

clients in that manner. Plaintiff has been in the business for several 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 her services in July 2020. Plaintiff routinely provides massages at people's homes, hotels and offices as she is a traveling massage therapist. Plaintiff had never had any type of contact with Defendant Watson prior to this message. Plaintiff routinely provides massage therapy to athletes from professional football teams and other high-profile athletes. 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.

Prior to the massage, Watson sent a message to Plaintiff to say that they could get on the phone and "talk about importance." He said he was flying from Georgia to Texas to California, and told her his back was "killing him." Plaintiff said she could stretch him. A massage was scheduled to take place in Beverly Hills, California on July 15, 2020.

Plaintiff texted Watson at his request and he provided her with an address to a house. When Plaintiff arrived to the house, Watson came out and gave her a guest pass to park. The house had a big living room, but Watson led Plaintiff to a room where Watson shut the doors and locked the doors behind him. At this point, Plaintiff got out her mace. Watson saw the mace and chuckled but did not say anything. Watson said he did not want to be covered with a top sheet because he claimed that he gets "hot" easily. Plaintiff said that was okay but she said that Watson still had to use a towel. Watson got a towel, and Plaintiff went to the restroom to wash her hands. When she came back into the room, Watson was a completely different person. Watson started to aggressively dictate the massage. He asked her to massage his "glutes" and he pointed to his butt

hole. Plaintiff said firmly “no.” At some point during the massage, Watson flipped over onto his back and Plaintiff could see he had an erection. The towel was still covering his penis but Watson eventually removed the towel to where he was completely naked and exposed himself to Plaintiff. Plaintiff was terrified, but did not want to make Watson upset. Watson then asked Plaintiff if she could massage his lower abdominals. At this point, Watson grabbed Plaintiff’s hands and moved his penis and genitals towards her hand and forced Plaintiff’s hand onto his penis, to get her to pleasure him. He also kept directing her to his butt hole. After the massage ended, Watson was still naked in front of her while on the phone. Watson said “I will not have you sign a NDA but don’t ever talk about this.” Plaintiff was completely numb with fear at this point as she was leaving. She felt violated, ashamed, and disgusted. She felt scared to be trapped in a room with a huge, muscular person such as Watson.

Months later, in December 2020, Watson reached out to Plaintiff on Instagram, asking if she was a “travel therapist in Chicago,” acting as if nothing had happened. Plaintiff did not respond to his message.

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. 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 and depression. Plaintiff feels ashamed and at times blames herself. Plaintiff is seeking counseling for the incident.

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 California.

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 Street, Suite #2250, Houston, Texas 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 in which Defendant resides.

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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