

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ZAMPERLA, INC., a foreign corporation,
and; ANTONIO ZAMPERLA, SpA, a foreign
corporation,

Plaintiffs,

Case No.: 6-13cv-00061-22KRS

vs.

BEIJING SHIBAOLAI AMUSEMENT EQUIPMENT
CO., LTD., a foreign corporation,

Defendants.

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PLAINTIFFS' COMPLAINT

Plaintiffs, ZAMPERLA, INC., and ANTONIO ZAMPERLA, SpA (collectively "Zamperla" or "Zamperla Plaintiffs"), hereby file this Complaint, and sue Defendant, BEIJING SHIBAOLAI AMUSEMENT EQUIPMENT CO., LTD., and further state as follows:

INTRODUCTION

1. This is an action for claims of federal unfair competition under the Lanham Act, common law unfair competition, violation of Florida's Deceptive and Unfair Trade Practices Act, and patent infringement.

PARTIES

2. Plaintiff, ZAMPERLA, INC., is a foreign corporation organized under the laws of New Jersey with its principal place of business in Boonton, New Jersey. Zamperla, Inc. is the United States distributor of certain amusement rides designed and manufactured by Antonio Zamperla, SpA. The term "amusement rides" encompasses and includes the designs, complete product, track layout, seating train, and/or any of the component parts of the ride.

3. Plaintiff, ANTONIO ZAMPERLA, SpA (“Antonio Zamperla”), is a foreign corporation organized under the laws of Italy with its principal place of business in Vincenza, Italy. Antonio Zamperla, SpA is the designer, manufacturer, and seller of certain amusement rides.

4. The amusement rides that Antonio Zamperla has developed, manufactured and sold each involve innovative and unique design concepts and are inherently distinctive. Zamperla’s strict adherence to high safety standards in the design and manufacturing of its products, including its compliance with international quality standards in industrial production, has been internationally recognized among manufacturers in the amusement ride industry.

5. Defendant, BEIJING SHIBAOLAI AMUSEMENT EQUIPMENT CO., LTD. (“Beijing Shibaolai”) is a foreign corporation organized under the laws of China with its principal place of business in Beijing, China. Beijing Shibaolai is a manufacturer and distributor of amusement rides. Beijing Shibaolai holds itself out as the “biggest amusement equipment factory in China” with “260 employees” and global customers, including within the USA.

JURISDICTION AND VENUE

6. Upon information and belief, Defendant was conducting business throughout the United States and, specifically, within the State of Florida by making, importing, distributing, advertising, promoting, marketing, reproducing, offering for sale and/or selling unauthorized and knock off amusement rides, designs, and/or component parts which appear virtually identical to the amusement rides designed, manufactured, distributed and/or sold by the Zamperla Plaintiffs.

7. This Court has jurisdiction in this matter pursuant to 15 U.S.C. § 1121, as well as 28 U.S.C. §§ 1331, 1332 and 1338(a) and the doctrines of pendent and ancillary jurisdiction.

8. Venue in this matter is proper pursuant to 28 U.S.C. § 1391(b) and (c), and 1400(b). Specifically, the causes of action sued upon accrued in the District and Defendant was present in this jurisdiction either personally or through their agents and committed tortious acts and affirmative acts of infringement and has sold, offered for sale, and/or marketed tangible products while present in the State of Florida and the Middle District of Florida, Orlando Division, and is conclusively presumed to be both engaged in substantial activities in this state and conducting business in this state based upon said sales and/or offers to sell.

9. The Defendant also intentionally committed tortious acts by promoting the infringing rides on its English language website which was accessible, and accessed, in Orlando, Florida on or about November 19, 2013 by an investigator.

ZAMPERLA'S PATENTS AND TRADEMARKS

10. United States trademark number 3,326,259 (the "259 Registration"), entitled "Rockin' Tug" was first used on November 20, 2002 and was duly and lawfully registered on October 30, 2007. Zamperla Inc. is the sole owner of all rights, title and interest in the 259 Registration. A true copy of the 259 Certificate of Registration is attached hereto as **Exhibit "1"**.

11. United States trademark number 3,538,807 ("the 807 Registration"), entitled "Jump Around" was first used on July 7, 2004 and was duly and lawfully registered on November 25, 2008. Zamperla Inc. is the sole owner of all rights, title and interest in the 807 Registration. A true copy of the 807 Certificate of Registration is attached hereto as **Exhibit "2"**.

12. United States patent number 6,884,177 B2 ("the 177 patent"), entitled "Amusement Apparatus" was duly and lawfully issued on April 26, 2005. Antonio Zamperla SpA is the sole owner of all rights, title and interest in the 177 patent. A true copy of the 177 patent is attached hereto as **Exhibit "3"**.

13. United States patent number 7,722,469 (“the 469 patent”), entitled “Amusement Apparatus” was duly and lawfully issued on May 25, 2010. Antonio Zamperla SpA is the sole owner of all rights, title and interest in the 469 patent. A true copy of the 469 patent is attached hereto as **Exhibit “4”**.

14. The 177 and 469 patents are used in the mechanics of various amusement rides manufactured by Zamperla, including its Rockin’ Tug and Disk’O rides in which a seating compartment rotates on a platform that is connected to two (2) rails.

15. United States patent number 7,632,191 (“the 191 patent”), entitled “Seat for Amusement Apparatus” was duly and lawfully issued on December 15, 2009. Antonio Zamperla SpA is the sole owner of all rights, title and interest in the 191 patent. A true copy of the 191 patent is attached hereto as **Exhibit “5”**.

16. The 191 patent is utilized for the seat design on the Zamperla Disk’O and Moto Coaster rides and provides immobilizing supports on the riders’ front and back and permits them to be seated in a motorcycle-type riding position.

17. United States patent number 7,846,032 (“the 032 patent”), entitled “Amusement Ride” was duly and lawfully issued on December 7, 2010. Antonio Zamperla SpA is the sole owner of all rights, title and interest in the 032 patent. A true copy of the 032 patent is attached hereto as **Exhibit “6”**.

18. The 032 patent is utilized on the Zamperla Jump Around and Kanga Bounce amusement rides where carriages are attached to and rotate around a central axis, while oscillating vertically.

19. United States patent number 7,762,895 (“the 895 patent”), entitled “Amusement Apparatus with Moveable Floor Portion” was duly and lawfully issued July 27, 2010. Antonio

Zamperla, SpA is the sole owner of all rights, title and interest in the 895 patent. A true copy of the 895 patent is attached hereto as “**Exhibit 7**”.

20. The 895 patent is utilized on Zamperla’s Moto Coaster in which riders are seated two abreast on seats located on interconnected platforms.

BACKGROUND FACTS

2013 IAAPA Convention

21. On November 19-22, 2013, the International Association of Amusement Parks and Attractions (“IAAPA”) held a trade show in Orlando, Florida, at the Orange County Convention Center.

22. IAAPA is the single largest trade show within the amusement ride industry. The tradeshow provides the opportunity for the sellers of amusement rides to market, promote, advertise and sell their products, and provides more buying opportunities than any other trade show in the world.

23. On or about November 19, 2013, executives from Beijing Shibaolai, including Vice General Manager Richard Li, set up a booth in the Orange County Convention exhibit hall and provided potential customers with brochures depicting imitation Zamperla amusement rides. For example, the Zamperla Disk’O ride (**Exhibit “8”**) was marketed as the “Disco Turntable” (**Exhibit “9”**).

24. Furthermore, Beijing Shibaolai also maintained an English language website which was accessed in Florida by an investigator in November 19, 2013. Significantly, on this website:

- (1) The Zamperla ride “Moto Coaster” (**Exhibit “10”**) was renamed and marketed by Beijing Shibaolai as “Motorcycle Coaster” (**Exhibit “11”**),
- (2) The Zamperla “Power Surge” (**Exhibit “12”**) was renamed and marketed by Beijing Shibaolai as “Big Windmill” (**Exhibit “13”**), and

(3) Beijing Shibaolai also continued to mislead customers by renaming Zamperla's "Disk'O" ride on its website as "Disco Turntable" (**Exhibit "14"**) and claimed it had been "designed" by Beijing Shibaolai.

25. Upon information and belief, Beijing Shibaolai's so called "Motorcycle Coaster" utilized mechanical systems which infringed upon the 895 and 191 patents.

26. Upon information and belief, Beijing Shibaolai's so called "Disco Turntable" utilized mechanical systems which infringed upon the 177, 469 and 191 patents.

27. Defendant Beijing Shibaolai, through its employers and agents in attendance at the Orlando trade show, was specifically and actively marketing, promoting, advertising, and offering for sale the products in question.

28. For example, Mr. Richard Li distributed a sales brochure to an investigator on November 19, 2013. A true copy of his business card as Vice General Manager is attached hereto as **Exhibit "15"**.

29. Furthermore, Beijing Shibaolai's website on November 19, 2013 depicted a map reflecting the sale of its products to amusement parks in the USA, Mexico, Cuba, Western Europe, Africa, South America and Asia. A copy is attached as **Exhibit "16"**.

30. Defendant Beijing Shibaolai is in no way associated with, sponsored by, or affiliated with Zamperla, and Defendant's unauthorized use of the Zamperla Plaintiffs designs, patents, trademarks, logos, trade dress, and/or other intellectual property is without the authorization or authority of the Zamperla Plaintiffs.

31. Zamperla Plaintiffs have retained the undersigned law firm of Hill, Rugh, Keller & Main, P.L. and The Sheehan Firm, P.C., to pursue this matter on their behalf, and they are obligated to pay them a reasonable attorneys' fee and costs and litigation expenses associated with the prosecution of this matter.

COUNT I

Unfair Competition under the Lanham Act against Beijing Shibaolai

32. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully in this count.

33. This is a count for unfair competition pursuant to 15 U.S.C. § 1125(a) against Beijing Shibaolai.

34. Through Beijing Shibaolai's continued and elicit use of the Plaintiffs' proprietary and protected ornamental features, designs, design features, advertising and promotion material, photographs and other actions at issue, Beijing Shibaolai has continued to falsely designate the origin of Defendant's amusement rides.

35. Through the use and incorporation of Plaintiffs' trade dress, trademarks, advertising and marketing material, photographs and materials or colorable imitations thereof, SBF has further created a false description or representation of the products and services provided by the Defendant, thereby affecting interstate commerce.

36. The total image and trade dress of the Zamperla amusement rides is inherently distinctive, primarily non-functional and the Defendant's trade dress is confusingly similar as demonstrated by the exhibits attached hereto.

37. The Zamperla Plaintiffs have expended substantial money and time advertising and marketing their amusement rides, and the products have acquired secondary meaning due to consumers associating these amusement rides with Zamperla.

38. Through their marketing, advertising and representations, the Defendant has continued to misrepresent to prospective purchasers that the Defendant's imitation products are designed or created by Defendant, rather than Plaintiffs.

39. Defendant is seeking to trade off the goodwill and reputation of Plaintiffs and their products, and gain a competitive advantage for their imitation and/or knockoff products by associating their inferior products with Plaintiffs' products, marks and materials and passing their products off as those of Plaintiffs. In the alternative, Defendant has actually copied Plaintiffs' goods, materials and products and is passing those off as Defendant's own products.

40. There is a public benefit in ensuring that the public is not deceived into thinking that Defendant's products are associated with Zamperla's products when that is not the case.

41. The foregoing actions and unfair competition by the Defendant has been deliberate, willful, and wanton.

42. There is a strong likelihood of consumer confusion which has and/or will continue to result from Defendant's illicit use of Plaintiffs' trade dress, marks, materials and confusingly similar product image which, when combined with the inferior quality of Defendant's products, will damage, dilute and tarnish Plaintiffs' name, reputation, goodwill and identity.

43. As a proximate result of Defendant's conduct, the Zamperla Plaintiffs have been damaged. Such damages include damage to Plaintiffs' goodwill and reputation, and other damages, including lost sales due to the deceptive practices engaged in by the Defendant.

COUNT II

Common Law Unfair Competition against Beijing Shibaolai

44. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully in this count.

45. This is a count for unfair competition pursuant to Florida common law against Beijing Shibaolai.

46. Zamperla spent considerable time and money to design, create, develop, manufacture, distribute and sell the amusement rides described in the preceding paragraphs, as well as the marketing and promotional material related thereto.

47. Zamperla has also spent considerable time and money developing a successful market for their rides and roller coasters, and have developed a reputation for high quality, standards, performance and service both internationally and throughout the United States, including the State of Florida.

48. Plaintiffs have expended substantial money and time marketing and advertising their amusement rides, such that the amusement ride industry has come to associate intellectual property of Zamperla with their respective companies, and its valuable reputation and goodwill. Plaintiffs' reputation and the success of their products, as well as the successes associated with Plaintiffs' related materials and intellectual property, are well known in the marketplace and well known to Defendant.

49. Through the Defendant's continued and elicit use of the Plaintiffs' proprietary and protected ornamental features, designs, design features, advertising and promotion material, photographs and other actions at issue, the Defendant has continued to falsely designate the origin of Defendant's amusement rides.

50. Through the use and incorporation of Plaintiffs' trade dress, marks, trademarks, advertising and marketing material, photographs and materials or colorable imitations thereof, the Defendant has further created a false description or representation of the products provided by the Defendant.

51. Through the Defendant's continued the illicit use of Plaintiffs' intellectual property, confusingly similar product and design, and their overall marketing and promotional

strategy, Defendant has continued to falsely designate the origin of Defendant's amusement rides, seeking to pass off its inferior imitation products as that of Plaintiffs.

52. Through their advertising and representations, the Defendant has continued to misrepresent to prospective purchasers that the Defendant's products are produced, sponsored, authorized, affiliated, or somehow endorsed by Plaintiffs. In the alternative, Defendant has actually copied Plaintiffs' goods, materials and products and are passing those off as Defendant's own products.

53. As a proximate result of Defendant's conduct, Plaintiffs have been damaged. Such damages include damage to Plaintiffs' goodwill and reputation, and other damages, including lost sales due to the deceptive practices engaged in by the Defendant, the dilution of Plaintiffs' marks, and the dilution of the market for the Plaintiffs' products.

54. Defendant's acts of unfair competition have caused and are likely to cause substantial injury to the public and to Plaintiffs for which there is no adequate remedy at law. Plaintiffs' are entitled to injunctive relief and to recover their costs and reasonable attorneys' fees.

COUNT III

Violation of Florida's Deceptive and Unfair Trade Practices Act against Beijing Shibaolai

55. Zamperla realleges and incorporates herein by reference the allegations set forth in paragraphs 1 through 31 stated previously.

56. This is an action against Defendant for damages, and declaratory and injunctive relief, pursuant to Florida Statutes §§ 501.201 *et seq.*, commonly referred to as Florida's Deceptive and Unfair Trade Practices Act.

57. The foregoing acts of Defendant constitute unfair methods of competition, unconscionable acts or practices, and unfair and deceptive acts and practices in the conduct of trade and commerce, in violation of Florida Statutes §§ 501.201 *et seq.*

58. At all times material to Plaintiffs' Complaint, Defendant acted willfully, intentionally and maliciously, and with total disregard for Plaintiffs' rights and property interests.

59. Defendant's conduct offends established public policy, and their practices with regard to their making, importing, distributing, promoting, marketing, reproducing, offering for sale and/or selling unauthorized and imitation amusement rides was immoral, unethical, oppressive, unscrupulous and/or substantially injurious to Plaintiffs.

60. As a direct and proximate result of all of Defendant's actions described above, Plaintiffs have sustained substantial damages to its legitimate business interests.

61. Moreover, Plaintiffs and other companies similarly situated as Plaintiffs risk suffering irreparable harm if Defendant is not enjoined from continuing to engage in such unlawful conduct. Plaintiffs are without an adequate remedy at law, and the issuance of an injunction will not threaten the public health, safety or welfare. Also, the equities of this action strongly favor Plaintiffs.

62. Under Florida Statutes §§ 501.201 *et seq.*, therefore, Plaintiffs are entitled to declaratory and injunctive relief against Defendant which declares Defendant's trade practices as unfair, deceptive and unconscionable, and which enjoins Defendant and all those in active concert or participation with Defendant from continuing to engage and profit from such unfair, deceptive and unconscionable acts and practices.

COUNT IV

Infringement of the 177 Patent by Beijing Shibaolai

63. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully herein.

64. Upon information and belief, in violation of 35 U.S.C. § 271, Beijing Shibaolai is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe the 177 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, without authority, amusement rides utilizing the inventions and designs claimed in the 177 patent.

65. Upon information and belief, Beijing Shibaolai has induced the infringement and/or contributed to the infringement of the 177 patent by knowingly and with intent, actively encouraging customers to use Beijing Shibaolai's infringing amusement rides products.

66. Beijing Shibaolai had prior notice and knowledge of the 177 patent. Upon information and belief, Beijing Shibaolai lacks any justifiable belief that there is no infringement or that the infringed claims are invalid. Beijing Shibaolai has therefore acted with recklessness in its infringing activity, making Beijing Shibaolai's infringement of the 177 patent willful. As a result, Antonio Zamperla, SpA is entitled to an award of exemplary damages, attorney's fees, and costs in bringing this action.

67. Upon information and belief, Beijing Shibaolai intends to continue its unlawful infringing activity related to the 177 patent.

68. Beijing Shibaolai's acts of infringement have caused damage to Antonio Zamperla, SpA, and Antonio Zamperla SpA is entitled to recover from Beijing Shibaolai the damages sustained by Antonio Zamperla SpA as a result of Beijing Shibaolai's wrongful acts.

COUNT V

Infringement of the 469 Patent by Beijing Shibaolai

69. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully herein.

70. Upon information and belief, in violation of 35 U.S.C. § 271, Beijing Shibaolai is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe the 469 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, without authority, amusement rides utilizing the inventions and designs claimed in the 469 patent.

71. Upon information and belief, Beijing Shibaolai has induced the infringement and/or contributed to the infringement of the 469 patent by knowingly and with intent, actively encouraging customers to use Beijing Shibaolai's infringing amusement rides products.

72. Beijing Shibaolai had prior notice and knowledge of the 469 patent. Upon information and belief, Beijing Shibaolai lacks any justifiable belief that there is no infringement or that the infringed claims are invalid. SBF has therefore acted with recklessness in its infringing activity, making Beijing Shibaolai's infringement of the 469 patent willful. As a result, Antonio Zamperla, SpA is entitled to an award of exemplary damages, attorney's fees, and costs in bringing this action.

73. Upon information and belief, Beijing Shibaolai intends to continue its unlawful infringing activity related to the 469 patent.

74. Beijing Shibaolai's acts of infringement have caused damage to Antonio Zamperla, SpA, and Antonio Zamperla SpA is entitled to recover from Beijing Shibaolai the damages sustained by Antonio Zamperla SpA as a result of Beijing Shibaolai's wrongful acts.

COUNT VI

Infringement of the 191 Patent by Beijing Shibaolai

75. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully herein.

76. Upon information and belief, in violation of 35 U.S.C. § 271, Beijing Shibaolai is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe the 191 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, without authority, amusement rides utilizing the inventions and designs claimed in the 191 patent.

77. Upon information and belief, Beijing Shibaolai has induced the infringement and/or contributed to the infringement of the 191 patent by knowingly and with intent, actively encouraging customers to use Beijing Shibaolai's infringing amusement rides products.

78. Beijing Shibaolai had prior notice and knowledge of the 191 patent. Upon information and belief, Beijing Shibaolai lacks any justifiable belief that there is no infringement or that the infringed claims are invalid. Beijing Shibaolai has therefore acted with recklessness in its infringing activity, making Beijing Shibaolai's infringement of the 191 patent willful. As a result, Antonio Zamperla, SpA is entitled to an award of exemplary damages, attorney's fees, and costs in bringing this action.

79. Upon information and belief, Beijing Shibaolai intends to continue its unlawful infringing activity related to the 191 patent.

80. Beijing Shibaolai's acts of infringement have caused damage to Antonio Zamperla, SpA, and Antonio Zamperla SpA is entitled to recover from Beijing Shibaolai the damages sustained by Antonio Zamperla SpA as a result of Beijing Shibaolai's wrongful acts.

COUNT VII

Infringement of the 895 Patent by Beijing Shibaolai

81. Plaintiffs reallege and incorporate by reference paragraphs 1 through 31 above as if set forth fully herein.

82. Upon information and belief, in violation of 35 U.S.C. § 271, Beijing Shibaolai is and has been directly infringing, contributing to the infringement of, and/or inducing others to infringe the 895 patent by making, using, selling, and/or offering to sell in the United States, or importing into the United States, without authority, amusement rides utilizing the inventions and designs claimed in the 895 patent.

83. Upon information and belief, Beijing Shibaolai has induced the infringement and/or contributed to the infringement of the 895 patent by knowingly and with intent, actively encouraging customers to use Beijing Shibaolai's infringing amusement rides products.

84. Beijing Shibaolai had prior notice and knowledge of the 895 patent. Upon information and belief, Beijing Shibaolai lacks any justifiable belief that there is no infringement or that the infringed claims are invalid. Beijing Shibaolai has therefore acted with recklessness in its infringing activity, making Beijing Shibaolai's infringement of the 895 patent willful. As a result, Antonio Zamperla, SpA is entitled to an award of exemplary damages, attorney's fees, and costs in bringing this action.

85. Upon information and belief, Beijing Shibaolai intends to continue its unlawful infringing activity related to the 895 patent.

86. Beijing Shibaolai's acts of infringement have caused damage to Antonio Zamperla, SpA, and Antonio Zamperla SpA is entitled to recover from Beijing Shibaolai the damages sustained by Antonio Zamperla SpA as a result of Beijing Shibaolai's wrongful acts.

PRAYER FOR RELIEF

WHEREFORE, the Zamperla Plaintiffs pray for judgment against Defendant Beijing Shibaolai as follows:

1. That Defendant, its officers, directors, agents, servants, employees, and all other persons or entities in active concert or participation with it, or any of them, be preliminarily and permanently enjoined and restrained from the presentation, display, marketing, promotion, or advertising of confusingly similar Zamperla rides;

2. For judicial declaration that Defendant has engaged in unfair competition pursuant to the Lanham Act, 15 U.S.C. § 1125(a) and/or common law;

3. Enter judgment that Defendant has violated Florida's Deceptive and Unfair Trade Practices Act;

4. Enter a judgment that Defendant has infringed, directly and/or indirectly, and by way of inducing and/or contributing to the infringements of the 177, 469, 895, and 191 patents;

5. That Defendant accounts to Zamperla Plaintiffs for all profits realized as a consequence of Defendant's unlawful acts, and that such profits be trebled, as provided by law pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117 or otherwise;

6. That Zamperla Plaintiffs be awarded damages in the full amount it has sustained as a consequence of Defendant's acts, trebled were provided by law, pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117 or otherwise;

7. That Zamperla Plaintiffs have and recover from Defendant reasonable attorney's fees, costs and disbursements in this action pursuant to Section 35 of the Lanham Act, 15 U.S.C. § 1117 and as otherwise authorized by law;

8. That Defendant pays compensatory and punitive damages to Zamperla Plaintiffs;

9. That any monetary award include pre and post judgment interest at the highest rate by law;
10. That Zamperla Plaintiffs be awarded damages adequate to compensate Zamperla Plaintiffs for the patent infringement, inducement of infringement, and contributory infringement, together with pre and post judgment interest and accounting;
11. Increased damages pursuant to 35 U.S.C. § 284;
12. A finding that this case is exceptional and award to Zamperla Plaintiffs of its attorney's fees, expenses and costs pursuant to 35 U.S.C. § 285;
13. That Defendant pays Zamperla Plaintiffs costs of suit herein, and
14. Such other and further relief as this Court may deem just and proper.

Demand for Jury Trial

Zamperla Plaintiffs demand a trial by jury on all issues so triable.

Dated: November 20, 2013.

Respectfully submitted,

HILL, RUGH, KELLER & MAIN, P.L.

/s/ Richard A. Keller

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