

IN THE CIRCUIT COURT OF THE 11th
JUDICIAL CIRCUIT IN AND FOR MIAMI-
DADE COUNTY, FLORIDA

Raul Quintana,

Plaintiff,

CIVIL DIVISION **09-74329 CA 27**

CASE NO.:

FL BAR NO. 0573353

BANGBROS.COM, INC.,

Defendant.

FILED FOR RECORD
09-OCT-8 PM 3:56
CLERK, CIRCUIT COURT
MIAMI-DADE COUNTY, FLA.
CIVIL #74
401
lm
Rt

PLAINTIFF'S COMPLAINT FOR DAMAGES

Plaintiff, Raul Quintana, by and through its undersigned counsel, sues Defendants, BANGBROS.COM, INC., , and states:

1. This is an action for damages that exceed the sum of \$15,000.00, exclusive of interest, costs and attorney's fees, and is within the jurisdiction of this Court
2. Plaintiff has been forced to retain the services of the Law Offices of Zachary Zurich, P.A., to represent it in this action, has agreed and is obligated to pay a reasonable attorney's fee for services rendered herein.
3. All conditions precedent to the bringing of this action have been performed, have occurred or have been excused.
4. The Plaintiff is a permanent resident of Miami-Dade County Florida.
5. The Defendants is Florida entity who is engaged in the business of ADULT ENTERTAINMENT SERVICES, NAMELY PROVIDING IMAGES, TEXT,

GRAPHICS AND VIDEO VIA A GLOBALCOMPUTER NETWORK and maintain Internet-based pornography; the network has a total of 29 websites, seventeen of which are active, and twelve no longer updated all run out of in Miami-Dade County, Florida.

6. Defendant or Defendants representative contacted Plaintiff to use Plaintiff's home for a modeling photo shoot for one day for \$600.
7. Defendant instead shot a porno film in the apartment
8. Defendant then distributed the film entitled "Sexy Golfing Experience".
9. As a result of this Plaintiff was ridiculed by members of Plaintiffs community.
10. Plaintiff lost the rights to rent Plaintiff's and Plaintiff's families units on the island.
11. Plaintiff and Plaintiff's family units had rental monthly income in the amount in excess of \$100,000 / month.
12. Plaintiff had assets on the island in excess of \$25,000,000 in property.
13. All of Plaintiffs property on the island is now in foreclosure.
14. Had Defendant been aware of Plaintiff's intended use Defendant would not have rented Plaintiff his home.
15. Plaintiffs house was used for an unauthorized commercial purpose.

Count I

Fraud

16. Section 1-14 above are re-alleged.
17. The Defendant knew that it intended to use Plaintiff property for the purpose of shooting a commercial adult film.
18. The defendant knowingly misled Plaintiff.
19. The Defendant profited by its fraudulent behavior.
20. The Plaintiff relied on Defendants stated use in determining whether to rent Defendant his home.

Count II

Breach of Oral Contract

21. Paragraphs 1-20 are re-alleged.

Count III

**Violation of Florida's Deceptive
and
Unfair Trade Practices Act**

22. Paragraphs 1-21 are re alleged.
23. Defendants knowingly made false and deceptive representations, and concealed the true facts, to effectuate the closing.

24. Defendants knew such representations were false and that the public image and understanding which they created and promoted, was misleading. These acts and practices are unfair and deceptive with in the meaning of the Florida Uniform Deceptive Trade Practices Act, F.S.A. §501 et. seq.

Count IV

Defamation of Character

25. Paragraphs 1-21 above are re-alleged.
26. Defendants actions have caused Plaintiff ridicule and effected Defendants ability to do business in the community.
27. Defendants knew or should have known that the house was in a small private island and Defendant's proposed commercial use never would have been permitted without authorization from the community association.
28. Defendant acted recklessly and intentionally knowing that they would be publishing Defendant's home being used for an unauthorized commercial purpose which would affect Plaintiff's reputation.

DEMAND FOR JURY TRIAL

Plaintiff hereby demand trial by jury.


PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment for damages against Defendant, together with interest, costs, attorney's fees and such other and further relief as the Court deems proper as all counts.

Respectfully submitted this 24^h Day of September 2009.

LAW OFFICES OF ZACHARY ZURICH, PA
Attorney for Plaintiff
95625 Overseas Hwy
Key Largo, FL 33037
Tel: 305-852-2569
Fax: 954-337-2907
Email: zzurich@bellsouth.net

BY



Zachary Zurich
FL BAR NO. 0573353