

**IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT
IN AND FOR MIAMI-DADE COUNTY, FLORIDA**

DAVID WYCHE

Plaintiff,

vs.

CASE NO. _____

GLOBAL PILOT SCHOOL CORP.,
a Florida Corporation, GLOBAL PILOT
SCHOOL INC., a Florida Corporation,
GPS PILOT SCHOOL CORP, a Florida
Corporation, GPS FLIGHT SCHOOL
CORP, a Florida Corporation, and
JOAO NORONHA

Defendants.
_____ /

VERIFIED COMPLAINT

Plaintiff DAVID WYCHE sues GLOBAL PILOT SCHOOL CORP., a Florida Corporation, GLOBAL PILOT SCHOOL INC., a Florida Corporation, GPS PILOT SCHOOL CORP, a Florida Corporation, GPS FLIGHT SCHOOL CORP, a Florida Corporation, (Collectively “GPS Defendants”) and JOAO NORONHA and alleges:

INTRODUCTION

David Wyche is currently enlisted in the U.S. Navy. Upon the conclusion of his military service, his professional goal is to become a commercial pilot with a major airline. He contacted GPS Defendants and paid for the opportunity to obtain 400 hours of training flight time, the total required to be eligible for an unrestricted ATP certification, which would permit him to be eligible for employment by major airlines with his commercial pilot licensure. After receiving payment, Defendants failed to provide even one hour of training flight, leading to this lawsuit.

JURISDICTION AND VENUE

1. This is an action for damages exceeding \$30,000.00.
2. Plaintiff Mr. Wyche is a natural person who resides in Homestead, FL.
3. GPS Defendants all share the same mailing address, 14299 SW 127 Street, #102 Miami, FL 33186
4. GPS Defendants are all Florida Corporations.
5. GPS are all alter egos of Joao Noronha and thus the corporate veil should be pierced to enable Plaintiff to recover directly from all Defendants jointly and severally.
6. Joao Noronha is a natural person residing in Miami-Dade County, Florida.

FACTS

7. Mr. Wyche contacted Defendants seeking flight training in the type of aircraft required to be eligible for an unrestricted ATP certification, which would permit him to be eligible for employment by major airlines with his commercial pilot licensure.
8. On September 24, 2021 Mr. Wyche received an email from GPS. See Exhibit A – September 24, 2021 Email with Attachments.
9. The email made two offers for 400 hours or 500 hours training flight time in a Beechcraft Duchess model aircraft and stated the fees for either offer.
10. Upon information and belief, Defendants did not have an operable Beechcraft Duchess model aircraft that could be used for the training flight time they offered Mr. Wyche.
11. Upon information and belief, Defendants' statement that they could perform on their offer to provide Mr. Wyche with 400 hours of training flight in a Beechcraft Duchess model aircraft was false.
12. Mr. Wyche accepted the offer for the 400 hour training flight time option on September 24, 2021 via email. See Exhibit B – September 24, 2021 Email.

13. Mr. Wyche paid \$38,000.00 by wire transfer on October 1, 2021 in consideration for the training program. See Exhibit C – Proof of Payment.

14. Mr. Wyche further promised to pay the remaining balance, in consideration for the training program.

15. After completing payment, Defendants repeatedly cancelled and rescheduled dates for Mr. Wyche's flights.

16. Defendant Joao Noronha represented to Plaintiff on behalf of himself and the other GPS Defendants that his payment would be refunded upon request.

17. Plaintiff requested a refund on October 7, 2021 from Defendants. See Exhibit D – Refund request.

18. As of the date of this filing, Defendants have neither issued a refund nor performed on their obligation to provide 400 hours of flight in a Beechcraft Duchess model aircraft.

COUNT I: FRAUD IN THE INDUCEMENT

19. Plaintiff realleges paragraphs 1 through 18 and incorporates them by reference as if fully set forth herein.

20. Defendants made false statements regarding a material fact, that they had an operable Beechcraft Duchess model aircraft.

21. Defendants knew or should have known the representations were false.

22. Defendants intended that the representation induce plaintiff to act on it.

23. Plaintiff suffered damages in justifiable reliance on the representation.

WHEREFORE, Plaintiff demands judgment against Defendants for damages paid, and punitive damages, as well as costs and attorney's fees, and such further relief this Court deems proper.

COUNT II: BREACH OF CONTRACT


24. Plaintiff realleges paragraphs 1 through 18 and incorporates them by reference as if fully set forth herein.
25. Plaintiff and Defendants entered a valid contract to provide 400 hours of flight in a Beechcraft Duchess model aircraft.
26. Defendants failed provide any flight time at all to Plaintiff.
27. Defendants committed a material breach of the contract.
28. Plaintiff suffered damages caused by Defendants' breach.

WHEREFORE, Plaintiff demands judgment against Defendants for damages, and punitive damages, as well as costs and attorney's fees, and such further relief this Court deems proper.

By: 
Jane W. Muir
Florida Bar No. 70065
J. MUIR & ASSOCIATES, P.A.
2655 S. Le Jeune Road, Suite 513
Coral Gables, FL 33134
(786) 533-1100 (Telephone)
(786) 533-1101 (Facsimile)
jane@jmuirandassociates.com


VERIFICATION

I, DAVID WYCHE state that I have read the above stated allegations and state that they are true and correct.



David Wyche

On this 30th day of November, 2021, before me personally came David Wyche, who is personally known to me or presented military identification as identification and who acknowledged execution of the foregoing instrument.



Notary Public, State of _____

Name: Wilfredo A. Maldonado, Capt, USAF
Assistant Staff Judge Advocate

My Commission Expires:

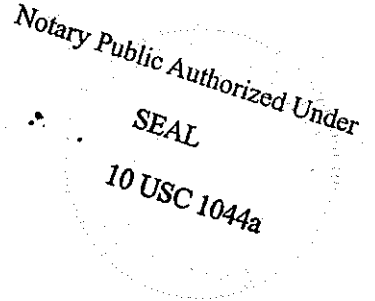


EXHIBIT A – September 24, 2021 Email with Offer by GPS



Cultured Dave <drwyche@gmail.com>

Global Pilot School!

3 messages

Jose <sales@flywithgps.com>

To: "drwyche@gmail.com" <drwyche@gmail.com>

Fri, Sep 24, 2021 at 2:31 PM

Good afternoon David,

Thank you for your interest in Flying with us!

My name is Lina and I will kindly assist you with any inquiry you might have.

Please find attached the two fee estimates as per your request and let me know if you have any questions.

I will be awaiting on your confirmation for tomorrow's check out flight. To do so you can reach via us phone call.

Looking forward to hearing from you soon!

Have a lovely weekend!,


Lina Escobar
Flight Training Consultant
Office number +1 305 901 3190
Sales@flywithgps.com
Regards,



2 attachments

David Wyche 400.pdf

113K

 **David Wyche 500 hours.pdf**

113K

Cultured Dave <drwyche@gmail.com>
To: Jose <sales@flywithgps.com>

Fri, Sep 24, 2021 at 2:34 PM

Okay! I just got my insurance today. Please book me for the 400 hour quote and the 10:00 am check ride for tomorrow morning!

David

Sent from my iPad

On Sep 24, 2021, at 2:31 PM, Jose <sales@flywithgps.com> wrote:

Good afternoon David,

Thank you for your interest in Flying with us!

My name is Lina and I will kindly assist you with any inquiry you might have.

Please find attached the two fee estimates as per your request and let me know if you have any questions.

I will be awaiting on your confirmation for tomorrow's check out flight. To do so you can reach via us phone call.

Looking forward to hearing from you soon!

Have a lovely weekend!,

Lina Escobar
Flight Training Consultant
Office number +1 305 901 3190
Sales@flywithgps.com

Regards,
<Outlook-mvnpbgyu.png>

<David Wyche 400.pdf>
<David Wyche 500 hours.pdf>

GPS GLOBAL PILOT SCHOOL CORP
14299 SW 127th St Suite 102
Miami, FL 33186
info@flywithgps.com
HTTP://WWW.FLYWITHGPS.COM



Estimate

ADDRESS
David

ESTIMATE # 2418
DATE 09/24/2021

DATE	ACTIVITY	HOURS	RATE	AMOUNT
09/24/2021	Beechcraft Duchess:Dual Flight Beechcraft Duchess Check out Flight	1	310.00	310.00T
09/24/2021	Share Time-Duchess N6015Z Time building	400	110.00	44,000.00T

SUBTOTAL	44,310.00
TAX (7%)	3,101.70
TOTAL	\$47,411.70

Accepted By

Accepted Date

GPS GLOBAL PILOT SCHOOL CORP

14299 SW 127th St Suite 102

Miami, FL 33186

info@flywithgps.com

HTTP://WWW.FLYWITHGPS.COM



Estimate

ADDRESS

David

ESTIMATE # 2418

DATE 09/24/2021

DATE	ACTIVITY	HOURS	RATE	AMOUNT
09/24/2021	Beechcraft Duchess:Dual Flight Beechcraft Duchess Check out Flight	1	310.00	310.00T
09/24/2021	Share Time-Duchess N6015Z Time building	500	110.00	55,000.00T

SUBTOTAL	55,310.00
TAX (7%)	3,871.70
TOTAL	\$59,181.70

Accepted By

Accepted Date

Exhibit B – September 24, 2021 Email



From: Cultured Dave <drwyche@gmail.com>
Date: September 24, 2021 at 2:34:59 PM EDT
To: Jose <sales@flywithgps.com>
Subject: Re: Global Pilot School!

Okay! I just got my insurance today. Please book me for the 400 hour quote and the 10:00 am check ride for tomorrow morning!

David

Sent from my iPad

On Sep 24, 2021, at 2:31 PM, Jose <sales@flywithgps.com> wrote:

Good afternoon David,

Thank you for your interest in Flying with us!

My name is Lina and I will kindly assist you with any inquiry you might have.

Please find attached the two fee estimates as per your request and let me know if you have any questions.

I will be awaiting on your confirmation for tomorrow's check out flight. To do so you can reach via us phone call.

Looking forward to hearing from you soon!

Have a lovely weekend!,

Lina Escobar
Flight Training Consultant
Office number +1 305 901 3190
Sales@flywithgps.com
Regards,
<Outlook-mvnpqbyu.png>

<David Wyche 400.pdf>
<David Wyche 500 hours.pdf>

Exhibit C – Proof of Payment

10/27/21, 5:31 PM

Gmail - Your USAA Wire Transfer is Complete

Thank you,

USAA Federal Savings Bank

USAA Federal Savings Bank, 10750 McDermott Freeway, San Antonio, Texas 78288-0544

[Privacy Promise](#)

Please do not reply to this e-mail. To contact USAA, visit our secure [contact page](#).

127663-1115

David Wyche <drwyche@gmail.com>
To: Jose <sales@flywithgps.com>

Fri, Oct 1, 2021 at 2:57 PM

This email is to certify that the transfer of funds has been completed.

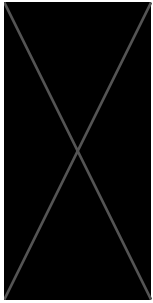
V/r,

Dave

[Quoted text hidden]

EXHIBIT D – Refund Request

26/10/21 10:01



----- Forwarded message -----

From: **David Wyche** <drwyche@gmail.com>

Date: Thu, Oct 7, 2021 at 1:46 PM

Subject: Re: Passport Scan.pdf

To: <info@flywithgps.com>

GPS,

I have decided to time build at another establishment. What is the process for receiving my refund?

V/r,
Dave

On Tue, Oct 5, 2021 at 11:59 AM Cultured Dave <drwyche@gmail.com> wrote:

GPS,

Please see attached copy of passport

Dave

Sent from my iPad

