The United States District Court District of Colorado 901 19th St, Denver, CO 80294 | (303) 844-3433 Plaintiff: Joshua Abrams v. Defendant(s): Division of Unemployment Insurance, et al	**FILED** **UNITED STATES DISTRICT COURT** **DENVER, COLORADO** ***8:37 am, Aug 29, 2025*** **JEFFREY P. COLWELL, CLERK** ▲COURT USE ONLY▲
Joshua Abrams, Pro Se | abramslive@gmail.com |720-910-4829 P.O. Box 761 Loveland CO 80539	Case Number: 1:24-cv-03390 Division: Courtroom
Plaintiff's Motion to Leave to Supplement Complaint	

Plaintiff respectfully moves under Federal Rule of Civil Procedure 15(d) for leave to file a supplemental pleading addressing newly documented evidence of fraudulent conduct and systemic ADA accessibility failures by the Colorado Department of Labor and Employment ("Defendant"). Plaintiff's co-filed supplemental submissions concerning the exclusion of out-of-state wages and the cancellation of Plaintiff's appeal further show need to leave.

1.The first supplemental issue concerns Defendant's coercion of claimants into use of the U.S. Bank "ReliaCard" prepaid debit product. Plaintiff was falsely informed that his personal bank account was "incompatible" with direct deposit and was compelled to enroll in ReliaCard in order to receive benefits. Subsequent deposits into that same bank account after ReliaCard enrollment had been forced prove that the representation was false when made. Publicly available fee schedules confirm that ReliaCard carries significant costs, including out-of-network ATM fees and inactivity fees, creating financial harm to claimants while generating private revenue. If discovery reveals revenue-sharing or incentive agreements between Defendant and U.S. Bank, such conduct would implicate 18 U.S.C. § 666 (bribery and theft concerning programs receiving federal funds) and the Anti-Kickback Statute, under 18 U.S.C. § 666, Even absent direct remuneration, steering claimants into a fee-laden financial product through misrepresentation constitutes fraud, violates the Colorado Consumer Protection Act and constitutes an unfair practice and unjust enrichment.

2.The second supplemental issue concerns ADA accessibility. Title II of the ADA prohibits public entities from using methods of administration that deny individuals with disabilities equal access to services and requires communications to be "as effective" as those with nondisabled individuals. Defendant operates almost exclusively through a single telephone system that imposes prolonged wait times, routinely issues false promises of callback, and provides no reliable electronic method to request or secure accommodations.

Critically, there is no publicly available policy, online guide, or electronic option explaining how to request ADA accommodations; the only method is to reach a live call center agent and request it orally. This system makes ADA rights contingent on claimants successfully navigating a telephone queue of tens of thousands with only sixty employees, rendering accommodations illusory and inaccessible in practice.

3.Plaintiff submits Exhibit A (audio recording of a March 2025 call) and Exhibit B (certified transcript of that call) both redacted to removed Plaintiff's Social Security Numbers demonstrating one such false promise of callback after a twenty-six-minute hold. No callback ever occurred, delaying benefits and denying equal program access. Defendant's failure to produce these call recordings or provide any ADA policy documents raises Rule 37(e) concerns regarding spoliation and concealment of electronically stored information. Plaintiff requests that the Court order production of all ReliaCard contractual agreements and all call recordings, call logs, and ADA accommodation policies, and enter a preservation order covering the same.

4.These supplemental allegations are targeted and probative. They show that Defendant's benefit delivery system is structured around fraud and deception in financial disbursement and denies individuals with disabilities any meaningful access to accommodations. They bear directly on the merits of Plaintiff's pending requests for emergency injunctive relief, establish ongoing irreparable harm, and weigh heavily in favor of judicial intervention. Because these allegations arise from the same unemployment claim already at issue, involve the same defendant, and concern ongoing agency conduct, supplementation will not cause prejudice or delay.

5.This evidence, when considered alongside Plaintiff's original claims, objection to dismissal, and pending requests for emergency injunctive relief, further demonstrates a systemic pattern of bad faith, obstruction, and unlawful conduct by Defendant. The record establishes that Defendant's actions were not isolated errors but part of a recurring scheme carried out with recklessness and disregard for legal obligations. These practices have caused and continue to cause foreseeable, compounding, and large-scale constitutional and financial harm both to Plaintiff individually and to claimants across the system.

Respectfully submitted,

Joshua Abrams

Date: 08-28-2025 | ❑Petitioner/Plaintiff

Joshua Abrams, Pro Se

CERTIFICATE OF SERVICE

I certify that on 08-28-2025 a true and accurate copy of the Defendant was served on the other party by: X_E-filed, lauren.davison@coag.gov & Stephen.woolsey@coag.gov