

COMPLAINT FOR DAMAGES

JACO, COSTA RICA

**Enzo Vincenzi,
Plaintiff,**

vs.

**Veterinaria del Pacifico Central, S.R.L.,
Defendant.**

Case No.:

INTRODUCTION

Plaintiff, Enzo Vincenzi, through undersigned counsel, brings this action against Defendant, Veterinaria del Pacifico Central, S.R.L. and Yesenia Alpizar, for alleged negligence, malpractice, deceptive trade practices, animal cruelty, unauthorized retention of property (dog), and fraudulent billing practices related to veterinary services. Plaintiff demands compensation for injuries, emotional distress, financial harm, and costs related to multiple surgeries performed on Plaintiff's dog, Tica.

PARTIES

1. **Plaintiff:** Enzo Vincenzi, a U.S. citizen residing in Costa Rica who's invested over \$1 million in Costa Rica. He is the legal owner of a dog named Tica and an established client of the Defendant's veterinary services.
2. **Defendant:** Veterinaria del Pacifico Central, S.R.L. (Cedula Juridica No. 3-102-687935), a veterinary practice based in Puntarenas, Costa Rica, operated by Yesenia Alpizar.

JURISDICTION AND VENUE

3. This court has jurisdiction over this action as it involves claims of deceptive trade practices and alleged fraudulent billing practices affecting a U.S. citizen utilizing credit card transactions through a U.S.-based financial institution, Wells Fargo Bank.
4. Venue is appropriate as the actions complained of occurred within Costa Rica.

FACTUAL BACKGROUND

5. **Services and Payment:** Plaintiff engaged Defendant for veterinary services on his dog, Tica, using his U.S. Wells Fargo Bank credit card for all related fees, including surgery, medications, injections, rabies and bordetella vaccinations, but failed to provide Mr. Enzo Vincenzi with an itemized bills for all the deceptive charges made to his Wells Fargo credit card. The Wells Fargo fraud department has flagged these transactions for using deceptive and fraudulent business practices.
6. The defendant failed to provide the plaintiff with Tica's complete medical records including for all 3 surgeries, including x-rays, invoices, rabies vaccine, bordetella vaccine, a third shot the defendant stated was required, treatment notes, any relevant medical history, and Tica's medications. The defendant failed to provide spaying medical procedure records and medications.
7. **Tumor Removal Surgery:** Defendant conducted a surgical procedure on Tica to remove visible tumors on her chest. Plaintiff alleges Defendant failed to complete the surgery, as the tumors remained or regrew within a year.

8. **Repeat Surgery:** Plaintiff returned to Defendant for a second procedure on Tica due to the reappearance of the tumors. Plaintiff asserts that Defendant again failed to remove the tumors properly, raising doubts about Defendant's competence or intention. There was also a third routine or typical type of surgery.
9. **Animal Cruelty and Retention of Property:** Plaintiff asserts that Defendant retained Tica despite explicit requests for the dog's release. Plaintiff contends that Defendant engaged in deceptive and coercive practices, refusing to release Tica and only doing so under the condition that Plaintiff sign a liability waiver.
10. **Financial Harm and Emotional Distress:** Plaintiff experienced significant emotional distress and financial strain due to Defendant's actions, including the additional costs of redundant surgeries, threats from Defendant's spouse, and the necessity to involve legal counsel.

CLAIMS FOR RELIEF

Count I: Veterinary Malpractice

10. Plaintiff incorporates paragraphs 1 through 9 by reference.
11. Defendant, as a licensed veterinarian, owed Plaintiff and Tica a duty of care to perform competent medical services, including the proper removal of visible tumors.
12. Defendant failed to meet this standard by performing two unsuccessful surgeries on Tica, causing Plaintiff significant distress, financial loss, and harm to Tica's health.

Count II: Deceptive Trade Practices

13. Defendant engaged in deceptive trade practices by misleading Plaintiff regarding the completeness and effectiveness of the surgeries and by charging Plaintiff for redundant, ineffective procedures.
14. Defendant's actions violated Costa Rican consumer protection laws and Plaintiff's trust, causing Plaintiff financial loss and distress.

Count III: Fraudulent Billing Practices

15. Defendant billed Plaintiff for the same or similar procedures multiple times without effective completion.
16. Plaintiff paid all fees associated with the surgeries, medications, and other medical services, believing Defendant would provide adequate care. Defendant's billing practices constituted fraud and deception.

Count IV: Unlawful Detention of Property (Conversion)

17. Plaintiff, as the lawful owner of Tica, requested the immediate release of his dog. Defendant refused, effectively holding Tica against Plaintiff's wishes without justification, causing Plaintiff emotional distress and constituting unlawful detention of property.

Count V: Animal Cruelty

18. Plaintiff alleges Defendant engaged in acts of animal cruelty, as defined under Costa Rican law, by failing to perform medically necessary procedures with care and by subjecting Tica to redundant and ineffective surgeries.
19. Defendant's conduct unnecessarily exposed Tica to additional pain and suffering due to repeated surgeries that could have been avoided.

Count VI: Intentional Infliction of Emotional Distress

20. Defendant's conduct, including threats and intentional deceit, caused Plaintiff severe emotional distress, requiring Plaintiff to seek medical attention.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff demands judgment against Defendant as follows:

1. Compensatory damages in an amount to be determined by the court, including the costs for veterinary services, emotional distress, and any associated medical expenses incurred due to Defendant's conduct.
2. Punitive damages for Defendant's willful, reckless, and malicious conduct.
3. Punitive and emotional distress damages for defendant's failure to provide the plaintiff with Tica's complete medical records including for all three surgeries, including x-rays, invoices, rabies vaccine, bordetella vaccine, a third shot the defendant stated was required, treatment notes, any relevant medical history, and Tica's medications. Damages for failure to provide spaying medical procedure records and medications.
4. Attorney's fees and costs associated with this action.
5. Any other relief the court deems just and proper.
6. Financial and emotional distress damages for all the deceptive charges, as pointed out by the Wells Fargo fraud investigation department, that were made to Vincenzi's Wells Fargo credit card that the defendant failed to provide an itemized bill for.
7. The plaintiff is further distressed because he has no way of knowing what was actually done to his dog since he was not provided with any documented proof by the defendant. The Plaintiff is seeking emotional distress damages for this.

Question:

Yesenia Alpizar has stated to Mr. Enzo Vincenzi that she accessed his medical records. If this is true, then where did she unlawfully obtain this information?

JURY TRIAL DEMANDED

Dated: November 20, 2024.

Respectfully Submitted, I am Enzo Vincenzi

My contact email: oceanbeachjaco@gmail.com

C C United States Department of Foreign Affairs
C C United States Wells Fargo bank Fraud Investigation billing department
C C Investigator Bob Nygaard
C C attorney at Law E Schessel
C C United States Better Business Bureau
C C President Rodrigo Chaves
C C National Animal Health Services SENASA
C C News Media and News press investigation reporters