

IN THE CIRCUIT COURT OF THE 11th
JUDICIAL CIRCUIT IN AND FOR
MIAMI-DADE COUNTY, FLORIDA

JOSEPH DAVIDOV,

CASE NO.:

Plaintiff,

v.

CHRIS BELANSKI,
GOLDIN AUCTIONS, LLC,
KELVIN RAMIREZ and
MAX MATUS,

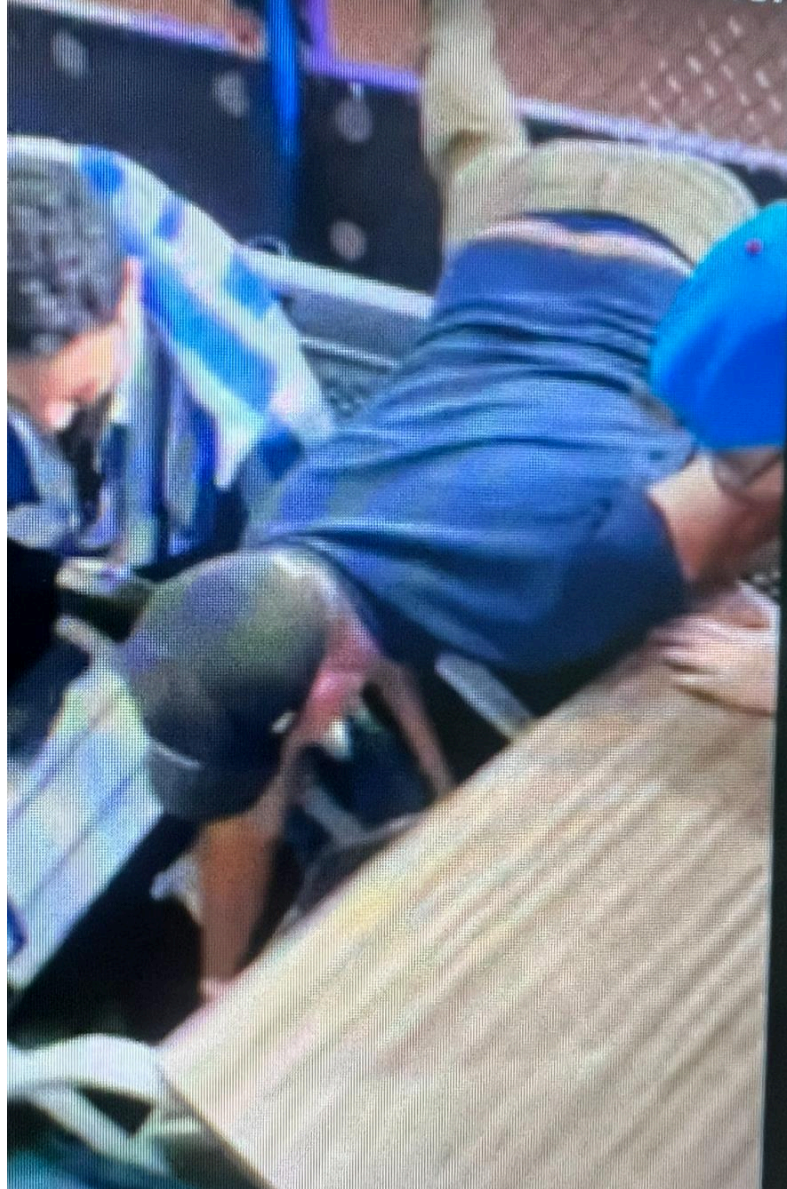
Defendants.

PLAINTIFF'S COMPLAINT

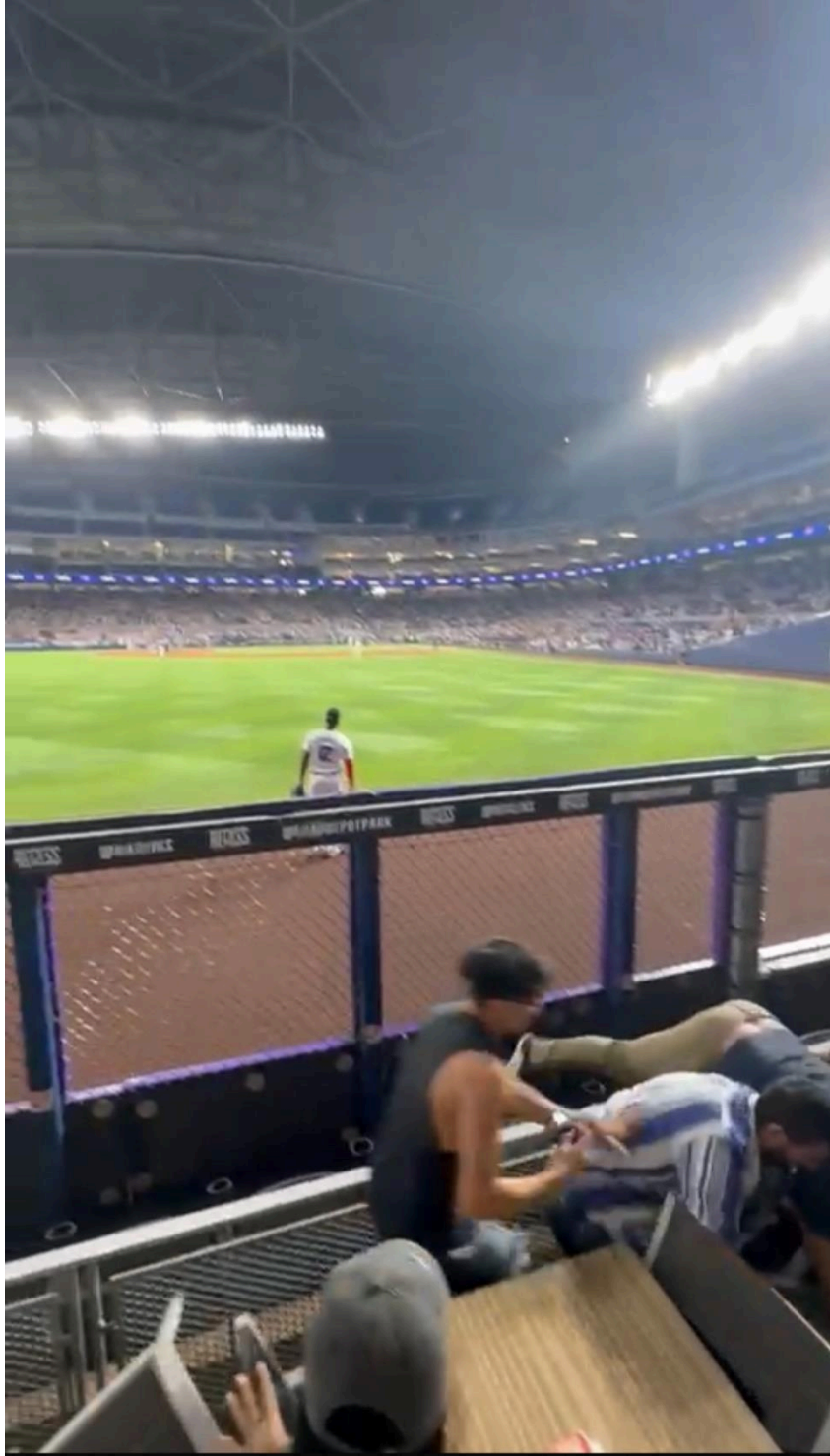
COMES NOW, Plaintiff, JOSEPH DAVIDOV, ("Plaintiff"), brings this action against Defendants, CHRIS BELANSKI, KELVIN RAMIREZ, MAX MATUS and GOLDIN AUCTIONS, LLC and alleges as follows:

INTRODUCTION

1. On September 19, 2024, JOSEPH DAVIDOV attended the Miami Marlins vs. Los Angeles Dodgers game and sat in left field.
2. In the 7th inning, Shohei Ohtani hit a homerun, and Plaintiff went to obtain possession of the ball (the "50/50 Ball").
3. Plaintiff was able to firmly and completely grab the ball in his left hand while it was on the ground, successfully obtaining possession of the 50/50 ball.
4. Video still captures the Plaintiff grabbing and possessing the 50/50 ball with his left hand.



5. Shortly after Plaintiff obtained possession of the 50/50 Ball with his left hand, an unknown fan wrongfully jumped over the railing, jumped onto the Plaintiff and Plaintiff's arm and attacked the Plaintiff causing the 50/50 Ball to come loose and roll into the hands of Defendant CHRIS BELANSKI.



Workman Injury Law, PLLC
633 S Andrews Ave. Ste 401 • Fort Lauderdale, FL 33301
Phone: 954-361-3997 • Fax: 689-202-1065



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6. Plaintiff would have retained control and possession of the 50/50 Ball if were not for the assault of the unknown fan who jumped onto the Plaintiff.

7. As of September 27, 2024, Defendants, GOLDIN AUCTIONS, LLC and CHRIS BELANSKI have put the 50/50 Ball up for auction which the current bid is at \$600,000. *See Exhibit A.*

8. On September 25, 2024, Defendant, MAX MATUS, filed his Complaint in the Eleventh Judicial Circuit Court claiming ownership of the 50/50 Ball.

PARTIES, JURISDICTION, AND VENUE

9. This is an action for damages in excess of Fifty-Thousand Dollars (\$50,000.00), exclusive of interest and costs. This Court has jurisdiction pursuant to Chapter 26, Florida Statutes, and § 86.011.

10. At all times material hereto, Plaintiff, JOSEPH DAVIDOV, is and was an individual residing in Broward County, Florida, and is otherwise *sui juris*.

11. At all times material hereto, and at the time of the incident complained of, upon information and belief, Defendant, CHRIS BELANKSI, is and was an individual residing in the State of Florida, and is otherwise *sui juris*.

12. At all times material hereto, and at the time of the incident complained of, Defendant, KELVIN RAMIREZ, is and was an individual residing in Miami-Dade County, Florida, and is otherwise *sui juris*.

13. At all times material hereto, and at the time of the incident complained of, Defendant, MAX MATUS, is and was an individual residing in Broward County, Florida, and is otherwise *sui juris*.

14. At all times material hereto, and at the time of the incident complained of, Defendant, GOLDIN AUCTIONS, LLC., is and was a Nevada Limited Liability Company with its principal place of business at 160 East Ninth Ave, Ste C, Runnemede, New Jersey.

15. Venue is appropriate in Miami-Dade County, Florida, pursuant to § 47.011, Florida Statutes, as the actions which give rise to the Complaint accrued in Miami-Dade County, Florida.

16. The Court has personal jurisdiction over Defendant Golding Auctions, LLC based on both the Florida long-arm statute, § 48.193, Florida Statutes and the Due Process Clause of the United States Constitution and the need for injunctive relief arises out of their operation, conducting in, engaging in, and carrying out business in Florida that would subject them to the jurisdiction of this Court pursuant to Florida Statute § 48.193 (1)(a)(1).

17. Under the Due Process Clause, sufficient “minimum contacts” create personal jurisdiction when the defendant’s conduct and connection with the forum state are such that (1) they should reasonably anticipate being haled into court there and (2) the maintenance of the suit does not offend traditional notions of fair play and substantial justice.

18. Defendant GOLDIN AUCTIONS LLC transported the 50/50 Ball from Miami, Florida to GOLDIN AUCTIONS, LLC.

19. Defendant GOLDIN AUCTIONS LLC sells sports memorabilia though the internet and their website all across the Country.

20. All conditions precedent to the bringing of this action have been complied with or waived.

FACTS

21. On September 19, 2024, Plaintiff attended the Marlins vs. Dodgers game in Miami, Florida and was seated in left field.

22. Defendants, MAX MATUS, CHRIS BELANSKI and KELVIN RAMIREZ also attended the game.

23. Shohei Ohtani in the 7th inning hit his 50th homerun, creating a new record for a player hitting 50 homeruns and stealing 50 bases in a single season.

24. The homerun was hit to the left field where Plaintiff was seated.

25. Plaintiff grabbed the 50/50 Ball in his left hand and had full intention to keep it.

26. Under express and implied promises of Major League Baseball, fans such as the Plaintiff, are entitled to keep any balls that are possessed in the stands.

27. On September 19, 2024, Plaintiff successfully obtained possession the 50/50 Ball but in seconds was jumped on and assaulted by unknown fan causing the ball to become loose and go into the possession of Defendant CHRIS BELANSKI.

28. Since the game, Defendant KELVIN RAMIREZ has claimed ownership interest in the 50/50 Ball on social media.

29. On September 25, 2024, Defendant, MAX MATUS has claimed ownership interest in the 50/50 Ball under Case No: 2024-018488-CA-01.

30. Starting on September 27, 2024, the 50/50 Ball is currently up for auction and his bidding at \$600,000.00

COUNT I: INJUNCTIVE RELIEF (Against all Defendants)

Plaintiff re-adopts and re-alleges each and every allegation contained in Paragraphs 1 through 30 as if they were fully set forth herein and further alleges:

31. Plaintiff has established and will establish a likelihood of success on the merits of his claims for conversion and trespass to chattel.

32. As a direct and proximate consequence of the conversion and trespass to chattel by Defendant, CHRIS BELANSKI, Plaintiff has suffered irreparable harm because the nature of the once in a lifetime, historic, and irreplaceable 50/50 Ball. There is no adequate remedy at law that can replace the 50/50 Ball.

33. Plaintiff is entitled to injunctive relief to preserve the status quo by enjoying the 50/50 Ball from being sold or altered to prevent irreparable injury.

34. The balance of harms weighs in favor Plaintiff due to him having possession of the 50/50 Ball prior to Defendant CHRIS BELANSKI'S conversion and trespass to chattel; therefore, Plaintiff is the rightful owner of the 50/50 Ball.

35. The public interest militates in favor of injunctive relief for Plaintiff because he is the rightful owner of the 50/50 Ball described herein.

36. As of September 27, 2024, Defendant GOLDIN AUCTIONS LLC has put the 50/50 Ball up for auction.

37. Therefore, Plaintiff respectfully asks this Court to:

- a. Enter an injunction preventing Defendant GOLDIN AUCTIONS LLC or its agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball.
- b. Enter an injunction preventing Defendant CHRIS BELANSKI, his agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball.
- c. Enter an injunction preventing Defendant KELVIN RAMIREZ, his agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball.
- d. Enter an injunction preventing Defendant MAX MATUS, his agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball.

- e. Enter an injunction or writ of possession ordering and preventing Defendant CHRIS BELANSKI, his agents or any persons acting in concert with him, that the 50/50 Ball or any funds related to the sale or licensing of the 50/50 Ball be placed into safekeeping with a mutually agreed upon third party, or in the case of cash proceeds, a blocked account, pending the completion of this action or further order from the Court determining title.
- f. Enter an order in favor of Plaintiff that the title of the 50/50 Ball and that it belongs to him.

COUNT II: CONVERSION AGAINST DEFENDANT CHRIS BELANSKI

Plaintiff re-adopts and re-alleges each and every allegation contained in Paragraphs 1 through 30 as if they were fully set forth herein and further alleges:

38. On September 19, 2024, Plaintiff successfully grabbed, possessed and intended to keep the 50/50 Ball.

39. Plaintiff obtained control and possession of the ball in his left hand.

40. On implied and express promises of Major League Baseball, fans are entitled to keep any balls that possessed in the stands. Here, Plaintiff successfully obtained possession of the 50/50 Ball.

41. After Plaintiff had possession of the 50/50 Ball, an unknown fan attacked and jumped on the Plaintiff causing Plaintiff to lose control of the 50/50 Ball.

42. As a direct and proximate cause of attack by an unknown fan, Defendant CHRIS BELANSKI was able to obtain control of the 50/50 Ball, wrongfully converting the 50/50 Ball to his own and possession.

43. As a direct and proximate result of the conversion by Defendant CHRIS BELANSKI, Plaintiff has suffered the lost value of the 50/50 Ball. The value of the 50/50 Ball that was wrongfully taken from Plaintiff has a value at least \$1,000,000.

44. As a direct and proximate result of the conversion by Defendant CHRIS BELANSKI, Plaintiff has suffered irreparable harm by losing the historic and irreplaceable 50/50 Ball. There is no adequate remedy at law that can replace the 50/50 ball.

COUNT III: TRESPASS TO CHATTEL AGAINST DEFENDANT CHRIS BELANSKI

Plaintiff re-adopts and re-alleges each and every allegation contained in Paragraphs 1 through 30 as if they were fully set forth herein and further alleges:

45. On September 19, 2024, Plaintiff successfully grabbed, possessed and intended to keep the 50/50 Ball.

46. Plaintiff obtained control and possession of the 50/50 ball in his left hand.

47. On implied and express promises of Major League Baseball, fans are entitled to keep any balls that possessed in the stands. Here, Plaintiff successfully obtained possession of the 50/50 Ball.

48. After Plaintiff had possession of the 50/50 Ball, an unknown fan attacked and jumped on the Plaintiff causing Plaintiff to lose control of the 50/50 Ball. Defendant CHRIS BELANSKI then obtained control of the 50/50 Ball interfering with Plaintiff's possession and ownership of the 50/50 Ball.

49. As a direct and proximate result of the trespass to chattel by Defendant CHRIS BELANSKI, Plaintiff has suffered the lost value of the 50/50 Ball. The value of the 50/50 Ball that was wrongfully taken from Plaintiff has a value at least \$1,000,000.

50. As a direct and proximate result of the trespass to chattel by Defendant CHRIS BELANSKI, Plaintiff has suffered irreparable harm by losing the historic and irreplaceable 50/50 Ball. There is no adequate remedy at law that can replace the 50/50 ball.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff JOSEPH DAVIDOV respectfully requests that this Court enter judgment against Defendants as follows:

- a. Enter an Order finding and declaring that Plaintiff JOSEPH DAVIDOV is entitled to the title of the 50/50 Ball;
- b. Enter an injunction preventing Defendant GOLDIN AUCTIONS LLC or its agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball;
- c. Enter an injunction preventing Defendant CHRIS BELANSKI or its agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball;
- d. Enter an injunction preventing Defendant KELVIN RAMIREZ or its agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball;
- e. Enter an injunction preventing Defendant MAX MATUS or its agents or assigns from transferring, encumbering, selling or concealing the 50/50 Ball;
- f. Enter an injunction or writ of possession ordering and preventing Defendant CHRIS BELANSKI his agents or any persons acting in concert with him, that the 50/50 Ball or any funds related to the sale or licensing of the 50/50 Ball be placed into safekeeping with a mutually agreed upon third party, or in the case of cash proceeds, a blocked account, pending the completion of this action or further order from the Court determining title;

- g. That Plaintiff recovers actual and compensatory damages for the Defendants' wrongdoing in an amount to be established at trial, together with pre-judgment and post-judgment interest thereon at the maximum legal rate; and
- h. Awarding such other and further relief that the Court deems just and proper.

JURY TRIAL DEMAND

Plaintiff respectfully demands a trial by jury on all claims and issues so triable.

In Compliance with Rule 2.516 all pleadings in this cause shall be served on the undersigned by E-mail to devon@workmaninjurylaw.com.

DATED this 27TH day of September, 2024.

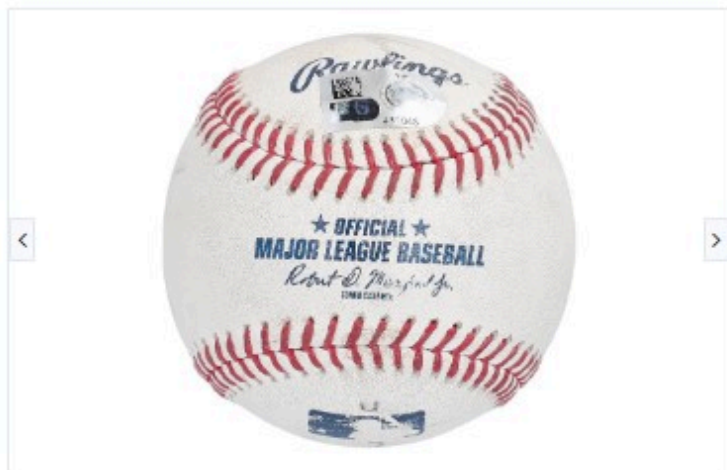
Workman Injury Law, PLLC
Attorney for Plaintiff
633 S Andrews Ave. Ste. 401
Fort Lauderdale, FL 33301
Tel: (954) 361-3997 / Fax: (689) 202-1065
E-Mail: – devon@workmaninjurylaw.com

By: /S/ Devon Workman
DEVON WORKMAN, ESQ.
FBN 1004245

EXHIBIT A

Lot #1

Shohei Ohtani Actual 50th Home Run Game-Used OML Manfred Jr. Baseball Hit on Sept 19, 2024 - Becomes First Member of 50/50 Club - Historic 6-for-6 Game - 3 Home Runs, 10 RBIs - MLB Authenticated



Current Bid:

\$600,000

\$732,000 w/ Buyer's Premium

3 bids [Show bid history](#)

Ends:

19D 3H 19M | Wed, 10/16/24, 10:00 PM

Extended Bidding Interval 30 minutes

Place Bid

Add to Watch List

Shipping & Handling:

- Shipping to a U.S. home address
\$19 shipping + 0.9% insurance fee per auction order

Description

Everyone knew what was at stake. Everyone knew what was within reach for a player whose rise to greatness—even dominance—has been unprecedented. Shohei Ohtani was on the verge of achieving a feat in Major League Baseball that no one had ever accomplished before.

Just no one knew *how* he would achieve it.

Goldin is proud to present one of the most significant pieces of modern baseball memorabilia to come to auction. Presented is the Official Major League Rob Manfred Jr. baseball used when Japanese superstar Shohei Ohtani established the 50/50 Club on Sept. 19, 2024, with a towering home run against Miami Marlins pitcher Mike Baumann in the seventh inning of the Dodgers' 20-4 victory.

When Ohtani's first home run of the game sailed high into the right field seats in the top of the sixth inning, Dodgers play-by-play announcer Joe Davis exclaimed, "He's in a world of his own!" Perhaps that was not entirely true. The 49th of his season, Ohtani's two-run shot tied him with Shawn Green for the most single-season home runs in franchise history. Never had Ohtani climbed to such heights. The most single-season home runs he hit in NPB was 22 before hitting 46 in 2021 and 44 in 2023, both with the Los