

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

	)	
	)	
ADDICTION & DETOXIFICATION	)	
INSTITUTE, LLC, a New Jersey Limited	)	Civil Action No. 13-9271
Liability Corporation	)	
	)	
Plaintiff,	)	
v.	)	
	)	
PETER COLEMAN, an individual,	)	
THE COLEMAN INSTITUTE, LLC, a	)	
Virginia Limited Liability Company, and	)	
BEHAVIORAL HEALTH CARE	)	
ASSOCIATES, LTD., an Illinois	)	
Corporation,	)	
	)	
Defendants.	)	

**FIRST COMPLAINT**

Plaintiff, Addiction & Detoxification Institute LLC (“ADI”) for its Complaint for Patent Infringement against Defendants Peter Coleman (“Coleman”), The Coleman Institute, LLC (“Institute”) and Behavioral Health Care Associates, LTD., (“Behavioral”) (collectively, hereafter “Defendants”), alleges as follows:

**PARTIES**

1. Plaintiff ADI is a New Jersey corporation having an address located at One South Center Street, Suite 202, Merchantville, New Jersey.

2. On information and belief, Defendant Coleman, an individual, owns and operates Defendants “Institute” having an address located at 204 N. Hamilton Street, Suite B, Richmond, Virginia 23221.

3. On information and belief, Defendants Institute is a Virginia Limited Liability Corporation having an address located at 204 N. Hamilton Street, Suite B, Richmond, Virginia 23221.

4. On information and belief, Defendant Coleman is the National Director of Defendant Behavioral having an address located at 1375 E. Schaumburg Road, Suite 230, Schaumburg, Illinois 60194.

5. On information and belief Defendant Coleman and/or Institute also owns, operates, controls and/or work in concert with,

The Coleman Institute, having an address located at:  
15090 Imperial Hwy, La Mirada, California 90638;

Active Physical Medicine and Pain Center, PLLC, having an address located at:  
6007 US Route 60 East, Suite 304, Barboursville, West Virginia 25505-1045;

Emerald City Medical Arts, having an address located at:  
16 Roy Street, Seattle, Washington 68109;

Bay Center for Pain Management, having an address located at:  
101 Clearwater Largo Road North, Largo, Florida 33770-2357, and,

Central Texas Pain Center, having an address located at:  
4316 James Casey, Building B, Suite 200, Austin, Texas 78734.

6. On information and belief, Defendants are engaged in the operation, use, and offering for sale within the United States of opiate detoxification services and methods, including, but not limited to, anesthesia assisted opiate detoxification services and methods.

### **JURISDICTION AND VENUE**

7. This is an action for patent infringement arising under the patent laws of the United States, Title 35, United States Code.

8. This Court has subject matter jurisdiction to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d), and 1400(b).

9. On information and belief, Defendants are subject to personal jurisdiction in the Northern District of Illinois, Eastern Division the (“District”), consistent with the principles of due process, because Defendants maintain offices and facilities in this District, offer their products, services, and methods for sale, and do sell same, in this District, have transacted business in this District, have committed and/or contributed to and/or induced acts of patent infringement in this District.

10. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d), and 1400(b).

### **PATENT INFRINGEMENT COUNTS**

11. ADI is the owner of all right, title, and interest in U.S. Patent No. 5,789,411 the (“’411 patent”) (“ADI Patent”) which Defendants are infringing and/or are contributorially infringing and/or inducing others to infringe by using, offering to sell, and/or selling methods and services that practice one or more inventions claimed in the ADI Patent.

12. On information and belief, Defendants have practiced and are practicing the subject matter, including each and every element thereof, recited in at least method claim 1 of the ‘411 Patent, without authorization, by making, using, selling, and/or offering to sell said claimed method and/or otherwise treating patients thereby, and/or have contributed or induced others to make, use, sell and/or offering to sell said claimed method and/or otherwise treating patents thereby, and have continued to do so, and it is

believed that discovery shall uncover additional infringement(s) by said Defendants of additional claims of the '411 Patent.

13. Defendants have profited through infringement, direct and/or indirect, of the ADI Patent. As a result of Defendants' unlawful infringement of the ADI Patent, ADI has suffered and will continue to suffer damage. ADI is entitled to recover from Defendants the damages suffered by ADI as a result of Defendants' unlawful acts.

14. On information and belief, Defendants' infringement, direct and/or indirect, of one or more of the claims in the ADI Patent is willful and deliberate, entitling ADI to enhanced damages and reasonable attorney's fees and costs.

15. On information and belief, Defendants intent to continue their unlawful infringing activity, and ADI continues to and will continue to suffer irreparable harm, for which there is no adequate remedy at law, from such unlawful infringing activity unless Defendants are enjoined by this Court.

### **COUNT 1**

#### **INFRINGEMENT OF U.S. PATENT NO. 5,789,411**

16. ADI alleges and incorporates by reference the allegations set forth in paragraphs 1-15.

17. ADI is the owner of all right, title, and interest in the '411 Patent, entitled "Improvements to Rapid Opiate Detoxification", duly and properly issued by the U.S. Patent and Trademark Office on August 4, 1998. A copy of the '411 Patent is attached as Exhibit A.

18. Defendants have been and/or directly infringing and/or inducing infringement of and/or contributorially infringing the '411 Patent by, among other things, making, using, selling, offering to sell in the United States methods and services that are covered by at least one claim of the '411 Patent and/or contributing and/or inducing others to make, use, sell, or offering to sell in the United States methods and services that are covered by at least one claim of the '411 Patent.

**DEMAND FOR JURY TRIAL**

19. Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, ADI respectfully requests a trial by jury of all issues properly triable by jury.

**PRAYER FOR RELIEF**

WHEREFORE, ADI prays for relief as follows:

- A. For a judgment declaring that Defendants have infringed the ADI Patent;
- B. For a judgment awarding ADI compensatory damages as a result of Defendants' infringement of the ADI Patent and in no even less than a reasonable royalty;
- C. For a judgment declaring that Defendants' infringement of the ADI Patent has been willful and deliberate.
- D. For a judgment awarding ADI treble damages and pre-judgment interest under 35 U.S.C. §§ 284 as a result of Defendants' willful and deliberate infringement of the ADI Patent;
- E. For a judgment declaring that this case is exceptional and awarding ADI its expenses, costs, and attorneys' fees in accordance with 35 U.S.C. §§ 284 and 285 and Rule 54 of the Federal Rules of Civil Procedure;
- F. For a grant of a permanent injunction pursuant to 35 U.S.C. §§ 283, enjoining the Defendant from further acts of infringement; and
- G. For such other and further relief as the Court deems just and proper.

DATED THIS \_\_\_\_\_ DAY OF DECEMBER, 2013.

Respectfully submitted,

\_\_\_\_\_  
By: Thomas K. Mirabile  
Plaintiff's Attorney

Thomas K. Mirabile  
Mirabile Law Firm  
1751 South Naperville Road  
Suite 203  
Wheaton, Illinois 60187  
lawchicago@earthlink.net

**CERTIFICATE OF SERVICE**

I hereby certify that on December \_\_\_\_\_, 2013, pursuant to Federal Rules of Civil Procedure Rule 5 and the Northern District of Illinois' General Order on Electronic Case Filing, I caused the following documents:

FIRST COMPLAINT  
EXHIBIT A

to be filed electronically with the Clerk of the Court through ECF, and that ECF will send an e-notice of the electronic filing to the following;

Peter Coleman  
204 N. Hamilton Street  
Suite B  
Richmond, Virginia 23220

I hereby certify that on December , 2013, I provided service to the persons listed above by the following means:

Dated: December , 2013

Respectfully submitted,

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Thomas K. Mirabile  
Attorney for Plaintiff

**Thomas K. Mirabile**  
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Suite 203  
Wheaton, Illinois 60187  
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