

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

**FERNANDO DAVILA, AS AN
INDIVIDUAL AND AS PARENT AND
NATURAL GUARDIAN OF C.D., and
THERESA CASTILLO,**

CASE NO.:

Plaintiffs,

v.

**EMMANUEL GAZMEY SANTIAGO
aka “Anuel AA”, UNIVERSAL CITY
DEVELOPMENT PARTNERS, LTD.
d/b/a UNIVERSAL ORLANDO
RESORT, and JOHN DOES 1-5**

Defendants.

_____ /

FIRST AMENDED COMPLAINT

COMES NOW, PLAINTIFFS, FERNANDO DAVILA, AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, by and through the undersigned counsel, and to the Honorable Court respectfully states, alleges and prays:

I. INTRODUCTION

1. The instant Complaint is filed on behalf of Plaintiffs, FERNANDO DAVILA, AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, against Defendants, EMMANUEL GAZMEY SANTIAGO aka “Anuel AA” (herein after “ANUEL”), and UNIVERSAL CITY DEVELOPMENT PARTNERS, LTD. d/b/a UNIVERSAL ORLANDO RESORT (hereinafter “UNIVERSAL”).

2. This is an action for damages that exceeds the sum of FIFTY THOUSAND DOLLARS (\$50,000.00), exclusive of costs, interest and attorneys’ fees (The estimated value of Plaintiff’s claim is in excess of the minimum jurisdictional threshold required by this Court). Accordingly,

Plaintiff has entered “\$50,001” in the civil cover sheet for the “estimated amount of the claim” as required in the preamble to the civil cover sheet for jurisdictional purposes only (the Florida Supreme Court has ordered that the estimated “amount of claim” be set forth in the civil cover sheet for data collection and clerical purposes only). The actual value of Plaintiff’s claim will be determined by a fair and just jury in accordance with Article 1, Section 21, Fla. Const.

3. Plaintiff, FERNANDO DAVILA, is a natural person residing in Orlando, Orange County Florida, and is otherwise *sui juris*.

4. Plaintiff, THERESA CASTILLO, is a natural person residing in Winter Haven, Polk County Florida, and is otherwise *sui juris*.

5. Defendant, EMMANUEL GAZMEY SANTIAGO (“Anuel”), a citizen of the United States and Domiciled in and a citizen of the state of Florida and is otherwise *sui juris*.

6. At all times material to this action, Defendant, UNIVERSAL, is a limited corporation licensed to do business in the State of Florida.

7. At all times material hereto, Defendant, UNIVERSAL, was the owner and in possession of that certain business located at 6000 Universal Blvd., Orlando, Florida, said business being that of a theme park, open to the general public, including the Plaintiff herein.

8. Venue is proper in Orange County because the alleged incident occurred in Orange County.

9. At all times material to this cause of action, Defendant, UNIVERSAL, had possession and control of the premises where the incident described in this Complaint occurred.

10. All other conditions precedent to the bringing of this action have been performed, have occurred, or have been waived.

11. On or about April 25, 2025, Plaintiffs were guests, lawfully upon the premises of the Defendant, UNIVERSAL, as described above, and lawfully upon the premises of the Defendant, who owed Plaintiffs a non-delegable duty to exercise reasonable care for his safety.

12. While lawfully on the premises, Plaintiff, FERNANDO DAVILA, was violently attacked and battered by Defendant, ANUEL, another park guest, in an unprovoked incident occurring in a publicly accessible area of the park.

13. The area where the battery occurred was known to Defendant to be a location where crowd control, guest disputes, or altercations had previously occurred or were reasonably foreseeable.

14. Defendant, UNIVERSAL, failed to provide adequate security personnel in that area to monitor guest behavior, intervene in disturbances, or deter violent acts

15. At said time and place, Defendant, UNIVERSAL, breached its duty owed to Plaintiff by committing one or more of the following omissions or commissions as Defendant negligently failed to:

- a. Employ trained security officers
- b. Properly monitor high-traffic or high-risk areas of the park;
- c. Intervene in a timely manner to prevent or stop the battery;
- d. Implement reasonable security policies and procedures to deter guest-on-guest violence.

16. As a direct and proximate result of the negligence of Defendant, UNIVERSAL, Plaintiff suffered bodily injury in and about his/her/their body and extremities, resulting in pain and suffering, disability, disfigurement, permanent and significant scarring, mental anguish, loss of the capacity for the enjoyment of life, expense of hospitalization, medical and nursing care and treatment, loss of earning, loss of the ability to earn money, and aggravation of previously existing condition. The losses are either permanent or continuing and Plaintiff will suffer the losses in the future.

17. Defendant's failure to act reasonably under the circumstances created a dangerous condition that directly and proximately resulted in the attack on Plaintiff.

18. The attack was foreseeable to Defendant given the size of the crowd, the nature of the venue, past incidents, and the lack of visible security presence

**COUNT I – PLAINTIFF, FERNANDO DAVILA’S, NEGLIGENCE AND NEGLIGENT
SECURITY CLAIM AGAINST DEFENDANT UNIVERSAL**

Plaintiffs re-allege and reincorporate paragraphs 1 through 17 and herein states:

19. At all times material, Defendant, UNIVERSAL, owned, operated, maintained, and controlled the premises known as Volcano Bay, located in Orange County, Florida, and held open to the general public.

20. Defendant, UNIVERSAL, owed Plaintiff, as a business invitee, a duty to maintain the premises in a reasonably safe condition, which includes the duty to take reasonable steps to protect guests from foreseeable criminal acts by third parties.

21. On or about 4/25/2025, Plaintiff, FERNANDO DAVILA, while lawfully on the premises of Volcano Bay as an invitee, was violently assaulted by Defendant, ANUEL, and several members of his entourage (John Does 1–5), in an area under the possession and control of UNIVERSAL.

22. Plaintiff, FERNANDO DAVILA, was knocked to the ground and sustained multiple blows to the head and body by multiple assailants, causing significant physical and emotional injuries.

23. Defendant, UNIVERSAL, knew or should have known that celebrity guests and large crowds may pose increased security risks and failed to provide adequate staff, surveillance, or other preventative measures.

24. Defendant, UNIVERSAL, breached that duty by failing to provide adequate security measures, staffing, monitoring, and response capabilities.

25. As a direct and proximate result of Defendant’s negligence, Plaintiff, FERNANDO DAVILA, was attacked, suffered bodily injury, pain and suffering, mental anguish, loss of enjoyment of life, medical expenses, and other damages.

26. The injuries sustained by Plaintiff, FERNANDO DAVILA, were reasonably foreseeable and would not have occurred but for Defendant's failure to provide reasonable security.

WHEREFORE, Plaintiff, FERNANDO DAVILA, demands judgment against Defendant UNIVERSAL for all compensatory damages, including bodily injury, medical expenses, lost wages, mental anguish, pain and suffering, and other relief deemed just and proper by this Court.

**COUNT II – PLAINTIFF, FERNANDO DAVILA’S, ASSAULT AND BATTERY
AGAINST DEFENDANT EMMANUEL GAZMEY SANTIAGO AND JOHN DOES 1-5**

Plaintiff re-alleges and incorporates paragraphs 1 through 17 herein.

27. On or about 4/25/25, Plaintiff, FERNANDO DAVILLA, was lawfully present at Volcano Bay when he was approached and physically attacked without warning by Defendant, ANUEL, and his associates.

28. These individuals, acting in concert, intentionally and maliciously struck Plaintiff about the head and body multiple times, knocking him to the ground.

29. Defendant, ANUEL, engaged in extreme and outrageous conduct by violently attacking Plaintiff in a public venue, without provocation.

30. The conduct of Defendants was intentional, extreme, and unjustified.

31. As a direct and proximate result, Plaintiff sustained serious injuries, including physical trauma, disfigurement, mental anguish, and emotional distress.

WHEREFORE, Plaintiff, FERNANDO DAVILA demands judgment against Defendants, ANUEL, and JOHN DOES 1–5, for all compensatory and punitive damages allowable under Florida law, along with such other relief deemed just and proper.

**COUNT III – PLAINTIFFS CLAIM OF NEGLIGENT INFLICTION OF EMOTIONAL
DISTRESS AGAINST DEFENDANTS ANUEL AND JOHN DOES 1-5**

Plaintiffs, FERNANDO DAVILA, AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, re-allege and incorporate paragraphs 1–17 as if fully set forth herein:

21. The physical attack on Plaintiff, FERNANDO DAVILA, by the individual Defendants occurred in a public setting at Volcano Bay and was extremely violent, involving multiple assailants striking Plaintiff about the head and body, knocking him to the ground.
22. At the time of the attack, Plaintiff's mother, THERESA CASTILLO, and minor daughter, C.D., were present and witnessed the violent assault on their son and father, respectively, causing additional trauma and compounding Plaintiff's emotional injuries.
23. Defendants' actions were outrageous, reckless, and committed with utter disregard for the presence of Plaintiff's mother and daughter, and the psychological consequences of their conduct.
24. As a direct and foreseeable result of the Defendants' conduct, Plaintiff suffered and continues to suffer from severe emotional distress, including anxiety, fear, humiliation, mental anguish, and psychological trauma. He has also experienced ongoing nightmares, hypervigilance, and a loss of enjoyment of life, especially related to being in public or crowded spaces.
25. Plaintiffs have required and will continue to require psychological treatment and counseling, and the emotional distress has adversely affected his ability to function personally and professionally.

WHEREFORE, Plaintiffs, FERNANDO DAVILA AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, demand judgment against Defendants, ANUEL, and JOHN DOES 1–5 for all compensatory and punitive damages allowable under Florida law, along with such other relief deemed just and proper.

**COUNT IV: PLAINTIFFS CLAIM OF INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS AGAINST DEFENDANTS ANUEL AND JOHN DOES 1-5**

Plaintiffs, FERNANDO DAVILA, AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, re-allege and incorporate paragraphs 1–17 as if fully set forth herein:

26. The physical attack on Plaintiff, FERNANDO DAVILA, by the individual Defendants occurred in a public setting at Volcano Bay and was extremely violent, involving multiple assailants striking Plaintiff about the head and body, knocking him to the ground.

27. As a direct and proximate result of Defendant’s actions, Plaintiffs suffered severe emotional distress, including but not limited to:

- a. Anxiety and panic attacks
- b. Nightmares and sleep disturbances
- c. Emotional trauma
- d. Ongoing fear for his and his daughter’s safety

28. The emotional distress suffered by Plaintiff was severe and of such intensity that no reasonable person should be expected to endure it

WHEREFORE, Plaintiffs, FERNANDO DAVILA AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO, demand judgment against Defendants, ANUEL, and JOHN DOES 1–5 for all compensatory and punitive damages allowable under Florida law, along with such other relief deemed just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs, FERNANDO DAVILA, AS AN INDIVIDUAL AND AS PARENT AND NATURAL GUARDIAN OF C.D., and THERESA CASTILLO., demands a jury trial on all issues so triable of each and every one of the Counts set forth above.

Respectfully submitted this 26th day of September 2025.

/s/ Michael Singh, Esq.

Michael Singh, Esq.

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