

Lawsuit Alleges That Notorious Former Atlanta Braves Pitcher and ‘Survivor’ Contestant John Rocker Lied and Defrauded the U.S. Department of Housing and Urban Development (HUD) and Wells Fargo Bank in a Brazen Scheme to Obtain a \$20 Million Dollar Loan

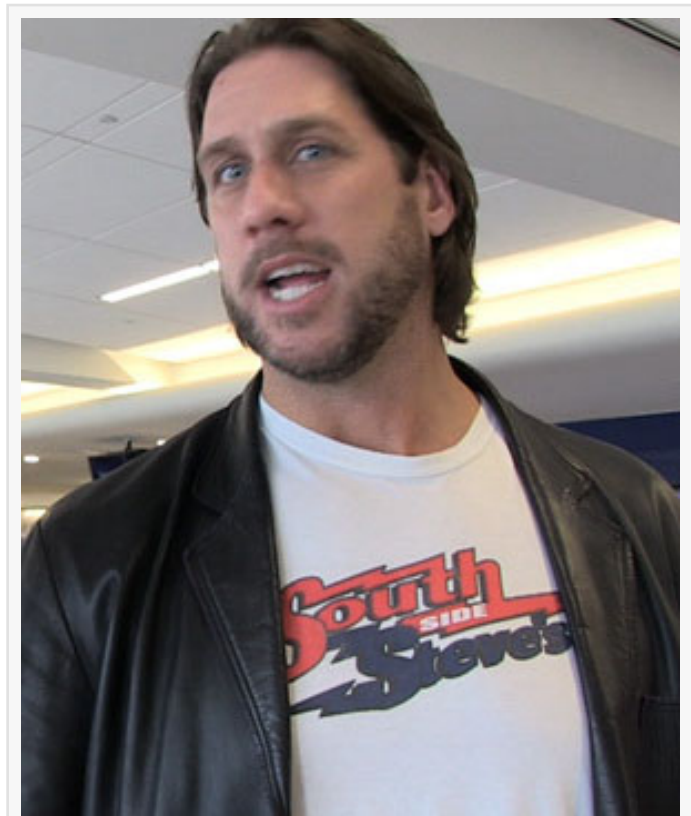
Property involves John Rocker, former MLB pitcher; Doug Johnson, former NFL QB; Keith Bookings, former NFL linebacker; & Carson Palmer, NFL QB for the Cardinals

ATLANTA, GA, USA, February 12, 2016 /EINPresswire.com/ -- This lawsuit alleges that notorious former Atlanta Braves pitcher and ‘Survivor’ contestant John Rocker lied and defrauded the U.S. Department of Housing and Urban Development (HUD) and Wells Fargo Bank in a Brazen scheme to obtain a \$20 million Dollar loan for a real estate project.

The property involves John Rocker, former MLB pitcher; Doug Johnson, former NFL quarterback; Keith Bookings, former NFL linebacker; and Carson Palmer, current NFL quarterback for the Arizona Cardinals.

CASE OVERVIEW:

John Rocker is the former Atlanta Braves pitcher and contestant on the reality show ‘Survivor,’ widely



known for the controversial comments he made in a 1999 Sports Illustrated interview. Now, Rocker is involved in another controversy involving a \$22 million loan. Rocker’s group Spring Creek Apartments, LLC (“SCA”) attempted to secure a \$22 million loan for the construction of a 254 residential apartments located at 800 Spring Creek Boulevard, Crestview, Florida 32536 (the “Property”). The Federal Housing Administration (“FHA”) Lending Division of Wells Fargo agreed to provide SCA with the financing only if Rocker dissociated himself from SCA due to his derogatory credit and financial status. Despite documentation and representations made by Rocker that Rocker dissociated himself from SCA and sold his 21.25 percent ownership interest in SCA to Brian Willis, who subsequently filed for bankruptcy, Rocker has astoundingly and recently revealed that he secretly concealed and maintained an ownership interest in SCA using Willis to secretly hold Rocker’s

interest.

Rocker has revealed his purported secret interest in SCA because a bankruptcy trustee in the case of In Re: Brian Lee Willis, Case No. 11-51759-JRS, currently pending in the United States Bankruptcy Court-Northern District of Georgia, Atlanta Division, sold Willis' entire interest in SCA to the highest bidder at a sale. Partnership Liquidity Investors, LLC ("PLI"), a company based out of Huntington Beach, California, was the winning bidder at the sale and purchased Willis' entire interest in SCA.

Rocker claims he assigned his interest in SCA to Elite Investors, LLC ("Elite"), a company that Rocker is an owner of. As part of an attack on the sale of Rocker's secret interest in SCA to PLI, Elite, on November 12, 2015, made the shocking admissions in a lawsuit it filed against the bankruptcy trustee and PLI.

Elite's Complaint in the lawsuit alleges that Rocker and Brian Willis were managing members of SCA between 2007 and 2009, but that the FHA Lending Division of Wells Fargo would not provide SCA with a \$22,037,000.00 HUD-sponsored construction loan unless Rocker dissociated from SCA, including resigning as managing partner and withdrawing as a partner. (See Paragraph 66-22, Complaint, Exhibit B, Pages 26 and 55.) Elite's Complaint further alleges that on September 17, 2009, SCA's partners amended the operating agreement to reflect Rocker's disassociation from SCA and that after seeing such amendment and relying on Rocker's representations of resignations and withdrawal, Wells Fargo approved the loan and the Property was constructed. (Complaint, Exhibit B, Page 56-57.) Incredibly, however, Elite alleges that just 10 days before amending SCA's operating agreement, Rocker and Brian Willis entered into a secret agreement whereby Rocker transferred 21.25% of his interest in SCA to Willis to secretly hold for Rocker's benefit and that Rocker remained as an owner despite the representations and documentation stating otherwise. (Complaint, Exhibit A, Pages 1-2.) Amazingly, Elite's Complaint alleges that because Rocker is the secret owner of 21.25% of SCA, PLI only purchased a 20% interest in SCA at the auction.

Elite's Complaint further asserts that some of the partners in the Property are other famous athletes, such as Arizona Cardinals' quarterback, Carson Palmer; former Falcons/Cowboys linebacker Keith Brookings; and former Falcons quarterback, Doug Johnson. In fact, Elite claims that Carson Palmer, through his family trust, purchased a 5% interest in SCA in July 2010 and continues to be an owner in SCA. (See Complaint, Exhibit B, Pages 77-83.)

On December 22, 2015, PLI counter-sued Elite, Rocker, and Willis whereby PLI alleges that Rocker and Willis' "illegal and concealed transfer agreement and related agreements pertaining to SCA intended to serve the illegal purpose of fraudulently circumventing required loan conditions and other laws. (Counter-Claim, Page 11.) PLI's Counter-Claim alleges that "Rocker conceals and fraudulently represents that he didn't own any interest in SCA in 2009 and subsequent years even though he and [Elite], as the purported assignee, now unlawfully claim Mr. Rocker was an owner." (Counter-Claim, Pg. 12.) PLI's Counter-Claim further alleges that "after years of representing to the government, members of SCA, lenders, and other that Mr. Rocker was not a member of SCA after 2009, SCA's tax returns were improperly and suspiciously amended as an apparent attempt to further Mr. Rocker's, Mr. Willis' and [Elite's] illegal conspiracy." [Counter-Claim, Pg. 13.) The Counter-Claim also alleges that PLI is an owner of a 40% interest in SCA and that Rocker/Elite do not own any interest in SCA, and that Rocker's assignment of Rocker's purported interest in SCA is invalid and that Rocker/Elite should not be rewarded for Rocker's wrongful acts of deception.

On January 12, 2016, Elite answered PLI's counter-suit whereby Elite denied liability. The parties have been ordered by the Court to file a joint status report. The parties expect a trial date to be scheduled in the future. Elite is represented by Ward Stone of Stone & Baxter, LLP, Fickling & Co. located in Macon, Georgia. PLI is represented by Ryan L. Isenberg of Isenberg & Hewitt, P.C in

Atlanta, Georgia.

NOTE: Additional supporting information, exhibits, and documentation will be provided upon request. In addition, phone interviews with the lead counsel suing John Rocker and Elite can be arranged upon request.

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