

IN THE CIRCUIT COURT OF THE
NINTH JUDICIAL CIRCUIT IN AND
FOR ORANGE COUNTY, FLORIDA.

K.S., as mother and natural guardian of
JANE AS DOE, a minor child,

CASE NO.: 2025-CA-001701-0
DIVISION: 39

Plaintiff,

vs.

CHRISTIAN VARGAS, FLORIDA
MULTICULTURAL DISTRICT COUNCIL
OF THE ASSEMBLIES OF GOD, INC. and
IGNITE LIFE CENTER, INC.

Defendants.

**PLAINTIFF'S RESPONSE IN OPPOSITION TO DEFENDANT IGNITE LIFE CENTER,
INC.'S MOTION TO DISMISS COUNT III OF PLAINTIFF'S COMPLAINT**

Comes now, Plaintiff, by and through the undersigned counsel, and submits this Response in Opposition to Defendant IGNITE LIFE CENTER, INC.'s Motion to Dismiss Count III of Plaintiff's Complaint, and as grounds for same states:

1. This matter arises from the childhood sexual abuse of Plaintiff, which was perpetrated by an appointee, employee, agent, or servant of the Defendant, IGNITE LIFE CENTER, INC., (hereinafter "IGNITE").
2. Defendant's counsel filed a motion on April 18th, 2025, asking this Honorable Court to dismiss count III of Plaintiff's Complaint, and did so prior to Answering Plaintiff's Complaint.

3. IGNITE alleges in its Motion to Dismiss, paragraph 3, that as a matter of law, IGNITE cannot be held vicariously liable for the tortious actions of a volunteer that occurred outside the scope of his agency with the organization.

4. IGNITE's assertion is incorrect, and in Plaintiff's complaint, she has pleaded that Co-Defendant, CHRISTIAN VARGAS, was an *appointee, employee, agent, or servant* of IGNITE LIFE CENTER, INC. That distinction was carefully pleaded because Co-Defendant, CHRISTIAN VARGAS, was a youth leader at Ignite Life Center's church, and was specially trained as a leader, and was tasked with leadership positions over children of a sensitive age.

5. Furthermore, Defendant, CHRISTIAN VARGAS's position included access to people, places, and things that not just any volunteer would have access to. This included the media room, including the ability to manipulate video cameras that could have otherwise prevented the alleged incidents, passwords to get into otherwise secure areas of the building, and supervision of sensitive aged children at events conducted by IGNITE. This includes praying and, "Laying hands" on these sensitive aged children. Additionally, Co-Defendant, CHRISTIAN VARGAS, was known as, "Staff" and was referred to in that way by parishioners of the church. He also happens to be the son of the head Pastor, Mark Vega.

6. The issue is that with regards to a Motion to Dismiss, IGNITE must make their argument based on what is contained within the "Four corners" of the Complaint. When examining the sufficiency of a Complaint, "The Court must accept the facts alleged therein as true and all inferences that reasonably can be drawn from those facts must be drawn in favor of the pleader". *Schneiderman v. Baer*, 334 So. 3d 326, 330 (Fla. 4th DCA 2022). Plaintiff has pleaded that Co-Defendant, CHRISTIAN VARGAS, the perpetrator, was an employee or agent of IGNITE LIFE CENTER, INC.

7. Furthermore, IGNITE's claim that the Plaintiff has failed to state a cause of action against IGNITE is simply untrue and that is evident by reading the Complaint. The cause of action has been pleaded with specificity, including the agency and employment of CHRISTIAN VARGAS by IGNITE, and that the tortious acts occurred within working hours, while CHRISTIAN VARGAS was acting within that agency or employment. This is why discovery is necessary, to flesh out the fine details of this information and determine what can or cannot be proved at trial.

WHEREFORE, Plaintiff respectfully requests this Court to enter an Order denying Defendant, IGNITE LIFE CENTER, INC.'s Motion to Dismiss Count III of Plaintiff's Complaint, and all other relief that this Court deems just.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served and filed via the Florida Court's E-portal, to the following, on this 13rd day of May, 2025: Madeline S. Villani, Esq. and electronic mail (mwillani@garrisonyount.com; kickler@garrisonyount.com; smarsh@garrisonyount.com).

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