



CHIEF FINANCIAL OFFICER
JIMMY PATRONIS
STATE OF FLORIDA

EXQUISITE HAIR, INC.

PLAINTIFF(S)

VS.

NAUTILUS INSURANCE COMPANY

DEFENDANT(S)

SUMMONS, COMPLAINT, NOA, NOF INITIAL CASE LETTER

CASE #: 562020CA001028AXXXHC
COURT: CIRCUIT COURT
COUNTY: ST. LUCIE
DFS-SOP #: 20-000227682

NOTICE OF SERVICE OF PROCESS

NOTICE IS HEREBY GIVEN of acceptance of Service of Process by the Chief Financial Officer of the State of Florida. Said process was received in my office by ELECTRONIC DELIVERY on Wednesday, August 12, 2020 and a copy was forwarded by ELECTRONIC DELIVERY on Friday, August 14, 2020 to the designated agent for the named entity as shown below.

NAUTILUS INSURANCE COMPANY
JANET L SHEMANSKE
7233 EAST BUTHERUS DRIVE
SCOTTSDALE, AZ 85260

***Our office will only serve the initial process(Summons and Complaint) or Subpoena and is not responsible for transmittal of any subsequent filings, pleadings, or documents unless otherwise ordered by the Court pursuant to Florida Rules of Civil Procedure, Rule #1.080**

Jimmy Patronis
Chief Financial Officer

GRANT KRAPF
ATTORNEY
KRAPF LEGAL, P.A.
2790 SUNSET POINT ROAD
CLEARWATER, FL 33759

EXHIBIT
"A"

TSC

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR ST. LUCIE COUNTY, FLORIDA
CIVIL DIVISION**

EXQUISITE HAIR, INC.,
Plaintiff,

v.

NAUTILUS INSURANCE COMPANY,
Defendant.

CASE NO:

562020CA001028AXXXHC

Judge Barbara Bronis

SUMMONS

THE STATE OF FLORIDA:

YOU ARE HEREBY COMMANDED to serve this Summons and a copy of the Complaint, Plaintiff's Notice of Appearance, and Plaintiff's Notice of Filing Correspondence from Krapf Legal, P.A. with the Initial Case Letter on the above-named Defendant at the following address:

NAUTILUS INSURANCE COMPANY
c/o CHIEF FINANCIAL OFFICER as RA
200 E. GAINES ST.
TALLAHASSEE, FL 32399

**PERSONAL SERVICE ON A NATURAL PERSON
IMPORTANT**

A lawsuit has been filed against you. You have twenty (20) calendar days after this Summons is served on you to file a written response to the attached Complaint with the Clerk of this Court. A phone call will not protect you. Your written response, including the case number given above and the names of the parties, must be filed if you want the Court to hear your side of the case. If you do not file your response on time, you may lose the case, and your wages, money and property may thereafter be taken without further warning from the Court. There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may call an attorney referral service or a legal aid office (listed in the phone book).

If you choose to file a written response yourself, at the same time you file your written response to the court you must also mail or take a copy of your written response to the PLAINTIFF/PLAINTIFF'S ATTORNEY named below.

IMPORTANTE

Usted ha sido demandado legalmente. Tiene 20 días, contados a partir del recibo de esta notificación, para contestar la demanda adjunta, por escrito, y presentarla ante esta tribunal. Una llamada telefonica no lo protegera. Si usted desea que el tribunal considere su defensa, debe presentar su respuesta por escrito, incluyendo el numero del caso y los nombres de las partes interesadas. Si usted no contesta la demanda a tiempo, podiese perder el caso y podria ser despojado de sus ingresos y propiedades, o privado de sus derechos, sin previo aviso del tribunal. Existen otros requisitos legales. Si lo desea, puede usted consultar a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a una de las oficinas de asistencia legal que aparecen en la guia telefonica.

RECEIVED AS STATUTORY REGISTERED AGENT
on 12 August, 2020 and served on defendant or named party on 14 August, 2020
by the Florida Department of Financial Services

Si desea responder a la demanda por su cuenta, al mismo tiempo en que presenta su respuesta ante el tribunal, debera usted enviar por correo o entregar una copia de su respuesta a la persona denominada abajo como "Plaintiff/Plaintiff's Attorney" (Demandate o Abogado del Demandante).

IMPORTANT

Des poursuites judiciaires ont ete entreprises contre vous. Vous avez 20 jours consecutifs a partir de la date de l'assignation de cette citation pour déposer une reponse ecrite a la plainte ci-jointe aupres de ce tribunal. Un simple coup de telephone est insuffisant pour vous proteger. Vous etes obligee de déposer votre reponse ecrite, avec mention du numero de dossier ci-dessus et du nom des parties nommees ici, si vous souhaitez que le tribunal entende votre cause. Si vous ne deposez pas votre reponse ecrite dans le relai requis, vous risquez de perdre la cause ainsi que votre salaire, votre argent, et vos biens peuvent etre saisis par la suite, sans aucun preavis ulterieur du tribunal. Il y a d'autres obligations juridiques et vous pouvez requerir les services immediats d'un avocat. Si vous ne connaissez pas d'avocat, vous pourriez telephoner a un service de reference d'avocats ou a un bureau d'assistance juridique (figurant a l'annuaire de telephones).

Si vous choisissez de déposer vous-meme une reponse ecrite, il vous faudra egalement, en meme temps que cette formalite, faire parvenir ou expedier une copie de votre reponse ecrite au "Plaintiff/Plaintiff's Attorney" (Plaignant ou a son avocat) nomme ci-dessous.

WITNESS my hand and seal of this Court on the 17TH day of JULY 2020.

(SEAL)

JOSEPH E. SMITH
Clerk of the Circuit Court
201 South Indian River Dr.
Fort Pierce, FL 34950

By:  Jamshahyan
Deputy Clerk

It is the intent of the 19th Judicial Circuit to provide reasonable accommodations when requested by qualified persons with disabilities. If you are a person with a disability who needs an accommodation to participate in a court proceeding or access to a court facility, you are entitled, at no cost to you, to the provision of certain assistance. Please contact: Court Administration, 250 NW Country Club Drive, Suite 217, Port Saint Lucie, FL 34986; (772) 807-4370; 1-800-955-8771, if you are hearing or voice impaired.

PLAINTIFF'S ATTORNEY
GRANT W. KRAPF, ESQ.
FBN: 072058/SPN 03089577
2790 Sunset Point Road
Clearwater, FL 33759
(727) 777-7450
E-mail: grant@krapflegal.com
Attorney for Plaintiff

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
IN AND FOR ST. LUCIE COUNTY, FLORIDA
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EXQUISITE HAIR, INC.,
Plaintiff,

CASE NO:

v.

NAUTILUS INSURANCE COMPANY,
Defendant.

_____ /

COMPLAINT

COME NOW the Plaintiff, EXQUISITE HAIR, INC. (hereinafter "Plaintiff"), by and through the undersigned attorney, and files this Complaint against the Defendant, NAUTILUS INSURANCE COMPANY (hereinafter "Defendant"), and as grounds therefore, state as follows:

General Allegations

1. At all times relevant hereto, the Plaintiff, EXQUISITE HAIR, INC., is a resident of the State of Florida, residing in St. Lucie County.
2. At all times relevant hereto, Defendant, NAUTILUS INSURANCE COMPANY, was an insurance company organized and existing under the laws of the State of Florida and doing business in the State of Florida and specifically in St. Lucie County with Plaintiff.
3. The amount in controversy in this action is more than Thirty Thousand Dollars (\$30,000.00) exclusive of pre-judgment interest, court costs, and attorney's fees.

Count I-Breach of Contract

4. Plaintiff re-alleges each and every allegation set forth in Paragraphs 1 through 3 above, as if fully set forth herein.
5. This is an action for loss for breach of insurance contract against Defendant.

6. In consideration of the premium paid to it, Defendant issued to Plaintiff a contract of insurance, Policy No. NC329650, which was in full force and effect at the time of the loss at the insured premises at 1148 SE Port St. Lucie Blvd., Port St. Lucie, Florida 34952 (hereinafter “Insured Property”).
7. During the effective period of the insurance policy, Plaintiff’s Insured Property suffered direct damage to the insured property.
8. On or about April 7, 2020, Plaintiff’s Insured Property experienced loss of business income and incurred extra expense caused by action of civil authority that prohibited access to the insured premises.
9. The loss to Plaintiff’s Insured Property resulted from a peril for which the policy of insurance issued by Defendant provides coverage.
10. The sudden and accidental loss caused by action of civil authority that prohibited access to the insured premises caused Plaintiff to sustain loss of business income to the insured property.
11. The sudden and accidental loss caused by action of civil authority that prohibited access to the insured premises caused Plaintiff to incur additional expenses and will continue to cause expenses and loss.
12. Plaintiff has made a timely claim for the loss.
13. Plaintiff has requested that Defendant pay Plaintiff’s for the loss, but Defendant has failed and refused and continues to refuse to fully pay the aforementioned loss despite knowing that it is required to do so.
14. Plaintiff has done and performed all those matters and things properly required under the insurance policy or, alternatively, has been excused from performance by the acts, representations, and/or conduct of Defendant.

15. Notwithstanding the foregoing, Defendant has failed or refused to provide full coverage under the insurance policy and has failed to pay promptly the full amounts due and has thereby breached the contract of insurance.
16. As a direct result of Defendant's breach of insurance contract, Plaintiff has been financially damaged and continues to suffer loss.
17. The Plaintiff was forced to retain the service of a public adjuster to pursue Plaintiff's claim as a result of Defendant's conduct. As a result of retaining a public adjuster, Plaintiff is now obligated to pay the public adjuster's fees. Plaintiff is seeking those damages as consequential damages from Defendant in this matter.
18. As a result of Defendant's breach of the insurance contract, it has become necessary for Plaintiff to incur and become obligated for attorney's fees and costs in connection with the prosecution of this action. Plaintiff is entitled to have Defendant pay said fees and costs pursuant to section 627.428, Florida Statutes.

WHEREFORE, the Plaintiff prays this Court enter judgment in Plaintiff's favor and against NAUTILUS INSURANCE COMPANY for damages including actual and compensatory damages, pre-judgment interest, costs of this action, attorney's fees, consequential damages including public adjuster fees and such other and further relief as this Court may deem appropriate.

JURY TRIAL DEMANDED

Plaintiff requests a trial by jury on all issues so triable.

Dated: July 15, 2020

Respectfully submitted,

KRAPF LEGAL, P.A.

/s/ Grant W. Krapf, Esq.
GRANT W. KRAPF, ESQ.
FBN: 072058
2790 Sunset Point Road
Clearwater, FL 33759
Telephone: (727) 777-7450
E-mail: grant@krapflegal.com
assist@krapflegal.com
Counsel for Plaintiff

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
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EXQUISITE HAIR, INC.,
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**PLAINTIFF'S NOTICE OF APPEARANCE AND DESIGNATION OF E-MAIL
ADDRESS PURSUANT TO RULE 2.516(b)(1)(A)**

COMES NOW, KRAPF LEGAL, P.A., and files this its Notice of Appearance in the above-captioned case as counsel for Plaintiff, EXQUISITE HAIR, INC., and respectfully requests that all future pleadings, papers and notices of any kind or nature whatsoever directed to Plaintiff by any party, party's attorney or any Court official be served directly on Grant W. Krapf, Esq. of KRAPF LEGAL, P.A. Pursuant to Fla. R. Jud. Adm. 2.516(b)(1)(A), the undersigned counsel, attorney for Plaintiff, EXQUISITE HAIR, INC., hereby designates the following e-mail address to be used for service of all court papers in this action:

Primary e-mail address: assist@krapflegal.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing has been furnished by the Service of Process Unit at the State of Florida Department of Financial Services concurrently with the Complaint which has been filed with the Clerk of the Circuit Court, In and For St. Lucie County, Florida on this 15th day of July 2020.

KRAPF LEGAL, P.A.

/s/ Grant W. Krapf, Esq.
GRANT W. KRAPF, ESQ.
FBN: 072058
2790 Sunset Point Road
Clearwater, FL 33759
Telephone: (727) 777-7450
E-mail: grant@krapflegal.com
assist@krapflegal.com
Counsel for Plaintiff

**IN THE CIRCUIT COURT OF THE NINETEENTH JUDICIAL CIRCUIT
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EXQUISITE HAIR, INC.,
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NOTICE OF FILING

Plaintiff, EXQUISITE HAIR, INC., hereby gives notice of filing a correspondence dated July 15, 2020.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY, that a true and correct copy of the foregoing has been furnished by the Service of Process Unit at the State of Florida Department of Financial Services concurrently with the Complaint which has been filed with the Clerk of the Circuit Court, In and For St. Lucie County, Florida on this 15th day of July 2020.

Respectfully submitted,

KRAPF LEGAL, P.A.

/s/ Grant W. Krapf, Esq.
GRANT W. KRAPF, ESQ.
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Clearwater, FL 33759
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E-mail: grant@krapflegal.com
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Counsel for Plaintiff