

471-02148-2024
CAUSE NO. _____

CITY OF PLANO, TEXAS,	§	IN THE DISTRICT COURT
Petitioner	§	
	§	
V.	§	_____ JUDICIAL DISTRICT
	§	
RED ROSE SPA	§	
AKA RED ROSE FOOT SPA	§	
DBA ENZYME THERAPY BATH LLC	§	
DBA AURORA HEALTH MASSAGE	§	
DBA BEAUTY K SPA LLC	§	
MALYEOB JAMES, Individually, and	§	
JI WON LEE, Individually	§	
Respondents	§	COLLIN COUNTY, TEXAS

**PETITION FOR PRE-SUIT DISCOVERY TO INVESTIGATE
POTENTIAL CLAIMS AND REMEDIES PURSUANT TO RULE 202**

TO THE HONORABLE JUDGE OF THIS COURT:

COMES NOW CITY OF PLANO, TEXAS, a home-rule Texas municipality (“City”), pursuant to Rule 202, Texas Rules of Civil Procedure, and files its Petition for Pre-suit Discovery to Investigate Potential Claims and Remedies, and would show the Court the following:

I. INTRODUCTION

The City of Plano brings this action to conduct pre-suit discovery for investigation of potential claims seeking injunctive relief, civil penalties, court orders, attorneys’ fees, and all other available remedies to stop and prevent **MALYEOB JAMES** and **JI WON LEE**, individually, and **RED ROSE SPA AKA RED ROSE FOOT SPA, DBA ENZYME THERAPY BATH LLC, DBA AURORA HEALTH MASSAGE, DBA BEAUTY K SPA LLC** (“Respondents”) from engaging in or allowing illicit activity, criminal conduct, and/or lewd behavior, including Prostitution, being perpetrated under the guise of a massage

establishment. Pretending to operate as a legitimate health-care provider in the midst of other businesses frequented by innocent citizens and children, Respondents' sale of sex acts creates a dangerous environment and public nuisance. Cloaked behind the façade of a licensed massage establishment in a retail center at **1301 CUSTER ROAD** in Plano, Respondents have failed to comply with statutory regulations and legitimate practices designed to prevent sex crimes. They attract clientele that seek out and exploits young girls and vulnerable women and may engage in deliberate deceptive measures to prevent exposure of their debauchery and criminal conduct.

The citizens of Plano who reside in nearby neighborhoods chose the area for its safe suburban environment, and visitors to the community deserve to frequent legitimate businesses without unknowingly leading their children past a brothel or parking next to predators responding to salacious advertisements for the sale of young girls. Criminal prosecution and state regulatory enforcement has been insufficient to protect the public from those associated with Respondents' sordid enterprise, resulting in repeated and flagrant disregard for the law and risks to the community.

The City of Plano is committed to putting an end to prostitution and other sex crimes that threaten law-abiding citizens and children, including using all available means to uncover profiteers as well as purchasers. Respondents have deceived citizens who mistakenly assume that the sale of sex only occurs in an obviously seedy establishment or part of town with visible streetwalkers. **RED ROSE SPA** is a sex broker hiding in plain sight, pretending to be the type of local small business supported by Plano's law-abiding citizens and public servants, when in fact **RED ROSE SPA** and other Respondents brazenly promote wicked wares to those slithering about on the internet with fellow reprobates. Respondents' sex workers and their corrupt consumers lurk among legitimate businesses, including those frequented by families.

Respondents also have attempted to thwart detection and consequences through omissions and deceptions in documents required for governmental monitoring designed to protect the public from their unscrupulous and unlawful conduct. So that potential respondents, consumers, and witnesses of illegal activities can be identified, testimony and other evidence can be preserved, and appropriate remedies can be pursued for protection of Plano's law-abiding citizens and visitors, the City is seeking an order from the Court authorizing pre-suit discovery pursuant to Rule 202, Texas Rules of Civil Procedure.

During pre-suit discovery, the City will vigorously investigate Respondents, owners of the businesses, property owners, landlords, managers, operators, employees, contractors, predecessors, successors, transferees, customers, clients, co-conspirators, accomplices, promoters, invitees, guests, and all other parties to illegal or illicit activity ("Potential Litigation Respondents"). The City intends to take depositions orally and by written questions and to request issuance of subpoenas duces tecum for and production of business and financial records, employee and customer records, and proof of compliance with Chapter 455, Texas Occupations Code ("TOC"), the statutory regulations governing massage establishments and massage therapy and authorizing a Texas municipal attorney to seek injunctive relief, civil penalties, court orders to prevent violations, and recovery of expenses.

II. FACTUAL BASIS AND REASONS FOR SEEKING RULE 202 DISCOVERY: PERSISTENT PATTERN OF IMPROPER AND CRIMINAL CONDUCT

A. CRIMINAL CONDUCT.

1. Prostitution.

On two different dates in the past year, City of Plano Police made arrests at **RED ROSE SPA**, located at **1301 CUSTER ROAD, SUITE 238**, Plano, Collin County, Texas 75075, for

sexual crimes committed while massage therapy was supposed to be performed. Most recently, on **FEBRUARY 6, 2024**, Plano Police arrested Respondent and owner **MALYEOB JAMES** at **RED ROSE SPA** for **PROSTITUTION**, a criminal offense in violation of Sec. 43.02, Texas Penal Code. Previously, on **MAY 4, 2023**, Plano Police arrested **JIE DENG**, an employee of **RED ROSE SPA**, for **PROSTITUTION** at **RED ROSE SPA**. Respondent **MALYEOB JAMES** was identified as an owner and a person with care, custody, or control over the business, and Respondent **JI WON LEE** holds the Massage Establishment License for **RED ROSE SPA**.

2. Acting as massage therapist without a license.

On February 6, 2024, at the time of her arrest for Prostitution, **MALYEOB JAMES** also was charged with **ACTING AS A MASSAGE THERAPIST WITHOUT A LICENSE**, a criminal offense in violation of Texas Occupations Code C Sec. 455.151. Respondent **MALYEOB JAMES** represented herself to be a massage therapist and offered services with a purported health benefit involving physical contact with clients, requiring a license as a massage therapist under TOC Chapter 455. Respondent **MALYEOB JAMES** stated that she was the owner of **RED ROSE SPA** and claimed that she was providing massage services to a male client, who was found nude in a massage room. When confronted with not having a valid license to act or offer services as a massage therapist, **MALYEOB JAMES** claimed to be a “student” of massage therapy but provided no proof. She produced only a card for a “beauty school” outside of Texas but did not have documentation of any license as a massage therapist or permit as a student of massage therapy, in violation of TOC Chapter 455. As an owner and person with care, custody, and control over the business, she also was jointly responsible with **JI WON LEE** and **RED ROSE AKA RED ROSE FOOT SPA, DBA ENZYME THERAPY BATH LLC, DBA AURORA HEALTH MASSAGE, DBA BEAUTY SPA LLC**, and their owners,

directors, managers, officers, operators, accomplices, and promoters for failing to employ only licensed providers of massage therapy and failing to display a valid massage therapy license for each person providing or offering massage services, in violation of TOC Chapter 455.

Previously, on February 8, 2019, Plano Police charged **HONXIA LUO aka HONAXIA LUO**, an employee of **RED ROSE SPA**, with **PROVIDING A MASSAGE WITHOUT A VALID MASSAGE THERAPY LICENSE**, in violation of TOC 455.151. **LUO** was convicted of the offense in Plano Municipal Court on February 21, 2019.

B. VIOLATIONS OF RULES FOR MASSAGE THERAPISTS AND ESTABLISHMENTS.

1. Clothing designed to arouse or gratify sexual desire.

At the time of arrest of **MALYEOB JAMES** on February 6, 2024 for **PROSTITUTION**, a prominent local attorney [who admitted being a repeat customer at the establishment], was discovered lying on a table at **RED ROSE SPA**, purportedly for the purpose of receiving a massage from **XIAOQIN CHEN**, an employee of Respondents. The attorney was completely nude on the table in a dark room illuminated by a red light. He was lying face down with his buttocks exposed and not covered as would be typical in a legitimate massage establishment. He admitted that the practice of exposing and massaging the naked buttocks of clients would be unusual for other massage establishments but common for **RED ROSE SPA**. At the time they were supposedly providing massage services, **XIAOQIN CHEN** was dressed provocatively in a white mini skirt, and Respondent **MALYEOB JAMES** was dressed provocatively in a low-cut top.

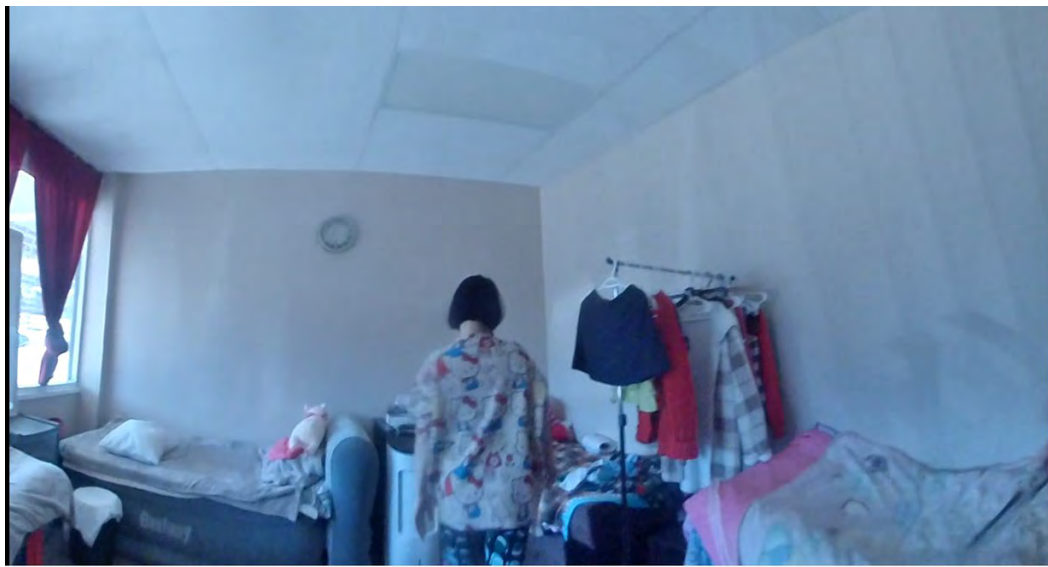
At the time of arrest of **JIE DENG** for **PROSTITUTION** on May 4, 2023 at **RED ROSE SPA**, she was dressed provocatively in a tight-fitting top, and co-employee **BIN CAI** was dressed provocatively in a low-cut top and mini skirt with a high slit. Respondent **MALYEOB JAMES** and employees **XIAOQIN CHEN**, **JIE DENG**, and **BIN CAI** claimed to be providing massage therapy services but were wearing clothing that would be inappropriately revealing while leaning over and massaging the exposed bodies of clients. Their clothing would not be typical for legitimate health care providers, and under the circumstances was likely designed and intended to arouse or gratify the sexual desire of men claimed to be receiving massage services, in violation of TOC Sec. 455.202.

2. Failure to maintain, secure, and produce records.

At the time of arrest on February 6, 2024 of **MALYEOB JAMES**, Respondents failed to maintain, secure, and produce records for services and clients they claimed were receiving legitimate massage services, including consultation documents, medical history, session notes, and billing records. Neither **XIAOQIN CHEN** nor **MALYEOB JAMES** was able to produce any records required by law for the massage services they claimed to be providing at the time, in violation of TOC Sec. 455.202. Previously, on May 4, 2023, Plano Police arrested **JIE DENG**, an employee of **RED ROSE SPA**. At the time she engaged in **PROSTITUTION** at **RED ROSE SPA** under the guise of providing massage services, **JIE DENG** failed to create or maintain records required by TOC Chapter 455, and Respondents failed to ensure that records were maintained by the establishment.

C. VIOLATIONS OF MUNICIPAL ORDINANCES.

At the time of arrests for **PROSTITUTION** of Respondent **MALYEOB JAMES** on February 6, 2024 and **JIE DENG** on May 4, 2023, **RED ROSE SPA** contained sleeping and living quarters for employees, unsanitary conditions, and lack of sufficient egress, in violation of City of Plano Code of Ordinances, City of Plano Zoning Ordinance, and TOC Chapter 455. A dormitory-style room was partitioned by a curtain and equipped with individual beds. Each area in the room appeared to be designed as sleeping and living quarters for a different female. Personal sleeping areas contained multiple layers of bedding, storage containers, a clothing rack, toiletries, and other personal items, as depicted in **EXHIBITS 1 - 3**, including the following example:



On February 6, 2024, when asked to produce money paid to her for alleged massage services she claimed to be providing to a nude male at the time of arrest, **MALYEOB JAMES** retrieved cash from a toiletries bag in her personal area adjacent to one of four beds in the room, not from a safe or from the front desk area where documents purportedly were kept for the business. If the cash were payment to a legitimate healthcare provider for lawful massage

service, it typically would be kept in a secure location for the business, not in an employee's private toiletries' bag in her personal sleeping area.

On May 4, 2023, at the time of her arrest for **PROSTITUTION**, employee **JIE DENG** retrieved her identification from inside a storage cabinet and clothing from her personal area in the dormitory-style sleeping quarters. Other employees, **BIN CAI** and **YOUNG CHE** were found sitting on the beds adjacent to their personal areas in the dormitory-styled bedroom.

D. ONLINE PROMOTION AND SEX REVIEWS.

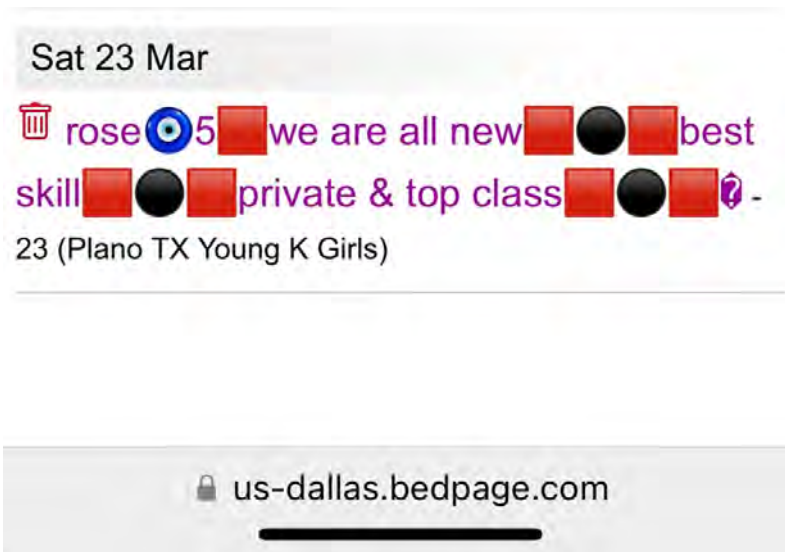
The online presence of **RED ROSE SPA** clearly shows an intent to sell sex rather than provide legitimate health care. On multiple occasions, law enforcement received numerous complaints from citizens about possible Prostitution and Human Trafficking at **RED ROSE SPA**. Concerned citizens easily could see online the nature of the business being operated by **RED ROSE SPA**, which cannot legitimately be denied by Owners and others profiting from it.

Any internet search quickly reveals that **RED ROSE SPA** advertises young females in sexually provocative poses, including those who either are minors or intentionally presented to appeal to prurient interests in the immature bodies of young girls. Some are scantily clad, and others are depicted as "schoolgirls", designed to attract the most deviant clients. The buyers who choose **RED ROSE SPA** from online platforms clearly are seeking to satisfy abnormal, dangerous desires under the cover of massage therapy. The obvious youthfulness and small stature of the girls being hawked online by **RED ROSE SPA** suggest physical vulnerability, innocence, and submission, including captions such as "New Feeling" and "Newgirl". Nothing about images used in online promotion by **RED ROSE SPA** suggests their employees would have the physical strength to provide legitimate therapeutic massages for adult males, let alone

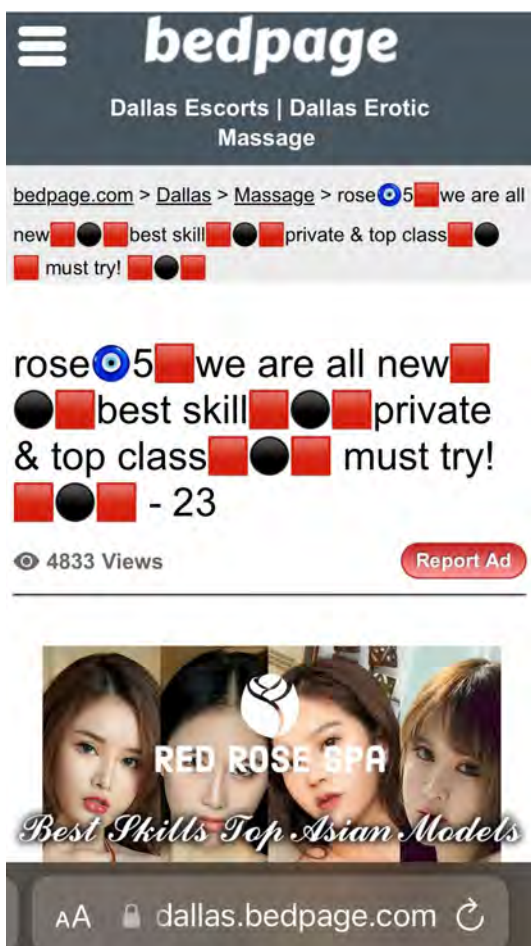
the experience, training, maturity, or professionalism of health care providers. Advertisements by **RED ROSE SPA** offer barely pubescent bodies and the sale of innocence for sexual pleasure, as depicted in **EXHIBITS 4 - 11**, including the following example:



Postings for services at **RED ROSE SPA** appear online on “**BEDPAGE**”, a sordid online shopping service with disturbing descriptions of product available from **RED ROSE SPA**. A recent posting peddling young girls on March 23, 2024 offered “**Plano TX Young K Girls**” to entice the most deviant customers:



Postings for **RED ROSE SPA** on **BEDPAGE** under “**Dallas Escorts / Dallas Erotic Massage**” contain an image of a female in a black miniskirt astride a nude male and disturbing photos of sexualized young females, none of which even remotely promote the professionalism, experience, or skills sought when searching for legitimate health care providers of lawful massage. Recent postings include the captions “Best Skills Top Asian Models”, “New Face”, “Lux Free Table Shower”, “Classy & Wild Extremely Skilled”, “All I Need Its You”, and “XXX VIP Service”, as depicted in **EXHIBITS 12 - 20**, including the following example:



Those who frequent **RED ROSE SPA** brag in anonymity and share reviews of sex acts for sale and the bodies of those they purchase. Online reviews of females being sold by **RED ROSE SPA** contain demeaning evaluations of their bodies, including breast size and genitals. Reviewers use abbreviations and jargon known by those who frequent such sex brokers to describe sex acts purchased from prostitutes at **RED ROSE SPA**. More details require membership fees paid to the online review database for more details, but others are readily available to anyone in the public searching online for customer opinions of **RED ROSE SPA**, as depicted in **EXHIBITS 21 – 25**.

E. CLOSE PROXIMITY TO RESIDENTIAL NEIGHBORHOODS AND LEGITIMATE BUSINESSES FREQUENTED BY THE PUBLIC.

Located in a retail center in Plano, Respondents' illicit massage establishment is engaging in sex crimes in a busy suburban area. This is the seemingly innocent façade:



RED ROSE SPA is in a strip center next to residential neighborhoods and surrounded by businesses frequented by ordinary citizens and their families, as depicted in **EXHIBIT 26**, including the following:



Unsuspecting citizens are going about their daily lives under the false impression that they are living in a typical suburban area while an enterprise suited for a red-light district, its prostitutes, and its customers lurk nearby. Hardworking business owners and their employees are engaged in legitimate, wholesome enterprises with a nearby sex shop that deliberately draws in deviant clientele. Some businesses in close proximity to **RED ROSE SPA** are an art academy with classes for adults and children, pickle ball courts, a family dentist office, hair and nail salons, a tailor, an art and framing retailer, financial advisors, a trophy shop, a dialysis provider, a senior activity center, a karate studio, and numerous restaurants, including McDonald's, Domino's, and other establishments frequented by families with children and teenagers.

F. OWNERSHIP, MANAGEMENT, TDLR LICENSING

Respondents have attempted to avoid detection and thwart accountability by playing a shell game with citizens and governmental entities, including Texas Department of Licensing and Regulation, Texas Secretary of State, and the City of Plano. Pre-suit Discovery is necessary

to fully identify all those responsible for criminal activities, omissions, and deceptions to profit from the commercial sex trade while hiding behind the mask of a legitimate massage business.

Documents on file with the Texas Secretary of State identify the location of the above-described criminal conduct at **1301 CUSTER ROAD, SUITE 238**, Plano, Texas as the address for both **ENZYME THERAPY BATH LLC** and **BEAUTY K SPA LLC**. Both entities have current Assumed Name Certificates on file to conduct business in the name of **RED ROSE SPA**. They do not have on file an Assumed Name Certificate to conduct business in the name of **RED ROSE FOOT SPA**, but they advertise online in the name of **RED ROSE FOOT SPA**, as depicted in **EXHIBIT 27**.

Secretary of State records identify the organizer, manager, and registered agent for **ENZYME THERAPY BATH LLC** as **CHAERAN MA** and for **BEAUTY K SPA LLC** as **MALYEOB JAMES**. The current Massage Establishment License No. ME7550 for **1301 CUSTER ROAD, SUITE 238**, also in effect at the time of the previously described Prostitution arrests at **RED ROSE SPA**, was issued to **JI WON LEE DBA RED ROSE SPA** on January 12, 2023 and does not expire until January 11, 2025. While holding the Massage Establishment License for **RED ROSE SPA**, **JI WON LEE** was not identified in other documents filed with the Secretary of State or City of Plano for the business. The only persons identified in those documents, **MALYEOB JAMES** and **CHAERAN MA**, do not hold a license for the establishment or to practice massage therapy at **RED ROSE SPA**.

Further, the posting on **BEDPAGE** for **RED ROSE SPA**, includes links to other massage establishments in the DFW Metroplex with similar lurid descriptions, indicating a web of shared pecuniary interests in the sale of sex by **RED ROSE SPA** and similar enterprises. The **BEDPAGE** posting for **RED ROSE SPA** contains links and phone numbers to other local

establishments with similar provocative descriptions and promises of young, innocent girls, including **LEE FOOT CARE SPA** in Bedford (817-948-4823); **GOLDEN FOOT SPA** in Plano (972-517-3338), **HEALING FOOT MASSAGE** in Garland (469-412-0752), **BLUEBONNET MASSAGE** in Irving (972-457-0117); **PURE MASSAGE** in Sachse (469-626-2776); **RELAX FOOT SPA** in The Colony (469-731-5311); and **RELAX SPA** in McKinney (972-369-8808). Examples of advertisement for the linked establishments include “new sweet sexy girl”, “free table shower”, “new hot girls”, “superb service”, “new girl”, “new Asia girl”, “new feeling”, “new girl sweet cute”, “young girl”, “best choice 100% new young girl”, and “pretty and sweet girl”, as depicted in **EXHIBITS 28 – 29**,

On January 2, 2019, **ENZYME THERAPY BATH LLC** filed a Certificate of Formation with the Texas Secretary of State, listing its address as **1301 CUSTER ROAD, SUITE 238**, Plano, Texas. The business named **CHAERAN MA**, as organizer, manager, director, and registered agent, with an address for service of 2500 Branch Oaks Lane, Flower Mound, Texas 75028. **ENZYME THERAPY BATH LLC** has continued to identify **1301 CUSTER ROAD, SUITE 238**, Plano, Texas as its address in documents filed with the Texas Secretary of State, including currently and at the time of **PROSTITUTION** arrests at **RED ROSE SPA** on May 4, 2023 and February 6, 2024. **ENZYME THERAPY BATH LLC** repeatedly has named **CHAERAN MA** as manager of the business in its Texas Franchise Tax Public Information Reports.

On March 22, 2019, **CHAERAN MA** applied for a Certificate of Assumed Name for **ENZYME THERAPY BATH LLC** to conduct business under the name of **RED ROSE SPA**, providing a principal address for the business of **1301 CUSTER RD, SUITE 238**, Plano, Texas. On April 17, 2019, **CHAERAN MA**, stating she was the business’ owner, applied with the City

of Plano for a Certificate of Occupancy for **ENZYME THERAPY BATH LLC DBA RED ROSE SPA**, claiming the use to be “massage/foot spa”. The City issued a Certificate of Occupancy, Permit No. 19-05003, to **RED ROSE SPA** on May 19, 2019. On February 5, 2021, Massage Establishment License Number ME5146 issued by TDLR for **RED ROSE SPA** expired and was no longer valid, but **ENZYME THERAPY BATH LLC** and **CHAERAN MA** took no action to request surrender or cancellation of the Certificate of Occupancy issued by the City of Plano, continuing to operate as a massage establishment.

On March 1, 2022, Respondent **MALYEOB JAMES** filed with the Texas Secretary of State a Certificate of Formation for **BEAUTY K SPA LLC**, providing an address of **1301 CUSTER RD, SUITE 238**, Plano, Texas and naming Respondent **MALYEOB JAMES** as organizer, managing member, and registered agent. On March 11, 2022, **MALYEOB JAMES (DBA) RED ROSE SPA** submitted an Application for Certificate of Occupancy to the City of Plano for “**RED ROSE SPA**” at **1301 CUSTER ROAD, SUITE 238**, Plano, Texas, stating “I am the business owner” and claiming the use to be “foot massage personal service”. Respondent **MALYEOB JAMES** failed to disclose to the City that massage establishment license ME5146, issued by TDLR to **RED ROSE SPA** on February 6, 2019, had expired on February 5, 2021.

On January 12, 2023, TDLR issued Massage Establishment License No. ME7550 to **JJ WON LEE DBA RED ROSE SPA** for **1301 CUSTER ROAD, SUITE 238**, Plano, Texas, Phone Number (469) 478-1612. No TDLR massage establishment license has been issued in the name of **BEAUTY K SPA** or **MALYEOB JAMES**, despite multiple representations as the business, owner, president, governing person, and manager of the massage establishment at that location. On February 9, 2023 and December 23, 2023, **MALYEOB JAMES** filed Texas

Franchise Tax Public Information Reports with the Texas Secretary of State for **BEAUTY K SPA LLC**, listing the principal place of business at **1301 CUSTER ROAD, SUITE 238**,

On August 18, 2023, **MALYEOB JAMES** filed an Assumed Name Certificate with the Texas Secretary of State to conduct business for **BEAUTY K SPA LLC** in the name of **RED ROSE SPA**, identifying the address as **1301 CUSTER ROAD, SUITE 238**, Plano, Texas. On August 29, 2023, **MALYEOB JAMES** was identified in Texas Secretary of State records as president, director, and governing person of **BEAUTY K SPA LLC**, located at **1301 CUSTER ROAD, SUITE 238**, Plano, Texas.

ENZYME THERAPY BATH LLC has filed four Assumed Name Certificates with the Texas Secretary of State, all of which remain active. **CHAERAN MA** signed the Assumed Name Certificates to conduct business in the names of “**ENZYME THERAPY BATH**” on January 2, 2019, “**Red Rose Spa**” on March 22, 2019, “**RED ROSE SPA**” on April 3, 2019, and “**AURORA HEALTH MASSAGE**” on May 11, 2021. **BEAUTY K SPA LLC** has one Assumed Name Certificate on file with the Texas Secretary of State to conduct business in the name of **RED ROSE SPA**, which currently is active and was signed by **MALYEOB JAMES**.

BEAUTY K SPA LLC and **MALYEOB JAMES** never obtained a Massage Establishment License for **1301 CUSTER ROAD, SUITE 238**, Plano, Texas. The current Massage Establishment License (ME7550) for the location was issued by TDLR to **JI WON LEE** on January 11, 2023; however, that name is not identified in Secretary of State documents or City of Plano Certificate of Occupancy documents for the location. Previously, on February 6, 2019, TDLR issued License Number ME5146 to “**RED ROSE SPA**”, authorizing the business as a “Licensed Massage Therapy Establishment” at **1301 CUSTER ROAD, SUITE 238**, Plano, Texas, but the license expired on February 5, 2021. On March 3, 2021, TDLR issued

a Massage Establishment License to **ENZYME THERAPY BATH LLC DBA AURORA MASSAGE** for 1445 Los Rios Blvd., Suite 205, Plano, Texas, but the license expired on March 2, 2023.

G. PERSONS TO BE DEPOSED, SUBSTANCE OF ANTICIPATED TESTIMONY, AND REASONS FOR OBTAINING TESTIMONY OF EACH

1. Designated representative of **RED ROSE SPA AKA RED ROSE FOOT SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075, by serving its registered agent for service of process in Texas;
2. Designated representative of **ENZYME THERAPY BATH, LLC**, by serving its registered agent for service of process in Texas;
3. Designated representative for **BEAUTY K SPA, LLC** by serving its registered agent for service of process in Texas;
4. Designated representative for **AURORA HEALTH SPA, LLC** by serving its registered agent for service of process in Texas;
5. **MALYEOB JAMES**, by personal service at 2020 Torin Street, Lewisville, Texas 75056; at her place of business, **RED ROSE SPA**, at 1301 Custer Road, Plano, Texas 75075; or at the address listed for her as Governing Person for **BEAUTY K SPA, LLC** at 1100 West Trinity Mills Road, Carrollton, Texas 75006, or wherever found;
6. **JI WON LEE**, by personal service at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075 or wherever they may be found;
7. **XIAOQIN CHEN**, by personal service at 3825 Fall Wheat Drive, Plano, Texas 75075 or at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075;

8. **JIE DENG**, by personally service at 17215 Ikel Drive, Dallas, Texas 75248 or at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075;
9. **JYOUNG LAN CHE**, by personal service at 8424 Ottawa Ridge, Frisco, Texas 75034 or at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075;
10. **BIN CAI** by personal service at 333 West Garvey Avenue, #B38, Monterrey Park, California 91754 or at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075;
11. **CHAERAN MA**, by personal service at 2500 Branch Oaks Lane, Flower Mound, Texas 75028;
12. **HONAXIA LUO aka HONXIA LUO**, by personal service at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075 or wherever she may be found;
13. **CLIENTS OF RED ROSE SPA.**

The substance of the testimony to be elicited from Respondents **RED ROSE SPA AKA RED ROSE FOOT SPA, DBA ENZYME THERAPY BATH LLC, DBA AURORA HEALTH MASSAGE, DBA BEAUTY K SPA LLC, MALYEOB JAMES, and JI WON LEE** is exhaustively detailed in the foregoing paragraphs, but essentially, to ascertain information about their compliance with applicable laws and statutes authorizing massage establishments and prohibiting criminal conduct and public nuisances. The substance of the testimony to be elicited from **XIAOQIN CHEN, JIE DENG, JYOUNG LAN CHE, BIN CAI, CHAERAN MA, HONAXIA LUO aka HONXIA LUO, and CLIENTS OF RED ROSE SPA** includes the scope of their knowledge of the operations and activities of Respondents, ownership and management of the premises where Respondents are engaged in improper and/or

illegal activities, relationship with and conduct of employees, business relationships with Respondents, and other matters pertinent to the investigation and possible claim or suit which may be filed against Respondents - and perhaps others. The likely benefit to the public of allowing the City to take the requested depositions to investigate potential claims far outweighs the burden or expense of the procedure, particularly since – as detailed above – the Respondents are engaged in a scheme of illicit and illegal behavior which is substantially detrimental to the health, safety and wellbeing of the public.

III. PARTIES

1. Petitioner, **CITY OF PLANO**, is a home-rule Texas municipal corporation located in Collin and Denton Counties, Texas.
2. Respondent, **RED ROSE SPA**, is located at **1301 Custer Road, Plano, Texas 75075**. Respondent can be served through its registered agent or wherever they may be found.
3. Respondent, **MALYEOB JAMES**, is an individual residing in Collin County or Denton County, Texas and can be served at 2020 Torin Street, Lewisville, Texas 75056; at her place of business, **RED ROSE SPA**, at 1301 Custer Road, Plano, Texas 75075; or at the address listed for her as Governing Person for **BEAUTY K SPA, LLC** at 1100 West Trinity Mills Road, Carrollton, Texas 75006, or wherever found;
4. Respondent, **JI WON LEE**, by personal service at **RED ROSE SPA**, 1301 Custer Road, Suite 238, Plano, Texas 75075 or wherever they may be found.

IV. JURISDICTION AND STATUTORY AUTHORITY

Under Texas Rule of Civil Procedure 202, venue is proper in this county because venue of the anticipated suit is in Collin County, Texas. *See* Tex. R. Civ. P. 202.2(b). This Court has jurisdiction over these matters pursuant to the appropriate sections of the Texas Constitution, the Texas Civil Practice and Remedies Code, and the Texas Occupations Code. This Petition for Pre-Suit Discovery to Investigate Potential Claims and Remedies arises out of activities and conduct occurring within Collin County, Texas, making this Court an appropriate forum for venue of this action.

Chapter 455 of the Texas Occupations Code (“Occupations Code”) provides statutory authority for remedies designed to protect the public in the provision of massage therapy. The conduct and licensing of massage therapists, massage schools and instructors, and the licensing and operation of massage establishments are regulated as a Health Profession in Chapter 455. The statute authorizes the City Attorney to seek injunctive relief against any person who appears to be in violation or is threatening to violate Chapter 455, including court-ordered requirements to prevent further violation. Chapter 455 authorizes assessment of civil penalties of \$1,000 – \$10,000 for each violation, and every day of occurrence is a separate violation. Chapter 455 further provides that the City may recover reasonable expenses in obtaining injunctive relief and civil penalties, including court costs, attorneys’ fees, investigative costs, witness fees, and deposition expenses.

V. SELECTION OF DISCOVERY LEVEL

Petitioner intends to conduct discovery under Level 2 of the Texas Rules of Civil Procedure 190.3 because this suit involves only monetary relief aggregating not more than

\$100,000, excluding court costs and pre-judgment interest, and Plaintiff affirmatively pleads that this suit is not governed by the expedited actions process in Texas Rule of Civil Procedure 169.

VI. CONCLUSION AND PRAYER FOR RELIEF

For the reasons stated above, Petitioner the City of Plano respectfully requests the Court, after service of this Petition and notice, to hold a hearing on this Petition pursuant to Tex. R. Civ. P. 202.3(a), issue an order authorizing the City to take the depositions of the persons identified herein as well as authorizing the City to issue subpoenas requiring these entities and/or persons to produce documents at their depositions.

WHEREFORE, PREMISES CONSIDERED, the City of Plano respectfully prays:

1. That Respondents be cited and required to appear herein;
2. That the Court set a date for this matter to be heard;
3. That the Court authorize pre-suit discovery/depositions as requested herein; and
5. Any and all other relief, at law or in equity, to which the City of Plano may show itself to be justly entitled.

Respectfully submitted,

For 
PAIGE MIMS
City Attorney
MICHELLE L. VOIRIN
Assistant City Attorney
State Bar No. 20606640
900 East 15th Street, Suite 220
Plano, Texas 75074
Telephone: (972) 941-2056
Facsimile: (972) 941-2059
Email: michellev@plano.gov

ROBERT J. DAVIS

State Bar No. 05543500

**MATTHEWS, SHIELS, KNOTT,
EDEN, DAVIS & BEANLAND, L.L.P.**

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972/234-3400 (office)

972/234-1750 (telecopier)

bdavis@mssattorneys.com

**ATTORNEYS FOR PETITIONER
CITY OF PLANO, TEXAS**

VERIFICATION

STATE OF TEXAS

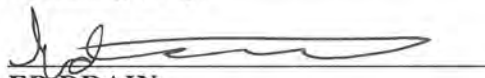
{

COUNTY OF COLLIN

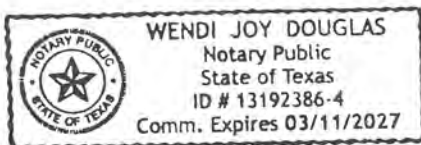
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BEFORE ME, a Notary Public in and for the State of Texas, personally appeared **ED DRAIN**, and after being by me first duly sworn, upon oath states that he is the Chief of Police for the City of Plano, Texas, he has read the foregoing PETITION and that the factual statements contained therein are true and correct based upon the composite knowledge of the City of Plano and the information available to the City of Plano. The information supplied in this PETITION is not based solely on the knowledge of the executing party, but includes knowledge of the City of Plano, its agents, representatives, and possibly others. The word usage and sentence structure may be that of the attorney assisting in the preparation of this PETITION, and thus, does not necessarily purport to be the precise language of the executing party.


ED DRAIN

SWORN TO AND SUBSCRIBED BEFORE ME, on this the 4 day of April, 2024,
which witness my hand and seal of office.




NOTARY PUBLIC, State of Texas

EXHIBIT 1

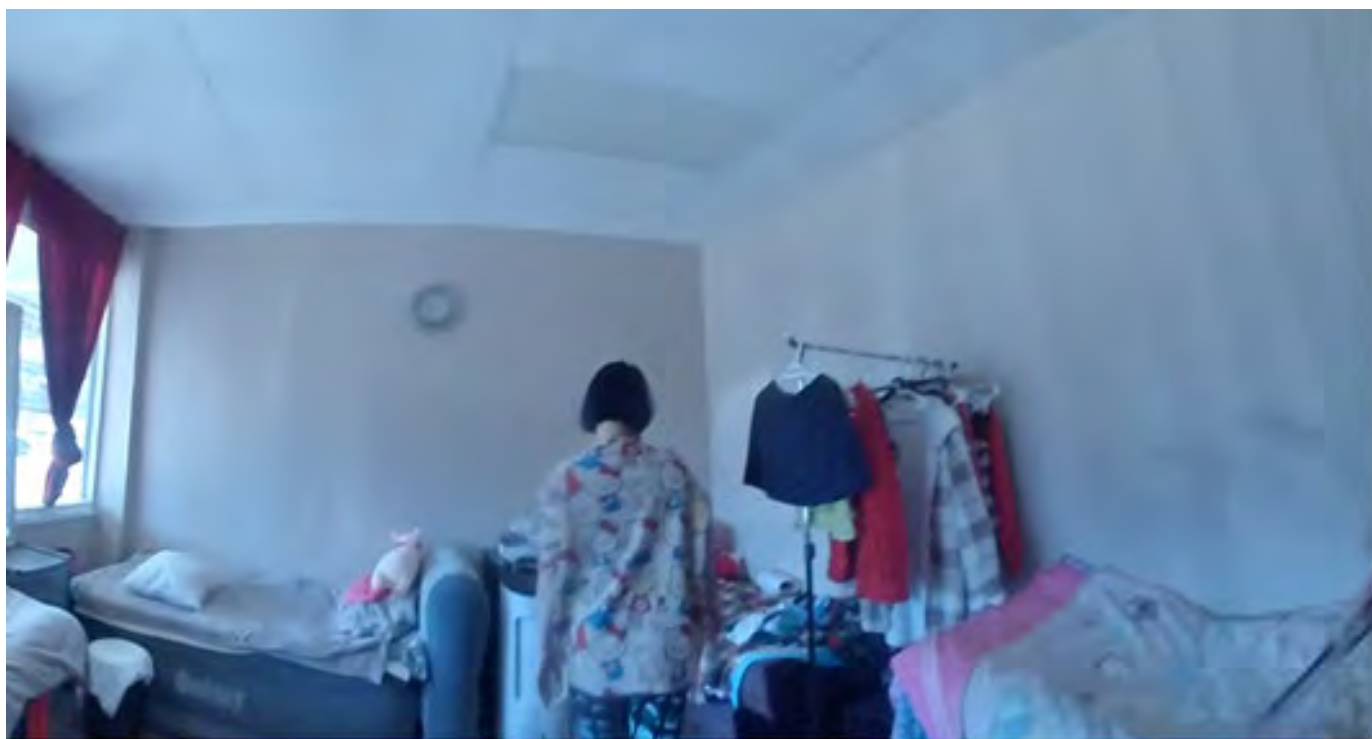


EXHIBIT 2



EXHIBIT 3



EXHIBIT 4



EXHIBIT 5



EXHIBIT 6



EXHIBIT 7



EXHIBIT 8



EXHIBIT 9

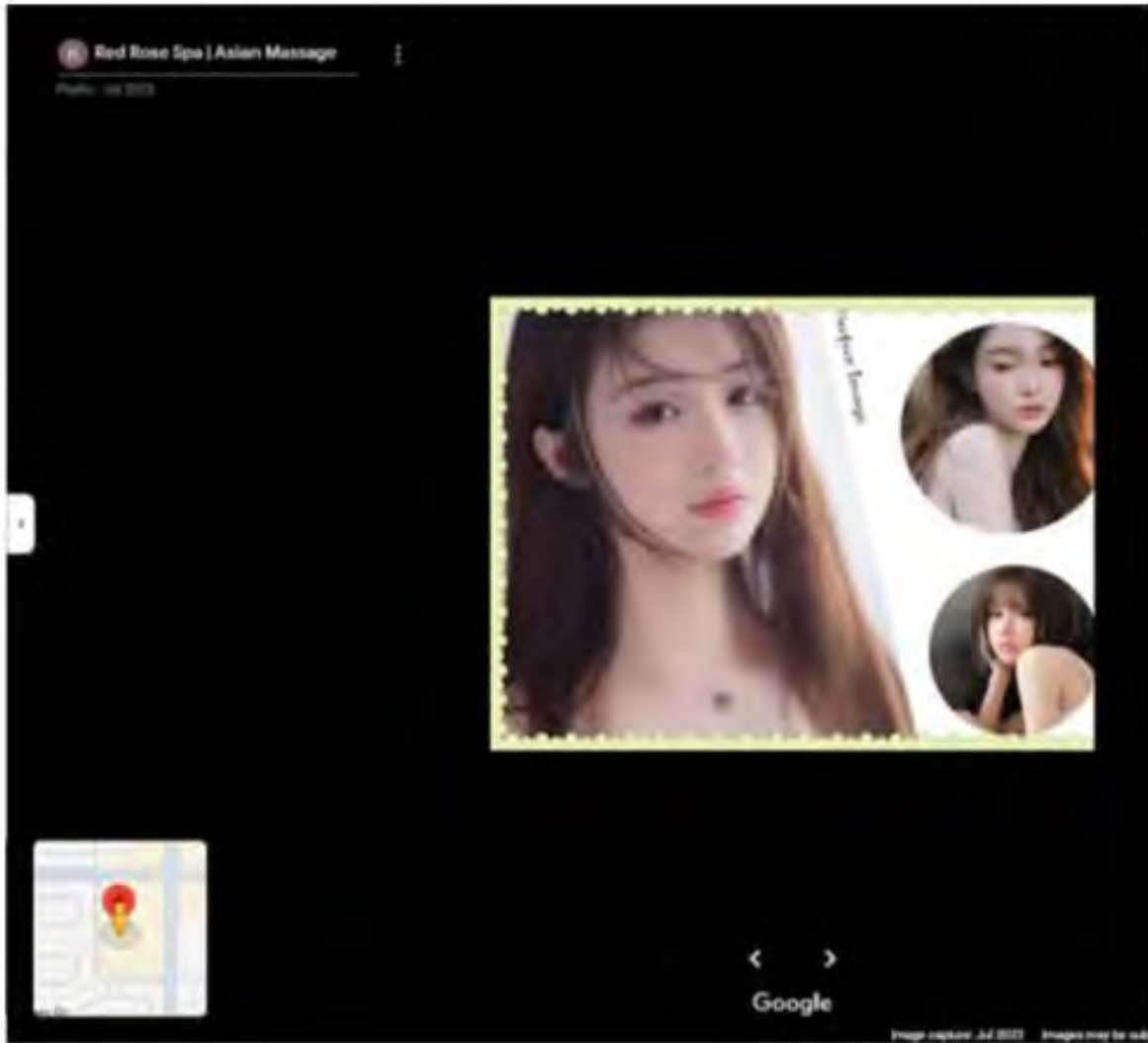


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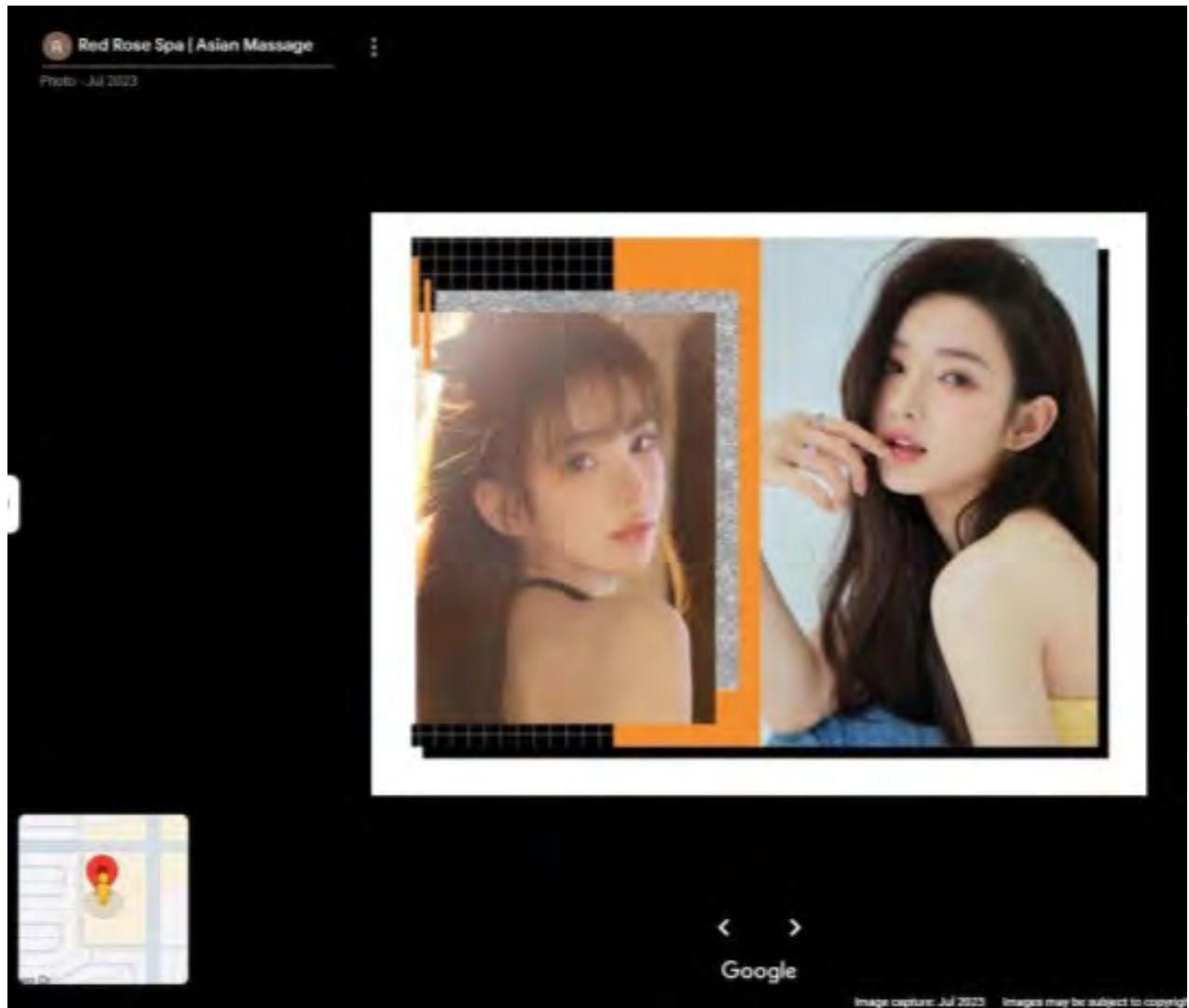


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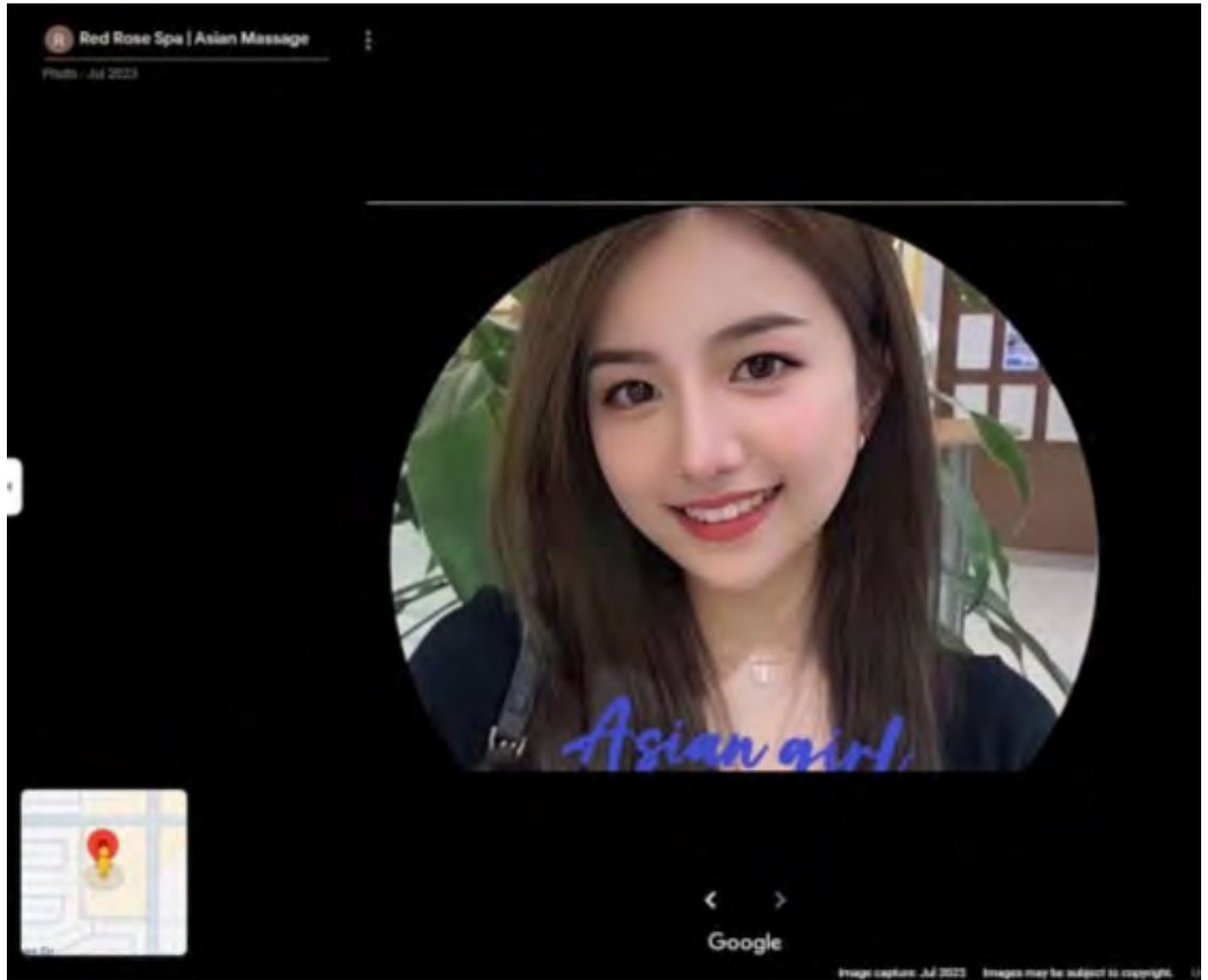




EXHIBIT 12


**bedpage**

Dallas Escorts | Dallas Erotic
Massage

bedpage.com > Dallas > Massage > rose 5 we are all
new best skill private & top class
must try!

rose 5 we are all new
best skill private
& top class must try!
- 23

 4833 Views [Report Ad](#)



RED ROSE SPA
Best Skills Top Asian Models



AA  dallas.bedpage.com 

EXHIBIT 13



469-478-1612



us-dallas.bedpage.com

EXHIBIT 14

New Face



RED ROSE SPA

469-478-1612


 dallas.bedpage.com

EXHIBIT 15




 dallas.bedpage.com

EXHIBIT 16



RED ROSE SPA

New Face

469-478-1612

dallas.bedpage.com

The advertisement is a vertical rectangular image. On the left side, there is a dark brown background with a white rose logo and the text "RED ROSE SPA". In the center, a woman with long brown hair and bangs is shown from the waist up. She is wearing a green sports bra and grey underwear. The text "New Face" is written in a white, cursive font across her chest. At the bottom, the phone number "469-478-1612" is displayed in large, bold, black digits. Below the phone number, there is a white bar containing a lock icon and the URL "dallas.bedpage.com".

EXHIBIT 17



CLASSY & WILD Extremely SKILLED

469-478-1612

10 am - 9:00 pm


 dallas.bedpage.com

EXHIBIT 18





 dallas.bedpage.com

EXHIBIT 19



RED ROSE SPA

We are All New

Private & Top class

—We turn Massage into Magic!—

★—ALL I NEED IT'S YOU.—★

Need best? THE ULTIMATE RELAXATION

dallas.bedpage.com

EXHIBIT 20

CHARMING GIRLS / XXX VIP SERVICE

1301 Custer Rd #238, Plano, TX 75075

Private Clean / Comfortable / Safety Location



- Poster's age: 23
- Mobile: [4694781612](tel:4694781612)
- Location: Plano, TX/Young K-Girls

EXHIBIT 21



EXHIBIT 22



**Review: Red Rose -
Plano**

*Title: Review: Red Rose -
Plano Date: May 28, 2022*

*Location: Plano Phone:
google City: Plano State:
TX Activities: HJ Age*

*Estimate: 40 Ethnic
background: Korean*

*Physical Description: Older
Milf Private Details: Was in
the mood for a quick
release - was not looking
for anything...*

*1ims007 Thread - May 31
2022 · Replies: 0 · Forum
Reviews - Dallas*

EXHIBIT 23

D

**Review: Pinky at Red
Rose Spa**

*Title: Review: Pinky at **Red***

***Rose Spa** Date: May 27,*

2022 Location: Custer

*Road Phone: City: **Plano***

State: TX Activities: LTM,

BBBJ, DATY, HJ, CIM,

Complaining Age Estimate:

29 Ethnic background:

Korean Physical

Description: Blonde hair,

short, nice little body

Private Details: Walked...

dregan76 · Thread · May

27, 2022 · Replies: 3 ·

Forum: Reviews - Dallas

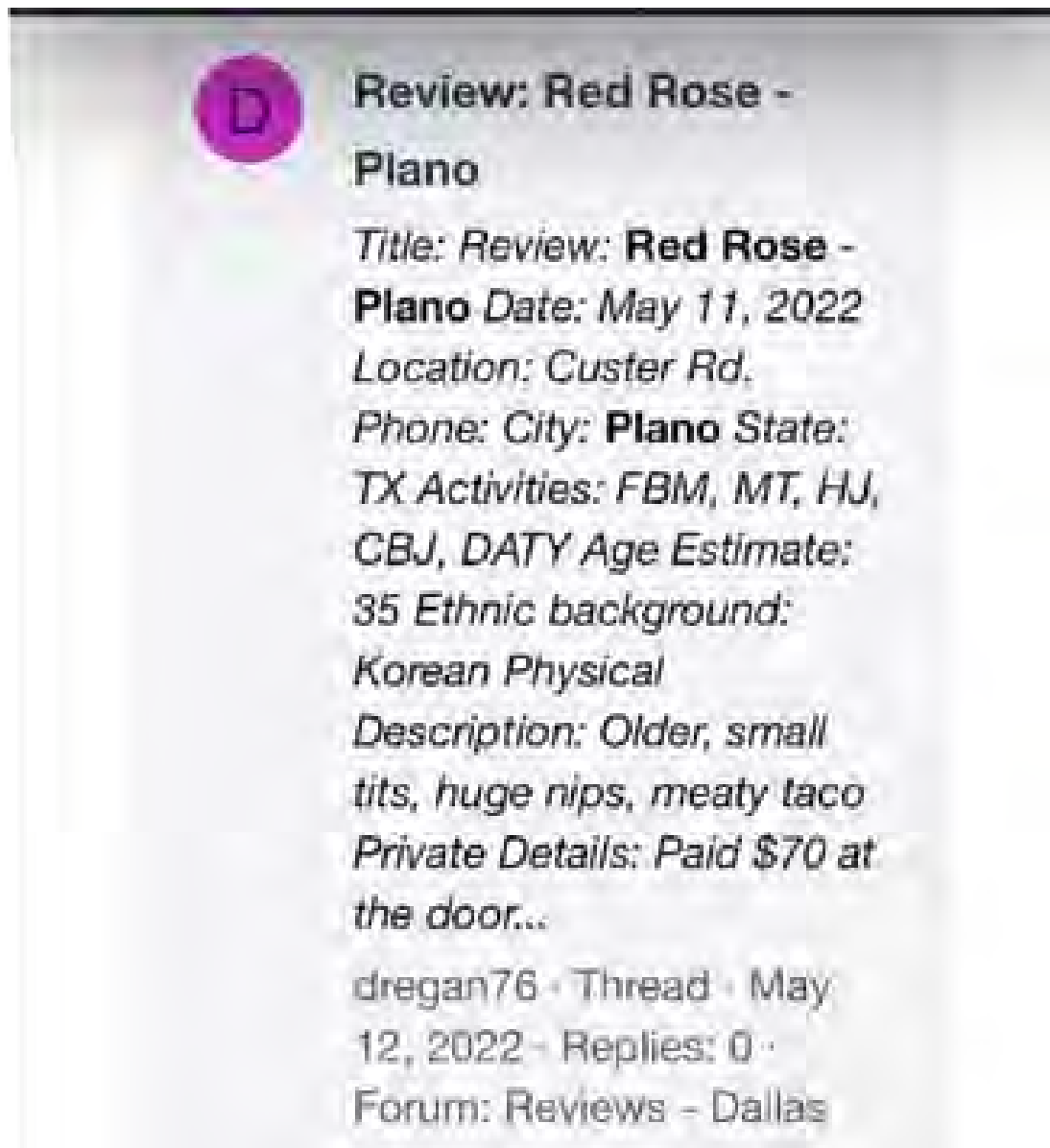


EXHIBIT 25



Review: Red rose Plano review

*Title: Review: **Red rose Plano** review Date: May 1, 2022 Location: **Plano** Phone: City: **Plano** State: Texas Activities: Pussy slide Age Estimate: Late 20s Ethnic background: Asian Physical Description: Thin Private Details: Massage was 6/10, then after the massage she offered extras, I...*

Wowiwuw · Thread · Jun 5, 2022 · Replies: 0 · Forum: Reviews - Dallas

EXHIBIT 26



EXHIBIT 27

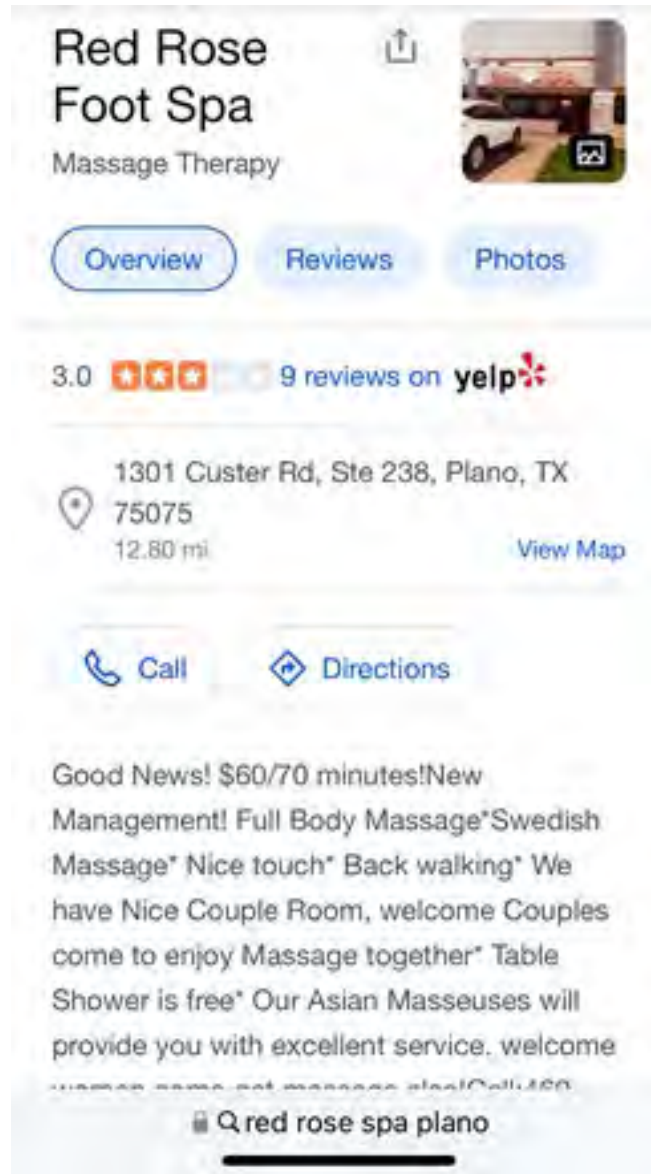


EXHIBIT 28

Wed 27 Mar

📞❤️❤️469-640-1644👁️❤️new young girl
👁️❤️asia's best massage👁️❤️best
service - 25 (1546 E Stacy Road 140 Allen)

📺🔴+🌟🟡grand opening🟡+🌟469-
626-2776🔴🌸new girl🌟sweet🌟cute❤️
🌟🔵+ - 24 (5634 S Highway 78 110 Sachse T)

Tue 26 Mar

📞❤️ 972-369-8808 ❤️🔥 best choice 100%
new young girl ❤️🔥 best massage & best
service ❤️📍 - 24 (3900 S Stonebridge Dr 1103 M)

new girl 469-731-5311
pretty & sweet girl (🌟) #11 - 22 (4709
State Highway The Colony)

Mon 25 Mar

us-dallas.bedpage.com

EXHIBIT 29

Mon 25 Mar

🗑️ ❤️❤️❤️❤️❤️ 469-412-0752 📞❤️📞
new hot girls 📞❤️📞📞 superb servic - 24
(565 W Oates Rd 136 Garland)

🗑️ 📞📞📞📞 972-517-3338 📞📞📞
📞 new sweet sexy girl 📞📞📞📞 best in
town & super - 24 (2050 W Spring Creek Pkwy 139)

Sun 24 Mar

🗑️ ✅❤️ new asia girl ✅❤️ new
management ✅❤️ 817-948-4823 - 22 (Dallas
Fort worth)

🗑️ 📞📞📞❤️ asia young girl 📞📞📞❤️ best
massage 📞📞📞❤️ 972-457-0117 📞📞📞 - 23
(Dallas fort worth)

Sat 23 Mar

🗑️ rose👁️5 📞 we are all new 📞📞📞 best
skill 📞📞📞 private & top class 📞📞📞📞 -
23 (Plano TX Young K Girls)

us-dallas.bedpage.com

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Pat Weaver on behalf of Robert Davis

Bar No. 05543500

pweaver@mssattorneys.com

Envelope ID: 86429655

Filing Code Description: Plaintiff's Original Petition (OCA)

Filing Description: Petition

Status as of 4/10/2024 10:32 AM CST

Case Contacts

Name	BarNumber	Email	TimestampSubmitted	Status
Robert Jacob Davis	5543500	bdavis@mssattorneys.com	4/9/2024 8:04:52 AM	SENT
Michelle L. Voirin	20606640	michellev@plano.gov	4/9/2024 8:04:52 AM	SENT