

IN THE CIRCUIT COURT OF MINERAL COUNTY, WEST VIRGINIA

AMERICAN LEGION DEPARTMENT
MARYLAND, INC., VICTORY POST 155,

Plaintiff,

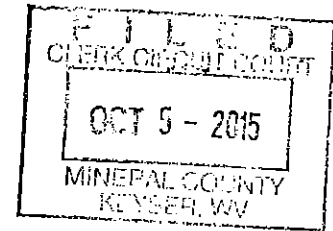
vs.

Civil Action No. 15C90

FIRST UNITED BANK & TRUST,
a foreign banking corporation,

Defendant.

COMPLAINT



1. The Plaintiff, American Legion Department Maryland, Inc., Victory Post 155, (hereinafter referred to as Legion), is an incorporated group of veterans with a post in the State of Maryland.

2. The Defendant, First United Bank & Trust, (hereinafter referred to as Bank), is a foreign banking corporation with a branch bank in the city of Piedmont, Mineral County, State of West Virginia.

3. Legion alleges and states that on or about November 1, 2012, the Defendant had a branch bank in Piedmont, Mineral County, West Virginia,

4. Legion further alleges that on or about the aforesaid that the Defendant, by and through its agent and employee, Karen Kelly, working within the scope of her employment, and with the full knowledge of her employer did deceptively, willfully, negligently and intentionally open an account for Roger Lough, Account Number 420734409.

EXHIBIT

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5. Legion further alleges and states that Bank, through its aforesaid agent and employee operating with the scope of her employment, with the full knowledge of her employer, did deceptively, negligently, intentionally and willfully allow deposits into the aforesaid account of Roger Lough, checks and drafts made payable to Legion.

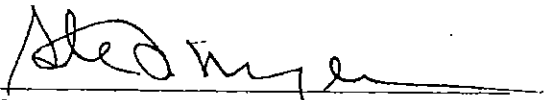
6. Legion further alleges and states that as a direct and proximate result of the Bank and its agents and employees, deceptively, negligently, intentionally and willfully allowing deposits and drafts payable to the Legion to be deposited into the aforesaid private account of Roger Lough. Roger Lough was enabled to convert all or part of said funds to his own use or purposes.

7. Legion further alleges and states that the aforesaid acts of the Bank and its agents and employees were without any commercial justification under W. Va. Code §46, Uniform Commercial Code, that the acts were in violation of the W. Va. Code §46A-1-102, West Virginia Consumer Credit and Protection Action, that the acts were negligent, willful, intentional, deceptive and continuous from the initial opening of the aforesaid account in November 2012, through the depletion of the account in November 2014.

WHEREFORE, Legion, requests that it be awarded damages including punitive damages for loss of use of its funds, reimbursement of attorney fees and costs and such other as the law may allow.

Plaintiff demands a trial by jury.

AMERICAN LEGION DEPARTMENT
MARYLAND, INC., VICTORY POST 155
By Counsel



STEPHEN P. MEYER (WVSB 2541)
Meyer, Ford, Glasser & Radman, PLLC
120 Capitol Street
Charleston, WV 25301
304-345-3900
304-345-3935 Fax