

Defendant Watson and Plaintiff first made contact on Instagram via direct message, wherein he expressed his interest in her services in July 2020. Plaintiff routinely provides treatment at people's homes, hotels and offices in Houston, Texas. Plaintiff had never had any type of contact with Defendant Watson prior to this message. Plaintiff had never worked with any athletes from the Texans organization. Plaintiff found it somewhat peculiar that a NFL player would seek services from her, because she is not yet a well-known professional and it was her belief that a player like Watson likely had access to an entire team of trainers and the like. However, at the same time, Plaintiff, like many small business people, had been actively trying to grow her business and expand her client base. Plaintiff thus was excited and encouraged that a professional football player would want to use her services. Plaintiff and Watson agreed to schedule a session, and the two began to discuss scheduling.

A session was ultimately scheduled to take place at a hotel in Houston, Texas on August 2, 2020 at around 3:00 p.m. in the afternoon.

When Plaintiff arrived to the hotel room, Watson was in a towel. During the session, Watson repeatedly asked if he could remove the towel to be completely naked. Plaintiff said no as one needs to be covered during a session. Watson started out respectful but then his conduct quickly changed. Watson demanded that Plaintiff focus on his buttocks. Watson kept aggressively instructing Plaintiff to "get in there." Watson told Plaintiff specifically that he wanted her to touch his "butt crack" and his anus with her fingers. Plaintiff was confused because one does not work on the anus during a professional session, and it would be highly inappropriate. Watson started to make Plaintiff feel very uncomfortable with his aggressive behavior, but at the same time Plaintiff was just trying to get through the session without upsetting Watson as he made her afraid.

After the session, Plaintiff went to the bathroom to wash her hands. When she came out of the bathroom, Watson was completely naked, exposed his penis to Plaintiff and Watson asked Plaintiff if she “did more” than just professional body work “for more money.” Plaintiff immediately declined saying that Watson had the wrong idea. She did not do that type of thing. She was a professional. Once Plaintiff declined, Watson said he was disappointed, he became angry and told Plaintiff to leave.

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.

Watson is in the sex trade. He needs to be stopped. Although Plaintiff seeks minimal compensatory damages, it is to be noted that Plaintiff has suffered mental anguish as a result of Watson’s behavior. Plaintiff has not been able to move on from these experiences. She cannot think about the incident without crying and shaking. She thinks about it all the time and continues to feel degraded. Plaintiff has difficulty sleeping and suffers from anxiety. This incident traumatized Plaintiff so much to the point where she decided to quit the profession altogether since Watson tainted the entire experience. This type of work was Plaintiff’s passion, she took pride in her work and Watson made a mockery of the passion. She also decided to quit school for massage therapy. She felt powerless. She did not want to be put in that position again.

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 Texas.

Defendant Deshaun Watson is an individual residing in Texas. Defendant may be served with process via his counsel of record, Rusty Hardin, Rusty Hardin & Associates LLP, 1401 McKinney St, Suite #2250, Houston, TX 77010.

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 kissing her against her will, trying to coerce her to work on his penis and buttocks, and exposing his penis to her.

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.

Unofficial Copy Office of Marilyn Burgess District Clerk

Respectfully submitted,

THE BUZBEE LAW FIRM

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