

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

BRAMAN AUTOMOTIVE, INC., d/b/a Audi West Palm Beach, CROWN EUROCARS, Inc., d/b/a Audi Clearwater, and TAMPA A AUTOMOTIVE MANAGEMENT, LLC, d/b/a Audi Tampa, LAKELAND AFL A, d/b/a Audi Lakeland, DIRECT V LLC, d/b/a Kuhn Volkswagen, S&D AUTO WERKS, LLC, d/b/a Volkswagen of Wesley Chapel, CAPITAL EUROCARS, INC., d/b/a Capital Eurocars, GUNTHER MOTOR COMPANY, d/b/a Gunther Volkswagen of Coconut Creek, GUNTHER MOTOR COMPANY OF PLANTATION, INC., d/b/a Gunther Volkswagen, GUNTHER MOTOR COMPANY NEW VENTURES III, LLC, d/b/a Gunther Volkswagen Daytona Beach, GUNTHER MOTOR COMPANY NEW VENTURES LLC, d/b/a Gunther Volkswagen of Delray Beach, LOKEY OLDSMOBILE, INC., d/b/a Lokey Volkswagen, TAMPA VW AUTOMOTIVE MANAGEMENT, LLC d/b/a/ Volkswagen of North Tampa, TAMPA BAY AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of Gainesville, POMPANO VW AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of Pompano Beach, KENDALL VW AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of South Miami, DEEL SALES LLC, d/b/a Deel Volkswagen Coral Gables, LAKELAND SALES LLC, d/b/a Lakeland Volkswagen, VW1, LLC, d/b/a Palmetto 57 Volkswagen, SCHUMACHER AUTOMOTIVE, INC., d/b/a Schumacher Volkswagen, SCHUMACHER VOLKSWAGEN, INC., d/b/a Schumacher Volkswagen of West Palm Beach, SUNCOAST MOTORSPORTS GROUP, INC., d/b/a Sunset Volkswagen of Sarasota, STEP

CASE NO.:

ONE AUTOMOTIVE VFW, LLC, d/b/a Volkswagen Ft. Walton Beach, RICK CASE BROWARD, LLC, d/b/a Rick Case Volkswagen, DRJ SILVER LAKE HOLDINGS, LLC, d/b/a Leesburg Volkswagen, BERT SMITH OLDSMOBILE, INC., d/b/a Bert Smith Volkswagen, PIERCE AFL VF, LLC, d/b/a Sunrise Volkswagen of Fort Pierce, and BRANDON AFL V, LLC, d/b/a Volkswagen Brandon,

Plaintiffs,

v.

SCOUT MOTORS INC.,

Defendant.

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiffs, BRAMAN AUTOMOTIVE, INC., d/b/a Audi West Palm Beach, CROWN EUROCARs, Inc., d/b/a Audi Clearwater, TAMPA A AUTOMOTIVE MANAGEMENT, LLC, d/b/a Audi Tampa, LAKELAND AFL A, LLC, d/b/a Audi Lakeland, DIRECT V LLC, d/b/a Kuhn Volkswagen, S&D AUTO WERKS, LLC, d/b/a Volkswagen of Wesley Chapel, CAPITAL EUROCARs, INC., d/b/a Capital Eurocars, GUNTHER MOTOR COMPANY, d/b/a Gunther Volkswagen of Coconut Creek, GUNTHER MOTOR COMPANY OF PLANTATION, INC., d/b/a Gunther Volkswagen, GUNTHER MOTOR COMPANY NEW VENTURES III, LLC, d/b/a Gunther Volkswagen Daytona Beach, GUNTHER MOTOR COMPANY NEW VENTURES LLC, d/b/a Gunther Volkswagen of Delray Beach, LOKEY OLDSMOBILE, INC., d/b/a Lokey Volkswagen, TAMPA VW AUTOMOTIVE MANAGEMENT, LLC d/b/a Volkswagen of North Tampa, TAMPA BAY AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of Gainesville, POMPANO VW AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of

Pompano Beach, KENDALL VW AUTOMOTIVE MANAGEMENT, LLC, d/b/a Volkswagen of South Miami, DEEL SALES LLC, d/b/a Deel Volkswagen Coral Gables, LAKELAND SALES, LLC, d/b/a Lakeland Volkswagen, VW1, LLC, d/b/a Palmetto 57 Volkswagen, SCHUMACHER AUTOMOTIVE, INC., d/b/a Schumacher Volkswagen, SCHUMACHER VOLKSWAGEN, INC., d/b/a Schumacher Volkswagen of West Palm Beach, SUNCOAST MOTORSPORTS GROUP, INC., d/b/a Sunset Volkswagen of Sarasota, STEP ONE AUTOMOTIVE VFW, LLC, d/b/a Volkswagen Ft. Walton Beach, RICK CASE BROWARD, LLC, d/b/a Rick Case Volkswagen Weston, DRJ SILVER LAKE HOLDINGS, LLC, d/b/a Leesburg Volkswagen, BERT SMITH OLDSMOBILE, INC., d/b/a Bert Smith Volkswagen, PIERCE AFL VF, LLC, d/b/a Sunrise Volkswagen of Fort Pierce, and BRANDON AFL V, LLC, d/b/a Volkswagen Brandon (collectively, “Plaintiffs”) sue Defendant, SCOUT MOTORS INC., and state:

Parties

1. This is an action for injunctive relief pursuant to section 320.695, Florida Statutes, declaratory relief pursuant to Chapter 86, Florida Statutes, and unfair and deceptive trade practice pursuant to section 501.204, Florida Statutes.

2. Pursuant to section 320.695, Florida Statutes, Plaintiffs bring this action for injunctive relief in the name of the Florida Department of Highway Safety and Motor Vehicles and the State of Florida for the use and benefit of Plaintiffs.

3. At all times material hereto, Plaintiff, Braman Automotive, Inc., d/b/a Audi West Palm Beach (“Audi West Palm”), is a Florida corporation and Audi motor vehicle dealership actively doing business throughout the State of Florida. Audi West Palm is located at 2101 Okeechobee Blvd., West Palm Beach, FL 33409.

4. At all times material hereto, Plaintiff, Crown Eurocars, Inc., d/b/a Audi Clearwater (“Audi Clearwater”), is a Florida corporation and Audi motor vehicle dealership actively doing business throughout the State of Florida. Audi Clearwater is located at 18940 US Hwy 19 N., Clearwater, FL 33764.

5. At all times material hereto, Plaintiff, Tampa A Automotive Management, LLC, d/b/a Audi Tampa (“Audi Tampa”), is a Florida limited liability company and Audi motor vehicle dealership actively doing business throughout the State of Florida. Audi Tampa is located at 105 E Fowler Ave., Tampa, FL 33612.

6. At all times material hereto, Plaintiff, Lakeland AFL A, LLC, d/b/a Audi Lakeland (“Audi Lakeland”), is a Florida limited liability company and Audi motor vehicle dealership actively doing business throughout the State of Florida. Audi Lakeland is located at 1215 Griffin Rd., Lakeland, FL 33805.

7. At all times material hereto, Plaintiff, Direct V LLC, d/b/a Kuhn Volkswagen (“Kuhn Volkswagen”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Kuhn Volkswagen is located at 3900 West Kennedy Blvd., Tampa, FL 33609.

8. At all times material hereto, Plaintiff, S&D Auto Werks, LLC, d/b/a Volkswagen of Wesley Chapel (“VW Wesley Chapel”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Wesley Chapel is located at 26500 Silver Maple Pkwy, Wesley Chapel, FL 33544.

9. At all times material hereto, Plaintiff, Capital Eurocars, Inc., d/b/a Capital Eurocars (“Capital Eurocars”), is a Florida corporation and Volkswagen motor vehicle dealership actively

doing business throughout the State of Florida. Capital Eurocars is located at 3705 W Tennessee St., Tallahassee, FL 32304.

10. At all times material hereto, Plaintiff, Gunther Motor Company, d/b/a Gunther Volkswagen of Coconut Creek (“VW Coconut Creek”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Coconut Creek is located at 4300 FL-7, Coconut Creek, FL 33073.

11. At all times material hereto, Plaintiff, Gunther Motor Company of Plantation, Inc., d/b/a Gunther Volkswagen (“VW Fort Lauderdale”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Fort Lauderdale is located at 1660 S State Rd 7, Fort Lauderdale, FL 33317.

12. At all times material hereto, Plaintiff, Gunther Motor Company New Ventures III, LLC, d/b/a Gunther Volkswagen Daytona Beach (“VW Daytona Beach”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Daytona Beach is located at 1270 N Tomoka Farms Rd., Daytona Beach, FL 32124.

13. At all times material hereto, Plaintiff, Gunther Motor Company New Ventures, LLC, d/b/a Gunther Volkswagen of Delray Beach (“VW Delray Beach”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Delray Beach is located at 2401 N Federal Hwy, Delray Beach, FL 33483.

14. At all times material hereto, Plaintiff, Lokey Oldsmobile, Inc., d/b/a Lokey Volkswagen (“Lokey Volkswagen”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Lokey Volkswagen is located at 27850 US Hwy 19, Clearwater, FL 33761.

15. At all times material hereto, Plaintiff, Tampa VW Automotive Management, LLC, d/b/a Volkswagen of North Tampa (“VW North Tampa”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW North Tampa is located at 11337 N Florida Ave., Tampa, FL 33612.

16. At all times material hereto, Plaintiff, Tampa Bay Automotive Management, LLC, d/b/a Volkswagen of Gainesville (“VW Gainesville”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Gainesville is located at 3737 N. Main St., Gainesville, FL 32609.

17. At all times material hereto, Plaintiff, Pompano VW Automotive Management, LLC, d/b/a Volkswagen of Pompano Beach (“VW Pompano”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Pompano is located at 700 N. Federal Hwy., Pompano Beach, FL 33062.

18. At all times material hereto, Plaintiff, Kendall VW Automotive Management, LLC, d/b/a Volkswagen of South Miami (“VW South Miami”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW South Miami is located at 17930 S. Dixie Hwy., Miami, FL 33157.

19. At all times material hereto, Plaintiff, Deel Sales LLC, d/b/a Deel Volkswagen Coral Gables (“Deel Volkswagen”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Deel Volkswagen is located at 3601 Bird Road, Miami, FL 33133.

20. At all times material hereto, Plaintiff, Lakeland Sales, LLC, d/b/a Lakeland Volkswagen (“Lakeland Volkswagen”), is a Florida limited liability company and Volkswagen

motor vehicle dealership actively doing business throughout the State of Florida. Lakeland Volkswagen is located at 209 S Lake Parker Avenue, Lakeland, FL 33801.

21. At all times material hereto, Plaintiff, VW1, LLC, d/b/a Palmetto57 Volkswagen (“Palmetto 57 Volkswagen”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Palmetto 57 Volkswagen is located at 16825 NW 57th Ave., Miami Gardens, FL 33055.

22. At all times material hereto, Plaintiff, Schumacher Automotive, Inc., d/b/a Schumacher Volkswagen (“VW of North Palm Beach”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW of North Palm Beach is located at 3720 Northlake Blvd., Suite B, Palm Beach Gardens, FL 33403.

23. At all times material hereto, Plaintiff, Schumacher Volkswagen, Inc., d/b/a Schumacher Volkswagen of West Palm Beach (“VW of West Palm Beach”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW of West Palm Beach is located at 3001 Okeechobee Blvd., West Palm Beach, FL 33409.

24. At all times material hereto, Plaintiff, Suncoast Motorsports Group, Inc., d/b/a Sunset Volkswagen of Sarasota (“VW Sarasota”), is a Florida corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Sarasota is located at 5005 S Tamiami Trl., Sarasota, FL 34231.

25. At all times material hereto, Plaintiff, Step One Automotive VFW, LLC, d/b/a Volkswagen Ft. Walton Beach (“VW Ft. Walton”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Ft. Walton is located at 130 Hollywood Blvd., Ft. Walton Beach, FL 32548.

26. At all times material hereto, Plaintiff, Rick Case Broward, LLC, d/b/a Rick Case Volkswagen Weston (“Rick Case VW”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Rick Case VW is located at 3520 Weston Road, Davie, FL 3331.

27. At all times material hereto, Plaintiff, DRJ Silver Lake Holdings, LLC, d/b/a Leesburg Volkswagen (“Leesburg VW”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Leesburg VW is located at 9105 US Hwy 441, Leesburg, FL 34788.

28. At all times material hereto, Plaintiff, Bert Smith, Inc., d/b/a Bert Smith Volkswagen (“Bert Smith VW”), is a Delaware corporation and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Bert Smith VW is located at 3335 38th Avenue N., St. Petersburg, FL 33713.

29. At all times material hereto, Plaintiff, Pierce AFL VF, LLC, d/b/a Sunrise Volkswagen of Fort Pierce (“VW Fort Pierce”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. VW Fort Pierce is located at 5359 S. US Hwy. 1, Fort Pierce, FL 34982.

30. At all times material hereto, Plaintiff, Brandon AFL V, LLC, d/b/a Brandon Volkswagen (“Brandon VW”), is a Florida limited liability company and Volkswagen motor vehicle dealership actively doing business throughout the State of Florida. Brandon VW is located at 9816 E. Adamo Rd., Tampa, FL 33619.

31. At all times material hereto, Defendant, Scout Motors Inc. (“Scout”), has been and is a Delaware corporation with its principal place of business in McLean, Virginia. Scout is actively doing business in Miami-Dade County, Florida.

32. Scout is a “common entity” of Volkswagen Group of America (“VWoA”), as defined by section 320.60(2), Florida Statutes. Scout has more than 30 percent of its equity interest directly or indirectly controlled or owned by Volkswagen AG (“VWAG”), who also directly or indirectly owns more than 30 percent of VWoA. VWoA is a licensed “importer” as defined by section 320.60(7), Florida Statutes, and a “licensee” as defined by section 320.60(9), Florida Statutes.

Jurisdiction and Venue

33. Venue is proper in this judicial circuit pursuant to section 47.051, Florida Statutes, as the cause of action accrued in Miami-Dade County, Florida.

34. Pursuant to section 320.61(5), Florida Statutes, Scout is subject to the jurisdiction of Florida courts. Scout is a non-licensed “manufacturer of motor vehicles of a recognized line-make which are [offered for sale] or lease[] in this state pursuant to a plan, system, or channel of distribution established, approved, authorized or known” to Scout. *Id.*

35. Additionally, Scout has established minimum contacts with the State of Florida through its marketing efforts aimed at Florida residents, its efforts to establish and promote unlawful motor vehicle sales into Florida, and ongoing business relationships with Florida residents (including soliciting and unlawfully accepting vehicle deposits from Florida residents for future delivery of a Scout vehicle to such residents in Florida) that make it subject to the jurisdiction of Florida courts.

36. All conditions precedent to the filing of this lawsuit have occurred, were waived, or were performed.

Factual Allegations

37. From 1960 through 1980, the “Scout” name was synonymous with off-road vehicles—a competitor to the Jeep brand, known for its 2-door Sports Utility Vehicle (“SUV”) with removable hard tops and/or soft tops. At that time, Scout vehicles were sold to retail customers in Florida through authorized Scout dealers located in Florida.

38. In 2021, the Scout nameplate was revived, as VWAG purchased the rights to the Scout tradename with the intention of building all electric pickup trucks and SUVs.

39. Scout’s announced intention is to begin production of its vehicles in 2026 with a release to the general public in 2027.

40. Scout has engaged in extensive advertisement of its vehicles throughout Florida, including physical advertisements in Miami-Dade County and elsewhere in Florida, as well as advertising during NBC’s “Sunday Night Football” regarding the revival of the brand.

41. These advertisements were seen in the State of Florida directly targeting consumers within the state, including Miami-Dade County.

42. In the advertisements, Scout promotes the ability for a customer to place a “deposit” for one of the all-electric pickup trucks or SUVs. Scout has accepted such deposits from Florida residents. Pursuant to information sent by Scout to individuals placing a deposit, the deposit will be deducted from the sale price of a Scout vehicle ultimately delivered to the purchaser.

43. Scout’s stated intention is to sell new motor vehicles directly to Florida consumers, including those in Miami-Dade County.

44. In Florida, and throughout the United States, the vast majority of manufacturers, distributors, and importers (including VWoA, and Audi of America, Inc. (“AoA,” a division and registered d/b/a of VWoA)) voluntarily established and continue to utilize the franchised dealer

system to sell vehicles to the general public. VWoA and AoA have appointed independently owned dealers through franchise agreements to sell Volkswagen and Audi line-make vehicles to Florida consumers. All of the Plaintiffs are independently owned dealers that have entered into a franchise agreement with VWoA and AoA to sell Volkswagen and/or Audi vehicles to Florida consumers. All of the Plaintiffs maintain facilities in Florida which they use for the sale and service of Volkswagen and/or Audi vehicles to Florida consumers. Plaintiffs, as well as other Florida Volkswagen and Audi dealers, have made, and continue to make, substantial investments (including time, energy, and capital) in their dealerships, much of which is undertaken at the specific request or demand of VWoA or AoA.

45. Sections 320.60-320.70, Florida Statutes, more colloquially known as the Motor Vehicle Dealer Act, establishes protections for dealers with respect to the franchise relationship voluntarily created by manufacturers, distributors, and importers (including VWoA and AoA) for the benefit of Florida consumers, franchised dealers, and the general public, including limiting the ability of a manufacturer, distributor, importer, or its common entity, to sell motor vehicles directly to Florida consumers and bypass motor vehicle dealers.

46. As recently as 2023, the Florida Legislature adopted provisions to strengthen the Motor Vehicle Dealer Act and clarify that a manufacturer, distributor, importer, or one of its common entities, may not compete with its franchised dealer network by offering any brand of new motor vehicle for sale to Florida consumers other than through a licensed dealer.

47. The Florida Legislature has adopted the provisions of the Motor Vehicle Dealer Act for the purposes of ensuring that consumers benefit from competition between Florida dealers on prices for vehicle sales and service; protecting the substantial capital investment Florida dealers

have made to provide competitive vehicle sales and service options to consumers; and protecting the hundreds of thousands of jobs created for Florida citizens by Florida dealers.

48. In particular, in the Motor Vehicle Dealer Act, the Florida Legislature has adopted provisions to ensure that the continued existence of Florida franchised dealers is not threatened by competition from the franchisor manufacturers, distributors, importers, or their common entities, on which the dealers rely for their economic livelihood.

49. Virtually every other state in the United States has adopted a similar set of statutory provisions to protect franchised dealers and the benefits that they provide to consumers and the general public.

50. Section 320.64(24), Florida Statutes, prohibits a licensee, such as VWoA, or its common entity, such as Scout, from having sold or leased a motor vehicle to any retail consumer in Florida.

51. Section 320.60(16), Florida Statutes, defines a “sale” to include the accepting of a deposit or “receiving a payment for the retail purchase, lease, or other use of a motor vehicle[.]”

52. Scout, by accepting deposits for vehicles has unlawfully engaged in a “sale” of a motor vehicle in the State of Florida.

53. As a result of accepting deposits from Florida consumers for the retail purchase of a motor vehicle, Scout has violated section 320.64(24), Florida Statutes.

COUNT I

54. The allegations of paragraphs 1 through 53 are re-alleged as if fully set forth herein.

55. Section 320.64(24), Florida Statutes, establishes that Scout, as a common entity of a licensee (VWoA), is prohibited from selling or leasing a motor vehicle to a retail consumer in Florida.

56. Section 320.60(16), Florida Statutes, defines a “sale” to include “[a]ccepting a deposit or receiving a payment for the retail purchase, lease, or other use of a motor vehicle” from a consumer in Florida.

57. By accepting deposits for the purchase of a Scout truck or SUV, Scout has engaged in the unlawful sale of vehicles to retail consumers in Florida.

58. Section 320.695, Florida Statutes, provides that “notwithstanding the existence of any adequate remedy at law, . . . any motor vehicle dealer in the name of the department and state and for the use and benefit of the motor vehicle dealer” may obtain an injunction “restraining any person . . . from violating or continuing to violate any of the provisions of ss. 320.60-320.70 A single act in violation of the provisions of ss. 320.60-320.70 shall be sufficient to authorize the issuance of an injunction.”

59. Accordingly, an injunction restraining Scout from unlawfully selling vehicles to consumers in the State of Florida by accepting deposits for the retail purchase of Scout vehicles, or otherwise, is appropriate.

60. Plaintiffs have retained the undersigned counsel to represent them in this action and are obligated thereto for a reasonable fee.

WHEREFORE, Plaintiffs demand:

- (a) Pursuant to Chapter 86, Florida Statutes (Declaratory Judgments), a declaration, order, or judgment that Scout has violated section 320.64(24), Florida Statutes, by selling motor vehicles to consumers in the State of Florida through the accepting of deposits for retail purchase of Scout vehicles from Florida residents;

- (b) Pursuant to Section 320.695, Florida Statutes, in the name of the Florida Department of Highway Safety and Motor Vehicles and the State of Florida for the use and benefit of Plaintiffs, entry of an injunction requiring that Scout cease the sale of motor vehicles to consumers in the State of Florida;
- (c) An order awarding Plaintiffs their attorney's fees; and
- (d) Such other relief that this Court deems just and equitable.

COUNT II

61. The allegations of paragraphs 1 through 53 are re-alleged as if fully set forth herein.

62. Scout is a manufacturer of Scout vehicles pursuant to the definition of section 320.60(11), Florida Statutes.

63. Scout offers Scout vehicles for sale to Florida consumers, and is, therefore, engaged in business in Florida.

64. Section 320.61, Florida Statutes, requires that any manufacturer engaged in business in Florida be licensed as a manufacturer by the Department of Highway Safety and Motor Vehicles ("Department").

65. Section 320.695, Florida Statutes, provides that "notwithstanding the existence of any adequate remedy at law, . . . any motor vehicle dealer in the name of the department and state and for the use and benefit of the motor vehicle dealer" may obtain an injunction "restraining any person from acting as a licensee under the terms of ss. 320.-320.70 without being properly licensed hereunder A single act in violation of the provisions of ss. 320.60-320.70 shall be sufficient to authorize the issuance of an injunction."

66. Scout is not licensed by the Department as a manufacturer.

67. Plaintiffs have suffered pecuniary loss as a result of Scout's violation of section 320.61, Florida Statutes, and are entitled pursuant to section 320.697, Florida Statutes, to recover three times their pecuniary loss, an amount which exceeds \$750,000.

68. Additionally, an injunction restraining Scout from engaging in business in Florida as a manufacturer without obtaining a manufacturer license from the Department is appropriate.

69. Plaintiffs have retained the undersigned counsel to represent them in this action and are obligated thereto for a reasonable fee.

WHEREFORE, Plaintiffs demand:

- (a) Pursuant to Chapter 86, Florida Statutes (Declaratory Judgments), a declaration, order, or judgment that Scout has violated section 320.61, Florida Statutes, by engaging in business in Florida as a manufacturer without obtaining a manufacturer license from the Department;
- (b) Pursuant to Section 320.697, Florida Statutes, an order granting Plaintiffs recovery of three times their pecuniary loss, an amount which exceeds \$750,000;
- (c) Pursuant to Section 320.695, Florida Statutes, in the name of the Florida Department of Highway Safety and Motor Vehicles and the State of Florida for the use and benefit of Plaintiffs, entry of an injunction requiring that Scout cease engaging in business in Florida as a manufacturer without obtaining a manufacturer license from the Department;
- (d) An order awarding Plaintiffs their attorney's fees; and
- (e) Such other relief that this Court deems just and equitable.

Respectfully submitted this 3rd day of February, 2025.

/s/ John W. Forehand

John W. Forehand (Fla. Bar No. 979813)
jforehand@kfb-law.com
R. Craig Spickard (Fla. Bar No. 721751)
cspickard@kfb-law.com
Michael J. Sanchez (Fla. Bar No. 1018168)
msanchez@kfb-law.com
KURKIN FOREHAND BRANDES LLP
1089 W. Morse Boulevard, Suite D
Winter Park, FL 32789
Telephone: (407) 602-0249

/s/ Richard N. Sox

Richard N. Sox (Fla. Bar No. 982156)
rsox@bsm-law.com
Jason T. Allen (Fla. Bar No. 25659)
jallen@bsm-lw.com
Micah A. Andrews (Fla. Bar No. 117592)
mandrews@bsm-law.com
BASS SOX MERCER
2822 Remington Green Circle
Tallahassee, FL 32308
Telephone: (850)878-6404

/s/ Michael A. Hanzman

Michael A. Hanzman (Fla. Bar No. 510637)
mhanzman@bilzin.com
Kayla M. Hernandez (Fla. Bar No. 1025839)
khernandez@bilzin.com
jbermudez@bilzin.com
etrujillo@bilzin.com
eservice@bilzin.com
BILZIN SUMBERG BAENA PRICE &
AXELROD LLP
1450 Brickell Avenue, 23rd Floor
Miami, Florida 33131
Telephone: (305) 375-6127

Counsel for Plaintiffs