

Assigned for all purposes to: Santa Monica Courthouse, Judicial Officer: Mark Young

David M. Ring, State Bar No. 151124
TAYLOR & RING
1230 Rosecrans Avenue, Suite 360
Manhattan Beach, California 90266
Telephone: (310) 209-4100
Facsimile: (310) 208-5052

Attorneys for Plaintiff,
JANE DOE 1

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

JANE DOE 1, an individual,)	CASE NO.: 23SMCV00591
)	
Plaintiff,)	COMPLAINT FOR PERSONAL
)	INJURIES AND DAMAGES
-vs.-)	
)	
HARVEY WEINSTEIN, an individual; and)	[DEMAND FOR JURY TRIAL]
DOES 1 through 50,)	
Defendants.)	
)	
)	

Plaintiff JANE DOE 1 hereby complains and alleges against Defendants HARVEY WEINSTEIN, an individual, and DOES 1 through 50 as follows:

GENERAL ALLEGATIONS

1. Plaintiff JANE DOE 1, an adult female, was the victim of rape, sexual assault, sexual battery, and false imprisonment by Defendant Harvey Weinstein in February 2013.
2. In December 2022, following a lengthy criminal trial of Weinstein in Los Angeles, CA, Weinstein was convicted for the rape of Jane Doe 1.

1 3. Plaintiff Jane Doe 1's true identity has been concealed from public court filings in order
2 to prevent those not directly involved in this action from learning her identity and making her identity
3 public. Such public disclosure would further harm Plaintiff.
4

5 4. Plaintiff JANE DOE ("Plaintiff") is an adult and currently resides in Los Angeles.

6 5. Defendant Harvey Weinstein ("Weinstein") is an adult who is currently incarcerated in
7 Los Angeles County.

8 6. Weinstein had previously been convicted of sexual assault of other females in a trial
9 that took place in 2020 in New York.

10 7. The true names and capacities of each defendant designated herein as DOES 1 through
11 50, whether an individual, business, or some other entity, are presently unknown to Plaintiff, who
12 therefore sues said defendants by such fictitious names, pursuant to Code of Civil Procedure section
13 474. Each DOE defendant is responsible in some actionable manner for the events alleged herein.
14 Plaintiff will amend the Complaint to state the true names and capacities of said defendants when the
15 same have been ascertained.
16

17 8. At the time of the incident, around February 17-18, 2013, Plaintiff was in Los Angeles
18 attending a film festival. She was introduced to Weinstein by a mutual friend at the film festival.
19 Their conversation was brief. Plaintiff had been introduced to Weinstein one other time, about one
20 year earlier. However, it did not appear to her that Weinstein remembered meeting her previously.
21

22 9. After attending various events related to the film festival, Plaintiff returned to her hotel
23 room at Mr. C Hotel, which is located on the outskirts of Beverly Hills, in Los Angeles. Later that
24 evening, Weinstein appeared unannounced at the hotel. The front desk called her and said she had a
25 guest who needed to talk to her. The next thing she knew, Weinstein was on the phone. Weinstein
26 was calling from the front desk or lobby and urged her let him come upstairs. He said words to the
27
28

1 effect, "It's Harvey, I need to talk to you." He became adamant that she tell him her room number.
2 She declined and hung up.

3
4 10. Within minutes, there was knocking at her hotel room door. She opened the door to
5 find Weinstein standing outside her room. He was loud and making a scene, repeatedly saying, "We
6 really need to talk." He asked her to let him in, and she refused. He eventually bullied his way into
7 her room.

8
9 11. Once in the room, he engaged in small talk with Plaintiff but in an arrogant and
10 intimidating manner. He quickly made his real intentions clear. He wanted to have sex with her. He
11 sat on her bed and then forcibly grabbed Plaintiff and made her sit down next to him. He told her she
12 was "pretty" and that she had "big boobs" and that they were "too big for Hollywood." He grabbed
13 at her breasts. She pulled away. She repeatedly asked him to leave. Plaintiff was scared and
14 intimidated. Defendant ignored her pleas and kept talking and at the same time continued to grab at
15 her breasts and body. He then became even more aggressive towards her, both verbally and
16 physically. She tried to distract him by changing the subject and telling him about her children, but
17 he brushed the conversation aside. Weinstein then unzipped his pants and exposed his penis to
18 Plaintiff. He then forced Plaintiff to orally copulate him and then he forcibly moved her into the
19 bathroom, where he blocked her from leaving and then raped her. After he was done raping her, he
20 acted as if nothing out of the ordinary happened, and left.

21
22
23 12. Plaintiff never had any direct contact with Weinstein after that night. Like many
24 victims of sexual assault, Plaintiff did not immediately report the rape to law enforcement. In 2017,
25 however, two things happened that caused Plaintiff to realize she needed to report Weinstein. First,
26 Plaintiff had a serious conversation with her daughter that helped spur Plaintiff to realize she needed
27 to report the assault. Second, the #MeToo movement began, and Weinstein was at the forefront of
28

1 early media reports about males in positions of power who sexually abused females in the workplace
2 and otherwise.

3 13. As a result, in October 2017, Plaintiff reported the incident to the LAPD. The LAPD
4 and, eventually, the Los Angeles County District Attorney's Office conducted a lengthy criminal
5 investigation into Weinstein. In January 2020, Weinstein was criminally charged with raping Jane
6 Doe 1.
7

8 14. In November 2022, the criminal trial commenced in Los Angeles, and in December
9 2022 a jury found Weinstein guilty for the rape and sexual assault of Plaintiff. Weinstein has thus
10 been criminally convicted for his sexual crimes perpetrated against Plaintiff.
11

12 15. This civil action is timely. Code of Civil Procedure section 340.16 allows an adult
13 victim of sexual assault to file a civil action within ten years from when the assault occurred. This
14 action was filed within ten years of the assault that occurred back on February 17-18, 2013. Also,
15 Code of Civil Procedure section 340.3 allows a civil action that is based upon a defendant's
16 commission of a felony to be filed within one year after said defendant is convicted of that felony.
17 Plaintiff filed this action within a year of Weinstein being convicted of rape. As such, under both
18 sections, Plaintiff's civil action is timely
19
20
21

22 **FIRST CAUSE OF ACTION**

23 **SEXUAL BATTERY -- CIVIL CODE SECTION 1708.5**

24 **Against Harvey Weinstein**

25 16. Plaintiff realleges and incorporates as if fully stated herein each and every allegation
26 contained in paragraphs 1 through 15 of the Complaint.

27 17. Defendant Harvey Weinstein sexually battered Plaintiff on or about February 17-18,
28 2013.

1 18. Defendant intended to sexually assault and rape Plaintiff when he entered her hotel
2 room that night.

3 19. Plaintiff did not consent to any of the acts committed by Defendant.

4 20. Plaintiff was seriously harmed as a result of Defendant's acts.

5 21. As a direct and legal result of the acts by Defendant, Plaintiff suffered injuries and
6 damages including, but not limited to, physical and mental pain and suffering, past and future costs of
7 medical and psychological care and treatment, past and future loss of earnings and earning capacity,
8 and other economic and non-economic damages, in an amount not yet ascertained but which exceeds
9 the minimum jurisdictional limits of this Court.

10 22. In committing the acts described herein, the conduct of Defendant Weinstein was
11 despicable, and done with malice, oppression and fraud, thus justifying an award of punitive damages
12 against him.

13
14 **SECOND CAUSE OF ACTION**

15 **FALSE IMPRISONMENT**

16 **Against Harvey Weinstein**

17 23. Plaintiff realleges and incorporates as if fully stated herein each and every allegation
18 contained in paragraphs 1 through 15 of the Complaint.

19 24. On or about February 17-18, 2013, Defendant Harvey Weinstein bullied his way into
20 Plaintiff's hotel room and proceeded to keep her from leaving the room. This allowed Defendant to
21 sexually assault and rape Plaintiff in her hotel room.

22 25. In so doing, Defendant intentionally deprived Plaintiff of her freedom of movement by
23 use of physical force, threats of force, menace, and unreasonable duress.

24 26. Defendant's restraint of Plaintiff compelled her to remain in the hotel room against her
25 will.

26 27. Plaintiff did not consent to any of Defendant's acts.

27 28. Plaintiff was seriously harmed as a result of Defendant's acts.
28

1 29. As a direct and legal result of the acts by Defendant, Plaintiff suffered injuries and
2 damages including, but not limited to, physical and mental pain and suffering, past and future costs of
3 medical and psychological care and treatment, past and future loss of earnings and earning capacity,
4 and other economic and non-economic damages, in an amount not yet ascertained but which exceeds
5 the minimum jurisdictional limits of this Court.

6 30. In committing the acts described herein, the conduct of Defendant Weinstein was
7 despicable, and done with malice, oppression and fraud, thus justifying an award of punitive damages
8 against him.

9
10 **THIRD CAUSE OF ACTION**
11 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
12 **Against Harvey Weinstein**

13 31. Plaintiff realleges and incorporates as if fully stated herein each and every allegation
14 contained in paragraphs 1 through 15 of the Complaint.

15 32. On or about February 17-18, 2013, Defendant Harvey Weinstein bullied his way into
16 Plaintiff's hotel room and proceeded to keep her from leaving against her will. Defendant then
17 sexually assaulted and raped Plaintiff in the hotel room.

18 33. Defendant's conduct was outrageous.

19 34. Defendant intended to cause Plaintiff emotional distress.

20 35. Plaintiff suffered severe emotional distress.

21 36. Defendant's conduct was a substantial factor in causing Plaintiff to suffer severe
22 emotional distress.

23 37. As a direct and legal result of the acts by Defendant, Plaintiff suffered injuries and
24 damages including, but not limited to, physical and mental pain and suffering, past and future costs of
25 medical and psychological care and treatment, past and future loss of earnings and earning capacity,
26 and other economic and non-economic damages, in an amount not yet ascertained but which exceeds
27 the minimum jurisdictional limits of this Court.
28

1 38. In committing the acts described herein, the conduct of Defendant Weinstein was
2 despicable, and done with malice, oppression and fraud, thus justifying an award of punitive damages
3 against him.

4
5 **FOURTH CAUSE OF ACTION**

6 **NEGLIGENCE**

7 **Against Defendants DOES 1-50**

8 39. Plaintiff realleges and incorporates as if fully stated herein each and every allegation
9 contained in paragraphs 1 through 15 of the Complaint.

10 40. Defendants DOES 1 through 50 are persons, businesses or entities who owed a duty of
11 care to Plaintiff and/or had a duty and legal obligation to control the conduct of Defendant Harvey
12 Weinstein.

13 41. Defendants DOES 1 through 50 breached that duty or care.

14 42. As a result of the negligence of said Defendants, Plaintiff was sexually assaulted and
15 raped by Defendant Harvey Weinstein in her hotel room at The Mr. C Hotel. Had said Defendants
16 fulfilled their duties and responsibilities, Plaintiff would not have been assaulted or raped.

17 43. As a direct and legal result of the negligence by Defendants, Plaintiff suffered injuries
18 and damages including, but not limited to, physical and mental pain and suffering, past and future
19 costs of medical and psychological care and treatment, past and future loss of earnings and earning
20 capacity, and other economic and non-economic damages, in an amount not yet ascertained but which
21 exceeds the minimum jurisdictional limits of this Court.

22
23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff JANE DOE 1 prays for judgment against Defendants Harvey
25 Weinstein and Does 1-50 as follows:

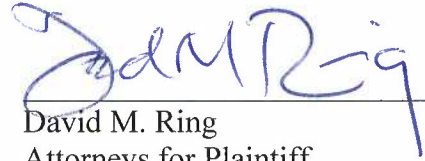
- 26 1. For an award of general and special damages according to proof;
27 2. For an award of punitive damages against Defendant Harvey Weinstein;
28 3. For costs of suit incurred herein; and

1 4. For such other and further relief as the Court deems just and proper, including an award
2 of attorney's fees, if applicable.

3
4 Dated: February 9, 2023

TAYLOR & RING

6
7 By:



8 David M. Ring
9 Attorneys for Plaintiff,
10 JANE DOE 1

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
Deadline

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

DEMAND FOR JURY TRIAL

Plaintiff JANE DOE 1 hereby demands a jury trial in this matter.

Dated: February 9, 2023

TAYLOR & RING

By:



David M. Ring
Attorneys for Plaintiff,
JANE DOE 1

Deadline