



clients in that manner. Plaintiff has been in the business for approximately eleven years. Plaintiff is a licensed professional and has never had any issues prior to experiencing Defendant's conduct.

Defendant Watson and Plaintiff first made contact on Instagram via direct message, wherein he expressed his interest in Plaintiff's services and requested a massage. Watson and Plaintiff then spoke on the phone. Watson told Plaintiff:

"I make a lot of massage therapists uncomfortable and it's really hard for me to find someone who will meet my needs..."

Watson said he was looking for massage work specifically on his glutes. Watson also kept asking that the massage be really private and asked if anyone else would be around when he arrived to the location. Plaintiff did not think anything of it as she thought maybe Watson wanted privacy because, in some circles, he is a celebrity.

Plaintiff routinely provides massage therapy to athletes from professional football teams and other high-profile athletes. Plaintiff had never had any type of contact with Defendant Watson prior to this message. Plaintiff expected the massage with Watson to be professional just as it had been with her other high-profile clients. Plaintiff was excited and encouraged that a professional football player would want to use her services again. Plaintiff and Watson agreed to schedule a service and the two began to discuss scheduling.

Plaintiff scheduled a massage session with Watson to take place at a spa in Houston on June 2, 2020. Before the session started, Watson insisted on taking a shower first, saying he liked to be "clean." Plaintiff told him that is fine and asked that when he was done with the shower that he should cover himself with a towel or get under the draping to cover himself. Plaintiff also asked that Watson lay face down to start out. Plaintiff then walked out of the room to allow Watson to shower. When Plaintiff came back into the room, Watson was completely naked, exposing his buttocks. Plaintiff went to try to cover him with a towel but Watson told her that it was not

necessary. Plaintiff pushed back, explaining that covering him was in fact necessary. Watson did not want to cover himself at all and refused Plaintiff's attempts to cover him. Even when she covered his buttocks, he would purposely move to knock the towel off. Also, during the session, Watson insisted that Plaintiff not use her knuckles or palms, and instead instructed Plaintiff to use her fingers. Plaintiff declined, saying she did not want to use her fingers. As the session continued, Watson exposed his penis to Plaintiff several times. Watson laughingly told Plaintiff that she could move his penis out of the way. Plaintiff worked very hard to keep the massage professional. Plaintiff felt trapped, angry and dirty. Plaintiff prides herself on her professionalism and reputation. Even so, Watson continuously attempted to get Plaintiff to touch his penis. Watson eventually had an erection. Multiple times he moved his body in such a way to make his penis touch Plaintiff. Plaintiff was absolutely terrified.

Watson continued to contact Plaintiff afterwards around seven more times to schedule another massage. Plaintiff either declined or ignored his requests and never worked with him again.

The NFL is notorious for a culture that fosters sexual harassment and sexual assault. Despite its lip service and a strong ad campaign to the contrary, many of its players have been accused of committing heinous sexual crimes against women. The NFL is no stranger to scandal, certainly when it comes to offenses against women.

Although Plaintiff seeks minimal compensatory damages, it is to be noted that Plaintiff has suffered mental anguish as a result of Watson's behavior. Even though she was always professional with Watson, as she has been with every client, she at times blames herself. Plaintiff has suffered from panic attacks. She further suffers from depression and anxiety. Plaintiff also has difficulty sleeping. She is seeking counseling.

Plaintiff brings this case for the minimum jurisdictional limits of this Honorable Court, to raise awareness, and to prevent Deshaun Watson and those like him from engaging in further conduct with other future victims.

### **III. DISCOVERY PLAN**

Plaintiff intends to conduct discovery under Level 2 of the Texas Rules of Civil Procedure.

### **IV. PARTIES**

Plaintiff Jane Doe is an individual residing in Georgia.

Defendant Deshaun Watson is an individual residing in Texas. Defendant may be served at his home address at \_\_\_\_\_ or wherever he may be found.

### **V. VENUE AND JURISDICTION**

Venue and jurisdiction are proper. The relief requested is within the minimal jurisdictional limits of this Court. This is not a case about money. Pursuant to the Texas Civil Practice and Remedies Code, venue is proper in Harris County, Texas. This is the county where Defendant resides and the acts, events, transactions and omissions made the basis of this lawsuit occurred in whole or in part in Harris County, Texas.

### **VI. CAUSES OF ACTION**

#### **A. CIVIL ASSAULT**

Plaintiff re-alleges each aforementioned allegation as if fully incorporated below.

Defendant Watson committed civil assault on Plaintiff. Specifically, Watson intentionally or knowingly caused physical contact with Plaintiff when Watson knew, or should have reasonably known, that Plaintiff would regard such contact as offensive. As a proximate result of the assault, Plaintiff has suffered damages as described herein. Plaintiff's harm arises as a result of conduct that violates several sections of the Texas Penal Code, including:

- (1) Section 22.01(a)(3), Penal Code (assault);
- (2) Section 22.012, Penal Code (indecent assault); and
- (3) Section 42.07, Penal Code (harassment).

Thus, in addition to actual damages, Plaintiff seeks punitive damages, and such damages are not subject to capping.

#### **B. INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

Plaintiff re-alleges each aforementioned allegation as if fully incorporated below.

Watson engaged in conduct to Plaintiff that is extreme and outrageous so as to exceed the bounds of decency in a civilized society, namely, he caused Plaintiff to experience mental suffering by forcing unwanted touching with his penis.

Watson engaged in this conduct intentionally, knowingly, and willfully.

Watson's conduct proximately caused injury to Plaintiff. Plaintiff has sustained and will sustain pain and suffering and psychological and emotional distress, mental anguish, embarrassment, and humiliation.

Accordingly, Plaintiff is entitled to recovery against defendants for the damages proximately caused by Defendant Watson's conduct in an amount to be determined at trial. Further, because Plaintiff's harm arises as a result of conduct that violates several sections of the Texas Penal Code, including:

- (1) Section 22.01(a)(3), Penal Code (assault);
- (2) Section 22.012, Penal Code (indecent assault); and
- (3) Section 42.07, Penal Code (harassment).

Thus, in addition to actual damages, Plaintiff seeks punitive damages, and such damages are not subject to capping.

## **VII. DAMAGES**

As a direct and proximate result of Defendant's acts and omissions described above, Plaintiff has incurred the following damages:

- a. Conscious physical and mental pain and suffering, and anguish, past and future;
- b. Physical impairment, past and future;
- c. Loss of enjoyment of life and peace of mind, past and future;
- d. Reasonable and necessary medical, counseling, psychiatric, therapeutic and related expenses, past and future;
- e. Loss of earnings and earning capacity; and
- f. Such other damages that will be shown at trial.

Plaintiff seeks any and all damages to which she may be entitled. As stated, Plaintiff also seeks exemplary damages to deter such conduct going forward, and to make an example of this Defendant.

## **VIII. NOTICE OF INTENT TO USE DISCOVERY AT TRIAL**

Pursuant to Texas Rule of Civil Procedure 193.7, Plaintiff hereby gives notice that she intends to use all discovery instruments produced in this case at trial. Such discovery instruments include, but are not limited to, all documents Defendant will produce, or has produced, in response to Plaintiff's written discovery requests.

## **IX. REQUEST FOR JURY TRIAL**

Plaintiff made a good faith effort to resolve this matter prior to the filing of this lawsuit. Plaintiff respectfully demands a jury trial and hereby tenders the appropriate fee.

## **X. PRESERVATION OF EVIDENCE**

Plaintiff hereby requests and demands that Defendant Watson preserve and maintain all evidence pertaining to any claim or defense related to the incident made the basis of this lawsuit, including but not limited to communications, electronic data, mapping data, and location data.

**XI. PRAYER**

By reason of all the above and foregoing, Plaintiff is entitled to recover from Defendant Watson the damages set forth in this petition, within the jurisdictional limits of this Court. Plaintiff also seeks pre-and post-judgment interest at the maximum legal rate, costs of court, punitive damages, and any other relief to which Plaintiff may be justly entitled.

Respectfully submitted,

**THE BUZBEE LAW FIRM**

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