

2022-67181 / Court: 269

CAUSE NO. _____

JANE DOE

Plaintiff,

VS

DESHAUN WATSON

Defendants-Debtors.

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IN THE DISTRICT COURT OF

HARRIS COUNTY, TEXAS

_____ JUDICIAL DISTRICT

PLAINTIFF'S ORIGINAL PETITION

COMES NOW, Plaintiff JANE DOE to file this Original Petition against Defendant DESHAUN WATSON, and would respectfully show unto the Court the following:

I.

SUMMARY OF LAWSUIT

1. Defendant Deshaun Watson is a National Football League ("NFL") player who formerly played quarterback for the Houston Texans. Plaintiff is a licensed massage therapist who was working from her home due to the pandemic. Watson solicited Plaintiff for a massage in a hotel room in December, 2020. During the massage session, Watson attempted to solicit sexually related acts with Plaintiff including intercourse. 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

2. Plaintiff is a professionally licensed massaged therapist who formerly owned and operated her own massage therapy business. She was marketing her business through Instagram and obtained clients in that manner. She was working out of her home, and traveling to clients,

while waiting to resume working at a spa post pandemic. Plaintiff has been licensed approximately three years. She is licensed and professional and has never had any issues outside of her experience with Defendant.

3. Defendant first made contact with Plaintiff on Instagram via direct message, wherein he inquired about wanting a massage on December 17, 2020. At the time, Plaintiff was providing massages in her home or would travel to her clients. 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 request 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. However, at the same time, because Plaintiff, like many small business owners, was actively trying to grow her business and expand her client base, Plaintiff was excited and encouraged that a local professional football player would seek her services. Plaintiff agreed to Watson's request for a massage, and the two began to discuss scheduling.

4. On or about December 18, 2020, Plaintiff met Defendant Watson at his hotel, the Houstonian, for a massage. When Plaintiff arrived and began setting up her table, Defendant Watson went into the bathroom, removed his clothes, and came out wearing only a towel. During the massage, Watson continually pressured Plaintiff into massaging his private area. At some point during the massage, Watson removed his towel and offered to let her "get on top." Plaintiff refused to have sex with Watson, however, he was able to pressure her into oral sex with the Defendant. Watson paid Defendant \$300 for her services,

although her normal charge was \$115 for an hour massage. After the incident, Watson continued to text Plaintiff and went so far as to request to see her again.

5. Although Plaintiff seeks minimal compensatory damages, it is to be noted that Plaintiff has suffered mental anguish because of Watson's behavior. Watson used his celebrity to take advantage of a young woman working hard for her success. Due to his behavior, she has suffered from severe depression and anxiety. Plaintiff is currently seeking counseling.

6. 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**

7. Plaintiff intends to conduct discovery under Level 2 of the Texas Rules of Civil Procedure.

IV. **PARTIES**

8. Plaintiff Jane Doe is an individual residing in Texas.

9. Defendant Deshaun Watson is an individual residing in Cleveland, Ohio. Defendant may be served wherever he may be found.

V.

JURISDICTION

10. Venue and jurisdiction are proper. Plaintiff is seeking the minimal jurisdictional limits of the court. The acts, events, transactions and omissions made the basis of this lawsuit occurred in Harris County, Texas.

VI.

CAUSES OF ACTION

Count 1 – Civil Assault

11. The facts set forth above are incorporated herein by reference as if fully set forth below.

12. 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:

- a. Section 22.01(a)(3), Penal Code (assault);
- b. Section 22.012, Penal Code (indecent assault); and
- c. Section 42.07 Penal Code (harassment).

13. As such, in addition to actual damages, Plaintiff seeks punitive damages.

Count 2 – Intentional Infliction of Emotional Distress

14. The facts set forth above are incorporated herein by reference as if fully set forth below.

15. 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 her to engage in sexual acts against her will.

16. Watson engaged in this conduct, knowingly, intentionally, and willfully.

17. 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.

18. Accordingly, Plaintiff is entitled to recovery against defendant for the damages proximately caused by Defendant'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,

- a. Section 22.01(a)(3), Penal Code (assault);
- b. Section 22.012, Penal Code (indecent assault); and
- c. Section 42.07 Penal Code (harassment).

19. In addition to actual damages, Plaintiff seeks punitive damages.

VII.

DAMAGES

20. 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.

21. 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

22. Pursuant to Texas Rules of Civil Procedure 193.7, Plaintiff hereby gives notice that she intends to use all discovery instruments produced in this case at trial, including but not limited to, all documents Defendant will produce, or has produced, in response to Plaintiff's written discovery requests.

IX.

CONDITIONS PRECEDENT

23. All conditions precedent to Plaintiff's claims and recovery, to the extent they exist, have been performed, have occurred or are excused.

X.

REQUEST FOR A JURY

24. Plaintiff respectfully demands a jury trial and hereby tenders the appropriate fee.

XI.

PRESERVATION OF EVIDENCE

Plaintiff hereby requests and demands that Defendant 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.

XII.

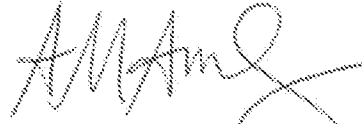
PRAYER

WHEREFORE, PREMISES CONSIDERED, Plaintiff respectfully requests that Defendant appear and file an answer herein, and upon final hearing of this cause, Plaintiff prays that it have a judgment against Defendant for the following:

- a. all actual, consequential and special damages allowed by law;
- b. exemplary damages;
- c. attorneys' fees and costs;
- d. pre-judgment and post judgment interest at the maximum rate allowed by law;
and
- e. such other relief to which Plaintiffs may be justly entitled.

Respectfully submitted,

UNIVERSAL LAW GROUP, PLLC



Anissah M. Nguyen
State Bar No. 24072895
Email: anguyen@ulg.law
Michelle Kornblith
State Bar No. 24110445
Email: mkornblith@ulg.law
10350 Richmond Avenue, Suite 450
Houston, Texas 77042
Telephone: (832) 767-0339
Fax: (832) 767-0669
service@ulg.law

ATTORNEYS FOR PLAINTIFF

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Sheree Harper on behalf of Anissah Nguyen

Bar No. 24072895

sharper@nguyen-chen.com

Envelope ID: 69206362

Status as of 10/13/2022 4:09 PM CST

Associated Case Party: Jane Doe

Name	BarNumber	Email	TimestampSubmitted	Status
Sheree Harper		sharper@ulg.law	10/13/2022 4:06:14 PM	SENT
Michelle Kornblith		mkornblith@ulg.law	10/13/2022 4:06:14 PM	SENT
Universal Law Group		service@ulg.law	10/13/2022 4:06:14 PM	SENT
Anissah Nguyen		anguyen@ulg.law	10/13/2022 4:06:14 PM	SENT
MeiOsha White		mwhite@ulg.law	10/13/2022 4:06:14 PM	SENT