

**IN THE DISTRICT COURT OF EL PASO COUNTY, TEXAS  
448<sup>TH</sup> DISTRICT COURT**

OSCAR J. HERNANDEZ,

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Plaintiff,

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§

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v.

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Cause No. 2020DCV1424

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JESUS G. MORENO, ENLIGHTENMENT  
GROUP, LLC d/b/a LIMELIGHT  
CONTRACTING , ADRIANA CASTRO,  
and LIMELIGHT REAL ESTATE FIRM,  
LLC.

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Defendants.

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**PLAINTIFF’S FIRST AMENDED ORIGINAL PETITION**

TO THE HONORABLE COURT:

COME NOW Plaintiff Oscar J. Hernandez and files this his Plaintiff’s First Amended Original Petition over and against Defendants Jesus G. Moreno, Enlightenment Group, LLC d/b/a Limelight Contracting, Adriana Castro, and Limelight Real Estate Firm, LLC. This is a level three lawsuit. Plaintiff seeks over \$200,000 but not to exceed \$1,000,000 in monetary benefits.

**I.**

**PARTIES**

1. Plaintiff Oscar J. Hernandez is a resident of El Paso, El Paso County, Texas.
2. Defendant Jesus G. Moreno is a resident of El Paso, El Paso County, Texas and he may be served with process at 1149 Calle Lomas, El Paso, Texas 79912 or at such other place where he may be located.
3. Defendant Enlightenment Group, LLC d/b/a Limelight Contracting is a Texas limited liability company doing business in El Paso, El Paso County, Texas and it may be serviced with

process by serving its registered agent, Adriana Castro, at it's registered address, 1522 Montana Street, Ste. 105, El Paso, Texas 79902 or at such other location where she may be found.

4. Defendant Adriana Castro is a resident of El Paso, El Paso County, Texas, and she may be served with process at 1368 N. Zaragoza, Ste. F, El Paso, Texas 79936 or at such other place where she may be found.

5. Defendant Limelight Real Estate Firm, LLC a Texas limited liability company doing business in El Paso, El Paso County, Texas and it may be served with process by serving its registered agent, Adriana Castro, at its registered address, 1522 Montana Street, Ste. 105, El Paso, Texas 79902 or at such other location where she may be found.

## II.

### STATEMENT OF FACTS

6. On or about April 4, 2019 Plaintiff Oscar J. Hernandez, through Defendants Adriana Castro and Limelight Real Estate Firm, LLC, bought the unimproved lot at 284 Amelia, El Paso, Texas 79912. That purchase was to enable the affiliated Defendants - Jesus G. Moreno and Enlightenment Group, LLC d/b/a Limelight Contracting - to build a home on the lot for Mr. Hernandez. On or about on April 9, 2019 Mr. Hernandez and Limelight Contracting entered into a Single-Family Home Building Contract on Owner's Lot. There is no Enlightenment Group, LLC registered with the State of Texas.

7. Mr. Moreno falsely represented to Mr. Hernandez the home would be done by November 2019, in order to induce Mr. Hernandez into the agreements. Mr. Hernandez relied on the representation. As we sit in April 2020 the home is not nearly completed and Limelight Contracting has abandoned the job. Mr. Moreno falsely represented a normal construction schedule

would be followed. Such a schedule was not followed.

8. The construction price was \$280,000. Mr. Moreno has used substantial funds from Mr. Hernandez' bank loan. He has demanded even more money. But he has not delivered the promised house complete in accordance with the plans and specifications as promised.

9. All Defendants participated in and benefitted from the deceptive and fraudulent course of conduct practiced on Mr. Hernandez. Mr. Hernandez reasonably believes Defendants have a pattern and practice of such deception and fraud with other customers as well. This was never disclosed to Mr. Hernandez.

10. All necessary notices have been given and all conditions precedent to the filing of this lawsuit have been satisfied.

11. Mr. Hernandez has hired the undersigned attorney to represent him and has agreed to pay him a reasonable and necessary fee.

### **III.**

#### **CAUSES OF ACTION**

12. Mr. Hernandez is a consumer of the goods and services of Defendants under the Texas Deceptive Trade Practices - Consumer Protection Act. The conduct of Defendants in connection with this matter violate § 17.46 (b)(5), (7), (12) and (24) of the Act as well as constituting an unconscionable course of action. The violations of the Act have been a producing cause of actual damages to Mr. Hernandez including, but not limited to, the reasonable and necessary cost to complete the house, over and above the contract price, the loss of use of the home since November 2019, interest incurred on the home loan from November 2019 until the home is complete, insurance costs on the home since November 2019, until it s complete, and any other out of pocket costs.

Because the violations are knowing or intentional, additional damages should also be assessed against Defendants. Mr. Hernandez is also entitled to recover his reasonable and necessary attorneys fees, all costs of court or arbitration and interest as allowed by law.

13. The aforesaid conduct of Defendants constitutes a fraud in a real estate transaction that is a proximate cause of the aforesaid actual damages. Exemplary damages should be assessed against all Defendants. Pursuant to the fraud in a real estate transaction statute Mr. Hernandez is also allowed to recover his reasonable and necessary attorneys fees.

#### **IV.**

#### **JURY DEMAND**

14. Plaintiff respectfully requests a trial by jury.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Oscar J. Hernandez respectfully requests that Defendants Jesus G. Moreno, Enlightenment Group, LLC d/b/a Limelight Contracting, Adriana Castro, and Limelight Real Estate Firm, LLC be cited to appear and answer herein and following a jury trial for a judgment over and against Defendants, jointly and severally, for Plaintiffs actual damages, attorneys fees, additional damages, exemplary damages prejudgment and post judgment interest as allowed by law, all costs of court and for such other and further relief to which Plaintiff may show himself to justly entitled.

Respectfully submitted,

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