

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

OPS INTERNATIONAL, INC., d/b/a  
OLYMPIA PHARMACY, a Florida  
corporation,

Plaintiff,

CASE NO.:

v.

CONFIDENCE EKEANYANWU and  
KENECHUKWU OKORO,

Defendants.

VERIFIED COMPLAINT FOR INJUNCTIVE RELIEF AND DAMAGES

Plaintiff, OPS INTERNATIONAL, INC. d/b/a OLYMPIA PHARMACY (“OPS”), by and through counsel, hereby sues Defendants, CONFIDENCE EKEANYANWU (“Ekeanyanwu”) and KENECHUKWU OKORO (“Okoro”), and alleges as follows:

NATURE OF ACTION

1. This is an action by OPS against Ekeanyanwu and Okoro for violations of the Computer Fraud and Abuse Act (“CFAA”), 18 U.S.C. § 1030 *et seq.*, the Defend Trade Secrets Act of 2016, 18 U.S.C. § 1836(b), Florida’s Uniform Trade Secrets Act – Chapter 688, *Florida Statutes*, as well as breach of duty of loyalty, breach of fiduciary duty, and fraud.

2. Specifically, OPS seeks to: (a) enjoin Ekeanyanwu and Okoro from

using or disclosing any of OPS' business, client or prospective client, pricing, financial, operations, marketing, or contract information, forms, or models that are not made readily available to the public, (b) compel them to return OPS' confidential and proprietary information, including OPS' trade secrets, that they accessed, obtained and/or retained in violation of the OPS' computer and confidentiality policies applicable to Ekeanyanwu and Okoro, and the Computer Fraud and Abuse Act, and in violation of the federal Defend Trade Secrets Act and Florida's Uniform Trade Secrets Act, (c) to enjoin them contacting, soliciting, or accepting business from any current, former or prospective customer or vendor of OPS over the multi-year period prior to the cessation of their employment with OPS, (d) to compel Ekeanyanwu to abide by her legal and fiduciary obligations to OPS, and (e) for such other preliminary and permanent injunctive relief as the Court deems appropriate. Finally, the action seeks damages resulting from the wrongdoing and fraudulent actions of the Ekeanyanwu and Okoro.

3. This action, along with the incorporated request for both preliminary and permanent injunctive relief, is necessary to protect OPS, and its clients, vendors and employees, from the potential use or disclosure of information, including confidential, proprietary and trade secret and, at times, personal information, that Ekeanyanwu and Okoro wrongfully obtained from OPS' protected computer systems and that concern OPS, its clients and

potential clients, its business and its employees. Despite having been educated about OPS' policies protecting such information and agreeing to honor those policies, Ekeanyanwu and Okoro illegally accessed and/or downloaded and otherwise copied and transferred, information of value from OPS' computer systems in the weeks and days before their employment ceased, and they are now in a position to wrongfully use or disclose that information unless they are enjoined from doing so. Ekeanyanwu and Okoro are in a position to wrongfully use, disclose or otherwise benefit from that information and from violation of their legal obligations to OPS unless it they are enjoined from doing so.

### PARTIES

4. OPS is a Florida corporation that operates a compounding pharmacy and FDA Outsourcing Facility. OPS maintains its principal place of business at 6700 Conroy Road, Suite 155, Orlando, Florida 32835.

5. Defendant, Ekeanyanwu was employed by OPS at its Quality and Regulatory Manager from December 1, 2014, until her termination on July 15, 2021. Ekeanyanwu's last known residential address is 10622 Emerald Chase Drive, Orlando, Florida 32836-5877. At the time of her termination Ekeanyanwu worked out of OPS' corporate headquarters in Orlando, Florida.

6. Okoro was also employed by OPS from January 15, 2018, until his termination on July 15, 2021. He was hired as a supply clerk in the logistics department and was later promoted to Supply Chain and Data Manager.

Okoro is the husband of Ekeanyanwu and his last known residential address is 10622 Emerald Chase Drive, Orlando, Florida 32836-5877. He worked out of a different OPS facility, located at 4600 L.B. McCloud Rd. Orlando, Florida 32811-6454.

### **JURISDICTION AND VENUE**

7. This Court has jurisdiction over the subject matter of this lawsuit under the Computer Fraud and Abuse Act, 18 U.S. C. § 1030(g), which gives OPS civil remedies for Ekeanyanwu and Okoro's violations of the CFAA. Thus, this Court has original federal question jurisdiction pursuant to 28 U.S. C. § 1331.

8. This Court may exercise supplemental jurisdiction over all related state law claims under 28 U.S.C. § 1367. Declaratory and other relief is authorized by the Federal Declaratory Judgment Act, as amended, 28 U.S.C. §§ 2201 and 2202.

9. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) because a substantial part of the events or omissions giving rise to the claims herein occurred in this district, or a substantial part of the property that is the subject of the action is situated in this judicial district. Venue also lies in this district pursuant to 28 U.S.C. § 1391(b)(3) because Ekeanyanwu and Okoro reside in this district.

## GENERAL ALLEGATIONS

### OPS' Business

10. For over a decade, OPS has been engaged in the business of providing pharmaceutical and related services to patients and physicians across the country.

11. OPS provides an array of services in its highly-regulated and competitive industry. As a compounding pharmacy, OPS compounds patient-specific prescribed medications. As a FDA Outsourcing Facility, OPS provides compounded medications for use in doctors' offices, clinics and hospitals.

12. When OPS began operating as a FDA Outsourcing Facility in 2014, it decided to create the specialized position of Quality and Regulatory Manager. The position would primarily be responsible for quality oversight of all aspects of pharmaceutical compounding, developing Standard Operating Procedures for OPS to ensure quality and regulatory compliance, interfacing with regulators and facilitating the exchange of information, and ensuring compliance with Current Good Manufacturing Practices on the FDA Outsourcing Facility side of the business.

13. Ekeanyanwu was hired by OPS for the position of Quality and Regulatory Manager and commenced working in that role on December 1, 2014.

14. As OPS' Quality and Regulatory Manager, Ekeanyanwu's

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