

**IN THE CIRCUIT COURT OF THE ELEVENTH  
JUDICIAL CIRCUIT IN AND FOR MIAMI-DADE  
COUNTY, FLORIDA**

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

Plaintiff,

vs.

Case No.

OCEAN HUNTERS, INC., a Florida corporation,  
and ABDIEL FALCON, an individual,

Defendants.

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**COMPLAINT**

Plaintiff, OFFICE OF THE ATTORNEY GENERAL, DEPARTMENT OF LEGAL AFFAIRS, STATE OF FLORIDA (“Plaintiff” or the “Attorney General”), sues OCEAN HUNTERS, INC., a Florida corporation, and ABDIEL FALCON, an individual, hereinafter collectively referred to as (“Defendants”), and states the following in support thereof.

**JURISDICTION and VENUE**

1. This action is brought pursuant to Florida’s Deceptive and Unfair Trade Practices Act, Chapter 501, Part II, Florida Statutes (“FDUTPA”). The action seeks declaratory, equitable, and injunctive relief, civil penalties, and attorneys’ fees and costs.
2. This Court has jurisdiction pursuant to Florida Statutes Section 26.012 and FDUTPA.
3. The statutory violations alleged herein occurred in or affected more than one judicial circuit in the State of Florida. Venue is proper in this Circuit under Section 47.011,

Florida Statutes, as the principal place of business of the Defendants is Miami-Dade County, Florida and the actions at issue herein accrued in Miami-Dade County, Florida.

4. Ocean Hunters, Inc., and Abdiel Falcon, at all times material hereto, provided goods or services within the definition of Section 501.203(8), Florida Statutes.

5. Ocean Hunters, Inc., and Abdiel Falcon at all times material hereto, solicited consumers within the definition of Section 501.203(7), Florida Statutes.

6. Ocean Hunters, Inc., and Abdiel Falcon at all times material hereto, were engaged in a trade or commerce as defined by Section 501.203(8), Florida Statutes.

**PLAINTIFF**

7. The Office of the Attorney General is the enforcing authority of FDUTPA pursuant to Florida Statutes Section 501.203(2) and is authorized to pursue this action to enjoin violations of the FDUTPA and to obtain legal, equitable or other appropriate relief including rescission or reformation of contracts, restitution, the refund of monies paid, disgorgement of ill-gotten monies, civil penalties, or other relief as may be appropriate. Fla. Stat. §§ 501.207, 501.2075 and 501.2077.

8. Plaintiff has conducted an investigation and the head of the enforcing authority, Attorney General Pamela Jo Bondi, has determined that an enforcement action serves the public interest.

**DEFENDANTS**

9. Defendant Ocean Hunters, Inc. (“Ocean Hunters”) was organized under the laws of Florida on or about November 15, 2012 and has maintained a principal place of business in Miami-Dade County, Florida since its organization. The principal address for Ocean Hunters is registered as 4005 N.W. 114<sup>th</sup> Avenue, Unit 24, Doral, Florida 33178.

10. Defendant Abdiel Falcon (“Falcon”) is the President, Registered Agent, and owner of Ocean Hunters.

11. Defendant Falcon opened a business banking account with Bank of America in the name of “Ocean Hunters, Inc.” In addition, Defendant Falcon is the signatory to Ocean Hunters’ bank account.

12. Defendant Falcon resides in Miami-Dade County, Florida, is not in the military and is otherwise sui juris.

13. At all material times hereto, Defendant Abdiel Falcon directly participated in the unfair and deceptive acts and practices complained of herein and/or controlled or had the ability to control the actions and practices of Ocean Hunters. Defendant Falcon had actual and legal authority and control over the acts and practices at issue as well as personally participated in the actions at issue herein.

14. Defendants directly participated in the unfair and deceptive acts and practices complained of herein, including but not limited to, deceptive acts pertaining to the marketing, advertising, and selling of Open Water Scuba Diving Certifications and the issuance of counterfeit and/or fraudulent Professional Association of Diving Instructors (“PADI”) open water diver certification cards and/or fraudulent or worthless OEI open water diver certification cards.

### **DECEPTIVE ACTS AND PRACTICES**

15. Defendant Ocean Hunters, through its agents and affiliates and the direct actions of Defendant Falcon engaged in a deliberate and systematic pattern of misleading and deceiving Florida consumers in regard to the marketing, advertising, and selling of open water scuba diving

certification courses and issuing counterfeit and/or fraudulent PADI certification cards and/or fraudulent or worthless OEI open water diver certification cards.

*Representations to Consumers/Promised Services*

16. Defendants Ocean Hunters and Falcon, through Groupon (www.Groupon.com), LivingSocial (www.LivingSocial.com), and upon information and belief, their websites (www.OceanHunters.net and www.DiveOEI.com), marketed, advertised, and sold Open Water Scuba Diving Certification Courses.

17. On or around December 2, 2012, Defendant Falcon contracted with Groupon on behalf of Defendant Ocean Hunters, to run an advertising campaign to sell open water scuba diving certification courses. The Groupon advertisement represented that consumers who purchased the course would receive a certification recognized worldwide.

**\$159 for Open-Water Scuba Certification (\$349.99 Value)**

This Groupon includes all necessary components to get students certified to scuba-dive. Instructors lead students through classroom, pool, and lake or ocean training, resulting in certification recognized worldwide. This deal also includes all books, materials, and equipment, so customers need only bring a towel and swimsuit to classes.

18. Further, through Groupon, Defendants' advertised open water scuba diving certification course included "[F]ull worldwide certification with all instruction, materials, and equipment."

**In a Nutshell**

Full worldwide certification with all instruction, materials, and equipment included

19. Defendants also claimed to be offering an "unbeatable deal" which included "all necessary components to get students certified to scuba-dive." In addition, Defendants' offer

stated “Instructors lead students through classroom, pool, lake or ocean training, **resulting in certification recognized worldwide.**”

20. Moreover, Defendants advertised to have “virtually everything a diver would want to tackle the depths of any waters, from brand-name equipment to **expert instruction.**”

## Ocean Hunters

Ocean Hunters has virtually everything a diver would want to tackle the depths of any waters, from brand-name equipment to expert instruction. Instructors lead full open-water scuba certification classes, as well as other occasional classes in freediving and spearfishing. The shop sells equipment, gear, and apparel such as fins, wetsuits, and weight belts from brands including Oceanic, Genesis Scuba, and HammerHead Spearguns.

21. Further, on March 27, 2013, Defendant Falcon on behalf of Defendant Ocean Hunters, contracted with LivingSocial to run another advertising campaign to sell open water scuba diving certification courses.

22. Defendant Falcon authorized the advertisement campaign which ran from May 10, 2013 to May 20, 2013.

23. Defendants, through LivingSocial, represented to have the “best instructors around,” promised “complete training in scuba diving,” and as if it was not enough, Defendants even targeted children.

## details

Take a dip with the best instructors around as you join in on the thorough, complete training in scuba diving for ages 10 and older in Doral:

- \$149 (\$349 value) for an open-water scuba diving certification course
- Includes 1 pool and 2 open-water diving times and all necessary equipment
- Learn to understand depth, pressures, length of time you can stay underwater, safety precautions, equipment training, and coral and underwater sea life training

Ocean Hunters's [Website](#) | [Facebook](#)

24. Further, upon information and belief, Defendants through their websites [www.OceanHunters.net](http://www.OceanHunters.net) and [www.DiveOEI.com](http://www.DiveOEI.com), also marketed and advertised open water scuba diving certification courses.

25. Defendants guaranteed “safety, comfort and overall satisfaction”; offered “intense, thorough, and complete training in scuba diving”; and assured students will “learn everything that was necessary to have a safe and exciting diving day.”

[Home](#) » [Private Open Water Scuba Diving Certification Class](#)

## Private Open Water Scuba Diving Certification Class

Brand: Ocean Hunters

Product Code: Private Scuba Open Water Certification

Availability: In Stock

Price: ~~\$399.99~~

Ex Tax: \$399.99

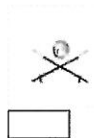
Qty: 1

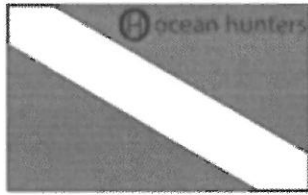
[Add to Cart](#)

[OR](#) [Add to Wish List](#)

[Add to Compare](#)

 1 reviews | [Write a review](#)





Share

Description      Reviews (1)

Learn to Scuba Dive with the best instructors around! We guarantee safety, comfort, and overall satisfaction with our dive courses. We offer intense, thorough, and complete training in scuba diving for ages 10+. We make sure you learn everything that is necessary to have a safe and exciting diving day with family and friends. We make sure you understand depth, pressures, length of time you can stay underwater, safety precautions, equipment training, and coral and underwater sea life training as well as local and state regulations. Includes all equipment necessary. Reserve your spot today!

26. Furthermore, upon information and belief, Defendants represent through, [www.DiveOEI.com](http://www.DiveOEI.com), that “OEI” is “a scuba training organization founded in 2000...dedicated to provide scuba training and instruction for all.” Further, it states “OEI’s Scuba Curriculum is fully compliant with all ISO worldwide standards and held to the highest quality safety standards.”



## Experience the best of Scuba Diving with OEI

OEI is a scuba training organization founded in 2000. OEI is dedicated to provide scuba training and instruction for all. Beginning with discovery dives to master scuba diving instruction. Our goal is to revolutionize the way people dive, and create a lasting connection between people and the ocean. We provide scuba training for the novice looking for scuba diving lessons as well as scuba training for the professional diver looking for rewarding careers in scuba diving. OEI's Scuba Curriculum is fully compliant with all ISO worldwide standards and held to the highest quality safety standards.

<http://diveoei.com/>

12/5/2014

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27. The “OEI” website provides no contact information. In addition, it provides no substantiation for its claims regarding “OEI’s Scuba Curriculum” being “fully” in compliance with the International Organization for Standardization (“ISO”). OEI is not recognized as a worldwide valid scuba diving organization.

28. Defendants’ representations were untrue, misleading and deceptive and Defendants’ did not provide the services they had promised.

### ***Defendants’ Deceptive and Unfair Trade Practices***

29. As a direct result of Defendants’ advertisements and misrepresentations, several consumers contacted Defendants directly to ensure Defendants’ “Open Water Certification Course” was PADI approved and would result in PADI certification.



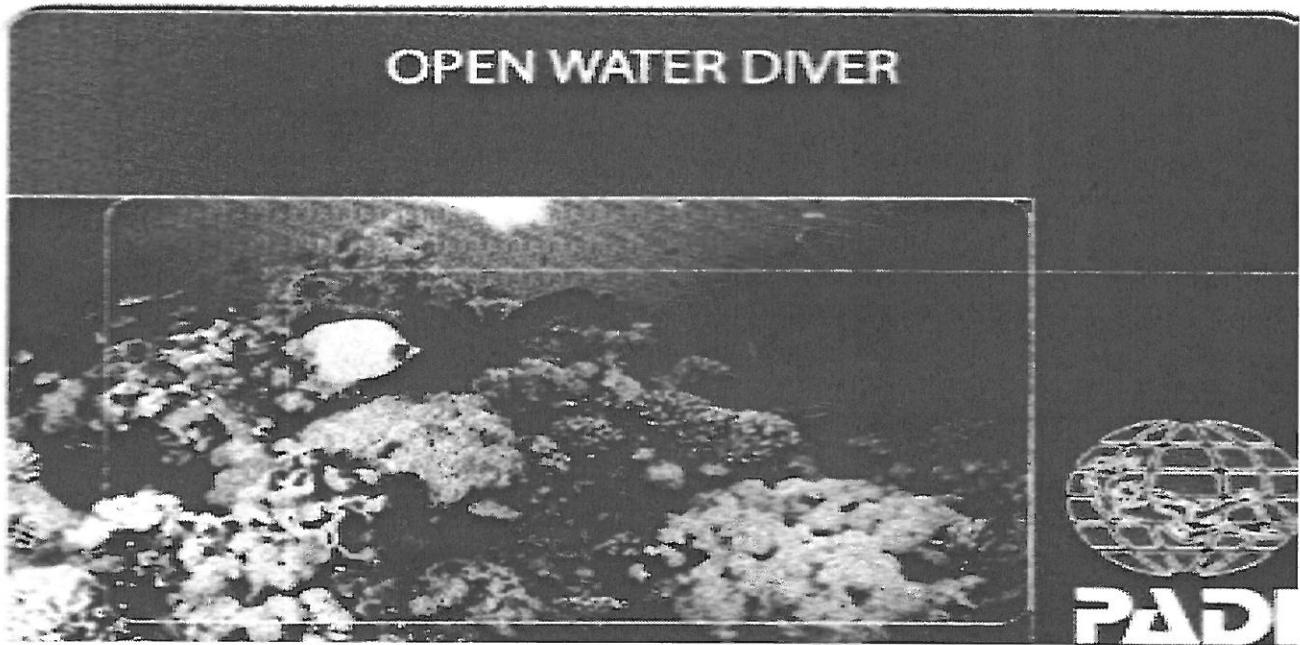
30. For example, consumer Ryan Myers in his affidavit, signed under penalty of perjury, states that Defendant Falcon confirmed “a PADI card would be issued,” once the course was completed. In addition, consumer Myers stated Defendant Falcon represented Defendants’ “open-water scuba diving certification course” was “a complete training in scuba diving that included 1 pool and 2 open water dives and all necessary equipment”. Consumer Myers purchased Defendants’ course through LivingSocial. Despite Defendant Falcon’s representations, Defendant Falcon only took consumer Myers on two dives, one lake one ocean, and thereafter, Defendant Falcon personally handed consumer Myers a fraudulent and/or counterfeit PADI certification card listing Abdiel Falcon as the instructor.

31. Defendants Falcon and Ocean Hunters routinely misrepresented to consumers that their Open Water Scuba Certification Courses advertised on Groupon and LivingSocial would provide consumers with a valid PADI Open Water Dive Certification.

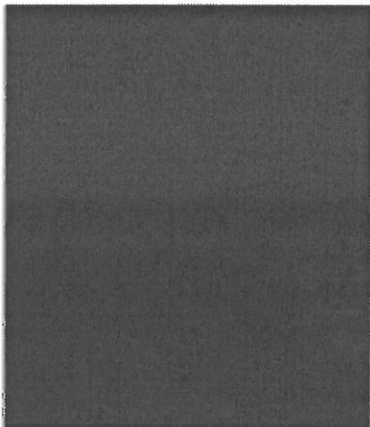
32. Defendants Falcon and Ocean Hunters’ misrepresentations induced more than 300 (three hundred) consumers to purchase Defendants’ advertised open water scuba diving certification courses through Groupon and LivingSocial.

33. After consumers purchased Defendants’ advertised open water scuba diving certification course, the only materials Defendants provided to their victims were unauthorized scanned PADI open water certification course materials which included, scanned PADI reading materials and YouTube links to PADI videos. Consumers received little if any classroom instruction and were taken on between one to five dives usually in a lake and the ocean.

34. In many instances, upon consumers’ “successful completion” of Defendants’ open water scuba diving course, Defendants issued consumers counterfeit and/or fraudulent PADI open water diver certification cards.



35. The counterfeit and/or fraudulent “PADI” open water diver certification cards issued by Defendants, stated Defendant Abdiel Falcon was the PADI “instructor” and also assigned the consumer with a PADI “diver number”.



Diver No. 13020018160  
BirthDate [REDACTED]  
Cert.Date 20-Jul-2013  
Instr.No. OWSI-302048  
ABDIEL FALCON

This qualification meets ISO 24801-2: Diver Level 2 - Autonomous Diver Standards  
This diver has satisfactorily met the standards  
for this certification level as set forth by:  
PADI, 30151 Tomas, RSM, CA 92688-2125  
[www.padi.com](http://www.padi.com)

36. The PADI “Diver No.s” assigned by Defendants are fraudulent and unrecognized by PADI. Furthermore, Defendant Falcon used two different instructor numbers (“Instr. No.”) on the counterfeit and/or fraudulent PADI certification cards. Both of the “PADI” instructor numbers used by Defendant Falcon were false and deceptive and did not belong to Defendant Falcon; in fact, upon information and belief, one of the numbers used by Defendant Falcon belongs to a female PADI instructor in Canada.

37. Defendant Falcon is not and has never been a certified PADI dive instructor or even a PADI certified open water diver.

38. Defendant Ocean Hunters is not and has never been a PADI authorized dive center.

39. As a result of Defendants’ deceptive and unfair practices, PADI issued a “Fraud Warning” alerting consumers against Defendants’ deceptive and unfair practices. The Warning advised consumers Defendants were not and have never been PADI members and were issuing counterfeit fraudulent diver certification cards.



### **Fraud Warning - Counterfeit PADI Certification Cards**

**Dear PADI Member,**

A Miami-based dive business named Ocean Hunters has been issuing counterfeit diver certification cards that look very similar to PADI certification cards ([see attached](#)). The cards are not authorized by or made by PADI and are showing up in Florida. Ocean Hunters and Abdiel Falcon (listed as instructor) are not, and never were, PADI Members.

**If a customer presents a fraudulent card:**

1. **Present this official alert from PADI**, which has been sent to all PADI Dive Centers and Resorts in the state of Florida.
2. **Explain:**
  - Because Abdiel Falcon is not a PADI instructor, and not authorized or trained to conduct PADI Diver courses, the card bearer's training cannot be substantiated as legitimate.
  - Diving without proper training and certification can expose the person to unreasonable risk of serious injury/death.
  - PADI has asked you send the fraudulent certification card to PADI Americas.
3. **Provide assistance:**
  - Demonstrate PADI Pro Chek as an easy way to confirm PADI Member qualifications. Enter your member number as a means to validate this.
  - Give them PADI's contact information, [gm@padi.com](mailto:gm@padi.com), and suggest that they get in touch with PADI directly.
  - Offer your professional PADI training and services to help them get on the right track.

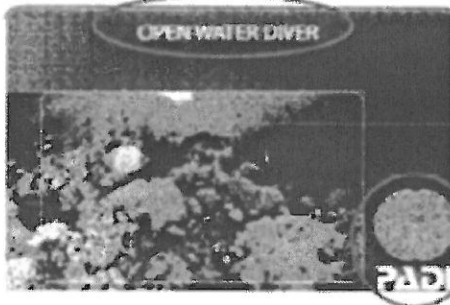
Thank you for your help in stemming this potential safety situation by responding as described. PADI is following up directly with Ocean Hunters and Abdiel Falcon in an effort to stop further fraudulent training and certifications. If you have any questions, don't hesitate to contact us at PADI.

Best regards,

Patricia A. Fousek  
Director, Legal & Risk Management

40. Further, PADI provided consumers with tips on how to detect counterfeit cards. For example, PADI advised consumers its legitimate diver certification cards use 10-digit Diver Numbers, whereas Defendants' counterfeit diver certification cards use 11-digit fraudulent diver numbers.

**COUNTERFEIT CARD:**



ALEXANDRA [REDACTED]



Diver No. 1000010100  
Birth Date [REDACTED]  
Cert. Date: 30-Jun-2012  
Inst. No. 12058-302005  
ABDEL FALCON

This qualification meets ISO 24460-2 Open Water 2 - Accredited Diver Standard  
This diver has satisfactorily met the standards  
for this certification level and holds the  
PADI 10101 Tucson, AZ, CA 0288-2125  
www.padi.com

**REAL PADI CARD:**

SEBASTIAN [REDACTED]



Diver No. 030761177  
Birth Date [REDACTED]  
Cert. Date: 08-Jul-2003  
Inst. No. 1206-47680  
BENJAMIN L. PARRY  
0110  
BUNDSBERG  
ALVA BUNDS  
BUNDSBERG OLD  
65 7-41032701

This qualification meets ISO 24460-2 Open Water 2 - Accredited Diver Standard  
This diver has satisfactorily met the standards  
for this certification level and holds the  
PADI 10101 Tucson, AZ, CA 0288-2125  
www.padi.com



To detect a possible counterfeit card look for these features:

- Abdel Falcon and/or Ocean Hunters on the card
- Certification level in all caps: OPEN WATER DIVER (PADI cards: Open Water Diver)
- Photo/graphic on the card is different than on PADI cards
- 11-digit Diver No. (PADI Diver No. are 10 digits)
- PADI Globe logo appears too large, falls outside the card border.

41. Defendants' misrepresentations, along with other acts of deception described below, directly harmed consumers and created health and safety hazards, including risk of serious bodily and/or brain injury and death.

42. Defendants simply ignored the importance of proper scuba diving training and certification and recklessly exposed consumers to potential life-threatening situations in addition to taking consumers' money and providing consumers with worthless and/or fraudulent certification cards.

***Material Misrepresentations and Omissions Regarding Defendants' Qualifications***

43. Defendants are not and have never been PADI members and/or a PADI authorized dive center. Moreover, Defendants are not and have never been authorized to teach PADI courses, diver training or issue PADI certifications. All of the above false and misleading advertisements and misrepresentations, among many others, were intentionally designed to mislead consumers and did in fact mislead Florida consumers to their detriment.

44. Unfortunately, as the direct result of Defendants' misrepresentations and omissions, hundreds of consumers fell victims to Defendants' deceptive and unfair practices.

45. For example, consumer Andrew Craven is among the many victims of Defendants' lies and misrepresentations. Consumer Craven purchased Defendants' open water scuba diving certification course advertised through LivingSocial.

46. Consumer Craven received from Defendant Falcon a counterfeit and/or fraudulent "PADI" open water certification card. In his affidavit, consumer Craven describes his surprise when he was not allowed to dive because his "PADI" open-water certificate "was fake". Consumer Craven contacted Defendants to inquire why his name did not appear in PADI's database and why PADI had no record of him being certified. Defendant Falcon's response: "I

have sorted everything out. You can use your card now, there was an issue when we submitted your certification, but I have clarified with PADI today, and they will be mailing me a new card for you.”

47. Defendant Falcon went even further and recklessly advised consumer Craven to use the counterfeit and/or fraudulent PADI card Defendant Falcon had personally handed to Craven, knowing his victim had not received proper PADI approved open-water scuba diving training and could be potentially exposed to a life-threatening situation.

48. Additionally, Defendants were emailing their victims and promoting their “Weekly Dive and Spear-fishing Charters,” knowing consumers were not properly trained and certified as per worldwide recognized standards.

49. Defendants’ disregard for the value of human life goes to the point of exposing innocent children to the dangers of uncertified open water scuba diving instruction.

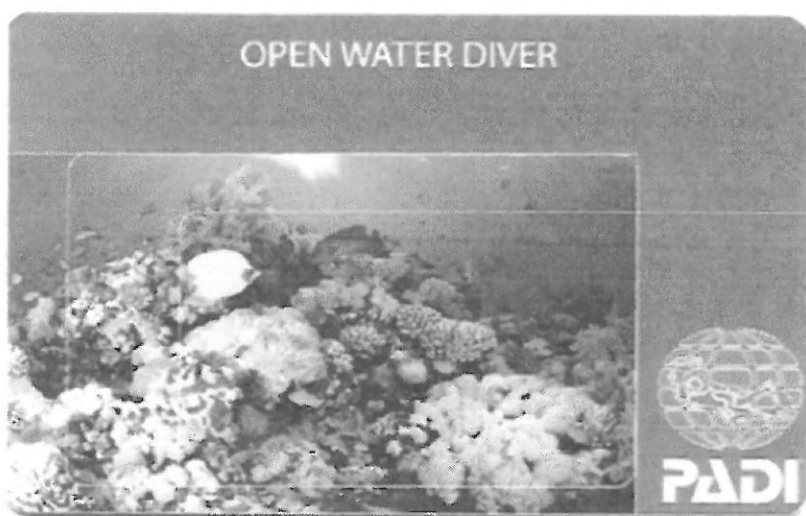
50. Consumer William Campano explains in his signed affidavit how Defendants put his two sons (ages 13 and 15 at the time) and his nephew (age 14 at the time) in “harm’s way by taking them scuba diving without proper training.”

51. Consumer Campano found Ocean Hunters through Groupon. He contacted Defendants and asked “several questions.” “They [Defendants] confirmed that the certification would be a PADI certification.” As the result of Defendants’ lies and misrepresentations, consumer Campano decided to sign up his two sons and his nephew for Defendants’ open-water scuba diving course.

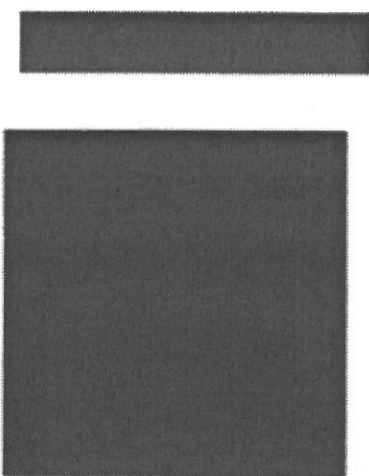
52. Consumer Campano goes on to describe Defendants’ modus operandi. “After sign-up, the owner, Abdiel Falcon, sent an illegal scan of the PADI Open Water course material by email, in PDF format. We were asked to read the whole book. The course with Mr. Falcon

was only a few hours along over two days before **Mr. Falcon and the three kids** were doing a lake dive, followed by an ocean dive in Miami Beach. Upon completion of the dives, they [the kids] had to do a very simple 5 question exam through an online app.”

53. Further, consumer Campano states “[t]hereafter, we received fake PADI certificates in the mail. I immediately checked the PADI website and was unable to verify the certifications. I called PADI and they confirmed that the cards were fake.”

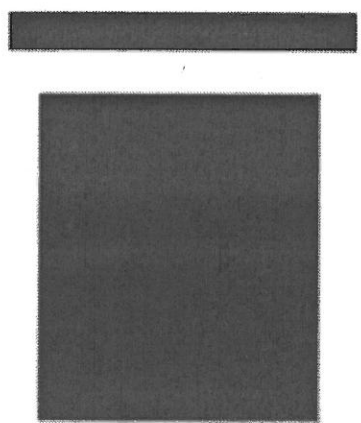






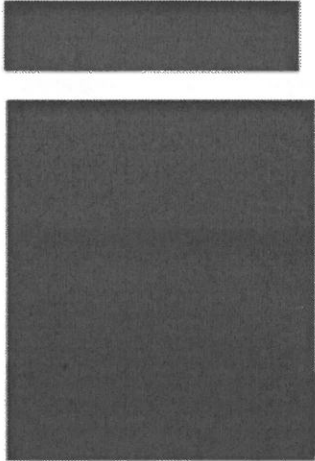
Diver No. 13020018170  
BirthDate [REDACTED]  
Cert.Date 20-Jul-2013  
Instr.No. OWSI-302048  
ABDIEL FALCON

This qualification meets ISO 24801-2: Diver Level 2 - Autonomous Diver Standards  
This diver has satisfactorily met the standards  
for this certification level as set forth by:  
PADI, 30151 Tomas, RSM, CA 92688-2125  
[www.padi.com](http://www.padi.com)



Diver No. 13020018171  
BirthDate [REDACTED]  
Cert.Date 20-Jul-2013  
Instr.No. OWSI-302048  
ABDIEL FALCON

This qualification meets ISO 24801-2: Diver Level 2 - Autonomous Diver Standards  
This diver has satisfactorily met the standards  
for this certification level as set forth by:  
PADI, 30151 Tomas, RSM, CA 92688-2125  
[www.padi.com](http://www.padi.com)



Diver No. 13020018172  
BirthDate [REDACTED]  
Cert.Date 20-Jul-2013  
Instr.No. OWSI-302048  
ABDIEL FALCON

This qualification meets ISO 24801-2: Diver Level 2 - Autonomous Diver Standards.  
This diver has satisfactorily met the standards  
for this certification level set forth by:  
PADI, 30151 Tomas, RSM, CA 92688-2125  
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54. Consumer Campano contacted Defendant Falcon searching for answers, but Defendant Falcon's response was just a series of lies and misrepresentations, one after another.

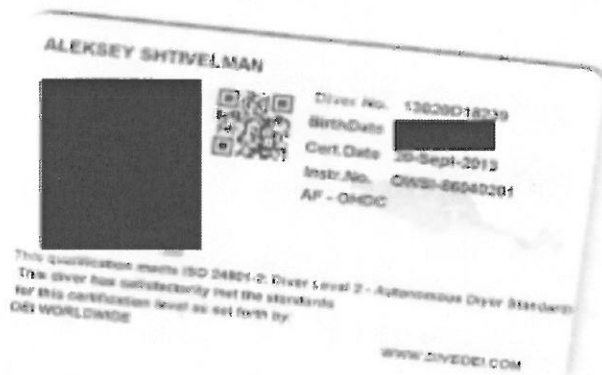
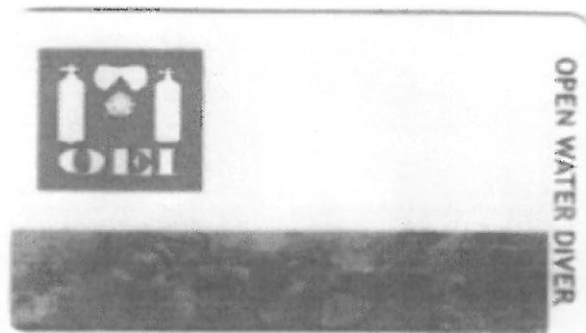
55. Defendant Falcon never provided a response as to why consumer Campano was unable to locate the alleged, issued by Defendants, "PADI certifications" in PADI's database.

56. Defendant Falcon simply said: "It will cost me too much to replace those cards, so I can do a refund, or issue you cards with a different agency, which cost me less, the price I charged you doesn't allow me to replace 3 cards from PADI." Defendant Falcon offered to issue "OEI" certifications, but consumer Campano declined the "offer".

57. Defendant Falcon offered and in some cases issued to several consumers, "OEI" open water certification cards.

58. For example, consumer Aleksey Shtivelman, who purchased Defendants' open water scuba diving certification course through LivingSocial, explains in his signed affidavit that Defendants represented he was purchasing an open water scuba diving certification course and that he would receive a "Padi certified/recognized certificate".

59. Upon completion, Defendant Falcon handed to consumer Shtivelman an "OEI" open water certification card.



60. When consumer Shtivelman tried to use his alleged “PADI recognized” open water certification card at a dive shop in Florida, he was informed the card was “invalid, fraudulent, and not recognized.”

61. Defendants’ “OEI” open water certification cards and “training” offer no value to consumers and are fraudulent and/or worthless.

62. In other instances, Defendants simply failed to provide consumers who purchased Defendants’ Open Water Dive Certification Course, and completed Defendants’ “course” with any open water certification cards at all.

63. For example, consumer Carmen Demapan, who purchased Defendants’ open water scuba diving certification course through Groupon, states in her signed affidavit she never received any open water scuba diving certification card from Defendants despite successfully completing the “course”. Further, consumer Demapan states Defendants ignored her emails and never provided any response.

64. Defendants routinely provided consumers with counterfeit and/or fraudulent PADI open water certification cards, fraudulent and/or worthless “OEI” certification cards, or simply failed to provide consumers with any open water certification cards. Defendants’ practices were deceptive and unfair.

**COUNT I**  
**VIOLATION OF FLORIDA’S DECEPTIVE AND UNFAIR TRADE PRACTICES ACT**

65. Plaintiff adopts, incorporates herein and re-alleges paragraphs 1 through 64 as if fully set forth hereinafter.

66. Section 501.204(1), Florida Statutes, declares that “unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.”

67. In numerous instances in connection with the marketing, advertising and/or sale of Open Water Scuba Diving Certification Courses, Defendants have represented, directly or indirectly, expressly or by implication, that Ocean Hunters and Abdiel Falcon were authorized and certified PADI instructors and could provide consumers with valid PADI Open Water Scuba Diving Certifications.

68. In truth and in fact, Defendants' representations were false and/or deceptive and the certification cards Defendants provided consumers were counterfeit and/or fraudulent and/or worthless.

69. Therefore, Defendants' representations constitute deceptive acts or practices in violation of FDUTPA.

**COUNT II**  
**VIOLATION OF FLORIDA'S DECEPTIVE AND UNFAIR TRADE PRACTICES ACT**

70. Plaintiff adopts, incorporates herein and re-alleges paragraphs 1 through 64 as if fully set forth hereinafter.

71. Section 501.204(1), Florida Statutes, declares that "unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful."

72. In numerous instances in connection with the marketing, advertising and/or sale of Open Water Scuba Diving Certification Courses, Defendants have represented, directly or indirectly, expressly or by implication, that Ocean Hunters and Abdiel Falcon could provide consumers with open water scuba diving certifications recognized worldwide.

73. In truth and in fact, Defendants' representations were false and/or deceptive and the certification cards Defendants provided consumers were fraudulent and/or worthless.

74. Therefore, Defendants' representations constitute deceptive acts or practices in violation of FDUTPA.

### **CONSUMER INJURY**

75. The above-described acts and practices of Defendants have injured and will likely continue to injure and prejudice the public and consumers in the State of Florida. In addition, Defendants have been unjustly enriched as a result of their deceptive acts or practices. Unless Defendants are enjoined from engaging further in the acts and practices complained of herein, the continued activities of Defendants will result in irreparable injury to the public and consumers in the State of Florida for which there is no adequate remedy at law.

### **PRAYER FOR RELIEF**

WHEREFORE, the Attorney General requests that this Honorable Court enter Judgment against the Defendants, jointly and severally, to:

A. DECLARE that the foregoing acts and practices are unfair, deceptive and/or unconscionable in violation of FDUTPA.

B. Permanently ENJOIN Defendants Ocean Hunters and Abdiel Falcon, their officers, affiliates, agents, employees, attorneys and those persons in active concert or participation with them who receive actual notice of this injunction from engaging in, rendering, or otherwise providing any open water scuba diving training, instruction and/or certification services to Florida consumers.

C. AWARD such equitable or other relief as is just and appropriate pursuant to Section 501.207, Florida Statutes, including, but not limited to, disgorgement of ill gotten gains and repatriation of assets necessary to satisfy any judgment.

D. AWARD full restitution to all consumers who are shown to have been injured, pursuant to Section 501.207, Florida Statutes.

E. ASSESS civil penalties in the amount of Ten Thousand Dollars (\$10,000.00) as prescribed by Section 501.2075, Fla. Stat. or Fifteen Thousand Dollars (\$15,000.00) for victimized senior citizens as prescribed by Section 501.2077, Fla. Stat. for each act or practice found to be in violation of Chapter 501, Part II, of the Florida Statutes.

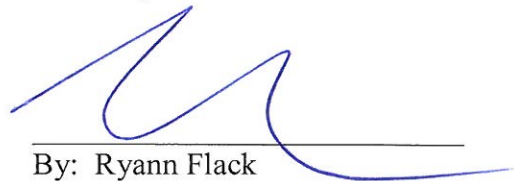
F. AWARD attorneys' fees and costs pursuant to Section 501.2075, Fla. Stat. or as otherwise authorized by law.

G. GRANT such other relief as this Honorable Court deems just and proper.

Dated this 2 day of February, 2015

Respectfully Submitted,

**PAMELA JO BONDI**  
**Attorney General of the State of Florida**



By: Ryann Flack  
Assistant Attorney General  
Florida Bar No. 0018442  
[Ryann.Flack@myfloridalegal.com](mailto:Ryann.Flack@myfloridalegal.com)  
Office of the Attorney General  
Consumer Protection Division  
444 Brickell Avenue  
Suite 650  
Miami, Florida 33131  
Telephone: (305) 377-5850  
Facsimile: (305) 349-1403