

**IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
IN AND FOR ORANGE COUNTY FLORIDA
CIVIL DIVISION**

K.S., as mother and natural guardian of
JANE A.S. DOE, a minor child,

Plaintiff,

vs.

CASE NO.: 2025-CA-001701-O
DIVISION: 39

CHRISTIAN VARGAS, FLORIDA
MULTICULTURAL DISTRICT
COUNCIL OF THE ASSEMBLIES
OF GOD, INC. and IGNITE LIFE
CENTER, INC.,

Defendants.

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**DEFENDANT IGNITE'S MOTION TO STAY/ABATE
CIVIL PROCEEDINGS PENDING RESOLUTION OF CRIMINAL CASE**

Defendant, IGNITE LIFE CENTER, INC. ("Ignite"), by and through undersigned counsel, hereby moves to stay/abate this civil action pending resolution of related criminal charges. In support thereof, Defendant Ignite states:

1. This is a negligence action brought by K.S., as mother and natural guardian of JANE A.S. DOE against Defendant Ignite and the Florida Multicultural District Counsel of the Assemblies of God, Inc. stemming from alleged abuse perpetrated by church member, Christian Vargas (also a minor at the time of the alleged abuse), on the Defendant's church property between March and July of 2021.

2. On August 20, 2025, felony charges related to an alleged failure to report suspected child abuse were filed in Alachua County, Florida against Pastor Mark Vega, the president and director of Ignite Life Center, Inc., a Florida corporation. The criminal charges directly relate to the allegations of abuse which for the basis of this lawsuit.

3. A court should “stay a civil proceeding pending resolution of a related criminal prosecution... when ‘special circumstances’ so require in the interests of justice,” *United States v. Lot 5. Fox Grove. Alachua County, Fla.*, 23 F.3d 359, 364 (11th Cir. 1994).

4. In determining whether to stay civil proceedings the Court should measure the relative weights of the parties' competing interests with a view towards accommodating those interests, if possible, thus, insuring that the rights of both parties are taken into consideration before deciding whose rights predominated, *Wehling v. Columbia Broad, Sys.*, 608 F.2d 1084 (5th Cir. 1979)

5. The decision whether to stay civil proceedings in the face of a parallel criminal proceeding should be made “in light of the particular circumstances and competing interests involved in the case. *Keating v. Office of Thrift Supervision*, 45 F.3d 322, 324 (9th Cir. 1995).

6. A stay is appropriate where the civil and criminal cases share the same operative facts, arise out of the same general allegations, and involve many of the same defendants. *Id.*

7. When deciding whether to stay civil proceedings the “decision maker should consider ‘the extent to which the defendant's fifth amendment rights are implicated.’” *Id.*, at 324-25.

8. “The Fifth Amendment privilege against compulsory self-incrimination can be asserted in any proceeding, civil or criminal, administrative or judicial, investigatory or adjudicatory; it protects against any disclosures which the witness reasonably believes might incriminate him in future proceedings.” *Carson v. Jackson*, 466 So.2d 1188, 1191 (Fla. 4th DCA 1985) citing *Lefkowitz v. Turley*, 414 U.S. 70, 77, 94 S.Ct. 316, 322, 38 L.Ed.2d 274 (1973); *Kastiear v. United States*, 406 U.S. 441, 444-45 (1972).

9. If a party reasonably apprehends risk of self-incrimination, that party may claim Fifth Amendment privilege even though no criminal charges are pending against the party and even if the risk of prosecution is remote. *Compton v. Societe Eurosuise, S.A.*, 494 F.Supp. 836, 838 (S.D. Fla. 1980).

10. Where a defendant has invoked the Fifth Amendment privilege against self-incrimination in a civil action “courts will often find it appropriate to stay the lawsuit so that the defendant's assertion of this constitutional right does not preclude him from defending a civil suit.” *Kerben v. Intercontinental Bank*, 573 So. 2d 976 (Fla. 5th DCA 1991).

11. Additional factors that should be considered in determining whether to stay a civil proceeding include: (1) the interest of the plaintiffs in proceeding expeditiously with th[e] litigation or any particular aspect of it, and the potential prejudice to plaintiffs of a delay; (2) the burden which any particular aspect of the proceedings may impose on defendants; (3) the convenience of the court in the management of its cases, and the efficient use of judicial resources; (4) the interests of persons not parties to the civil litigation; and (5) the interest of the public in the pending civil and criminal litigation. *Keating v. Office of Thrift Supervision*, 45 F.3d 322, 325 (9th Cir. 1995).

12. In the instant matter, a stay or abatement of the civil proceedings, pending the outcome of the criminal matter, is appropriate.

13. The interest of the Plaintiff proceeding expeditiously is subordinate to the pending criminal prosecution under the circumstances in light of the potential criminal penalties.

14. In light of the pending criminal case, neither Pastor Mark Vega, nor Ignite Life Center, the corporation for which he is the president and director, will be able to answer any discovery related to the allegations asserted in the criminal case.

15. Accordingly, in light of the foregoing, a stay or abatement of the instant proceedings is appropriate.

WHEREFORE, Defendant, IGNITE LIFE CENTER, INC., respectfully requests that this Court enter an Order staying the civil proceedings in this matter pending the outcome of Pastor Mark Vega's criminal matter, and for any other further such relief as this Court deems just and proper.

CERTIFICATE OF CONFERRAL

I HEREBY CERTIFY that defense counsel conferred with Plaintiff's counsel on September 22, 2025 regarding the relief requested herein and Plaintiff counsel advised that Plaintiff opposes the relief requested herein.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was furnished via E-Service to: Christopher R. Chenevey, Esq. (chris@bagenlaw.com and wendy@bagenlaw.com), Counsel for the Plaintiff, on this 13th day of October, 2025.

/s/ Madeline S. Villani

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