

clients in that manner. She also has a website for her business. Plaintiff has been in the business since 2019; 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 expressed his interest in a massage on August 14, 2020. Plaintiff routinely provides professional massages in people's homes and hotels. 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 massage from her, because she is not yet a well-known masseuse 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, because Plaintiff, like many small business people, had been actively trying to grow her business and expand her client base, Plaintiff was excited and encouraged that a professional football player would want to use her services. Plaintiff and Watson agreed to schedule a massage, and the two began to discuss scheduling.

Prior to the scheduled session, Watson described what he was looking for. He told Plaintiff that he wanted to specifically focus on his glutes and his groin area and asked if she was comfortable with working on those areas. He then asked about quads and the Achilles. Plaintiff indicated she understood Watson's requests.

Watson and Plaintiff continued to exchange messages on Instagram in order to arrange scheduling of the massage. Watson then asked to speak with Plaintiff on the phone. Watson and Plaintiff then began talking on the phone.

A massage was ultimately scheduled to take place at The Houstonian Hotel, Club and Spa in Houston on August 28, 2020. Watson told Plaintiff he had his own suite. Watson flew Plaintiff out to Houston, Texas from Atlanta, Georgia.

Plaintiff and Watson met at the hotel. Watson immediately got completely nude and got on the massage table with his penis completely exposed. Plaintiff firmly told Watson that he needed to use a towel to cover himself as that was the appropriate way of conducting a professional massage. Watson refused. Watson told her he “gets hot easily” and for that reason he wanted to remain completely nude. Plaintiff tried to give him the benefit of the doubt but started to think something was off as this is not how she did massages and clients are supposed to be covered. Soon after, Watson kept aggressively redirecting Plaintiff towards his anus. Watson asked Plaintiff to use more and more oil on his anus. Plaintiff started to get uncomfortable but again, she still wanted to give Watson the benefit of the doubt and she needed the business and the money as a single mom of two children. Watson then got more specific and asked Plaintiff to work on the inner part of his anus. Plaintiff ignored this request because it was odd and decided to start working on Watson’s inner thigh area. Watson got more aggressive, now telling Plaintiff to go higher and higher towards his penis. Plaintiff said no and said she was confused because that is not where his glutes were located. Watson kept insisting, saying “come up more” and “go here” towards his genitals. It was at this point that Watson moved in her direction, causing Plaintiff’s hand to touch Watson’s genitals. Watson then flipped over onto his back, with his penis completely exposed. Plaintiff again told Watson that he needed a towel or sheet to cover himself. Plaintiff grabbed a towel and handed it to Watson, who refused to put it on. Plaintiff began to grow more and more uncomfortable. Plaintiff immediately then stopped the massage. She said she needed to leave.

Watson grabbed her hand and started to rub her arm, pulling her towards him, saying “it is okay, it is okay.” Plaintiff pulled away. Watson was still completely nude, exposing himself. Plaintiff again said she needed to leave to catch her flight back to Atlanta. Watson then jumped in the shower and Plaintiff exited the hotel room. Plaintiff called her own Uber to take her back to the airport. Watson only paid Plaintiff half of what she was owed. Watson was supposed to pay for travel. Plaintiff was so disturbed by the incident that she did not seek the other half of payment.

Some months later, Watson reached out to Plaintiff saying he was in town in Atlanta and asked if she was available. Plaintiff did not respond.

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. 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 11411 Legend Manor Drive, Houston, Texas 77082 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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