

IN THE CIRCUIT COURT OF THE
FOURTH JUDICIAL CIRCUIT IN
AND FOR DUVAL COUNTY, FLORIDA

16- 2009-CA- 005681

Case No.

**STATE OF FLORIDA,
OFFICE OF THE ATTORNEY GENERAL,
DEPARTMENT OF LEGAL AFFAIRS,**

DIVISION CV-B

Plaintiff,

vs.

**SHOWBIZ PROMOTIONS, LLC
a Florida Corporation, and
JAIME SALCEDO, an individual,**

Defendants.

**COMPLAINT FOR PERMANENT INJUNCTIVE RELIEF,
CIVIL PENALTIES AND OTHER RELIEF**

PLAINTIFF, STATE OF FLORIDA, OFFICE OF THE ATTORNEY GENERAL,
DEPARTMENT OF LEGAL AFFAIRS (hereinafter referred to as "Attorney General" or
"Plaintiff") makes and files this Complaint against JAIME SALCEDO, Individually and doing
business as SHOWBIZ PROMOTIONS, LLC and (hereinafter collectively referred to as
"Defendants") and alleges as follows:

JURISDICTION AND VENUE

1. This is an action for Injunctive Relief, Restitution, Civil Penalties and Other Relief
against Defendant JAIME SALCEDO, individually, and doing business as SHOWBIZ

PROMOTIONS, LLC, pursuant to the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”), Chapter 501, Part II, Florida Statutes (2008).

2. This Court has jurisdiction pursuant to Section 501.207, Fla. Stat. (2008).
3. The award of injunctive relief and other equitable relief is within the jurisdiction of the Circuit Court and the amounts in controversy meet the jurisdictional threshold of the Circuit Court.
4. Defendants’ activities alleged herein occurred in or affect more than one judicial circuit in the State of Florida, including the Fourth Judicial Circuit in Duval County.
5. SHOWBIZ PROMOTIONS, LLC is a for-profit corporation doing business in the State of Florida at 4446-1A Hendricks Avenue, Suite 238, Jacksonville, Florida 32207.
6. Venue is proper in this Court for SHOWBIZ PROMOTIONS, LLC pursuant to Sections 47.011 and 47.051, Florida Statutes.
7. Defendant, JAIME SALCEDO is an individual owner, director, and/or president of the corporate defendant. JAIME SALCEDO is a resident of Duval County, Florida with his primary residence listed as 2211 Belote Place, Jacksonville, FL 32207.
8. Venue is proper in this Court for JAIME SALCEDO, pursuant to Section 47.011, Florida Statutes.
9. The State has conducted an investigation of the matters alleged herein and Attorney General Bill McCollum has determined that this enforcement action serves the public interest, as required by Section 501.207(2), Florida Statutes (2008). (See attached Exhibit 1.)

THE PARTIES

10. The Attorney General is an enforcing authority of Florida's Deceptive and Unfair Trade Practices Act as defined in Chapter 501, Part II, Florida Statutes. The Attorney General is authorized to bring this action and seek damages, injunctive and other statutory relief pursuant to Section 501.207, Florida Statutes.

11. Defendant SHOWBIZ PROMOTIONS, LLC is a Florida corporation doing business in the State of Florida at 4446-1A Hendricks Avenue, Suite 238, Jacksonville, Florida 32207. SHOWBIZ PROMOTIONS' registered agent is Defendant JAIME SALCEDO, and the registered office is 4446-1A Hendricks Avenue, Suite 238, Jacksonville, Florida 32207.

12. Defendant JAIME SALCEDO at all times relevant to the allegations of this complaint was an employee or officer of Showbiz Promotions and is currently an officer of Showbiz Promotions.

FACTUAL BACKGROUND

13. Beginning on or about October 4, 2007 and continuing to the present, Defendants operate an internet-based business offering a variety of merchandise for sale on its websites, including www.cayleedoll.com, www.vickdogchewtoy.com, www.wheresmyplea.com, www.sarahpalinpuck.com, www.obamastore2009.com, www.dannie-lynnbirkhead.com, www.pokertshirts-apparel.com, and www.fatflag.com.

14. The Attorney General received and reviewed over 200 consumer complaints and affidavits regarding Defendant SALCEDO'S acts or practices, specifically related to sales of the Michael Vick dog chew toy through the websites www.vickdogchewtoy.com and www.wheresmyplea.com.

15. The Attorney General's Office conducted an investigation to respond to consumer complaints.
16. The numerous consumer complaints received by the Attorney General are indicative of a pattern and practice of unfair, fraudulent, and deceptive business practices by Defendant SALCEDO.
17. The original version of the company's web-sites made the following representations:
- A) "The World Famous Vick Dog Chew Toy is currently being shipped with no delays. In most cases your order will be shipped the same day you place your order. Tracking numbers are sent out within 24 hours. All toys are being shipped from right here in the USA."
 - B) A portion of the proceeds go to local animal shelters and organizations.
 - C) The Vick Dog Chew Toy is "made right here in the USA."
18. Numerous customers paid for merchandise from SHOWBIZ PROMOTIONS, but did not receive the merchandise or received merchandise after a lengthy delay.
19. The company failed to timely respond to customer complaints about delays, product quality, or refunds.
20. At the time of publication, Defendant SALCEDO did not make any contributions to local animal shelters or organizations.
21. The "Vick Dog Chew Toy" was manufactured outside the United States.
22. JAIME SALCEDO has profited from the business activity of SHOWBIZ PROMOTIONS.
23. Defendant SALCEDO began cooperating with the Attorney General and made attempts to either make delivery on consumer orders for the Vick Dog Chew Toy or to provide refunds.

However, numerous consumer complaints remain unresolved regarding the Vick Dog Chew Toy.

24. On or about January 22, 2009, Defendant SALCEDO registered the domain name www.cayleedoll.com to SHOWBIZ PROMOTIONS and began selling dolls made to resemble Caylee Anthony, named "Caylee Sunshine," selling for \$29.99. The website was later altered to feature the "Sunshine Doll Collection," including "Caylee Sunshine," "Gracie Sunshine," "Hope Sunshine," and "Sally Sunshine" as well as other "Caylee Sunshine" merchandise. The "Sunshine Dolls" were later sold by Defendant SALCEDO for \$79.99.

25. Defendant SALCEDO created www.cayleedoll.com and the "Caylee Sunshine" merchandise modeled after a deceased person, Caylee Anthony, for commercial gain and without authorization. Defendant SALCEDO continues to maintain www.cayleedoll.com for advertising purposes.

26. The www.cayleedoll.com website also made the representation that "we will Donate 100% of the Profits from the sale of 'The Sunshine Doll Collection' to charity." The charity selected by Defendant SALCEDO was the National Center for Missing and Exploited Children.

27. On or about March 17, 2009, it came to the attention of the Attorney General that the www.cayleedoll.com website contained a new link to "see the first donation [made by Showbiz Promotions, LLC to the National Center for Missing and Exploited Children.]" (See attached Exhibit 2.)

28. The link led to a screenshot taken from the National Center for Missing and Exploited Children's website of an "Online Credit Card Donation Confirmation."

29. The screenshot showed that Showbiz Promotions, LLC made a \$5,000.00 donation to the National Center for Missing and Exploited Children at 17:28 on March 6, 2009. The

confirmation number had been crossed through. (See attached Exhibit 3.)

30. The National Center for Missing and Exploited Children confirmed that their records showed that a donation was made by Jaime Salcedo on March 12, 2009 at 17:28 in the amount of \$10.00, confirmation number 13968. The National Center for Missing and Exploited Children confirmed that they had no record of a donation from Showbiz Promotions in any amount or any additional donation from Jaime Salcedo. (See Affidavit attached as Exhibit 4.)

31. Defendant SALCEDO intentionally misrepresented the donation made to the National Center for Missing and Exploited Children. In addition, Defendant SALCEDO misrepresented an affiliation with the National Center for Missing and Exploited Children where no such affiliation existed.

32. Defendant SALCEDO knew and through the exercise of reasonable caution should have known that the representations made on his websites, constitute unfair and deceptive trade practices in violation of Chapter 501, Part II, of the Florida Statutes, in that said representations were false, deceptive, and unfair and were likely to deceive and mislead the consumers at whom they were directed.

**VIOLATIONS OF FLORIDA DECEPTIVE AND UNFAIR
TRADE PRACTICES ACT, CHAPTER 501, PART II, FLA. STAT.**

33. Plaintiff incorporates by reference and realleges paragraphs 1 through 32 as if fully set forth herein.

34. As demonstrated herein, Defendant SALCEDO, individually, and doing business as SHOWBIZ PROMOTIONS engaged in illegal unfair and deceptive business practices during the period from on or about October 4, 2007 to the present.

35. At all pertinent times, Defendant SALCEDO was engaged in “trade or commerce” as defined by Section 501.203(8), Fla. Stat.

36. Section 501.202(2), Fla. Stat., establishes the policy of “protect[ing] the consuming public and legitimate business enterprises from those who engage in unfair methods of competition, or unconscionable, deceptive or unfair acts or practices in the conduct of any trade or commerce.”

37. Section 501.204(1), Fla. Stat., states “[u]nfair methods of competition, unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.”

38. By undertaking the above activities and the others alleged herein, Defendant SALCEDO has committed acts or practices in trade or commerce which violate Florida law and offend established public policy and are immoral, unethical, oppressive, unscrupulous, or substantially injurious to consumers, or that cause or are likely to cause consumer injury which is substantial, not be outweighed by any countervailing benefits to consumers or competition that the acts or practices produced, and not an injury that consumers themselves could have reasonably avoided. Thus, Defendant SALCEDO has engaged in unfair acts or practices within the meaning of Section 501.204(1), Fla. Stat.

39. By undertaking the activities described above and the others alleged herein, Defendant SALCEDO has engaged in representations, acts, practices or omissions which are material, and which are likely to mislead consumers acting reasonably under the circumstances. Thus, Defendant SALCEDO has engaged in deceptive acts or practices within the meaning of Section 501.204(1), Fla. Stat.

40. By undertaking the activities described above and the others alleged herein, Defendant SALCEDO has engaged in unconscionable acts or practices in trade or commerce, in violation of Section 501.204(1), Fla. Stat.

41. Consumers misled or deceived by the Defendant SALCEDO are being denied and deprived of their rights under Florida laws, which constitute irreparable harm for the purposes of injunctive relief.

42. There is a substantial likelihood that the Attorney General will prevail on the merits of its Complaint.

PRAYER FOR RELIEF

43. WHEREFORE, the Attorney General respectfully requests that the Court enter judgment in its favor for the following relief:

- a) Permanently enjoin Defendants from operating www.cayleedoll.com in the State of Florida pursuant to Sections 501.207(1)(b), Florida Statutes;
- b) Permanently enjoin Defendant SALCEDO and SHOWBIZ PROMOTIONS and its officers, agents, servants, employees, attorneys and those persons in active concert or participation with it who receive actual notice of the injunction, from engaging in the methods, acts or practices alleged herein that are unconscionable acts or practices or deceptive or unfair acts and practices in violation of Chapter 501, Part II, Florida Statutes, pursuant to Section 501.207(1)(b), Florida Statutes;
- c) Impose penalties of \$10,000 per violation of the Deceptive and Unfair Trade Practices Act pursuant to Section 501.2075, Florida Statutes, for each method, act or practice willfully used in violation of Chapter 501, Part II, Florida Statutes;

- d) Award the Plaintiff costs and attorney's fees pursuant to Florida Statutes and Section 501.2105, Florida Statutes; and
- e) Award any and all such other relief as this Honorable Court deems just, equitable, and proper.

Respectfully submitted this 9th day of April, 2009.

BILL McCOLLUM
ATTORNEY GENERAL



Kathleen Connors Piechowiak
Assistant Attorney General
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STATE OF FLORIDA,
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Case No.:

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Defendants.

DETERMINATION OF PUBLIC INTEREST

COMES NOW, BILL McCOLLUM, ATTORNEY GENERAL, STATE OF
FLORIDA, and states:

1. Pursuant to Section 20.11, Florida Statutes, I am the head of the Department of Legal Affairs, State of Florida (hereinafter referred to as the Department).
2. In this matter, the Department seeks an injunction and other equitable relief on behalf of one or more consumers caused by acts or practices performed in violation of Chapter 501, Part II, Florida Statutes.
3. I have reviewed this matter and I have determined that an enforcement action serves the public interest.

Dated: 4/7/09



BILL McCOLLUM
ATTORNEY GENERAL

EXHIBIT

tabbies
1

100% of the profits from the sale of the inspirational sunshine doll collection will be given to charity. [click here to see the first donation.](#)

BUY NOW

CayleeDoll.com Slams Media Focus in Haleigh Cumming Case

We would like to make a plea to you and all Americans. Please do not support the media as they try to destroy the parents and family of Haleigh Cummings. The focus should be on the safe return of Haleigh and not on any other issues.

The media knows that many Americans want to hear that the parents were involved in Haleigh's disappearance in some way. They know how to ensnare us with 'Negative or Scandalous News' or 'Bombshells'. They will try to make it look like the people closest to Haleigh were involved in her disappearance in order to increase viewership and create a better spin on the story.

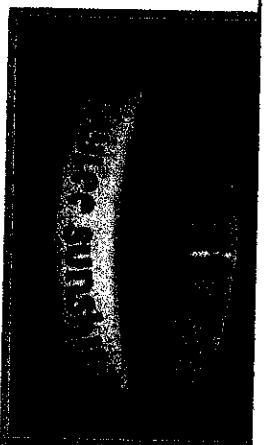
Again, this is not where our energy should be focused. Lets stand together and not allow outlets like Gerardo Rivera, Nancy Grace, HLN or any other agencies to divert our attention.

Haleigh Cummings deserves to have 100% of our concentration on her, as we try to bring her home safely.

Fox News Reports:

The father of missing Florida girl Haleigh Cummings claimed he doesn't want the media to focus on his personal life — a day after getting married and flying to New York to appear on national TV.

Ronald Cummings, 25, and his new bride, 17-year-old Misty Crossin, appeared on NBC's 'Today Show' Friday morning. They got married Thursday in Putnam County, Fla, then flew to New York.



Yellow silicone bracelet. One size fits all

Caylee Sunshine Awareness Bracelet

BUY NOW

Charity Disclosure

We are proud to announce that we will Donate 100% of the Profits from the sale of "The Sunshine Doll Collection" to charity. [click here to see the first donation!](#)

If you choose not to make a purchase please use the link provided below and GIVE.

<https://secure.missinckids.com/missinckids/serivet/DonationsServlet>

We are determined and committed to raising funds for this important cause. Together, we can make a difference.

National Center for Missing & Exploited Children - Mozilla Firefox

File Edit View History Bookmarks Tools Help

https://secure.missngkids.com/missngkids/service/DonationServlet

The Sunshine Dot Collection | Angel Su... National Center for Missing & Exp...

Home About Us Supporters Training Site Search News & Events

Online Credit Card Donation Confirmation

Please print a copy of this page for your records and tax purposes. This information will also be sent to the e-mail address you provided.

Thank you, Showbiz Promotions, LLC
Donation amount: \$5000.00
Donate To: National Center for Missing & Exploited Children (NCMEC)
The confirmation number is: 20090603
Time: 03/06/2009 17:28

All of us at the National Center for Missing & Exploited Children appreciate your generous support. Please note, no goods or services were received for this contribution.

The National Center for Missing & Exploited Children (Federal ID #52-1328557) is a 501(c)(3) tax-exempt charity as defined in section 509(a)(1) and 170(b)(1)(A)(vi) of the Internal Revenue Code. All contributions are tax-deductible to the extent allowable by law.

Questions? Call 1-866-411-KIDS (5437)

Select a State (USA only)
Missing within years(s)
More search options

Help Now

- Report a Sighting
- CyberTipline
- Get Involved
- AMBER Alert
- Donate
- Stay Informed

Resources for

- Parents & Guardians
- Law Enforcement
- Childcare Providers
- Attorneys

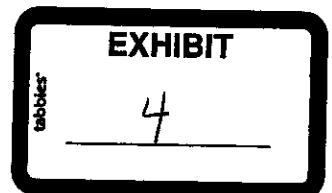
Looking for more ways to support the National Center for Missing & Exploited Children? The Heroes' Circle is a dedicated group of friends like you who make automatic monthly or quarterly gifts that provide a reliable source of income, allowing us to focus more

AFFIDAVIT OF NANCY TERSECK

COMMONWEALTH OF VIRGINIA)
) SS
CITY OF ALEXANDRIA)

NOW COMES THE AFFIANT, Nancy Terseck, having been duly sworn to law, who deposes and states the following:

1. I am currently employed as the Director of Finance at The National Center for Missing and Exploited Children ("NCMEC") and have been employed by NCMEC since February 1989. As the Director of Finance, I oversee corporate accounting, budgeting, and financial reporting policies and procedures, including managing the accounting systems maintained by NCMEC for online donations.
2. NCMEC is a private, nonprofit corporation, incorporated under the laws of the District of Columbia. NCMEC is not an agency or instrumentality of the United States government, and neither NCMEC nor I are employees of the United States government.
3. NCMEC utilizes PayPal, Inc., an electronic payment processing company, as its service provider for online credit card donations to NCMEC. Individuals can make online donations to NCMEC by using its donation page located on the NCMEC website at <https://secure.missingkids.com/missingkids/servlet/DonationServlet>.
4. When an individual makes an online donation to NCMEC a donation confirmation number is generated by NCMEC and assigned to that individual donation. Each confirmation number is unique. An email providing the confirmation number is automatically generated and sent to the donor upon the successful submission of the donation by the donor.
5. NCMEC can access its PayPal records via a secure website. Individual donor records for NCMEC are retrieved by referencing the donation confirmation number assigned by NCMEC. Each PayPal record is assigned a unique transaction reference number by PayPal. The PayPal records for donations made to NCMEC also list the donation confirmation number generated by NCMEC.
6. A search of NCMEC's donation records pertaining to Jaime Salcedo and ShowBiz Promotions was conducted. Records for a single donation were identified. True and correct copies of these records are attached. NCMEC's donation records are made and maintained during the regular course of business.
7. In relation to Jaime Salcedo and Showbiz Promotions, the following records were identified:



a. A PayPal Manager Report date stamped March 12, 2009, bearing PayPal transaction identification number VPFF3C320D5D is attached as Exhibit A. Exhibit A is a one page document that identifies a donation in the amount of ten dollars and no cents (\$10.00) made via the NCMEC website on March 12, 2009 at 14:28:59 PM. Comment 1 of Exhibit A identifies the NCMEC donation confirmation number for this transaction as 13968. Comment 2 of Exhibit A identifies the donor for this transaction as Jaime Salcedo.

b. A PayPal Manager Settlement Report for the dates of March 12, 2009 and March 16, 2009, bearing transaction identification numbers VPFF3C320D5D and VREF3C93BE1F is attached as Exhibit B. Exhibit B is a one page document that indicates that on March 16, 2009 at 10:21:00 AM, NCMEC provided a credit in the amount of ten dollars and no cents (\$10.00) for transaction number VPFF3C320D5D. That credit is recorded as transaction number VREF3C93BE1F. Comment 1 of Exhibit B identifies the NCMEC donation confirmation number for this transaction as 13968. Comment 2 of Exhibit B identifies Jaime Salcedo as the individual whose account was credited.

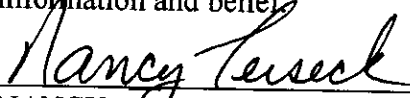
c. A donation confirmation email dated March 12, 2009 for donation number 13968 is attached as Exhibit C. Exhibit C is a single page document that is the confirmation email automatically generated by NCMEC for donation number 13968.

8. Based upon a review of the attached exhibits, on March 12, 2009, NCMEC received a single donation from Jaime Salcedo in the amount of ten dollars and no cents (\$10.00). No records for any donation from ShowBiz Promotions were located.

(Text and Signature continues on next page.)

9. Based upon the review of the attached exhibits, on March 16, 2009, NCMEC provided a credit to Jaime Salcedo in the amount of ten dollars and no cents (\$10.00).

I declare under penalty of perjury that the foregoing is true and correct to the best of my information and belief.



NANCY TERSECK

Director of Finance

The National Center for Missing & Exploited Children

699 Prince Street

Alexandria, VA 22314

April 8, 2009

DATE


NOTARIZED

April 8, 2009
DATE

City of Alexandria

Commonwealth of Virginia

The foregoing instrument was subscribed and sworn before me this 8th day of April, 2009 by Nancy Terseck.



Notary Public

My commission expires: _____

My Commission Expires April 30, 2012

Transaction Details[Help](#)[View Transaction Status](#)**Information for Transaction ID: VPFF3C320D5D****Information for Paypal Transaction ID:****Transaction Result Details****Transaction ID:** VPFF3C320D5D**Result Code:** 0**PayPal Transaction ID:****Timestamp:** Mar 12, 2009 14:28:59 PM**Response Message:** Approved
[Click here for fraud detail](#)**Transaction Type:** Sale**Authorization Code:** 623611**Tender Type:** MasterCard**AVS Street Match:** Y**Credit Card Number:** 5581XXXXXXXXX3015**AVS Zip Match :** Y**Credit Card Expiration:** 12 / 2010**International AVS Indicator:** N**Amount:** 10.00 USD**Card Security Code Match:** Y**Tax Amount:** 0.00 USD**ABA #:****Shipping/Freight Amount:** 0.00 USD**Cust Ref #:****Duty Amount:** 0.00 USD**Original Amount:** 0.00 USD**Original Transaction ID:** N/A**Batch ID:** 454**Supplier Reference #:****Comment 1:** 13968**Comment 2:** Jaime Salcedo**Billing Information****Billing Address:**2211 Belote Place
32207**Email:****Shipping Information****Shipping Address:****Additional Information****Client IP Address:** 208.254.21.148**Merchant:** ncmeorg1**Client Type:** S**User:** ncmeorg1**Client Version:** 3.06**Transaction State:** 8**Duration:** 5.00**EXHIBIT A**

Search Transactions

Search Criteria	Date	Time Zone	Transaction Mode
Comment 1	Thu Mar 12, 2009 to Mon Mar 16, 2009	U.S. Pacific	Live

Download: 1. ASCII Text



1-2 of 2 First | Prev | Next | Last

TRANSACTION ID	TRANSACTION TIME	TRANSACTION TYPE	CARD TYPE	ACCOUNT NUMBER	EXPIRATION DATE	CURRENCY	AMOUNT	RESPONSE MESSAGE	COMMENT1	COMMENT2
VPEFF3C320D5D	Mar 12, 2009 2:28:59 PM	Sale	MasterCard	5581XXXXXXXXXX3015	12/10	USD	10.00	Approved	13968	Jaime Salcedo
VREF3C938E1E	Mar 16, 2009 10:21:00 AM	Credit	MasterCard	5581XXXXXXXXXX3015	12/10	USD	10.00	Approved	13968	Jaime Salcedo

Download: 1. ASCII Text



1-2 of 2 First | Prev | Next | Last

EXHIBIT B

-----Original Message-----

From: Donations

Sent: Thursday, March 12, 2009 5:29 PM

To: Donations

Subject: Thank you for your donation 13968

Donator : Jaime Salcedo
Street : 2211 Belote Place
City : Jacksonville
State : FL
Zip Code : 32207
Country : USA
E-Mail : salcedojaime@aol.com
Amount : \$10.00
Donate To : National Center for Missing & Exploited Children (NCMEC)
In Memory Of : Caylee Anthony
In Honor Of : Caylee Anthony
Comments : Other
Time : 03/12/2009 17:28
Server Name : mkweb02

EXHIBIT C