

CAUSE NO. _____

JANE DOE,

Plaintiff,

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

V.

____ JUDICIAL DISTRICT

DESHAUN WATSON

Defendant.

JURY TRIAL DEMANDED

PLAINTIFF’S ORIGINAL PETITION

Plaintiff Jane Doe complains of Defendant Deshaun Watson, and for cause of action, would respectfully show this Court the following:

I. SUMMARY OF LAWSUIT

Defendant Deshaun Watson is a National Football League (“NFL”) player who currently plays quarterback for the Houston Texans. Plaintiff offers body countouring and skin tightening services. Watson asked for a massage from Plaintiff in October 2020. During the massage session, Watson harassed Plaintiff by exposing himself and trying to force her to touch his anus and penis. Watson’s behavior is part of a disturbing pattern of preying on vulnerable women. Plaintiff brings this case seeking the minimal compensatory damages that implicate this Honorable Court’s subject-matter jurisdiction, to prevent Watson from further like conduct.

II. FACTUAL BACKGROUND

Plaintiff is licensed in body countouring and skin tightening services in Houston, Texas. She is a single mom and she works for a spa in Houston. Plaintiff has been in the business since

2018; she is a professional, and has never had any issues prior to experiencing Defendant's conduct.

Defendant Watson and Plaintiff first made contact on October 8, 2020 after Plaintiff's boss assigned her to do a massage for Watson. Plaintiff had never done a massage at this specific spa, so she thought it was strange that her boss asked for her specifically. Plaintiff initially did not know the name of the client that she was assigned to, she only knew that it was an important client and that the client liked his privacy. Prior to Watson's arrival, Plaintiff's boss told her that she may have to sign a NDA because of the client's profile. Plaintiff did not end up signing the NDA.

Watson did not show up for the session until 7:00 P.M. when the spa was empty. Once Watson walked into the spa, Plaintiff finally realized that the "client" was Deshaun Watson. The spa was empty at that time. Plaintiff's boss told her that Watson only liked his lower legs massaged. As soon as Watson entered the room, he immediately got naked and lay face down on the table. Plaintiff began massaging his lower legs as instructed by her boss. Watson was confused and asked Plaintiff what she was doing. Plaintiff explained that her boss told her that he [Watson] only liked his lower legs massaged. Watson told her that he wanted her to "come up" and massage his inner thighs, lower back area and around his buttocks. Plaintiff did as she was asked. Watson then told Plaintiff not to be scared and that she could go deeper. Plaintiff thought this was unusual since "going deeper" meant touching his anus and testicles. Plaintiff declined. After this, Watson flipped over with his penis exposed. Watson then told Plaintiff to massage his inner thigh, lower stomach and sides. Plaintiff did as she was told. Because Watson was completely exposed, Plaintiff had to brush against his penis in order to massage the areas that he requested. Plaintiff was terrified, but Watson told her not to be scared to "touch him". Plaintiff told Watson that she was not paid to do that. Watson then responded stating that it was what he paid for. Once Plaintiff realized what type

of massage Watson was interested in, she declined and quickly finished the massage. Watson only paid Plaintiff a third of what she was owed. Plaintiff felt violated and disgusted and used. Plaintiff believes Watson is in the sex trade.

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. Plaintiff suffers from anxiety, depression and daily panic attacks. Plaintiff feels insulted and taken advantage of. Plaintiff had to quit working at the spa shortly after this 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 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 Street, Suite #2250, Houston, Texas 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 trying to force Plaintiff to touch his anus and 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

By: /s/ Anthony G. Buzbee

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