

The Virgin Islands Consortium

BMV Director-Designee Embroiled In Suit With BIZVI, Nomination Held In Committee

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Lawrence Olive, the man tapped by Governor Kenneth Mapp to head the Virgin Islands Bureau of Motor Vehicles (BMV), is being sued by BIZVI and Syed Gilani, president and CEO of the computer network programming, web design and custom programming firm, for what BIZVI and Gilani claim are "defamatory" statements Olive made about them causing "damage to their professional reputations, and loss of income and earning capacity."

On Feb. 19, Gilani, through his attorney Kye Walker, filed suit against Olive in his personal capacity in the Superior Court of the Virgin Islands on St. Thomas seeking a jury trial and "compensatory damages, pre- and post-judgement interest, punitive

damages, and any other relief the Court may deem just and proper."

The situation dates back to 2011, when the V.I. government contracted BIZVI to build a software program that meets the standards outlined in the federally mandated [Real ID Act of 2005](#). As part of the contract, work was designated in three phases: the software program would be built the first year and the other two years were for maintenance.

The Act sets forth requirements for state driver's licenses and identification cards to be accepted for "official purposes," including boarding commercial airlines and entering federal buildings.

The lawsuit says BIZVI completed the scope of work outlined in the contract in Sept. 2013, deploying the Real ID card system on the BMV's servers, but that the government still owes the company \$60,000 in maintenance fees from the expired \$2 million contract. Payment was arranged at \$1.5 million coming from a federal grant and the remaining \$500,000 was to be funded by the V.I. government.

In addition to rolling out the Real ID card system, the lawsuit says BIZVI consolidated the BMV's databases on St. Croix, St. Thomas and St. John in an effort to avoid duplicate records and fraudulent activity that occur with multiple databases issuing V.I. driver's licenses.

While the Real ID card system was still being worked on, the lawsuit claims further work was requested of BIZVI from BMV to implement both fingerprint and facial recognition technology that would identify fraudulent records and activities through biometrics and other methods. A new, two-year contract was entered into between the Virgin Islands Government and BIZVI for that work on Feb. 16, 2013. The lawsuit did not provide specifics of that contract.

According to the lawsuit, Gilani claims that Olive, soon after being nominated by Mapp, made known his intent to replace BIZVI as the main contractor for the Real ID project and revert back to the old driver's licenses system with some modifications.

The lawsuit also alleges Olive told BMV employees that the data on the bureau's servers is compromised because "Gilani is from Pakistan and cannot be trusted." The lawsuit further claims Olive said the BMV's data is hosted on servers located in Dubai; Gilani says data is "stored and maintained" on servers in St. Croix.

Gilani said BIZVI, upon learning of Olive's nomination by Governor Mapp, reached out to Olive on multiple occasions on both his office and mobile phones to discuss the Real ID project and his company's ongoing contract with the BMV; Gilani said, however, he never received any response from Olive.

The lawsuit also alleges that at least one employee at the BMV refers to Gilani as "the Taliban" in "mockery" of his "skin color and ethnicity."

The matter has escalated to the point that as of Jan. 15, Gilani found that BIZVI's access to the BMV's servers had been cut off "without notification thereby limiting BIZVI's ability to provide ongoing support on the software," per contract specifications with the BMV.

During testimony in his Feb. 12 hearing before the Senate Committee on Rules and Judiciary, Olive said BIZVI is currently under federal investigation, that the company was paid \$2 million but has since shuttered its services and left the territory, and that the company committed "breach of information" against the Virgin Islands Government. Other accusations, such as that the new driver's licenses were not ready were also leveled against BIZVI in Olive's testimony.

Gilani said the accusations have been damaging to him and his family, and has marred his name because Olive's testimony has appeared in online versions of local print publications, causing Gilani personal "embarrassment, mental anguish, and pain and suffering."

In his suit, Gilani said none of Olive's claims are true, countering that BIZVI is not under investigation by the federal government, the company has not left the territory or "closed up shop," the new driver's licenses have been deployed, and it did not commit "breach of information" against the V.I. government.

Gilani's lawsuit also claims that although Mapp knew of Olive's false testimony, the governor has not recalled Olive's nomination to serve as Dir. of BMV.

Olive had not been confirmed following his Senate hearing on Feb. 12 because a quorum of committee members could not be met. A vote on his nomination was scheduled for Feb. 19. On Thursday morning, Feb. 19, members voted to hold Olive's nomination in committee "pending further inquiry." The motion was made by member Sen. Jean Forde. It was seconded by Sen. Novelle Francis, Jr. and voted in favor of by members Sen. Kenneth Gittens, Sen. Justin Harrigan, Sr., and Sen. Nellie Rivera-O'Reilly. Sens. Janet Millin-Young and Neville James were absent.

"The motion to hold the nominee in committee has passed and it will be held until further notice," said Gittens, Rules and Judiciary chairman.

The lawsuit filed against Olive and can be found [here](#).