

**IN THE COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

**WORLD OF BEER FRANCHISING,
INC.**, a Florida corporation,

Plaintiff,

v.

**Case No. 2017 CA 000874
Division: L**

SRQBEER USK LLC, a Florida limited liability company; **J DUBS BREWING COMPANY, LLC**, a Florida limited liability company; **DEAN LAMBERT**, an individual; and **MARK BRODERICK**, an individual,

Defendant.

JDUBS BREWING COMPANY, LLC'S MOTION TO DISMISS

Defendant, JDUBS BREWING COMPANY, LLC (Defendant or "JDub's"), by and through its undersigned counsel, hereby moves to dismiss the Complaint of Plaintiff, WORLD OF BEER FRANCHISING, INC. (Plaintiff or "WOBF"), against JDub's pursuant to Fla. R. Civ. P. 1.140(b)(6) for failure to state a cause of action and states as follows:

1. On January 27, 2017, Plaintiff filed a Complaint against JDub's and other defendants.
2. The Complaint against JDub's should be dismissed for failure to state a cause of action against JDub's.
3. The Complaint is based on allegations related to a Franchise Agreement (the "Agreement") WOBF entered into with the other defendants in this action.
4. Plaintiff stated in the Complaint that, "JDub's is included in this action as a defendant because it may have an interest in the Competing Business..."
5. JDub's is not a party to the Agreement.
6. JDub's has no interest in the Competing Business, SRQBEER USK LLC.

7. Plaintiff's Complaint notes that Count I and Count II are "As Against SRQBEER and Count III is "As Against Mr. Broderick and Mr. Lambert." Plaintiff's Complaint does not state a cause of action against JDub's or contain any Counts against JDub's.

WHEREFORE, Defendant respectfully requests that the Court grant the following relief:

1. That the Complaint against JDub's be dismissed;
2. That JDub's be awarded its costs and attorney fees against Plaintiff in defending this action, as authorized by applicable law; and
3. That the Court award such additional and further relieve to JDub's as may be just and equitable under the circumstances.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of February, 2015, I electronically filed the foregoing instrument with the Clerk of Court using the Florida Courts E-Filing Portal which will send a notice of electronic filing to: **S. Douglas Knox, Esq. and Charlotte E. Murrel, Esq.**, Quarles & Brady, LLP, 101 East Kennedy Blvd., Ste. 3400, Tampa, Florida 33602-5195, douglas.knox@quarles.com and charlotte.murrel@quarles.com; and Michael Edward Schuchat, Riddell Law Group, 3400 S. Tamiami Trail, Sarasota, Florida 34239, mschuchat@rlglawfirm.com and criddel@rlglawfirm.com.

WILLIAMS, PARKER, HARRISON, DIETZ &
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