

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

KATHLEEN MOLLER

* **CIVIL ACTION NO. 24-0228-WBV-DPC**

VERSUS

*** JUDGE WENDY B. VITTER**

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MARTIAN SALES, INC; JOPEN, LLC, a Texas limited liability company; JOHNSON FOODS, LLC, a Wyoming limited liability company; LP IND., LLC, a Wyoming limited liability company; CAG HOLDINGS, LLC, a Wyoming limited liability company; RMH HOLDINGS, INC., a Wyoming corporation; ABC INSURANCE COMPANY and John Does 1-4.

* MAGISTRATE DONNA PHILLIPS
* CURRAULT

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**PLAINTIFF’S MOTION FOR PARTIAL SUMMARY JUDGMENT – DETERMINATION
OF PIERCING THE VEIL, SINGLE BUSINESS ENTERPRISE, AND ALTER EGO FOR
JURISDICTIONAL PURPOSES**

Pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, Plaintiff Kathleen Moller moves for partial summary judgment for a determination that Defendants Martian Sales, Inc. (Martian Sales), JOPEN, LLC (JOpen), Johnson Foods, LLC (Johnson Foods), NUZA, LLC (Nuza), Calibre Manufacturing, LLC (Calibre), LP IND., LLC (LP), CAG Holdings, LLC (CAG), RMH Holdings, LLC (RMH), FMK Group, Inc. (FMK), PNW Holdings, LLC (PNW), CC US Holdings, LLC (CC US), constitute a single business enterprise or otherwise are subject to veil piercing, and that Peyton Palaio (Mr. Palaio), Mark Jennings (Mr. Jennings), Eyal David Gabbay (Mr. Gabbay) and Mark Daniel James Reilly (Mr. Reilly) are the alter egos of the aforementioned entities for jurisdictional purposes only.

As further explained in Plaintiff's supporting memorandum, statement of material facts, the Declaration of Kathy Leodler, and exhibits thereto, filed herewith, there is no genuine issue of material fact that Martian, JOpen, Johnson Foods, Nuza, Calibre, LP, CAG, RMH, FMK, PNW, and CC US constitute a single business enterprise, joint adventure, or are otherwise subject to veil piercing, and that Mr. Palaio, Mr. Jennings, Mr. Gabbay, and Mr. Reilly are the alter egos of the aforementioned entities for jurisdictional purposes.

Plaintiff is therefore entitled to findings that Defendants are a single business enterprise or joint adventure, their veil has been pierced, and the individuals are the alter egos of the named corporate entities for jurisdictional purposes.

Respectfully submitted,

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