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Los Angeles Superior Court

OCT 27 2016

Sherri R. Carter, Executive Officer/Clerk
By: Moses Soto, Deputy

10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **IN AND FOR THE COUNTY OF LOS ANGELES**

12 JANE LM DOE, an individual,
13 Plaintiff,

14 v.

15 DR. LARRY NASSAR, an individual; USA
16 GYMNASTICS, an Indiana business entity of
17 form unknown; ROBERT COLAROSS, an
18 individual; STEPHEN "STEVE" PENNY, an
19 individual; BELA KAROLYI, an individual;
20 MARTHA KAROLYI, an individual;
21 KAROLYI TRAINING CAMPS, LLC, a Texas
22 business entity of form unknown; KAROLYI
23 WORLD GYMNASTICS INC., a Texas
24 business entity of form unknown; KAROLYI'S
25 ELITE, a Texas business entity of form
26 unknown; AOGC ALL OLYMPIA
27 GYMNASTIC CENTER INC., a California
28 business entity of form unknown; GALINA
MARINOVA, an individual, ARTUR
AKOPYAN, an individual, and DOES 1
through 500.

Defendants.

Case No.: **BC 638724**
Judge: _____
Department: _____

COMPLAINT FOR DAMAGES FOR:

- 1) **SEXUAL ASSAULT;**
- 2) **SEXUAL BATTERY(CIVIL CODE § 1708.5);**
- 3) **GENDER VIOLENCE (CIVIL CODE § 52.4);**
- 4) **SEXUAL HARASSMENT (CIVIL CODE § 51.9);**
- 5) **UNFAIR BUSINESS PRACTICES (BUSINESS & PROFESSIONS CODE § 17200);**
- 6) **INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS;**
- 7) **CONSTRUCTIVE FRAUD (CIVIL CODE § 1573);**
- 8) **NEGLIGENCE;**
- 9) **NEGLIGENT SUPERVISION;**
- 10) **NEGLIGENT HIRING/RETENTION;**
- 11) **NEGLIGENT FAILURE TO WARN, TRAIN OR EDUCATE.**

DEMAND FOR JURY TRIAL.

COMES NOW, Plaintiff JANE LM DOE, who complains and alleges as follows:

GENERAL ALLEGATIONS AS TO THE PARTIES

1. This action seeks to vindicate the rights of JANE LM DOE, a former elite gymnast, who was sexually abused, harassed, violated, and molested, as a minor, by the very individual who was hired, retained, and supervised by Defendant USA GYMNASTICS, the KAROLYI DEFENDANTS, and DOES 1 through 500, to provide healing, therapy and treatment for JANE LM DOE: The perpetrator, Defendant DR. LARRY NASSAR (hereinafter referred to as "NASSAR" or "The Perpetrator", interchangeably). JANE LM DOE forfeited the better part of her formative years, in order to pursue her passion of gymnastics. The values set forth by Defendants USA GYMNASTICS, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN, and DOES 1 through 500, who had a legal, moral and ethical duty to protect JANE LM DOE, were compromised and ignored, in allowing the Perpetrator (NASSAR) to access JANE LM DOE (as well as other gymnasts) physically, sexually, and without abatement. Believing that her experience with USA GYMNASTICS would allow for personal growth and lifelong memories, JANE LM DOE placed her trust and confidence in Defendants (used collectively to refer to the Perpetrator (NASSAR), USA GYMNASTICS, ROBERT COLAROSSO, STEPHEN "STEVE" PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN, and DOES 1 through 500 as "Defendants"), to provide for her well-being and care. JANE LM DOE's trust was breached, and her aspirations for personal growth turned to fear, distress, and anxiety, for which she now seeks to recover in this action, and protect future gymnasts from undergoing the pain and suffering she has endured at the hands of the Perpetrator (NASSAR), through the programs offered by USA GYMNASTICS and the Defendants.

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2. Herein after, Defendants BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE shall be referred to collectively as the "KAROLYI DEFENDANTS."

3. Hereinafter, the Defendants ARTUR AKOPYAN, GALINA MARINOVA, and AOGC OF ALL OLYMPIA GYMNASTIC CENTER, INC., ("ALL OLYMPIA") shall be referred to collectively as the "ALL OLYMPIA DEFENDANTS."

THE PLAINTIFF, JANE LM DOE

4. Plaintiff JANE LM DOE (hereinafter "Plaintiff" used interchangeably with "JANE LM DOE") was born in 1992. After years of hard work and training, JANE LM DOE achieved elite status as a gymnast, and competed with Defendant USA GYMNASTICS on the United States Women's National Team from 2006 to 2011, and was first invited to the National Team camp in 2005. JANE LM DOE went on to become a 2010 World Team member, nationally-ranked NCAA Champion gymnast, and was and is among the best America had to offer in the sport. As youngster, the Plaintiff began her gymnastics career at a young age, and competed, trained, and conditioned as a gymnast many years prior to the start of her sexual abuse at the hands of NASSAR.

5. It is with her affiliation with USA GYMNASTICS, the KAROLYI DEFENDANTS and ALL OLYMPIA where JANE LM DOE came into contact with the Perpetrator (NASSAR), a team physician for USA GYMNASTICS who worked with USA GYMNASTICS gymnasts to, ostensibly, provide care, treatment, and athletic training. Under the auspices as team physician, the Perpetrator (NASSAR) used his position of trust and authority to gain access to minor, female gymnasts, including the Plaintiff. The Perpetrator (NASSAR) systematically sexually groomed the minor JANE LM DOE and proceeded to repeatedly sexually abuse, harass and molest JANE LM DOE over a period of several years. Plaintiff is informed and believes the childhood sexual abuse occurred at the USA Gymnastics National Team Training Center at Karolyi Ranch (hereinafter, "Karolyi Ranch") in Huntsville, Texas.

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1 During the entire time period of the sexual abuse alleged herein, Plaintiff was a resident of the
2 State of California. Plaintiff currently resides in the County of Los Angeles.

3
4 6. The name used by JANE LM DOE is not the true and correct name of the
5 Plaintiff, but is a fictitious name utilized to protect the privacy of the Plaintiff, a victim of
6 childhood sexual harassment, abuse, and molestation. JANE LM DOE brings her claims
7 pursuant to California *Code of Civil Procedure* § 340.1 and statutes listed herein.

8 **DEFENDANT, DR. LARRY NASSAR-THE PERPETRATOR**

9 7. Defendant NASSAR, at all times mentioned herein was and is an adult male
10 individual, who Plaintiff is informed and believes lived in the State of Michigan during the
11 period of time during which the sexual abuse, harassment, and molestation alleged herein took
12 place and is currently a citizen of the State of Michigan. Plaintiff is informed and believes that
13 the Perpetrator (NASSAR) was accepted onto the staff of USA GYMNASTICS as a trainer in
14 1986 and then as the National Medical Director and the National Team Physician for the
15 women's gymnastics team in 1996. The Perpetrator (NASSAR) was also responsible for
16 coordinating the care for USA GYMNASTICS, KAROLYI DEFENDANTS, and for participants
17 and members at every national and international competition, and has traveled with USA
18 GYMNASTICS at the World Artistic Gymnastics Championships in 1991, 1995, 1999, 2003,
19 2007, and 2010. The Perpetrator (NASSAR) was also sent by USA GYMNASTICS to various
20 international competitions including but not limited to: the 1987 Pan American Games, the 1996
21 Olympic Games, the 2000 Olympic Games, the 2007 Pan American Games, the 2008 Olympic
22 Games, and the 2012 Olympic games. The Perpetrator (NASSAR) continued to function in this
23 capacity at USA GYMNASTICS until in or around the middle of 2016. At all times herein
24 alleged, the Perpetrator (NASSAR) was an employee, agent, and/or servant of Defendant USA
25 GYMNASTICS, KAROLYI DEFENDANTS, and/or was under their complete control and/or
26 active supervision.

27 8. The Perpetrator (NASSAR) was retained by USA GYMNASTICS and
28 KAROLYI DEFENDANTS as an Osteopathic Physician and certified athletic trainer to provide

1 care, treatment, and athletic training to the USA GYMNASTICS and its participants, most of
2 which were minors while in his care. It was through this position of trust and confidence, that the
3 Perpetrator (NASSAR) exploited JANE LM DOE, in perpetrating his sexual abuse, molestation
4 and harassment upon JANE LM DOE. All of the sexually abusive and harassing conduct alleged
5 herein was done for the Perpetrator's (NASSAR) sexual gratification and was based upon the
6 gender of JANE LM DOE.

7
8 9. It is on information and reasonable belief that the Perpetrator (NASSAR), using
9 his apparent authority and position within USA GYMNASTICS over the minor participants in
10 his charge, that the Perpetrator (NASSAR) sexually abused, molested, and harassed multiple
11 other members of the United States Women's Olympic Gymnastics Team, numerous gymnasts
12 and athletes as an employee of Michigan State University, and National teams, over the nearly
13 30 years in which the Perpetrator (NASSAR) has been affiliated with USA GYMNASTICS.

14 10. In the event the Perpetrator (NASSAR) be prosecuted and convicted of a felony
15 for the conducted alleged herein, the Plaintiff requests leave to amend the instant Complaint,
16 such that a request for attorneys' fees can be made against the Perpetrator (NASSAR) pursuant
17 to *Code of Civil Procedure* § 1021.4.

18 **DEFENDANT, USA GYMNASTICS**

19 11. Defendant USA GYMNASTICS at all times mentioned herein was and is a
20 business entity of form unknown, having its principal place of business in the State of Indiana.
21 Plaintiff is informed and believes USA GYMNASTICS was incorporated in the state of Texas
22 and/or Arizona. Defendant USA GYMNASTICS is the national governing body for gymnastics
23 in the United States, and selects and trains the United States gymnastics teams for the Olympics
24 and World Championships, promotes and develops gymnastics locally and nationally, and serves
25 as a resource center for members, clubs, fans and gymnasts throughout the United States.
26 Defendant USA GYMNASTICS has more than 174,000 athletes and professional members,
27 more than 148,000 athletes registered in competitive programs, as well as more than 25,000
28 professional, instructor and club members. Approximately 4,000 competitions and events

1 throughout the United States are sanctioned annually by Defendant USA GYMNASTICS.
2 Defendant USA GYMNASTICS was the primary entity owning, operating and controlling the
3 activities and behavior of its employee agents, including, but not limited to the Perpetrator
4 (NASSAR). USA GYMNASTICS is also the entity that selects gymnasts for the US National
5 and Olympic Teams.
6

7 12. Defendant USA GYMNASTICS purposely conducts substantial educational
8 business activities in the State of California, with regional affiliates in Northern California,
9 Central California, and Southern California. Defendant USA GYMNASTICS currently sponsors
10 and has scheduled over 75 competitions, meets, and/or invitationals throughout the entire state of
11 California. Defendant USA GYMNASTICS has numerous athletes and professional members,
12 professional, instructor and club members conducting substantial activity and purposefully
13 availing itself of the laws and protections of California. The sexual abuse, harassment, and
14 molestation alleged herein took place multiple times, where Defendant USA GYMNASTICS
15 was the primary entity owning, operating and controlling the activities and behavior of its
16 employee agents, including, but not limited to the Perpetrator (NASSAR).

17 13. As stated on its website through its Code of Ethical Conduct, "...Members of
18 [Defendant USA GYMNASTICS] are expected to promote a safe environment for participants,
19 coaches, officials, volunteers and staff in all gymnastics disciplines, which includes an
20 environment free from sexual misconduct. It is inconsistent with this obligation for any Member
21 to: 1. Solicit or engage in sexual relations with any minor. 2. Engage in any behavior that utilizes
22 the influence of a professional Member's position as coach, judge, official or administrator to
23 encourage sexual relations with an athlete or participant. 3. Engage in sexual harassment by
24 making unwelcome advances, requests for sexual favors or other verbal or physical conduct of a
25 sexual nature where such conduct creates an intimidating, hostile or offensive environment."
26 However, Defendant USA GYMNASTICS' policies and procedures then provide that,
27 "Professional Members of [Defendant USA GYMNASTICS] must protect the integrity of the
28 sport and the interests of the athletes they serve by avoiding sexual relationships with athletes

1 **except where the capacity and quality of the athlete's consent to enter that relationship is**
2 **beyond question.”** [Emphasis Added]. In enforcing this Code of Ethical Conduct, the published
3 policies and procedures provide, “Compliance with this Code depends primarily upon
4 understanding and voluntary compliance, secondarily upon reinforcement by peers, and, when
5 necessary, upon enforcement through disciplinary action....Any Member (‘Complainant’) who
6 believes that another Member of [Defendant USA GYMNASTICS] has failed to meet such
7 Member’s obligations under this Code is, under all but the most egregious circumstances,
8 encouraged to first address that concern directly to that Member.”
9

10 14. Under Defendant USA GYMNASTICS’s policies and procedures for reporting
11 abuse, it provides that, “[Defendant USA GYMNASTICS] will follow applicable law in
12 reporting abusive situations to the proper authorities. If, in [Defendant USA GYMNASTICS]’[s]
13 reasonable and good faith judgment, reporting to the proper authorities is necessary to protect a
14 person from the possibility of further abuse, it may make such report even if not compelled by
15 law to do so.” Further, the policies and procedures for “Reporting Suspected Abuse” at
16 Defendant USA GYMNASTICS provide that “[a]ny person who reasonably and in good faith
17 believes a member of [Defendant USA GYMNASTICS] has abused another person, whether
18 physical or sexual, such person may notify the [Defendant USA GYMNASTICS] National
19 Office pursuant to Articles 9 and/or 10 of the [Defendant USA GYMNASTICS] Bylaws.”

20 15. Under the applicable laws, Defendant USA GYMNASTICS is an organization
21 whose employees, agents, and/or servants are legally “mandated reporters”, considering that
22 Defendant USA GYMNASTICS is a youth recreational program and Defendant USA
23 GYMNASTICS’ employees’ duties require direct contact and supervision of minor children.

24 16. Defendant USA GYMNASTICS receives millions of dollars in private donations
25 and corporate financial support, on a yearly basis, according to its publicly available Form-990’s.
26 It is on this basis, under information and therefore belief, that Defendant USA GYMNASTICS
27 ignored and/or actively concealed the abuse that was being perpetrated by the Perpetrator
28 (NASSAR), and other employees/agents of its organization, such that Defendant USA

GYMNASTICS would not be subjected to public scrutiny, administrative, civil and/or criminal investigation and could maintain a false façade of high moral reputé, and could maintain and grow this financial support for its programs. This attempt to conceal and/or ignore the abuse being perpetrated under its control and supervision, and was done at the expense of minor athletes and participants, including the Plaintiff, JANE LM DOE.

DEFENDANT, ROBERT COLAROSSİ

17. Defendant ROBERT COLAROSSİ (hereinafter "COLAROSSİ") at all times mentioned herein was and is an adult male individual, who Plaintiff is informed and believes lived in the State of California during the period of time during which the sexual abuse, harassment, and molestation alleged herein took place and is currently a citizen of the State of California. Defendant COLAROSSİ was the President of Defendant USA GYMNASTICS charged with the overall management and strategic planning for the organization. Plaintiff is informed and believes and on that basis alleges that Defendant COLAROSSİ oversaw a wide-ranging, calculated concealment of numerous instances, complaints, and allegations of sexual abuse and misconduct among the participants and members of Defendant USA GYMNASTICS. Through this conduct, Defendant COLAROSSİ's actions and inactions enabled and ratified the sexual abuse by the Perpetrator (NASSAR) against Plaintiff and other participants and members of Defendant USA GYMNASTICS and fueled the ongoing concealment of abuse at Defendant USA GYMNASTICS, making it more unlikely for victims (such as the Plaintiff) to obtain much needed medical and/or psychological treatment. Plaintiff is informed and believes that Defendant COLAROSSİ served as President of Defendant USA GYMNASTICS from 1998 to 2005. At all times herein alleged, Defendant COLAROSSİ was an employee, agent, and/or servant of Defendant USA GYMNASTICS, and/or was under their complete control and/or active supervision.

18. Plaintiff is informed and believes, and on that basis alleges, that Defendant COLAROSSİ had wide-ranging knowledge of the abusive, and harassing environment that was cultivated and embraced by the gymnastics community at Karolyi Ranch (Hereinafter, "THE

RANCH”), within NASSAR, the KAROYLI DEFENDANTS, and USA GYMNASTICS, as well as knowledge of the Perpetrator (NASSAR)’s sexually abusive propensities and the abuse perpetrated by the Perpetrator (NASSAR) against minor children. Despite having this knowledge, Defendant COLAROSSO concealed, ignored, and willfully blinded himself to these facts, to the detriment of minor children in USA GYMNASTICS’ custody, control, and care, including the Plaintiff. As a common scheme and plan of agents within USA GYMNASTICS (including Defendant COLAROSSO), allegations of sexual misconduct by coaches, employees, and volunteers (including the Perpetrator (NASSAR)) were concealed and ignored, in order to maintain the false impression of USA GYMNASTICS as engendering propriety, safety, and care. It was under these circumstances, and acts and omissions of Defendant COLAROSSO, that the Plaintiff was placed into contact with the Perpetrator (NASSAR) and sexually abused.

DEFENDANT, STEPHEN “STEVE” PENNY

19. Defendant STEPHEN “STEVE” PENNY (hereinafter “PENNY”) at all times mentioned herein was and is an adult male individual, who Plaintiff is informed and believes lived in the State of Indiana during the period of time during which the sexual abuse, harassment, and molestation alleged herein took place and is currently a citizen of the State of Indiana. Defendant PENNY was the President of Defendant USA GYMNASTICS charged with the overall management and strategic planning for the organization. Plaintiff is informed and believes and on that basis alleges that Defendant PENNY oversaw a wide-ranging, calculated concealment of numerous instances, complaints, and allegations of sexual abuse and misconduct among the participants and members of Defendant USA GYMNASTICS. Through this conduct, Defendant PENNY’s actions and inactions enabled and ratified the sexual abuse by the Perpetrator (NASSAR) against Plaintiff and other participants and members of Defendant USA GYMNASTICS and fueled the ongoing concealment of abuse at Defendant USA GYMNASTICS, making it more unlikely for victims (such as the Plaintiff) to obtain much needed medical and/or psychological treatment. Plaintiff is informed and believes that Defendant PENNY served as President of Defendant USA GYMNASTICS from 2005 to present. At all

1 times herein alleged, Defendant PENNY was an employee, agent, and/or servant of Defendant
2 USA GYMNASTICS, and/or was under their complete control and/or active supervision.

3
4 20. Plaintiff is informed and believes, and on that basis alleges, that Defendant
5 PENNY had wide-ranging knowledge of the abusive, and harassing environment that was
6 cultivated and embraced by the gymnastics community at THE RANCH, within the KAROLYI
7 DEFENDANTS, and USA GYMNASTICS, as well as knowledge of the Perpetrator
8 (NASSAR)'s sexually abusive propensities and the abuse perpetrated by the Perpetrator
9 (NASSAR) against minor children. Despite having this knowledge, Defendant PENNY
10 concealed, ignored, and willfully blinded himself to these facts, to the detriment of minor
11 children in USA GYMNASTICS' custody, control, and care, including the Plaintiff. As a
12 common scheme and plan of agents within USA GYMNASTICS (including Defendant
13 PENNY), allegations of sexual misconduct by coaches, employees, and volunteers (including the
14 Perpetrator (NASSAR)) were concealed and ignored, in order to maintain the false impression of
15 USA GYMNASTICS as engendering propriety, safety, and care. It was under these
16 circumstances, and acts and omissions of Defendant PENNY, that the Plaintiff was placed into
17 contact with the Perpetrator (NASSAR) and sexually abused.

18 **KAROLYI DEFENDANTS**

19 **DEFENDANTS BELA KAROLYI AND MARTA KAROLYI**

20 21. Defendant BELA KAROLYI, at all times mentioned herein, was and is an adult
21 male individual, who Plaintiff is informed and believes lived in the State of Texas during the
22 period of time during which the sexual abuse, harassment, and molestation alleged herein took
23 place and is currently a citizen of the State of Texas. BELA KAROLYI, a former Romanian
24 gymnastics coach, defected to the United States in the early 1980's and established a gymnastics
25 training facility in the early 1980's. In 1984, BELA KAROLYI attained prominence in the
26 gymnastics world by coaching Mary Lou Retton at the 1984 Olympic Games in Los Angeles,
27 California. Since that time, Plaintiff is informed and believes, and on that basis alleges, that

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1 BELA KAROLYI (and the KAROLYI DEFENDANTS) has been training elite level gymnasts
2 to compete on the national, international, and Olympic stages.

3
4 22. Defendant MARTA KAROLYI, at all times mentioned herein, was and is an adult
5 female individual, who Plaintiff is informed and believes lived in the State of Texas during the
6 period of time during which the sexual abuse, harassment, and molestation alleged herein took
7 place and is currently a citizen of the State of Texas. Plaintiff is informed and believes and on
8 that basis alleges that MARTA KAROLYI defected to the United States with in the early 1980's
9 with her husband, BELA KAROLYI, and began assisting in the operation, management, control,
10 and supervision of THE RANCH (as well as KAROLYI TRAINING CAMPS, LLC, KAROLYI
11 WORLD GYMNASTICS INC., and KAROLYI'S ELITE.)

12 23. Defendants BELA KAROLYI and MARTA KAROLYI collected money and
13 solicited financial assistance from gymnastics facilities, gymnastics patrons, and gymnastics
14 competitors located in California, including money from the Plaintiff and her gym (ALL
15 OLYMPIA, *infra*).

16 24. Plaintiff is informed and believes, and on that basis alleges, that in or around
17 1999, BELA KAROLYI was recruited and hired by the USA GYMNASTICS to serve as the
18 National Team Coordinator. As part of BELA KAROLYI's procedures implemented as National
19 Team Coordinator, BELA KAROLYI required attendance at THE RANCH training facility,
20 located in Huntsville, Texas. In or around 2000, after turmoil in the gymnastics community
21 regarding BELA KAROLYI's methods, practices, and procedures as the National Team
22 Coordinator, BELA KAROLYI was replaced with his wife, MARTA KAROLYI, who has acted
23 as the National Team Coordinator of USA GYMNASTICS since that time. Despite not being the
24 National Team Coordinator after 2000, BELA KAROLYI continued to operate THE RANCH,
25 through the entity Defendants KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
26 GYMNASTICS INC., and KAROLYI'S ELITE. It was during these training camps, that minor
27 children involved in the gymnastics programs of the KAROLYI DEFENDANTS, including the
28 Plaintiff, came into contact with the Perpetrator (NASSAR).

1
2 25. As part of the training, coaching, preparation and/or conditioning of elite level
3 gymnasts at THE RANCH, the KAROLYI DEFENDANTS took custody, control, dominion,
4 and/or sole supervision of the minor female gymnasts placed in their charge at THE RANCH.
5 Under the applicable law, BELA KAROLYI and MARTA KAROLYI (as well as their agents,
6 employees, and/or servants of KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
7 GYMNASTICS INC., and KAROLYI'S ELITE who were also in contact with minor children)
8 were "mandated reporters" as their duties involved the direct contact with minor children. Such
9 an obligation required BELA KAROLYI and MARTA KAROLYI to report any suspected child
10 abuse upon belief that abuse was occurring.

11 26. Plaintiff is informed and believes, and on that basis alleges, that the KAROLYI
12 DEFENDANTS allowed the Perpetrator (NASSAR) to be in contact with minor children,
13 including the Plaintiff, in order to purportedly provide medical care and treatment to the minor
14 children in the custody, care, and control of the KAROLYI DEFENDANTS. It was under this
15 guise that KAROLYI DEFENDANTS permitted the Perpetrator (NASSAR), as a matter of
16 custom and practice, to be alone with minor child gymnasts, including the Plaintiff, to sexually
17 abuse, harass, and molest them.

18 27. Plaintiff is informed and believes, and on that basis alleges that the KAROLYI
19 DEFENDANTS instituted a regime of intimidation and fear at THE RANCH for the minor
20 children under their custody, care, and control. Plaintiff is informed and believes that BELA
21 KAROLYI and MARTA KAROLYI engaged in tortious and unlawful behavior, and created a
22 toxic environment where the Perpetrator (NASSAR) was given opportunity to perpetrate and
23 continue his systematic sexual abuse of minor children, without abatement. Plaintiff is informed
24 and believes and on that basis alleges that minor child gymnasts, including the Plaintiff, were
25 subjected to physical, sexual, and emotional abuse while at THE RANCH.

26 28. Periodically, Defendants BELA KAROLYI and MARTA KAROLYI engaged in
27 unlawful and tortious conduct directed at minor child gymnasts that included, but was not limited
28 to: striking minor child gymnasts, scratching minor child gymnasts until they bled, encouraging

1 parents of the minor child gymnasts to hit their children, depriving minor child gymnasts of food,
2 depriving minor child gymnasts of water, actively searching the minors' rooms to find and
3 confiscate hidden food, screaming obscenities at these minor child gymnasts, cutting off
4 communication of minor gymnasts with their parents, telling minor child gymnasts that they
5 were fat, requiring gymnasts to train when they were ill, and requiring minor child gymnasts to
6 have their physical appearance be judged in front of their peers.

7
8 29. Plaintiff is informed and believes, and on that basis alleges, that Defendants
9 BELA KAROLYI and MARTA KAROLYI turned a blind-eye to The Perpetrator NASSAR's
10 sexual abuse of children at THE RANCH. Due to the unlawful and tortious acts engaged in by
11 Defendants BELA KAROLYI and MARTA KAROLYI (described *supra*), Defendants BELA
12 KAROLYI and MARTA KAROLYI were compromised as supervisors of The Perpetrator
13 (NASSAR). This created a toxic environment, perfectly suited for The Perpetrator (NASSAR) to
14 systematically sexually abuse the minor children, including the Plaintiff, who were captive at
15 THE RANCH.

16 30. Plaintiff is informed and believes, and on that basis alleges that within this toxic
17 environment, The Perpetrator (NASSAR) would not report the abusive acts of Defendants BELA
18 KAROLYI and MARTA KAROLYI, as the Perpetrator (NASSAR) was required as to do by
19 law. In turn, Defendants BELA KAROLYI and MARTA KAROLYI turned a blind-eye to the
20 sexual abuse being perpetrated by The Perpetrator (NASSAR).

21 31. Plaintiff is informed and believes, and on that basis alleges that Defendants BELA
22 KAROLYI and MARTA KAROLYI allowed NASSAR to have unfettered and secluded access
23 to minor children, including the Plaintiff, in the children's living and sleeping quarters and in
24 direct violation of USA GYMNASTICS policy. Plaintiff is informed and believes, and on that
25 basis alleges, that NASSAR would pre-sexually groom these minor children into believing that
26 he (NASSAR) was their friend and confidant; in comparison with the oppressive and abusive
27 treatment by Defendants BELA KAROLYI and MARTA KAROLYI at THE RANCH. It is
28 through this pre-sexual grooming process that the Perpetrator (NASSAR) gained unfettered

1 sexual access to the minor children, including the Plaintiff. The Perpetrator (NASSAR) would
2 sneak these minor gymnasts food, candy and other “contraband” which was disallowed by the
3 Defendants BELA KAROLYI and MARTA KAROLYI, in order to build trust and rapport with
4 these minor children, including the Plaintiff. Though The Perpetrator (NASSAR) acted as though
5 he was an advocate for these children, he built this relationship in order to sexually abuse these
6 minors, including the Plaintiff.
7

8 32. Plaintiff is informed and believes, and on that basis alleges, that this toxic
9 environment at THE RANCH facilitated the financial growth of USA GYMNASTICS, the
10 KAROLYI DEFENDANTS (*see infra*), and the sport of gymnastics. This toxic environment was
11 perpetuated to avoid public ridicule, censure, investigation, and scrutiny. Effectively, this
12 dynamic made it so the KAROLYI DEFENDANTS provided no supervision of the Perpetrator
13 (NASSAR), in exchange for his silence and willful blindness to their regime of fear,
14 intimidation, and physical and emotional abuse of minor child gymnasts.

15 33. Plaintiff is informed, and believes, and on that basis alleges, that the KAROLYI
16 DEFENDANTS operated as a conduit of USA GYMNASTICS, whereby USA GYMNASTICS
17 had full knowledge of the abusive conditions imposed at THE RANCH by the KAROLYI
18 DEFENDANTS, and knew or should have known of the sexually abusive and harassing conduct
19 of the Perpetrator (NASSAR). Furthermore, Plaintiff is informed and believes, and on that basis
20 alleges, that the KAROLYI DEFENDANTS operated their organizations in concert, connection,
21 and/or coordination with USA GYMNASTICS, and did so with impunity, such that the abusive,
22 coercive and demeaning environment at THE RANCH (owned, operated, controlled, and
23 maintained by the KAROLYI DEFENDANTS) was known and concealed by USA
24 GYMNASTICS, such that minor children, including the Plaintiff, were subjected to the
25 Perpetrator (NASSAR).

26 34. Plaintiff is informed, and on that basis believes and alleges herein, that with full
27 knowledge of above-stated arrangement, plan and scheme between Defendants BELA
28 KAROLYI and MARTA KAROLYI, and the Perpetrator (NASSAR), COLAROSSO and

PENNY were aware of abusive environment which minor children, such as the Plaintiff, were subjected to when placed under the custody, control and care of the KAROLYI DEFENDANTS, USA GYMNASTICS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500.

DEFENDANT KAROLYI TRAINING CAMPS, LLC

35. Defendant KAROLYI TRAINING CAMPS, LLC, at all times mentioned herein, was and is a business entity of form unknown, having its principal place of business in the State of Texas. Plaintiff is informed and believes KAROLYI TRAINING CAMPS, LLC was incorporated in the state of Texas. Plaintiff is informed and believes and on that basis alleges that KAROLYI TRAINING CAMPS, LLC was created in or around 2006, and was created as one of the entities which owned, operated, managed, and/or maintained THE RANCH. Furthermore, Plaintiff is informed and believes, and on that basis alleges that KAROLYI TRAINING CAMPS, LLC was an entity created, managed, and controlled by BELA KAROLYI and/or MARTA KAROLYI, in order to facilitate elite level gymnast training, coaching, mentoring, conditioning, and/or preparation for competing at the elite level, for minor children, including the Plaintiff.

DEFENDANT KAROLYI WORLD GYMNASTICS INC.

36. Defendant KAROLYI WORLD GYMNASTICS INC., at all times mentioned herein, was and is a business entity of form unknown, having its principal place of business in the State of Texas. Plaintiff is informed and believes KAROLYI WORLD GYMNASTICS INC. was incorporated in the state of Texas. Plaintiff is informed and believes and on that basis alleges that KAROLYI WORLD GYMNASTICS INC. was created in or around the early 1980's, and was created as one of the entities which owned, operated, managed, and/or maintained THE RANCH. Furthermore, Plaintiff is informed and believes, and on that basis alleges that KAROLYI TRAINING CAMPS, LLC was an entity created by BELA KAROLYI and/or MARTA KAROLYI, in order to facilitate elite level gymnast training, coaching, mentoring, conditioning, and/or preparation for competing at the elite level, for minor children, including the Plaintiff.

DEFENDANT KAROLYI'S ELITE

37. Defendant KAROLYI'S ELITE, at all times mentioned herein, was and is a business entity of form unknown, having its principal place of business in the State of Texas. Plaintiff is informed and believes KAROLYI'S ELITE was incorporated in the state of Texas. Plaintiff is informed and believes and on that basis alleges that KAROLYI'S ELITE was created in or around 2006, and was created as one of the entities which owned, operated, managed, and/or maintained THE RANCH. Furthermore, Plaintiff is informed and believes, and on that basis alleges that KAROLYI'S ELITE was an entity created by BELA KAROLYI and/or MARTA KAROLYI, in order to facilitate elite level gymnast training, coaching, mentoring, conditioning, and/or preparation for competing at the elite level, for minor children, including the Plaintiff.

38. At all times relevant herein, Plaintiff is informed and believes and on that basis alleges that Defendants BELA KAROLYI and MARTA KAROLYI operated, managed, maintained, and controlled Defendants KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE. Plaintiff is informed and believes, and on that basis alleges, that the KAROLYI DEFENDANTS conducted substantial and continuous business operations in the State of California, whereby, the KAROLYI DEFENDANTS would actively advertise, recruit, entice, and encourage elite level gymnasts (who were minor children), from California, including the Plaintiff, to pay for and attend the KAROLYI DEFENDANTS' training programs in Texas where they would be placed into contact with the Perpetrator (NASSAR). Furthermore, the KAROLYI DEFENDANTS would actively maintain contact with gymnastics organizations in California, including AOGC ALL OLYMPIA GYMNASTIC CENTER INC. (*see infra*), whereby KAROLYI DEFENDANTS would actively advertise, recruit, entice, and encourage elite level gymnasts (who were minor children), including the Plaintiff, from California to attend KAROLYI DEFENDANTS' training camps and programs in Texas.

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2 39. Plaintiff is informed and believes, and on that basis alleges, that Defendants
3 KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., and
4 KAROLYI'S ELITE were nothing but the alter ego of USA GYMNASTICS, and were not
5 properly formed, capitalized, insured, and did not observe proper business formalities so as to
6 separate itself from USA GYMNASTICS. Defendants KAROLYI TRAINING CAMPS, LLC,
7 KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE were also the alter ego of
8 Defendants BELA KAROLYI and MARTA KAROLYI while Defendants BELA KAROLYI
9 and MARTA KAROLYI were operating Defendants KAROLYI TRAINING CAMPS, LLC,
10 KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE starting from in or around
11 the 1980's through the present. Plaintiffs allege that at all times mentioned herein, there existed a
12 unity of interest and ownership among Defendants KAROLYI TRAINING CAMPS, LLC,
13 KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE, BELA KAROLYI and
14 MARTA KAROLYI, and USA GYMNASTICS such that any individuality and separateness
15 between them ceased to exist. They were the alter ego of each other in that they purchased,
16 controlled, dominated and operated each other without any regard to maintaining a separate
17 identity, observing formalities, or other manner of division. To continue maintaining the facade
18 of a separate and individual existence between and among them would serve to perpetrate a fraud
19 and an injustice.

20 **ALL OLYMPIA DEFENDANTS**

21 **DEFENDANT AOGC ALL OLYMPIA GYMNASTIC CENTER INC.**

22 40. Defendant ALL OLYMPIA at all times mentioned herein was and is a California
23 business entity of form unknown, believed to have its principal place of business at 11616 Blix
24 Street, Toluca Lake, California 91602. Plaintiff is informed, and on that basis believes, that
25 Defendant ALL OLYMPIA was a gymnastics training center (with two locations in Southern
26 California; one in Hawthorne, California and one in Calabasas, California (and previously in
27 Marina Del Rey, California)) that advertises itself as providing, "a positive, safe and caring
28 environment where children can learn, develop and thrive." Defendant ALL OLYMPIA is

1 believed to be owned, operated, and managed by Defendants ARTUR AKOPYAN and GALINA
2 MARINOVA. ALL OLYMPIA hosts periodic gymnastics meets whereby minor child gymnasts
3 from around the country compete, and where employees, agents, and/or servants of USA
4 GYMNASTICS and the KAROLYI DEFENDANTS are present. As a USA GYMNASTICS
5 member organization, ALL OLYMPIA contributed to USA GYMNASTICS and the KAROLYI
6 DEFENDANTS financially through dues. The dues paid to USA GYMNASTICS and the
7 KAROLYI DEFENDANTS were paid by the minor gymnasts of ALL OLYMPIA, including the
8 Plaintiff.

9
10 41. Despite the representations and advertisements made about Defendant ALL
11 OLYMPIA as to its focus on athlete safety and care, Plaintiff is informed and believes, and on
12 that basis alleges, that Defendant ALL OLYMPIA was operated as a facility solely motivated to
13 cull talent for the United States National Gymnastics Team and Defendant USA GYMNASTICS
14 and the KAROLYI DEFENDANTS, at all costs and irrespective of the emotional toll taken on
15 minors in its custody, care, and under its control. Defendant ALL OLYMPIA and its agents,
16 employees, officers, and directors fueled an abusive, harassing, and degrading environment,
17 intentioned at hardening and desensitizing the most elite gymnasts, in order to compete at a
18 National Level at Defendant USA GYMNASTICS, under the reign of the KAROLYI
19 DEFENDANTS. This environment created by Defendant ALL OLYMPIA was done so, in order
20 to create elite gymnasts who would gain National and International notoriety in the sports world,
21 such that Defendant ALL OLYMPIA's reputation as a gym creating National and Olympic level
22 gymnasts would be elevated, and ultimately, ALL OLYMPIA would benefit financially from this
23 reputation. It was this environment that allowed, concealed, and promoted the abusive behavior
24 of Defendants ALL OLYMPIA, USA GYMNASTICS, KAROLYI DEFENDANTS, NASSAR,
25 and their employees, agents, servants, officers, and/or directors, which was directed at minor
26 gymnasts, including the Plaintiff.

27 42. Plaintiff believes, and on that basis alleges, that Defendant ALL OLYMPIA was
28 an affiliate of USA GYMNASTICS and KAROLYI DEFENDANTS, having funneled, recruited,

lured, and enticed various minor gymnasts to USA GYMNASTICS and KAROLYI DEFENDANTS over a period of more than a decade. Defendant ALL OLYMPIA was the entity responsible, at least in part, for the placement of the Plaintiff on the United States National Team and with Defendant USA GYMNASTICS, KAROLYI DEFENDANTS, and did so by adopting the Defendant USA GYMNASTICS' "win at all costs" mentality, implemented through fear and intimidation. Through this relationship with Defendant USA GYMNASTICS and the KAROLYI DEFENDANTS, Defendant ALL OLYMPIA further concealed, facilitated, and/or enabled the abuse of the Plaintiff JANE LM DOE by placing her in a knowingly abusive environment at Defendant USA GYMNASTICS and KAROLYI DEFENDANTS, with NASSAR.

43. Under the applicable laws, Defendant ALL OLYMPIA is an organization whose employees, agents, and/or servants are legally "mandated reporters", considering that Defendant ALL OLYMPIA is a youth recreational program and Defendant ALL OLYMPIA's employees duties require direct contact and supervision of children.

DEFENDANT GALINA MARINOVA

44. Defendant GALINA MARINOVA, at all times mentioned herein, was and is an adult female individual, who Plaintiff is informed and believes lived in the State of California during the period of time during which the sexual abuse, harassment, and molestation alleged herein took place and is currently a citizen of the State of California. At all times relevant herein, Defendant GALINA MARINOVA was believed to be the owner, operator, manager, and/or managing agent of Defendants ALL OLYMPIA. Plaintiff is informed and believes, and on that basis alleges, that Defendant GALINA MARINOVA was a former Olympian gymnast, who founded, owned, operated, managed, and controlled ALL OLYMPIA from in or around 2000 to present.

45. At all relevant times herein, Defendant GALINA MARINOVA fueled an abusive, harassing, and degrading environment at Defendants ALL OLYMPIA, intentioned at hardening and desensitizing the most elite gymnasts, in order to compete at a National Level at Defendant USA GYMNASTICS, under the reign of the KAROLYI DEFENDANTS and in contact with the

1 Perpetrator (NASSAR). It was in this environment that Defendants GALINA MARINOVA and
2 ARTUR AKOYPAN directed degrading, abusive, and harassing comments and actions towards
3 the Plaintiff. Plaintiff is informed and believes and on that basis alleges that Defendant GALINA
4 MARINOVA knew or should have known that by facilitating the Plaintiff's relationship with
5 USA GYMNASTICS, KAROLYI DEFENDANTS, and the Perpetrator (NASSAR), was placing
6 her in a knowingly abusive environment at Defendant USA GYMNASTICS and KAROLYI
7 DEFENDANTS, with the Perpetrator (NASSAR).
8

9 **DEFENDANT ARTUR AKOPYAN**

10 46. Defendant ARTUR AKOPYAN, at all times mentioned herein, was and is an
11 adult male individual, who Plaintiff is informed and believes lived in the State of California
12 during the period of time during which the sexual abuse, harassment, and molestation alleged
13 herein took place and is currently a citizen of the State of California. At all times relevant herein,
14 Defendant ARTUR AKOPYAN was believed to be the owner, operator, manager, and/or
15 managing agent of Defendants ALL OLYMPIA. Plaintiff is informed and believes, and on that
16 basis alleges, that Defendant GALINA MARINOVA was a former Olympian gymnast, who
17 (with ARTUR AKOPYAN) owned, operated, managed, and controlled ALL OLYMPIA from in
18 or around 2004 to present. Plaintiff is informed and believes, and on that basis alleges, that
19 Defendant ARTUR AKOPYAN was a former Olympian gymnast, who (with GALINA
20 MARINOVA) owned, operated, managed, and controlled ALL OLYMPIA from in or around
21 2004 to present.

22 47. At all relevant times herein, Defendant ARTUR AKOPYAN fueled an abusive,
23 harassing, and degrading environment at Defendant ALL OLYMPIA, intentioned at hardening
24 and desensitizing the most elite gymnasts, in order to compete at a National Level at Defendant
25 USA GYMNASTICS, under the reign of the KAROLYI DEFENDANTS and in contact with the
26 Perpetrator (NASSAR). It was in this environment that Defendants GALINA MARINOVA and
27 ARTUR AKOYPAN directed degrading, abusive, and harassing comments and actions towards
28 the Plaintiff. Plaintiff is informed and believes and on that basis alleges that Defendant ARTUR

AKOPYAN knew or should have known that by facilitating the Plaintiff's relationship with USA GYMNASTICS, KAROLYI DEFENDANTS, and the Perpetrator (NASSAR), he was placing the Plaintiff in an abusive environment at Defendant USA GYMNASTICS and KAROLYI DEFENDANTS, with the Perpetrator (NASSAR), and subjecting the Plaintiff to sexual abuse, harassment and/or molestation by the Perpetrator (NASSAR).

DOE DEFENDANTS 1 THROUGH 500

48. Defendants DOES 1 through 500, inclusive, and each of them, are sued herein under said fictitious names. Plaintiff is ignorant as to the true names and capacities of DOES 1 through 500, whether individual, corporate, associate, or otherwise, and therefore sue said Defendants by such fictitious names. When their true names and capacities are ascertained, Plaintiff will request leave of Court to amend this Complaint to state their true names and capacities herein.

49. The Perpetrator (NASSAR), Defendant USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500, inclusive, are sometimes collectively referred to herein as "Defendants" and/or as "All Defendants"; such collective reference refers to all specifically named Defendants as well as those fictitiously named herein.

50. Plaintiff is informed and believes, and on that basis alleges that at all times mentioned herein, each Defendant was responsible in some manner or capacity for the occurrences herein alleged, and that Plaintiff's damages, as herein alleged, were proximately caused by all said Defendants.

51. At all times mentioned herein, each and every Defendant was an employee, agent, and/or servant of the Perpetrator (NASSAR), Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA

GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500, inclusive, and/or was under their complete control and/or active supervision. Defendants and each of them are individuals, corporations, partnerships and/or other entities that engaged in, joined in, and conspired with other Defendants and wrongdoers in carrying out the tortuous and unlawful activities described in this Complaint.

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

53. Plaintiff is informed and believes, and on that basis alleges that at all times mentioned herein, the Perpetrator (NASSAR), Defendant USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500 were the agents, representatives and/or employees of each and every other Defendant. In doing the things hereinafter alleged, Defendants and each of them were acting within the course and scope of said alternative personality, capacity, identity, agency, representation and/or employment and were within the scope of their authority, whether actual or apparent.

54. Plaintiff is informed and believes, and on that basis alleges that at all times mentioned herein, the Perpetrator (NASSAR), Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA

GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500 were the trustees, partners, servants, joint venturers, shareholders, contractors, and/or employees of each and every other Defendant, and the acts and omissions herein alleged were done by them, acting individually, through such capacity and within the scope of their authority, and with the permission and consent of each and every other Defendant and that said conduct was thereafter ratified by each and every other Defendant, and that each of them is jointly and severally liable to Plaintiff.

FACTUAL ALLEGATIONS APPLICABLE TO ALL CLAIMS BY JANE LM DOE

55. At all times material hereto, Plaintiff was a minor participant and member of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, and ALL OLYMPIA and was under their complete control, dominion, and supervision. The Perpetrator (NASSAR) worked for, was employed by, and/or an agent/servant of the Defendants USA GYMNASTICS, ALL OLYMPIA DEFENDANTS, KAROLYI DEFENDANTS and/or DOES 1 through 500, when the Perpetrator (NASSAR) came into contact with the Plaintiff.

56. At all times material hereto, the Perpetrator (NASSAR) was under the direct supervision, management, agency and control of Defendants USA GYMNASTICS, COLAROSSO, PENNY, KAROLYI DEFENDANTS, and DOES 1 through 500, inclusive. The Perpetrator (NASSAR) was the team physician of Defendant USA GYMNASTICS, KAROLYI DEFENDANTS, and DOES 1 through 500. While a team physician at Defendant USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500, the Perpetrator's (NASSAR) employment duties included coordinating the care for Defendant USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500, at every national and international competition, providing individual care and providing for the physical needs and well-being of participants and members of Defendant USA GYMNASTICS, ALL OLYMPIA, KAROLYI DEFENDANTS and DOES 1 through 500, and care including but not limited to osteopathic adjustments and kinesiology treatment to participants and members of Defendants USA GYMNASTICS, ALL OLYMPIA, KAROLYI DEFENDANTS and DOES 1 through 500,

1 which included Plaintiff. Plaintiff was a participant and member of Defendant USA
2 GYMNASTICS, ALL OLYMPIA, KAROLYI DEFENDANTS and DOES 1 through 500 and it
3 is under these circumstances that Plaintiff came to be under the direction and control of the
4 Perpetrator (NASSAR), who used his position of authority and trust to molest and sexually abuse
5 Plaintiff.

6
7 57. As a member and participant of Defendants USA GYMNASTICS, ALL
8 OLYMPIA, KAROLYI DEFENDANTS, and DOES 1 through 500 while the Perpetrator
9 (NASSAR) was a team physician, the minor Plaintiff was under the Perpetrator's (NASSAR)
10 direct supervision, control and care, which created a special, confidential, and fiduciary
11 relationship between Plaintiff and the Perpetrator (NASSAR). Because of such relationship, the
12 Perpetrator (NASSAR) owed Plaintiff a duty of care. Additionally, as the employers and
13 supervisors of the Perpetrator (NASSAR), with knowledge that he was in contact with and
14 providing care to children, Defendants USA GYMNASTICS, ALL OLYMPIA, KAROLYI
15 DEFENDANTS and DOES 1 through 500 were also in a special, confidential, and fiduciary
16 relationship with Plaintiff, owing the Plaintiff JANE LM DOE a duty of care.

17 58. By assigning the Perpetrator (NASSAR) as team physician of Defendant USA
18 GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500, Defendants USA
19 GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500 represented to the
20 community and participants and members of Defendant USA GYMNASTICS, KAROLYI
21 DEFENDANTS and DOES 1 through 500 that the Perpetrator (NASSAR) was safe, trustworthy,
22 and of high moral and ethical repute, such that parents of participants and members need not
23 worry about having the Perpetrator (NASSAR) interact with, and provide care to their minor
24 children. Defendants did so in order to preserve their own public image and reputation, so they
25 could retain past participants and members and recruit new participants and members, thus
26 allowing donations and other financial support to continue flowing into their coffers for financial
27 gain.

28 ///

1
2 59. Plaintiff is informed and believes, and on that basis alleges, that Defendants knew
3 or should have known that the Perpetrator (NASSAR) had engaged in unlawful sexually-related
4 conduct in the past, and/or was continuing to engage in such conduct. Defendants had a duty to
5 disclose these facts to Plaintiff, her parents and others, but negligently and/or intentionally
6 suppressed, concealed or failed to disclose this information. The duty to disclose this information
7 arose by the special, trusting, confidential, fiduciary relationship between Defendants and
8 Plaintiff.

9 60. Plaintiff is informed and believes, and on that basis alleges, that while Plaintiff
10 was a participant and member of Defendant USA GYMNASTICS, ALL OLYMPIA, KAROLYI
11 DEFENDANTS, and DOES 1 through 500, Defendants engaged in a pattern and practice of
12 employing other staff, coaches, and volunteers and retaining members known to be a danger to
13 participants and members in their care, including the Perpetrator (NASSAR). Defendants
14 employed multiple other professionals, staff, and agents who were known to be abusive and/or
15 were continuing to be abusive. Defendant USA GYMNASTICS' own website catalogues a list of
16 over twenty (20) individuals, nationwide, who are "Permanently Ineligible Members" at
17 Defendant USA GYMNASTICS for violation of Bylaw 9.2(a)(iii). That Bylaw section,
18 promulgated by Defendant USA GYMNASTICS, provides for "Special Categories of
19 Misconduct"; specifically, the category of misconduct under 9.2(a)(iii) states:

20 "Has been convicted of or has entered a plea of guilty or no contest to a criminal
21 charge or indictment issued by an applicable City, County, State or Federal
22 jurisdiction, and such charge or indictment directly or indirectly involved or
23 related to sexual misconduct, child abuse or conduct that is a violation of any law
24 or regulation that is specifically designed to protect minors."

25 61. It is upon information, and therefore belief, that the prevalence of sexually
26 abusive members of Defendant USA GYMNASTICS evidences the knowledge of Defendants of
27 the risk that minor gymnastics participants were placed at, while participating in Defendants
28 USA GYMNASTICS, KAROLYI DEFENDANTS and ALL OLYMPIA DEFENDANTS'

1 programs. Furthermore, it is upon information, and therefore belief, that this evidences a
2 widespread and systemic problem at Defendants USA GYMNASTICS, KAROLYI
3 DEFENDANTS and ALL OLYMPIA DEFENDANTS of allowing sexually abusive members to
4 participate in and with Defendants USA GYMNASTICS, KAROLYI DEFENDANTS and ALL
5 OLYMPIA DEFENDANTS.

6
7 62. Plaintiff is informed and believes and on that basis alleges Defendants knew of, or
8 should have known, the Perpetrator's (NASSAR) propensity and disposition to engage in sexual
9 misconduct with minors before he sexually abused and molested Plaintiff, and knew of the
10 probability that he would molest minors with whom he came into contact, such as Plaintiff.

11 63. Defendants failed to implement reasonable safeguards to avoid acts of unlawful
12 sexual conduct by the Perpetrator (NASSAR) in the future, including avoiding placement of the
13 Perpetrator (NASSAR) in a position where contact and interaction with children is an inherent
14 function. Defendants ignored and suppressed the past sexual misconduct the Perpetrator
15 (NASSAR) had engaged in.

16 64. Plaintiff is informed and believes and on that basis alleges, that Defendants were
17 apprised, knew or should have known and/or were put on notice of the Perpetrator's (NASSAR)
18 past sexual abuse of children, past claims and/or investigations, and his propensity and
19 disposition to engage in such unlawful activity and unlawful sexual activity with minor
20 participants and members such that Defendants knew or should have known that the Perpetrator
21 (NASSAR) would commit wrongful sexual acts with participants and members, including
22 Plaintiff. Plaintiff is informed and believes, and on that basis alleges that personnel and/or
23 employment records and other records of Defendants' reflect numerous incidents of
24 inappropriate sexual contact and conduct with minor participants and members by the Perpetrator
25 (NASSAR) and other professionals, employees, assistants, agents, supervisors and others,
26 including incidents occurring both on and off the physical premises of such Defendants and at
27 national and international meets. Based on these records, Defendants knew and/or should have
28 known of the Perpetrator's (NASSAR) history of sexual abuse, past claims and/or past

1 investigations, and his propensity and disposition to engage in unlawful activity and unlawful
2 sexual activity with participants and members such that Defendants knew or should have known
3 that the Perpetrator (NASSAR) would commit wrongful sexual acts with those minor
4 participants and members, including Plaintiff.

5
6 65. Because of the relationship between Plaintiff and Defendants, Defendants had an
7 obligation and duty under the law not to hide material facts and information about the
8 Perpetrator's (NASSAR) past, and his deviant sexual behavior and propensities. Additionally,
9 Defendants had an affirmative duty to inform, warn, and institute appropriate protective
10 measures to safeguard minors who were reasonably likely to come in contact with the Perpetrator
11 (NASSAR). Defendants willfully refused to notify, give adequate warning and implement
12 appropriate safeguards, thereby creating the peril that ultimately damaged Plaintiff.

13 66. Plaintiff is informed and believes and on that basis alleges that prior to Plaintiff's
14 sexual abuse by the Perpetrator (NASSAR), Defendants engaged in a pattern and practice of
15 employing sexual abusers at the Perpetrator (NASSAR). Defendants concealed these facts from
16 participants and members, their parents, the Los Angeles community, the Texas community, the
17 gymnastics community, the public at large, the United States government, various local
18 governments, and law enforcement agencies.

19 67. Furthermore, Defendants USA GYMNASTICS and KAROLYI DEFENDANTS
20 violated their own policies in allowing the Perpetrator (NASSAR) to come into contact with the
21 Plaintiff. Defendant USA GYMNASTICS' policies, entitled "Standards of Behavior" provide
22 that, "Avoid Being Alone with a Minor. Gymnastics is a sport that lends itself to one-on-one
23 situations between a coach and a gymnast. Avoid being alone with a child or any group of
24 children in a private setting (e.g., locker room, bathroom, office, vehicle or residence), and avoid
25 being alone with a child or any group of children in any place that is inappropriate to the coach-
26 athlete relationship. When a one-on-one situation is necessary, such as private coaching lessons
27 or conversations, conduct the activity within the view of another adult." Some of the abuse
28 perpetrated by the Perpetrator (NASSAR) against the Plaintiff, was perpetrated in the living

quarters of JANE LM DOE, outside of the view of any adults and in direct violation of Defendant USA GYMNASTICS and KAROLYI DEFENDANTS' policies implemented for the safety of participants.

68. Plaintiff is informed and believes and on that basis alleges that as part of Defendants' conspiratorial and fraudulent attempt to hide the Perpetrator's (NASSAR) propensity to sexually abuse children, and prior sexual misconduct with children, from public scrutiny and criminal investigation, Defendants implemented various measures designed to make the Perpetrator's (NASSAR) conduct harder to detect and ensure minors with whom he came into contact, such as Plaintiff, would be sexually abused, including:

- a. Permitting the Perpetrator (NASSAR) to remain in a position of authority and trust after Defendants knew or should have known that he was a molester of children;
- b. Placing the Perpetrator (NASSAR) in a separate and secluded environment, at Defendant USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500, including assigning him unfettered access and control over minor participants and members that included individual and private examinations, private osteopathic adjustments without a chaperone, and allowing the Perpetrator (NASSAR) to physically and sexually interact with the children, including Plaintiff;
- c. Failing to disclose the Perpetrator's (NASSAR) prior record of misconduct, sexual abuse, harassment and molestation and his propensity to commit such acts towards participants and members in Defendants Defendant USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500's program, the public at large, and law enforcement;
- d. Allowing the Perpetrator (NASSAR) unsupervised and un-controlled access to minors, including the Plaintiff JANE LM DOE;
- e. Holding out the Perpetrator (NASSAR) to Plaintiff, her parents, other participants and members of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500, and the public at large as a trustworthy and honest person of high ethical and moral repute who was capable and worthy of being granted unsupervised access to the children of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS and DOES 1 through 500;
- f. Failing to investigate or otherwise confirm or deny such facts about the Perpetrator (NASSAR), including prior arrests, charges, claims and investigations for sexual abuse;
- g. Failing to inform, or concealing from Plaintiff's parents and law enforcement officials the fact that Plaintiff and others were or may have been sexually abused, harassed and molested, after Defendants knew or should have known that the Perpetrator (NASSAR) may have sexually abused Plaintiff or others, thereby

enabling Plaintiff to continue to be endangered and sexually abused, harassed, molested, and/or creating the circumstance where Plaintiff and others were less likely to receive proper medical treatment, thus exacerbating the harm to Plaintiff;

- h. Holding out the Perpetrator (NASSAR) to Plaintiff, her parents, and to the community as being in good standing and trustworthy;
- i. Cloaking the Perpetrator's (NASSAR) prior sexual misconduct with children within the facade of normalcy, thereby disguising the nature of his sexual abuse and contact with minors;
- j. Failing to take reasonable steps and to implement reasonable safeguards to avoid acts of unlawful sexual conduct by the Perpetrator (NASSAR) such as avoiding placement of the Perpetrator (NASSAR) in functions or environments in which his solitary contact with children was inherent;
- k. Failing to put in place a system or procedure to supervise or monitor physicians, athletic trainers, and agents to insure they do not molest or abuse minors in Defendants' care.

69. By his position within the Defendants' institutions, the Perpetrator (NASSAR) attained a position of influence over Plaintiff, and others. Defendants' conduct created a situation of peril that was not, and could not be appreciated by Plaintiff. By virtue of Defendants' conspiratorial and fraudulent conduct, and in keeping with their intent to fail to disclose and hide the Perpetrator's (NASSAR) past and present conduct from the community, the public at large and law enforcement, Defendants allowed the Perpetrator (NASSAR) to remain in a position of influence where his unsupervised or negligently supervised conduct with minor participants and members made the molestation and abuse of minor participants and members possible.

70. By his position within the Defendants' institutions, Defendants and the Perpetrator (NASSAR) demanded and required that Plaintiff respect the Perpetrator (NASSAR), in his position as team physician for Defendant USA GYMNASTICS, KAROLYI DEFENDANTS, and DOES 1 through 500.

71. The sexual harassment and abuse of Plaintiff by the Perpetrator (NASSAR), outlined below, took place while Defendant the Perpetrator (NASSAR) was the team physician of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500, and Plaintiff was a participant and member of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500, while the Perpetrator (NASSAR) was serving as an agent and employee of Defendants in his capacity as team physician:

- a. In his capacity as a team physician with Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500, the Perpetrator (NASSAR) was given custody and supervision of minors, including Plaintiff. The Perpetrator (NASSAR) used this position to coerce children to concede to his sexual suggestions, using his authority and position of trust to exploit them physically, sexually, and emotionally;
- b. Plaintiff became a member and participant of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500 and was on the US National Team starting in 2004. Plaintiff soon formed a relationship with the Perpetrator (NASSAR), Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500's team physician. At this time, in or around 2004, the Perpetrator (NASSAR) commenced the process of "grooming" Plaintiff for later physical, sexual and emotional abuse. Plaintiff is informed and believes the Perpetrator (NASSAR) would use the guise of care, athletic training, osteopathy, and kinesiology to normalize intimate, inappropriate, and sexually abusive contact with Plaintiff. Plaintiff is informed and believes the Perpetrator (NASSAR) would enter the living quarters of the Plaintiff JANE LM DOE and other gymnasts at THE RANCH, placing Plaintiff under the impression this inappropriate contact was part of treatment. During this period, Plaintiff was a patient under the Perpetrator's (NASSAR) direct supervision and control.
- c. Plaintiff is informed and believes the Perpetrator's (NASSAR) physical and sexual abuse of Plaintiff commenced after the grooming of Plaintiff began, and occurred multiple times while the team was traveling and before and after competitive meets up until in and around 2010. During this period, Plaintiff was a participant, member, and patient under the Perpetrator's (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500's direct supervision and control. Using his position as team physician, the Perpetrator (NASSAR) would interact with Plaintiff under the guise of providing her care and treatments necessary for her to compete as a world-class, Olympic medal-winning gymnast. Under these circumstances, the Perpetrator (NASSAR) introduced his bare hand to Plaintiff's vagina, on multiple locations, in Plaintiff's assigned living quarters, without any supervision or a chaperone. Plaintiff is informed and believes that the Perpetrator's (NASSAR) sexual abuse, molestation, and harassment of Plaintiff occurred on the premises of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500, in living quarters, in training facilities, in gyms, et cetera.
- d. During these occurrences, the Perpetrator (NASSAR) told Plaintiff about the need for osteopathic adjustments to correct issues Plaintiff was having with her back from training and performing for Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500. The Perpetrator (NASSAR) told Plaintiff about the need to do an "intravaginal adjustment," a fictitious guise where the Perpetrator (NASSAR) would digitally penetrate Plaintiff's vagina in order to adjust her bones. This "intravaginal adjustment" was done without gloves, lubricant, and/or a chaperone, and was done for the Perpetrator's (NASSAR) own sexual gratification. In addition, the Plaintiff is informed and believes that the Perpetrator (NASSAR) would do vaginal examinations of Plaintiff and other gymnasts in the care of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500, without gloves, a chaperone, and/or any form of lubricant. These vaginal examinations were well outside any recognized and/or accepted technique and were done for the Perpetrator's (NASSAR) own sexual gratification.

- 1 e. The Perpetrator's (NASSAR) sexual abuse and harassment of Plaintiff was done
2 for the Perpetrator's (NASSAR) personal sexual gratification, and it annoyed,
3 disturbed, irritated, and offended Plaintiff as it would have a reasonable person.
4 Plaintiff did not consent to the sexual abuse and harassment by the Perpetrator
(NASSAR) and further, was incapable of consenting to such because she was a
minor at the time of the sexual abuse.

5 72. As set forth more fully herein above, the Perpetrator (NASSAR) did sexually
6 abuse, harass and molest Plaintiff, who was a minor child at the time of the acts at-issue. Plaintiff
7 is informed and believes, and on that basis alleges, that such conduct by the Perpetrator
8 (NASSAR) was based upon Plaintiff's gender, and was done for NASSAR's sexual gratification.
9 These actions upon Plaintiff were performed by the Perpetrator (NASSAR) without the free
10 consent of Plaintiff, who was a young child, and could therefore not give valid legal consent.

11 73. During the period Plaintiff was being sexually abused and harassed by the
12 Perpetrator (NASSAR), Defendants had the authority and ability to prevent such abuse by
13 removing the Perpetrator (NASSAR) from his position as team physician at Defendants USA
14 GYMNASTICS, KAROLYI DEFENDANTS, DOES 1 through 500. They failed to do so,
15 allowing the abuse to occur and to continue unabated. Plaintiff is informed and believes and on
16 that basis alleges that this failure was a part of Defendants' conspiratorial plan and arrangement
17 to conceal the Perpetrator's (NASSAR) wrongful acts, to avoid and inhibit detection, to block
18 public disclosure, to avoid scandal, to avoid the disclosure of their tolerance of child sexual
19 molestation and abuse, to preserve a false appearance of propriety, and to avoid investigation and
20 action by public authority including law enforcement. Such actions were motivated by a desire to
21 protect the reputation of Defendants and protect the monetary support of Defendants, while
22 fostering an environment where such abuse could continue to occur.

23 74. As a direct result of the sexual harassment and abuse of Plaintiff by the
24 Perpetrator (NASSAR), Plaintiff has had difficulty in meaningfully interacting with others,
25 including those in positions of authority over Plaintiff including physicians, athletic supervisors,
26 and agents. Plaintiff has been limited in her ability to meaningfully interact with others due to the
27 trauma of childhood sexual abuse. This inability to interact creates conflict with Plaintiff's values
28 of trust and confidence in others, and has caused Plaintiff substantial emotional distress, anxiety,

1 nervousness and fear. As a direct result of the sexual abuse and molestation by the Perpetrator
2 (NASSAR), Plaintiff suffered immensely, including, but not limited to, encountering issues with
3 a lack of trust, various negative psychological and emotional sequelae, depressive symptoms,
4 anxiety attacks (or panic attacks), eating disorders, anxiety, and nervousness.
5

6 75. As a direct and proximate result of Defendants' tortuous acts, omissions, wrongful
7 conduct and breaches of their duties, Plaintiff's employment and professional development has
8 been adversely affected. Plaintiff has lost wages and will continue to lose wages in an amount to
9 be determined at trial. Plaintiff has suffered substantial economic injury, all to Plaintiff's general,
10 special and consequential damage in an amount to be proven at trial, but in no event less than the
11 minimum jurisdictional amount of this Court.

12 76. As a further direct and proximate result of Defendants' wrongful actions, as herein
13 alleged, Plaintiff has been hurt in her health, strength and activity. Plaintiff has sustained
14 permanent and continuing injury to her nervous system and person, which has caused and
15 continues to cause great mental, physical and nervous pain, suffering, fright, upset, grief, worry
16 and shock in an amount according to proof at trial but in no event less than the jurisdictional
17 minimum requirements of this Court.

18 77. As is set forth herein, Defendants and each of them have failed to uphold
19 numerous mandatory duties required of them by state and federal law, as well as their own
20 internal written policies and procedures, including:

- 21 • Duty to use reasonable care to protect participants and members from known or
22 foreseeable dangers
- 23 • Duty to enact policies and procedures that are not in contravention of the Federal
24 Civil Rights Act, section 1983 and the 14th amendment of the United States
25 Constitution;
- 26 • Duty to protect participants and members and staff, and provide adequate supervision;
- 27 • Duty to ensure that any direction given to participants and members is lawful, and
28 that adults act fairly, responsibly and respectfully towards participants and members;
- Duty to properly train staff so that they are aware of their individual responsibility for
creating and maintaining a safe environment;
- Duty to review the criminal history of applicants and current employees;

- Duty to provide diligent supervision over minors;
- Duty to act promptly and diligently and not ignore or minimize problems.
- Duty to report suspected incidents of child abuse and more specifically childhood sexual abuse;

78. Defendants and each of them had and have a duty to protect participants and members, including Plaintiff. Defendants were required to, and failed, to provide adequate supervision, and failed to be properly vigilant in seeing that supervision was sufficient at Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA, and DOES to ensure the safety of Plaintiff and others.

79. Despite having a duty to do so, Defendants failed to adequately train and supervise all staff to create a positive and safe environment, specifically including training to perceive, report and stop inappropriate sexual conduct by other members of the staff, specifically including the Perpetrator (NASSAR), with children.

80. Defendants failed to enforce their own rules and regulations designed to protect the health and safety of the participants and members. Further, they failed to adopt and implement safety measures, policies and procedures designed to protect minor children such as Plaintiff from the sexually exploitive and abusive acts of their agents and employees such as the Perpetrator (NASSAR).

81. In subjecting Plaintiff to the wrongful treatment herein described, Defendants the Perpetrator (NASSAR), USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN, and DOES 1 through 500 acted willfully and maliciously with the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to constitute malice and/or oppression under California *Civil Code* section 3294. Plaintiff is informed, and on that basis alleges, that specifically, the Defendants acted in concert, and under their authority as child care providers, with reckless disregard for the concern of the minor participants in its charge, in order to further financially benefit its business's growth. The

Defendants acted intentionally in creating an environment that harbored molesters, put the vulnerable minor participants at-risk of harm, ignored clear warning signs and their duties to report sexual abusers and molesters in their ranks, to maintain a façade of normalcy, in order to maintain its funding and provide further financial growth of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA and DOES 1 through 500, on the international level. The safety of the minor participants that were entrusted to Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA and DOES 1 through 500 and was compromised due to Defendants desire to maintain the status quo of the Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA and DOES 1 through 500 organizations, and avoid any public scrutiny for their misconduct. Plaintiff is informed, and on that basis alleges, that these willful, malicious, and/or oppressive acts, as alleged herein above, were ratified by the officers, directors, and/or managing agents of the Defendants. Plaintiff is therefore entitled to recover punitive damages, in an amount to be determined by the court, against Perpetrator (NASSAR), USA GYMNASTICS, COLAROSSO, PENNY, BELA KAROLYI, MARTHA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, AOGC ALL OLYMPIA GYMNASTIC CENTER INC., GALINA MARINOVA, ARTUR AKOPYAN, and DOES 1 through 500.

FIRST CAUSE OF ACTION
SEXUAL ASSAULT
(Against Defendant, the Perpetrator (NASSAR))

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

83. The Perpetrator (NASSAR), in doing the things herein alleged, including intending to subject Plaintiff to numerous instances of sexual abuse and molestation by the Perpetrator (NASSAR), during Plaintiff's time with Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA and DOES 1 through 500, beginning on or around 2004, and lasting for the duration of Plaintiff's tenure with these Defendants, in or around 2010, including but not limited to instances of the Perpetrator (NASSAR) groping and fondling the

1 Plaintiff's vagina, all while the Perpetrator (NASSAR) acted in the course and scope of his
2 agency/employment with Defendants, and each of them and were intended to cause harmful or
3 offensive contact with Plaintiff's person, or intended to put Plaintiff in imminent apprehension of
4 such contact.

5
6 84. In doing the things herein alleged, Plaintiff was put in imminent apprehension of a
7 harmful or offensive contact by the Perpetrator (NASSAR), and actually believed the Perpetrator
8 (NASSAR) had the ability to make harmful or offensive contact with Plaintiff's person.

9
10 85. Plaintiff did not consent to the Perpetrator's (NASSAR) intended harmful or
11 offensive contact with Plaintiff's person, or intent to put Plaintiff in imminent apprehension of
12 such contact. Additionally, because Plaintiff was a minor during the time herein alleged, she
13 lacked the ability to consent to sexual contact with any person, especially with a team physician
14 at Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, and DOES 1 through 500.

15
16 86. In doing the things herein alleged, the Perpetrator (NASSAR) violated Plaintiff's
17 right, pursuant to *Civil Code* section 43, of protection from bodily restraint or harm, and from
18 personal insult. In doing the things herein alleged, the Perpetrator (NASSAR) violated his duty,
19 pursuant to *Civil Code* section 1708, to abstain from injuring the person of Plaintiff or infringing
20 upon his rights.

21
22 87. As a result of the above-described conduct, Plaintiff has suffered and continues to
23 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
24 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
25 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to
26 be prevented from performing daily activities and obtaining the full enjoyment of life; will
27 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
28 expenses for medical and psychological treatment, therapy, and counseling.

88. Plaintiff is informed and based thereon alleges that the conduct of Defendants was
oppressive, malicious and despicable in that it was intentional and done in conscious disregard
for the rights and safety of others, and were carried out with a conscious disregard of her right to

1 be free from such tortious behavior, such as to constitute oppression, fraud or malice pursuant to
2 California *Civil Code* section 3294, entitling Plaintiff to punitive damages against Defendants in
3 an amount appropriate to punish and set an example of Defendants.
4

5 **SECOND CAUSE OF ACTION**
6 **SEXUAL BATTERY: *Civil Code* § 1708.5**
7 **(Against the Perpetrator (NASSAR))**

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

10 90. During Plaintiff's time as team member and participant with Defendants USA
11 GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1
12 through 500, the Perpetrator (NASSAR) intentionally, recklessly and wantonly did acts which
13 were intended to, and did result in harmful and offensive contact with intimate parts of Plaintiff's
14 person, including but not limited to being subjected to numerous instances of sexual abuse by the
15 Perpetrator (NASSAR), during Plaintiff's time with Defendants USA GYMNASTICS,
16 KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500,
17 beginning on or around 2004, and lasting for the duration of Plaintiff's tenure with Defendants
18 USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and
19 DOES 1 through 500, in or around 2010, including but not limited to instances of the Perpetrator
20 (NASSAR) groping and fondling the Plaintiff's vagina, all while the Perpetrator (NASSAR)
21 acted in the course and scope of his agency/employment with Defendants, and each of them.

22 91. The Perpetrator (NASSAR) did the aforementioned acts with the intent to cause a
23 harmful or offensive contact with an intimate part of Plaintiff's person, and would offend a
24 reasonable sense of personal dignity. Further, said acts did cause a harmful or offensive contact
25 with an intimate part of Plaintiff's person that would offend a reasonable sense of personal
26 dignity.

27 92. Because of the Perpetrator (NASSAR)'s position of authority over Plaintiff, and
28 Plaintiff's mental and emotional state, and Plaintiff's young age under the age of consent,
Plaintiff was unable to, and did not, give meaningful consent to such acts.

1
2 93. As a direct, legal and proximate result of the acts of the Perpetrator (NASSAR),
3 Plaintiff sustained serious and permanent injuries to her person, all of his damage in an amount
4 to be shown according to proof and within the jurisdiction of the Court.

5 94. As a direct result of the sexual abuse by the Perpetrator (NASSAR), Plaintiff has
6 difficulty in reasonably or meaningfully interacting with others, including those in positions of
7 authority over Plaintiff including teachers, and supervisors, and in intimate, confidential and
8 familial relationships, due to the trauma of childhood sexual abuse inflicted upon her by
9 Defendants. This inability to interact creates conflict with Plaintiff's values of trust and
10 confidence in others, and has caused Plaintiff substantial emotional distress, anxiety, nervousness
11 and fear. As a direct result of the sexual abuse and molestation by the Perpetrator (NASSAR),
12 Plaintiff suffered immensely, including, but not limited to, encountering issues with a lack of
13 trust, various psychological sequelae, depressive symptoms, anxiety, nervousness, and self-
14 medicating behavior.

15 95. Plaintiff is informed and based thereon alleges that the conduct of the Perpetrator
16 (NASSAR) was oppressive, malicious and despicable in that it was intentional and done in
17 conscious disregard for the rights and safety of others, and were carried out with a conscious
18 disregard of her right to be free from such tortious behavior, such as to constitute oppression,
19 fraud or malice pursuant to California *Civil Code* section 3294, entitling Plaintiff to punitive
20 damages against the Perpetrator (NASSAR) in an amount appropriate to punish and set an
21 example of the Perpetrator (NASSAR).

22 **THIRD CAUSE OF ACTION**
23 **GENDER VIOLENCE**
24 **(Against the Perpetrator (NASSAR))**

25 96. Plaintiff re-alleges and incorporates by reference herein each and every allegation
26 contained herein above as though fully set forth and brought in this cause of action.

27 97. The Perpetrator's (NASSAR) acts committed against Plaintiff, as alleged herein,
28 including the sexual harassment, molestation and abuse of the Plaintiff constitutes gender
violence and a form of sex discrimination in that one or more of the Perpetrator's (NASSAR)

1 acts would constitute a criminal offense under state law that has as an element the use, attempted
2 use, or threatened use of physical force against the person of another, committed at least in part
3 based on the gender of the victim, whether or not those acts have resulted in criminal complaints,
4 charges, prosecution, or conviction.

5
6 98. The Perpetrator's (NASSAR) acts committed against Plaintiff, as alleged herein,
7 including the sexual harassment, molestation and abuse of the Plaintiff constitutes gender
8 violence and a form of sex discrimination in that the Perpetrator's (NASSAR) conduct caused a
9 physical intrusion or physical invasion of a sexual nature upon Plaintiff under coercive
10 conditions, whether or not those acts have resulted in criminal complaints, charges, prosecution,
11 or conviction.

12 99. As a proximate result of the Perpetrator's (NASSAR) acts, Plaintiff is entitled to
13 actual damages, compensatory damages, punitive damages, injunctive relief, any combination of
14 those, or any other appropriate relief. Plaintiff is also entitled to an award of attorney's fees and
15 costs pursuant to *Civil Code* § 52.4, against the Perpetrator (NASSAR).

16 **FOURTH CAUSE OF ACTION**
SEXUAL HARASSMENT (*CIVIL CODE* §51.9)
(Against All Defendants)

17 100. Plaintiff re-alleges and incorporates by reference herein each and every allegation
18 contained herein above as though fully set forth and brought in this cause of action.

19 101. During Plaintiff's time as a team member and participant at Defendants USA
20 GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1
21 through 500, the Perpetrator (NASSAR) intentionally, recklessly and wantonly made sexual
22 advances, solicitations, requests, demands for sexual compliance of a hostile nature based on
23 Plaintiff's gender that were unwelcome, pervasive and severe, including but not limited to the
24 Perpetrator (NASSAR) groping and fondling the Plaintiff's vagina, all under the supervision of
25 Defendants, who were acting in the course and scope of their agency with Defendants and each
26 of them.

27 ///

102. The incidents of abuse outlined herein above took place while Plaintiff was under the control of Perpetrator (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, as well as the staff of Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, in their capacity and position as team physicians, athletic trainers, and staff at Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, and while acting specifically on behalf of Defendants.

103. During Plaintiff's time as a team member and participant at Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, the Perpetrator (NASSAR) intentionally, recklessly and wantonly did acts which resulted in harmful and offensive contact with intimate parts of Plaintiff's person, including but not limited to, using his position of authority and age to force Plaintiff to give into the Perpetrator's (NASSAR) sexual suggestions.

104. Because of Plaintiff's relationship with the Perpetrator (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, and Plaintiff's young age as a minor team member and participant, Plaintiff was unable to easily terminate the relationship she had with the Defendants.

105. Because of the Perpetrator's (NASSAR) age and position of authority, physical seclusion of the Plaintiff, Plaintiff's mental and emotional state, and Plaintiff's young age under the age of consent, Plaintiff was unable to, and did not and could not, give consent to such acts.

106. Even though the Defendants knew or should have known of these activities by the Perpetrator (NASSAR), Defendants did nothing to investigate, supervise or monitor the Perpetrator (NASSAR) to ensure the safety of the minor participants and members.

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2 107. Because of Plaintiff's relationship with Defendants, as a team member and
3 participant of Defendants, and Plaintiff's young age as a minor team member and participant,
4 Plaintiff was unable to easily terminate the doctor-patient relationship she had with Defendants.

5 108. A corporation is a "person" within meaning of *Civil Code* section 51.9, which
6 subjects persons to liability for sexual harassment within a business, service or professional
7 relationship, and such an entity defendant may be held liable under this statute for the acts of its
8 employees. *C.R. v. Tenet Healthcare Corp.*, (2009) 169 Cal.App.4th 1094. Further, principles of
9 ratification apply when the principal ratifies the agent's originally unauthorized harassment, as is
10 alleged to have occurred herein.

11 109. Defendants' conduct (and the conduct of their agents) was a breach of their duties
12 to Plaintiff.

13 110. As a result of the above-described conduct, Plaintiff has suffered and continues to
14 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
15 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
16 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to
17 be prevented from performing daily activities and obtaining the full enjoyment of life; will
18 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
19 expenses for medical and psychological treatment, therapy, and counseling.

20 **FIFTH CAUSE OF ACTION**
UNFAIR BUSINESS PRACTICES (*BUSINESS & PROFESSIONS CODE* §17200)
(Against All Defendants)

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

23 112. Plaintiff is informed and believes and on that basis alleges that the Perpetrator
24 (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL
25 OLYMPIA DEFENDANTS, and DOES 1 through 500 have engaged in unlawful, unfair and
26 deceptive business practices including allowing NASSAR to engage in repeated harassment of
27 participants and members, including Plaintiff, and failing to take all reasonable steps to prevent
28

1 harassment and abuse from occurring. The unlawful, unfair and deceptive business practices also
2 included failing to adequately investigate, vet, and evaluate individuals for employment with
3 Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA
4 DEFENDANTS, and DOES 1 through 500, refusing to design, implement, and oversee policies
5 regarding sexual harassment and abuse of children in a reasonable manner that is customary in
6 similar educational environments. Plaintiff is informed and believes and on that basis alleges that
7 the Perpetrator (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS,
8 ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, have engaged in unlawful, unfair
9 and deceptive business practices including concealing sexual harassment, abuse and/or
10 molestation claims by participants and members, such as Plaintiff, so as to retain other
11 participants and members within Defendants USA GYMNASTICS, KAROLYI DEFENDANTS,
12 ALL OLYMPIA DEFENDANTS, and DOES 1 through 500 who were not apprised of such
13 illicit sexual misconduct by the Perpetrator (NASSAR).
14

15 113. Plaintiff is informed and believes that Defendants engaged in a common scheme,
16 arrangement or plan to actively conceal allegations against sexual abusers who were employees,
17 agents, members, and/or participants at Defendants USA GYMNASTICS, KAROLYI
18 DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500, including
19 NASSAR, such that Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL
20 OLYMPIA DEFENDANTS, and DOES 1 through 500 could maintain their public image, and
21 avoid detection of such abuse and abusers. Plaintiff is informed and believes and thereon alleges
22 that Defendants actively concealed these allegations, such that Defendants would be insulated
23 from public scrutiny, governmental oversight, and/or investigation from various law enforcement
24 agencies, all done in order to maintain the false sense of safety for participants and their families
25 and to perpetuate the program financially.

26 114. By engaging in unlawful, unfair and deceptive business practices, the Perpetrator
27 (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL
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1 OLYMPIA DEFENDANTS, and DOES 1 through 500 benefitted financially to the detriment of
2 its competitors, who had to comply with the law.

3 115. Unless restrained, Defendants USA GYMNASTICS, KAROLYI
4 DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500 will continue to
5 engage in the unfair acts and business practices described above, resulting in great and
6 irreparable harm to Plaintiff and/or other similarly situated participants and members.
7

8 116. Plaintiff seeks restitution for all amounts improperly obtained by the Perpetrator
9 (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL
10 OLYMPIA DEFENDANTS, and DOES 1 through 500 through the use of the above-mentioned
11 unlawful business practices, as well as the disgorgement of all ill-gotten gains and restitution on
12 behalf of Plaintiff and all other similarly situated participants and members who were also
13 subjected to the Perpetrator (NASSAR) and Defendants USA GYMNASTICS, KAROLYI
14 DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500 illegal and unfair
15 business practices.

16 117. Pursuant to section 17203 of the California *Business and Professions Code* and
17 available equitable powers, Plaintiff is entitled to a preliminary and permanent injunction,
18 enjoining the Perpetrator (NASSAR) and Defendants USA GYMNASTICS, KAROLYI
19 DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500 from continuing
20 the unlawful and unfair business practices described above. Further, Plaintiff seeks the
21 appointment of a court monitor to enforce its orders regarding client safety. In addition, Plaintiff
22 is entitled to recover reasonable attorneys' fees pursuant to the California *Business and*
23 *Professions Code* and section 1021.5 of the *California Code of Civil Procedure*.

24 **SIXTH CAUSE OF ACTION**
25 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
26 **(Against All Defendants)**

27 118. Plaintiff re-alleges and incorporates by reference herein each and every allegation
28 contained herein above as though fully set forth and brought in this cause of action.

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2 119. The Perpetrator (NASSAR) and Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., and KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500's conduct toward Plaintiff, as described herein, was outrageous and extreme.

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7 120. A reasonable person would not expect or tolerate the sexual harassment, molestation and abuse of Plaintiff by the Perpetrator (NASSAR), and Defendants' knowledge and callous indifference thereof. Plaintiff had great trust, faith and confidence in Defendants, which, by virtue of the Perpetrator's (NASSAR) and Defendants' wrongful conduct, turned to fear.

11
12 121. A reasonable person would not expect or tolerate Defendants putting the Perpetrator (NASSAR), who was known to Defendants to have physically and sexually abused other participants and members, in a position of care of Plaintiff and other minor participants and members, which enabled the Perpetrator (NASSAR) to have access to minor participants and members so that he could commit wrongful sexual acts, including the conduct described herein, with minors, including Plaintiff. Plaintiff had great trust, faith and confidence in Defendants, which, by virtue of Defendants' wrongful conduct, turned to fear.

18
19 122. A reasonable person would not expect or tolerate the Defendants and their agents to be incapable of supervising and/or stopping participants and members of Defendants, including the Perpetrator (NASSAR), from committing wrongful sexual acts with minors, including Plaintiff, or to supervise the Perpetrator (NASSAR). Plaintiff had great trust, faith and confidence in Defendants, which, by virtue of Defendants' wrongful conduct, turned to fear.

23
24 123. Defendants' conduct described herein was intentional and malicious and done for the purpose of causing or with the substantial certainty that Plaintiff would suffer humiliation, mental anguish, and emotional and physical distress.

26
27 124. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of

1 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliation, and loss
2 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to
3 be prevented from performing daily activities and obtaining the full enjoyment of life; will
4 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
5 expenses for medical and psychological treatment, therapy, and counseling.

6
7 125. In subjecting Plaintiff to the wrongful treatment herein described, the Perpetrator
8 (NASSAR), Defendants USA GYMNASTICS, COLAROSSO, PENNY, BELA KAROLYI,
9 MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
10 GYMNASTICS INC., and KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA,
11 ARTUR AKOPYAN and DOES 1 through 500 acted willfully and maliciously with the intent to
12 harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to constitute malice and/or
13 oppression under California *Civil Code* section 3294. Plaintiff is informed, and on that basis
14 alleges, that these willful, malicious, and/or oppressive acts, as alleged herein above, were
15 ratified by the officers, directors, and/or managing agents of the Defendants. Plaintiff is therefore
16 entitled to recover punitive damages, in an amount to be determined by the court, against the
17 Perpetrator (NASSAR), Defendants USA GYMNASTICS, COLAROSSO, PENNY, BELA
18 KAROLYI, MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
19 GYMNASTICS INC., and KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA,
20 ARTUR AKOPYAN and DOES 1 through 500.

21 **SEVENTH CAUSE OF ACTION**
22 **CONSTRUCTIVE FRAUD**
23 **(Against All Defendants)**

24 126. Plaintiff re-alleges and incorporates by reference herein each and every allegation
25 contained herein above as though fully set forth and brought in this cause of action.

26 127. By holding the Perpetrator (NASSAR) out as an agent of Defendants, and by
27 allowing him to undertake the physical care and athletic training of minor children such as
28 Plaintiff, Defendants entered into a confidential, fiduciary, and special relationship with Plaintiff.

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128. By holding themselves out as the national program for woman's gymnastics, undertaking to select and train national gymnastics teams, and facilitating competition both nationally and internationally of Plaintiff and other minor team participants and members, Defendants entered into a confidential, fiduciary and special relationship with Plaintiff.

129. Defendants breached their confidential, fiduciary duty and special duties to Plaintiff by the wrongful and negligent conduct described above and incorporated into this cause of action, and in so doing, gained an advantage over Plaintiff in matters relating to Plaintiff's safety, security and health. In particular, in breaching such duties as alleged, Defendants were able to sustain their status as an institution of high moral repute, and preserve their reputation, all at the expense of Plaintiff's further injury and in violation of Defendants' mandatory duties.

130. By virtue of their confidential, fiduciary and special relationship with Plaintiff, Defendants owed Plaintiff a duty to:

- a. Investigate or otherwise confirm or deny such claims of sexual abuse;
- b. Reveal such facts to Plaintiff, Plaintiff's family and caretakers, the gymnastics community, the community at large, the US Olympic Committee, and law enforcement agencies;
- c. Refuse to place the Perpetrator (NASSAR) and other molesters in positions of trust and authority within Defendants' institutions;
- d. Refuse to hold out the Perpetrator (NASSAR) and other molesters to the public, the community, minors, parents and law enforcement agencies as being in good standing and, trustworthy in keeping with him and his position as a team physician and authority figure;
- e. Refuse to assign the Perpetrator (NASSAR) and other molesters to positions of power within Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, and ALL OLYMPIA DEFENDANTS, and over minors; and
- f. Disclose to Plaintiff, her family, the public, the school community, minors, and law enforcement agencies the wrongful, tortious, and sexually exploitive acts that the Perpetrator (NASSAR) had engaged in with children.

131. Defendants' breach of their respective duties included:

- a. Not making reasonable investigations of the Perpetrator (NASSAR);
- b. Issuing no warnings about the Perpetrator (NASSAR);
- c. Permitting the Perpetrator (NASSAR) to routinely be alone with and in control of minors, unsupervised;

- d. Not adopting a policy to prevent the Perpetrator (NASSAR) from routinely having minors and participants and members in his unsupervised control;
- e. Making no reports of any allegations of the Perpetrator's (NASSAR) abuse of participants and members, or of minors prior to or during his employment and/or agency at Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS and DOES 1 through 500; and
- f. Assigning and continuing to assign the Perpetrator (NASSAR) to duties which placed him in positions of authority and trust over minors, positions in which the Perpetrator (NASSAR) could easily isolate and sexually abuse minors.

132. At the time that Defendants engaged in such suppression and concealment of acts, such acts were done for the purpose of causing Plaintiff to forbear on Plaintiff's rights.

133. Defendants' misconduct did reasonably cause Plaintiff to forbear on Plaintiff's rights.

134. The misrepresentations, suppressions and concealment of facts by Defendants were intended to and were likely to mislead Plaintiff and others to believe that Defendants had no knowledge of any charges against the Perpetrator (NASSAR), or that there were no other charges of unlawful or sexual misconduct against the Perpetrator (NASSAR) or others and that there was no need for them to take further action or precaution.

135. The misrepresentations, suppressions and concealment of facts by Defendants was likely to mislead Plaintiff and others to believe that Defendants had no knowledge of the fact that the Perpetrator (NASSAR) was a molester, and was known to commit wrongful sexual acts with minors, including Plaintiff.

136. Defendants knew or should have known at the time they suppressed and concealed the true facts regarding others' sexual molestations, that the resulting impressions were misleading.

137. Defendants suppressed and concealed the true facts regarding the Perpetrator (NASSAR) with the purpose of: preventing Plaintiff, Plaintiff's parents & family, and others, from learning that the Perpetrator (NASSAR) and others had been and were continuing to sexually harass, molest and abuse minors and others under the Perpetrator's (NASSAR) and Defendants' control, direction, and guidance, with complete impunity; inducing people, including

1 Plaintiff and other benefactors and donors to participate and financially support Defendants'
2 program and other enterprises of Defendants; preventing further reports and outside
3 investigations into the Perpetrator's (NASSAR) and Defendants' conduct; preventing discovery
4 of Defendants' own conduct; avoiding damage to the reputations of Defendants; protecting
5 Defendants' power and status in the community and the gymnastics community; avoiding
6 damage to the reputation of Defendants, or Defendants' institutions; and avoiding the civil and
7 criminal liability of Defendants, of the Perpetrator (NASSAR), and of others.

8
9 138. At all times mentioned herein, Defendants, and in particular the Perpetrator
10 (NASSAR) and Defendants USA GYMNASTICS, KAROLYI DEFENDANTS, ALL
11 OLYMPIA DEFENDANTS and DOES 1 through 500, with knowledge of the tortious nature of
12 their own and the Perpetrator's (NASSAR) conduct, knowingly conspired and gave each other
13 substantial assistance to perpetrate the misrepresentations, fraud and deceit alleged herein—
14 covering up the past allegations of sexual misconduct lodged against NASSAR, and allowing
15 NASSAR to remain in his position as a team physician so they could maintain their reputations
16 and continue with their positions within the organization.

17 139. Plaintiff and others were misled by Defendants' suppressions and concealment of
18 facts, and in reliance thereon, were induced to act or induced not to act, exactly as intended by
19 Defendants. Specifically, Plaintiff and Plaintiff's family were induced to believe that there were
20 no allegations of criminal or sexual abuse against the Perpetrator (NASSAR) and that he was
21 safe to be around children. Had Plaintiff and her family, and others, known the true facts about
22 the Perpetrator (NASSAR), they would have not participated further in activities of the
23 Perpetrator (NASSAR), or continued to financially support Defendants' activities. They would
24 have reported the matters to the proper authorities, to other minor participants and members and
25 their parents so as to prevent future recurrences; they would not have allowed children, including
26 Plaintiff, to be alone with, or have any relationship with the Perpetrator (NASSAR); they would
27 not have allowed children, including Plaintiff, to attend or be under the control of Defendants;
28 they would have undertaken their own investigations which would have led to discovery of the

1 true facts; and they would have sought psychological counseling for Plaintiff, and for other
2 children molested and abused by the Perpetrator (NASSAR).

3
4 140. By giving the Perpetrator (NASSAR) the position of team physician, Defendants
5 impliedly represented that the Perpetrator (NASSAR) was safe and morally fit to give children
6 care and provide osteopathic adjustments.

7 141. When Defendants made these affirmative or implied representations and non-
8 disclosures of material facts, Defendants knew or should have known that the facts were
9 otherwise. Defendants knowingly and intentionally suppressed the material facts that the
10 Perpetrator (NASSAR) had on numerous, prior occasions sexually, physically, and mentally
11 abused minors and participants and members of Defendants, including Plaintiff, and knew of or
12 learned of conduct, or should have known of conduct by the Perpetrator (NASSAR) which
13 placed Defendants on notice that the Perpetrator (NASSAR) had previously been suspected of
14 felonies, including unlawful sexual conduct with minors, and was likely abusing children.

15 142. Because of Plaintiff's young age, and because of the status of the Perpetrator
16 (NASSAR) as a trusted, authority figure to Plaintiff, Plaintiff was vulnerable to the Perpetrator
17 (NASSAR). The Perpetrator (NASSAR) sought Plaintiff out, and was empowered by and
18 accepted Plaintiff's vulnerability. Plaintiff's vulnerability also prevented Plaintiff from effectively
19 protecting herself from the sexual advances of the Perpetrator (NASSAR).

20 143. Defendants had the duty to obtain and disclose information relating to sexual
21 misconduct of the Perpetrator (NASSAR).

22 144. Defendants misrepresented, concealed or failed to disclose information relating to
23 sexual misconduct of the Perpetrator (NASSAR).

24 145. Defendants knew that they had misrepresented, concealed or failed to disclose
25 information related to sexual misconduct of the Perpetrator (NASSAR).

26 146. Plaintiff justifiably relied upon Defendants for information relating to sexual
27 misconduct of the Perpetrator NASSAR.

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2 147. The Perpetrator (NASSAR) and Defendants USA GYMNASTICS, COLAROSSO,
3 PENNY, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through
4 500, in concert with each other and with the intent to conceal and defraud, conspired and came to
5 a meeting of the minds whereby they would misrepresent, conceal or fail to disclose information
6 relating to the sexual misconduct of the Perpetrator (NASSAR), the inability of Defendants to
7 supervise or stop the Perpetrator (NASSAR) from sexually harassing, molesting and abusing
8 Plaintiff, and/or their own failure to properly investigate, supervise and monitor his conduct with
9 minor participants and members.

10 148. By so concealing, Defendants committed at least one act in furtherance of the
11 conspiracy.

12 149. As a result of the above-described conduct, Plaintiff has suffered and continues to
13 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
14 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
15 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to
16 be prevented from performing daily activities and obtaining the full enjoyment of life; will
17 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
18 expenses for medical and psychological treatment, therapy, and counseling.

19 150. In addition, when Plaintiff finally discovered the fraud of Defendants, and
20 continuing thereafter, Plaintiff experienced recurrences of the above-described injuries. Plaintiff
21 experienced extreme and severe mental anguish and emotional distress that Plaintiff had been the
22 victim of Defendants' fraud; that Plaintiff had not been able to help other minors being molested
23 because of the fraud, and that Plaintiff had not been able because of the fraud to receive timely
24 medical treatment needed to deal with the problems Plaintiff had suffered and continues to suffer
25 as a result of the sexual harassment, molestation and abuse.

26 151. In subjecting Plaintiff to the wrongful treatment herein described, Defendants the
27 Perpetrator (NASSAR), USA GYMNASTICS, COLAROSSO, PENNY, KAROLYI
28 DEFENDANTS, ALL OLYMPIA DEFENDANTS, and DOES 1 through 500 acted willfully

1 and maliciously with the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights,
2 so as to constitute malice and/or oppression under California *Civil Code* section 3294. Plaintiff is
3 informed, and on that basis alleges, that these willful, malicious, and/or oppressive acts, as
4 alleged herein above, were ratified by the officers, directors, and/or managing agents of the
5 Defendants. Plaintiff is therefore entitled to recover punitive damages, in an amount to be
6 determined by the court, against Defendants the Perpetrator (NASSAR), USA GYMNASTICS,
7 COLAROSSO, PENNY, KAROLYI DEFENDANTS, ALL OLYMPIA DEFENDANTS, and
8 DOES 1 through 500.

9
10 **EIGHTH CAUSE OF ACTION**

11 **NEGLIGENCE**

12 **(Against Defendants USA GYMNASTICS, COLAROSSO, PENNY, BELA KAROLYI,
13 MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
14 GYMNASTICS INC., KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA,
15 ARTUR AKOPYAN and DOES 1 through 500)**

16 152. Plaintiff re-alleges and incorporates by reference herein each and every allegation
17 contained herein above as though fully set forth and brought in this cause of action.

18 153. Prior to and after the first incident of the Perpetrator's (NASSAR) sexual
19 harassment, molestation and abuse of Plaintiff, through the present, Defendants, knew and/or
20 should have known that the Perpetrator (NASSAR) had and was capable of sexually, physically,
21 and mentally abusing and harassing Plaintiff or other victims.

22 154. Defendants and each of them had special duties to protect the minor Plaintiff and
23 the other participants and members, when such minors were entrusted to Defendants' care by
24 their parents. Plaintiff's care, welfare and physical custody was entrusted to Defendants.
25 Defendants voluntarily accepted the entrusted care of Plaintiff. As such, Defendants owed
26 Plaintiff, a minor child, a special duty of care that adults dealing with children owe to protect
27 them from harm. The duty to protect and warn arose from the special, trusting, confidential, and
28 fiduciary relationship between Defendants and Plaintiff.

155. Defendants breached their duties of care to the minor Plaintiff by allowing the
Perpetrator (NASSAR) to come into contact with the minor Plaintiff and other participants and
members, without supervision; by failing to adequately hire, supervise and retain the Perpetrator

(NASSAR) whom they permitted and enabled to have access to Plaintiff; by concealing from Plaintiff, her family, and law enforcement that the Perpetrator (NASSAR) was sexually harassing, molesting and abusing minors; and by holding the Perpetrator (NASSAR) out to Plaintiff and her family as being of high moral and ethical reputé, in good standing and trustworthy.

156. Defendants breached their duties to Plaintiff by failing to investigate or otherwise confirm or deny such facts of sexual abuse by the Perpetrator (NASSAR), failing to reveal such facts to Plaintiff, her parents, the community and law enforcement agencies, and by placing the Perpetrator (NASSAR) into a position of trust and authority, holding him out to Plaintiff, her parents, and the public as being in good standing and trustworthy.

157. Defendants breached their duty to Plaintiff by failing to adequately monitor and supervise the Perpetrator (NASSAR) and failing to prevent the Perpetrator (NASSAR) from committing wrongful sexual acts with minors including Plaintiff. Defendants' voluminous past records of sexual misconduct by the Perpetrator (NASSAR) caused Defendants to know, or gave them information where they should have known, of the Perpetrator's (NASSAR) incapacity to serve as a team physician, providing for the physical care of minor females.

158. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

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**NINTH CAUSE OF ACTION
NEGLIGENT SUPERVISION
(Against Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI,
MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
GYMNASTICS INC., KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA,
ARTUR AKOPYAN and DOES 1 through 500)**

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

160. By virtue of Plaintiff's special relationship with Defendants, and Defendants' relation to the Perpetrator (NASSAR), Defendants owed Plaintiff a duty to provide reasonable supervision of the Perpetrator (NASSAR), to use reasonable care in investigating the Perpetrator's (NASSAR) background, and to provide adequate warning to Plaintiff, Plaintiff's family, and minor participants and members of the Perpetrator's (NASSAR) dangerous propensities and unfitness. As organizations and individuals responsible for, and entrusted with, the welfare of minor children, Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500 had a duty to protect, supervise, and monitor both the Plaintiff from being preyed upon by sexual predators, and to supervise and monitor the Perpetrator (NASSAR) such that he would not be placed in seclusion with minor children, including the Plaintiff.

161. As representatives of Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI, MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500, where many of the participants and members thereof are vulnerable minors entrusted to these Defendants, these Defendants' agents expressly and implicitly represented that team physicians and staff, including the Perpetrator (NASSAR), were not a sexual threat to children and others who would fall under the Perpetrator's (NASSAR) influence, control, direction, and care.

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1
2 162. Defendants, by and through their respective agents, servants and employees, knew
3 or should have known of the Perpetrator's (NASSAR) dangerous and exploitive propensities and
4 that the Perpetrator (NASSAR) was an unfit agent. Despite such knowledge, Defendants
5 negligently failed to supervise the Perpetrator (NASSAR) in his position of trust and authority as
6 a team physician and authority figure over children, where he was able to commit wrongful acts
7 of sexual misconduct against Plaintiff. Defendants failed to provide reasonable supervision of the
8 Perpetrator (NASSAR), failed to use reasonable care in investigating the Perpetrator (NASSAR),
9 and failed to provide adequate warning to Plaintiff and Plaintiff's family of the Perpetrator's
10 (NASSAR) dangerous propensities and unfitness. Defendants further failed to take reasonable
11 steps to ensure the safety of minors, including Plaintiff, from sexual harassment, molestation,
12 and abuse.

13 163. At no time during the periods of time alleged did Defendants have in place a
14 reasonable system or procedure to investigate, supervise and monitor the team physician or staff,
15 including the Perpetrator (NASSAR), to prevent pre-sexual grooming and sexual harassment,
16 molestation and abuse of children, nor did they implement a system or procedure to oversee or
17 monitor conduct toward minors and others in Defendants' care.

18 164. Defendants were aware or should have been aware of how vulnerable children
19 were to sexual harassment, molestation and abuse by teachers and other persons of authority
20 within Defendants' entities.

21 165. Defendants were put on notice, knew and/or should have known that the
22 Perpetrator (NASSAR) had previously engaged and was continuing to engage in unlawful sexual
23 conduct with minors, and had committed other felonies, for his own personal sexual gratification,
24 and that it was foreseeable that he was engaging, or would engage in illicit sexual activities with
25 Plaintiff, and others, under the cloak of the authority, confidence, and trust, bestowed upon him
26 through Defendants.

27 166. Defendants were placed on actual or constructive notice that the Perpetrator
28 (NASSAR) had molested other minors and participants and members during his employment

1 with Defendants. Defendants were informed of molestations of minors committed by the
2 Perpetrator (NASSAR) prior to Plaintiff's sexual abuse, and of conduct by the Perpetrator
3 (NASSAR) that would put a reasonable person on notice of such propensity to molest and abuse
4 children.

5
6 167. Even though Defendants knew or should have known of these illicit sexual
7 activities by the Perpetrator (NASSAR), Defendants did not reasonably investigate, supervise or
8 monitor the Perpetrator (NASSAR) to ensure the safety of the minor participants and members.

9 168. Defendants' conduct was a breach of their duties to Plaintiff.

10 169. Defendants, and each of them, breached their duty to Plaintiff by, *inter alia*, by
11 failing to adequately monitor and supervise the Perpetrator (NASSAR) and stop the Perpetrator
12 (NASSAR) from committing wrongful sexual acts with minors including Plaintiff.

13 170. As a result of the above-described conduct, Plaintiff has suffered and continues to
14 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
15 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
16 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to
17 be prevented from performing daily activities and obtaining the full enjoyment of life; will
18 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
19 expenses for medical and psychological treatment, therapy, and counseling.

20 **NEGLIGENCE *PER SE*-CONDUCT IN VIOLATION OF MANDATED REPORTING**
21 **LAWS**

22 171. Under applicable law, Defendants, by and through their employees and agents,
23 were child care custodians and were under a duty to report known or suspected incidents of
24 sexual molestation or abuse of minors to a child protective agency, and not to impede the filing
25 of any such report.

26 172. Defendants knew or should have known that their team physician, the Perpetrator
27 (NASSAR), and other staff of Defendants, had sexually molested, abused or caused touching,
28 battery, harm, and/or other injuries to minors, including Plaintiff, giving rise to a duty to report
such conduct.

1
2 173. Defendants knew, or should have known, in the exercise of reasonable diligence,
3 that an undue risk to minors, including Plaintiff, existed because Defendants did not comply with
4 California's mandatory reporting requirements.

5 174. By failing to report the continuing molestations and abuse by the Perpetrator
6 (NASSAR), which Defendants knew or should have known about, and by ignoring the
7 fulfillment of the mandated compliance with the reporting requirements, Defendants created the
8 risk and danger contemplated by the applicable mandated reporting laws, and as a result,
9 unreasonably and wrongfully exposed Plaintiff and other minors to sexual molestation and
10 abuse.

11 175. Plaintiff was a member of the class of persons for whose protection applicable
12 mandated reporting laws were specifically adopted to protect.

13 176. Had Defendants adequately reported the molestation of Plaintiff and other minors
14 as required by applicable mandated reporting laws, further harm to Plaintiff and other minors
15 would have been avoided.

16 177. As a proximate result of Defendants' failure to follow the mandatory reporting
17 requirements, Defendants wrongfully denied Plaintiff and other minors the intervention of child
18 protection services. Such public agencies would have changed the then-existing arrangements
19 and conditions that provided the access and opportunities for the molestation of Plaintiff by the
20 Perpetrator (NASSAR).

21 178. The physical, mental, and emotional damages and injuries resulting from the
22 sexual molestation of Plaintiff by the Perpetrator (NASSAR), were the type of occurrence and
23 injuries that the applicable mandated reporting laws were designed to prevent.

24 179. As a result, Defendants' failure to comply with the mandatory reporting
25 requirements constituted a per se breach of Defendants' duties to Plaintiff.

26 180. Defendants, and each of them, breached their duty to Plaintiff by, inter alia, by
27 failing to adequately monitor and supervise the Perpetrator (NASSAR) and stop the Perpetrator
28 (NASSAR) from committing wrongful sexual acts with minors including Plaintiff.

181. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

**TENTH CAUSE OF ACTION
NEGLIGENT HIRING/RETENTION
(Against Defendants USA GYMNASTICS, COLAROSS, PENNY, BELA KAROLYI,
MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD
GYMNASTICS INC., KAROLYI'S ELITE, and DOES 1 through 500)**

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

183. By virtue of Plaintiff's special relationship with Defendants, and Defendants' relation to the Perpetrator (NASSAR), Defendants owed Plaintiff a duty to not hire or retain the Perpetrator (NASSAR), given his dangerous and exploitive propensities, which Defendants knew or should have known about had they engaged in a reasonable, meaningful and adequate investigation of her background prior to her hiring or retaining her in subsequent positions of employment.

184. Defendants expressly and implicitly represented that the team staff, trainers, and team physicians, including the Perpetrator (NASSAR), were not a sexual threat to children and others who would fall under the Perpetrator's (NASSAR) influence, control, direction, and guidance.

185. At no time during the periods of time alleged did Defendants have in place a reasonable system or procedure to investigate, supervise and monitor team staff, trainers, and team physicians, including the Perpetrator (NASSAR), to prevent pre-sexual grooming or sexual harassment, molestation and abuse of children, nor did they implement a system or procedure to

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1 oversee or monitor conduct toward minors, participants and members and others in Defendants'
2 care.

3
4 186. Defendants were aware or should have been aware and understand how
5 vulnerable children were to sexual harassment, molestation and abuse by teachers and other
6 persons of authority within the control of Defendants prior to Plaintiff's sexual abuse by the
7 Perpetrator (NASSAR).

8 187. Defendants were put on notice, and should have known that the Perpetrator
9 (NASSAR) had previously engaged and continued to engage in unlawful sexual conduct with
10 minors and was committing other felonies, for his own personal gratification, and that it was, or
11 should have known it would have been foreseeable that he was engaging, or would engage in
12 illicit sexual activities with Plaintiff, and others, under the cloak of his authority, confidence, and
13 trust, bestowed upon her through Defendants.

14 188. Defendants were placed on actual or constructive notice that the Perpetrator
15 (NASSAR) had molested or was molesting minors and participants and members, both before his
16 employment within Defendants, and during that employment. Defendants had knowledge of
17 inappropriate conduct and molestations committed by the Perpetrator (NASSAR) before and
18 during his employment, yet chose to allow him to remain unsupervised where she sexually
19 abused Plaintiff.

20 189. Even though Defendants knew or should have known of these sexually illicit
21 activities by the Perpetrator (NASSAR), Defendants failed to use reasonable care in investigating
22 the Perpetrator (NASSAR) and did nothing to reasonably investigate, supervise or monitor the
23 Perpetrator (NASSAR) to ensure the safety of the minor participants and members.

24 190. Defendants' conduct was a breach of their duties to Plaintiff.

25 191. As a result of the above-described conduct, Plaintiff has suffered and continues to
26 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
27 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
28 of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to

be prevented from performing daily activities and obtaining the full enjoyment of life; will sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

ELEVENTH CAUSE OF ACTION
NEGLIGENT FAILURE TO WARN, TRAIN, or EDUCATE
(Against Defendants USA GYMNASTICS, COLAROSSO, PENNY, BELA KAROLYI, MARTA KAROLYI, KAROLYI TRAINING CAMPS, LLC, KAROLYI WORLD GYMNASTICS INC., KAROLYI'S ELITE, ALL OLYMPIA, GALINA MARINOVA, ARTUR AKOPYAN and DOES 1 through 500)

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

193. Defendants owed Plaintiff a duty to take reasonable protective measures to protect Plaintiff and other minor participants and members from the risk of childhood sexual harassment, molestation and abuse by the Perpetrator (NASSAR) by properly warning, training or educating Plaintiff and other about how to avoid such a risk.

194. Defendants breached their duty to take reasonable protective measures to protect Plaintiff and other minor participants and members from the risk of childhood sexual harassment, molestation and abuse by the Perpetrator (NASSAR), such as the failure to properly warn, train or educate Plaintiff and other minor participants and members about how to avoid such a particular risk that the Perpetrator (NASSAR) posed—of sexual misconduct.

195. Defendants breached their duty to take reasonable protective measures to protect Plaintiff and other minor participants and members from the risk of childhood sexual harassment, molestation and abuse by the Perpetrator (NASSAR), by failing to supervise and stop employees of Defendants, including the Perpetrator (NASSAR), from committing wrongful sexual acts with minors, including Plaintiff.

196. As a result of the above-described conduct, Plaintiff has suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss of enjoyment of life; has suffered and continues to suffer and was prevented and will continue to be prevented from performing daily activities and obtaining the full enjoyment of life; will

sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur expenses for medical and psychological treatment, therapy, and counseling.

WHEREFORE, Plaintiff prays for a jury trial and for judgment against Defendants as follows:

FOR ALL CAUSES OF ACTION

1. For past, present and future non-economic damages in an amount to be determined at trial;

2. For past, present and future special damages, including but not limited to past, present and future lost earnings, economic damages and others, in an amount to be determined at trial;

3. Any appropriate statutory damages;

4. For costs of suit;

6. Punitive damages, according to proof, though not as to the Negligence Causes of Action (Causes of Action 8 through 11);

7. For interest based on damages, as well as pre-judgment and post-judgment interest as allowed by law;

8. For attorney's fees pursuant to California *Code of Civil Procedure* sections 1021.5, *et seq.*, 52, *et seq.*, 51, *et seq.*, or as otherwise allowable by law;

9. For declaratory and injunctive relief, including but not limited to court supervision of USA GYMNASTICS; and

10. For such other and further relief as the Court may deem proper.

Dated: October 26, 2016

MANLY, STEWART & FINALDI

By: John C. Manly
JOHN C. MANLY, Esq.
Attorneys for Plaintiff, JANE LM DOE

DEMAND FOR JURY TRIAL

Plaintiff JANE LM DOE hereby demands a trial by jury.

Dated: October 26, 2016

MANLY, STEWART & FINALDI

By: *John C. Manly*
JOHN C. MANLY, Esq.
Attorneys for Plaintiff, JANE LM DOE

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