

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

<p>LIZA GARDNER,</p> <p style="text-align: center;">Plaintiff,</p> <p>v.</p> <p>SEAN COMBS, AARON HALL, MCA INC., MCA MUSIC ENTERTAINMENT GROUP, GEFFEN RECORDS, UNIVERSAL MUSIC GROUP N.V., JOHN and JANE DOES 1-10 and ABC CORPS. 1-10</p> <p style="text-align: center;">Defendants.</p>

Case Number: 952368/2023

**Plaintiff Designates
New York County is the
venue for Trial**

First Amended Complaint

SUMMONS

To the named Defendant (s):

YOU ARE at this moment SUMMONED to answer the Complaint in this action and serve a copy of your answer or, if the Complaint is not served with this summons, to serve a notice of appearance on the Plaintiffs' Attorneys within 20 days after the service of this summons. Exclusive of the day of service (or within 30 days after the service is complete if this summons is not personally delivered to you within the State of New York). If you fail to appear or answer, judgment will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON _____ IN COMPLIANCE WITH CPLR §§305(a) AND 306(a).

Dated: March 12, 2024
Brooklyn, New York

T. A. BLACKBURN LAW, PLLC.
By: *Tyrone A. Blackburn, Esq.*
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Attorney for Plaintiff
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Brooklyn, New York 11236

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First Amended Complaint

Plaintiff Liza Gardner, by and through her attorneys at T. A. Blackburn Law, PLLC., alleges as follows:

INTRODUCTION

1. Plaintiff Liza Gardner files this Complaint for damages and other relief under the Trafficking Victim Protection Act (“TVPA”), 18 U.S.C. §§ 1591–95, *et seq* and common law.

2. Plaintiff Liza Gardner brings this action seeking injunctive, declaratory and monetary relief against Defendants in violation of the Victims of Gender-Motivated Violence Protection Law, Gender Motivated Violence Act, N.Y.C. Admin. Code §§ 10-1101, *et seq.* (“VGMVPL”).

3. This cause of action is timely under the Adult Survivors Act, N.Y. C.P.L.R. § 214-j (McKinney 2022) because it arises out of conduct perpetrated against Plaintiff, who was the statutory age or older at the time of the conduct, which constitutes multiple sexual offenses as defined Article 130 of the New York Penal Law (“Article 130”).

4. This suit arises from the actions of Defendants SEAN COMBS (“Combs”), AARON HALL (“Hall”), MCA INC. (“MCA”), MCA MUSIC ENTERTAINMENT GROUP (“MCA MUSIC”), GEFFEN RECORDS (“GR”), UNIVERSAL MUSIC GROUP N.V. (“UMG”),

JOHN and JANE DOES 1-10 and ABC CORPS. 1-10 and their participation in the harm visited upon Plaintiff Liza Gardner.

5. Liza Gardner is a Caucasian female and a United States citizen who was, at all relevant times, a resident of and domiciled in the State of North Carolina.

6. Combs is a United States citizen and was at all relevant times a resident of and domiciled in the State of New York. Upon information and belief, Mr. Combs resides at: 200 South Mapleton Dr., Beverly Hills, California 90024.

7. Hall is a United States citizen and was at all relevant times a resident of and domiciled in the State of New York. Upon information and belief, Hall currently resides at: 7908 Halle Ave, Cleveland, OH 44102.

8. Upon information and belief, at the time of the assault, Hall resided at 61 Broadway Rm 2800, New York, NY 10006.

9. MCA is a global Music Company headquartered in University City, California. MCA is licensed by the New York State as a foreign business.

10. MCA Music is a global Music Company headquartered in University City, California. MCA Music is licensed by the New York State as a foreign business.

11. GR is a global Music Company headquartered in University City, California. GR is licensed by the New York State as a foreign business.

12. UMG is a global Music Company headquartered at 2220 Colorado Avenue in Santa Monica, California is licensed by the New York State as a foreign business.

13. Upon information and belief, Defendants MCA, MCA Music, and GR are subsidiaries of UMG.

14. During the relevant period, Defendants John and Jane Does 1-10 are currently unknown individuals and/or employees who aided and/or abetted in the commission of conduct complained of herein and/or who either acted within the scope of their employment, Defendants ratified, embraced and added to this conduct. As parties engage in discovery, Plaintiff retains the right to amend the Complaint to add these individual employees by name.

15. During the relevant period, Defendants ABC Corps. 1-10 are currently unknown entities who employed Plaintiff or aided and/or abetted in the commission of conduct complained of herein. As the parties engage in discovery, Plaintiff retains the right to amend the Complaint to add these entities or individuals by name.

JURISDICTION AND VENUE

16. This Court has personal jurisdiction over the Defendant under and consistent with the Constitutional requirements of Due Process in that the Defendant, acting directly or through his agents or apparent agents, committed one or more of the following:

- a. The transaction of any business within the state;
- b. The making of any contract within the state;
- c. The commission of a tortious act within this district and
- d. The ownership, use, or possession of any real estate in this state.

SUMMARY OF FACTUAL ACCUSATIONS

17. Upon information and belief, in 1990, Ms. Gardner, a sixteen-year-old girl, was in New York City with a friend.

18. Ms. Gardner was invited to NYC by close friends who were members of chart-topping recording group Jodeci¹. At the time Jodeci was signed to MCA Records.

19. Ms. Gardner and the members of Jodeci are all from North Carolina.

20. In 1990, prior to inviting Ms. Gardner to NYC, Jodeci was signed by Hip Hop artist, Heavy D to Uptown Records, a label that was a subsidiary of UMG.

21. Jodeci was assigned to Uptown employee Sean Combs, who took on the task of developing the new act. The group was introduced after providing background vocals on the 1990 song "Treat Them Like They Want to Be Treated."

22. Forever My Lady is the debut studio album of Jodeci, released in 1991 by Uptown Records and MCA Records.

23. The end of Summer into the fall of 1990 MCA held an event at their New York City offices.

24. Ms. Gardner and her friend met Combs and Hall at the offices of MCA Records for this event. In addition to Combs and Hall, Ms. Gardner met R&B Singer, Mary J. Blige, and HipHop artist Queen Latifah.

¹ Jodeci is an American R&B quartet consisting of members DeVanté Swing, Mr. Dalvin, K-Ci, and JoJo. Formed in 1988 in Charlotte, North Carolina.

25. After the MCA event, Ms. Gardner recalls attending dinner with Jodeci, Combs, and Hall. Combs and Hall were very flirtatious and handsy with Ms. Gardner and her friend. They offered them drinks throughout the night.

26. At the age of sixteen, Ms. Gardner was a minor in 1990 and incapable of consenting to drink alcohol. In 1985, New York State raised the legal drinking age from 19 to 21.

27. Towards the end of the night, Ms. Gardner and her friend were invited by Combs and Hall back to Hall's apartment for an afterparty.

28. It is important to note that Ms. Gardner was wearing a black skirt with a button up blouse.

29. While at Hall's apartment, Ms. Gardner was offered more drinks and was physically forced into having sex with Combs against her will.

30. At the time Combs assaulted Ms. Gardner, she recalls feeling the side effects of the alcohol. She recalls Combs mounting her, and forcing up her skirt, pulling her underwear to the side and forcefully penetrating her.

31. The age of consent for sexual intercourse in New York State was 17 at the time Combs sexually assaulted Ms. Gardner.

32. After Combs finished doing his business, Ms. Gardner laid in bed, shocked and traumatized. As she was in the process of getting dressed, Hall barged into the room, pinned her down, and forced Ms. Gardner to have sex with him.

33. Ms. Gardner recalls being in immense pain vaginally. In comparison to Hall, Ms. Gardner describes Combs as being prepubescent.

34. After Hall finished raping Ms. Gardner, she quickly got dressed and ran out of Hall's apartment. Her friend left shortly thereafter.

35. Ms. Gardner's friend shared with her that she, too, had sex with Combs and Hall in another room. Upon information and belief, when Combs finished with Ms. Gardner, he and Hall switched, and they commenced intercourse with Ms. Gardner's friend.

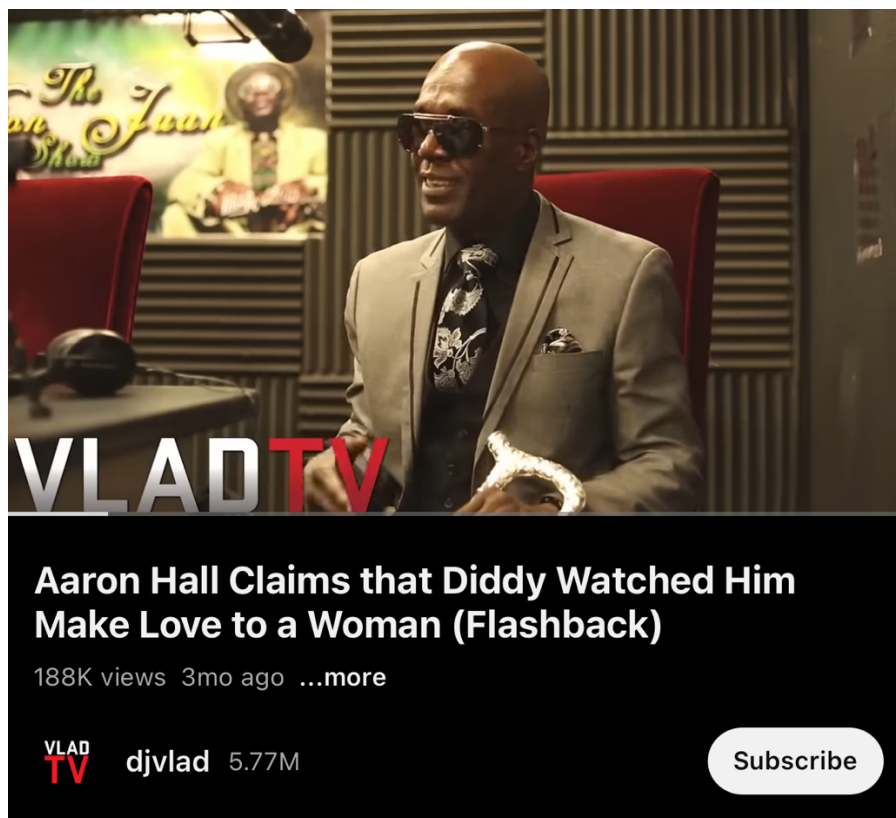
36. The following day Combs came to the home where Ms. Gardner and her friend were staying. Combs was irate and began assaulting and choking Ms. Gardner to the point that she passed out.

37. Combs was searching for Ms. Gardner's friend because he was worried that she would tell the girl he was with at the time what he and Hall had done to them.

AARON HALL AND SEAN COMBS ROUTINELY ENGAGED IN SEX ACTS IN EACH OTHER'S PRESENCE

38. Hall confirmed Combs' presence in the room when he engaged in sex acts.

39. In a YouTube video posted by VladTV, titled "Aaron Hall Claims that Diddy Watched Him Make Love to a Woman (Flashback)²."



Hall says the following:

[00:00:05] Aaron Hall: Can no bitch out there say that she handled my shit. My father's a pastor, so my whole thing is that my grandfather being a pimp, it's just like I'm 3rd generation Aaron Hall III. My father's is Aaron Hall junior. He's a pastor, so I just skipped over it like checkers.

[laughter]

My whole thing is this that if you never heard a girl say that no fucked up trick shit about Aaron Hall, then you understand that less chill shit is some real shit.

[00:00:31] Interviewer: That was basically from some life experience?

[00:00:35] Aaron: Now my whole thing is that I just think that girls think that a whole lot of guys run after they shit. You know what I mean?

² <https://youtu.be/2LVditdoACM?si=8esfOwbGEYCGUylr>

[00:00:42] Interviewer: Talk to me. You can say what you want on there.

[00:00:46] Aaron: A whole lot of girls out there with the umbilical cords, them young 1970s, 1980s bitches, they try to go up there with the fresh out the pussy shit and think they can get like a nigga like Aaron Hall. I'm a historical dick, they fuck with me it's a—

[laughter]

[00:01:02] Interviewer: That's right.

[00:01:03] Aaron: If they fuck with me, it's a big dick. Everybody know my son's mother. Everybody know that shit.

[00:01:08] Interviewer: Yes. That's Gloria, ain't it? Tell them about it.

[00:01:10] Aaron: When you put Aaron's on it, when you fuck a bitch for three days and take the bitch's hand and take them out of the man's hand, then you are a retired pimp. At the time, as soon as I came to South Beach, I just grabbed her. She'll tell you the same story. I just grabbed her and fucked her for three days, then Aaron's got on a pussy with an apostrophe s like it's Aaron with three colors on it. You feel me?

[00:01:31] Interviewer: Yes. Crazy glue.

[00:01:32] Aaron: My whole thing is this is that if niggas can't handle me, I'm not going to never let them get my last name. If you can't handle my dick, you ain't getting my last name, so I've been single for 50 years.

[laughter]

[00:01:41] Interviewer: Oh, all right, man.

[00:01:42] Aaron: A whole lot of niggas out there from Jamie Foxx to Denzel Washington to whoever, everybody know me. Everybody know if I say it, I'm a fuck to death. ***I like to fuck in public. You feel me?*** Niggas can't say nothing about it. Them square ass niggas, them precious cake, little dick niggas. I like for them niggas to see how I fuck. ***You speak to Jodeci or Puffy or any of them niggas, they've been at my house. They all see me fuck. They all know I'm a big nigga.***

If a bitch touch my dick and she say my dick is small, then she's a lying bitch. Tell her to name the tattoo that's on my rib that says warning.

[laughter]

You get this, nigga, I'm fucking you up. The thing is that a whole lot of niggas write about taking girls out to shop, taking girls to fly to Dubai, and all that shit. Bitch, close your eyes, we anywhere. My whole thing is this is that-

[00:02:31] Interviewer: Talk about it.

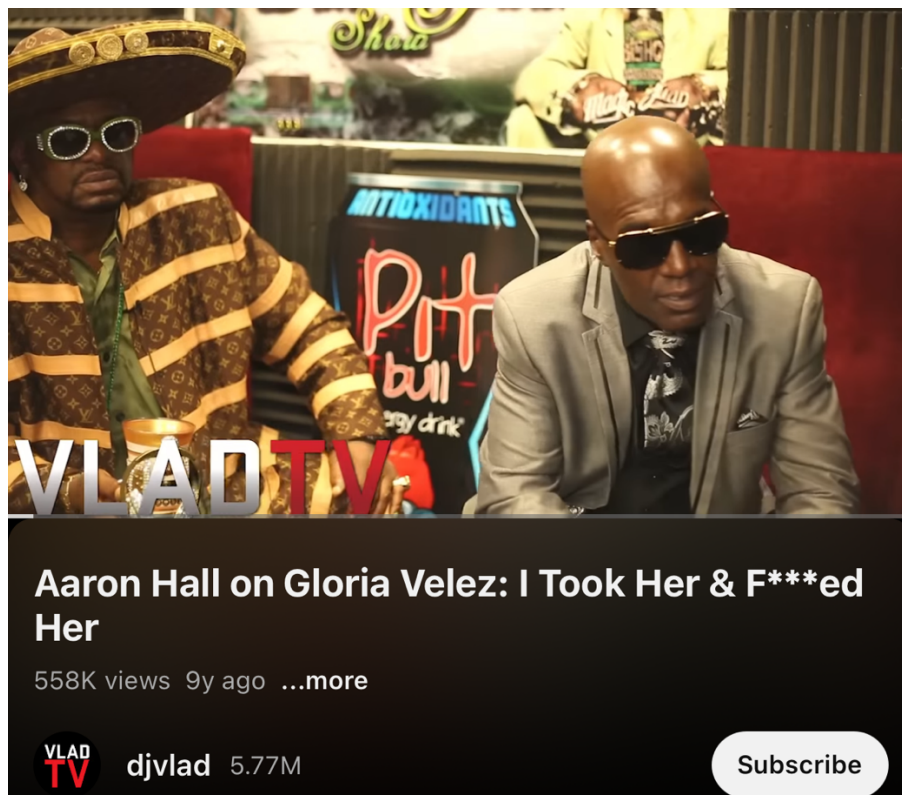
[00:02:32] Aaron: -if you can handle my dick and you can make me still be Aaron Hall without fucking rubbing off your mouth, then I'll take you anywhere. Other than that shit, you back home, bitch.

40. Hall's disgusting claims are eerily similar, if not identical, to the trauma he and Combs visited upon Ms. Gardner.

AARON HALL TAKES PRIDE IN STATUTORILY RAPING MINORS

41. Hall has bragged about his sexual promiscuity and the fact that he has engaged in sexual intercourse with minors.

42. In a YouTube video posted by VladTV, titled "Aaron Hall on Gloria Velez: I Took Her & F***ed Her³."



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³ <https://youtu.be/X3PrjTVgteM?si=nTWaU1d1O40XcvZd>

Hall says the following:

[00:00:00] Interviewer: Luke said that he introduced you to Gloria Velez.

[00:00:08] Aaron Hall: Luke didn't introduce me to no Gloria Velez. We can call Luke right now, you know what I mean?

[00:00:12] Interviewer: He said it in an interview a while back.

[00:00:12] Speaker 3: Well, how did it happen?

[00:00:14] Aaron Hall: Look what I'm saying to you. She was standing up with a Jamaican rapper named Mad Lion.

[00:00:22] Interviewer: Okay, I know who that is.

[00:00:26] Aaron Hall: Big Pun, Fat Joe, Method Man, whoever you speak to, just ask them how I did it. I got out the limo, grabbed her hand and went upstairs and fucked her. Luke didn't never fucking introduce me to anybody in his life. I love Luke to death.

[00:00:41] Speaker 3: He just had on porno.

[00:00:42] Aaron Hall: Look, the reason why he's saying he introduced me to her because it's a good thing to say, "Okay, I introduced Aaron Hall to this girl." I took her. Me and Gloria's cool. We got cool in two weeks. You feel me? I'm a boss. I ain't going to argue with you about no shit. You an umbilical cord bitch. You fucking 35, 36 years old. I'm not going to disrespect you, but I'm a boss motherfucker. I love my son, so I ain't going to break probation by fucking with you and not being able to speak to him again. You feel what I'm saying?

When I speak to a nigger that got dick and balls, he can never say he introduced me to no bitch. Nobody ain't never introduced me to a bitch in their life. I wish they did. The thing is that you can ask Gloria though. It have nothing to do with me. I don't like talking about no man. We both Adam first.

[00:01:29] Interviewer: You know something I just remembered? That Gloria had tattooed Aaron's right above her—

[00:01:34] Aaron Hall: In black, red, and green.

[00:01:37] Interviewer: Right above her vagina.

[00:01:38] Aaron Hall: Right above it with a parenthesis with an S. Aaron's.

[00:01:45] Interviewer: It belongs to—

[00:01:46] Aaron Hall: Look. When I saw her, she was dancing with Luke. I didn't know she was a puppy. She was tall. She was big, blonde hair, with the black pant leather. I was like, "I'm getting that." Everybody knows I couldn't even really speak then. I had a speech impediment. I don't stutter anymore. I just went there and just grabbed her hand and went inside the hotel and gave it to her. You feel me? She going to say Luke is lying. You feel me? Because I don't lie on my dick. You feel what I'm saying?

My mother was Puerto Rican. From Ponce. When I see anybody that's Spanish, I'm going to grab them. I ain't going to ask if you holding the hand all loose and you holding a conversation with a nigga-

[00:02:31] Speaker 3: Preach.

[00:02:32] Aaron Hall: I'm going to take your bitch. She chose up already. Now she want to go renegade? Go renegade, bitch.

[00:02:38] Interviewer: At what point did she get the tattoo?

[00:02:40] Aaron Hall: Three days after I fucked her.

[00:02:41] Interviewer: Three days.

[00:02:42] Aaron Hall: Three whole days. If anybody can do that shit, I don't care if you was married, I don't care if you was engaged, if it's your anniversary, if your bitch did that shit, then I'll stop singing *I Miss You*. My whole thing is this, is that I love Gloria to death because she gave me a beautiful son. You feel what I'm saying? My whole thing is I want to make sure that it's right. I love my son Aaron Robin Hall IV to death. I ain't seen him in 15 years, but I love him to death. We talk all the time. Gloria didn't do no bad thing to me.

I thought she was older. You feel what I'm saying? Sometime I see a puppy on the field when I'm doing dog training, I think it's a year old or two years old, and it be like eight months. I don't know. When I saw her, everybody was trying to get at her. Why y'all scared of her? I took her. I couldn't even talk, I had a speech impediment after.

[00:03:27] Speaker 3: Yes, because they didn't know what to do.

[00:03:28] Aaron Hall: They ain't know what to say.

43. At the time that he met Gloria Velez, Ms. Velez was only sixteen years old.

44. As indicated in the transcript above, Hall referred to sixteen-year-old Ms. Velez as a puppy. He goes on to say that when he is on the field doing dog training, he sometimes misidentifies an 8-month-old puppy (Ms. Velez) for a 2-year-old dog (an adult).

45. Hall goes onto brag about grabbing sixteen-year-old Ms. Velez by the hand and forcing her to have sex with him.

SEAN COMBS HAS A WELL-DOCUMENTED HISTORY OF LEGAL TROUBLE

46. According to an article by NPR⁴, the following is a brief timeline of Mr. Combs legal troubles:

1991: According to a November 2023 lawsuit, Combs allegedly drugs, sexually assaults and videotapes 19-year-old Joi Dickerson Neal, after going on a date with him.

1996: Combs is found guilty of criminal mischief for threatening a photographer from the *New York Post* with a gun.

April 16, 1999: Combs is arrested and charged with two felonies — second-degree assault and criminal mischief — in the beating of record executive Steve Stoute, who says Combs and two bodyguards beat him with their fists, a telephone, a champagne bottle and a chair. When Combs publicly apologizes, Stoute asks for the charges to be dismissed. (Combs reportedly pays Stoute \$500,000.) The assault charge is dropped, Combs pleads guilty to the lesser charge of harassment, and he is sentenced to one day of anger management classes.

Dec. 27, 1999: Combs, along with then-girlfriend Jennifer Lopez and rapper Shyne, are arrested in relation to a shooting at Club New York. Combs shot Natalia Reuben in the face and has consistently blamed Combs for shooting her.

March 26, 2001: In a lawsuit, local TV host Roger Mills sues Combs, accusing him of assault, false imprisonment, destruction of property, intentional infliction of emotional distress and a civil conspiracy, in an exchange where Combs' entourage roughed him up and destroyed his camera.

2003: According to a December 2023 lawsuit, Combs, his former Bad Boy Records president, Harve Pierre, and a third unidentified man allegedly gangrape an unnamed 17-year-old victim at a Manhattan recording studio.

February 2006: Ventura signed a 10-album deal with Bad Boy Entertainment. Her debut single "Me & U" is released, and her self-titled album drops the same year. According to a

⁴ <https://www.npr.org/2024/02/29/1234684758/sean-combs-diddy-allegations-timeline>

November 2023 lawsuit, Combs' "vicious cycle of abuse" begins here. Ventura alleges years of physical, psychological and emotional abuse. She claims Combs forced her to purchase and take illegal drugs like cocaine, ketamine and ecstasy; that he filmed her as he forced her to participate in sex with male sex workers in multiple cities for his own voyeuristic pleasure in a practice he called "freak offs"; and that he beat her on many occasions in retaliation for talking to other men, often with witnesses present.

March 6, 2007: In a lawsuit, Gerard Rechnitzer alleges that Combs punched him, pushed his girlfriend and tried to spit on another woman outside Teddy's nightclub at the Hollywood Roosevelt Hotel. In a statement, Combs' attorney, Benjamin Brafman, says, "It's just another example of an opportunist seeking to fabricate a lawsuit based on a flat-out lie to try to take advantage of Mr. Combs' celebrity status." The case is settled out of court in March 2008, the terms undisclosed.

May 11, 2007: In a complaint to the police, Combs' Making the Band co-star Laurieann Gibson alleges that he threatened her with a chair while New Edition's Michael Bivins held her in place.

2010: In the November 2023 suit, Ventura claims all aspects of her life were "controlled by either Mr. Combs or his management companies." She claims he paid for her apartment and all living expenses and that he had access to her medical records: "For instance, when Ms. Ventura began experiencing memory loss — potentially due to excessive drug use and/or head injuries caused by Mr. Combs's beatings, as described below — her MRI results were provided directly to Mr. Combs. Mr. Combs also repeatedly arranged for his staff to drive Ms. Ventura to certain doctors' appointments. In this way, Mr. Combs exerted ownership over Ms. Ventura."

February 2012: In the November 2023 suit, Ventura alleges that Combs said he was going to blow up the car of rapper Kid Cudi, whom Ventura was dating at the time, "and that he wanted to ensure that Kid Cudi was home with his friends when it happened. Around that time, Kid Cudi's car exploded in his driveway." Kid Cudi, in a statement to The New York Times, corroborated the account.

September 2018: After multiple attempts to sever ties with Combs, Ventura says she met with him to have dinner and believed it was to talk of concluding her Bad Boy contract and "have a discussion about concluding their relationship for good." But after the dinner,

Ventura alleged he forced himself into her apartment and forcibly raped her. From her November 2023 suit: “Soon thereafter, Ms. Ventura took steps to completely separate herself from her long-time abuser, including by leaving the home that he paid for and returning the car he purchased for her.”

2022 – 2023: In a February 2024 lawsuit, producer Rodney “Lil Rod” Jones, a former producer of Combs who worked with him on his latest release, *The Love Album: Off the Grid*, alleges that the music mogul groped him repeatedly and during the duration of making the album, Combs forced Jones to solicit sex workers, take illegal drugs and more. The suit names others close to Combs, including Combs’ son, Justin Dior Combs, and high-ranking members of Motown Records and Universal Music Group, as co-defendants.

Nov. 16, 2023: Ventura accuses Diddy of years of sexual misconduct, harassment, sex trafficking and rape. Ventura’s allegations lasted for the entirety of their working and personal relationship. Ventura files the civil suit in New York Superior Court under the state’s Adult Survivors Act, a New York law permitting victims of sexual abuse a one-year window to file civil action regardless of the statute of limitations of the crimes themselves. (Tiffany Red, a songwriter and one of Cassie’s collaborators, later publicly corroborates her claims.)

Nov. 23, 2023: One day before the window for filing suits under the Adult Survivors Act is set to close, two separate lawsuits alleging misconduct in the early 1990s are filed against Combs in New York Superior Court: one by Joi Dickerson and the other by an unnamed plaintiff.

Dec. 6, 2023: The unnamed fourth person comes forward accusing Combs and others of gang rape in 2003.

Dec. 10, 2023: In response to the accusations, 18 brands sever ties with Combs’ Black-owned e-commerce venture, Empower Global.

Dec. 11, 2023: A public petition started by feminist and survivor advocacy group UltraViolet circulates calling The Recording Academy to rescind Combs’ 2024 Grammy nomination for progressive R&B album amid the sexual abuse allegations.

Dec. 13, 2023: In response to the accusations, streaming network Hulu scraps a reality show project featuring Combs that was previously in development and centered around the mogul and his family.

Feb. 26, 2024: The fifth assault lawsuit is filed against Combs by Rodney “Lil Rod” Jones. Combs’ lawyer denies the allegations, claiming, “We have overwhelming, indisputable proof that his claims are complete lies.”

47. Hall and Combs have a pattern and practice of engaging in illegal sex acts.

DAMAGES

48. The actions of Hall and Combs have stayed with Ms. Gardner throughout the duration of her life. After being violently and statutorily raped by Combs and Aaron Hall, Ms. Gardner’s life has been overwhelmed by depression, post-traumatic stress disorder, and strained relationships with men.

49. The harm that Ms. Gardner has suffered is well documented through multiple excited utterance witness statements, as well as through documentation from her medical providers.

50. In an affidavit, Ms. Gardner’s friend whom she met in 2017, details a conversation the pair had during a trip to Las Vegas in 2019 where they discussed their childhood and some interactions with musicians and artists.

51. In the affidavit, Ms. Gardner’s friend went on to say, at that time, Ms. Gardner shared her experience of sexual assault at the hands of Aaron Hall and Sean “Puffy” Combs. She writes,

“Liza said she was 16 years old and had been invited to New York by a couple of her friends who were members of the RnB group Jodeci. At the time, Jodeci was signed to MCA or Uptown Records. Liza is from North Carolina and had known members of Jodeci from their neighborhood and church in North Carolina.

When she came to New York, MCA hosted an event for one of their artists. Liza was given alcohol at this event and was invited to dinner. Other MCA artists, Queen Latifah and Mary J. Blige, were at this dinner. After dinner, Liza was invited back to Aaron Hall’s apartment for an afterparty. Present at this afterparty were members of Jodeci, Puffy, and Aaron Hall.

Aaron Hall gave Liza more alcohol, and she recalls feeling lightheaded and dizzy. She said Puffy was acting very aggressive and forced himself onto her. After he finished, she tried to collect herself and get dressed. Before she knew it, Aaron Hall burst into the room, held her down, and raped her. She said she felt helpless. She could not fight him off as he was significantly bigger and stronger than her. She said she laid there in disbelief. After Aaron Hall was finished raping her, she ran out of the house.

The following day, she was awoken by Puffy yelling and screaming as he searched for Liza's friend, who he believed was going to report the assault from the night before. Liza's friend was not in the house, and Puffy turned to her, demanding that she give up her friend's location. She told him she did not know, and Puffy began to strangle her."

52. Ms. Gardner's licensed therapist, provided a letter which said the following:

The therapist writes,

"I am writing to verify my recorded notes of what my client Liza Gardner disclosed during her treatment, as well as my professional opinion of her subsequent symptomology as a result of her early Trauma.

I began seeing Liza as of 1/9/2014 through 7/30/2014. Unfortunately, therapy became cost prohibitive for client to continue for any length of time. While in treatment, Liza was consistent and engaged in the therapy.

As my records indicate on 2/18/2014, my client disclosed that she was raped by two males in New York when she was 16 years of age."

It is my professional opinion that the trauma of being raped by two men accounted for much of her ongoing symptoms of hypervigilance, anxiety, panic attacks, and episodes of depression, all, symptoms indicative of PTSD.

FIRST CAUSE OF ACTION

Battery

53. Liza Gardner incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

54. Defendants committed battery against Liza Gardner when they penetrated Liza Gardner and physically assaulted her (Combs) against her will.

55. Defendants intentionally, and without her consent, attacked Liza Gardner to satisfy their sexual desires. Under all circumstances, the defendants' physical contact with Liza Gardner was offensive and wrongful. Defendants continued to attack Liza Gardner despite her attempts to thwart their actions.

56. Defendants' conduct was the direct and proximate cause of Liza Gardner's past and future substantial damages, including significant pain and suffering, lasting psychological and financial harm, loss of dignity, and invasion of privacy.

57. The Defendant's actions constitute sexual offenses as defined in Article 130 of the New York Penal Law, including but not limited to sexual misconduct (§130.20) and forcible touching (§ 130.52).

58. The Plaintiff's claim for battery is thus timely under the Adult Survivors Act, N.Y. C.P.L.R. § 214-j.

SECOND CAUSE OF ACTION

Assault/Sexual Assault

59. Liza Gardner incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

60. As described above, Defendants frightened and placed Plaintiff in apprehension of harm when they physically assaulted her and within the State of New York.

61. Defendants forcibly touched and attempted and/or threatened to touch Plaintiff's intimate areas and/or touch her with his intimate body parts.

62. As a result of Defendant's conduct, Plaintiff has suffered and continues to suffer harm, including physical injury, severe emotional distress, humiliation, anxiety, and other consequential damages for which she is entitled to an award of monetary damages and other relief.

63. The conduct of Defendants described above was willful, wanton, and malicious. At all relevant times, Defendants acted with conscious disregard for Plaintiff's rights and feelings, acted with the knowledge of or with reckless disregard for the fact that his conduct was certain to cause injury and/or humiliation to Plaintiff, and intended to cause fear, physical injury and/or pain and suffering to Plaintiff. By virtue of the foregoing, Plaintiff is entitled to recover punitive damages.

64. This cause of action is timely under the Adult Survivors Act, N.Y. C.P.L.R. § 214-j (McKinney 2022) because it arises out of conduct perpetrated against Plaintiff, who was the statutory age or older at the time of the conduct, which constitutes multiple sexual offenses as defined Article 130 of the New York Penal Law ("Article 130").

THIRD CAUSE OF ACTION

Negligent Infliction Of Emotional Distress

65. Liza Gardner incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

66. The Defendants' conduct created an unreasonable risk of causing emotional distress to Plaintiff, and the Defendants knew or should have known that such conduct was likely to result in emotional distress that might and/or likely would cause illness or bodily harm.

67. Plaintiff's emotional distress was foreseeable to the Defendants.

68. As a direct and proximate result of the negligent conduct of the Defendants, Plaintiff suffered and will continue to suffer severe emotional distress.

69. The Defendant’s conduct was wanton, malicious, willful, and/or cruel, entitling the Plaintiff to punitive damages.

70. This cause of action is timely under the Adult Survivors Act, N.Y. C.P.L.R. § 214-j (McKinney 2022) because it arises out of conduct perpetrated against Plaintiff, who was the statutory age or older at the time of the conduct, which constitutes multiple sexual offenses as defined Article 130 of the New York Penal Law (“Article 130”).

FOURTH CAUSE OF ACTION

**Violation of the Victims of Gender-Motivated Violence Protection Law,
N.Y.C. Admin. Code §§ 10-1101, *et seq.* (“VGMVPL”)
*Against All Defendants***

71. Liza Gardner incorporates by reference all preceding paragraphs and re-alleges them as if set forth fully herein.

72. The above-described conduct of Defendant Combs, including, but not limited to, Combs sexual assault of Plaintiff in New York City, constitutes a “crime of violence” against Plaintiff and is a “crime of violence motivated by gender” as defined in § 10-1103 (“The term ‘crime of violence’ means an act or series of acts that would constitute a misdemeanor or felony against the person as defined in state or federal law or that would constitute a misdemeanor or felony against property as defined in state or federal law if the conduct presents a serious risk of physical injury to another, whether or not those acts have actually resulted in criminal charges, prosecution, or conviction,” and “The term ‘crime of violence motivated by gender’ means a crime of violence committed because of gender or on the basis of gender, and due, at least in part, to an animus based on the victim’s gender.”).

73. The above-described conduct of Defendant Hall, including, but not limited to, Hall’s sexual assault of Plaintiff in New York City, constitutes a “crime of violence” against Plaintiff and is a “crime of violence motivated by gender” as defined in § 10-1103 (“The term ‘crime of violence’ means an act or series of acts that would constitute a misdemeanor or felony against the person as defined in state or federal law or that would constitute a misdemeanor or felony against property as defined in state or federal law if the conduct presents a serious risk of physical injury to another, whether or not those acts have actually resulted in criminal charges,

prosecution, or conviction,” and “The term ‘crime of violence motivated by gender’ means a crime of violence committed because of gender or on the basis of gender, and due, at least in part, to an animus based on the victim’s gender.”).

74. Defendant Universal Music Group N.V., and their subsidiaries MCA Inc., MCA Music Entertainment Group, Geffen Records enabled Defendants’ commission of the crime of violence motivated by gender, and is therefore also liable under the VGMVPL.

75. As a direct and proximate result of the aforementioned crime of violence and gender-motivated violence, Plaintiff has sustained and will continue to sustain, monetary damages, physical injury, pain and suffering, and serious psychological and emotional distress, entitling her to an award of compensatory and punitive damages, injunctive and declaratory relief, attorneys fees and costs, and other remedies as this Court may deem appropriate damages, as set forth in § 10-1104.

76. The above-described conduct of Defendants constitutes a sexual offense as defined in Article 130 of the New York Penal Law.

77. Pursuant to § 10-1105(a), this cause of action is timely because it is commenced within “two years and six months after September 1, 2022.”

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendants, containing the following relief:

- a. For a money judgment representing compensatory damages including consequential damages, lost wages, earning, and all other sums of money, together with interest on these amounts, according to proof;
- b. For a money judgment for mental pain and anguish and severe emotional distress, according to proof;
- c. For punitive and exemplary damages according to proof;
- d. For attorneys’ fees and costs;
- e. For prejudgment and post-judgment interest; and
- f. Such other and further relief as the Court may deem just and proper.

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JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: March 12, 2024
Brooklyn, New York

T. A. BLACKBURN LAW, PLLC.

By: *Tyrone A. Blackburn, Esq.*

Tyrone A. Blackburn, Esq.

Attorney for Plaintiff

1242 E. 80th Street, 3rd Floor

Brooklyn, New York 11236

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

LIZA GARDNER,

Plaintiff,

v.

SEAN COMBS,
AARON HALL,
MCA INC.,
MCA MUSIC ENTERTAINMENT GROUP,
GEFFEN RECORDS,
UNIVERSAL MUSIC GROUP N.V.,
JOHN and JANE DOES 1-10 and
ABC CORPS. 1-10

Defendants.

Case Number: 952368/2023

**Plaintiff Designates
New York County is the
venue for Trial**

Attorney Verification

To the above-named Defendant (s):

TYRONE A. BLACKBURN, an attorney duly admitted to practice in the Courts of New York State and a member of the firm T. A. Blackburn Law, PLLC., attorneys for the plaintiffs in this action, affirms under penalty of perjury, That he has read the Complaint and knows the contents thereof and that the same is true to his knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters, he believes it to be true. The sources of his information and knowledge are investigations and records in the file. This verification is made by affirmation and not by the plaintiffs because the Plaintiffs are not within the County where the attorney has his office.

Dated: March 12, 2024
Brooklyn, New York

T. A. BLACKBURN LAW, PLLC.
By: *Tyrone A. Blackburn, Esq.*
Tyrone A. Blackburn, Esq.
Attorney for Plaintiff
1242 E. 80th Street, 3rd Floor
Brooklyn, New York 11236

PRESERVATION NOTICE

The term "you," "your," or "yours" as used herein shall refer to you (the recipient of this letter), as well as to the respondents and any individuals responsible for the custody and control of the below information, including, but not limited to, those individuals' administrative assistants, secretaries, agents, employees, information technology personnel and third-party vendors. From this point forward, you are directed to prevent "spoliation," defined as altering, changing, updating, destroying (even if periodically), editing, or deleting any information set forth hereafter.

If you cause any such alteration, destruction, or change, direct it, or allow it to occur, you may be charged with discovery rule violations for which sanctions may be imposed. Further, your failure to abide by this request could result in severe penalties against you and form the basis of legal claims for spoliation.

Electronically Stored Information:

In terms of electronically stored information, you are directed to prevent any destructive, alternative or other change to any web pages, virtual profiles or identical (including, but not limited to, Facebook, Instagram, Pinterest, Twitter, Tumblr, LinkedIn, Snapchat, Google Plus+, Flickr, Vine, About.me, ask.fm etc., or any other social media-based web profile or networking site account), emails, voice messages, text messages, instant messages or messaging systems, recordings, digital recordings, media images and videos, temporary memory, memory sticks, portable memory devices, laptops or computers, CDs, DVDs, USB devices, databases, computer activity logs, internet browsing history (including cookies), network access and server activity logs, word processing files and file fragments, backup and archival files, imaging and facsimile files, electronic calendar and scheduling program files and file fragments as well as any other contact and relationship management data (e.g., Outlook), electronic spreadsheet files and file fragments, pertaining in any way to this controversy of the parties or any potential witnesses. This includes a request that such information not be modified, altered, or deleted due to data compression or disk fragmentation (or other optimization procedures), which processes you are hereby directed to suspend until that data can be preserved, copied, and produced.

You are directed not to modify, alter, or delete or allow modifications, alterations, or deletions to be made to any electronically stored information. You are further directed to preserve all, and not to destroy any, passwords, decryption productions (including, if necessary, the software to decrypt the files), network access codes, manuals, tutorials, written instructions, decompression or reconstruction software, and any other information and things necessary to access, view and (if necessary) reconstruct the electronic data we will request through discovery.

Paper Information:

Regarding the paper information, you are directed to preserve any emails, videos, texts, memos, reports, documents, notes, correspondence, photographs, investigative information, or other documents about the controversy, parties, or witnesses. We expect to obtain several documents and other data from you through discovery, including text messages, emails, photographs, and other information stored on computers, electronic devices, and telephones.

Although we may bring a motion with a court for order-preserving documents and other data from destruction or alteration, your obligation to preserve documents and other data for discovery, in this case, arises independently from any order on such motion. Electronic documents and the

storage media, including but not limited to telephones on which they reside, contain relevant, discoverable information beyond what may be found in printed documents. Therefore, even where a paper copy exists, we will likely seek all documents in their original, electronic form, along with metadata or information about those documents on the media. We will seek paper printouts of only those documents that contain unique information created after they were printed (e.g., paper documents containing handwriting, signatures, marginalia, drawings, annotations, highlighting, and redactions) and any paper documents for which no corresponding electronic files exist.

The laws and rules prohibiting the destruction of evidence apply to electronically stored information in the same manner they apply to other evidence. Due to its format, electronic information is quickly deleted, modified, or corrupted. Accordingly, the demand is made that you take every reasonable step to preserve this information until the final resolution of this matter. This may include, but would not be limited to, an obligation to discontinue all data destruction and backup tape recycling policies.

Concerning electronic data created after this Complaint's delivery date, relevant evidence should not be destroyed. You must take the steps necessary to avoid the destruction of such evidence.

Dated: March 12, 2024
Brooklyn, New York

T. A. BLACKBURN LAW, PLLC.
By: *Tyrone A. Blackburn, Esq.*
Tyrone A. Blackburn, Esq.
Attorney for Plaintiff
1242 E. 80th Street, 3rd Floor
Brooklyn, New York 11236

DEMAND FOR INSURANCE COVERAGE

Defendants are demanded to provide a complete copy of their applicable insurance policies and declaration sheets demonstrating coverage within thirty (30) days of service of this Complaint.

Dated: March 12, 2024
Brooklyn, New York

T. A. BLACKBURN LAW, PLLC.
By: *Tyrone A. Blackburn, Esq.*
Tyrone A. Blackburn, Esq.
Attorney for Plaintiff
1242 E. 80th Street, 3rd Floor
Brooklyn, New York 11236