

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:26-cv-23029-LFL

TYLER FALLON,

Plaintiff,

v.

MIRAE ASSET SECURITIES (USA) INC.;

CINDY NAPOLETANO;

WILSON MEDICAL CENTER;

and KENDALL HEALTHCARE GROUP LTD

d/b/a HCA FLORIDA KENDALL HOSPITAL,

Defendants.

_____/

SECOND AMENDED COMPLAINT

Plaintiff Tyler Fallon files this Second Amended Complaint in compliance with Order #69 and alleges as follows:

Nature of the Action

1. This action arises from alleged widespread, internal criminal activity during Plaintiff Tyler Fallon's employment at Defendant Mirae Asset Securities (USA) Inc.
2. Plaintiff alleges misconduct includes, but is not limited to, unauthorized access, disclosure, and dissemination of Plaintiff Tyler Fallon's personal online account information,

electronic devices, confidential medical records, and stored electronic communications during and after his employment with Defendant Mirae Asset Securities (USA) Inc. in violation of federal and state laws.

3. Plaintiff further alleges subsequent whistleblower retaliation tactics conducted by the firm, including but not limited to unauthorized surveillance, intrusion upon seclusion, negligent supervision, third-party contact, and manipulation of police records following Plaintiff's attempts at reporting and litigation.

4. Plaintiff further alleges that information illicitly-obtained through such intrusions was subsequently used to interfere with Plaintiff's efforts to obtain medical treatment and diagnostic evaluation at Defendant Wilson Medical Center, resulting in an improper medical screening examination.

5. Plaintiff further alleges this pattern of unlawful behavior by Defendant Mirae Asset Securities (USA) Inc. and Defendant Cindy Napoletano continued after Plaintiff's visit to Defendant Wilson Medical Center.

6. Plaintiff seeks damages, injunctive relief, and such other relief as the Court deems just and proper.

The Parties

7. Plaintiff Tyler Fallon ("**Plaintiff**") is a natural person domiciled in the State of Florida and residing in Miami Beach, Florida. Plaintiff is a former employee of Defendant Mirae Asset Securities (USA) Inc.

8. Defendant Mirae Asset Securities (USA) Inc. ("**Mirae**" or "**the firm**") is organized under the laws of the State of New York with its principal place of business located at 810 Seventh Avenue, 37th and 38th Floors, New York, New York 10019.

9. Defendant Cindy Napoletano ("**Napoletano**") is a natural person who is domiciled in the State of New Jersey and serves as Head of Human Resources for Defendant Mirae Asset Securities (USA) Inc.

10. Defendant Wilson Medical Center ("**Wilson**") is a North Carolina hospital and healthcare facility located at 1705 Tarboro Street SW, Wilson, North Carolina 27893 conducting business in Wilson, North Carolina.

11. Defendant Kendall Healthcare Group LTD d/b/a HCA Florida Kendall Hospital ("**HCA Kendall**") is a Florida Limited Partnership, hospital, and healthcare facility located at 11750 SW 40th Street, Miami, Florida 33175 conducting business in Miami-Dade County.

Jurisdiction and Venue

12. This Court has subject matter jurisdiction over the federal claims pursuant to 28 U.S.C. § 1331. This Court also has supplemental jurisdiction over the state law claims under 28 U.S.C. § 1367, as those state law claims arise from the same nucleus of operative facts and form part of the same case or controversy.

13. This Court has personal jurisdiction over the Defendants pursuant to: Fla. Stat. § 48.193(1)(a)1, HCA Kendall operates, conducts, engages in, and carries on a business venture within the State of Florida; (b) Fla. Stat. § 48.193(2), HCA Kendall is engaged in substantial and not isolated activity within the State of Florida; (c) Fla. Stat. § 48.193(1)(a)2, Wilson committed tortious acts of fraudulent concealment and intentional interference directed into Florida, and caused injury within Florida through fraudulent communications, conduct, and omissions intentionally directed toward Plaintiff while Plaintiff was located in Florida; (d) Fla. Stat. § 48.193(1)(a)6, Defendants Mirae and Napoletano caused injury to Plaintiff within the State of Florida arising out of acts and omissions occurring outside the State of Florida while engaging in

solicitation and service activities directed toward Florida; and (e) Fla. Stat. § 48.193(1)(a)2, Mirae and Napoletano committed tortious acts directed into Florida causing injury to Plaintiff within Florida.

14. Mirae and Napoletano each have sufficient minimum contacts with Florida because, after Plaintiff became domiciled in Miami-Dade County, they allegedly directed suit-related conduct toward Florida, including contact with third-party businesses and interference with Plaintiff's private affairs in Florida.

15. Wilson has sufficient minimum contacts with Florida because, after treating Plaintiff in North Carolina, Wilson purposefully directed suit-related conduct into Florida. Upon information and belief, Wilson directly communicated with HCA Kendall in Miami-Dade County, Florida, and/or indirectly participated in communications directed to HCA Kendall through Mirae, Napoletano, or persons acting on their behalf, concerning Plaintiff, Plaintiff's subsequent Florida medical care, Plaintiff's Wilson and HCA Kendall CT imaging, and the coordinated handling, suppression, or concealment of Plaintiff's Wilson medical records and imaging.

16. Additionally, Wilson purposefully directed records-related conduct into Florida through its authorized medical-records processor, Verisma. Upon information and belief, Verisma maintains operations in Florida, including in Lake Mary, Florida, and acted as Wilson's authorized records processor for Plaintiff's Wilson Medical Center records. Wilson's minimum contacts arise not merely from Verisma's Florida presence, but from Wilson's use of Verisma to transmit allegedly incomplete, misleading, altered, and/or fraudulently concealed Wilson records into Florida to Plaintiff.

17. Venue is proper in the Southern District of Florida pursuant to 28 U.S.C. § 1391(b)(2), as a substantial part of the events giving rise to this action occurred within this District.

Factual Allegations

I. The Parties Relationship

18. On or about March to May 2025, Plaintiff was referred to Mirae through Napoletano and his mother Joyce Fallon (“**Joyce**”) and father Keith Fallon (“**Keith**”), who thought he would be a good fit for the company. Plaintiff interviewed with Mirae on three separate occasions.

19. On or about June 24, 2025, Plaintiff began his employment at Mirae.

20. On or about November to December 2025, Plaintiff received his performance review from Mirae, which showed Plaintiff as a high-performer at the company among first-year employees.

II. Breach of Plaintiff’s Personal Accounts and Devices

21. Plaintiff’s personal devices at this time included: (a) a MacBook Pro 13-inch device (“**MacBook 13-inch**”) (b) an iPhone 13 Pro (“**iPhone 13**”).

22. Unless otherwise stated, all dates and times referenced below occurred in **2026**.

23. Between January 1 to March 12, Plaintiff’s residence and domicile was located at Morganville, NJ 07751.

24. During the month of January, Plaintiff began noting several security breach notifications within his personal accounts and devices at large, specifically in regards to his Apple iCloud account, niitro@mac.com and Google account, tylermfallon@gmail.com.

25. On or about January 25, Plaintiff's personal iCloud account, niitro@mac.com, was successfully logged into and accessed by one unknown, unauthorized Apple device. This device was then set as the primary device for Plaintiff's iCloud account. Additionally, Plaintiff's Google Account, tylermfallon@gmail.com, was accessed and logged into by one unknown, unauthorized device.

26. Between the approximate dates of January 16-31, Defendants Mirae and Napoletano coordinated with Joyce, Keith, and Plaintiff's brother Brandon Fallon ("**Brandon**"), to connect this unauthorized device to at least one known software application "**RingCentral**", with possible use of Apple's "**Home**" smart appliance service, Tuya Smart ("**Tuya**"), or other home monitoring applications.

27. At all times relevant, Keith, Joyce, and Brandon acted as authorized agents and legal extensions of Mirae, and their actions were taken in furtherance of the interests of, and for the benefit of, Defendants Mirae and Napoletano. This was enabled through Keith and Joyce's close personal relationship with Defendant Napoletano.

28. Following this, and using Plaintiff's credentials and devices, Mirae, Napoletano, Joyce, Keith, and Brandon coordinated to enable access to: (a) Plaintiff's entire iCloud photo and video library; (b) medical information on the application "Headway"; (c) Plaintiff's personal YouTube account; (d) Plaintiff's "Now Listening/Music"; (e) Enabled location services at all times on Plaintiff's account; (f) Exported Accessibility features from the unauthorized device to Plaintiff's devices, which could then not be disabled since Plaintiff's device was no longer set as primary; (g) Abused these "Accessibility" features on Plaintiff's iCloud account, which allowed for recording, streaming of Plaintiff's phone calls, transmission of all "typed letters", and several others, resulting in a breach of Plaintiff's account passwords, medical information, personal

messages, and other highly-sensitive details; (h) Connected Plaintiff's MacBook Pro 13-inch to a foreign LG Television device using AirPlay/Bluetooth within his own residence; (i) Installed remote access software on Plaintiff's 13-inch MacBook Pro device; (j) Misused Verizon's E-SIM feature to gain temporary access to Plaintiff's phone number for authentication purposes; (k) Paired Plaintiff's iPhone 13 Pro with an unknown Bluetooth device; and (l) Set up physical Tempur-Pedic Sleeptracker AI sensors under Plaintiff's mattress and through the use of Tempur-Pedic's software application, monitored Plaintiff during his sleep within his residence.

29. Joyce then connected her two household Ring camera devices, (a) a Ring doorbell camera; and (b) a Ring floodlight camera, to RingCentral and/or other smart home applications service.

30. On or about January to February, Napoletano then proceeded to share the login to access all this information with the entirety of Mirae except for Plaintiff in a separate communications channel.

31. Throughout the months of January and February, Mirae, Napoletano, Joyce, and Keith used this information to access and intrude on Plaintiff's personal communications and accounts, including several personal email accounts, Plaintiff's text messages, Plaintiff's personal Discord messages.

32. Additionally, on at least one occasion on or about January, Napoletano was present at Plaintiff's residence during nighttime hours and had access to Plaintiff's personal quarters. Immediately thereafter, Plaintiff developed sudden retro-orbital pain, severe eye dryness, and other nerve-related symptoms which ultimately led Plaintiff to emergency medical treatment in April.

33. Additionally, in the coming weeks, Napoletano appeared to take a particular interest in Plaintiff's eye while in the office at Mirae and asked about it on several occasions throughout February.

III. Misconduct at Mirae and Plaintiff's Requests for Investigation

34. On or about February 2, Plaintiff discovered evidence of unauthorized iCloud account access on his cellular device in the form of an unknown successful login notification in New Jersey.

35. On or about February 11, a large number of employees in the office appeared to be corresponding in a separate communications channel that Plaintiff was not given access to and having conversations about Plaintiff's YouTube watch history, in regards to several videos he solely watched in his personal quarters at home.

36. On or about February 17, Plaintiff noticed several employees begin acting extremely nervously around him. In particular, one employee who Plaintiff previously interacted with daily suddenly kept forgetting his name and struggled to look him in the eye, while another began stuttering and struggling to complete sentences when in routine daily office conversations.

37. On or about February 18, a new software developer recently hired at the firm, Tyler Uhl ("Uhl"), was walking by Plaintiff's desk during training. While engaged in a conversation with one of his bosses, Uhl's boss stated words to the effect of "That's Tyler Fallon. He's the one that we-" and Uhl replied words to the effect of "Yes, I just got the memo."

38. Between the approximate dates of February 22-27, Plaintiff noted employees at Mirae utilizing the application RingCentral on their personal devices. On this application, Plaintiff noted the following: (a) a camera device that appeared to be recording within Plaintiff's

proximate vicinity; (b) Plaintiff's "Now Playing" and YouTube Watch History; (c) the ability to swipe up or down away from this screen to an alternative screen within the application.

39. Additionally, on at least one occasion within his personal residence, Keith, Joyce, and Brandon appeared to be using RingCentral as well.

40. On February 24, the entire firm except for Plaintiff coordinated in a separate communications channel and arrived at work several hours earlier than usual between the hours of 5 AM EST and 6:30 AM EST. When Plaintiff woke up at approximately 5:30 AM EST, Napoletano and Plaintiff's direct supervisor, Frank Colasuonno ("**Colasuonno**"), were on a Microsoft teams call.

41. When Plaintiff boarded the 135 bus to New York around 6:15 PM, he noted a Mirae employee, Patrick Goggins ("**Goggins**"), already on the bus, which was abnormal because Goggins' typical stop was the GSP Exit 120 Park & Ride approximately 14 stops ahead.

42. Later that day, Plaintiff verbally expressed his concerns to Mirae personnel while present at the office in regards to suspected criminal misconduct by firm employees and unauthorized access to Plaintiff's personal devices and network environment.

43. On or about February 24-25, Plaintiff personally overheard an extensive conversation among several employees, including Chief Compliance Officer Aleksandra Drozen ("**Drozen**") and Griffin Fossella ("**Fossella**"), in regards to sensitive information present solely on Plaintiff's personal devices and accounts, and related to the concerns Plaintiff had just raised. At the end of the conversation, Fossella stated words to the effect of "she just loves this", referencing Drozen. Additionally, several firm employees amongst the Brokers and Traders at the firm, including Anthony Manfre ("**Manfre**"), separately had an extensive discussion about Plaintiff's specific sexual preferences in the office

44. On or about February 26, Plaintiff verbally reiterated these concerns in regards to alleged criminal unauthorized surveillance activities with former team member Sally Zhu (“**Zhu**”). After raising these concerns, Zhu immediately sent a message on her phone. Following this, Plaintiff observed what appeared to be unusual, floor-wide panicked reactions, including “sighs” and “gasps”, among nearly all employees on the 38th floor.

45. From the 37th floor, Defendant Napoletano loudly stated words to the effect of, “I know, I know, I saw”, in relation to the sent message. Following this, Napoletano and several other office employees from the 37th floor began loudly scrambling around the office for approximately one to two hours, and employees on the 38th floor began engaging in distracting, odd behaviors for the remainder of the day.

46. On or about the night of February 26, at approximately 10:40 PM, Plaintiff’s Kraken.com password was changed without his consent or authorization directly after Plaintiff had deposited funds there received from Mirae. As a result, Plaintiff was logged out on his devices and temporarily lost access to his Kraken account.

47. On or about February 27, Plaintiff spoke with Colasuonno. Colasuonno said Plaintiff was doing an excellent job and would be receiving a \$10,000 bonus in the coming weeks.

48. On or about February 27-28, Plaintiff began personally investigating the suspected unauthorized access by firm employees and securing evidence. Plaintiff ran extensive network and computer diagnostics on his personal devices and home Wi-Fi network router.

49. On or about February 28, a review of active connections on Plaintiff’s router and personal devices at approximately 4 PM EST revealed the MAC and IP addresses of approximately 50 to 75 Mirae employees as active connections, and a review of logs on the

MacBook Pro 13-inch revealed unauthorized remote access software installed on the device.

This device is currently preserved for forensic review at Flagstar Bank in safety deposit box 918.

50. In addition, Plaintiff's Apple iCloud account and Google account showed active logins to a foreign, unrecognized device.

51. Plaintiff's personal MacBook Pro 13-inch computer device was also actively connected to and exporting the contents of its screen in real-time to a foreign LG television with the MAC address: 4C:BC:E9:82:D5:8A.

52. Plaintiff discovered "Tempur-Pedic Sleeptracker AI" pads installed under his mattress within his residence and Sleeptracker AI software running on his home network.

53. On or about February 27-28, Plaintiff informed his immediate household members Keith, Joyce, and Brandon that he intended to pursue litigation against Mirae, which resulted in an unusual panic reactions and approximately 6 to 10 hours of phone calls between Keith and Joyce as Plaintiff began securing evidence.

54. On or about February 28 between 12 PM and 8 PM, Plaintiff's iCloud account was illicitly-accessed and all iCloud content from approximately January 5 to February 28 was subsequently deleted. In addition, several of Plaintiff's files within iCloud Drive were irreparably altered and corrupted. Plaintiff retains these corrupted files on his MacBook Pro 13-inch device for further forensic examination.

55. On or about February 28, at 8:13 PM, Plaintiff emailed Mirae with evidence of widespread unauthorized access to his personal devices and home network, and requested a comprehensive review of the firm's camera footage for suspected criminal misconduct during the in-office days of February 24-26.

56. On or about February 28 at 10:30 PM EST, Plaintiff contacted Apple Support by phone to request restoration of his deleted photos and videos, as well as the preservation of all data and logs relevant to Plaintiff's iCloud account.

57. On or about February 28, at approximately 11 PM EST, on an extensive speaker phone call between Keith and Joyce within Plaintiff's residence, Joyce made a statement to the effect of "Keith, you cannot let it get out what me and Cindy did to him, this is a regulated industry and the entire firm will get in trouble."

58. On or about March 9, Plaintiff received his \$10,000 bonus from Mirae.

59. Plaintiff subsequently received a text message from Mirae employee, Dana DiGangi, stating words to the general effect of "looking forward to seeing you in the office."

60. Later that day, on or about March 9 at approximately 4:30 PM EST, Plaintiff distributed a formal, firm-wide written request for investigation concerning unauthorized access to Plaintiff's personal devices, accounts, network environments, and other suspected criminal wrongdoing within the firm. Attached to this email were several excerpts from Plaintiff's collected evidence and logs showing active MAC addresses of firm employees' personal devices.

61. On or about April 7, former counsel for Plaintiff wrote to the Compliance Department and relevant supervisory individuals within the firm Aleksandra Drozen ("**Drozen**"), Head of Compliance), Sean Einhart ("**Einhart**"), Director of Operations, and Plaintiff's direct supervisor Colasuonno, requesting: *"For supervisory individuals, please also confirm if and when any investigative efforts and/or supervisory actions into alleged wrongdoing has taken place in regards to any of Clients' communications with the firm since February 28th, 2026."*

62. Despite these multiple formal requests by Plaintiff and former counsel, the firm and relevant supervisory individuals declined to provide any meaningful response, written or verbal, in regards to any investigative efforts.

63. Additionally, Plaintiff corresponded with the Securities and Exchange Commission (SEC) between the months of March and April. On or about May 1, the Securities and Exchange Commission (SEC), a regulator of Mirae, contacted both Plaintiff and Mirae via email regarding Plaintiff's concerns about internal criminal misconduct at the firm. The SEC wrote to Plaintiff "We have forwarded your complaint to the firm's compliance department and asked that it respond directly to you, with a copy to our office. Please allow two to three weeks for this process to take place."

64. To date, it has been greater than eight weeks and **Mirae has declined to comply with the SEC's request** and provide a response to Plaintiff and the Commission.

IV. Whistleblower Retaliation

65. On or about Sunday, March 1, Defendants Mirae and Napoletano coordinated and sought to silence Plaintiff's attempts at evidence collection, intended litigation, and reporting of wrongdoing to authorities through misuse of the police's "State of Mind" system, which (a) may invite a police response or influence records based solely on "he-said, she-said" allegations by any individuals with close personal ties to Plaintiff; and (b) requires no formal evidence to enact. As such, Mirae and Napoletano allegedly solicited, at minimum, Plaintiff's household members Keith, Joyce, and Brandon, who agreed due to their role in providing unauthorized access.

66. Importantly, Plaintiff has (a) no criminal background history; (b) no reported illicit drug use; and (c) no diagnosed mental health conditions of note.

67. As Plaintiff later became aware, this was Defendants Mirae and Napoletano fallback plan in case Plaintiff intended litigation against Mirae.

68. As such, the first known instance of this occurred on Sunday, March 1, in which Keith, without any authorization, obtained a medical note from Bayshore Medical Center (“**Bayshore**”). Keith then sent the note to Joyce. Joyce transmitted the medical note to Mirae through Napoletano.

69. No individuals were on Plaintiff’s HIPAA release forms, nor had Plaintiff authorized any individuals to obtain a medical note, contact his employer, or transmit the medical note to his employer. These acts were also conducted over the weekend on a Sunday.

70. On or about March 17, Napoletano then stated in a follow-up email to Plaintiff “We are writing to follow up on **your** doctor’s note dated March 1 that **you** provided on March 1,” attempting to imply that Plaintiff contacted the firm with the note, but later corrected this to state she had received the note from Joyce.

71. Additionally, on or about March 10, Plaintiff contacted his friend Ty Smith regarding housing arrangements via text and phone call on his iPhone 13, and told nobody of this contact. Upon information and belief, Mirae, Napoletano, Joyce, and Keith learned of this and asked Plaintiff’s sister, Brittany Fallon, to immediately contact Ty by phone for the purposes of litigation interference.

72. On or about March 19, due to these events and others involving the misuse of and weaponization of emergency services, while pursuing litigation, Plaintiff went “no-contact” with his immediate family members, Keith, Joyce, Brandon, Brittany, and Jake.

73. Upon information and belief, Mirae and Napoletano further began recklessly misusing Plaintiff’s confidential information from the intrusions of Plaintiff’s contact list,

devices, accounts, medical records, and location data to engage in a “smear campaign” outside-of-work to paint Plaintiff in an unfavorable light to various third-parties, law enforcement, and regulators.

74. Napoletano, in her duties as the Head of Human Resources, had an obligation to maintain confidentiality, but instead publicized various aspects of Plaintiff’s confidential information and began painting a medical narrative with malicious intent, despite absolutely no contact from Plaintiff about any such medical situation to speak of.

75. This whistleblower-retaliation scheme, as it is presently understood by Plaintiff, was tortiously enacted by the firm and its co-conspirators with the goal of “tamper with evidence/surveillance footage, interfere with Plaintiff, and then say state-of-mind”.

76. Additionally, upon information and belief, Defendant Napoletano began primarily working remotely at approximately the same time her and Mirae were issued litigation hold notices in March and April to interfere with Plaintiff’s intended litigation away from Mirae’s surveillance cameras.

77. This scheme has allowed Defendants Mirae and Napoletano, and those acting in concert with them, to engage in outrageous and unlawful conduct, with Plaintiff having no adequate remedy at law to prevent this ongoing misconduct.

V. Unauthorized Interior Airbnb Surveillance

78. On or about March 13, Plaintiff began contacting lawyers.

79. On or about March 17, Plaintiff booked an Airbnb residence in New Brunswick, NJ (“**Throop**”) for the dates of March 19 to September 5.

80. On or about March 17, Plaintiff ran extensive diagnostic testing and generated logs detailing the presence of remote access software by Mirae on his MacBook Pro 13-inch

computer, as well as unknown logins and device connections, and sent these diagnostics to a personal acquaintance, Nick De Luca (“**De Luca**”), for additional safekeeping.

81. On or about March 18, Plaintiff purchased new iPhone 17 Pro (“**iPhone 17**”) and MacBook Pro 16-inch (“**MacBook 16-inch**”) devices.

82. On or about March 18, upon information and belief, Napoletano and/or Mirae contacted Throop property owners Doo Hyung Kim (“**Doo**”) and Crystal Doo Kim (“**Crystal**”), and asked them to install multiple interior camera and recording devices within the home prior to Plaintiff’s arrival.

83. Airbnb policy prohibits hosts from monitoring any part of a home’s interior, including bedrooms, bathrooms, living rooms, hallways, and shared spaces. Despite this, Doo, Crystal, and housemate “Ron” set up at least four Blink cameras or recording devices throughout the residence.

84. On or about March 26, while Plaintiff was at Digital Asset Summit in NYC, Napoletano and Mirae asked Ron to install remote access software on Plaintiff’s new MacBook Pro 16-inch device. In the coming weeks, several of Plaintiff’s files pertaining specifically to this litigation were remotely accessed and altered irreparably. Plaintiff retains these inaccessible video file remnants on his MacBook Pro 16-inch for further forensic examination.

85. On or about March 30, Plaintiff issued Mirae a Litigation Hold notice. Approximately 11 hours later, Plaintiff received an email from Kraken.com that an external enquiry had been made into Plaintiff’s Kraken account. Plaintiff has had a kraken.com account for approximately 9 years and has never received any enquiries into his account prior to this.

86. On or about March 31, Plaintiff’s employment at Mirae was terminated.

87. On or about April 7, former counsel for Plaintiff issued litigation hold notices to Mirae and Napoletano.

88. On or about April 7, at 8:16 PM EST, Plaintiff entered a group Discord voice call with De Luca and several other individuals to confront De Luca in regards to suspected contact with Napoletano and Mirae in regards to unauthorized transmission of Plaintiff's MacBook Pro 13-inch logs.

89. Upon confrontation, De Luca immediately deafened for approximately ten minutes and appeared to have answered a phone call.

90. Following the confrontation, Plaintiff and former counsel for Plaintiff issued De Luca a litigation hold and evidence preservation notice for De Luca's cell phone records, which De Luca agreed to abide by immediately following issuance.

91. On or about April 8, upon information and belief, De Luca deleted his phone number and cell phone carrier account despite personally agreeing, in writing, to abide by the litigation hold notice.

92. On the night of April 9, Plaintiff became aware of the unauthorized, illicit use of cameras and recording devices within Throop, and contacted Doo, Crystal, and property manager "Natalie".

93. Plaintiff also issued Blink, as well as Doo, Crystal, and property manager "Natalie", litigation hold notices for all surveillance camera footage in the residence between March 19 to April 9. The hosts confirmed in writing on Airbnb that the camera next to Plaintiff's bedroom was in operation at this time.

94. On or about April 9, Plaintiff obtained extensive logs and records in regards to such recording devices detailing the presence and operation of these cameras on the network,

including relevant device MAC addresses and IP addresses, and sent these, along with photos and video evidence, to Airbnb.

95. On or about April 10, Airbnb performed an investigation into the illicit use of interior recording cameras at the residence. In response, Airbnb took decisive action against the hosts, which upon information and belief, resulted in the hosts being terminated from Airbnb's platform entirely.

96. In addition, Airbnb issued Plaintiff: (a) a full refund for his stay between March 19 and April 10; (b) a full refund for the remainder of his booking through September 5; (c) a complementary 3-night stay up to \$975 at the Holiday Inn Express Hotel in East Brunswick, NJ between April 10 to April 13.

VI. Napoletano and Mirae Misuse Emergency Services Post-Litigation Hold

97. On or about April 13-14, Plaintiff downloaded and registered for part-time work with Lyft and DoorDash. Plaintiff told nobody that he had registered for these services.

98. On or about April 14, Plaintiff departed the Holiday Inn and began traveling towards Miami, Florida, seeking emergency medical treatment for Plaintiff's eye condition.

99. Plaintiff stopped at a parking lot to briefly rest in New Brunswick, New Jersey.

100. Napoletano and Mirae, who had allegedly gained unauthorized access to Plaintiff's MacBook 16-inch and iPhone 17 at this time while Plaintiff was at Throop, saw that Plaintiff intended to leave New Jersey, where it would be substantially more difficult to impede on Plaintiff's intended litigation.

101. As such, Napoletano, while home at her residence, misused emergency services and called the New Brunswick police department on Plaintiff.

102. On this call, upon information and belief, Napoletano made disparaging remarks, attempted to influence police records, and disclosed personal, non-public details to law enforcement that would have been reasonably impossible for any individual to know at the time, including: (a) Plaintiff's exact location at the time; (b) Plaintiff's download and registration with the applications Lyft and DoorDash; and (c) described Plaintiff to law enforcement as "homeless", even though Plaintiff had previously intended to live at Throop from March 19 to September 5 and had only just begun to relocate to Miami with an hour of this call being made due to the illicit interior cameras at Throop.

103. Plaintiff alleges Napoletano and Mirae intentionally and tortiously interfered with Plaintiff's Airbnb accommodation to further craft a disparaging narrative to law enforcement, as no individuals were ever informed of Plaintiff's living accommodations at this point in time.

104. This call was not conducted in Plaintiff's best interest, but rather, as an attempt to directly impede on Plaintiff's intent at: (a) obtaining an emergency medical evaluation for Plaintiff's eye/nerve condition; (b) litigation; (c) reporting the alleged violations of federal and state law discussed herein.

105. Two law enforcement officers with the New Brunswick Police Department arrived at the scene almost immediately after Plaintiff had begun to rest. After conversing with Plaintiff for approximately five minutes and relaying some of Napoletano's disparaging remarks, law enforcement then left the scene with no incident.

VII. Wilson Medical Center Visit For Emergency Evaluation of Plaintiff's Eye Condition

106. On or about April 15, Plaintiff was experiencing severe, progressive retro-orbital eye pain that had continuously deteriorated since January.

107. Seeking emergency medical intervention for his deteriorating ocular symptoms, Plaintiff used Google Maps on his mobile phone to navigate to Wilson Medical Center (“Wilson”), an acute-care hospital facility located in Wilson, North Carolina at approximately 7:00 PM EST.

108. Plaintiff arrived at Wilson at approximately 7:30 p.m. EST. Upon entering the emergency facility, Plaintiff observed highly unusual behavior by hospital staff members, who appeared to be celebrating, with one John Doe staring intently at Plaintiff as he entered the facility.

109. Plaintiff presented to the emergency department intake with an Emergency Medical Condition (“EMC”) characterized by 8/10 severe retro-orbital eye pain, an intense headache, blurry vision, and worsening nerve and intra-ocular symptoms.

110. Wilson accepted Plaintiff for emergency evaluation at approximately 7:34 p.m. EST, and Jessica Owens, RN, conducted a Rapid Initial Screening, which involved heart rate and blood pressure. Despite presenting with severe symptoms which can indicate a variety of life or sight-threatening emergency medical conditions, Plaintiff then remained in the emergency department waiting room for over two hours without being seen by a qualified medical provider.

111. At approximately 9:46 p.m. EST, Plaintiff was evaluated by Aydan Heavner, PA-C. Following this evaluation, PA-C Heavner explicitly determined that Plaintiff's clinical presentation required: (a) an immediate visual acuity examination; and (b) diagnostic computed tomography (“CT”) imaging of his head and orbital structures.

112. At approximately 9:48 p.m. EST, PA-C Heavner performed a Medical Screening Examination (“MSE”) and explicitly recorded that Plaintiff was completely negative for any

altered mental status, cognitive deficits, or behavioral impairment. Shortly thereafter, a CT scan of Plaintiff's head and orbits was performed.

113. Wilson's internal electronic medical records explicitly reflect that a visual acuity assessment was ordered by the medical provider. However, Wilson staff wholly failed to perform this examination. Plaintiff was never offered a visual acuity test, never refused a visual acuity test, and no such evaluation was ever executed prior to his subsequent discharge.

114. Following the CT imaging, Plaintiff remained at Wilson Medical Center for approximately eight additional hours awaiting further evaluation and discussion of the imaging findings.

115. Throughout this period, Plaintiff remained physically present within the emergency department and continued to experience the symptoms that caused him to seek emergency treatment. Despite presenting with severe symptoms and seeing a provider, no meaningful pain treatment was offered for approximately seven hours after Plaintiff's arrival until 2:46 AM.

116. After the CT scan was performed, between the approximate hours of 10 PM and 2:45 AM, Mirae contacted Wilson on at least one occasion while Plaintiff was in the waiting room.

117. During this time, between the approximate hours of 12:30 AM and 2:30 AM, one Wilson staff member, Jane Doe briefly had her phone on speaker, at which time Napoletano exclaimed something to the effect of "We are all going to prison if you show him that CT scan."

118. On two occasions prior to 2:30 AM, Plaintiff confronted Wilson staff members and asked them to immediately cease communications with Mirae, stating "nobody is on my release form and I do not authorize you to speak with anyone regarding my treatment".

119. At 2:46 AM, approximately seven hours after being seen at Wilson, Plaintiff was told Wilson would be sharing the CT scan results and was now offered Benadryl and Toradol for the first time, which Plaintiff refused, stating that he preferred to receive his diagnostic results first..

120. Between the approximate hours of 2 AM EST and 5 AM EST, Mirae and Napoletano contacted law enforcement in Wilson, North Carolina. Wilson staff, as a result, allowed an officer to enter the hospital and become involved in Plaintiff's screening procedure by stationing this officer outside of the room where Plaintiff would be shown his CT scan imaging. During this time, Plaintiff was quietly asleep in the waiting room.

121. Plaintiff had not informed any other individuals or entities, including Mirae and Napoletano, that he was at Wilson for this evaluation and treatment. This was now the second time that Mirae and Napoletano maliciously misused emergency services within a 48-hour period across two states- New Jersey and North Carolina.

122. On the call, upon information and belief, Napoletano made further disparaging remarks to influence police records, further the firm's alleged medical narrative, and further influence Plaintiff's screening examination and treatment at the facility. In response to this call, a police officer was dispatched to Wilson Medical Center while Plaintiff remained a patient awaiting further evaluation and/or discussion of the CT findings.

123. At all times during Plaintiff's visit to Wilson, Plaintiff was respectful, quiet, and in no way required any police intervention in his screening examination. Despite this, Wilson staff allowed an officer to become involved in Plaintiff's screening examination.

124. Plaintiff observed that Wilson staff agreed to let an officer into the treatment area directly before Plaintiff was shown the CT images and results. Plaintiff further observed that the

officer was then positioned near the room in which Plaintiff would later meet with Wilson personnel regarding the CT imaging.

125. At or around 3:34 AM, Plaintiff saw Raylop F Alawar, NA1US, who reported that CT scan imaging had been read but staff were meeting to discuss it. Plaintiff, who was still symptomatic at this time, requested that the doctor read the results. At this time, staff declined to read the results and informed Plaintiff that they needed to meet to discuss the results further first.

126. Plaintiff then remained in the waiting room for an additional two to three hours awaiting the reading.

127. At or around 6:28 AM, Plaintiff was called in to view his CT scan imaging.

128. Plaintiff was given permission by Dr. Ngnesia to view and scroll through his imaging on the computer.

129. Plaintiff is not a licensed physician, radiologist, or certified medical professional. However, Plaintiff attended medical school for 18 months, had four years of premedical training, performed over 500 hours of clinical and physician shadowing, and received basic training in reading CT scan imaging.

130. While reviewing the CT images, Plaintiff questioned what appeared to him to be significant abnormalities involving the optic nerve and/or another structure visible on the imaging.

131. Plaintiff also informed Wilson staff of his basic medical training experience, and requested permission to take a photograph of the CT scan imaging's apparent abnormality, but did not do so.

132. Upon Plaintiff bringing the abnormality and medical training experience, Wilson staff members took immediate measures to conceal the CT scan imaging.

133. Dr. Ngsenia appeared to panic, immediately exclaimed words to the effect of “he touched the computer!” and then grabbed the computer from Plaintiff and quickly exited the room with it. This was despite giving Plaintiff explicit permission to scroll through the images and use the computer for the previous few minutes.

134. In response to this, Plaintiff made a statement to the effect of “You know there is a camera right there?” and pointed to a Wilson security camera directly above Plaintiff, Dr. Ngsenia, and the computer.

135. Immediately after this, Wilson personnel summoned the police officer stationed directly outside the room.

136. The focus of the encounter then shifted away from discussion of Plaintiff’s medical condition and toward Plaintiff’s removal from the facility, and Plaintiff was removed from the hospital thereafter.

137. Prior to Plaintiff’s removal, Wilson personnel did not engage in a meaningful discussion regarding stabilization of Plaintiff’s symptoms, transfer to another facility, additional emergency treatment options, or perform any assessment as to whether Plaintiff’s condition had improved or worsened.

138. Plaintiff was not advised that his severe retro-orbital eye pain, and the associated emergency medical condition for which Plaintiff had sought treatment had resolved or been stabilized, and Plaintiff continued to experience worsening symptoms after leaving Wilson Medical Center.

139. Despite this, Wilson’s discharge records subsequently reflected that Plaintiff’s condition was “stable” and “improved”.

140. Plaintiff disputes Wilson's characterizations that his symptoms had improved as his symptoms remained substantially unchanged, untreated, and undiagnosed, and Wilson staff had not at any point asked Plaintiff about these symptoms in the hours prior to discharge.

141. Plaintiff was not offered the opportunity to properly discuss his CT scan imaging, any findings, and how those findings or lack thereof were evaluated in a manner that would be offered to similarly-situated patients.

142. Following the encounter, Plaintiff immediately sought additional emergency medical evaluation and treatment elsewhere, including at HCA Florida Kendall Hospital on or about April 18.

143. Plaintiff alleges that the sequence of events deviated from the ordinary manner in which similarly situated emergency department patients presenting with severe retro-orbital eye pain, severe headache, blurry vision, and nerve-related symptoms are ordinarily evaluated and treated. Such deviations included, but were not limited to: (a) the failure to perform an ordered visual acuity examination prior to discharge; (b) the failure to provide meaningful treatment or pain-management options for approximately seven hours following Plaintiff's arrival despite Plaintiff's severe symptoms; (c) the offer of Benadryl and Toradol for the first time immediately before disclosure of the CT scan findings only after Plaintiff had already waited approximately seven hours for results; (d) communications with third parties concerning Plaintiff's treatment despite Plaintiff's express instruction that no individual was authorized to receive information regarding his care; (e) continued delays in disclosure of CT imaging results following such communications; (f) the involvement of law enforcement before discussion of the CT imaging findings; (g) the positioning of a police officer near the room in which Plaintiff was shown the CT images; (h) the immediate termination of the encounter and summoning of law enforcement

after Plaintiff asked a question about the CT scan imaging; (i) the shift in focus from evaluation of Plaintiff's medical condition to Plaintiff's removal from the facility; and (j) the absence of any meaningful discussion concerning stabilization, transfer, additional emergency treatment options, or resolution of Plaintiff's symptoms before Plaintiff was removed from the hospital.

VIII. HCA Kendall and Plaintiff's Second Attempt at an Emergency Eye Screening Evaluation

144. On or about April 18 at 9:26 AM EST, Plaintiff presented to Defendant HCA Florida Kendall Hospital's Emergency Department seeking emergency evaluation of a serious eye condition.

145. Plaintiff reported severe, 8/10 retro-orbital eye pain, visual disturbances, ocular symptoms, and related complaints requiring evaluation of the eye and orbital structures.

146. Plaintiff repeatedly requested evaluation and diagnosis of his eye condition.

147. Plaintiff did not present seeking treatment for a headache and repeatedly clarified that his concern solely involved his eye and the cause of his ocular symptoms.

148. Throughout the encounter, hospital personnel repeatedly characterized Plaintiff's complaint as a "headache" complaint despite Plaintiff's repeated efforts to explain that he was seeking evaluation of an eye-related emergency condition and not mentioning a headache to hospital staff.

149. Hospital personnel then informed Plaintiff that they intended to perform eye-related testing, including eye drops to physically examine Plaintiff's eyes.

150. Despite representing that such testing would be performed, HCA Kendall did not perform this testing during the remaining 4-hour period that Plaintiff was a patient in the

emergency room, and did not consult Plaintiff as to why any physical eye evaluation was not conducted. Instead, CT scan imaging was ordered.

151. Upon information and belief, the CT study was then utilized solely to evaluate intracranial or headache-related conditions rather than the specific eye and orbital abnormalities that formed the basis of Plaintiff's emergency complaint.

152. The CT scan reading provided by HCA Kendall fails to mention or analyze any anatomical structures related to Plaintiff's eye and chief complaint of severe retro-orbital eye pain. The resulting evaluation did not meaningfully assess the anatomical structures of the eye, orbit, optic pathway, or other ocular causes of Plaintiff's presenting symptoms.

153. As such, Defendant failed to perform a screening examination reasonably calculated to identify the cause of Plaintiff's reported eye condition. Defendant instead substituted a materially different evaluation directed toward a condition Plaintiff repeatedly stated was not the primary reason for his emergency presentation.

154. As a result, Plaintiff was not screened in the same manner as similarly-situated patients presenting to the emergency department with severe eye-related symptoms.

155. Following the CT scan, as Plaintiff awaited his CT scan imaging results, the entirety of HCA Kendall emergency room staff, including all nurses, physicians, and other staff members, entered a single room together for approximately one to two hours.

156. Upon returning to the hospital, a nurse stated to Plaintiff that the full staff was currently in the trauma area of the hospital for an emergency operation.

157. At no point was Plaintiff provided the promised physical eye examination, or provided with an explanation by HCA Kendall physicians regards to any findings, examinations, or resolutions to his chief eye-related complaints.

158. Plaintiff ultimately elected to leave the Emergency Department after concluding that Defendant was not evaluating the condition for which he sought emergency care after over 5 hours in the Emergency Department.

159. During his departure from the Emergency Department, Plaintiff advised hospital personnel that he intended to obtain the CT scan images generated during the encounter. Hospital personnel appeared to react with unusual concern after Plaintiff indicated this intention to obtain the CT images. A nurse then began messaging on her computer as Plaintiff was exiting the facility.

160. As Plaintiff was exiting approximately two minutes later, this nurse called out across the department from approximately 25-feet away words to the effect of “the CT results had just returned in that moment and were negative!”. The announcement occurred as Plaintiff was already departing and was not accompanied by a meaningful physician evaluation or discussion addressing Plaintiff's eye-related complaints. Plaintiff again stated that he would formally request the CT scan images.

161. Defendant's failure to identify, investigate, meaningfully evaluate, and provide appropriate screening examination deprived Plaintiff of the opportunity to have his emergency condition properly identified and treated.

162. Rather than screening the condition presented, Defendant repeatedly redirected the encounter toward evaluation of a different condition, namely an alleged headache complaint, despite Plaintiff's repeated statements that he was seeking diagnosis and evaluation of his eye-related symptoms and did not suffer from any headache at that time.

163. HCA Kendall therefore screened Plaintiff for a condition materially different from the condition for which Plaintiff sought emergency treatment, and failed to perform components of a routine emergency eye evaluation that its personnel represented would be performed.

IX. Wilson and HCA Kendall's Refusal to Disclose Plaintiff's CT Scan Imaging

164. On or about April 17, Plaintiff requested his complete medical records from Wilson, including an explicit request for the CT scan imaging conducted at the hospital.

165. On or about April 22, Wilson was sent a litigation hold notice in regards to Plaintiff's CT scan images and any relevant metadata, including change/deletion logs, regarding Plaintiff's visit. The litigation hold notice also requested preservation of surveillance camera footage which is relevant to both (a) Plaintiff's CT scan images, as surveillance cameras were stationed above the computer where these images were displayed to Plaintiff, and (b) the significant disparities on Plaintiff's health records, discussed herein.

166. On or about April 24, HCA Kendall was issued a litigation hold notice which specifically requested the hospital retain Plaintiff's CT scan images and surveillance camera footage.

167. On or about April 29 at 8 AM EST, Plaintiff received a "Delay Notification" email from Verisma regarding the request for Plaintiff's complete medical records and CT scan imaging from Wilson, 12 days after these records were requested.

168. On or about April 29 at 1 PM EST, Plaintiff received his medical records from Wilson and Verisma. While "Radiology Images" was specifically requested, Wilson refused to send the CT scan images with Plaintiff's medical records.

169. On or about May 9, Plaintiff requested his complete medical records and CT scan images from HCA Kendall.

170. On or about May 11, Plaintiff received his medical records from HCA Kendall. While “CT Scan Images” was specifically requested, HCA Kendall refused to send these images with Plaintiff’s medical records.

171. Additionally, significant disparities exist on Plaintiff’s medical records obtained from HCA Kendall, such as pain level reported to be “8/10” being recorded by HCA Kendall as “7/10” and consistent reports of an alleged “headache” in place of Plaintiff’s sole complaint of “severe eye pain and intra-ocular symptoms.”

172. Plaintiff took further steps to secure his CT scan imaging from Wilson, including the issuance of litigation hold notices to Wilson’s records providers Verisma and Raleigh Radiology on or about May 23.

173. On or about May 23, Plaintiff also received a bill in the mail from Raleigh Radiology for the CT scan conducted at Wilson.

174. Despite this, Raleigh Radiology wrote an email to Plaintiff stating “Good morning, this patient is not in our system.” Plaintiff was also unable to login to the Raleigh Radiology online patient portal, which, upon entering Plaintiff’s information into the Patient Portal for first-time logins, stated “Error! No user found with that email address.”

175. Plaintiff is still presently unable to access his medical imaging CT scans from Wilson, Verisma and Raleigh Radiology.

176. Additionally, on or about May 11, Plaintiff received a physical bill in the mail from IntelliRad Imaging for Plaintiff’s CT scan images conducted at HCA Kendall.

177. Plaintiff subsequently attempted to login to IntelliRad Imaging’s patient portal to access these CT scan images, which required First Name, Last Name, and Date of Birth. IntelliRad Imaging’s patient portal returned the message “Match not found in our system”.

178. On or about June 24, Plaintiff then issued a litigation hold notice to IntelliRad Imaging for Plaintiff's CT scan images, any communications with HCA Kendall regarding these images, and any relevant change/deletion logs. Additionally, Plaintiff emailed IntelliRad Imaging specifically requesting his CT scan images, but has received no response.

179. To date, Plaintiff is still unable to obtain and access any of his CT scan imaging from both Wilson and HCA Kendall and their associated records providers Verisma, Raleigh Radiology, and IntelliRad Imaging.

X. Tortious Intrusion in Miami-Dade by Mirae, Napoletano and unauthorized use of RingCentral

180. On or about April 16, directly after Plaintiff's trip to Wilson Medical Center, Defendants Mirae and Napoletano, along with Keith and Joyce, appeared frightened that Plaintiff may attend another hospital for CT scan imaging and an ocular evaluation. At this time, all four individuals and entities had been served with litigation hold notices and anticipated Plaintiff's litigation.

181. Upon information and belief, on or about April 16, these parties further coordinated to dispatch Keith to North or South Carolina via airfare to physically interfere with, or influence, Plaintiff's medical evaluation attempts and intended litigation, despite Keith being on "no-contact" with Plaintiff since March 19.

182. Additionally, Keith and Joyce retained the second key to Plaintiff's vehicle without authorization, which Plaintiff is the sole owner of, despite Plaintiff's repeated requests for both vehicle keys. Keith then brought the key with him to North Carolina. Keith used this vehicle key to, on several occasions between April 17 and May 5, to access Plaintiff's vehicle,

tamper with evidence, access Plaintiff's electronic devices, and provide ongoing evidence tampering service to Mirae and Napoletano.

183. Suspected, or confirmed, coordinated unauthorized vehicle access attempts to date by Napoletano, Keith, Mirae, and associated parties, include, but are not limited to: (a) April 18 at HCA Kendall (though due to the allegations herein, HCA Kendall may have altered or deleted the exact timestamped incident footage); (b) April 19 on or about 6 AM to 6:35 PM EST at Walgreens on 501 Collins Avenue in Miami Beach; (c) April 20 at 73rd and Collins Avenue in Miami Beach between 10:45 AM and 11:30 AM, in which Plaintiff's dash camera recorded several videos of Keith repeatedly circling around Plaintiff's vehicle on 4 or more separate occasions within this time frame in a white SUV rent-a-car; (d) July 4 at 2101 Collins Ave in Miami Beach between 12 PM and 1:30 PM while Plaintiff was at the beach.

184. On or about April 21, after several vehicle access attempts by Keith, disturbed liquids within Plaintiff's vehicle tested positive for controlled substances. Additionally, when Plaintiff returned into Walgreens to purchase further drug testing kits approximately 10 minutes later, the previously fully-stocked shelf was now completely empty. Plaintiff has a full video of this encounter.

185. On several occasions between April 17 and July 4, Keith appeared to be on the application "RingCentral" and in communication with, at minimum, Napoletano and Fossella.

186. On or about April 27 at 11:22 AM, Plaintiff received a phone call which the caller ID reflected as "RingCentral IN" from the number 646-747-5214. Plaintiff has never used RingCentral's services on any occasion.

187. Upon answering the call, the caller instead identified themselves as "Phoebe Gordon", the General Manager of USA Corporate Services. Plaintiff has spoken with USA

Corporate Services, a company based in New York, in recent years and did not recognize the caller to be Ms. Gordon. Plaintiff has used their services previously for incorporation with previous professional work, SapientPro Inc (“**SapientPro**”)

188. Additionally, the caller then provided Plaintiff with false information inconsistent with Ms. Gordon’s known contact information, including: (a) an unknown temporary phone number, 646-747-5214; and (b) an incorrect email address of phoebe.gordon@usa-corporate.com, which is inconsistent with Ms. Gordon’s known contacts of 212-239-5050 and phoebe@usa-corporate.com.

189. Upon information and belief, Napoletano has also used similar temporary phone numbers and/or number shufflers to contact and coordinate with third-parties.

190. Additionally, directly prior to the call with RingCentral, Plaintiff received several phone calls from SapientPro COO Serj Molodyk and CTO Max Tatarchenko, with whom Plaintiff had utilized USA Corporate Services with previously from 2023 to 2025.

XI. Plaintiff’s Efforts to Cease Unauthorized Access, Investigate Wrongdoing, and Acquire a Proper Screening Evaluation

191. On or about May 9, Plaintiff received a second external enquiry into his Kraken.com account, at which time Plaintiff had less than \$1000 in the account and under \$5000 in monthly transaction volume.

192. To date, Plaintiff has spent approximately \$10,000 on new devices and preservation of old devices, the purchase of backup drives for relevant metadata, logs, and disk images, and preservation efforts for these devices which have allegedly accessed by Defendants Mirae and Napoletano. These includes: (a) the MacBook Pro 16-inch for approximately \$4000; (b) the MacBook Pro 13-inch for approximately \$1500; (c) purchase of a new 2026 MacBook

Air on April 26 for approximately \$1,016.49, which Plaintiff now uses as his primary laptop device; (d) purchase of an Apple iPhone 17 on or about March 17 for approximately \$1200; and (e) purchase of an Apple iPhone 14 for \$373.43 on or about April 28, which Plaintiff now uses as his primary cellular device; (f) various flash drives and external hard drives.

193. Additionally, due to alleged ongoing interference, surveillance, and misuse of Plaintiff's confidential information, accounts, and data by Defendants Mirae and Napoletano, Plaintiff is presently unable to find a hospital or medical provider that will perform a proper screening examination of Plaintiff's eye/nerve-related condition, and provide Plaintiff with diagnostic imaging services.

Causes of Action

Count I

Violation of the Federal Electronic Stored Communications Act (SCA) (18 U.S.C. §§ 2701–2712)

Against Mirae and Napoletano

194. Plaintiff reincorporates paragraphs 1 through 193.

195. Plaintiff owns an Apple iCloud account, niitro@mac.com, and uses iCloud Messages, iCloud Mail, iCloud Drive, iCloud Photos, and iCloud Notes. iCloud is a provider of electronic communication services.

196. Plaintiff owns a Google and associated Gmail account, tylermfallon@gmail.com, and uses this Gmail account as a primary means of electronic communication. As part of the same Google Account, Plaintiff is also a subscriber to Google Drive, uses Google Authenticator, and uses Google Maps.

197. Plaintiff owns a Discord account, a provider of electronic communications.

198. Defendants willfully, knowingly, and intentionally accessed Plaintiff's iCloud, Google and associated Gmail, and Discord accounts, each a facility through which an electronic

communication service is provided, without authorization, all in violation of 18 U.S.C. § 2701(a)(1).

199. Defendants willfully, knowingly, intentionally and without authorization thereby obtained, altered, and deleted data within the iCloud and Google accounts while they were in electronic storage, all in violation of 18 U.S.C. § 2701(a)(1).

200. As a direct and proximate result of Defendants' violations of the Stored Communications Act, Plaintiff seeks actual damages, statutory damages, punitive damages for willful and intentional violations, injunctive and equitable relief, costs, attorney's fees where permitted, and all other relief available under 18 U.S.C. § 2707

Count II
Violation of the Federal Computer Fraud and Abuse Act (CFAA) (18 U.S.C. § 1030)
Against Mirae and Napoletano

200. Plaintiff reincorporates paragraphs 1 through 193.

201. Google Cloud Platform infrastructure, including Google Drive, and Apple iCloud are cloud storage services that allow for storage of data on Google's and Apples servers, respectively, and by transmitting the information over the internet, and such computers are therefore used in interstate and foreign commerce and considered "protected computers" within the meaning of 18 U.S.C. § 1030(e)(2)(B).

202. Plaintiff's Gmail accounts, including Google Workspace accounts associated with previous employment and professional work, are also connected to the internet and therefore used in interstate commerce and "protected computers".

203. Plaintiff's MacBook Pro 13-inch and MacBook Pro 16-inch are devices Plaintiff has used for interstate commerce and therefore are "protected computers".

204. Between the months of January and April, Defendant Mirae, acting through Napoletano and/or its agents and associated parties, installed unauthorized remote access software on Plaintiff's MacBook Pro 13-inch and MacBook Pro 16-inch computers.

205. Between the months of January and June, Defendants Mirae and Napoletano intentionally and continually accessed Plaintiff's computer systems covertly to obtain confidential and proprietary information in violation of 18 U.S.C. § 1030(a)(2)(C). Such information includes, but is not limited to, sensitive medical information never disclosed to these Defendants, financial information, credentials and logins, information and contacts related to Plaintiff's previous employment history, Plaintiff's personal contact list, Plaintiff's location data, and other protected information.

206. Such access to Plaintiff's computer systems was never authorized by Plaintiff, including but not limited to access to Plaintiff's Gmail accounts, Plaintiff's text messages, Plaintiff's precise location data, and Plaintiff's files stored both remotely and on iCloud Drive and Google Drive.

207. As a direct and proximate result of Defendants' violations of the Computer Fraud and Abuse Act, Plaintiff suffered damage and loss exceeding \$5,000 in a one-year period, including response, investigation, replacement-device, preservation, and data-recovery costs. Plaintiff seeks compensatory damages, injunctive and equitable relief, costs, and all other relief available under 18 U.S.C. § 1030.

Count III
Negligent Supervision
Against Mirae

208. Plaintiff reincorporates paragraphs 1 through 193.

209. Mirae received verbal and written notice that one or more employees and/or agents may have been engaging in alleged criminal activity, including but not limited to unauthorized access, misuse of confidential information, and other related misconduct in violation of federal cyber and privacy laws (SCA and CFAA).

210. Compliance, management, and supervisory personnel were notified in writing on three separate occasions in 2026 by Plaintiff and former counsel for Plaintiff throughout February, March, and April, as well as given notice verbally throughout February.

211. Mirae personnel and/or counsel acknowledged receipt of these correspondence.

212. Despite receiving those reports, Mirae failed to conduct a reasonable investigation, failed to supervise the responsible personnel, failed to take corrective action, and failed to provide Plaintiff with any meaningful response regarding his concerns. Additionally, supervisors actively refused to perform any meaningful investigation into reported wrongdoing, permitting the conduct to continue or go unmitigated because they faced personal liability.

213. In response Plaintiff's concerns, Mirae took retaliatory measures against Plaintiff, including further violations of state and federal laws discussed herein.

214. Additionally, Mirae issued Plaintiff a \$10,000 bonus on March 9.

215. As of today, no meaningful investigation has occurred in regards to reported wrongdoing by Mirae employees.

216. Mirae has also declined to comply with the SEC's request and provide Plaintiff and the Commission with any meaningful answer to Plaintiff's concerns, nor state any reason as to why they did not investigate in a period now exceeding four months since the initial request.

217. As a direct and proximate result of Mirae's negligent supervision, Plaintiff suffered economic loss, privacy and confidentiality harms, reputational harm, emotional distress,

litigation-related harm, and other consequential damages. Plaintiff seeks compensatory damages, punitive damages where permitted by law, costs, and all other relief the Court deems just and proper.

Count IV
Intrusion Upon Seclusion
Against Mirae and Napoletano

218. Plaintiff reincorporates paragraphs 1 through 193.

219. The right to privacy in New Jersey, North Carolina, and Florida creates a cause of action against private entities such as Mirae, as well as individuals such as Napoletano.

220. Plaintiff had a reasonable expectation of privacy in his personal electronic devices, iCloud account, Gmail accounts, text messages, precise geo-location information, medical information, financial account information, personal residences in New Jersey and Florida, medical provider facilities in New Jersey, North Carolina, and Florida discussed throughout this action, banking relationships, vehicle and its contents, and while on the premises of third-party businesses.

221. Plaintiff's expectation of privacy was further supported by the reasonable assumption that an employer, and by association Napoletano as an employee of the firm, would not conduct extensive, unauthorized, and intrusive monitoring of an employee beyond the scope of work-related workplace communications. Plaintiff's expectation of privacy at his medical providers was also supported by federal law, including HIPAA, state medical privacy laws, and the doctor-patient relationship.

222. Beginning on or about January and continuing through April 15, while Plaintiff was domiciled in New Jersey, Mirae and Napoletano knowingly, intentionally, and without

authorization intruded on Plaintiff's affairs within the scope of these physical and electronic locations.

223. Such intrusions by Defendants Mirae and Napoletano include, but are not limited to: (a) reckless contact with Plaintiff's personal and professional network without authorization, rather than Plaintiff himself, in a deliberate attempt to solicit private information and statements; (b) reckless attempts by Mirae, its agents, and/or its associated parties to obtain, influence, and disseminate Plaintiff's confidential medical records in a skewed manner as a means of whistleblower retaliation tactics, including during law enforcement interactions; and (c) malicious misuse of Plaintiff's electronic and physical location data.

224. Such conduct would be highly offensive to a reasonable person because it involved persistent, unauthorized monitoring, acquisition, and misuse of Plaintiff's private communications, medical information, location data, personal accounts, personal devices, and personal contacts, resulting in an intrusion into activities occurring within private living spaces.

225. Such conduct would additionally be highly offensive to a reasonable person because it was malicious in intent and was not conducted in Plaintiff's best interest, but rather as an attempt to disparage Plaintiff, influence third-party and police record systems, and reputationally damage Plaintiff and Plaintiff's credibility.

226. On at least one occasion, Defendant Mirae and its agents, including but not limited to Napoletano, knowingly and intentionally intruded on Plaintiff's affairs within these physical and electronic locations, or solicited others to do so, despite being aware of Plaintiff's intended litigation against them and continuing unauthorized surveillance and interference with Plaintiff's personal matters.

227. On or about April 15-16, while Plaintiff was between domiciles in New Jersey and Florida and present at Defendant Wilson Medical Center in Wilson, North Carolina, Mirae and Napoletano knowingly, intentionally, and without authorization intruded on Plaintiff's affairs.

228. On or about April 16 onwards, while Plaintiff was domiciled in Florida, Mirae, Napoletano, and those acting in concert with them knowingly, intentionally, and without authorization additionally intruded on Plaintiff's affairs within the scope of several of the aforementioned physical and electronic locations. Such intrusions would be highly offensive to a reasonable person due to the reckless nature of this unauthorized access and interference.

229. As a direct and proximate result of Mirae and Napoletano's intrusive conduct, Plaintiff suffered invasion of privacy, loss of confidentiality, emotional distress, reputational harm, monetary harm, and litigation-related harm. Plaintiff seeks compensatory damages, punitive damages where permitted by law, injunctive relief, costs, and all other relief the Court deems just and proper.

Count V
Violation of the Emergency Medical Treatment and Labor Act (EMTALA), 42 U.S. Code § 1395dd
Against Wilson

230. Plaintiff reincorporates paragraphs 106-143 and 166-179.

231. At all times relevant herein, Defendant Wilson Medical Center was a participating hospital in the Medicare program and maintained an emergency department open to the public. Accordingly, Defendant was subject to the screening, stabilization, and related obligations imposed by EMTALA, 42 U.S.C. § 1395dd.

232. On or about April 15, Plaintiff arrived at Wilson's emergency department seeking emergency medical treatment with severe 8/10 retro-orbital eye pain, blurry vision, headache, visual disturbances, and significant neurological symptoms affecting the ocular region

233. These symptoms may indicate several emergency medical conditions including, but not limited to, severe ocular trauma or optic nerve injury, optic neuritis, retinal detachment, retinal artery occlusion, retinal vein occlusion, acute angle-closure glaucoma, which are conditions capable of causing permanent vision loss, neurological injury, or other serious impairment if left untreated.

234. These symptoms were sufficient to trigger Wilson's obligations under EMTALA to provide an appropriate medical screening examination and any necessary stabilizing treatment.

235. Wilson failed to provide Plaintiff with an appropriate medical screening examination comparable to that provided to similarly-situated patients presenting with severe ocular and neurological complaints.

236. Wilson failed to perform basic components of an ocular emergency evaluation, including visual acuity testing.

237. Wilson deviated from its ordinary screening and treatment procedures after receiving communications concerning Plaintiff from persons outside the physician-patient relationship.

238. Wilson delayed evaluation and treatment for several hours despite Plaintiff's severe symptoms. In *Scruggs v. Danville Regional Medical Center of Virginia, L.L.C.* (Case No. 4:08CV00005), the U.S. District Court for the Western District of Virginia ruled that an excessive, unreasonable delay in a hospital's emergency department can constitute a "constructive refusal" to screen patients, thereby violating EMTALA.

239. Wilson involved law enforcement personnel in Plaintiff's care before adequately addressing Plaintiff's emergency medical condition.

240. Wilson inappropriately discharged Plaintiff without adequately stabilizing his condition and without arranging an appropriate transfer to a facility capable of providing a higher level of care.

241. As a direct and proximate result of Wilson's EMTALA violations, Plaintiff suffered personal harm, including delayed and incomplete emergency screening, lack of stabilizing treatment, continued severe retro-orbital eye pain, additional medical expenses, and related consequential harm. Plaintiff seeks all damages available for personal injury under North Carolina law, appropriate equitable relief, costs, and all other relief available under 42 U.S.C. § 1395dd(d)(2)(A).

Count VI
Fraudulent Concealment
Against Wilson

242. Plaintiff reincorporates paragraphs 106-143 and 164-179.

243. Defendant Wilson, as a licensed medical facility treating Plaintiff as a patient, stood in a fiduciary and confidential relationship with Plaintiff. As a fiduciary, Wilson owed Plaintiff an absolute, non-delegable legal duty to fully, honestly, and accurately disclose all material medical facts, diagnostic findings, objective radiological imaging results, and unedited health records concerning Plaintiff's physical condition. In regards to patient medical records, upon request, physicians have a duty to provide a patient or a patient's representative with a true, unaltered, and complete copy of all treatment records for any treatment or services rendered.

244. On April 15 and 16, Defendant Wilson, by and through its agents and employees, including Dr. Ngnesia, PA-C Heavner, NAIUS Alawar, and RN Owens, breached this fiduciary

duty by knowingly, willfully, and intentionally concealing and suppressing material facts regarding Plaintiff's medical condition. Specifically, Defendant Wilson actively concealed and withheld: (a) the raw electronic CT scan images and associated DICOM metadata, which comprised the objective, underlying baseline data of Plaintiff's emergency diagnostic evaluation; and (b) Defendants Mirae and Napoletano's active communications with staff members throughout Plaintiff's screening procedure to restrict Plaintiff's access to his diagnostic data in real time.

245. Defendant Wilson executed this fraudulent concealment and suppression through targeted actions, including: (a) at or around 6:28 AM on April 16, upon Plaintiff pointing to a specific visual variation on the computer screen displaying his CT scan and requesting clarification, Dr. Ngnesia abruptly seized the computer to terminate Plaintiff's inspection and prevent him from further viewing, capturing, or evaluating the underlying data; (b) summoning an officer into the treatment room following Plaintiff's inquiry into the displayed image, using the duress of officer presence to expel Plaintiff from the facility before he could obtain copies or records of his raw imaging files; (c) fulfilling Plaintiff's subsequent medical-records request by transmitting only the written text logs and reports while systematically omitting and withholding the requested raw CT imaging files from the electronic production; and (d) through Defendant Wilson's third-party billing agent, Raleigh Radiology, issuing a physical invoice to Plaintiff via mail on May 23, for the exact CT scan in question, while simultaneously stating by email that "this patient is not in our system," effectively blocking Plaintiff from accessing his data through the electronic patient portal.

246. Defendant Wilson continued this fraudulent concealment by directing omissions and deceptive acts across state lines into the Southern District of Florida while Plaintiff was

domiciled in Miami-Dade County, Florida. On April 17, Plaintiff submitted an explicit request for his complete medical records, including an explicit request for “Radiology Images.” On April 22, Wilson was served with a formal Litigation Hold Notice detailing the materiality of the CT scan files, corresponding security camera footage, and other important metadata pertaining to this information, and Wilson therefore could reasonably anticipate Plaintiff’s litigation.

247. Upon information and belief, following Plaintiff’s departure from the hospital and continuing after Wilson received the formal Litigation Hold Notice, Defendants Mirae and Napoletano maintained active, ongoing communications with Defendant Wilson and its record-processing agents, explicitly encouraging, inducing, and facilitating the continued concealment and suppression of the raw CT scan images.

248. As a direct result of this coordinated concealment, on April 29, Defendant Wilson, acting in tandem with its agent Verisma, transmitted an incomplete electronic medical record across state lines to Plaintiff in Florida, purposefully withholding the requested raw CT imaging files while transmitting only the written text logs.

249. Wilson knowingly and intentionally concealed Plaintiff’s medical imaging records, and in particular the CT scan images requested on or about April 17, despite knowing the importance and materiality of these radiology images to Plaintiff’s pending litigation, Plaintiff’s proper screening, diagnosis, and treatment, and Plaintiff’s emergency medical condition. Despite these facts, on April 29, Wilson refused to provide the CT images despite a formal request for Plaintiff’s complete medical records, including all radiology images, which Wilson had a duty to disclose and legal obligation to provide upon request.

250. Additionally, Wilson knowingly and intentionally falsified Plaintiff’s medical records regarding this incident and transmitted those medical records into Miami-Dade County,

Florida, by: (a) indicating Plaintiff's "Stated Complaint Improved: Y" and "Stated Complaint Stable: Y"; (b) stating, "Patient got up and grabbed Dr. Ngnesia's computer," even though Plaintiff was given permission to scroll through the images, was seated throughout, and at no point "got up and grabbed" Dr. Ngnesia's computer; (c) stating, "She became threatened," even though Plaintiff was in no way a threat at any point during the encounter; (d) stating, "Security called to triage at this time," even though Wilson had already stationed the security officer outside the CT scan viewing room before Plaintiff was called in; and (e) intentionally excluding key details from the records regarding Wilson staff misconduct and external communications throughout Plaintiff's encounter.

251. Defendant Wilson engaged in these multi-layered suppressions and falsifications with the specific intent to defraud Plaintiff and induce reliance. Wilson intended to mislead Plaintiff into believing that his CT scan showed no remarkable pathology, thereby intending for Plaintiff to: (a) refrain from seeking immediate, alternative emergency medical stabilization for his deteriorating ocular condition; (b) refrain from reporting Wilson's dynamic deviations from EMTALA and standard screening procedures to state and federal healthcare regulators; and (c) abandon or compromise his prospective civil litigation against Wilson and its co-conspirators by depriving him of the baseline forensic medical evidence required to sustain his claims.

252. Plaintiff was entirely unaware of the true status of his medical imaging and the fraudulent nature of the records due to Wilson's continuous concealment, and he could not have discovered the truth through the exercise of reasonable due diligence. Plaintiff reasonably and detrimentally relied upon Wilson's professional status and its official representations that his clinical presentation was being addressed within regular, lawful parameters.

253. As a direct and proximate result of Wilson's fraudulent concealment, misrepresentations, omissions, and withholding of material medical information and imaging, Plaintiff has suffered severe and ongoing damages, including delayed diagnostic discovery, impaired ability to obtain timely follow-up care, continued severe retro-orbital eye pain, further ocular deterioration, out-of-pocket medical and records-related expenses, litigation impairment, and disruption of Plaintiff's ability to accurately investigate and plead his claims.

254. Because Wilson's alleged conduct was knowing, intentional, fraudulent, malicious, and/or in reckless disregard of Plaintiff's medical safety and legal rights, Plaintiff seeks compensatory damages, punitive damages where permitted by law, costs, and all other relief the Court deems just and proper.

Count VII
Violation of the Emergency Medical Treatment and Labor Act (EMTALA), 42 U.S. Code § 1395dd
Against HCA Kendall

255. Plaintiff reincorporates paragraphs 144 through 179.

256. At all times relevant herein, Defendant HCA Florida Kendall Hospital was a participating hospital in the Medicare program and maintained an emergency department open to the public. Accordingly, Defendant was subject to the screening, stabilization, and related obligations imposed by EMTALA, 42 U.S.C. § 1395dd.

257. On April 18, Plaintiff presented to HCA Kendall's emergency department with severe 8/10 retro-orbital eye pain affecting the ocular region and requested an emergency medical screening of the eye.

258. These symptoms may indicate several emergency medical conditions including, but not limited to, severe ocular trauma or optic nerve injury, optic neuritis, retinal detachment, retinal artery occlusion, retinal vein occlusion, acute angle-closure glaucoma, which are

conditions capable of causing permanent vision loss, neurological injury, or other serious impairment if left untreated. Plaintiff's presentation was sufficient to trigger HCA Kendall's obligations under EMTALA to provide an appropriate medical screening examination.

259. In the 6-hour period that Plaintiff was present at HCA Kendall, no physical examination or assessment of the ocular region was conducted, including visual acuity testing and/or the eye drop physical examination which were initially promised to Plaintiff.

260. HCA Kendall instead conducted a screening examination for a headache, which was at no point presented as one of Plaintiff's complaints. Plaintiff repeatedly requested HCA Kendall perform an evaluation of Plaintiff's ocular region.

261. Defendant did not provide Plaintiff with an appropriate medical screening examination for a severe eye-related condition within the meaning of EMTALA, 42 U.S.C. § 1395dd(a) compared with similarly-situated patients.

262. As a direct and proximate result of HCA Kendall's EMTALA violations, Plaintiff suffered personal harm, including delayed and incomplete emergency screening, failure to receive an appropriate eye-related screening examination, continued severe retro-orbital eye pain, additional medical expenses, and related consequential harm. Plaintiff seeks all damages available for personal injury under Florida law, appropriate equitable relief, costs, and all other relief available under 42 U.S.C. § 1395dd(d)(2)(A).

Count VIII
Civil Conspiracy
Against Mirae and Wilson

263. Plaintiffs reincorporates paragraphs 106-143 and 164-179.

264. Defendant Mirae, by and through its agents and employees including but not limited to Napoletano, and Defendant Wilson, by and through its agents and medical staff

including by not limited to Jessica Owens, RN, Raylop F Alawar, NA1US, Aydan Heavner, L PA-C, and Dr. Ngsenia- were parties of a civil conspiracy that involved an agreement to interfere with and influence Plaintiff's emergency medical evaluation, and in the weeks that followed, tamper with and conceal certain pieces of vital information from Plaintiff.

265. This civil conspiracy is predicated upon independently actionable tortious conduct committed by one or more co-conspirators in furtherance of the common scheme, including: (1) Defendant Wilson's fraudulent concealment, which was allegedly assisted, encouraged, facilitated, and furthered by Defendants Mirae and Napoletano; and (2) Defendants Mirae and Napoletano's continuing intrusion upon Plaintiff's seclusion.

266. On or about April 15-16, a meeting of the minds occurred between Mirae and Wilson. Wilson, despite owing an absolute fiduciary and statutory duty of confidentiality to Plaintiff as a patient, agreed to communicate with Mirae regarding Plaintiff's treatment. This agreement can be surmised through Mirae's ongoing speakerphone calls with Wilson during Plaintiff's visit, Mirae's contact with the Wilson police department at or around 3 AM EST stating Plaintiff's exact location at Wilson, and Wilson staff's allowance of a dispatched officer to become involved in Plaintiff's emergency room screening procedure.

267. This meeting of the minds sought to accomplish an unlawful purpose and to commit unlawful acts, including an agreement to: (a) permit Mirae to intrude into Plaintiff's private medical screening and doctor-patient relationship; (b) suppress and conceal Plaintiff's raw CT scan images and diagnostic findings in real-time; (c) utilize law enforcement to facilitate the abrupt removal of Plaintiff from the facility before he could obtain or record his forensic medical data.

268. In furtherance of this unlawful agreement and conspiracy, Mirae and Wilson influenced Plaintiff's screening examination through the following overt acts: (a) Wilson staff allowed Mirae to join live, speakerphone discussions regarding Plaintiff's care; (b) at the direction of the conspiracy, and to create a pretext for Plaintiff's physical ejection, Mirae, through Napoletano at her residence in New Jersey, called law enforcement to falsify a medical/behavioral escalation. Wilson staff actively facilitated this by embedding a police officer directly outside the diagnostic viewing room before Plaintiff was even called in to view his results; (c) at approximately 6:28 AM, when Plaintiff noticed a structural abnormality on the monitor and questioned it, Dr. Ngsenia executed the concealment arm of the conspiracy by abruptly seizing the computer terminal, fabricating an allegation that Plaintiff "grabbed" the machine, and summoning the pre-positioned officer to expel Plaintiff; (d) Wilson, Mirae, and their respective agents and co-conspirators, then collaborated to conceal information, including Plaintiff's CT scan images, delay disclosure of, and intentionally falsify information on Plaintiff's medical records; (e) on April 29, working in tandem with its record-processing agents, Wilson then transmitted an incomplete and altered medical record across state lines to Plaintiff, executing the ongoing objective of the conspiracy.

269. As a result of the foregoing conduct, Plaintiff's ability to obtain diagnostic imaging, pursue appropriate follow-up medical treatment in Florida, access his baseline medical evidence, and investigate the conduct alleged herein was substantially impaired, including during subsequent treatment encounters.

270. As a direct and proximate result of Defendants Mirae and Wilson's unlawful conspiracy and overt acts, Plaintiff suffered delayed and impaired diagnostic evaluation, loss of access to baseline CT imaging and related medical information, privacy harms, out-of-pocket

expenses, and litigation impairment. Plaintiff seeks joint and several compensatory damages, punitive damages where permitted by law, costs, and all other relief the Court deems just and proper.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against the Defendants awarding damages, attorneys' fees, losses, costs, imposing a preliminary and permanent injunction, and granting the following relief, as follows:

- a. enjoining Mirae, Napoletano, and all persons acting in active concert or participation with them who receive actual notice of the Court's order, from accessing, attempting to access, monitoring, surveilling, copying, altering, deleting, or using Plaintiff's personal computers, devices, accounts, stored electronic communications, cloud-storage accounts, or electronic information without Plaintiff's consent, lawful authorization, or further order of the Court;
- b. enjoining Mirae, Napoletano, and all persons acting in active concert or participation with them who receive actual notice of the Court's order, from using Plaintiff's confidential medical information outside lawful litigation, discovery, or court-authorized purposes; contacting Plaintiff's medical providers outside lawful process; or interfering with Plaintiff's medical evaluations, diagnostic testing, treatment, or access to medical records and imaging;
- c. enjoining and restraining Mirae, Napoletano, and all persons acting in active concert or participation with them who receive actual notice of the Court's order, from engaging in any unauthorized surveillance, monitoring, interference, or account access involving Plaintiff, whether electronic, physical, or through third parties, including but not limited

- to conduct involving Plaintiff's devices, accounts, electronic communications, location information, medical information, personal or professional network, and services or platforms such as RingCentral, Ring, Blink, Tuya, Apple, Google, or any similar service;
- d. ordering, pursuant to the Court's equitable powers and, if appropriate, Federal Rule of Evidence 706, the appointment of a neutral expert to assist the Court with medical, radiological, technical, or forensic issues presented in this action, including the adequacy, integrity, and independence of the medical evaluations, imaging, records, and related electronic evidence at issue;
 - e. alternatively, permitting appropriate medical-expert discovery, forensic examination, or independent medical evaluation as allowed by the Federal Rules of Civil Procedure, the Federal Rules of Evidence, and any order of this Court;
 - f. authorizing forensic examination of Plaintiff's personal computers and cellular devices to determine the full extent of unauthorized access, file tampering, and misappropriation of Plaintiff's confidential information by Defendants Mirae and Napoletano;
 - g. awarding Plaintiff compensatory damages, statutory damages where authorized, punitive damages where permitted by law, costs, litigation expenses, and such other and further relief as this Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury of all issues triable as of right by jury.

Date: July 6, 2026

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tyler Fallon', with a stylized, cursive script.

Tyler Fallon
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Plaintiff, Pro Se

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on July 6, 2026, I filed the foregoing Plaintiff's Second Amended Complaint with the Clerk of the Court for the United States District Court for the Southern District of Florida and served a true and correct copy upon all counsel of record listed below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Tyler Fallon', with a stylized flourish at the end.

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