

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

-----X

Index No.

JOI DICKERSON-NEAL,

Plaintiff,

- against -

SEAN COMBS a/k/a "P. DIDDY," BAD BOY
ENTERTAINMENT d/b/a BAD BOY RECORDS,
COMBS ENTERPRISES, LLC,

Defendants.

-----X

SUMMONS

Plaintiff designates NEW YORK
County as the place of trial.

The basis of venue is:
LOCATION OF INCIDENTS

The Location of Incidents was:
New York, New York 10030

To the above-named Defendants:

YOU ARE HEREBY SUMMONED to answer the Complaint in this action, and to 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). In case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the Complaint.

Dated: New York, New York
November 23, 2023

**PHILLIPS & ASSOCIATES,
ATTORNEYS AT LAW, PLLC**



Michelle Caiola, Esq.
Jonathan Goldhirsch, Esq.
Attorneys for Plaintiff
45 Broadway, Suite 430
New York, New York 10006
T: (212) 248-7431
F: (212) 901-2107

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

-----X
JOI DICKERSON-NEAL,

Plaintiff,

- against -

SEAN COMBS a/k/a “P. DIDDY,” BAD BOY
ENTERTAINMENT d/b/a BAD BOY RECORDS,
COMBS ENTERPRISES, LLC,

Defendants.
-----X

Index No.:

COMPLAINT

**PLAINTIFF DEMANDS
A TRIAL BY JURY**

Plaintiff JOI DICKERSON-NEAL (“Plaintiff”), by and through her attorneys, PHILLIPS & ASSOCIATES, PLLC, hereby alleges and avers of the Defendants SEAN COMBS a/k/a “P. DIDDY,” BAD BOY ENTERTAINMENT d/b/a BAD BOY RECORDS, COMBS ENTERPRISES, LLC, (collectively “Defendants”), alleges upon information and belief as to all other matters as follows.

NATURE OF THE ACTION

1. Plaintiff brings suit against Defendants to redress the substantial and lifetime injuries she has suffered as a result of being drugged, sexually assaulted and abused, and being the victim of “revenge porn” that Sean Combs or “P. Diddy” created and distributed.
2. Plaintiff complains pursuant to the New York Common Law, N.Y. Soc. Serv. Law § 483-BB(c)(ii), (“New York Services For Victims of Human Trafficking Law”), New York State Civil Rights Law, Chapter 6, Article 5 § 52-B (“the New York State Revenge Porn Law”); N.Y.C. Admin. Code §§ 8-901 *et. seq.*, (“the NYC Gender Motivated Violence Protection Act”); and N.Y.C. Admin Code § 10-180(b)(1) (“the New York City Revenge Porn Law”)

and seeks damages to redress the injuries she has suffered as a result of being sexually harassed, abused, and a victim of revenge porn.

PRELIMINARY STATEMENT

Joi Dickerson was a college student at Syracuse University, pursuing a degree in psychology and filled with hopes for a bright future. While Ms. Dickerson did not come from a family with means, she was raised by a single mother who instilled in her high moral and ethical standards and a strong sense of civic duty. She was whip-smart, beautiful, and aware that her good reputation was an important asset to be safeguarded.

On January 3, 1991, while on school break for the holidays, Ms. Dickerson reluctantly agreed to an early dinner with Sean Combs or “P. Diddy.” They had many friends and acquaintances in common and she had appeared with Combs in a few clips of a music video. After dining at the famous Wells Restaurant in Harlem, “Home of Chicken and Waffles since 1938,” Combs pushed Ms. Wells to keep him company as he attended to a few things in the city.

Getting into Combs’ car that day was something Ms. Dickerson would come to regret forever. During their date, Combs had intentionally drugged Ms. Dickerson, resulting in her being in a physical state where she could not independently stand or walk. Driving first to a music studio where she could not get out of the car, Combs proceeded to a place he was staying to sexually assault her. As was his practice, but unbeknownst to Ms. Dickerson, Combs video recorded the sexual assault. Days later, a male friend revealed to her that he had viewed the “sex tape” along with other men. Horrified, Ms. Dickerson asked how many others saw it, to which he responded, “everyone.”

Ms. Dickerson’s life went into a tailspin. She returned to college, but soon had to be admitted into the hospital for severe depression and suicide ideation. Unable to function, she

dropped out of college. Ms. Dickerson has struggled with her mental health and career progression thereafter. The sexual assault and public exposure of it, caused her to suffer overwhelming feelings of humiliation, embarrassment, violation, and constant apprehension about who all viewed it. As Combs' success and wealth rose quickly, she tried to block his existence out a she tried to put her life back on track. Still today, Ms. Dickerson continues to work on her emotional health, economic recovery and finishing her college degree. Seeking accountability from Combs under the law is one more step in that journey.

PROCEDURAL REQUIREMENTS

STATE AND CITY CLAIMS REVIVED BY THE ADULT SURVIVORS ACT

3. Plaintiff's state law claims are timely under New York's Adult Survivors Act ("ASA"), N.Y. C.P.L.R. § 214-j, which, beginning on November 24, 2022, created a one-year lookback window for the survivors of sexual assault that occurred when they were over the age of 18, allowing them to sue their abusers regardless of when the abuse occurred.
4. The ASA allows survivors to sue for any "intentional or negligent acts or omissions by a person for physical, psychological, or other injury or condition suffered as a result of conduct which would constitute a sexual offense as defined in article one hundred thirty of the penal law committed against such person who was eighteen years of age or older." N.Y. C.P.L.R. § 214-j.
5. Plaintiff is a woman, who is older than 18, who alleges penal law violations, including but not limited to, N.Y. Penal L. § 130.25, N.Y. Penal L. § 130.35, N.Y. Penal L. § 130.40, N.Y. Penal L. § 130.45, N.Y. Penal L. § 130.50, N.Y. Penal L. § 130.52, N.Y. Penal L. § 130.55, N.Y. Penal L. § 130.60, N.Y. Penal L. § 130.65, N.Y. Penal L. § 130.65-A, N.Y. Penal L. § 130.67, and N.Y. Penal L. § 130.70.

6. .
7. Courts have found that the ASA revives any civil claims that “arise from conduct that constitutes a sexual offense.” *Wilkie v. Vill. of Hempstead*, 2023 U.S. Dist. LEXIS 106682 (E.D.N.Y. June 20, 2023) (holding that a plaintiff could bring false arrest and false imprisonment claims under the ASA, as “those particular claims arise from conduct that constitutes a sexual offense”).
8. Thus, Plaintiff’s claims under the New York Common Law, the New York Services For Victims of Human Trafficking Law, the New York State Revenge Porn Law and the New York City Revenge Porn Law, have been revived under the ASA, as they arise out of conduct that constitute sexual offenses.

THE N.Y.C. VICTIMS OF GENDER MOTIVATED VIOLENCE PROTECTION ACT

9. The N.Y.C. Victims of Gender Motivated Violence Protection Act (“NYC Gender Motivated Violence Protection Act”) created a lookback window on March 01, 2023, which runs for two years, for survivors of gender motivated violence, allowing them to sue their abusers regardless of when the abuse occurred. N.Y.C. Admin. Code § 10-1105(a).
10. The NYC Gender Motivated Violence Act revives any claims against “a party who commits, directs, enables, participates in, or conspires in the commission of a crime of violence motivated by gender has a cause of action against such party in any court of competent jurisdiction.” N.Y.C. Admin. Code § 10-1104.
11. The Appellate Division has held that sexual assault is an act of gender-motivated violence under the law as “Coerced sexual activity is dehumanizing and fear-inducing. Malice or ill will based on gender is apparent from the alleged commission of the act itself. Animus inheres where consent is absent.” *Breest v. Haggis*, 180 A.D.3d 83, 94 (App. Div. 2019).

12. The above-described conduct of Defendant Combs, including, but not limited to, Defendant's physical and sexual assaults of Plaintiff in New York City, constitutes a "crime of violence" and a "crime of violence motivated by gender" against Plaintiff as defined by the NYC Gender Motivated Violence Act.

PARTIES

DEFENDANT COMBS

13. Sean Combs a.k.a. P. Diddy or Puff Daddy or Diddy is a Grammy-awarding musician.
14. At all relevant times, Combs was a resident of New York state.
15. Prior to the release of Combs' debut album in 1997, Combs was a prominent member of the New York hip-hop community.
16. From 1990-1993, Combs was known for working as a Talent Director at Uptown Records.
17. Combs also known for throwing parties that attracted thousands of attendees, including the who's who of the hip-hop world.
18. In 1992, Combs founded Defendant Bad Boy Records.
19. In 2008, Combs was the first male rapper to get a star on the Hollywood Walk of Fame.
20. In 2022, Forbes estimated that Combs was one of the wealthiest hip-hop artists in America and that his net worth was over \$1 billion.
21. Upon information and belief, Combs has a history of committing physical and sexual violence against women as documented in publicly available lawsuits and extensive media coverage.

22. On May 08, 2017, Cindy Rueda, Combs' personal chef, filed a suit in Superior Court of the State of California for the County of Los Angeles, alleging that he sexually harassed her.
23. In 2019, Gina Hunyh, an ex-girlfriend of Combs, detailed in an interview how he physically abused her.
24. On November 16, 2023, Cassie Venture, an artist signed onto Bad Boy Records, filed a suit in the Southern District of New York alleging that Combs forced her to film herself having sexual intercourse with a sex worker.
25. Given the extensive media coverage of Combs' abusive treatment of women, Defendants Bad Boy Records, and Combs Enterprise LLC had knowledge and were put on notice of the sexual abuse allegations made against him.

DEFENDANT BAD BOY ENTERTAINMENT

26. In 1992, Combs founded Bad Boy Records, a record label which has sold over 500 million records, and where he produced Mary Blige, The Notorious B.I.G., and Usher.
27. Bad Boy Entertainment is a domestic limited liability company licensed to do business in New York.

DEFENDANT COMBS ENTERPRISE LLC

28. Combs Enterprise LLC is a domestic liability licensed to do business in New York.
29. Upon information and belief, Combs Enterprise LLC is the parent company of Bad Boy Entertainment.
30. Combs Enterprise LLC is a business conglomerate founded by P. Diddy that does business in the music, entertainment, fashion, spirits, and television industries.

PLAINTIFF

FACTUAL ALLEGATIONS

Introduction

31. Plaintiff grew up in New York City and was raised by a single mother.
32. In 1987, Plaintiff began attending Syracuse University, as she was inspired to attend after hearing stories about her late father who had attended the university and had died the same year she was born.
33. Plaintiff majored in Psychology.
34. Plaintiff was a hardworking student who balanced her studies, while also working as a server at Wells Restaurant in Harlem, New York to pay for her education.
35. Plaintiff was looking to make a foothold in the music industry, and had worked as a receptionist at AppleOne, a renowned talent agency and as a location scout for Gary Brewer, an industry cameraman.
36. Plaintiff also collaborated with Chuck Stone, a film director, on music videos for Grammy-awarding winning artists A Tribe Called Quest and Meselle Ndegocello.

Plaintiff Met Sean Combs And Learned Of His Reputation For Abusing Women

37. On repeated occasions, Combs pursued Plaintiff for a romantic or sexual relationship, however, Plaintiff had heard that Combs had a history of treating women badly, and rejected Combs' advances each time.
38. In fact, Sister Soulja, a rapper from the Bronx, pointedly asked Plaintiff why she and Combs had been featured together in the music video for "Straight From The Soul" by Finesse and Synquis.
39. Plaintiff understood that Sister Soulja was warning her to stay away from Combs given his infamous reputation.

Plaintiff Reluctantly Agreed To Go On A Date With Combs Who Sexually Assaulted Her

40. Finally, on January 3, 1991, during her winter break, Ms. Dickerson reluctantly agreed to meet Combs in New York City.
41. Again, wary of being alone with Combs, Plaintiff choose Wells Restaurant in Harlem, NY, which was a familiar environment, as she worked there as a server and knew the employees.
42. At Wells, Plaintiff began to feel more comfortable, as her and Combs engaged in conversation over food and drinks.
43. Later in the evening, Plaintiff had to utilize the restroom and left her drink unattended.
44. Combs indicated he did not want the date to end and asked Plaintiff to join him in doing some errands he had to run around the city.
45. While driving with Combs in his car, Combs produced a blunt and asked Plaintiff to take a hit.
46. Plaintiff politely declined, but Combs was insistent that Plaintiff should “roll with him” and promised to have her home at a decent time so she could study.
47. Feeling pressured, Plaintiff reluctantly took a hit of the blunt.
48. From that point on, Plaintiff’s memory is incomplete.
49. Plaintiff recalls Combs bringing her to a music studio, and when she attempted to exit the car, her legs felt rubbery and she was unable to stand.
50. Plaintiff next recalls being outside of a residence where it seemed Combs was living, except he rang the doorbell.
51. A man, who was an acquaintance of both Plaintiff and Combs, answered the door.
52. Plaintiff recalls that being odd as she believed, perhaps mistakenly, that it was Combs’

home.

53. While in the home, Combs sexually assaulted Plaintiff.
54. Plaintiff recalls feeling humiliated and hurt, yet she could not escape the assault.
55. Because she had been drugged, Plaintiff lacked the physical ability or mental capacity to fend Combs off.
56. The next day, Plaintiff's vaginal area hurt in a way that she had never experienced from any prior consensual sexual encounters.
57. Feeling confusion, pain, embarrassment, and shame, Plaintiff did not go the hospital or report the assault to the police, and sought refuge in her apartment, avoiding any outside contact.
58. The next day, Plaintiff broke down and tearfully recalled Combs' sexual assault to her best friend.
59. Shortly thereafter, Davante Swing, a member of R&B group Jodeci, told Plaintiff that Combs had filmed himself sexually assaulting Plaintiff and had shown the video to Swing and others while working at the studio.
60. Plaintiff asked Swing who had seen the video, and he replied: "Everyone."
61. Plaintiff was mortified as she learned that Combs had filmed the assault and knew it would haunt her for the rest of her life and career.
62. Swing told Plaintiff that he wanted to speak up against Combs, but he was fearful that the band would lose their record deal.
63. Jodeci was in the midst of recording their studio album *Forever Lady*, for which Combs was doing A&R.

Following Combs' Assault, Plaintiff Suffered An Emotional Breakdown

64. In the coming weeks, Plaintiff did her best to pull herself together so she could return to Syracuse University.
65. Despite this, Plaintiff experienced traumatic flashbacks to the assault, extreme sleeplessness for days on end, social withdrawal, and would recoil at even the most basic physical touch.
66. Plaintiff felt physically unable to leave her dorm at Haven Hall, thus, she was frequently absent from her classes.
67. Plaintiff also had an inability to focus and concentrate, as her mind constantly replayed Combs' assault, leading her grades to plummet.
68. Plaintiff's mother grew so concerned with Plaintiff's sudden downturn in her emotional state and her repeated assertions that she no longer wanted to live, thus, Plaintiff's mother instructed her to go to the Emergency Room.
69. Plaintiff was admitted into a psychiatric unit to treat her emotional trauma and her physicians diagnosed her as experiencing clinical depression.
70. After Plaintiff was discharged, she continued to experience emotional turmoil, as everyday interactions triggered memories of the assault.
71. Plaintiff also became socially isolated as her classmates labeled her "crazy" as they learned of her admission in the psychiatric unit.

Plaintiff Sought Justice Against Combs For Sexually Assaulting Her

72. As Plaintiff began to recover, she desperately sought to hold Combs to account for the crimes he committed against her.
73. Plaintiff's mom told her to contact Pastor Calvin Butts of the Historic Abyssinian Church in Harlem, NY, however, Plaintiff felt too ashamed to speak with Pastor Butts, as she

worried he would judge her.

74. Plaintiff filed police reports in New York and New Jersey and spoke to several prosecutors hoping to press charges.
75. Members of law enforcement told Plaintiff that her allegations would need to be corroborated by witnesses and others who had experienced similar assaults.
76. Plaintiff also approached various friends, acquaintances and colleagues to assist her in locating the revenge porn tape.
77. Colleagues told Plaintiff that they were terrified that Combs would retaliate against them and that they would lose future business and music opportunities if they made a statement in support of Plaintiff, as Combs' star was on the rise in the 1990's.
78. Combs had experienced great success with the launch of the career of The Notorious B.I.G. whose hit single Juicy had charted on Billboard.
79. Some potential witnesses were afraid of Combs' wrath, as he was known to be violent; while others, declined because they feared they would not be invited to his future parties and events.

Combs Tried To Dissuade Plaintiff From Reporting Him

80. Despite her emotional pain, Plaintiff continued to work in the music industry and began working for Stress Management, a DJ Management company that represented DJ Funkmaster Flex and others.
81. At Stress Management, Plaintiff's supervisor was Jessica Rosenblum, who was known for creating Mecca – a party series where many of New York's Hip Hop legends performed.
82. Plaintiff helped promote Rosenbloom's parties and also acted as her personal assistant by

completing any errands she had.

83. One night, Plaintiff was working at one of Rosenblum's parties when she unfortunately ran into Combs and did her best to avoid talking with him.
84. Despite Plaintiff's efforts, Combs backed Plaintiff into a corner and inappropriately confronted her in public.
85. Combs dramatically got down on his knees, before insisting that he wanted her to believe him when he said he did not do what she was saying.
86. Rosenbloom noticed Combs' odd behavior and asked why he was begging her for forgiveness.
87. Plaintiff merely told Rosenblum that Combs had wronged her, as she was afraid of divulging more as Rosenblum often worked with Diddy,

Plaintiff Left The Music Industry As Diddy's Rise Was Too Painful To Witness

88. After working for Stress Management, Plaintiff began writing music video treatments.
89. However, Plaintiff realized that she could not continue to work in the music industry, as Combs' star continued to rise and his presence was inescapable.
90. Plaintiff decided to try her hand at screenwriting and ended up moving to California – moving thousands of miles from the location of the assault.
91. Plaintiff had always wanted to work at a record label, but she knew that dream had cratered as Combs continued to garner multi-platinum albums and win Grammy's.

Plaintiff's Emotional Trauma Resurges

92. Plaintiff has spent years trying to recover from the emotional trauma she experienced at Combs' hands.
93. During the COVID-19 pandemic, Plaintiff spent hours rereading her journals and

- digitizing them, however, she felt physically ill once she reached the time period in which she met Combs. Plaintiff could not stomach continuing with the project.
94. It was the filing of the lawsuit about his abuse of Cassie Venture on November 16, 2023, that forced her to face his assault again.
95. After reading about the lawsuit, Plaintiff spoke to an ex-boyfriend for the first time in years after reading Ms. Venture's lawsuit.
96. During their conversation, Plaintiff's ex recalled how she would become physical ill and recoil every time Combs' music was played or his name was mentioned.
97. Still hoping for justice, Plaintiff brings this case against Combs now.
98. While many years have passed, Combs' illegal conduct has cast a shadow over her life.
99. Years later, Plaintiff has continued to see mental health providers who have aided in her recovery and treated her PTSD.
100. Tragically, despite several attempts, Plaintiff has not been able to finish her college degree, as her subconscious associates her studies with the assault.
101. Combs' conduct forever changed the trajectory of her career, denying her what might have been a lucrative and successful career in the music industry.
102. Plaintiff is confident she can prove her case through at least a dozen witnesses to testify to her severe emotional distress and harm that she experienced after the assault.

CAUSES OF ACTION

AS A FIRST CAUSE OF ACTION

ASSAULT AND BATTERY UNDER THE NEW YORK COMMON LAW

(Against Defendant Combs)

103. Plaintiff repeats, reiterates, and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.

104. In performing the conduct described above, Defendant Combs committed assault and battery against Plaintiff because he intentionally engaged in unlawful, intentional, and offensive touching or application of force to Plaintiff's person. Defendant's actions amount to violations under N.Y. Penal L. § 130.25, N.Y. Penal L. § 130.35, N.Y. Penal L. § 130.40, N.Y. Penal L. § 130.45, N.Y. Penal L. § 130.50, N.Y. Penal L. § 130.52, Y. Penal L. § 130.55, N.Y. Penal L. § 130.60, N.Y. Penal L. § 130.65, N.Y. Penal L. § 130.65-A, N.Y. Penal L. § 130.67, and N.Y. Penal L. § 130.70.
105. As a result of Defendant Combs's alleged conduct, Plaintiff has suffered physical injuries, severe emotional distress, humiliation, embarrassment, anxiety, economic harm, and other consequential damages.
106. The conduct of Defendant Combs described above was willful, wanton, and malicious. At all relevant times, Combs acted with conscious disregard of 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 and exemplary damages from Defendant Combs at trial.

AS A SECOND CAUSE OF ACTION
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
UNDER THE NEW YORK COMMON LAW
(Against Defendants)

107. Plaintiff repeats and realleges each and every allegation made in the above paragraphs of this Complaint.
108. Defendant Combs engaged in outrageous conduct by unlawfully administering to Plaintiff a narcotic or intoxicating substance, transporting her, forcing her to engage in sexual intercourse, creating a video recording of the sexual intercourse, and distributing the

recording throughout New York state – without her consent.

109. Defendant Combs' actions were intended to cause harm to Plaintiff or recklessly disregarded the substantial possibility of causing Plaintiff severe emotional distress.
110. As a result of Defendant Combs's alleged conduct, Plaintiff has suffered physical injuries, severe emotional distress, humiliation, embarrassment, anxiety, economic harm, and other consequential damages.

AS A THIRD CAUSE OF ACTION
SEX TRAFFICKING UNDER THE NEW YORK SERVICES FOR VICTIMS OF
HUMAN TRAFFICKING LAW
(Against Defendants)

111. Plaintiff repeats and realleges each and every allegation made in the above paragraphs of this Complaint.
112. Plaintiff is a victim of sex trafficking within the meaning of N.Y. Penal Law § 230.34 and is therefore entitled to bring a civil action under N.Y. Soc. Serv. Law § 483-BB(c)(ii).
113. Defendants unlawfully administered to Plaintiff a narcotic or intoxicating substance in New York state, transported her, forced her to engage in sexual intercourse, and made a video recording of the “revenge porn” which he distributed throughout New York state – all without her consent.
114. As a direct and proximate result of Defendants' unlawful conduct as alleged hereinabove, Plaintiff has suffered physical injury, severe emotional distress and anxiety, humiliation, embarrassment, post-traumatic stress disorder, emotional harm, and other consequential damages.
115. Plaintiff seeks reasonable attorney's fees and litigation costs including, but not limited to, expert witness fees and expenses, as provided by N.Y. Soc. Serv. § 483-bb.

AS A THIRD CAUSE OF ACTION

NEW YORK STATE REVENGE PORN LAW
(Against Defendants)

116. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.
117. New York State Civil Rights Law, Chapter 6, Article 5 § 52-B, New York's law against revenge porn, provides in pertinent part that:

Any person depicted in a still or video image, regardless of whether or not the original still or video image was consensually obtained, shall have a cause of action against an individual who, for the purpose of harassing, annoying or alarming such person, disseminated or published, or threatened to disseminate or publish, such still or video image, where such image: a. was taken when such person had a reasonable expectation that the image would remain private; and b. depicts (i) an unclothed or exposed intimate part of such person; or (ii) such person engaging in sexual conduct, as defined in subdivision ten of section 130.00 of the penal law, with another person; and c. was disseminated or published, or threatened to be disseminated or published, without the consent of such person.

118. Plaintiff repeats and realleges each and every allegation made in the above paragraphs of this Complaint.
119. Plaintiff was depicted in a video image in which Combs engaged in sexual contact with her as defined under the New York Penal Law and/or in which Plaintiff's body was unclothed or her intimate parts were exposed.
120. Plaintiff did not consent to the depiction, as she was mentally incapacitated, as Plaintiff was rendered temporarily incapable of consenting to sexual contact, as Defendant Combs administered to her a narcotic or intoxicating substance without her consent.
121. Additionally, Plaintiff was mentally incapacitated, as Plaintiff was rendered temporarily incapable of consenting to being featured in an intimate visual depiction, as Defendant

- Combs administered to her a narcotic or intoxicating substance without her consent.
122. As Combs administered to Plaintiff a narcotic or intoxicating substance without her consent, Combs knowingly, willfully, and/or recklessly disregarded that Plaintiff did not consent to the intimate visual depiction.
123. Combs disseminated or published the video without Plaintiff's consent, in order to harass, annoy, or alarm Plaintiff.
124. Combs disseminated or published the video without Plaintiff's consent to her colleagues, in order to cause her economic, physical or substantial emotional harm.
125. Plaintiff would be identifiable to others from the intimate images or from the circumstances in which Combs disclosed the images to colleagues of Plaintiff.
126. Under New York State Civil Rights Law, Chapter 6, Article 5 § 52-B, Plaintiff is entitled to an award of compensatory and punitive damages, injunctive and declaratory relief, attorneys fees, reasonable court costs, and other remedies as this Court may deem appropriate damages.

AS A FOURTH CAUSE OF ACTION
THE NYC VICTIMS OF GENDER-MOTIVATED VIOLENCE PROTECTION ACT
(Against Defendants)

127. Plaintiff repeats, reiterates, and realleges each and every allegation made in the above paragraphs of this complaint as if more fully set forth herein at length.
128. The above-described conduct of Defendant Combs, including, but not limited to, Defendant Combs' physical and sexual assaults 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 N.Y. C. Admin Code § 10-1103.
129. Defendant Combs's crimes of violence were motivated by Plaintiff's gender as defined in the New York City Administrative in the New York City Administrative Code § 8-903, as

Defendant Combs committed forcible sex acts upon Plaintiff.

130. The above-described conduct of Defendant Combs constitutes sexual offenses as defined in Article 130 of the New York Penal Law.
131. Upon information and belief, Defendant Combs' acts of physical assault illustrate that he is a misogynist who took pleasure in hurting women and thus his assaults were gender motivated.
132. Furthermore, Defendants Bad Boy Entertainment, Bad Boy Records, Combs Enterprises, LLC, enabled Defendant Combs' commission of the crimes of violence motivated by gender, and thus, are liable under the NYC Victims of Gender-Motivated Protection Act. Despite the fact that it was an "open secret" that Combs abused women, they continued to employ him.
133. 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.

AS A FIFTH CAUSE OF ACTION
NEW YORK CITY REVENGE PORN LAW
(Against Defendants)

134. Plaintiff repeats, reiterates, and re-alleges each and every allegation set forth above with the same force and effect as if more fully set forth herein.
135. N.Y.C. Admin Code § 10-180(b)(1) New York City's law against revenge porn, provides in pertinent part that:

“It is unlawful for a covered recipient to disclose an intimate image, without the depicted individual's consent, with the intent to cause economic, physical or substantial emotional harm to such depicted individual, where such depicted individual is or would be identifiable to another individual either from the intimate image or from the circumstances under which such image is disclosed.”

136. Pursuant to N.Y.C. Admin Code § 10-180(d), Plaintiff brings a civil cause of action for violations for the above reference law.
137. Plaintiff was depicted in a video image in which Combs engaged in sexual contact with her as defined under the New York Penal Law and/or in which Plaintiff's body was unclothed or her inmate parts were exposed.
138. Plaintiff did not consent to the depiction, as she was mentally incapacitated, as Plaintiff was rendered temporarily incapable of consenting to sexual contact, as Defendant Combs administered to her a narcotic or intoxicating substance without her consent.
139. Additionally, Plaintiff was mentally incapacitated, as Plaintiff was rendered temporarily incapable of consenting to being featured in an intimate visual depiction, as Defendant Combs administered to her a narcotic or intoxicating substance without her consent.
140. As Combs administered to Plaintiff a narcotic or intoxicating substance without her consent, Combs knowingly, willfully, and/or recklessly disregarded that Plaintiff did not consent to the intimate visual depiction.
141. Combs disseminated or published the video without Plaintiff's consent, in order to harass, annoy, or alarm Plaintiff after she refused his sexual advances.
142. Combs disseminated or published the video without Plaintiff's consent to her colleagues, in order to cause her economic, physical or substantial emotional harm.
143. Plaintiff would be identifiable to others from the intimate images or from the circumstances

in which Combs disclosed the images to colleagues of Plaintiff.

144. As a direct and proximate result of the aforementioned actions, Plaintiff has sustained and will continue to sustain, monetary damages, physical injury, pain and suffering, and serious psychological and emotional distress.
145. Under New York State Civil Rights Law, Chapter 6, Article 5 § 52-B, Plaintiff is entitled to an award of compensatory and punitive damages, injunctive and declaratory relief, attorneys fees, reasonable court costs, and other remedies as this Court may deem appropriate damages.

JURY DEMAND

146. Plaintiff demands a trial by jury of all issues.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests a judgment against the Defendants:

- A. Declaring that Defendants engaged in unlawful practices prohibited by the New York Common Law, the New York Services For Victims of Human Trafficking Law, New York State Revenge Porn Law, the New York City Victims of Gender-Motivated Violence Protection Act, and the New York City Revenge Porn Law, in that Defendant Combs sexually assaulted Plaintiff and that Defendants engaged in the unlawful distribution of intimate visual depictions a.k.a. “revenge porn” without consent.
- B. Awarding Plaintiff compensatory damages for mental, and emotional injury, distress, pain and suffering and injury to her reputation in an amount to be proven;
- C. Awarding Plaintiff damages for Defendants’ breach of contract.
- D. Awarding Plaintiff punitive damages;
- E. Awarding Plaintiff attorneys’ fees, costs, and expenses incurred in the prosecution of the action; and

F. Awarding Plaintiff such other and further relief as the Court may deem equitable, just and proper to remedy Defendants' unlawful practices.

Dated: New York, New York
November 23, 2023

**PHILLIPS & ASSOCIATES,
Attorneys at Law, PLLC**

By: 

Michelle A. Caiola, Esq.
Jonathan Goldhirsch, Esq.
Attorneys for Plaintiff
45 Broadway, Suite 430
New York, New York 10006
T: (212) 248-7431
F: (212) 901 - 2107
mcaiola@tpglaws.com
jgoldhirsch@tpglaws.com