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Action Seating files lawsuit in alleged fraud case over Winter Olympics tickets

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By Alfred Branch Jr.

Gene Hammett, the Georgia-based ticket broker at the heart of the alleged [Winter Olympics ticketing scandal](#), is fighting back in an effort to clear his name and retrieve the millions of dollars he reportedly lost in the blown transaction.

Late last week, Hammett filed a counter-lawsuit in Los Angeles Superior Court against David Bunevacz, the alleged middle man who was to provide thousands of Vancouver Olympics tickets to Hammett but never did. Hammett contracted with Bunevacz and Pegazus Sports Marketing and Consulting, who Bunevacz allegedly represented, and Hammett reportedly paid Bunevacz nearly \$3 million for the tickets, money which was obtained from several broker-clients, such as [RazorGator](#) and [eSeats.com](#).

Dozens of other brokers and ticket buyers did not receive tickets for the Games as a result, and both RazorGator and eSeats have filed separate lawsuits against Hammett and Action Seating.

"This is not a case, as David Bunevacz ("Bunevacz") claims, that is analogous to a customer trying to leave a department store with a half-paid-for designer suit," Hammett's lawsuit against Bunevacz states. "It's a case of a seller who promised to acquire special order goods for a customer on a layaway plan, pocketed the customer's installment payments and then refused to deliver the goods or refund the customer's money."

Bunevacz, who reportedly offered settlements in the case which Hammett has declined, claimed that the deal went bust in part because Hammett did not follow through on the deal by not providing all the money he allegedly promised.

Hammett disputes that claim. The two had worked together during the Beijing Olympics in 2008, and in total, Bunevacz allegedly promised to provide more than 17,000 tickets to the Vancouver Games. Bunevacz allegedly touted connections to several National Olympics Committees as his source for tickets.

Houston attorney Hilary Greene, whose firm [Moriarty Leyendecker](#) represents Hammett, told TicketNews that "Gene considered David a friend" before this deal fell apart.

"How quickly this gets resolved depends on David, and whether he steps up to the plate and admits what happened," she said, adding that Bunevacz is scheduled to be deposed on May 11, and the first hearings in the case are scheduled for June 22.

"During the time period of September 2008 through January 12, 2010, Hammett made payments totaling \$2,941,381 for the tickets. Hammett made these payments via a series of 35 wire transfers," the lawsuit states. "For each payment, Bunevacz gave Hammett wiring instructions. During this time period, Bunevacz also acknowledged receipt of and confirmed Hammett's payments. Neither Bunevacz nor anyone else at Pegazus Consulting and/or Pegazus Consultants ever told Hammett that he was in default of any payment obligation."

Hammett claims that Bunevacz separately contracted with a Hong Kong-based company called "Mocra Limited" for loans of several hundred thousand dollars to make up differences in money that Bunevacz allegedly owed his ticket source. Hammett's attorneys dispute Mocra's existence, and claim that Bunevacz fabricated it.

Bunevacz's attorney, Michael Amir of [Doll Amir & Eley LLP](#) told TicketNews that his client is eager to try the case in court.

"We do not believe that Mr. Hammett's lawsuit has any merit," Amir said. "Indeed, it appears to be nothing more than a desperate attempt to shift blame from himself to David, who is one of the individuals that Mr. Hammett has injured as a result of his irresponsible conduct. We look forward to vindicating David's name at trial."

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