

IN THE CIRCUIT COURT OF THE
ELEVENTH JUDICIAL CIRCUIT IN AND
FOR MIAMI-DADE COUNTY, FLORIDA

JAHUARA JEFFRIES,

Plaintiff,

CASE NO.:

vs.

TREMAINE NEVERSON a/k/a
“Trey Songz”,
SEAN COMBS a/k/a
“Diddy”, “Puff Daddy” or “P. Diddy”,
11USA GROUP, LLC.
a/k/a “E11even Nightclub”,
ORGANIZATION DOE, and
JOHN DOES

Defendant.

PLAINTIFF’S COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, Jauhara Jeffries (“Plaintiff”), by and through undersigned counsel, hereby files
it Complaint against the name Defendants and, in support thereof, states as follows:

INTRODUCTION

Sexual abuse in every form is abhorrent and unconscionable. The *headlines* are replete with stories of the rich, powerful and famous who think they can get away with the type of behavior that occurred in this case from Jeffrey Epstein to Harvey Weinstein to R. Kelly. Appallingly and remarkably, the instant case mirrors in some ways the relationship of Ghislaine Maxwell to Epstein. Just as Maxwell is alleged to have secured victims for Epstein’s pleasure, it seems Sean Combs’s and E11even nightclub’s actions in part precipitated the events that led to the sexual abuse of the Plaintiff by Trey Songz in this matter. Just as Epstein was imprisoned and Maxwell is undergoing prosecution, so too does this Complaint take the first step in addressing the



outrageous behavior endured by the Plaintiff in this matter as a result of the actions and inactions of the Defendants. Distressingly, Trey Songz himself is frequently in the *headlines* for the type of behavior at issue here, having just recently been accused again of sexual assault in a similar setting, to the underlying case, in Las Vegas just weeks ago.¹

As will be detailed below, the behavior in the instant case by the Defendants is shocking and horrific. It defies imagination and the norms of how anyone should treat or contribute to the treatment of another and gives rise to multiple causes of action set forth herein. It should not be lost to anyone that the Plaintiff in this matter is coming forward at enormous personal risk to herself and her reputation—thereby risking further insult to the manifest injuries she has already sustained. Plaintiff is seeking in excess of \$20,000,000 in damages.

JURISDICTIONAL ALLEGATIONS

1. This Court has jurisdiction of the subject matter pursuant to Fl. Stat. §26.012 and the amount in controversy exceeds \$15,000.01 exclusive of costs, interest and attorney’s fees.

VENUE

2. Venue is proper in Miami-Dade County, Florida pursuant to Fl. Stat. §47.011 because all of the causes of action occurred in Miami-Dade County, Florida.

DEMAND FOR JURY TRIAL

3. Plaintiff hereby requests a trial by jury.

PARTIES

4. JAUHARA JEFFRIES (“Plaintiff Jeffries” or “Plaintiff” or “Jeffries”), is an individual over the age of 18, is legally and mentally competent, is subject to the jurisdiction of this Court,

¹ (see “Trey Songz Cooperating with Sexual Assault Investigation in Law Vegas,” Rolling Stone November 30, 2021)

and is otherwise *sui juris*.

5. SEAN LOVE COMBS A/K/A PERORMER, RECORD PRODUCER, ENTREPRENEUR (“Defendant Combs”), is an individual over the age of 18, is legally and mentally competent, is subject to the jurisdiction of this Court in that he resides in Miami-Dade County, Florida during all times relevant to the matter alleged in this Complaint and is otherwise *sui juris*. Upon information and belief, Defendant Combs invited the Plaintiff and Defendant Songz to his home and served them (or directed others to serve or provide to them) alcohol and food while present in his home.

6. TREMAINE ALDON NEVERSON A/K/A PERFORMER TREY SONGZ (“Defendant Songz”), is an individual over the age of 18, is legally and mentally competent, is subject to the jurisdiction of this Court and is otherwise *sui juris*. Plaintiff believes Defendant Songz is a resident of Florida but may also be a resident of California. A simple Google search will readily reveal, Defendant Songz was well-known to have a substance abuse problem and required to undergo substance abuse testing in connection with a plea agreement he entered into for destroying a stage during a Detroit concert.

7. E11EVEN NIGHTCLUB (“Defendant 11”), is the tradename for an entity operated by 11USAGROUP, LLC, a Florida limited liability company, existing under the laws of the State of Florida, with a principal place of business in Miami-Dade County at 29 NE 11th Street Miami, FL 33132 and a registered agent, Frances K. Martin, located at 1112 North Miami Avenue Miami, FL 33136. At all times relevant to the matter alleged in this Complaint, Defendant 11 operated as a nightclub serving alcohol and food in Miami-Dade County. Defendant 11 knew that Defendant Songz was present and consuming alcohol at the date and time in question, as Defendant Songz’s had a VIP private table accompanied by bottle service.

8. Plaintiff is unaware of the true name of ORGANIZATION DOE (“Defendant Organization Doe”), an entity that provided security personnel for Defendant Songz in connection with the causes of action described herein, and thus sues the entity by a fictitious name.

9. Plaintiff is unaware of the true names and capacities of Defendants sued as JOHN DOES 1 THROUGH 5 (“Defendant John Does”), the security personnel employed by Defendant Organization Doe who provided the actual security to Defendant Songz in connection with the causes of action described herein, and thus sues these Defendants by fictitious names. Plaintiff will file DOE amendments and/or ask leave of court to amend this Complaint to assert the true names and/or capacities of the Organization Doe and John Doe Defendants when they have been ascertained. Plaintiff believes that each fictitiously named Defendant John Doe is the agent or employee of the named Defendant Organization Doe and in doing the acts alleged in this Complaint was acting in such capacity.

GENERAL ALLEGATIONS COMMON TO ALL COUNTS

10. The incident giving rise to this litigation began and concluded in Miami-Dade County, Florida.

11. Based on the amount in controversy, Defendant Combs’s residence, Defendant 11’s principal place of business, and the location of the incident, this Court has jurisdiction and Miami-Dade County is the proper venue of this Complaint.

12. On January 1, 2018, Plaintiff Jauhara Jeffries (“Plaintiff Jeffries” or “Plaintiff” or “Jeffries”) attended a New Year’s Eve party at Defendant Sean Combs (“Defendant Combs”) home on Star Island. Plaintiff arrived at approximately 1:45 AM and stayed for one and one-half to two hours.

13. At approximately 4:00AM, the Plaintiff left Defendant Combs’ home, went to the driveway

and called an Uber to take her and some friends to the E11Even nightclub, 11miami.com, (“Defendant 11”).

14. Tremaine Aldon Neverson a/k/a performer Trey Songz (“Defendant Songz”) left Combs’ home at the same time, overheard a conversation between Plaintiff and her friends, and invited the Plaintiff and her friend to ride to with him to Defendant 11. Although the Plaintiff observed that Defendant Songz was likely intoxicated, she accepted his offer of a ride because a member of Defendant Songz ‘s security team was driving the vehicle transporting them.

15. When they arrived at Defendant 11, Defendant Songz invited the Plaintiff to join him at a private table where Defendant 11 provided food and bottle service. The Plaintiff noticed that Defendant Songz continued to drink although he already appeared intoxicated.

16. Plaintiff drank water only while at Defendant 11.

17. While at Defendant 11, Plaintiff danced with friends, and at one point, got up on a couch to dance. Dancing on couches at Defendant 11, and at Miami nightclubs, is common. While Plaintiff was dancing on the couch, she noticed Defendant Songz standing on the floor next to her. She then felt fingers being inserted into her vagina, turned around, and saw Defendant Songs pulling his hand away from her bottom. At the time, the Plaintiff was wearing a dress with a high slit up the back.

18. Plaintiff immediately got off of the couch, sat down, and was in a state of shock. Another woman who was also in attendance went to Plaintiff, asked her what was wrong and then told Plaintiff that Defendant Songz had reached into her dress and insert his fingers into her vagina as well.

19. Observing the women speaking and believing that the women were intoxicated Defendant Songz ordered the women to “eat some chicken wings so they could sober up.”

20. Shortly thereafter, Defendant Songz then ordered everyone to exit his VIP section at Defendant 11's nightclub and to exit the venue entirely.

21. While still in shock, Plaintiff left Defendant 11 with Defendant Songz and her friends and got into Defendant Songz security driven vehicle. Plaintiff got into the back seat of the vehicle along with Defendant Songz and other female individuals, and was forced into a middle seat making it impossible for Plaintiff to move or otherwise freely exit the vehicle.

22. At some point during the ride Defendant Songz removed his shirt.

23. Fearing more assault, Plaintiff began recording Defendant Songz for her own safety.

24. Defendant Songz noticed Plaintiff recording him and attempted to forcibly remove the phone from the Plaintiff but the Plaintiff thwarted his efforts. Plaintiff's refusal to turn her phone over to Defendant Songz enraged Defendant Songz who instructed his driver to stop the vehicle in order to forcibly remove Plaintiff from the vehicle.

25. Defendant Songz instructed his driver, one of the Defendant John Does, to forcibly remove Plaintiff from the vehicle. The driver, part of Defendant Songz's security team, grabbed Plaintiff and violently pulled her out of the vehicle, while Defendant Songz pushed her, and threw her onto the street.

26. While one of the Defendant John Does was pulling, and Plaintiff was being pushed by Defendant Songz out of the vehicle, Defendant Songz threatened and ridiculed the Plaintiff and threw water in her face. Plaintiff suffered scrapes on her legs after hitting the ground following being forcibly removed from the vehicle and thrown to ground.

**COUNT I – CIVIL ASSAULT
(AS TO DEFENDANT SONGZ, DEFENDANT JOHN DOES,
AND DEFENDANT ORGANIZATION DOE)**

27. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1

through 26 as if fully set forth herein.

28. Defendant Songz and Defendant John Does made intentional and unlawful threats of corporal injury by force to Plaintiff and directed unlawful force upon Plaintiff thereby creating Plaintiff's well-founded fear of imminent peril while Plaintiff was in Defendant Songz's vehicle driven by Defendant John Does.

29. The offensive and unlawful conduct by Defendant Songz and the Defendant John Does directed at Plaintiff was unlawful and without Plaintiff's consent.

30. Defendant Songz and Defendant John Does fully and intentionally intended to put Plaintiff in fear of bodily harm by threatening, intimidating, and making physically aggressive posturing, gestures and verbal threats and intimidation towards Plaintiff.

31. Defendant Organization Doe is directly and/or vicariously liable for the actions of its employees and/or agents, Defendant John Does, which were committed within the scope of Defendant John Does's employment.

32. As a proximate cause of the conduct of Defendant Songz, Defendant John Does and Defendant Organization Doe, Plaintiff suffered severe physical and mental injury as well as pain and suffering which required and continues to require treatment for her injuries.

**COUNT II – CIVIL BATTERY
(AS TO DEFENDANT SONGZ, DEFENDANT JOHN DOES, DEFENDANT
ORGANIZATION DOE, AND DEFENDANT 11)**

33. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

34. Plaintiff was at Defendant 11 with Defendant Songz when Defendant Songz inserted his finger into Plaintiff's vagina.

35. The offensive contact by Defendant Songz was unlawful and without the Plaintiff's

consent.

36. Later, Plaintiff was in Defendant Songz's vehicle driven by one of the Defendant John Does when she was forcibly removed through the unlawful force and actions of Defendant Songz and one of the Defendant John Does and thrown to the ground outside the vehicle.

37. Defendant 11 failed to effectively protect its guest, Plaintiff, from the outrageous conduct of its patron Defendant Songz.

38. Defendant 11 is directly and/or vicariously liable for the aforementioned torts of its patron, Defendant Songz, which were committed within Defendant 11's physical location and which Defendant 11 had actual and/or constructive notice relating thereto.

39. Defendant Organization Doe is directly and/or vicariously liable for the actions of its employees and/or agents, Defendant John Does, which were committed within the scope of Defendant John Does's employment.

40. As a proximate cause of the conduct of Defendant Songz, Defendant John Does, Defendant 11, and Defendant Organization Doe, Plaintiff suffered severe physical and mental injury as well as pain and suffering which required and continues to require treatment for her injuries.

**COUNT III – NEGLIGENCE
(AS TO DEFENDANT ORGANIZATION DOE AND DEFENDANT 11)**

41. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

42. On January 1, 2018, Plaintiff was assaulted and battered by one of the Defendant John Does, the driver of Defendant Songz's vehicle.

43. Upon information and belief, and at all times relevant to the events set forth in this Complaint, the relevant Defendant John Does were acting within the course and scope of their

employment and/or agency with Defendant Organization Doe. Accordingly, Defendant Organization Doe is liable for the negligent acts of the Defendant John Does.

44. The negligence of the Defendant Jon Does is imputed to the Defendant Organization Doe by the doctrines of respondeat superior and agency theory.

45. At all times herein, Defendant Organization Doe, while acting through its agent as a common carrier of passengers, owed a duty to exercise the highest care in transporting any parties under its care safely to their requested destination without injuring the passengers.

46. At the aforementioned times and place, the Defendant Organization Doe, by its authorized agent and employee breached its duty of care to the Plaintiff when the Defendant John Does forcibly removed her from the relevant vehicle and threw her to the ground.

47. The Defendant Organization Doe negligently breached its duty to provide Plaintiff with safe transportation and as a direct and proximate cause of the breach the Plaintiff sustained serious injuries.

48. As a proximate cause of the conduct of Defendant Organization Doe, Plaintiff suffered severe physical and mental injury as well as pain and suffering which required and continues to require treatment for her injuries.

49. On January 1, 2018, Plaintiff was assaulted and battered by Defendant Songz's while the Plaintiff was a guest at Defendant 11.

50. Upon information and belief, and at all times relevant to the events set forth in this Complaint, the employees and/or agents of Defendant 11 were acting within the course and scope of their employment and/or agency with Defendant when they observed and then failed to prevent Defendant Songz from assaulting and battering Plaintiff. Accordingly, Defendant 11 is liable for the negligent acts of its employees and/or agents.

51. The negligence of the employees and/or agents is imputed to the Defendant 11 by the doctrines of respondeat superior and agency theory.

52. At all times herein, Defendant 11, while acting through its employees and/or agents as an establishment serving customers food and alcohol, owed a duty to exercise the highest care in caring for those patrons under its care.

53. At the aforementioned times and place, the Defendant 11, by its authorized agent and employee breached its duty of care to the Plaintiff when the employees and/or agents of Defendant 11 failed to take steps to protect the Plaintiff from the egregious actions of Defendant Songz when the Plaintiff was a patron at the subject premises.

54. Defendant 11 negligently breached its duty to provide Plaintiff with a safe and secured environment and as a direct and proximate cause of the breach the Plaintiff sustained serious injuries

55. As a proximate cause of the conduct of Defendant 11, Plaintiff suffered severe physical and mental injury as well as pain and suffering which required and continues to require treatment for her injuries.

**COUNT IV – NEGLIGENCE, TRAINING, SUPERVISION, AND RETENTION
(AS TO DEFENDANT ORGANIZATION DOE AND DEFENDANT 11)**

56. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

57. Defendant Organization Doe and Defendant 11 hired, employed, trained, and/or supervised personnel who worked for or at Defendant Organization Doe and Defendant 11.

58. Defendant John Does and the employees and/or agents of Defendant 11 were unfit and/or incompetent to perform the work for which they were hired to perform. Specifically, by failing to

implement and enforce uniform policies and procedures for the prevention, deterrence, and response to sexual assaults; by failing to report sexual assaults to the proper authorities, or to any authorities; and by failing to cooperate with such authorities in the reporting and investigation process into sexual assaults.

59. Defendant Organization Doe and the employees and/or agents of Defendant 11 knew or should have known that Defendant John Does and the employees and/or agents of Defendant 11 were unfit and/or incompetent and that this unfitness and/or incompetence created a particular risk to Plaintiff.

60. The unfitness and/or incompetence of Defendant John Does and the employees and/or agents of Defendant 11 harmed Plaintiff.

61. The negligence in hiring, training, supervision, and/or retention of Defendant Organization Doe and Defendant 11 were substantial factors in causing Plaintiff's harm.

62. As a result of Defendant Organization Doe's negligence in hiring, training, supervision, and/or retention of Defendant John Does and as a result of Defendant 11's negligence in hiring, training, supervision, and/or retention of certain employees and/or agents, Plaintiff sustained severe emotional distress, physical manifestations of emotional distress, emotional anguish, fear, anxiety, humiliation, depression, and other physical and emotional injuries, and damages (both economic and noneconomic), in the past, present, and future, for which this claim is made. The injuries suffered by Plaintiff are substantial, continuing, and permanent.

63. As a result of the above-described conduct, Plaintiff was put at unnecessary risk of harm and in many cases suffered and continues to suffer great pain of mind and body, shock, emotional distress, physical manifestations of emotional distress including depression, anxiety, humiliation, 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; may sustain loss of earnings and earning capacity; and may incur expenses for medical and psychological treatment, therapy, and counseling. Plaintiff has suffered damages, both general and special damages, in an amount presently unknown but exceeding the minimum jurisdictional limit of this Court and to be proven at the time of trial.

**COUNT V – FALSE IMPRISONMENT
(AS TO DEFENDANT SONGZ, DEFENDANT JOHN DOES, AND DEFENDANT
ORGANIZATION DOE)**

64. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

65. Defendant Songz and Defendant John Does confined Plaintiff in the vehicle after departing Defendant 11.²

66. Plaintiff was cognizant of the confinement and did not consent to it.

67. The detention of Plaintiff by Defendant Songz and Defendant John Does was wrongful, unlawful, unreasonable, reckless, not warranted by the circumstances and done with malice and/or lack of reasonable excuse or probable cause, as well as with deliberate oppression of the Plaintiff and willful and wanton disregard for her rights.

68. Upon information and belief, and at all times relevant to the events set forth in this Complaint, the relevant Defendant John Does was acting within the course and scope of his employment and/or agency with Defendant Organization Doe. Accordingly, Defendant Organization Doe is liable for the acts of the Defendant John Does that led to the false imprisonment of the Plaintiff.

² See General Allegations

69. The acts of the Defendant Jon Does are imputed to the Defendant Organization Doe by the doctrines of respondeat superior and agency theory.

70. As a result of the actions of Defendant Organization Doe through its agents, Plaintiff has suffered damages in the form of physical and mental suffering, discomfort, inconvenience, loss of time, loss of income, injury to reputation and expenses associated with the unlawful detention.

**COUNT VI – DRAM SHOP
(AS TO DEFENDANT COMBS AND DEFENDANT 11)**

71. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

72. Plaintiff arrived at the home of Defendant Combs on January 1, 2018 at 1:45 AM.

73. When she arrived at Defendant Comb's home, Defendant Combs was furnishing liquor and alcoholic beverages at the subject premises and was considered a social host under Fl. Stat. §768.125.

74. At all times material hereto, Defendant Combs had a duty to exercise reasonable care in serving alcoholic beverages, including a statutory duty to not knowingly sell and/or serve alcoholic beverages to any habitual substance abuser.

75. At all times material hereto, Defendant Combs and the servers at his New Year's Eve/New Year's party on January 1, 2018 knew and were aware through public information that Defendant Songz was a habitual substance abuser.

76. Upon information and belief, on January 1, 2018, Defendant Songz was served multiple alcoholic beverages at the home of Defendant Combs.

77. Upon information and belief, on January 1, 2018, Defendant Combs breached its duty of reasonable care in that Defendant Comb's employees and/or agents knowingly and unlawfully,

served alcoholic beverages to Defendant Songz to the point of intoxication in violation of Fl. Stat. §768.125.

78. After Defendant Songz left the home of Defendant Combs, he assaulted, battered and falsely imprisoned Plaintiff while under the influence of alcohol which was consumed at the home of Defendant Combs and which impaired Defendant Songz's faculties.

79. Under the circumstances it was reasonably foreseeable to Defendant Combs, individually and by and through his employees and/or agents, that injury to the Plaintiff could occur. After serving Defendant Songz with liquor or alcohol, particularly since it was served to a habitual substance abuser who, upon information and belief, may already have been intoxicated when he entered the premises of Defendant Combs. Defendant Songz thereby lacked the ability to make responsible decisions in the consumption of liquor or alcohol and the potential consequences that would flow from such consumption.

80. Defendant Combs by virtue of his actions and/or omissions articulated above violated Fl. Stat. §768.125 and committed negligence, in that: (a) Defendant Songz was publicly known as a person who was a habitual substance abuser; (b) Plaintiff suffered injuries and was within the class of persons that Fl. Stat. §768.125 was designed to protect; and (c) Defendant Combs and his employees and/or agents (for whom he was responsible under the doctrine of respondeat superior) served Defendant Songz in violation of the statute and was the proximate cause of the injuries Defendant Songz visited upon Plaintiff.

81. As a direct and proximate result of the Defendant Comb's negligence, Plaintiff was injured when she was assaulted, battered and falsely imprisoned by Defendant Songz who was intoxicated.

82. Plaintiff arrived at Defendant 11 on January 1, 2018 sometime after 4:00 AM.

83. Defendant 11 furnished liquor and alcoholic beverages at the subject premises to Defendant

Songz and thereby subject to Fl. Stat. §768.125.

84. At all times material hereto, Defendant 11 had a duty to exercise reasonable care in serving alcoholic beverages, including a statutory duty of not knowingly selling and/or serving alcoholic beverages to any habitual substance abuser.

85. At all times material hereto, Defendant 11 and its employees and/or agents knew and were aware through public information that Defendant Songz was a habitual substance abuser.

86. Upon information and belief, on January 1, 2018, Defendant Songz was served multiple alcoholic beverages, in the form of VIP bottle service at Defendant 11.

87. Upon information and belief, on January 1, 2018, Defendant 11 breached its duty of reasonable care in that Defendant 11's employees and/or agents knowingly and unlawfully, served alcoholic beverages to Defendant Songz to the point of intoxication in violation of Fl. Stat. §768.125.

88. Both while at Defendant 11 and afterwards, Defendant Songz assaulted, battered and falsely imprisoned Plaintiff while under the influence of alcohol which was provided by and consumed at Defendant 11 and which impaired Defendant Songz's faculties.

89. Under the circumstances it was reasonably foreseeable to Defendant 11 by and through its employees and/or agents, that injury to the Plaintiff could occur after serving Defendant Songz with liquor or alcohol, particularly since it was served to a habitual substance abuser who, upon information and belief, may already have been intoxicated when he entered the premises of Defendant 11. Defendant Songz's thereby lacked the ability to make responsible decisions in the consumption of liquor or alcohol and the potential consequences that would flow from such consumption.

90. Defendant 11 by virtue of his actions and/or omissions articulated above violated Fl. Stat.

§768.125 and committed negligence, in that: (a) Defendant Songz was publicly known as a person who was a habitual substance abuser; (b) Plaintiff suffered injuries and was within the class of persons that Fl. Stat. §768.125 was designed to protect; and (c) Defendant 11 and its employees and/or agents (for whom it was responsible under the doctrine of respondeat superior) served Defendant Songz in violation of the statute and was the proximate cause of the injuries Defendant Songz visited upon Plaintiff.

91. As a direct and proximate result of the Defendant 11's negligence, Plaintiff was injured when she was assaulted, battered and falsely imprisoned by Defendant Songz who was intoxicated

**COUNT VII- INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
(AS TO DEFENDANT SONGZ, DEFENDANT JOHN DOES, AND DEFENDANT
ORGANIZATION DOE)**

92. The Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

93. The Plaintiff has undergone psychological treatment as a result of the extreme and outrageous conduct of Defendant Songz, Defendant John Does, Defendant Organization Doe and Defendant 11 which has caused her emotional distress. The emotional distress is severe.

94. Defendant Songz deliberately or recklessly inflicted mental suffering on the Plaintiff by inserting his finger into her vagina, by falsely imprisoning her, by berating her, and by instructing one of the Defendant John Does to forcibly remove Plaintiff from the vehicle and pushing Plaintiff out of the vehicle. This conduct was intentional and reckless.

95. The Defendant John Does deliberately or recklessly inflicted mental suffering on the Plaintiff by forcibly removing her from the vehicle of Defendant Songz. This conduct was intentional and reckless

96. Both the Defendant Songz and the Defendant John Does intentionally or recklessly

engaged in extreme and outrageous conduct that went beyond all bounds of decency because they did the following: (1) falsely imprisoned the Plaintiff; (2) assaulted the Plaintiff; and (3) battered the Plaintiff.

97. In each instance the conduct of Defendant Songz and the Defendant John Does was either malicious and/or intentional or reckless and/or grossly negligent. The conduct of Defendant Songz and the Defendant John Does demonstrated a breach of duty and great indifference to professional responsibility and involved willful and wanton misconduct. The conduct of Defendant Songz and the Defendant John Does is outrageous and goes beyond all bounds of decency in a civilized society.

98. Defendant Songz and the Defendant John Does knew or should have known that severe emotional distress to the Plaintiff would follow from this conduct and Defendant Songz and the Defendant John Does acted with reckless disregard for the mental suffering that they could foresee such conduct was substantially certain to cause.

99. The Plaintiff has suffered and continues to suffer severe emotional distress and physical ailments.

100. The emotional distress and physical ailments were directly and proximately caused by the conduct of Defendant Songz and the Defendant John Does.

101. On January 1, 2018, Plaintiff was assaulted, battered (acting under the direction of Defendant Organization Doe (at the instruction of Defendant Songz, in part apparently) by the Defendant John Does who intentionally committed such acts within the scope of Defendant John Does's employment for Defendant Organization Doe.

102. The Defendant John Does's duties were to provide security and act as a driver for the benefit of Defendant Songz pursuant to the ultimate direction and control of Defendant

Organization Doe and it is while carrying out these duties on behalf of Defendant Organization Doe that Defendant John Does caused severe emotional distress to Plaintiff by intentionally failing to provide the appropriate and correct training to the Defendant John Does.

103. As a direct and proximate result of the actions of Defendant Songz, Defendant John Does and Defendant Organization Doe, Plaintiff suffered intentional infliction of emotional distress and resulting pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, expenses of medical and psychological care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and the Plaintiff will suffer losses in the future.

**COUNT VIII- NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
(AS TO DEFENDANT SONGZ, DEFENDANT JOHN DOES, AND DEFENDANT
ORGANIZATION DOE)**

104. Plaintiff re-alleges and incorporates all of the allegations contained in paragraphs 1 through 26 as if fully set forth herein.

105. The Plaintiff has undergone psychological treatment as a result of the extreme and outrageous conduct of Defendant Songz, Defendant John Does, Defendant Organization Doe and Defendant 11 which has caused her emotional distress. The emotional distress is severe.

106. Defendant Songz negligently inflicted mental suffering on the Plaintiff by inserting his finger into her vagina, by falsely imprisoning her, by berating her, and by instructing one of the Defendant John Does to forcibly remove Plaintiff from the vehicle while also pushing Plaintiff out of the vehicle.

107. The Defendant John Does negligently inflicted mental suffering on the Plaintiff by forcibly removing her from the vehicle of Defendant Songz.

108. Both the Defendant Songz and the Defendant John Does negligently engaged in

extreme and outrageous conduct that went beyond all bounds of decency because they did the following: (1) falsely imprisoned the Plaintiff; (2) assaulted the Plaintiff; and (3) battered the Plaintiff.

109. On January 1, 2018, Plaintiff was assaulted, battered (acting under the direction of Defendant Organization Doe (at the instruction of Defendant Songz, in part apparently) by the Defendant John Does who committed such acts within the scope of Defendant John Does's employment for Defendant Organization Doe.

110. The Defendant John Does's duties were to provide security and act as a driver for the benefit of Defendant Songz pursuant to the ultimate direction and control of Defendant Organization Doe and it is while carrying out these duties on behalf of Defendant Organization Doe that Defendant John Does cause severe emotional distress to Plaintiff by negligently failing to provide the appropriate and correct training to the Defendant John Does.

111. As a direct and proximate result of the actions of Defendant Songz, Defendant John Does and Defendant Organization Doe, Plaintiff suffered negligent infliction of emotional distress and resulting pain and suffering, disability, mental anguish, loss of capacity for the enjoyment of life, expenses of medical and psychological care and treatment, loss of earnings, loss of ability to earn money, and aggravation of a previously existing condition. The losses are either permanent or continuing and the Plaintiff will suffer losses in the future.

DAMAGES COMMON TO ALL COUNTS

112. If and as appropriate, Plaintiff seeks an award of attorney fees pursuant to Fl. Stat. §57.105.

113. As a result of the actions of Defendant Songz, Defendant Combs, Defendant 11, Defendant John Does and Defendant Organization Doe, Plaintiff has been damaged in an amount

in excess of \$15,000.00 and what Plaintiff believes to be an amount in excess of \$20,000,000.00.

Such damages include, but are not limited to:

- a. Medical expenses incurred by the Plaintiff;
- b. Lost wages incurred by Plaintiff;
- c. Damages for the loss of enjoyment of life;
- d. Damages for emotional distress
- e. Punitive Damages on all counts; and
- f. Such other and further damages to which Plaintiff may have suffered under the facts of this case and applicable law.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished via e-mail generated by the Florida Court E-Filing Portal this 13th day of December, 2021.

Ariel E. Mitchell, Esq.

Ariel E. Mitchell, Esq.

Florida Bar No. 125714

George Vrabeck

Vrabeck Adams & Company, Inc.

California Bar No. 206195

P.O. Box 12864

Miami, FL 33101

(833) 212-2831

Email service ariel@arielesq.com

gvrabeck@vrabeckadams.com