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7 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
8 **FOR THE COUNTY OF LOS ANGELES**

9
10 This Matter Relates to:

11 KRISTINA CHARLOTTE HIRSCH, an
12 individual,

13 Plaintiff,

14 vs.

15 DEFENDANT DOE; and DOES 2 through
16 DOE 50, inclusive,

17 Defendant.
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Case No.: **22STCV35225**

COMPLAINT FOR DAMAGES FOR:

- (1) SEXUAL BATTERY (*CIVIL CODE* §1708.5);**
- (2) SEXUAL ASSAULT;**
- (3) VIOLATION OF *PENAL CODE* §647.6(A).**

DEMAND FOR JURY TRIAL

1 Plaintiff KRISTINA CHARLOTTE HIRSCH (“Hirsch”) brings this action against
2 Defendants DEFENDANT DOE, and individual, and DOES 2 through 50, inclusive (collectively,
3 “Defendants”), and based on information and belief alleges as follows:

4 **INTRODUCTION**

5 1. Plaintiff Hirsch, is a survivor of childhood sexual abuse, sexual battery, assault,
6 molestation and abuse at the hands of DEFENDANT DOE. When Plaintiff Hirsch was just a 14-
7 year-old child, DEFENDANT DOE used his role, status, and power as a well-known Hollywood
8 Star to gain access to, groom, manipulate, exploit, and coerce sexual contact from her over the
9 course of several months in the State of California. As a result of DEFENDANT DOE’S sexual
10 abuse and assault, Plaintiff Hirsch has suffered severe emotional, physical and psychological
11 distress, including humiliation, shame, and guilt. Plaintiff brings this action to hold
12 DEFENDANT DOE accountable for the serious harm he has caused her.

13 **NATURE OF THE ACTION**

14 **PARTIES**

15 2. Plaintiff is an adult female residing in the State of Louisiana. At all times relevant
16 to this Complaint, Plaintiff was residing in Los Angeles County, California, and was a minor
17 throughout the period of child sexual assault alleged herein. Plaintiff Hirsch brings this Complaint
18 pursuant to *California Code of Civil Procedure* Section 340.1, as amended by Assembly Bill 218,
19 for the child sexual assault she suffered at the hands of Defendants. Thus, Plaintiff Hirsch’s
20 claims for damages suffered as a result of childhood sexual assault are timely filed as they are
21 filed within three years of January 1, 2020. Plaintiff Hirsch is over the age of forty (40) years old.
22 Therefore, the Plaintiff has filed a declaration from a mental healthcare practitioner, and an
23 attorney declaration for each named defendant in this action, pursuant to the requirements of
24 *Code of Civil Procedure* §340.1.

25 3. The Plaintiff was a resident of the State of California, during the time when the
26 childhood sexual abuse, harassment and/or assault occurred.

27 4. The childhood sexual abuse, harassment, and/or assault occurred within the State
28 of California.

1 5. DEFENDANT DOE, the perpetrator, at all times mentioned herein was and is an
2 adult male individual, who Plaintiff is informed and believes lived in Los Angeles County during
3 the period of time during which the sexual abuse, harassment, and molestation alleged herein took
4 place, and is currently a resident of the State of California. By 1973, DEFENDANT DOE was a
5 renowned and well-known actor and producer. By 1973, DEFENDANT DOE had acted in
6 television and several Hollywood films, including portraying Clyde in “Bonnie and Clyde,” a
7 major box-office success that earned DEFENDANT DOE an Academy Award nomination for
8 Best Actor. By 1973 DEFENDANT DOE had acquired wealth, stature and power as a result of
9 his career and status as a movie star.

10 6. The Plaintiff is informed and believes, and thereupon alleges, that the true names
11 and capacities, whether individual, corporate, associate or otherwise, of Defendants named herein
12 as DOES 2 through 50, inclusive, are unknown to the Plaintiff, who therefore sues said
13 Defendants by such fictitious names. Plaintiff will amend the Complaint to allege their true names
14 and capacities when such have been ascertained. Upon information and belief, each of the said
15 Doe Defendants is responsible in some manner under *Code of Civil Procedure* §§340.1(a)(1), (2),
16 (3), and 340.1(c) for the occurrences herein alleged, and were a legal cause of the childhood
17 sexual assault which resulted in injury to the Plaintiff as alleged herein.

18 7. Plaintiff is informed and believes, and on that basis alleges, that at all times
19 mentioned herein, there existed a unity of interest and ownership among Defendants and each of
20 them, such that any individuality and separateness between Defendants, and each of them, ceased
21 to exist. Defendants and each of them, were the successors-in-interest and/or alter egos of the
22 other Defendants, and each of them, in that they purchased, controlled, dominated and operated
23 each other without any separate identity, observation of formalities, or other manner of division.
24 To continue maintaining the facade of a separate and individual existence between and among
25 Defendants, and each of them, would allow Defendants to perpetrate a fraud and an injustice.

26 8. Plaintiff is informed and believes, and on that basis alleges, that at all times
27 mentioned herein, Defendants and each of them were the agents, representatives and/or
28 employees of each and every other Defendant. In doing the things hereinafter alleged, Defendants

1 and each of them, were acting within the course and scope of said alternative personality,
2 capacity, identity, agency, representation and/or employment and were within the scope of their
3 authority, whether actual or apparent. Plaintiff is informed and believes, and on that basis alleges,
4 that at all times mentioned herein, Defendants and each of them were the trustees, partners,
5 servants, joint venturers, shareholders, contractors, and/or employees of each and every other
6 Defendant, and the acts and omissions herein alleged were done by them, acting individually,
7 through such capacity and within the scope of their authority, and with the permission and
8 consent of each and every other Defendant and that said conduct was thereafter ratified by each
9 and every other Defendant, and that each of them is jointly and severally liable to Plaintiff.

10 **GENERAL FACTUAL ALLEGATIONS**

11 9. Plaintiff met DEFENDANT DOE in Los Angeles County on the set of a movie
12 DEFENDANT DOE was filming in approximately early 1973, when Plaintiff was 14-years-old
13 and DEFENDANT DOE was approximately 35-years-old. Plaintiff's neighbor brought Plaintiff
14 to the movie set where she was working at the time. On the set, DEFENDANT DOE paid undue
15 attention to the young Plaintiff, commented repeatedly on her looks, gave her his phone number,
16 and instructed her to call him when she was near the hotel in Los Angeles County, California,
17 where he was living at the time. Plaintiff was thrilled by the attention and invitation from
18 DEFENDANT DOE. The teenage Plaintiff did as the movie star instructed her to, and called
19 DEFENDANT DOE soon after their first meeting.

20 10. Over the course of 1973, DEFENDANT DOE called Plaintiff on numerous
21 occasions and summoned the teenager to the hotel where he was living to spend time with him.

22 11. DEFENDANT DOE brought Plaintiff with him on car rides, offered to help her
23 with her homework, and spoke to Plaintiff about losing her virginity on multiple occasions.

24 12. Over the course of 1973, when Plaintiff was 14 and 15 years old, DEFENDANT
25 DOE used his position and status as an adult, and a Hollywood movie star to coerce sexual
26 contact with Plaintiff on multiple occasions, including oral sex, simulated sex and finally coerced
27 sexual intercourse with the minor child.

1 22. DEFENDANT DOE did the aforementioned acts with the intent to cause a harmful
2 or offensive contact with an intimate part of Plaintiff's person and would offend a reasonable
3 sense of personal dignity. Further, said acts did cause a harmful or offensive contact with an
4 intimate part of Plaintiff's person that would offend a reasonable sense of personal dignity.

5 23. Because of DEFENDANT DOE's position of authority over Plaintiff, and
6 Plaintiff's mental and emotional state, and Plaintiff's young age which was under the age of
7 consent, Plaintiff was unable to, and did not, give meaningful consent to such acts.

8 24. As a direct, legal, and proximate result of the acts of DEFENDANT DOE, Plaintiff
9 sustained serious and permanent injuries to his person, all of which are damages in an amount to
10 be shown according to proof and within the jurisdiction of the Court.

11 25. As a direct result of the sexual battery by DEFENDANT DOE, Plaintiff has
12 difficulty in reasonably or meaningfully interacting with others, including those in positions of
13 authority over Plaintiff including supervisors, and in intimate, confidential and familial
14 relationships, due to the trauma of childhood sexual assault inflicted upon Plaintiff by
15 Defendants. This inability to interact creates conflict with Plaintiff's values of trust and
16 confidence in others, and has caused Plaintiff substantial emotional distress, anxiety, nervousness,
17 anger and fear. As a direct result of the molestation by DEFENDANT DOE, Plaintiff has had
18 issues with her personal life, such as issues with trust and control. These feelings have caused
19 Plaintiff substantial emotional distress, guilt, anxiety, nervousness and fear.

20 26. In subjecting the Plaintiff to the wrongful treatment herein described,
21 DEFENDANT DOE, acted willfully and maliciously with the intent to harm Plaintiff, and in
22 conscious disregard of Plaintiff's rights, so as to constitute malice and oppression under
23 California *Civil Code* §3294. Plaintiff is therefore entitled to the recovery of punitive damages, in
24 an amount to be determined by the court, against DEFENDANT DOE, in a sum to be shown
25 according to proof.

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1 disregard for the rights and safety of others, and were carried out with a conscious disregard of
2 Plaintiff's right to be free from such tortious behavior, such as to constitute oppression, fraud or
3 malice pursuant to California *Civil Code* §3294, entitling Plaintiff to punitive
4 damages against DEFENDANT DOE in an amount appropriate to punish and set an example of
5 DEFENDANT DOE.

6 **THIRD CAUSE OF ACTION**
7 **VIOLATION OF *PENAL CODE* § 647.6(a)(1)**
8 **(Against DEFENDANT DOE only)**

9 21. Plaintiff re-alleges and incorporates by reference herein each and every allegation
10 contained herein as though fully set forth and brought in this cause of action.

11 22. California *Penal Code* §647.6(a)(1) provides that “[e]very person who annoys or
12 molests any child under 18 years of age shall be punished by a fine not exceeding five thousand
13 dollars (\$5,000), by imprisonment in a county jail not exceeding one year, or by both the fine and
14 imprisonment.”

15 23. DEFENDANT DOE sexually molested and annoyed the Plaintiff while Plaintiff
16 was under eighteen (18) years of age, in violation of California *Penal Code* §647.6(a)(1).

17 24. Under California law, victims of childhood sexual abuse are entitled to bring civil
18 actions for violations of *Penal Code* provisions that prohibit adults from engaging in sexual acts
19 with minors, including *Penal Code* §647.6(a)(1). *See Angie M. v. Superior Court (Hiemstra)*,
20 (1995) 37 Cal.App.4th 1217, 1224-25.

21 25. DEFENDANT DOE's above-noted actions in annoying and molesting the minor
22 Plaintiff were the proximate and legal causes of physical, psychological, emotional, and economic
23 damages which Plaintiff has suffered and continues to suffer to this day. It also has resulted in
24 Plaintiff incurring, and will require Plaintiff to incur into the future, expenses for medical and
25 psychological treatment, therapy, and counseling.

26 26. The above-described conduct of DEFENDANT DOE was oppressive, malicious
27 and despicable in that it was intentional and done in conscious disregard for the rights and safety
28 of Plaintiff, and was carried out with a conscious disregard of Plaintiff's right to be free from
such tortious behavior, such as to constitute oppression, fraud or malice pursuant to California

1 *Civil Code* §3294, entitling Plaintiff to punitive damages against DEFENDANT DOE in an
2 amount appropriate to punish and set an example of DEFENDANT DOE.

3 **PRAYER FOR RELIEF**

4 Wherefore, Plaintiff prays for Judgment against Defendants as follows:

- 5 1. For past, present and future general damages in an amount to be determined at
6 trial;
- 7 2. For past, present and future special damages, including but not limited to past,
8 present and future lost earnings, economic damages and others, in an amount to be
9 determined at trial;
- 10 3. Any appropriate statutory damages, including but not limited to attorneys' fees;
- 11 4. For costs of suit;
- 12 5. For pre- and post- judgment interest as allowed by law;
- 13 6. For attorneys' fees pursuant to the aforementioned statutes and otherwise
14 allowable by law:
15 a. *California Code of Civil Procedure* §1021.5;
- 16 7. For exemplary and punitive damages in an amount to be determined at trial; and
17 8. For such other and further relief as the court may deem proper.

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19 DATED: November 7, 2022

JEFF ANDERSON & ASSOCIATES PA

20 *Mike Reck*

21 _____
22 MICHAEL RECK
23 Attorney for Plaintiff
24 KRISTINA CHARLOTTE HIRSCH
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DEMAND FOR JURY TRIAL

A trial by jury is hereby demanded by Plaintiff.

DATED: November 7, 2022

JEFF ANDERSON & ASSOCIATES PA

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MICHAEL RECK
MICHAEL FINNEGAN
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KRISTINA CHARLOTTE HIRSCH