

2. Plaintiff in this action, Access Health, is a medical group that has thousands of patients through the State of Florida, with 88 medical offices and over 213 health care providers in 25 different cities. Access Health's internet presence is one of the most valuable assets to its wide-spread business, as evinced by Access Health's 14 different active websites and domains. Indeed, over the last decade, Access Health, along with its founder and primary owner, Dr. Pariksith Singh ("Dr. Singh"), have purchased, registered and maintained 78 domain names over the last decade through the domain registrar, GoDaddy Operating Company, LLC ("GoDaddy"), in order to house their websites.

3. Defendant, Desai, and his non-party wife, Dr. Pratibha Desai ("Dr. Desai") operate multiple Hematology and Oncology practices and related businesses. In 2018, Defendant, Mr. Desai and Dr. Desai solicited Access Health to jointly form an entity named Comprehensive Hematology Oncology, LLC ("CHO"). Thus, in anticipation of its new business venture, Access Health purchased 12 domain names under its existing account with GoDaddy to be used for CHO. Notably, Access Health never provided the login credentials or authorized Desai to access or use its GoDaddy account. Shortly after the initiation of CHO, the parties fell into a dispute, and Access Health withdrew from its involvement in CHO. Sometime thereafter, Desai hired Defendant, IT Possible, as its technology vendor in connection with CHO.

4. The issues in this case arose three weeks ago, when Defendants hijacked Access Health's domain names by gaining unauthorized access to Access

Health's GoDaddy account. Typically, when one hears "cyber theft", they imagine a shady character sitting behind a slew of monitors, working hours on end to infiltrate secured networks through intensive coding and password cyphering. In reality, cyber theft has surfaced through much simpler social engineering attacks known as domain hijacking, which is the simple act of modifying or transferring control of the registration of a domain name without the permission of its original registrant. As further alleged below, Defendants here "hijacked" the Access Health's domains by making misrepresentations to persuade Access Health's domain registrar, GoDaddy, into modifying the primary email address linked to the account, and then, Defendants simply changed the login credentials to "lock" Access Health out of its own account.

5. Despite multiple requests, Defendants refuse to return Access Health's GoDaddy account information and currently retain possession of Access Health's domains. Defendants have impaired the availability of Access Health's data and prevented Access Health from its ability to effectively maintain its domain names, and in turn, its online business presence. Unless Defendants are enjoined immediately, there will be substantial, imminent, and irreparable financial and reputational harm to Access Health. This is a civil action for injunctive relief and damages against Defendants for violations under the Computer Fraud and Abuse

Act¹ and the Florida Computer Abuse and Data Recovery Act², and for civil conversion.

PARTIES

6. Plaintiff, Access Health, is a Florida limited liability company with a principal address in Spring Hill, Florida. Access Health is a Florida-based multi-service medical facility that provides primary care services and diagnostic testing for thousands of Florida patients.

7. Defendant, Mr. Kirit Desai, is an individual who, upon information and belief, resides in Saint Petersburg, Florida. Mr. Desai assists his wife, Dr. Desai, in the operation of various Hematology and Oncology practices and related businesses.

8. Defendant, IT Possible, is a Maryland limited liability company with a principal address in Salisbury, Maryland. Upon information and belief, IT Possible provides computer and IT solutions and services to CHO, the company currently managed by Dr. and Mr. Desai.

JURISDICTION AND VENUE

9. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. § 1331, as the action arises under the federal Computer Fraud and Abuse Act (18 U.S.C. § 1030)(“CFAA”).

¹ 18 U.S.C. § 1030

² §668.801, *et. seq.*, Florida Statutes

10. This Court has subject matter jurisdiction under 28 U.S.C. §1367 over the claims for violation of the Florida Computer Abuse and Data Recovery Act (§668.801, *et. seq.*, Fla. Stat.)(“CADRA”) and state law conversion, as the supplemental claims form part of the same case and controversy as the CFAA claim.

11. This Court has personal jurisdiction over Defendant, Mr. Desai, because he is a citizen of and domiciled in Florida, living within the jurisdiction of the U.S. District Court for the Middle District of Florida, Tampa Division.

12. This Court has personal jurisdiction over Defendant, IT Possible, as a result of IT Possible’s unauthorized access into, and retention of property from, a “protected computer” as defined in 18 U.S.C. § 1030(e)(2)(B) that is used for commerce or communication with persons and entities in Florida, and also as a result of IT Possible’s tortious conduct causing injurious effect in Florida.

13. Venue is proper in this judicial district pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events or omissions giving rise to Access Health’s claims occurred in this judicial district.

FACTS

14. Access Health is a multi-service medical facility that provides primary care services and diagnostic testing for thousands of patients throughout the State of Florida. Due to its wide-spread practice, Access Health relies heavily on their websites to effectively run their businesses, as described further below.

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