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COMPLAINT FOR DAMAGES

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UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF CALIFORNIA

YAYYO, INC. a Delaware corporation, Plaintiff, v. HURST CAPITAL, LLLP, a limited liability limited partnership, ZACH HURST an individual, AUSTIN HURST, an individual, RYAN O'CONNOR, an individual, SCOTT CARL EDWARDS, an individual, ROBERT LISIESCKI, an individual, CHRISTOPHER JOHN GILBERT, an individual, JOSEPH ANDREINI III, an individual, and JOSEPH HOFFMAN, an individual, and DOES 1 through 25, inclusive, Defendants. Case No:

COMPLAINT FOR: (1) FRAUD; (2) FRAUDULENT INDUCEMENT; (3) FRAUDULENT CONCEALMENT; (4) NEGLIGENT MISREPRESENTATION; (5) UNFAIR BUSINESS PRACTICES; (6) INTENTIONAL INTERFERENCE WITH CONTRACTUAL RELATIONS; (7) INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS; (8) NEGLIGENT INTERFERENCE WITH PROSPECTIVE ECONOMIC RELATIONS; AND (9) CONVERSION [DEMAND FOR JURY TRIAL AND PUNITIVE DAMAGES]

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Plaintiff YayYo, Inc., a Delaware corporation, with its principal place of business in Los Angeles, California, hereby complains and alleges as follows:

I. THE PARTIES

1.

Plaintiff YayYo, Inc. is a Delaware corporation, converted to this entity from YayYo, LLC, a Delaware limited liability company (hereafter "YayYo"). At all times relevant to this Complaint, YayYo was, a business entity registered by and under the laws of the State of Delaware. YayYo's principal place of business is in Los Angeles, California. 2.

Hurst Capital, LLLP ("Hurst Capital") was, at all times relevant to this Complaint, a limited liability limited partnership registered by and under the laws of the State of Florida. In Florida public filings, Hurst Capital has identified its principal place of business as being located at 1771 Ringling Blvd., Unit 1007, Sarasota, Florida 34236. At the time of filing this Complaint, Hurst Capital's public website lists its business address as 1661 Ringling Blvd., Suite 3986, Sarasota, Florida, 34230. On information and belief, YayYo alleges that Hurst Capital is a

private equity firm, investing in companies predominantly in the technology and consumer goods sectors. During the summer of 2016, YayYo hired Hurst Capital to develop, create, launch, and run its mobile applications and website for consumer use, business development, and marketing. To date, YayYo has paid Hurst Capital approximately \$76,802 for these services despite the fact that YayYo has yet to deliver usable work product as promised. 3.

Austin Hurst ("Austin") is, and at all times relevant to this Complaint was, an individual stated residing in Las Vegas, Nevada and in various cities throughout Florida. Austin co-founded Hurst Capital with his twin brother, defendant Zach Hurst, and serves as its Managing General Partner. During 2016, Austin made fraudulent representations to YayYo in order to induce it to enter into a deal with Hurst Capital. Thereafter, Austin continued to make fraudulent representations to YayYo in order to persuade YayYo to pay hundreds of thousands of dollars for work that was either never

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completed or incapable of being performed as Austin represented. On information and belief, Austin conspired with his co-Defendants in this action to defraud YayYo and to steal and/or convert approximately \$800,000 for Defendants' collective personal gain and benefit. 3. Zach Hurst ("Zach") is, and at all times relevant to this Complaint was an individual stated residing in Las Vegas, Nevada and in various cities throughout Florida. Zach co-founded Hurst Capital with his twin brother, Austin, and serves as Hurst Capital's Managing Partner. During 2016, Zach made fraudulent representations to YayYo in order to induce it to enter into a deal with Hurst Capital. Thereafter, Zach continued to make fraudulent representations to YayYo in order to persuade YayYo to pay hundreds of thousands of dollars for work that was either never completed or incapable of being performed as Zack represented. On information and belief, Zach conspired with his co-Defendants in this action to defraud YayYo and to steal and/or convert approximately \$800,000 for Defendants' collective personal gain and benefit. 4.

Defendant Ryan Patrick O'Connor ("O'Connor") is, and at all times relevant to this Complaint was, an individual residing in the State of Florida. During 2016, YayYo hired O'Connor, as an independent contractor, upon Hurst Capital's, Austin's, and Zach's advice and direction. O'Connor was engaged to provide technology development and programming services in connection with planning, building, and launching YayYo's mobile applications and website. To date, YayYo has paid O'Connor approximately \$154,820 for his services. On information and belief, O'Connor conspired with his co-Defendants in this action to defraud YayYo and steal and/or convert approximately \$800,000 for Defendants' collective personal gain and benefit. 5.

Defendant Scott Carl Edwards ("Edwards") is, and at all times relevant to this Complaint was, an individual residing in the State of Oregon. During 2016, YayYo hired Edwards, as an

independent contractor, upon Hurst Capital's, Austin's, and Zach's advice and direction.
Edwards was engaged to provide technology development
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