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Lawsuit Accuses Late St. Croix Businessman's Son and Daughter-in-Law of Draining Family Companies and Cutting Out Heir

Nicole Wotjas, daughter of the late Noel Loftus, alleges that her late brother Alexander Loftus and his wife Andrea took control of family businesses, misused company funds, concealed records, and excluded her from management after their father's death.

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Tropical Plumbing Supply Inc. on St. Croix. By. V.I. CONSORTIUM.

Was the daughter of a deceased St. Croix businessman being cheated out of her rightful inheritance by the fraudulent actions of her late brother and his wife? Those are the claims being made in a new civil lawsuit filed in Superior Court.

The complaint was submitted on behalf of Nicole Wotjas, daughter of the late Noel Loftus – founder of Floor Specialists Inc. and Tropical Supply Inc. She has accused her late brother Alexander Loftus and his wife Andrea of taking control of the family businesses, funneling company money toward their personal interests, and excluding Nicole from her role in company management.

After the passing of Noel Loftus in 2021, ownership of the businesses along with management duties were to be shared between Alexander and Nicole, the lawsuit claims. According to the complaint, Alexander and Nicole offered to visit St. Croix on a temporary basis to evaluate the operations of the businesses in preparation for a potential sale of the companies.

Rather than a quick trip, the couple are alleged to have settled in the late businessman's home for a lengthy stay, spending "more than two and a half years rent-free, without any lease or board approval." In that timeframe, Alexander and Andrea "took full control of the businesses, bank accounts, and internal records, while excluding Nicole from any meaningful oversight," the complaint alleges.

The aggrieved sister claims that the scheme to cut her out of the shared management and control of the family businesses began in 2018. When they gained control over company assets and systems in 2021, Alexander and Andrea immediately began "locking Nicole and other shareholders out of the companies' financial records," and "terminating or intimidating those employees" who began asking questions about unusual transactions, the complaint states.

Company credit cards began to be used to make personal expenditures, according to the lawsuit. The unauthorized purchases reportedly exceeded \$380,000. "They then used Tropical Supply's corporate bank account to pay \$146,793.95 toward those credit card balances," the complaint states. The transaction was a violation of company bylaws, the lawsuit argues.

Both "Alexander and Andrea alternated in using these cards and authorizing payments, evidencing shared knowledge and intent," the lawsuit claims. The spending was done without the involvement of the corporate board. Making matters worse, the couple allegedly "benefited personally from the misuse of these funds and took coordinated steps to conceal it, including altering transaction entries and fabricating documentation."

Alexander is accused of having fabricated invoices on at least two occasions so checks could be issued to himself for the purpose of "reimbursement." The lawsuit also accuses him of having altered records in the accounting software to disguise misappropriated funds in the system. Andrea "has access to and oversight of the same accounting software and knowingly allowed and assisted in these falsifications," the lawsuit argues.

The couple reportedly began paying themselves full-time salaries complete with health insurance benefits and other perks "never approved by the board of shareholders" despite working "typically no more than a few hours per week," the lawsuit claims.

Separately, Alexander reportedly funded a trust account in his own name, funded it with over \$250,000 "from undisclosed sources," and began making payments from that account for personal expenditures, the complaint alleges.

After the alarm was raised, the couple "acted jointly to suppress inquiry and destroy evidence," the complaint alleges. After Alexander passed away in October 2024, his widow "continued the scheme by removing and concealing corporate records." According to the lawsuit, she and an associate were seen by several people in early November "removing boxes of files from the

company premises and shredding documents.” Andrea is also accused of impersonating Nicole and attempting to report certain American Express charges as fraudulent, “in a clear attempt to distance herself and Alexander from their own unauthorized expenditures,” according to the complaint.

Nicole has also accused her brother and sister-in-law of intimidation to keep her destabilized and unable to pursue her interests. The complaint details a “false and malicious report to the Florida Department of Children and Families alleging abuse by Nicole – a claim determined by investigators to be unfounded and retaliatory.”

The lawsuit accuses Alexander and Andrea Loftus of breach of fiduciary duty, breach of contract, fraud and misrepresentation, conversion, civil conspiracy, and corporate waste.

Nicole, in her individual capacity and on behalf of the family companies, has asked the court to wrest control of the businesses from Andrea, and place family assets into a corporate trust until a full forensic accounting can be made, and any restitution made if necessary, along with punitive, compensatory, and other damages as assessed.

In her personal capacity, Nicole has accused Andrea of intentional infliction of emotional distress with regards to the alleged false claim to a Florida child safety agency. She is seeking damages as deemed appropriate.

With Alexander deceased, Andrea must now shoulder the responsibility of defending herself from these joint allegations. As of press time, there has not yet been a response filed by defense counsel.