

\$118 Million Lottery Win Brings Office Pool Lawsuit (Interesting Legal News)

Written by Lucky
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In Chicago, three bakery workers claim they're owed dough--their fair share of \$118 million in winnings from the Illinois State Lottery. They say they were part of a betting pool at the Pita Pan Old World Bakery in Chicago Heights that won the windfall in a May 4 drawing.

From ABCnews.com:

"What happened was this," says attorney Michael LaMonica of Fisher & LaMonica, the law firm representing Jose Franco and Marco Medina, two of the three claimants. "This group had been running a pool since 2011. Normally, they collected money for the pool on Mondays and Thursdays." His clients, he says, contributed to the pool for a May 1 drawing.

The group's ticket won \$9, and the modest winnings were re-invested in the drawing for May 4. "The collector came around again," says LaMonica. "But because some auditing was going on at the bakery, he switched the day of his collection to a Wednesday. For whatever reason, he didn't ask my clients for any additional money."

The ticket that the contributors bought won \$118 million on May 4.

Now Franco and Medina say their co-workers are refusing to give them their fair share. Why do they feel they deserve part of the windfall? They paid into the ticket that won \$9. And, since the \$9 went into the purchase of the next ticket, they had an ownership stake in the \$118 million winner.

The pool, they contend, had a standing agreement to divide its winnings equally. They say that if they'd been asked to contribute their customary share for the purchase of the winning ticket, they would have. Only nobody asked them for their money.

A third claimant, J. Santos Bello, is represented by Chicago attorney Steven J. Seidman. A colleague of Seidman's told ABC News that Bello did not want to discuss the suit and had instructed his lawyers not to comment. His complaint, however, tells virtually the same story as the one filed by Franco and Medina. The defendants--including Mario Juarez, who allegedly served as the collector of the group's money, and Tony Koumalis and Doug Lein, who allegedly were the pool's organizers--do not yet have legal representation and have not filed a response to their co-workers' complaints. Efforts by ABC New to contact them for their comment were not successful.

The law, says LaMonica, views betting pools as joint ventures: "It's one-for-all and all-for-one.

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Everybody gets an equal share. There's no way of knowing which dollar won." Courts in New Jersey and Ohio, he says, when presented with similar disputes, have elected to give equal shares to each participant.

A spokesman for the Illinois Lottery, Mike Lang, says the winners have not yet come forward with their winning ticket, nor has the Lottery disbursed any of \$118 million. Where there's a dispute over who's owed what, he says, the lottery's policy is to wait until the dispute has been resolved to make a payout. "It generally ends up in court," he says. "When they'll get paid depends on how quickly the courts can dispose of it. It could take months."

What happens next? "There's a chance there will be some talks," says LaMonica. "Otherwise, it will go to court."

Source: <http://abcnews.go.com/Business/lottery-win-brings-office-pool-lawsuit/story?id=16397871#.T7xIUcVjXBU>