

**IN THE CIRCUIT COURT OF THE TWELFTH JUDICIAL CIRCUIT
IN SARASOTA COUNTY, FLORIDA**

OFFICE OF THE ATTORNEY GENERAL,
STATE OF FLORIDA,
DEPARTMENT OF LEGAL AFFAIRS,

Plaintiff,

v.

GETHINS LIMITED,
TOCCATA, INC.,
SEGPAY GATEWAY LLC, AND
SEGREGATED PAYMENTS, INC.
D/B/A SEGPAY

Defendants.

CIVIL DIVISION

CASE NO.:

COMPLAINT

1. Access to online pornography is a pervasive threat to the health and well-being of children and adolescents. An estimated 50 percent of all internet traffic is related to sex, and children and adolescents are routinely exposed to pornography online. One study reported that 70 percent of teens accidentally stumble upon pornography online. Another found that 56 percent of U.S. high school students viewed pornography in 2020. This pornography exposure is dangerous as adolescents who view pornography tend to have more sexually permissive attitudes and more sexual partners in their lifetimes. They also are more likely to display sexual aggression and engage in certain sexual acts. Adolescents who view pornography often report feeling insecure about their ability to perform sexually and how they look. And like drugs and alcohol, pornography use changes the reward circuitry of the brain, which can lead to a debilitating loss of self-control and addiction.

2. Last year, bipartisan supermajorities of both houses of the Florida Legislature acted to curb these deleterious effects and protect the impressionable minds of children and adolescents. H.B. 3, 2024 Leg., Reg. Sess. (Fla. 2024) (codified at §§ 501.1736–.1738, Fla. Stat.). Sections 501.1737 and 501.1738 (the “Age Verification Law”) require commercial entities that distribute sexually explicit material online that is harmful to minors to verify that individuals attempting to access the material are at least 18 years of age. These provisions also vest the Attorney General of Florida with the responsibility to bring violators of the law to justice.

3. Defendants Gethins Limited, Toccata, Inc., Segpay Gateway, LLC, and Segregated Payments, Inc. d/b/a Segpay (together “Defendants”) distribute or publish, or cause to be distributed or published, the website xh.lustyheroes.com.

4. Xh.lustyheroes.com distributes pornographic video game content on its website.

5. Xh.lustyheroes.com does not have any age verification process compliant with Florida law to prevent children from accessing its content.

6. Each day that the Defendants continue to violate Florida’s age verification law, they rack up numerous violations of these provisions and of the Florida Deceptive and Unfair Trade Practices Act (“FDUTPA”), Chapter 501, Part II, Florida Statutes.

7. The Attorney General brings this enforcement action pursuant to FDUTPA to put an end to the Defendants’ blatant violations of Florida law and their shameful and malicious infliction of harm on children and adolescents in Florida. On behalf of all minor residents of Florida, the Attorney General seeks to compel the Defendants to comply with their obligations under Florida’s age verification law, as well as FDUTPA, to stop the unfair, deceptive and unconscionable business practices that the Defendants have used to build a vast and lucrative Florida user base that includes vulnerable children and adolescents.

PARTIES

8. Plaintiff, the Attorney General of the State of Florida, is authorized to enforce Sections 501.1737 and FDUTPA. The State of Florida through the Attorney General is authorized to bring this suit on behalf of all minor residents of Florida to protect the State of Florida's public interest in their health and well-being. The Attorney General has investigated the matters alleged in this Complaint and has determined that this enforcement action serves the public interest.

9. Upon information and belief, Defendant Gethins Limited is a for-profit entity incorporated in Cyprus with a principal address of Agiou Andreou 334, Floor 2, Vashiotis AG, Andreou Business Center, Limassol, 3035, Cyprus. It owns and distributes material harmful to minors through its website xh.lustyheroes.com that offers pornographic video game content.

10. Upon information and belief, Toccata, Inc. is a for-profit Florida entity that owns Segpay.com with a principal business address of 220 Hillsboro Technology Drive, Suite 130 Deerfield Beach, Florida, 33441 USA. Upon information and belief, Toccata, Inc. is an authorized sales agent for Gethins Limited and facilitates the distribution of xh.lustyheroes.com. Segpay.com is listed as xh.lustyheroes.com's authorized sales agent on xh.lustyheroes.com.

11. Upon information and belief, [Segpay Gateway LLC](http://Segpay.com) is a for-profit Florida entity with Toccata, Inc. as its managing member and with a principal business address of 220 Hillsboro Technology Drive, Suite 130 Deerfield Beach, Florida, 33441 USA. Upon information and belief, [Segpay Gateway LLC](http://Segpay.com) is an authorized sales agent for Gethins Limited and facilitates the distribution of xh.lustyheroes.com. Segpay.com is listed as xh.lustyheroes.com's authorized sales agent on xh.lustyheroes.com.

12. Upon information and belief, Segregated Payments, Inc. doing business through registered fictitious name Segpay is a for-profit Florida entity with a principal business address of

220 Hillsboro Technology Drive, Suite 130 Deerfield Beach, Florida, 33441 USA. Upon information and belief, Segregated Payments, Inc. is an authorized sales agent for Gethins Limited and facilitates the distribution of xh.lustyheroes.com. Segpay.com is listed as xh.lustyheroes.com's authorized sales agent on xh.lustyheroes.com.

JURISDICTION AND VENUE

13. This is an action for statutory and equitable relief under FDUTPA for violations of Sections 501.1737 and 501.204, Fla. Stat. The Attorney General seeks relief in an amount greater than Fifty Thousand Dollars (\$50,000), exclusive of fees and costs.

14. The Defendants' statutory violations occurred in or affect more than one judicial circuit in the State of Florida, including the Twelfth Judicial Circuit in and for Sarasota County.

15. Venue is proper in this Court because allegations in this Complaint establish that the cause of action accrued at locations across Florida.

16. This Court has personal jurisdiction over the Defendants under Florida's age-verification law, § 501.1737(6), Fla. Stat. and Florida's long-arm statute, § 48.193(1)(a)(1), Fla. Stat., because the Defendants, who each individually qualify as a commercial entity, are engaged in business in the State of Florida as they distribute material harmful to minors on xh.lustyheroes.com, which contains a substantial portion of material harmful to minors and are accessible in the State of Florida.

17. The conduct described in this Complaint and the harm it causes arise from the Defendants' activities directed to Florida and to xh.lustyheroes.com's users in Florida.

FACTUAL ALLEGATIONS

I. Florida’s Age-Verification Law Requires that Pornographic Websites Verify Users’ Ages

18. In 2024, the Florida Legislature enacted Sections 501.1737 and 501.1738, which among other things, require pornographic websites to verify users ages when they attempt to access sexually explicit content.

19. Specifically, Section 501.1737 requires a “commercial entity that knowingly and intentionally publishes or distributes material harmful to minors on a website or application” to “use either anonymous age verification or standard age verification to verify that the age of a person attempting to access the material is 18 years of age or older and prevent access to the material by a person younger than 18 years of age” if the “website or application contains a substantial portion of material harmful to minors.” § 501.1737(2), Fla. Stat.

20. A “commercial entity” includes a “corporation, a limited liability company, a partnership, a limited partnership, a sole proprietorship, and any other legally recognized entity.” § 501.1737(1)(b), Fla. Stat.

21. “Distribute” means to “issue, sell, give, provide deliver, transfer, transmit, circulate, or disseminate by any means.” § 501.1737(1)(d), Fla. Stat.

22. “Publish” means to “communicate or make information available to another person or entity on a publicly available website or application.” § 501.1737(1)(g), Fla. Stat.

23. “Willful disregard of a person’s age constitutes a knowing and intentional violation.” Fla. Admin. Code R. 2-44.002(1).

24. “Material harmful to minors” is material that the “average person applying contemporary community standards would find, taken as a whole, appeals to the prurient interest” which “[d]epicts or describes, in a patently offensive way, sexual conduct” that “[w]hen taken as

a whole, lacks serious literary, artistic, political, or scientific value for minors.” § 501.1737(1)(e), Fla. Stat.

25. A “substantial portion” means “more than 33.3 percent of total material on a website or application.” § 501.1737(1)(j), Fla. Stat. “Commercial entities must calculate the proportion of 33.3% of total material on a website or application such that it measures the total material on a website or application that is available to any minor, regardless of the medium in which it is available.” Fla. Admin. Code R. 2-44.001(2)(a). “The proportion must be based on measuring all content posted on a website or application. Any portion of harmful material on a single piece of content renders the entire piece of content harmful.” Fla. Admin. Code R. 2-44.001(2)(b). “The proportion must be calculated regardless of the existence of any framework that entails creation of an account to access any material. Webpage includes any portion of website available only by way of account.” Fla. Admin. Code R. 2-44.001(2)(c).

26. “Sexual conduct” is defined as “actual or simulated sexual intercourse, deviate sexual intercourse, sexual bestiality, masturbation, or sadomasochistic abuse; actual or simulated lewd exhibition of the genitals; actual physical contact with a person’s clothed or unclothed genitals, pubic area, buttocks, or, if such person is a female, breast with the intent to arouse or gratify the sexual desire of either party; or any act or conduct which constitutes sexual battery or simulates that sexual battery is being or will be committed.” §§ 501.1737(1)(e)(2), 847.001(19), Fla. Stat.

27. “Standard age verification” means “any commercially reasonable method of age verification approved by the commercial entity.” § 501.1737(1)(i), Fla. Stat. “Commercially reasonable method of age verification” is defined as a “method of verifying age that is regularly

used by the government or businesses for the purpose of age and identity verification.” Fla. Admin. Code R. 2-44.001(1)(a).

28. “Anonymous age verification” means a “commercially reasonable method used by a government agency or a business for the purpose of age verification which is conducted by a nongovernmental, independent third party organized under the laws of a state of the United States,” which “[h]as its principal place of business in a state of the United States” and “[i]s not owned or controlled by a company formed in a foreign country, a government of a foreign country, or any other entity formed in a foreign country.” §§ 501.1737(1)(a), 501.1738(1), Fla. Stat.

29. Any violation of Florida’s age-verification law “is deemed an unfair and deceptive trade practice” and can be the subject of a FDUTPA enforcement action brought by the Attorney General against a commercial entity. § 501.1737(5)(a), Fla. Stat. If the Attorney General “has reason to believe that a commercial entity is in violation” of the age-verification requirement, the Attorney General “may bring an action against the commercial entity for an unfair or deceptive act or practice.” § 501.1737(5)(a), Fla. Stat.

30. Section 501.1737 authorizes the Attorney General to “collect a civil penalty of up to \$50,000 per violation and reasonable attorney fees and court costs.” § 501.1737(5)(a), Fla. Stat.

II. Violations of Florida Law

31. Defendants knowingly and intentionally publish or distribute material harmful to minors as defined in Section 501.1737(1)(e), Fla. Stat. through xh.lustyheroes.com.

32. More than 33.3 percent of the content on xh.lustyheroes.com is patently offensive depictions of sexual conduct that the average person applying contemporary standards would find, taken as a whole, appeals to the prurient interest and that when taken as a whole, lacks serious literary, artistic, political, or scientific value for minors. §§ 501.1737(1)(e)(2), 847.001(19), Fla. Stat.; Fla. Admin. Code R. 2-44.001(2).

33. Xh.lustyheroes.com does not require any age verification to access content. On the home page, there is a statement that Lusty Heroes is for adults only. There is then a button asking if the user is eighteen (18) years old or older. Upon clicking the option that a user is eighteen (18) years old or older button, the user is immediately granted access to the site. The first image on the landing page is four animated female characters who are all topless. The image is very explicit.

34. The link that invites users to play the pornographic video games distributed by xh.lustyheroes.com is titled “Fuck Them All”. Upon clicking this link, a user is taken to a new screen which shows four animated female characters in lingerie and a button titled “Play”. Upon selecting “Play”, a user enters the game and an animated female character appears sitting on a man’s lap asking if the user is awake. The user is then asked to test their coordination. The next image shows what appears to be a man’s hand rubbing the animated female character’s vagina. Users can hear the animated female character moan and appear to climax. She says that was “great” and then says, “what are you doing?”

35. The next image shows the woman being penetrated by a penis and she continues to moan and appear to orgasm again. The game continues with further sexually explicit scenes.

36. Defendants’ publishing or distribution of material through xh.lustyheroes.com violates Florida’s Age Verification laws and FDUTPA.

CAUSE OF ACTION

COUNT I

Violation of Section 501.1737 and FDUTPA by Gethins Limited, Toccata, Inc., Segpay Gateway, LLC, Segpay Payments, Inc. d/b/a Segpay

37. All foregoing paragraphs are incorporated by reference.

38. Each Defendant has knowingly and intentionally published or distributed material harmful to minors in violation of Florida’s age-verification requirements openly and continuously since the law went into effect. § 501.1737(2), Fla. Stat.; Fla. Admin. Code R. 2-44.002(1).

39. Each violation of Florida's age-verification law constitutes an unfair and deceptive trade practice under FDUTPA. §§ 501.1737(5)(a), 501.204(1), Fla. Stat.

40. The Court should enjoin Defendants from continuing to violate Section 501.1737 and FDUTPA and require each Defendant to comply with Florida's Age Verification laws.

41. The Court should assess penalties in the amount of up to \$50,000 for each violation in accordance with Section 501.1737(5)(a), Florida Statutes.

PRAYER FOR RELIEF

Wherefore, the Attorney General requests that the Court:

- A. Enter judgment in favor of the Attorney General and against the Defendants;
- B. Temporarily and permanently enjoin the Defendants to prevent future violations of Section 501.1737 and FDUTPA;
- C. Require that Defendants comply with Florida's Age Verification laws and FDUTPA;
- D. Award civil penalties, attorney's fees, and costs as authorized by Sections 501.1737(5)(a) and 501.2075, Florida Statutes; and
- E. Grant such other and further legal or equitable relief as justice requires.

Dated: September 15, 2025

Respectfully submitted,

JAMES UTHMEIER
ATTORNEY GENERAL
STATE OF FLORIDA

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