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IN THE CIRCUIT COURT OF THE NINTH JUDICIAL CIRCUIT
OF THE STATE OF FLORIDA IN AND FOR ORANGE COUNTY

L.A. as Legal Guardian of JOHN AC DOE,
a Minor Child

Plaintiff,

v.

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

Defendants.
_____/

CASE NO.: 2025-CA-006217-O

DIVISION: 39

DEFENDANT FLORIDA MULTICULTURAL DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, INC.'S MOTION TO DISMISS COUNTS III AND IV OF PLAINTIFF'S COMPLAINT

COMES NOW, the Defendant, FLORIDA MULTICULTURAL DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, INC., (hereinafter "DISTRICT") by and through its undersigned counsel, and pursuant to Rule 1.140, Florida Rules of Civil Procedure, moves this Honorable Court for an Order dismissing Plaintiff's Complaint and staying Discovery, and as grounds for same states:

INTRODUCTION

1. This lawsuit arose from allegations of sexual abuse perpetrated by a volunteer of Co-Defendant IGNITE LIFE CENTER, INC. against the Plaintiff.

2. On or about July 15, 2025, Plaintiff served a lawsuit on DISTRICT. The lawsuit contains four (4) separate and brief counts against the DISTRICT and co-Defendant IGNITE LIFE CENTER, INC. Specifically, Counts III and IV are alleged against DISTRICT.

3. DISTRICT alleges all counts asserted against it, fail to state a proper cause of action, and/or are pled with insufficient facts, injuries, and damages to substantiate said counts, and accordingly must be dismissed.

4. Furthermore, DISTRICT asserts that this Court lacks Subject Matter Jurisdiction as the matters brought before this Honorable Court relate to matters of doctrine and church governance, and are therefore precluded through the ecclesiastical abstention doctrine.

5. The remaining counts were brought against Co-Defendant IGNITE LIFE CENTER, INC.

6. Accordingly, DISTRICT is seeking an order dismissing, with prejudice, the Complaint for (a) Plaintiff's failure to state a cause of action against DISTRICT; and (b) the Court's lack of subject matter jurisdiction over matters of doctrine and church governance.

MEMORANDUM OF LAW

I. PLAINTIFF HAS FAILED TO STATE A CAUSE OF ACTION AGAINST DISTRICT.

Plaintiff's Amended Complaint, specifically Counts III and IV fail to allege sufficient ultimate facts to state a cause of action for any Count listed therein. Rather, the complaint merely states false legal conclusions that IGNITE LIFE CENTER, INC., was a "district affiliated church," that DISTRICT operated the "Ignite Summer Internship," and that DISTRICT selected, assigned, trained, and supervised employees of the "Ignite Summer Internship."

COUNT III– NEGLIGENCE AGAINST DISTRICT.

Count III makes vague and false assertions that DISTRICT negligently breached duties to Plaintiff. Plaintiff has not and cannot allege ultimate facts to establish, or give DISTRICT, actual notice as to the duty being claimed, the alleged breach of same and further fails to identify viable

damages. IGNITE LIFE CENTER, INC., is not a district affiliated church, and DISTRICT had no roll or responsibility in the operation of the "Ignite Summer Internship."

As such, Count III fails to state a cause of action, and therefore must be dismissed.

COUNT IV – VICARIOUS LIABILITY (RESPONDEAT SUPERIOR), AGAINST DISTRICT.

Count IV makes vague and false assertions that Ignite Summer Internship volunteer GABRIEL HEMENEZ, was an appointee, employee, agent, and/or servant of DISTRICT. Plaintiff has not and cannot allege ultimate facts to establish, or give DISTRICT, actual notice as to the vicarious liability being claimed, the alleged agency theory, the employee relationship of GABRIEL HEMENEZ and further fails to identify viable damages and therefore Count IV must be dismissed.

II. THIS COURT LACKS SUBJECT MATTER JURISDICTION OVER MATTERS OF DOCTRINE OR CHURCH GOVERNANCE.

The "ecclesiastical abstention doctrine" precludes courts from exercising jurisdiction where the substance and nature of the plaintiff's claims are inextricably intertwined with matters of doctrine or church governance. The U.S. Supreme Court has, as recently as 2021, reaffirmed that "[b]ecause courts are prohibited from risking judicial entanglement with ecclesiastical matters . . . if the substance and nature of the plaintiff's claims are inextricably intertwined with matters of doctrine or church governance, then the case must be dismissed." *In re Diocese of Lubbock,* 624 S.W.3d 506 (2021) (citing *Jennison v. Prasifka*, 391 S.W.3d 660, 665, 668 (Tex. App. –Dallas 2013, no pet.). The Court in *Lubbock*, also states that to make a determination, a court should look to the substance and nature of the plaintiff's claims, citing *Patton v. Jones*, 212 S.W.3d 541, 548 (Tex. App.-Austin 2006, pet. Denied).

As the U.S. Supreme Court indicated in *Lubbock*, courts are prohibited from even "risking judicial entanglement with ecclesiastical matters." *Lubbock* at 514. Plaintiff's lawsuit is inextricably intertwined with matters of doctrine or church governance, and thus must be dismissed.

CONCLUSION

Based on the foregoing reasons, arguments, and legal authorities cited herein, DISTRICT respectfully submits to this Honorable Court that DISTRICT's Motion to Dismiss be GRANTED for the following reasons: (1) Plaintiff fails to state a viable cause of action against DISTRICT by making general legal conclusions, and failing to identify viable damages against DISTRICT; and (2) This Honorable Court lacks subject matter jurisdiction as the matters at issue relate to ecclesiastical matters.

WHEREFORE, the Defendant, FLORIDA MULTICULTURAL DISTRICT COUNCIL OF THE ASSEMBLIES OF GOD, INC., respectfully request this Honorable Court enter an Order Granting the Defendant's Motion to Dismiss Count III and IV, and for any and all further relief this Court deems just and proper under the circumstances.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served and filed via the Florida Court's E-portal, to the following, on this 18th day of August, 2025:

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