

**IN THE DISTRICT COURT OF APPEAL OF THE STATE OF
FLORIDA FOURTH DISTRICT**

Case No.: 4D2024-3229

AFFIDAVIT OF MARCIO LUIZ SALES JR.

STATE OF FLORIDA

COUNTY OF PALM BEACH

BEFORE ME, the undersigned authority, personally appeared Marcio Luiz Sales Jr.
("Affiant"), who, after being duly sworn, states as follows:

Personal Background

My name is Marcio Luiz Sales Jr. I am over the age of 18, a resident of Palm Beach County, Florida, and fully competent to make this affidavit. I am the sole owner and registered agent of STR Sunrise Truck Repair LLC, which operates under the fictitious name Union Motorsports.

Company Ownership and Operations

My father, Marcio Sousa Sales, has no ownership interest, management role, or operational involvement in STR Sunrise Truck Repair LLC or in any activities related to Union Motorsports. He has no connection with the company or its business dealings.

Intent of Plaintiff, Antonio De Andrade

Prior to the filing of this lawsuit, in conversations with Plaintiff Antonio De Andrade, he expressed his intent to sue me and my company, STR Sunrise Truck Repair LLC, regarding issues with his vehicle. Based on these discussions, I attended the trial, believing that the lawsuit would involve my company and myself.

Lack of Representation and Limited Understanding During Trial

At trial, I was present under the belief that my business would be the defendant. I did not have an attorney and did not receive any assistance that would have enabled me to present a defense or submit relevant documents.

Due to my limited understanding of the proceedings, I did not realize at the time that Plaintiff Antonio De Andrade had actually filed the lawsuit against my father, Marcio Sousa Sales, and not against me or my company.

Post-Trial Understanding of the Lawsuit

After the trial concluded, I came to understand that the lawsuit was filed against my father, not against me or my company, even though Plaintiff had originally stated his intent to hold me and my business accountable.

Confusion Over Financial Disclosure Requirement

When the judge recently ordered a financial disclosure, I initially believed that my father would be required to comply since he was the named defendant in the lawsuit. It was unclear to me that I should have responded, as Plaintiff had filed the case in my father's name, not mine.

Clarification of Negligence Allegations

If a new trial were to occur, I would present evidence showing that Antonio De Andrade was fully informed of the vehicle's condition, specifically that the transmission was the primary issue, not the motor.

Despite being advised multiple times that the transmission needed repair and that replacing the motor would not solve the problem, Antonio De Andrade insisted on proceeding with a motor replacement only. Any alleged negligence or resulting issues with the vehicle were due to Plaintiff's disregard of professional advice.

Final Statement

I, Marcio Luiz Sales Jr., attest that my father, Marcio Sousa Sales, has no relation to the business activities of STR Sunrise Truck Repair LLC. He should not have been named in this lawsuit, which should have been directed at me as the owner and responsible party.

FURTHER AFFIANT SAYETH NAUGHT.

Dated this 06 day of January 2025.

Marcio Luiz Sales Jr.
22187 Aquila Street
Boca Raton, FL 33528
Palm Beach County, Florida

Sworn to and subscribed before me this 06 day of January 2025, by Marcio Luiz Sales Jr., who is personally known to me or has produced identification.

Notary Public: 

My Commission Expires:

