).

236. Third, “the evidence” in a “paternity test” is “the paternal (obligate allele) matches.”

Without maternal DNA there can be no “paternal (obligate allele) matches,” and therefore no “paternity evidence.”

237. Fourth, “the results” in a paternity test are the “CPI and PoP.” Absent maternal DNA, neither CPI nor PoP can exist.

COUNT NINE

Violation of Fam Code 7552.5

(Against Defendants LabCorp and Maha)

238. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

239. Defendants violate statutes 7552.5 vis-a-vis Defendants’ “maternal DNA removal scheme” which nullifies the governing statute rendering them inoperable.

240. In Defendants' scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting it into a 2-person fictitious "test causing material damages to Plaintiff in violation of Section 7552.5**

241. First, section 7552.5 makes 4 references to a "*genetic test*" which this motherless 2-person test fails to meet the statute's definition.

242. Second, absent maternal DNA there can be no "*paternity index*" (nor *combined paternity index*) and a "paternity index of "100" is simply impossible.

243. Third, absent maternal DNA, there can be **neither** "analysis" of paternity, **nor** "evidence" of "paternity."

COUNT TEN

Violation of Fam Code 7554

(Against Defendants LabCorp and Maha)

244. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

245. Defendants violate Fam Code 7554 vis-a-vis Defendants' "maternal DNA removal scheme" which nullifies the governing statute, rendering them inoperable. In Defendants' scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting**

it into a 2-person fictitious “test²⁷ causing material damages to Plaintiff in violation of Section 7554.

246. First if no maternal DNA, there can be **neither** “*evidence of paternity,*” **nor** “*probability of the alleged father ’s paternity*”

247. Second , “*Probability of the alleged father ’s paternity*”, means “*Probability of paternity*” (PoP). Absent maternal DNA, there can be no “PoP.”

248. Third, Probability of paternity (PoP) equals “99.99%” (PoP).

A 99.99% PoP requires a **minimum** corresponding CPI of “10,000.”

The formula for PoP is $CPI/CPI + 1$. Only at the threshold of CPI at or above 10,000, does the number equate to 99.99%.

No CPI can exist absent maternal DNA, not 1, and certainly not “10,000.”

COUNT ELEVEN

Violation of Fam Code 7555

(Against Defendants LabCorp and Maha)

²⁷ In Steinmeyer v. LabCorp, Defendants removed the maternal DNA despite the fact that the mother (and maternal grandparents) were in the court-room and the mother was physically inside the lab.

249. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

250. Defendants violate Fam Code Section 7555 vis-a-vis Defendants' "maternal DNA removal scheme" which nullifies the governing statute rendering them inoperable. In Defendants' scheme, Defendants removed the maternal DNA from **the 3-person paternity test, thereby converting it into a 2-person fictitious "test" causing material damages** to Plaintiff in violation of Section 7555.

251. First, without maternal DNA, no "*paternity index*" (nor *combined paternity index*) can be computed, no expert can calculate a "*paternity index*" at "100" or any number.

252. Second, without maternal DNA, there is no "*relative strength*" [*i.e., no CPI*] "*of the test results, for or against paternity.*"

253. Third, International Conference on Parentage Testing at Airlie House, Virginia, May 1982, sponsored by the American Association of Blood Banks, methodologies and mathematical paternity formulas are all maternal DNA dependent. Absent maternal DNA the "Airlee" formulas are meaningless.

COUNT TWELVE

Battery

(Against Defendant LabCorp and Maha)

254. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

255. That Defendants caused Plaintiff to be touched with the intent to harm or offend him. That Plaintiff did not consent to the touching. Defendant LabCorp touched plaintiff for purposes of pretending to conduct a paternity test, but in truth only a meaningless test was intended and effectuated. Plaintiff consented to a paternity test, not a meaningless test.

256. That Plaintiff was harmed by Defendant's conduct which includes Defendants secretly switched Plaintiffs "*paternity test*" and replaced it with a *meaningless test* with intent to sell meaningless "evidence" resulting therefrom to the courts and obtain ill gotten reimbursement from Plaintiff and the Federal government. Defendants removed the maternal DNA from Plaintiffs "**paternity test, thereby converting it to a 2-person meaningless "test"**"²⁸ causing **material** damages to Plaintiff.

That by removing the maternal DNA from Plaintiff's paternity test, the evidence "**against** paternity" is switched to "**for paternity.**" That a reasonable person in Plaintiff's situation would have been offended by the conduct.

COUNT THIRTEEN

Third Party Contract

(Against Defendant LabCorp)

²⁸ In Steinmeyer v. LabCorp, Defendants removed the maternal DNA despite the fact that the mother (and maternal grandparents) were in the court-room and the mother was physically inside the lab.

257. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

258. That Defendant LabCorp breached its contract with the County of San Diego by effectuating non-statutory tests on Plaintiff. That Plaintiff would in fact benefit from the Paternity testing contract between the Defendants County of San Diego and LabCorp.

259. A motivating purpose of the County of San Diego and LabCorp contracting parties were to provide a benefit to the Plaintiff, and if not excluded from paternity, charge the Plaintiff for a paternity test.

260. That permitting Plaintiff to bring his own breach of contract action against Defendant LabCorp is consistent with the objectives of the contract and the reasonable expectations of the contracting parties.

COUNT FOURTEEN

(Negligent Manufacture)

(Against Defendants LabCorp)

261. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

262. Defendants were the designers of the 2-person test and were negligent by failing to use the amount of care in designing the 2-person test. That a reasonably careful designer would use in similar circumstances to avoid exposing others to a foreseeable risk of harm.

263. Defendants should have known about the likelihood and severity of potential harm from the product against the burden of taking safety measures to reduce or avoid the harm.

COUNT FIFTEEN

(Conversion)

(Against Defendants LabCorp and Maha)

264. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

265. That Plaintiff possessed and had a right to possess his financial assets including cash. That Defendants substantially interfered with Plaintiff's property by knowingly or intentionally causing the taking possession of Plaintiff's cash refusing to return the after Plaintiff demanded its return. That Plaintiff did not consent; That Plaintiff was harmed; and That Defendants conduct was a substantial factor in causing Plaintiff's harm.

COUNT SIXTEEN

(False imprisonment)

(Against Defendants , Labcorp, Maha)

266. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

267. That Defendants intentionally deprived Plaintiff of his freedom of movement by use of threats of force, menace, fraud, deceit, unreasonable duress; and That the meaningless, albeit positive “test”, caused plaintiff to be restrained, confinement and detained in meaningless proceedings, meeting throughout 2017 and 2018 and continued intermittently through 2022.

268. That Plaintiff was even forced into meetings to discuss someone else’s child. That Plaintiff did not knowingly or voluntarily consent and Plaintiff attended these matters by force menace, fraud, deceit, unreasonable duress; That Plaintiff was actually harmed; and That Defendants conduct was a substantial factor in causing Plaintiff’s harm.

269. That in addition to recovery for emotional suffering and humiliation, Plaintiff was subjected to false imprisonment, Plaintiff is also entitled to compensation for other resultant harm, such as loss of time, physical discomfort or inconvenience, any resulting physical illness or injury to health, business interruption, and damage to reputation, as well as punitive damages. .

COUNT SEVENTEEN

(Strict liability)

(Against Defendant LabCorp)

270. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

271. Plaintiff was harmed by the 2-person test designed, distributed and sold by Defendants Labcorp's 2-person test contains manufacturing defects when the product departs from its intended design even though all possible care was exercised in the preparation and marketing of the product;

272. That is defectives in design and foreseeable risks of harm posed by the 2-person test could have been reduced or avoided by the adoption of a reasonable alternative design by the seller or other distributor, and the omission of the alternative design renders the product not reasonably safe;

273. The 2-person test is defective because of inadequate instructions or warnings when the foreseeable risks of harm posed by the product could have been reduced or avoided by the provision of reasonable instructions or warnings by the Defendants, and the omission of the instructions or warnings renders the 2-person test product not reasonably safe.

COUNT EIGHTEEN

Sherman Act (Section 2)

(Monopolization injury) (Against Defendant LabCorp)

274. Plaintiff hereby restates and incorporates by reference the preceding paragraphs as though set forth in full herein.

275. Defendants acquired most of the “commercial” paternity testing industry via the acquisition of Orchid Labs and its contracts in 2011. After acquiring Orchid’s paternity testing contracts whereby Defendants agreed to conduct “paternity testing” Defendants secretly switched the “paternity test” and replaced it with a meaningless test and began selling meaningless “evidence” resulting therefrom to both governments and consumers. To hide the charade from regulators, Defendants acquired control of the regulator, the Defendant Maha was installed by Defendant LabCorp as the “regulator.”

276. That Defendant LabCorp pays (bribes) Maha to violate the very regulations Maha claims to uphold in order for LabCorp to pretend to sell paternity tests but deliver meaningless tests.

277. That Defendant Labcorp is bribing its regulator (Defendant Maha) to allow it to commit fraud to exclude competing labs from the commercial paternity market whilst weidling monopoly power in order to preserve the same.

278. That Defendants conduct has or is likely to have the effect of controlling prices or excluding competition, thus creating or maintaining market power. That Defendants conduct has no

legitimate business purpose and has destroyed the commercial paternity testing market and caused injury to Plaintiff.

42 U.S. Code § 1983

Fifth Amendment

Fourteenth Amendment.

Against Defendant Rob Bonta in his official capacity as Attorney General for the State of
California)

279. Plaintiff brings this suit pursuant to Title 42 U.S. Code § 1983 for violations of certain protections guaranteed to him by the Fifth, and Fourteenth Amendments of the federal Constitution, by the defendant under color of law in Defendant Bonta's capacity as California State of California Attorney General

42 U.S. Code § 1983:

280. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

281. Defendant Rob Bonta is a the State of California Attorney General, and oversees the garnishment of Plaintiffs accounts using non-statutory test and non statutory procedure to result in significant takings on Plaintiff.

282. Accordingly, Issue injunctive relief commanding Defendant Bonta either garnish Plaintiffs accounts with a statutory paternity test, or stop garnishment.

42 U.S. Code § 1983

Fifth Amendment

Fourteenth Amendment.

Against Defendant Honorable Gary Bubis

283. Plaintiff brings this suit pursuant to Title 42 U.S. Code § 1983 for violations of certain protections guaranteed to him by the Fifth, and Fourteenth Amendments of the federal Constitution, by the defendant under color of law in Defendant Bubis' capacity as a judge in the Superior Court of San Diego .

42 U.S. Code § 1983:

284. Every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory, subjects, or causes to be subjected, any citizen of the United States or other person within the jurisdiction thereof to the deprivation of any rights, privileges, or

immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress.

285. Defendant Gary Bubis is a Judge presiding at San Diego County Superior Court and caused non-statutory paternity test non statutory procedure to result in significant takings on Plaintiff. Said takings repeat bi-weekly.

286. Accordingly, Plaintiff requests the Court issue injunctive relief commanding Defendant to Honorable Judge Bubis order Defendant LabCorp and Maha to either complete statutory paternity test or, withdraw the order.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

- A. Requiring Defendants to pay damages sustained by Plaintiff by reason of the acts alleged herein in an amount to determined at trial but no less than \$2,000,000;
- B. Awarding Plaintiff prejudgment and post-judgment interest, as well as reasonable expert fees, and other costs;
- C. Awarding Plaintiff punitive damages;
- D. An order for Preliminary Injunctive Relief including commanding Defendant to

Honorable Judge Bubis order Defendant LabCorp and Maha to either complete statutory paternity test or withdraw the order.

E, An order for Preliminary Injunctive Relief injunctive relief commanding Defendant to Honorable Judge Bubis order Defendant LabCorp and Maha to either complete statutory paternity test or, withdraw the order.

F. Awarding such other and further relief (including equitable relief) as this Court may deem just and proper.

DEMAND FOR TRIAL BY JURY

Plaintiff hereby demands a trial by jury.

Respectfully Submitted,

Dated: November 7, 2022

Plaintiff, in pro per

By: /s/ Randall H. Steinmeyer

Randall Henri Steinmeyer