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CASE NO: A-22-862259-C
Department 25

13 -and-
14 B. ROBERT ALLARD (#175592) (*pro hac vice pending*)
15 MARK J. BOSKOVICH (#298688) (*pro hac vice pending*)
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DISTRICT COURT
CLARK COUNTY, NEVADA

SHANNON RUTH an individual,
Plaintiff,

Case No.:
Dept No.:

vs.

NICKOLAS CARTER, an individual; DOES
1 through 10, inclusive; and ROE
Corporations 11-20, inclusive,
Defendants.

COMPLAINT

Plaintiff, SHANNON RUTH, by and through her attorneys of record, Christian M. Morris, Esq. and Jamie N. McInelly, Esq. of **Christian Morris Trial Attorneys** and Mark J. Boskovich, Esq. of **Corsiglia McMahon & Allard, LLP**, as, and for the causes of action against Defendants above named, and each of them, hereby complains and alleges as follows:

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STATEMENT OF JURISDICTION AND VENUE

1. The Eighth Judicial District Court has jurisdiction over this action pursuant to NRCP 8(a)(4), NRS 13.040, and NRS 41.130 as the occurrence giving rise to this case involves parties who reside in Clark County, Nevada and the amount in controversy exceeds \$15,000.00.

2. Plaintiff brings this action under Nevada Revised Statute 11.215 (N.R.S. 11.215). Effective June 2, 2021, N.R.S. 11.215 eliminated the time limit for a victim of childhood sexual abuse to commence an action against her alleged perpetrator for damages arising from childhood sexual abuse.

GENERAL ALLEGATIONS

3. Defendant NICKOLAS CARTER (“CARTER”), is, and at all times relevant was, an individual residing in Las Vegas, Nevada.

4. CARTER is an American singer and member of the band *Backstreet Boys*.

5. Plaintiff SHANNON (“SHAY”) RUTH, is, and at all times relevant was, an individual residing in Las Vegas, Nevada.

6. Plaintiff was born on June 18, 1983 and is a 39-year-old female with autism and cerebral palsy.

7. In February of 2001, the *Backstreet Boys* performed at the Tacoma Dome in Tacoma, Washington for their Black & Blue Tour. Plaintiff, who at the time was 17, attended the concert with a friend.

8. At the conclusion of the performance, members of the *Backstreet Boys*, including CARTER, stayed at the venue to give autographs to fans. Plaintiff waited in the autograph line. While in line, CARTER invited Plaintiff to join him on his tour bus. In the bus, CARTER led Plaintiff to a table and asked her if she wanted a beverage. In response, Plaintiff requested an apple juice. CARTER said he had cranberry juice and gave her a red-colored drink. Plaintiff thought the juice tasted weird. CARTER said the beverage was “VIP juice” for the tour. Plaintiff is informed and believes CARTER’s “VIP juice” was an alcohol cranberry juice concoction. Despite the strange taste, Plaintiff drank the beverage as to not to be rude.

1 9. After Plaintiff finished CARTER’s “VIP juice,” CARTER took her to the
2 bathroom of the tour bus and demanded Plaintiff get on her knees. CARTER then pulled down
3 his pants, exposed his genitals, and instructed Plaintiff to touch his genitals and put his penis in
4 her mouth. Terrified, Plaintiff began to cry. Plaintiff was a virgin at the time. She had never had
5 a sexual experience. Additionally, Plaintiff was raised in a religious household that prohibited
6 oral sex or sexual intercourse before marriage. Plaintiff took that edict to heart. Irritated by her
7 response, CARTER asked Plaintiff “Why are you crying?! Stop crying!” He continued to instruct
8 Plaintiff to orally copulate him. Alone and under duress, Plaintiff reluctantly complied with his
9 demand. Plaintiff cried during the ordeal.

10 10. After some period in the bathroom, CARTER pulled his pants up and told Plaintiff
11 they had to finish the rest of the tour. He took Plaintiff to a bed toward the back of the tour bus.
12 CARTER asked Plaintiff to sit on the bed next to him. Then CARTER pushed Plaintiff down onto
13 the bed and proceeded to mount her. When Plaintiff resisted him, CARTER got upset and pushed
14 her harder. CARTER then forcefully removed Plaintiff’s pants. CARTER put his mouth on
15 Plaintiff’s genitals and attempted to orally copulate her. Plaintiff asked CARTER what he was
16 doing and begged him to stop. CARTER told her to “Shh!” as he laid on top of her and said it
17 would be our “special secret.” Plaintiff made attempts to get off the bed, but every time she said
18 “No” and tried to get up, CARTER got angry and pushed her down harder. Plaintiff then felt a
19 pinch feeling down in her genitals and she began to cry again. CARTER vaginally penetrated
20 Plaintiff.

21 11. After CARTER vaginally penetrated Plaintiff without her consent, Plaintiff put her
22 pants back on and told CARTER that she was going to tell someone what he did to her. When
23 Plaintiff tried to leave the tour bus, CARTER stopped her. He grabbed Plaintiff’s arm, leaving a
24 bruise, and screamed at her. He told Plaintiff she was a “retarded little bitch” and no one would
25 believe her. CARTER went on to tell Plaintiff that any of the females waiting for his autograph
26 outside would have wanted her experience. CARTER threatened to turn people against her and
27 deny his knowledge of her. He told Plaintiff she would go to jail if she told anyone what happened
28 between them. He said that he was Nick Carter, and that he had the power to do that. Due to his
various threats, Plaintiff did not report CARTER’s crimes for many years.

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12. As a result of CARTER vaginally penetrating Plaintiff, CARTER infected Plaintiff with the human papillomavirus (commonly known as HPV), a sexually transmitted infection known to cause health problems such as genital warts and cervical cancer.

13. CARTER has a history and pattern of engaging in this behavior.

14. In or around 2003, CARTER sexually abused another victim, Doe 1, in California. This victim is being represented by a pseudonym in light of the unusually sensitive nature of the sexual abuse allegations. Similar to Plaintiff, CARTER provided Doe 1 with alcohol prior to the sexual assault. CARTER ignored Doe 1 when she verbalized multiple times that she did not consent. CARTER proceeded to perform oral copulation on her and forced sexual intercourse against her will, and as a result, infected Doe 1 with the human papillomavirus.

15. Between August of 2003 and November of 2003, CARTER knowingly engaged in sexual intercourse with a 15-year-old female child, Doe 2. This victim is referred to by a pseudonym in light of the unusually sensitive nature of the sexual abuse allegations. CARTER knowingly engaged in sexual intercourse with Doe 2 while she was a minor on multiple separate occasions in 2003. On each of those occasions, CARTER knowingly provided alcoholic beverages to Doe 2 and other minors. On at least one of those occasions, CARTER coerced Doe 2 into orally copulating him against her will. CARTER also infected Doe 2 with a sexually transmitted infection.

16. In or about March of 2006, CARTER was accused of sexually assaulting Doe 3 at his friend's house party in Key West, Florida. This victim is represented by a pseudonym in light of the unusually sensitive nature of the sexual abuse allegations. While he was highly intoxicated, CARTER briefly inserted his fingers into the victim's genitals. CARTER and his friend then followed the victim into a bathroom, where they forced her to orally copulate them.

17. As of January 28, 2001, CARTER was above the age of 21. When CARTER was of legal drinking age he furnished alcohol to minor females, including Plaintiff, before his sexual assaults. CARTER used his position as a famed singer to threaten these young women, telling them that no one would ever believe their story should they come forward, and to inflict physical and emotional harm upon these women.

18. Plaintiff is informed and believe and thereon alleges that all the victims described

1 herein, including Plaintiff, were virgins at the time CARTER selected them for his sexual
2 advances. Further, the victims identified herein have tested positive for the sexually transmitted
3 infection following their traumatic experiences with CARTER.

4 19. The true names and/or capacities, whether individual, corporate, associate, or
5 otherwise, of defendants named herein as DOES 1 through 10, inclusive, and ROE Corporations
6 11-20, inclusive, are unknown to Plaintiff at this time, and Plaintiff therefore sues said defendants
7 by such fictitious names. Plaintiff will seek leave to amend this Complaint to allege their true
8 names and capacities when the same have been ascertained. Plaintiff is informed and believes and
9 thereon alleges that each of the defendants designated herein as DOES and ROES are responsible
10 in some manner or is otherwise legally liable to Plaintiff for the injuries complained of herein.

11 20. At all times herein mentioned, each of the defendants was an agent, servant,
12 employee, partner, joint ventures, franchisee, alter ego, aider and abettor, and/or co-conspirator,
13 and engaged in a common or common enterprises with each of the remaining defendants herein,
14 and was at all relevant times acting within the course and scope of said agency, service,
15 employment, partnership, joint venture, franchise, unlawful enterprise, conspiracy and/or other
16 lawful or unlawful conduct as herein alleged.

17 **FIRST CAUSE OF ACTION**

18 **(Sexual Battery)**

19 21. Plaintiff re-alleges and incorporates by reference every allegation contained in
20 this Complaint as though set forth herein in full.

21 22. CARTER's conduct was sexually offensive, constituting childhood sexual abuse
22 under Nevada Revised Statutes 432B.100.

23 23. CARTER subjected Plaintiff to sexual penetration against the will of Plaintiff
24 and/or under conditions CARTER knew or should have known that Plaintiff is mentally or
25 physically incapable of resisting or understanding the nature of CARTER's conduct.

26 24. As a direct, proximate, and legal result of the CARTER's conduct, Plaintiff
27 suffered injuries and damages including, but not limited to, severe emotional distress,
28 psychological trauma, and anxiety.

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25. As a direct, proximate and legal result of the CARTER’s conduct Plaintiff has incurred medical expenses and may in the future, be required to obtain medical treatment.

26. As a direct, proximate, and legal result of CARTER’s conduct, Plaintiff has been damaged in excess of \$15,000.00.

27. At all times herein mentioned the conduct of CARTER was intended to cause injury to Plaintiff and/or constituted despicable conduct carried on by CARTER with a willful and conscious disregard of the rights or safety of Plaintiff and others. He intentionally raped Plaintiff while she was a minor, despite her desperate pleas that he stop, threatened her welfare should she inform anyone about his crime against her, and inflicted her with a disease. By reason thereof, CARTER is charged with malice, fraud and/or oppression, for which Plaintiff seeks punitive and exemplary damages. Inherent in Plaintiff’s right to redress by exemplary damages are the following purposes: that CARTER be deterred from continuing his utter conscious and callous disregard of injurious consequences to the rights and safety of the public at large; that in order for the purposes of the right to redress to be fulfilled by exemplary damages, the punitive and exemplary damages should be in proportion to the assets and income of said defendant; that Plaintiff therefore requests punitive damages in an amount to be ascertained.

28. As a further direct, proximate and legal cause of CARTER’s conduct, Plaintiff has been required to retain the service of **CHRISTIAN MORRIS TRIAL ATTORNEYS and CORSIGLIA MCMAHON & ALLARD, LLP** to prosecute this action and are entitled to recovery of reasonable attorney’s fees and costs incurred herein.

SECOND CAUSE OF ACTION

(Intentional Infliction of Emotional Distress)

29. Plaintiff re-alleges and incorporates by reference every allegation contained in this Complaint as though set forth herein in full.

30. CARTER’s sexual abuse of Plaintiff when she was 17 years old was outrageous and extreme and was intended to cause great emotional distress to Plaintiff and was committed with reckless disregard of the probability that Plaintiff would suffer emotional distress.

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31. CARTER knew Plaintiff was vulnerable and in a position of weakness and intended to sexually batter her with complete disregard of the physical and emotional trauma caused to Plaintiff.

32. Plaintiff suffered severe emotional trauma and distress, that was caused by CARTER’S sexual battery to her body.

33. As a direct, proximate and legal result of the intentional infliction of emotional distress by CARTER, Plaintiff was caused great emotional distress and pain and suffering.

34. As a direct, proximate, and legal result of the intentional infliction of emotional distress by CARTER, Plaintiff has incurred medical expenses, and may in the future be required to obtain medical treatment.

35. As a direct, proximate, and legal result of the intentional infliction of emotional distress by CARTER, Plaintiff has been damaged in an amount in excess of \$15,000.00.

36. As a further direct, proximate, legal result of Defendants’ conduct, Plaintiff has been required to retain the service of **CHRISTIAN MORRIS TRIAL ATTORNEYS and CORSIGLIA MCMAHON & ALLARD, LLP** to prosecute this action and are entitled to recovery of reasonable attorney’s fees and costs incurred herein.

THIRD CAUSE OF ACTION

(Negligent Infliction of Emotional Distress)

37. Plaintiff re-alleges and incorporates by reference every allegation contained in this Complaint as though set forth herein in full.

38. Plaintiff’s suffering of emotional distress from CARTER’s sexual abuse of her when she was 17 years old was a foreseeable risk CARTER should have considered before engaging in the above-described wrongful acts towards Plaintiff.

39. Notwithstanding this knowledge, or the fact that CARTER should have known that such a result would probably occur, CARTER continued in his course of wrongful acts and conduct as described herein. Plaintiff suffered severe emotional trauma and distress, that was caused by CARTER’s sexual battery to her body.

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40. As a direct, proximate and legal result of the negligence of CARTER, Plaintiff has suffered great physical and mental pain and anxiety and will continue to do so in the future.

41. As a direct, proximate, and legal result of the negligence of CARTER, Plaintiff has incurred medical expenses and may in the future be required to obtain medical treatment.

42. As a direct, proximate, and legal result of the negligence of CARTER, Plaintiff has been damaged in an amount in excess of \$15,000.00.

43. As a further direct, proximate, legal result of CARTER’s conduct, Plaintiff has been required to retain the service of **CHRISTIAN MORRIS TRIAL ATTORNEYS** and **CORSIGLIA MCMAHON & ALLARD, LLP** to prosecute this action and are entitled to recovery of reasonable attorney’s fees and costs incurred herein.

WHEREFORE, Plaintiff prays for relief against CARTER as follows:

1. For damages in excess of \$15,000.00 for past and future medical expenses, and for past and future pain and suffering;
2. For pre – and post-judgement interest as permitted by law;
3. For punitive damages in an amount in excess of \$15,000.00;
4. For reasonable attorney’s fees and costs of suit; and
5. For such other and further relief as the Court may deem fit and proper.

Dated this 8th day of December, 2022

CHRISTIAN MORRIS TRIAL ATTORNEYS

/s/ Christian M. Morris
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