

IN THE CIRCUIT COURT OF THE EIGHTEENTH JUDICIAL CIRCUIT
IN AND FOR SEMINOLE COUNTY, FLORIDA

FOUNTAINHEAD SBF,	)	
	)	
Plaintiff,	)	CIVIL DIVISION
	)	
v.	)	
	)	
OTO ANALYTICS, INC. d/b/a WOMPLY,	)	CASE NO.: 2021-CA-002143
	)	
Defendant.	)	
	)	
	)	
	)	

DEFENDANT'S MOTION TO DISMISS OR TO STAY AND COMPEL ARBITRATION

Defendant, OTO Analytics, Inc. d/b/a Womply ("Womply"), by and through its undersigned counsel, moves the Court to dismiss the Complaint filed by Plaintiff, Fountainhead SBF ("Plaintiff"), or to stay the action and compel Plaintiff to pursue its claims, if at all, in arbitration. In support, Womply states:

1. For the reasons stated in Womply's Motion to Compel Arbitration and Opposition to Plaintiff's Verified Amended Petition for Order to Show Cause for Expedited Temporary Injunctive Relief filed on September 13, 2021, incorporated herein by reference, all issues raised in Plaintiff's Complaint are arbitrable and the Court should compel arbitration of the claims raised in the Complaint and stay or dismiss this action.

WHEREFORE, Womply respectfully requests that the Court enter an Order staying or dismissing this action and directing Plaintiff to submit its claims to arbitration and granting such other and further relief as the Court deems proper.

Dated this 20th day of September, 2021.

/s/ Emily J. Lang

Kevin D. Fowler

Florida Bar No. 091110

Primary email: kfowler@foley.com

Secondary email: bshelley@foley.com

Emily J. Lang

Florida Bar No. 1011367

Primary: elang@foley.com

Secondary: dburgos@foley.com

FOLEY & LARDNER LLP

301 East Pine Street, Suite 1200

Orlando, FL 32801

Tel. 407.244.3235

Fax 407.648.1743

*Attorneys for Defendant OTO Analytics Inc.
d/b/a Womply*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Motion was electronically filed with the Clerk of the Court using the Florida Court eFiling Portal this 20th day of September, 2021.

/s/ Emily J. Lang

Emily J. Lang

Florida Bar No.: 1011367