

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

JESSICA BARNETT

Plaintiff,

v.

CASE NO.:

DIVISION:

MONAT GLOBAL CORPORATION

Defendant.

COMPLAINT

COMES NOW, the Plaintiff, JESSA BARNETT (hereinafter "BARNETT"), by and through her undersigned legal counsel, and sues the Defendant, MONAT GLOBAL, CORP. (hereinafter "MONAT") and as grounds therefore alleges as follows:

JURISDICTION AND VENUE

1. This is an action for damages that exceed \$50,000.00, exclusive of attorney's fees and costs.
2. Plaintiff brings this action as a private attorney general under the Florida Deceptive & Unfair Trade Practices Act, which is a Category One public policy enforcement statute.
3. Jurisdiction and venue for purposes of this action are conferred by Florida Statutes sections 26.012(2)(a) and 47.011, respectively.
4. At all times material herein, Defendant, MONAT created, marketed, sold and profited by beauty products consumed within Pinellas County, Florida.
5. At all times material hereto, the Petitioner was and is a resident of Pinellas County, Florida.
6. The deceptive and unfair trade practice conduct complained of herein occurred in Pinellas County, FL.

FACTS COMMON TO ALL COUNTS

7. The Defendant is in the business of creating, marketing and selling beauty products to the public.
8. The Defendant's beauty products are meant to enhance and beautify their customer's hair and skin.
9. The Defendant also created, marketed and sold "dietary supplements" to its customers.
10. From March 2021 to November 2021, the Plaintiff began using/ingesting the following Monat dietary supplements:

1. Monat Total Greens
2. Monat Collagen Key
3. Monat Balance
4. Monat Immune Support
5. Monat Energy sticks

11. The Plaintiff submits that the Defendants disseminated the following information to the public concerning the following products, via its internet website, located at www.monatglobal.com, and by other means:

MONAT TOTAL GREENS

12. The Defendant stated, via its internet website and elsewhere, that its "Total Greens" product "supports digestion, immune health, energy and mood."

MONAT COLLAGEN KEY

13. The Defendant stated, via its internet website and elsewhere, that its "Collagen Key" product "supports the body's natural production of collagen, supporting the health and appearance of hair, skin and nails."

MONAT BALANCE

14. The Defendant stated, via its internet website and elsewhere, that its “Balance” product “supports healthy digestion and healthy skin.”
15. The Defendant stated that its *Balance* product “supports health digestion and regularity.”
16. The Defendant stated that its *Balance* product “supports healthy skin and immune system.”
17. The Defendant stated that its *Balance* product “boosts good bacteria.”

MONAT IMMUNE SUPPORT

18. The Defendant stated, via its internet website and elsewhere, that its “Immune Support” product “was designed to help protect and support your immune system.”

MONAT ENERGY STICKS

19. The Defendant stated, via its internet website and elsewhere, that its “Energy Sticks” product was a “delicious mix that provides the energy you need to power you through the day”
20. The Defendants stated that its *Energy Sticks* were “an all natural drink mix.”
21. The Defendant stated that its *Energy Sticks* “provides energy”
22. The Defendant stated that its *Energy Sticks* “helps delay fatigue”
23. The Defendant stated that its *Energy Sticks* “supports physical performance”
24. The Defendant stated that its *Energy Sticks* “helps support mental alertness and focus”

Allegations

25. The Plaintiff submits that the aforementioned products are clearly not “all-natural.”
26. The Plaintiff submits that her ingestion of the aforementioned products actually *decreased* her energy levels.

27. The Plaintiff submits that her ingestion of these MONAT products negatively impacted her immune health and mood.
28. The Plaintiff submits that these products did not create collagen, nor did it assist with the creation of collagen, and thus, her hair, skin and nails did not benefit as a result of consuming this product.
29. The Plaintiff submits that her ingestion of these MONAT products negatively impacted her physical performance.
30. The Plaintiff submits that her ingestion of these MONAT products severely increased her fatigue.
31. The Plaintiff submits that her ingestion of these MONAT left her completely unable to focus.
32. The Plaintiff submits that, beginning in March 2021, she was designated as a MONAT “Marketing Partner.”
33. On April 9, 2021, the Plaintiff brought her questions/concerns about the efficacy, herbal interactions and safety of MONAT products to the attention of senior Monat associate Jacqueline Ortega.
34. In response to same, Ms Ortega informed the Plaintiff that any criticism of MONAT products, and/or any references to the pending class actions lawsuits, could jeopardize the Plaintiff’s ability to continue to do business with the Defendant.
35. Lastly, the Plaintiff underwent a severe health crisis in November 2021, which she fully and solely attributes to her ingesting the aforementioned MONAT products.

COUNT I

THE DEFENDANT VIOLATED THE FLORIDA DECEPTIVE AND UNFAIR TRADE PRACTICES ACT

36. The Plaintiff re-alleges and re-affirms paragraphs one (1) through thirty-five (35) supra.

37. Based upon the foregoing, the Plaintiff therefore submits that she was treated unconscionably and wholly unfairly in regard to these consumer transactions.

38. Florida Statutes section 501.204 provides as follows:

Unlawful acts and practices—

*(1) Unfair methods of competition, **unconscionable acts or practices, and unfair or deceptive acts or practices in the conduct of any trade or commerce are hereby declared unlawful.***

[emphasis provided]

39. The Plaintiffs submit that the Defendant's actions, in regard to this matter, were shockingly "unconscionable" and "unfair" pursuant to Florida Statutes sections 501.204.

40. Thus, the Plaintiff seeks actual damages in regard to this transaction, as well as statutory damages, pursuant to Florida Statutes section 501.204.

41. The Plaintiff has incurred reasonable attorney's fees and costs in pursuit of this lawsuit, and will seek recovery of same against Defendant, pursuant to Florida Statutes section 501.2105.

WHEREFORE, the Plaintiffs demands a trial by jury of all issues so triable, as well judgment against the Defendant MONAT for her actual damages (in the amount of more than \$50,000.00); statutory damages; as well as costs and attorney's fees, and such other relief as this Court deems appropriate.

Plaintiff demands a trial by jury of any issue triable of right by a jury.

DATED this ___ day of November 2023.

Respectfully submitted by,
s/ Matthew D. Brumley
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