

relationship and was in a committed relationship at the time of the incident. She is a 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 asked Plaintiff if she was an esthetician in July 2020. Plaintiff told Watson no but that she could refer him to an esthetician. Watson asked if she did massages. Plaintiff told him that she could try to do a massage but that she did not specialize in that area and had no training in that area. She also offered teeth whitening and a sauna detox. 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 a service from her, because she is not yet well-known and it was her belief that a player like Watson likely had access to an entire team of trainers and the like. Furthermore, Plaintiff also found it strange that Watson reached out to her, since she was not a massage therapist and did not market/offer those services. However, at the same time, Plaintiff, like many small business people, had been actively trying to grow her business and expand her client base. Thus, Plaintiff was excited and encouraged that a professional football player would want to use her services. Plaintiff assumed that Watson had maybe read her client testimonials, and although Plaintiff only offered cosmetic services she agreed to the session and began discussing scheduling with Watson.

Watson eventually asked for Plaintiff's phone number. Watson called Plaintiff and asked about a Swedish massage. Plaintiff said she had never done a Swedish massage before and did not specialize in that area but that she would try her best and learn before the session. Watson indicated that was fine with him. Plaintiff initially offered her office as a location for the session but Watson asked if he could come to her house instead. Plaintiff thought nothing of it and thought maybe he wanted more privacy as a celebrity. Watson told her to wear something comfortable that she likes

to wear around the house. Plaintiff did not think anything of that comment either. Plaintiff decided on wearing a jogging suit. Watson and Plaintiff discussed scheduling and scheduled a massage to take place at Plaintiff's house.

Prior to the massage, Watson and Plaintiff spoke on the phone to discuss focus areas. Plaintiff asked what type of oils he liked so she could get ready. Watson said whichever oil is fine and explained the focus points. Watson said he wanted the focus to be on his glute area and inner thighs.

On the way to Plaintiff's house, Watson texted Plaintiff asking if anyone would be at her house. Watson said he wanted to "know [his] surroundings." Plaintiff assured her that it would just be her. Watson arrived at Plaintiff's house and asked where they would set up. Plaintiff started setting up the massage table when Watson started to immediately undress and take off his clothes with Plaintiff in the room. Watson got completely naked. Plaintiff had never done a massage before so she thought maybe this was normal behavior. Plaintiff instructed Watson to lay on his stomach on the massage table. Plaintiff started massaging his legs and Watson told her she could "come up more." Watson wanted her to massage the area underneath his genitals and his anus. Again, Plaintiff was not familiar with a Swedish massage so she did not know what was proper. Plaintiff assumed this was normal. Plaintiff started to massage near his groin area and Watson asked if she was ready for him to turn over onto his back. Watson flipped over onto his back and Plaintiff started to massage the inner thigh area. Watson asked her once again to "come up." Watson told her to massage the groin area. As Plaintiff went to massage his groin area, Watson suddenly ejaculated everywhere, all over Plaintiff's face, and all over Plaintiff's body. Watson then started to thrust his body up and down with a full erection. Watson then started to take his own hand and started to masturbate. Watson also took Plaintiff's hand and moved it towards his penis, making

her touch his penis. Plaintiff was terrified. The massage ended. Plaintiff then ran into the bathroom to wipe the semen off her body. Watson got up and left Plaintiff's house. Plaintiff felt violated, disgusted and ashamed. Plaintiff immediately called her friend after the massage to tell her what happened because she was in shock.

The NFL is notorious in its own right 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. This incident has been traumatizing for Plaintiff. Even though she was always professional with Watson, as she has been with every client, she at times blames herself. Plaintiff suffers from anxiety, panic attacks and depression. Plaintiff has difficulty sleeping and is contemplating therapy to help with the nightmares.

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 #2250, Houston, TX 77010 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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