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6
7 SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 COUNTY OF LOS ANGELES, CENTRAL DISTRICT
9

10 JAMES SAFECHUCK, an individual,
11 Plaintiff,

12 vs.

13 MJJ PRODUCTIONS, INC., a California
14 corporation; MJJ VENTURES, INC. a
California corporation; and DOES 6-50,
15 inclusive,

16 Defendants.
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Case No.: BC545264

[Related to civil case, BC508502, Wade Robson
v. MJJ Productions, et al., and probate case
BP117321, In re Estate of Michael Joseph
Jackson]

[Both cases assigned to the Honorable Judge
Mitchell L. Beckloff, Dept. 51]

**SECOND AMENDED COMPLAINT FOR
DAMAGES FOR:**

- (1) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;
- (2) NEGLIGENCE;
- (3) NEGLIGENT SUPERVISION;
- (4) NEGLIGENT RETENTION/HIRING;
- (5) NEGLIGENT FAILURE TO WARN,
TRAIN OR EDUCATE; and
- (6) BREACH OF FIDUCIARY DUTY.

[Filed pursuant to C.C.P. § 340.1]

DEMAND FOR JURY TRIAL

Complaint Filed: May 9, 2014
Trial Date: None Set

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Superior Court of California
County of Los Angeles

SEP 19 2016

Sherril R. Carter, Executive Officer/Clerk
By Donita Fowler, Deputy

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1 Plaintiff JAMES SAFECHUCK ("Plaintiff") hereby alleges against Defendants MJJ
2 PRODUCTIONS, INC., MJJ VENTURES, INC., and Does 6 through 50, inclusive
3 ("Defendants") as follows:

4 **PARTIES**

5 1. Plaintiff is a male individual and resident of the County of Los Angeles, State of
6 California. He brings this action pursuant to C.C.P. section 340.1 for the childhood sexual abuse
7 he suffered at the hands of Michael Joseph Jackson, MJJ PRODUCTIONS, INC., and MJJ
8 VENTURES, INC.

9 2. Michael Jackson (hereinafter "MICHAEL JACKSON") was one of the most
10 famous and successful entertainers in pop music history. Plaintiff is informed, believes, and
11 thereupon alleges that, at all times relevant herein, MICHAEL JACKSON was a resident of the
12 State of California and maintained residences in the Counties of Los Angeles and Santa Barbara.
13 Plaintiff is further informed and believes, and thereupon alleges, that MICHAEL JACKSON died
14 in Los Angeles, California on June 25, 2009, at the age of fifty (50).

15 3. Plaintiff is informed and believes, and thereupon alleges, that Defendant MJJ
16 PRODUCTIONS, INC. ("MJJ PRODUCTIONS") is a California corporation, with a principal
17 place of business located in the County of Los Angeles, State of California. Plaintiff is further
18 informed and believes, and thereupon alleges, that at all times relevant herein, MJJ
19 PRODUCTIONS was a company established by MICHAEL JACKSON as his primary business
20 entity and the entity that held most or all of the copyrights to MICHAEL JACKSON's music and
21 videos. Plaintiff is further informed and believes, and thereon alleges, that MICHAEL
22 JACKSON was the president/owner and a representative/agent of MJJ PRODUCTIONS at all
23 times relevant herein, and that in that capacity, MJJ PRODUCTIONS had the ability to exercise
24 control over MICHAEL JACKSON's business and personal affairs. Plaintiff is further informed
25 and believes, and thereon alleges, that MICHAEL JACKSON, with MJJ PRODUCTIONS' full
26 knowledge, consent, and assistance, exploited this relationship with MJJ PRODUCTIONS to gain
27 access to Plaintiff, and to set up, facilitate and arrange meetings and encounters between

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1 MICHAEL JACKSON and the minor Plaintiff and other children for the purpose of MICHAEL
2 JACKSON's engaging in childhood sexual abuse of Plaintiff and others.

3 4. Plaintiff is informed and believes, and thereupon alleges, that Defendant MJJ
4 VENTURES, INC. ("MJJ VENTURES") is a California corporation, with a principal place of
5 business located in the County of Los Angeles, State of California. Plaintiff is further informed
6 and believes, and thereupon alleges, that at all times relevant herein, MJJ VENTURES was a
7 company established by MICHAEL JACKSON in part for the purpose of employing Plaintiff to
8 work with MICHAEL JACKSON on various projects, and further, that MICHAEL JACKSON
9 was the president/owner and a representative/agent of MJJ VENTURES at all times relevant
10 herein, and that in that capacity, MJJ VENTURES had the ability to exercise control over
11 MICHAEL JACKSON's personal and business affairs. Plaintiff is further informed and believes,
12 and thereon alleges, that MICHAEL JACKSON, with MJJ VENTURES' full knowledge,
13 consent, and assistance, exploited this relationship to gain access to Plaintiff, and to set up,
14 facilitate, and arrange meetings and encounters between MICHAEL JACKSON and Plaintiff for
15 the purpose of MICHAEL JACKSON engaging in childhood sexual abuse of Plaintiff.

16 5. In performing the acts complained of herein, MICHAEL JACKSON acted with the
17 full knowledge, consent and cooperation of MJJ PRODUCTIONS and MJJ VENTURES, who
18 were his co-conspirators, collaborators, facilitators and alter egos for the childhood sexual abuse
19 alleged herein. MJJ PRODUCTIONS and MJJ VENTURES were held out to the public to be
20 businesses dedicated to creating and distributing multimedia entertainment by MICHAEL
21 JACKSON, however, in fact, they actually served dual purposes. The thinly-veiled, covert second
22 purpose of these businesses was to operate as a child sexual abuse operation, specifically
23 designed to locate, attract, lure and seduce child sexual abuse victims. In fact, under this dual
24 purpose, MICHAEL JACKSON and select few managing agents/employees of MJJ
25 PRODUCTIONS's and MJJ VENTURES's inner circle designed, developed and operated what is
26 likely the most sophisticated public child sexual abuse procurement and facilitation organization
27 the world has known. As a result thereof, Defendants MJJ PRODUCTIONS and MJJ
28 VENTURES are liable for MICHAEL JACKSON's acts of childhood sexual abuse within the

1 meaning of CCP §§340.1(a)(2) and (3), and 340.1 (b)(2), in that said entities owed a duty of care
2 to the Plaintiff, and their wrongful, intentional and/or negligent acts, as well as knowing failure to
3 take reasonable steps and implement reasonable safeguards to avoid acts of unlawful sexual
4 conduct by MICHAEL JACKSON, were a legal cause of the childhood sexual abuse which
5 resulted in injury to Plaintiff as alleged herein. Plaintiff was one of several children who were
6 entrapped by MJJ PRODUCTIONS's and MJJ VENTURES's child sexual abuse procurement
7 and facilitation organization.

8 6. Plaintiff is informed and believes, and thereupon alleges, that the true names and
9 capacities, whether individual, corporate, associate or otherwise, of Defendants named herein as
10 DOES 6 through 50, inclusive, are unknown to Plaintiff, who therefore sues said Defendants by
11 such fictitious names. Plaintiff will amend this First Amended Complaint to allege their true
12 names and capacities when such have been ascertained. Upon information and belief, each of the
13 said Doe Defendants is responsible in some manner under C.C.P. §§ 340.1(a)(1), (2) and (3), and
14 340.1 (b)(2) for the occurrences herein alleged, and their actions were a direct and legal cause of
15 the childhood sexual abuse which resulted in injury to the Plaintiff as alleged herein.

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

24 8. At all times mentioned herein, MICHAEL JACKSON was an adult singer, dancer,
25 entertainer, teacher, mentor, and coach of both MJJ PRODUCTIONS and MJJ VENTURES,
26 acting as an employee, managing agent, agent, officer, director and/or servant of such and/or was
27 under their complete control and/or supervision. MICHAEL JACKSON was hired by MJJ
28 PRODUCTIONS and MJJ VENTURES to serve as a singer, dancer, entertainer, teacher, mentor,

1 and coach to, in part, mentor and train minors in the entertainment industry. In so doing, MJJ
2 PRODUCTIONS and MJJ VENTURES held MICHAEL JACKSON out to the public, Plaintiff
3 and Plaintiff's family to be safe and of high ethical and moral repute, and to be in good standing
4 with the MJJ PRODUCTIONS and MJJ VENTURES, the State of California, and the public in
5 general. In this capacity, MICHAEL JACKSON was placed into contact with, taught, mentored,
6 coached, and advised minors regarding the entertainment industry in general (including but not
7 limited to singing, dancing, performing, choreography, song writing), personal issues, academics,
8 future employment prospects, and general emotional and psychological issues. Both MJJ
9 PRODUCTIONS and MJJ VENTURES held MICHAEL JACKSON out to the public, Plaintiff
10 and Plaintiff's parents to be a highly qualified and safe entertainer, teacher, mentor, coach, and
11 advisor who could and would assist Plaintiff and other minors in the entertainment industry, and
12 with working through personal and academic issues they faced. Inherent in this representation
13 was the understanding that MICHAEL JACKSON was a person of high ethical and moral
14 standing, selected to provide leadership, guidance, mentoring, coaching, and advisement to
15 minors, including Plaintiff. Plaintiff and his family reasonably relied upon these representations
16 and assumed that MICHAEL JACKSON was a person worthy of their complete trust.

17 9. Plaintiff is informed and believes, and on that basis alleges, that at all times
18 mentioned herein, Defendants and each of them and MICHAEL JACKSON were the agents,
19 representatives and/or employees of each and every other Defendant. In doing the things
20 hereinafter alleged, Defendants and each of them, and MICHAEL JACKSON, were acting within
21 the course and scope of said alternative personality, capacity, identity, agency, representation
22 and/or employment and were within the scope of their authority, whether actual or apparent.
23 Plaintiff is informed and believes, and on that basis alleges, that at all times mentioned herein,
24 Defendants and each of them and MICHAEL JACKSON were the trustees, partners, servants,
25 joint venturers, shareholders, contractors, and/or employees of each and every other Defendant,
26 and the acts and omissions herein alleged were done by them, acting individually, through such
27 capacity and within the scope of their authority, and with the permission and consent of each and

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1 every other Defendant and that said conduct was thereafter ratified by each and every other
2 Defendant, and that each of them is jointly and severally liable to Plaintiff.

3 **FACTUAL ALLEGATIONS**

4 10. Plaintiff was born in Simi Valley, California on February 28, 1978. Plaintiff
5 started working in television commercials at the age of 7-8 in approximately 1984/1985. In late
6 1986/early 1987, Plaintiff was hired to work on a Pepsi commercial that featured MICHAEL
7 JACKSON in a starring role. MICHAEL JACKSON asked Plaintiff to sit on the stage and watch
8 as MICHAEL JACKSON performed for the commercial shoot.

9 11. During all relevant times alleged herein, the Plaintiff is informed and believes, and
10 on that basis alleges, that he was an employee of Defendants MJJ PRODUCTIONS and MJJ
11 VENTURES for various work performed for these entities and MICHAEL JACKSON, as his
12 compensation included, but was not limited to: travel, lodging, food, medical care, and clothing
13 and/or wardrobe.

14 12. Several months after the Pepsi commercial was shot, MICHAEL JACKSON wrote
15 a letter to Plaintiff on DOE 2's stationery, dated March 10, 1987. It stated:

16 "DEAR JIMMY,

17 THANK YOU FOR YOUR LETTER. IT WAS NICE HEARING FROM YOU AGAIN!
18 I'VE BEEN WORKING ON A NEW VIDEO FOR MY ALBUM AND HAVE BEEN
19 REALLY BUSY.

20 IT WAS FUN WORKING WITH YOU ON THE PEPSI COMMERCIAL! MAYBE WE
21 CAN WORK TOGETHER AGAIN. I'D LIKE TO HAVE YOU COME AND VISIT ME
22 ON THE SET SOMETIME OR WHEN I HAVE SOME FREE TIME YOU CAN COME
23 TO MY HOUSE.

24 KEEP SENDING ME LETTERS! I LOVE TO HEAR FROM YOU!

25 SPEAK WITH YOU SOON, [MICHAEL JACKSON'S signature]"

26 MICHAEL JACKSON also enclosed photographs from the Pepsi commercial that they shot
27 together.

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1 13. After receiving MICHAEL JACKSON's letter, Plaintiff and his family were
2 invited to dinner by MICHAEL JACKSON to MICHAEL JACKSON's home on Hayvenhurst
3 Avenue in Encino, California ("Hayvenhurst house"). The invitation was made by MICHAEL
4 JACKSON through Jolie Levine, MICHAEL JACKSON's then secretary/personal assistant and
5 an employee/managing agent of MJJ PRODUCTIONS and/or MJJ VENTURES. Ms. Levine
6 later became MICHAEL JACKSON's production assistant on the "BAD" Tour, and his
7 production coordinator on the "BAD" album. Plaintiff's parents accompanied him to MICHAEL
8 JACKSON's Hayvenhurst house for the dinner. After eating, all four of them watched the film
9 *Batteries Not Included* in a small home theater in MICHAEL JACKSON's Hayvenhurst house.
10 During that visit, when MICHAEL JACKSON was alone with Plaintiff, MICHAEL JACKSON
11 gave Plaintiff presents – a globe and \$700. Plaintiff's parents were not aware that MICHAEL
12 JACKSON had given their son money at the time, and when they discovered it later, they asked
13 MICHAEL JACKSON not to give Plaintiff money. In response to their request, MICHAEL
14 JACKSON giggled and said that he could not help himself.

15 14. Shortly after their first visit to the Hayvenhurst house, on Thanksgiving Day,
16 Plaintiff was on the telephone with MICHAEL JACKSON. Plaintiff's parents suggested that he
17 invite MICHAEL JACKSON to come over to their home. MICHAEL JACKSON said yes, and
18 Plaintiff and his parents drove over to the Hayvenhurst house to pick up MICHAEL JACKSON
19 and bring him back to their home. On multiple occasions after the first visit to the Havenhurst
20 house, either Plaintiff and his family, or Plaintiff on his own, would go over to see MICHAEL
21 JACKSON at the Hayvenhurst house.

22 15. On the second occasion that Plaintiff went to the Hayvenhurst house, Plaintiff was
23 dropped off by his parents. Plaintiff's parents went to dinner while Plaintiff stayed with
24 MICHAEL JACKSON. Plaintiff and MICHAEL JACKSON drove off in MICHAEL
25 JACKSON's Mercedes and passed out \$100 bills to homeless people. MICHAEL JACKSON
26 said to one homeless man, "You do know how much this is," and then handed him a \$100 bill.

27 16. The third time Plaintiff visited the Hayvenhurst house he was accompanied by his
28 parents and they took a tour of MICHAEL JACKSON's recording studio which was located

1 there. Three of MICHAEL JACKSON's brothers were in the studio working, including Jermaine
2 Jackson, and they all exchanged a quick hello.

3 17. During his many visits to the Hayvenhurst house, Plaintiff would "hang out" with
4 the MICHAEL JACKSON in MICHAEL JACKSON's bedroom, and spend time with him in
5 MICHAEL JACKSON's dance room.

6 18. MICHAEL JACKSON began telephoning Plaintiff at home on a frequent and
7 regular basis. Their relationship had grown to a point where MICHAEL JACKSON had become
8 like a part of Plaintiff's family. MICHAEL JACKSON would call Plaintiff at home when he was
9 alone or lonely, and Plaintiff's family would drive over to the Hayvenhurst house and pick up
10 MICHAEL JACKSON and bring him back to Plaintiff's home in Simi Valley. One time Plaintiff
11 and MICHAEL JACKSON went to the park in Simi Valley. They shot some video footage there
12 that ended up in the closing credits of one of MICHAEL JACKSON's documentaries. On another
13 occasion, Plaintiff and MICHAEL JACKSON went to the Zales jewelry store in Simi Valley.
14 MICHAEL JACKSON was wearing a disguise and the salesperson at the Zales store called the
15 police. When the police arrived and saw that it was MICHAEL JACKSON, they did not pursue
16 the matter. On another occasion, Plaintiff's father picked up MICHAEL JACKSON from the
17 Havenhurst house, and they had to drive away quickly in order to evade the paparazzi. Plaintiff
18 and his family viewed this to be exciting - as was the entire experience of being with a "star"
19 with such celebrity status as MICHAEL JACKSON. At this time, MICHAEL JACKSON was in
20 his late 20's, Plaintiff was approximately 8-9 years old, and Plaintiff's parents were in their 40's.

21 19. In 1988, when Plaintiff was 10 years old and MICHAEL JACKSON was 29-30
22 years old, MICHAEL JACKSON invited Plaintiff to a convention in Hawaii at which the Pepsi
23 commercial they had both appeared in was being featured. Plaintiff attended the Pepsi
24 convention with MICHAEL JACKSON and appeared with him on stage. MICHAEL JACKSON
25 and/or MJJ PRODUCTIONS and MJJ VENTURES made all the arrangements and paid all the
26 expenses for Plaintiff and his mother to fly first class to Hawaii, travel by limousine to the Kahala
27 Hilton Hotel and for all of their accommodations and expenses during the convention. Plaintiff
28 and his mother travelled together with MICHAEL JACKSON's entourage. Plaintiff stayed with

1 his mother in her hotel room on that trip. On later trips, when Plaintiff travelled with MICHAEL
2 JACKSON, his parents would never have a room near MICHAEL JACKSON's room, and would
3 be on a different floor.

4 20. During the convention, Plaintiff spent a great deal of time with MICHAEL
5 JACKSON and got to know him well, and their friendship deepened. On this trip, MICHAEL
6 JACKSON asked if Plaintiff could sleep over in his room, but Plaintiff's mother did not permit it.
7 This was the first time MICHAEL JACKSON asked if Plaintiff could "sleep over" in his room.

8 21. While they were in Hawaii, MICHAEL JACKSON rented a helicopter to take
9 Plaintiff and his mother on a tour. Plaintiff got airsick 5-10 minutes after take-off, so they had to
10 land. MICHAEL JACKSON asked Plaintiff to stay in his room when they got back to the hotel,
11 but Plaintiff's mother said no. MICHAEL JACKSON had also rented out an amusement park for
12 everyone to visit. Plaintiff met Michael J. Fox at the convention, and for the entire time he was
13 treated on a V.I.P. basis.

14 22. The Hawaii trip lasted a weekend. On the return flight to Los Angeles, California,
15 Plaintiff conducted a "mock" interview of MICHAEL JACKSON, using his cassette recorder. In
16 that recorded interview, Plaintiff asked MICHAEL JACKSON a series of questions, and
17 MICHAEL JACKSON provided responses, as follows:

18 Plaintiff: "What do you think about lying?"

19 MICHAEL JACKSON: "People make up stories about [MICHAEL
20 JACKSON —referring to himself in the third person]."

21 Plaintiff: "Do you like performing?"

22 MICHAEL JACKSON: "Favorite things are writing songs, performing, and
23 being with Jimmy [Plaintiff]."

24 . . .
25 Plaintiff: "Any new plans?"

26 MICHAEL JACKSON: "*Smooth Criminal*, short film, new Pepsi
27 commercial, best Pepsi commercial was the one with Jimmy
28 [Plaintiff] because he had 'heart,' best thing about Hawaii was

1 spending time with Jimmy [Plaintiff], love [Plaintiff's] family and
2 want to spend time with them.”

3 During this interview, MICHAEL JACKSON referred to Plaintiff by the nickname “Rubba.”
4 This was a nickname that MICHAEL JACKSON used to refer to Plaintiff early on in their
5 relationship, and one that MICHAEL JACKSON used to refer to other children, short for “rubber
6 head”.

7 23. In 1988, Plaintiff first started dancing with MICHAEL JACKSON. MICHAEL
8 JACKSON brought Plaintiff to his private dance studio and let Plaintiff watch him rehearse.
9 MICHAEL JACKSON told Plaintiff that he was the only person who was allowed to watch him
10 rehearse. MICHAEL JACKSON would rehearse ½ to 1 hour every Sunday – it was his ritual. If
11 Plaintiff was around, he would be invited to attend the rehearsals to watch, and as time
12 progressed, MICHAEL JACKSON allowed Plaintiff to dance with him. Even though Plaintiff
13 did not have formal dance training, MICHAEL JACKSON would coach and teach him, and
14 MICHAEL JACKSON told Plaintiff that he had rhythm.

15 24. In 1988, MICHAEL JACKSON began sleeping over at Plaintiff's family home.
16 The first night that MICHAEL JACKSON slept over, he stayed in Plaintiff's bedroom.
17 MICHAEL JACKSON ended up sleeping in Plaintiff's bedroom with him on a regular basis,
18 which Plaintiff's parents knew. Plaintiff and MICHAEL JACKSON would also sometimes pitch
19 a tent in the living room and sleep in there. Plaintiff observed MICHAEL JACKSON's nightly
20 regimen before going to sleep – taping his nose using white bandage tape, to form a shell to cover
21 his nose. MICHAEL JACKSON also used the empty bedroom of Plaintiff's older brother to
22 meditate.

23 25. On March 11, 1988, Plaintiff and his mother accompanied MICHAEL JACKSON
24 as his guests to attend a performance of *The Phantom of the Opera* on Broadway, and both before
25 and after the performance they all spent time together with Liza Minnelli. After the show, they all
26 went backstage to meet the stars of the show, including Michael Crawford. Jolie Levine again
27 made all the arrangements through MJJ PRODUCTIONS and/or MJJ VENTURES for them to
28 fly to New York and MICHAEL JACKSON and/or MJJ PRODUCTIONS/MJJ VENTURES paid

1 for all of their expenses for the trip. Plaintiff and his mother stayed at the Trump Tower in
2 Manhattan for the weekend. They went to FAO Schwartz, the famous toy store, in addition to
3 attending with him the performance of *The Phantom of the Opera*. Plaintiff stayed in his mother's
4 hotel room. Again MICHAEL JACKSON asked for Plaintiff to stay in MICHAEL JACKSON's
5 room with him, but Plaintiff's mother said no. But as soon as Plaintiff woke up in the morning, he
6 would go to the MICHAEL JACKSON's room and stay there with him.

7 26. In or about 1988, MICHAEL JACKSON invited Plaintiff to meet him in
8 Pensacola, Florida, where MICHAEL JACKSON and his band were rehearsing. MICHAEL
9 JACKSON and MJJ PRODUCTIONS and/or MJJ VENTURES arranged for Plaintiff and his
10 parents to travel to Florida, and stay in one of the houses that MICHAEL JACKSON and MJJ
11 PRODUCTIONS and/or MJJ VENTURES had rented there. Plaintiff stayed with MICHAEL
12 JACKSON in one house, and Plaintiff's parents stayed in one of the other houses. This was the
13 first time that Plaintiff stayed with MICHAEL JACKSON on a trip. MICHAEL JACKSON also
14 took Plaintiff and his parents for a side visit to Disney World.

15 27. The time that Plaintiff and MICHAEL JACKSON spent together in 1988 increased
16 significantly. MICHAEL JACKSON encouraged Plaintiff to dress like him and grow his hair
17 long like MICHAEL JACKSON's. MICHAEL JACKSON had coaxed Plaintiff to become a
18 "miniature version" of MICHAEL JACKSON. Plaintiff did. MICHAEL JACKSON gave
19 Plaintiff many gifts of his clothing, some of which remain in Plaintiff's possession to this day.
20 The "*Thriller*" jacket in which MICHAEL JACKSON he had famously performed, was given
21 previously to Plaintiff but MICHAEL JACKSON later took it back. MICHAEL JACKSON had
22 become part of Plaintiff's family circle. However, MICHAEL JACKSON never introduced
23 Plaintiff or Plaintiff's family to his own – Plaintiff saw Jermaine Jackson once at the Hayvenhurst
24 house, and met Janet Jackson once when Plaintiff spent a weekend at Neverland when Janet
25 Jackson and her husband, Renee, were also there.

26 28. In the early part of 1988, MICHAEL JACKSON invited Plaintiff to join him on
27 the "*Bad*" Tour. Plaintiff spent six (6) months on the "*Bad*" Tour with MICHAEL JACKSON,
28 accompanied by his mother. Plaintiff joined MICHAEL JACKSON for the second leg of the

1 "Bad" Tour – in June (Europe) and stayed on the tour through December (where it concluded in
2 Japan). During that 6 month period, Plaintiff returned to the U.S. to go back to school for several
3 months. For the Japan portion of the tour, Plaintiff received course and homework from his
4 school in Simi Valley so that he could keep up with his studies.

5 29. On the tour, Plaintiff performed nightly with MICHAEL JACKSON on stage. He
6 was not paid for his services, but MICHAEL JACKSON and MJJ PRODUCTIONS organized
7 and paid for all hotel and other accommodations; made and paid for all travel arrangements for
8 Plaintiff and his mother (and also for Plaintiff's father who joined the family for certain portions
9 of the tour); and paid for all food, entertainment and shopping sprees for Plaintiff and his parents.
10 Jolie Levine was the point person for MICHAEL JACKSON and MJJ PRODUCTIONS to make
11 all the arrangements.

12 30. The first portion of the "Bad" Tour that Plaintiff attended was in Paris, France in
13 approximately June 25-29, 1988. A replica of MICHAEL JACKSON's "Bad" Tour outfit was
14 specially made by Michael Bush for Plaintiff to wear when he performed onstage with
15 MICHAEL JACKSON and for publicity events. During the "Bad" Tour, Plaintiff's parents
16 would go out to see tourist attractions – sometimes alone, and sometimes with other members of
17 MICHAEL JACKSON's entourage and/or other employees of MJJ PRODUCTIONS and MJJ
18 VENTURES. Plaintiff could not go, because if he went out in public, he would be hounded by
19 the paparazzi and fans because of his role on the tour with MICHAEL JACKSON. No children
20 participated on the "Bad" Tour other than Plaintiff.

21 31. The first incident of sexual abuse occurred during the Paris portion of the "Bad"
22 Tour in June 25-29, 1988. At the time, MICHAEL JACKSON was 29 years old and Plaintiff was
23 10 years old. MICHAEL JACKSON introduced Plaintiff to masturbation by telling him that
24 everyone does it. MICHAEL JACKSON and Plaintiff were together in MICHAEL JACKSON's
25 room at the Hotel de Crillon in Paris. It was dark in the room. MICHAEL JACKSON told
26 Plaintiff that he was going to change Plaintiff's life by showing him how to masturbate.
27 MICHAEL JACKSON showed Plaintiff how to masturbate himself by first demonstrating on
28 himself, and then making Plaintiff try after that. Then, together, they masturbated to the point

1 where Plaintiff's penis swelled up. MICHAEL JACKSON guided Plaintiff in putting his penis
2 into a glass of warm water so the swelling would go down and allow him to urinate. MICHAEL
3 JACKSON told Plaintiff that masturbation was something that "everyone does." Later on,
4 MICHAEL JACKSON told Plaintiff when other sexual acts were involved, it was a way of
5 "showing love." During the time that Plaintiff was in contact with MICHAEL JACKSON, MJJ
6 PRODUCTIONS' managing agents and employees frequently coordinated the Plaintiff's travel,
7 lodging, arrangements, and appearances with MICHAEL JACKSON, which occurred, at least in
8 part, during the "Bad" tour. Furthermore, Ms. The managing agents and employees of MJJ
9 PRODUCTIONS and MJJ VENTURES performed the same tasks for Plaintiff's mother, in
10 coordinating her travel, lodging and other arrangements, such that the Plaintiff could be secluded
11 with MICHAEL JACKSON. Plaintiff is informed and believes, and on that basis alleges that
12 these managing agents and employees were acting on behalf of MJJ PRODUCTIONS and MJJ
13 VENTURES, as "madams" or "procurers" of child sexual abuse victims for MICHAEL
14 JACKSON.

15 32. At or around the time of the first incident of sexual abuse, Plaintiff began sleeping
16 in MICHAEL JACKSON's room in bed with him on a regular basis during the rest of the "Bad"
17 Tour.

18 33. On another occasion during the "Bad" Tour in 1988, MICHAEL JACKSON
19 kissed Plaintiff's genitals. On this and subsequent occasions, MICHAEL JACKSON had Plaintiff
20 rub and suck MICHAEL JACKSON's nipples while he [MICHAEL JACKSON] masturbated
21 himself. MICHAEL JACKSON liked to have Plaintiff bend over on all fours and then MICHAEL
22 JACKSON would grab Plaintiff's butt cheeks and spread them open with one hand, and
23 masturbate himself with the other. MICHAEL JACKSON referred to this activity as "selling me
24 some," because MICHAEL JACKSON would give Plaintiff jewelry after he did this, as a
25 "reward." Plaintiff still has some of the jewelry MICHAEL JACKSON gave to him after he
26 abused him, which included a necklace with a medallion bearing MICHAEL JACKSON's face.

27 34. During the "Bad" Tour, MICHAEL JACKSON taught Plaintiff code words to use
28 so that other people would not know what they were talking about when they were referring to

1 their sexual activities, including the phrase: "bright light, brick city" which referred to a "hard-
2 on," named for the motion picture *Bright Lights, Big City*. If Plaintiff and MICHAEL JACKSON
3 were holding hands, MICHAEL JACKSON would also scratch the inside of Plaintiff's hand with
4 one of his fingers---that was a sexual cue.

5 35. The "*Bad*" Tour ended in 1988 after Christmas in Japan. MICHAEL JACKSON
6 then flew Plaintiff to New York to spend time alone with him after MICHAEL JACKSON
7 performed at the Grammy's in February 1989. Plaintiff travelled by himself. MICHAEL
8 JACKSON would occasionally arrange through MJJ PRODUCTIONS and MJJ VENTURES to
9 have Plaintiff flown to see him at whatever location he was performing. During those visits,
10 Plaintiff would sleep with MICHAEL JACKSON in his hotel room, and ongoing sexual abuse
11 would occur.

12 36. From 1988 when the sexual abuse first began through 1992, MICHAEL
13 JACKSON engaged in ongoing sexual abuse of Plaintiff. MICHAEL JACKSON would
14 repeatedly instruct Plaintiff to be confident and to deny everything if ever asked about the abuse.
15 MICHAEL JACKSON told him to be quiet about it and not tell anyone, even his parents, about
16 their relationship. MICHAEL JACKSON told Plaintiff that he did not have to answer questions
17 about what they did; that he should be vague and not give real answers to questions; and that if
18 the police ever told Plaintiff that MICHAEL JACKSON had "already confessed," they were lying
19 and trying to trick Plaintiff. MICHAEL JACKSON would repeat over and over again to Plaintiff
20 that their participation in sexual acts together was Plaintiff's idea. He would drill that into
21 Plaintiff over and over again throughout their relationship. MICHAEL JACKSON would tell
22 Plaintiff that it was okay to lie to other people, because nothing would happen if you lied.

23 37. MICHAEL JACKSON frequently told Plaintiff that he would need to get married
24 to protect his public perception. MICHAEL JACKSON confessed to Plaintiff that his own father,
25 Joseph Jackson, beat him when he was growing up if he "messed up" or did not rehearse, and that
26 Plaintiff was now giving MICHAEL JACKSON the childhood he never had.

27 38. By the time Plaintiff's parents had a sex education discussion with him, he had
28 already been abused by MICHAEL JACKSON. Over time, the sexual abuse gradually escalated

1 and became a “normal” part of the relationship Plaintiff had with MICHAEL JACKSON. The
2 sexual abuse continued in the same pattern of activity, with MICHAEL JACKSON adding new
3 components to the abuse – for example, he had Plaintiff rub MICHAEL JACKSON’s nipples
4 while MICHAEL JACKSON masturbated himself. On another occasion, MICHAEL JACKSON
5 inserted his finger into Plaintiff’s anus. Plaintiff told MICHAEL JACKSON not to do it, so he
6 stopped, although MICHAEL JACKSON did it again, later on.

7 39. Plaintiff was confused about his sexuality, and wondered if he was gay. He did
8 not think he was gay because he experienced feelings of having a “crush” on Sheryl Crow, who at
9 the time was working as a back-up singer for MICHAEL JACKSON. MICHAEL JACKSON
10 was jealous of Plaintiff’s “crush” on Sheryl Crow, and told him that he should not like her.
11 MICHAEL JACKSON showed Plaintiff photographs of Sheryl Crow without her make-up on in
12 an attempt to dissuade him from finding her attractive. MICHAEL JACKSON was jealous of
13 Plaintiff’s attraction to females and any relationships with females that he had. MICHAEL
14 JACKSON consistently talked about women in a negative manner, and would point out to
15 Plaintiff what he considered to be their physical flaws. MICHAEL JACKSON told Plaintiff that
16 women were smart, conniving and not to be trusted.

17 40. When MICHAEL JACKSON purchased the Neverland Ranch in Santa Barbara
18 County in 1988, Plaintiff was the first guest to stay overnight. At that time, there was no large
19 “Neverland Ranch” sign, only the main house, pool and a trampoline. MICHAEL JACKSON
20 told Plaintiff when he bought it that it was Plaintiff’s “home.” Whenever Plaintiff visited
21 Neverland, he slept in MICHAEL JACKSON’s bedroom. MICHAEL JACKSON and Plaintiff
22 would “mess up” the upstairs bedroom to make it look as though Plaintiff had slept there, when in
23 actuality he stayed with MICHAEL JACKSON in his bed.

24 41. MICHAEL JACKSON eventually installed chimes in the hallway to his bedroom
25 so that he could hear and be warned when people approached. MICHAEL JACKSON later
26 installed video cameras.

27 42. MICHAEL JACKSON had a secret closet in his bedroom at Neverland which
28 required a secret passcode to open. MICHAEL JACKSON kept jewelry inside the closet, and

1 would often abuse Plaintiff there. There was another closet on the other side of his bedroom
2 which was larger, and MICHAEL JACKSON would lay down a blanket in there so that there was
3 more room to engage in sexual activities with Plaintiff. MICHAEL JACKSON's bedroom was
4 located next to the library, and had a private bathroom to the right.

5 43. MICHAEL JACKSON had the telephones at Neverland tapped so that he could
6 listen to incoming and outgoing calls. On one occasion, MICHAEL JACKSON had Plaintiff
7 secretly listen in on a telephone call between Plaintiff's mother and aunt where Plaintiff's mother
8 had said something negative about Plaintiff's father. After Plaintiff listened to the call,
9 MICHAEL JACKSON stated: "look how mean women are."

10 44. MICHAEL JACKSON also had all of the telephones in the guest houses at
11 Neverland tapped. It was common practice for MICHAEL JACKSON and Plaintiff to listen in
12 on telephone calls at Neverland.

13 45. On several occasions, Plaintiff took his best friend from school to visit Neverland.
14 During one of his visits, they had a slumber party and game-type activities. MICHAEL
15 JACKSON and Plaintiff would "sneak off" to be alone and where sexual abuse would occur, but
16 they were always careful to avoid getting caught. MICHAEL JACKSON and Plaintiff were
17 always careful when other people were around.

18 46. Mariano Quindoy (an MJJ PRODUCTIONS' employee and Estate Manager at
19 Neverland from May 1989 to April 1990) stated that he had witnessed several incidences of
20 suspicious activity between MICHAEL JACKSON and Plaintiff at Neverland, including finding
21 MICHAEL JACKSON's and Plaintiff's underwear lying next to MICHAEL JACKSON's bed,
22 and seeing MICHAEL JACKSON put his hand down the front of Plaintiff's shorts while the two
23 were bathing together in a Jacuzzi. Mr. Quindoy stated that there was gossip amongst the
24 Neverland staff that MICHAEL JACKSON was "having an affair" with Plaintiff and that they
25 were sleeping together. Mr. Quindoy also stated that Norma Staikos told Mr. Quindoy and his
26 wife never to leave children alone in a room with MICHAEL JACKSON.

27 47. Blanca Francia (MICHAEL JACKSON's personal maid and an MJJ
28 PRODUCTIONS' employee) witnessed Ms. Staikos arrange meetings between MICHAEL

1 JACKSON and children and their families. Ms. Francia stated that Ms. Staikos would arrange for
2 a limousine to pick up Plaintiff and other children and take them to "The Hideout" to see
3 MICHAEL JACKSON.

4 48. Orietta Murdock (an assistant to both Ms. Staikos and Ms. Staikos' predecessor
5 Bill Bray at MJJ PRODUCTIONS) first heard about MICHAEL JACKSON's reputation
6 regarding children soon after she began working for MJJ PRODUCTIONS in September 1989.
7 Ms. Murdock stated that while she was being given a tour of Neverland by Ms. Staikos, Ms.
8 Staikos stopped near the door to MICHAEL JACKSON's room and told Ms. Murdock to never
9 leave her son alone with MICHAEL JACKSON.

10 49. Ms. Staikos exercised a significant degree of control over MICHAEL JACKSON's
11 affairs in her capacity as the Executive Director of MJJ PRODUCTIONS. Ms. Murdock stated
12 that she was terminated by Ms. Staikos for appealing to MICHAEL JACKSON regarding a
13 request for a raise which Ms. Staikos had denied, and that MICHAEL JACKSON later admitted
14 to Ms. Murdock that Ms. Staikos had forced MICHAEL JACKSON to agree to the termination
15 against his wishes.

16 50. When Plaintiff was in the fourth grade, he had a "girlfriend." When MICHAEL
17 JACKSON found out, he told Plaintiff that he could only have a relationship with him.
18 MICHAEL JACKSON called it a "faux committed relationship" that had to be kept secret.

19 51. MICHAEL JACKSON would run "drills" regularly with Plaintiff and make
20 Plaintiff practice putting on his clothes very fast and practice running away quietly so people
21 would not hear him.

22 52. MICHAEL JACKSON engaged in an ongoing campaign to instill fear in Plaintiff
23 – he repeatedly told Plaintiff that if anyone found out about what they were doing, MICHAEL
24 JACKSON's and Plaintiff's "futures would be over." MICHAEL JACKSON reminded Plaintiff
25 of this on a constant basis.

26 53. MICHAEL JACKSON was paranoid about what Plaintiff might tell other people.
27 MICHAEL JACKSON would constantly grill Plaintiff to tell him exactly what was said in
28 conversations he had with other people. On one occasion, MICHAEL JACKSON asked Plaintiff

1 what was said in a conversation between Plaintiff and a female limousine driver that MICHAEL
2 JACKSON would regularly send to pick up Plaintiff for visits. When MICHAEL JACKSON
3 learned that she had asked him questions about MICHAEL JACKSON, MICHAEL JACKSON
4 terminated her employment. After that, MICHAEL JACKSON started driving over to Plaintiff's
5 house himself to pick him up and bring him back for visits.

6 54. As time progressed, MICHAEL JACKSON became more and more possessive of
7 Plaintiff and escalated the nature of their relationship and the frequency of the sexual abuse. In
8 addition to MICHAEL JACKSON's nickname for Plaintiff of "Rubba," MICHAEL JACKSON
9 expanded their secret language and created sexual "codes." MICHAEL JACKSON referred to
10 semen as "duck butter." MICHAEL JACKSON would scratch the inside of Plaintiff's palm as a
11 sexual cue. MICHAEL JACKSON performed a fake "marriage" with Plaintiff complete with a
12 wedding ring and a signed document to pretend that they got married. MICHAEL JACKSON
13 would sometimes be a "jokester" with Plaintiff, saying that people were taking pictures of them
14 while they were engaging in sexual activity, and had a light outside of his bedroom window at
15 Neverland that he would flash to resemble a camera bulb flashing. MICHAEL JACKSON also
16 did that on the "Bad" Tour—he placed a small flashbulb on the other side of the hotel room
17 curtain and made it flash. Plaintiff cried when he did that, and MICHAEL JACKSON was
18 surprised by his reaction.

19 55. MICHAEL JACKSON trained Plaintiff to exchange declarations of love with him
20 – it became a regular occurrence for them to say that they loved one another all of the time they
21 were physically together, and over the many telephone calls they had. Once they became close,
22 MICHAEL JACKSON encouraged Plaintiff to stay away from an acting career and the spotlight.
23 Plaintiff developed a significant emotional attachment to MICHAEL JACKSON; MICHAEL
24 JACKSON always told Plaintiff that he would take care of him. Plaintiff began to wish that
25 MICHAEL JACKSON were his father.

26 56. MICHAEL JACKSON engaged in sexual acts with Plaintiff hundreds of times –
27 on tour, at Plaintiff's home, at MICHAEL JACKSON's apartment/condominium on Wilshire
28

1 Boulevard in Westwood, at MICHAEL JACKSON's Century City condominium which was
2 nicknamed "The Hideout," and at Neverland.

3 57. In 1990-1991, Plaintiff spent time with MICHAEL JACKSON at his
4 apartment/condominium in Westwood and later at "The Hideout" in Century City, California.
5 During this timeframe, Plaintiff was 12-13 years old.

6 58. Plaintiff became a regular companion of MICHAEL JACKSON. MICHAEL
7 JACKSON took Plaintiff on shopping excursions with him, including a shopping spree at The
8 Sharper Image store in Studio City. MICHAEL JACKSON frequently took Plaintiff shopping at
9 stores on Ventura Boulevard and on Hollywood Boulevard, including a magic shop and costume
10 store.

11 59. MICHAEL JACKSON possessed many recording devices and high-tech briefcases
12 equipped with recording devices. Plaintiff thought of them as high-tech "kids' toys," but
13 MICHAEL JACKSON used them in a manner that created a sense of paranoia of other people.

14 60. At or about the time Plaintiff turned 12, a transition period began where
15 MICHAEL JACKSON began to focus his attention on a younger boy, Brett Barnes ("Brett").
16 Get-togethers at The Hideout became more frequent, with other young boys that MICHAEL
17 JACKSON had invited in attendance. When MICHAEL JACKSON was alone with Plaintiff at
18 The Hideout, MICHAEL JACKSON served pink wine to him to drink, which was sweet, and
19 together they would watch porn films. Some of the porn films were heterosexual in nature as
20 were the pornographic books that MICHAEL JACKSON showed to Plaintiff. Plaintiff was told
21 by MICHAEL JACKSON that these books were "foreign" books. MICHAEL JACKSON also
22 showed Plaintiff movies in which children were masturbating, and told him that they were "not
23 really porn." The movies that MICHAEL JACKSON referred to as "porn" involved adult sexual
24 activities, whereas the films where children engaged in sexual activities were "not porn".

25 61. When Plaintiff started puberty at age 12, MICHAEL JACKSON began to prepare
26 Plaintiff for separation – telling him that he would "have other friends." Plaintiff was upset
27 hearing this and tried to preserve his relationship with MICHAEL JACKSON by being extra nice
28 and trying to befriend a younger boy with whom MICHAEL JACKSON began to spend more

1 time. Plaintiff became inwardly jealous because of the time and attention MICHAEL JACKSON
2 began devoting to him instead of Plaintiff.

3 62. On one of the weekends that Plaintiff spent with the boy and MICHAEL
4 JACKSON at The Hideout, Plaintiff began to feel as though he “was on the outs” with
5 MICHAEL JACKSON. The MICHAEL JACKSON had spent the night in his bedroom with the
6 boy instead of with Plaintiff, and Plaintiff spent the night on the couch. Plaintiff experienced
7 feelings of jealousy as a result of being replaced by the boy. This was part and parcel of
8 MICHAEL JACKSON’s continual grooming and manipulation of Plaintiff and others during the
9 sexual abuse.

10 63. As Plaintiff neared puberty, MICHAEL JACKSON started grooming him for
11 separation. This grooming period spanned several months. MICHAEL JACKSON told the
12 Plaintiff that he would be “seeing [the MICHAEL JACKSON] with other people” but that they
13 would continue on together “later on.” When Plaintiff fully reached puberty, MICHAEL
14 JACKSON began spending his time with Brett instead of with Plaintiff, and MICHAEL
15 JACKSON’s sexual abuse of Plaintiff finally stopped.

16 64. Once he reached puberty, and the sexual abuse stopped, Plaintiff would speak to
17 MICHAEL JACKSON less frequently. MICHAEL JACKSON remained active in his life,
18 however, and paid for the Plaintiff to direct several movies in high school. MICHAEL JACKSON
19 turned Plaintiff’s focus away from scholastics and towards becoming a director. MICHAEL
20 JACKSON hired a professor from NYU to teach Plaintiff on the weekends how to direct films.
21 MICHAEL JACKSON told Plaintiff that “one day, we’re going to make movies together.” He
22 also told Plaintiff to “study hard and be extraordinary” and that “[the MICHAEL JACKSON] will
23 be there to get [the Plaintiff’s] foot in the door” of the entertainment industry and motion picture
24 business. MICHAEL JACKSON and/or MJJ PRODUCTIONS and MJJ VENTURES arranged
25 and paid for John Lugar to spearhead Plaintiff’s filmmaking and planning; hired Gretchen
26 Sommerfeld to teach directing to Plaintiff; and also hired Craig Thornton to teach script writing to
27 Plaintiff. MICHAEL JACKSON arranged for Ms. Sommerfeld and Mr. Thornton to go to
28 Plaintiff’s house on weekends to teach him about the filmmaking process.

1 65. MICHAEL JACKSON told Plaintiff's parents that he did not need to go to
2 college, and convinced them to remove Plaintiff from his Advanced Placement ("AP") courses.
3 At the time, Plaintiff was very knowledgeable and skilled in mathematics. Nevertheless, he was
4 taken out of his AP classes, and instead re-focused on directing by MICHAEL JACKSON.
5 Because Plaintiff's own parents had not attended college, they were ill-equipped to guide their
6 son in his scholastic endeavors, and were persuaded by MICHAEL JACKSON to steer Plaintiff
7 away from school and into directing.

8 66. In conversations with the MICHAEL JACKSON about dropping AP classes,
9 Plaintiff's mother stated that her son would end up doing what the MICHAEL JACKSON was
10 doing in his career, to which MICHAEL JACKSON agreed, stating that day would come, and
11 when Plaintiff became a filmmaker, there would be "a line around the block" to see him.
12 MICHAEL JACKSON told Plaintiff to de-prioritize school, focus on movie-making, and not to
13 worry because MICHAEL JACKSON could get Plaintiff into college if he still wanted to go.

14 67. In 1992-1993, the MICHAEL JACKSON and MJJ PRODUCTIONS arranged for
15 the Plaintiff, and Plaintiff and his parents to take several trips. In 1992, Plaintiff and his parents
16 went to Boston to attend a Deepak Chopra meditation retreat. Plaintiff and his family used the
17 cover name "Andrews" when travelling to protect their identities from the media. In 1993,
18 Plaintiff went alone to Washington, D.C. and MICHAEL JACKSON arranged for the Plaintiff to
19 visit the White House. Then, on the second leg of that trip to Chicago, when MICHAEL
20 JACKSON was doing the "Jam" video shoot, other boys were there, including Wade Robson,
21 who Plaintiff met for the first time. Plaintiff was sent home early from the trip.

22 68. In 1993, Plaintiff provided a witness statement to the police in connection with the
23 criminal investigation of Jordan Chandler's allegations against MICHAEL JACKSON.
24 MICHAEL JACKSON told Plaintiff and his parents that the claims were complete extortion on
25 the part of the Chandler family. Plaintiff's parents believed MICHAEL JACKSON, and were
26 convinced that he could do no wrong. Plaintiff met with one of MICHAEL JACKSON's lawyers
27 at his office and rehearsed questions and testimony with him, at MICHAEL JACKSON's request
28 and insistence.

1 69. In 1994, Plaintiff worked as an intern/shadow director in Budapest, Hungary for
2 MICHAEL JACKSON's "*HIStory*" promo video. Again, Plaintiff travelled and worked under the
3 cover name "Jimmy Andrews" to protect his identity. Plaintiff appeared as "Jimmy Andrews" on
4 the call sheets for the "*HIStory*" promo video and was employed as a production assistant.
5 Plaintiff's mother accompanied him on the trip to Budapest, which lasted one-two weeks.
6 MICHAEL JACKSON and MJJ PRODUCTIONS arranged and paid for the travel and
7 accommodations.

8 70. In 1995, Plaintiff was employed by the MICHAEL JACKSON and/or MJJ
9 PRODUCTIONS and MJJ VENTURES as an intern/shadow director for MICHAEL
10 JACKSON's "*Earthsong*" video. Again, Plaintiff appeared on the call sheets for this video, which
11 was filmed in New Jersey. Plaintiff was a wardrobe double on this shoot, and also appears as a
12 hand double in the video for MICHAEL JACKSON.

13 71. In the years following 1995, after Plaintiff reached the age of 17, his relationship
14 with MICHAEL JACKSON tapered off. In 1997, Plaintiff enrolled in Moorpark Community
15 College in an attempt to get good enough grades to enable him to seek admission to USC. That
16 never came to fruition. Plaintiff never got the university education that he wanted; instead, his
17 education had been derailed by MICHAEL JACKSON's persuasion of him and his parents that
18 college was a waste of time and that Plaintiff's future was in film direction.

19 72. During the time that Plaintiff was attending Moorpark Community College, he
20 began having panic attacks. One occurred during a Spanish tutoring session. Plaintiff had no idea
21 what was wrong with him. To stabilize his panic, he would excuse himself from wherever he was
22 when he began to experience the attacks, and walk around until he could calm down enough to re-
23 join whatever he had been doing.

24 73. In 2005, MICHAEL JACKSON contacted Plaintiff, and asked him to testify on his
25 behalf in the criminal trial against MICHAEL JACKSON in Santa Barbara for criminal sexual
26 abuse. Plaintiff was approximately 27 years old at the time. MICHAEL JACKSON started out the
27 telephone call by saying that he wanted to help Plaintiff with his music and directing. He then
28 asked Plaintiff to testify at trial on his behalf. When Plaintiff said no to the request, MICHAEL

1 JACKSON got angry and threatened him. Plaintiff told MICHAEL JACKSON never to call him
2 again, and that he wanted a normal life. MICHAEL JACKSON got very angry and continued to
3 threaten Plaintiff, telling him that he had the best lawyers in the world and that they would get
4 Plaintiff for perjury from the 1993 Chandler investigation. Plaintiff had never experienced
5 MICHAEL JACKSON being so angry. Plaintiff was also panicked about MICHAEL JACKSON
6 talking to his mother---fearful that she would find out about his abuse by MICHAEL JACKSON
7 and be threatened by MICHAEL JACKSON's lawyers.

8 74. A few days after this telephone conversation, MICHAEL JACKSON called
9 Plaintiff's mother to try to get her to convince Plaintiff to testify on his behalf at the criminal trial.
10 MICHAEL JACKSON also wanted both of Plaintiff's parents to testify on his behalf. One to two
11 days prior to MICHAEL JACKSON's call to his mother, Plaintiff had told his mother about the
12 call he had received from MICHAEL JACKSON and that he had declined to testify at the
13 criminal trial. Plaintiff talked to her about the call and told his mother that MICHAEL
14 JACKSON was a "bad man," but was unable to tell her any details or say anything but the very
15 briefest statement that he had been abused. Plaintiff told his mother not to let MICHAEL
16 JACKSON know that she had found out. Plaintiff was panicked that MICHAEL JACKSON
17 would find out that he had told his mother. When MICHAEL JACKSON called Plaintiff's
18 mother, she pretended that she was not aware of MICHAEL JACKSON's earlier threatening call
19 to her son, or about the abuse.

20 75. MICHAEL JACKSON's lawyers, together with Evvy Tavasci, MICHAEL
21 JACKSON's executive personal secretary and an employee of MJJ PRODUCTIONS, contacted
22 Plaintiff and told him that he needed to testify and deny anything that the cooks at Neverland said
23 that they saw happen between Plaintiff and MICHAEL JACKSON. Plaintiff told them that he did
24 not want any further involvement with MICHAEL JACKSON.

25 76. After the call with MICHAEL JACKSON's lawyers and Ms. Tavasci, MICHAEL
26 JACKSON called Plaintiff again. This call was towards the end of the criminal trial. MICHAEL
27 JACKSON told Plaintiff that that he "was sorry for not being there for [the Plaintiff]." The words
28 that MICHAEL JACKSON used and the tone of his voice appeared to Plaintiff to be rehearsed, as

1 if the call were being tape recorded. Plaintiff feared that this was a possibility, as he knew from
2 the past that MICHAEL JACKSON often taped telephone calls on a regular basis. Plaintiff
3 wanted to get off the telephone call as quickly as possible, as the very sound of MICHAEL
4 JACKSON's voice made him very uncomfortable and put him into a panic mode. MICHAEL
5 JACKSON continued to pressure Plaintiff to testify and told him that Gavin Arviso (the victim in
6 the criminal prosecution) was just trying to get money. Plaintiff told MICHAEL JACKSON not
7 to call or try to talk to him ever again, and then ended the call.

8 77. On June 25, 2009, MICHAEL JACKSON died.

9 78. Upon learning of his death, Plaintiff felt sad because he realized he would never
10 have the opportunity for a normal relationship with MICHAEL JACKSON, and that his
11 experiences with MICHAEL JACKSON would never be resolved.

12 79. Following his death, Plaintiff heard in news reports that MICHAEL JACKSON's
13 entertainment lawyer, named "Branca," would be managing MICHAEL JACKSON's business
14 affairs. Plaintiff knew he was a lawyer for MICHAEL JACKSON and his companies, but had
15 never met him.

16 80. After the birth of his son, in late 2010, Plaintiff began to worry that he himself
17 would have pedophilic urges. Plaintiff started to see how innocent children really were. Plaintiff
18 had married a woman he worked with in 2007. He had never told her about his sexual abuse.
19 During his wife's pregnancy, Plaintiff had sought help from a doctor who prescribed Xanax to
20 help with his anxiety. Plaintiff did not discuss the abuse with the doctor, nor did he equate his
21 anxiety with the abuse. Plaintiff had coped with the abuse for many years by compartmentalizing
22 what had happened during his relationship with MICHAEL JACKSON.

23 81. Shortly after May 1, 2013, Plaintiff saw on the news that Wade Robson ("Wade"),
24 who he had met in 1993, had filed a lawsuit against MICHAEL JACKSON for claims of
25 childhood sexual abuse. After learning that Wade had made public the sexual abuse that he had
26 suffered at the hands of MICHAEL JACKSON, Plaintiff's feelings of panic and anxiety
27 heightened, and he thought that he might need help. By this time, Plaintiff now also had a
28

1 newborn baby daughter, and his fears increased about his own children and what could happen to
2 them.

3 82. Plaintiff never thought the feelings of panic and anxiety he had been suffering, or
4 any of the other psychological injuries or illnesses were actually the result of the sexual abuse by
5 MICHAEL JACKSON. Rather, he thought they were just a part of who he was. He had spent his
6 entire life holding on to MICHAEL JACKSON's words that talking about what happened
7 between them "would wreck [their] lives."

8 83. Plaintiff first met with a psychiatrist, on May 20, 2013. He was finally able to
9 discuss the abuse during his treatment. Plaintiff has been diagnosed with Post Traumatic Stress
10 Disorder ("PTSD") with delayed expression; panic disorder; depressive disorder, moderate with
11 anxious distress. He is going to therapy one a week. Plaintiff tries to appear that he has "it
12 together", but struggles on a daily basis with his panic, depression and anxiety. He did not realize
13 how "sick" it was that MICHAEL JACKSON did the things he did to him as a child until he
14 began therapy. Until he had his own children and realized how innocent they were and what
15 "bank slates" they were, he did not appreciate that when you are made to think as a child that
16 something was "your idea" it did not seem as bad as it actually was, as in the case of his abuse by
17 MICHAEL JACKSON.

18 **PENAL CODE AND CIVIL CODE VIOLATIONS OF MICHAEL JACKSON AND DOES**
19 **6 THROUGH 50**

20 84. As used in C.C.P. § 340.1, "childhood sexual abuse" includes "any act committed
21 against the plaintiff that occurred when the plaintiff was under the age of 18 years and that would
22 have been proscribed by Section 266j of the California Penal Code ("Penal Code"); Section 285
23 of the Penal Code; paragraph (1) or (2) of subdivision (b), or of subdivision (c), of Section 286 of
24 the Penal Code; subdivision (a) or (b) of Section 288 of the Penal Code; paragraph (1) or (2) of
25 subdivision (b), or of subdivision (c), of Section 288a of the Penal Code; subdivision (h), (i), or
26 (j) of Section 289 of the Penal Code; Section 647.6 of the Penal Code...".

27 **Penal Code § 266j**
28

1 85. As set forth more fully above, MICHAEL JACKSON, and Does 6 through 10,
2 inclusive, intentionally committed the following act against Plaintiff that occurred when Plaintiff
3 was under the age of sixteen (16) and which would have been proscribed by Section 266j of the
4 California Penal Code or any prior laws of California of similar effect at the time the act was
5 committed by intentionally giving, transporting, providing, or making available, or offering to
6 give, transport, provide, or make available to another person, Plaintiff who was a child, under the
7 age of sixteen (16) years old, for the purpose of any lewd or lascivious act as defined in California
8 Penal Code Section 288, or by causing, inducing, or persuading Plaintiff, a child under the age of
9 sixteen (16), to engage in such an act with another person.

10 **Penal Code § 288(a)**

11 86. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
12 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
13 occurred when Plaintiff was under the age of fourteen (14) and which would have been
14 proscribed by Section 288(a) of the California Penal Code or any prior laws of California of
15 similar effect at the time the act was committed by willfully and lewdly committing any lewd or
16 lascivious act, including any of the acts constituting other crimes provided for in Part 1 of the
17 California Penal Code, upon or with the body, or any part or member thereof, of Plaintiff, who
18 was under the age of fourteen (14), with the intent of arousing, appealing to, or gratifying the lust,
19 passions, or sexual desires of MICHAEL JACKSON or Plaintiff.

20 **Penal Code § 288(b)(1)**

21 87. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
22 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
23 occurred when Plaintiff was under the age of fourteen (14) and which would have been
24 proscribed by Section 288(b)(1) of the California Penal Code or any prior laws of California of
25 similar effect at the time the act was committed by willfully and lewdly committing any lewd or
26 lascivious act, including any of the acts constituting other crimes provided for in Part 1 of the
27 California Penal Code, upon or with the body, or any part or member thereof, of Plaintiff, who
28

1 was under the age of fourteen (14), with the intent of arousing, appealing to, or gratifying the lust,
2 passions, or sexual desires of MICHAEL JACKSON or Plaintiff, by use of duress.

3 **Penal Code § 288a(b)(1)**

4 88. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
5 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
6 occurred when Plaintiff was under the age of eighteen (18) and which would have been
7 proscribed by Section 288a(b)(1) of the California Penal Code or any prior laws of California of
8 similar effect at the time the act was committed by participating in an act of oral copulation (the
9 act of copulating the mouth of one person with the sexual organ or anus of another person) with
10 Plaintiff who was under eighteen (18) years of age.

11 **Penal Code § 288a(b)(2)**

12 89. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
13 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
14 occurred when Plaintiff was under the age of eighteen (18) and which would have been
15 proscribed by Section 288a(b)(2) of the California Penal Code or any prior laws of California of
16 similar effect at the time the act was committed by participating in an act of oral copulation (the
17 act of copulating the mouth of one person with the sexual organ or anus of another person) with
18 Plaintiff, who was under the age of eighteen (18), and MICHAEL JACKSON, who was over the
19 age of twenty-one (21).

20 **Penal Code § 288a(c)(1)**

21 90. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
22 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
23 occurred when Plaintiff was under the age of eighteen (18) and which would have been
24 proscribed by Section 288a(c)(1) of the California Penal Code or any prior laws of California of
25 similar effect at the time the act was committed by participating in an act of oral copulation (the
26 act of copulating the mouth of one person with the sexual organ or anus of another person) with
27 Plaintiff who was under the age of fourteen (14), and more than ten (10) years younger than
28 MICHAEL JACKSON.

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1 **Penal Code § 288a(c)(2)(A)**

2 91. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
3 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
4 occurred when Plaintiff was under the age of eighteen (18) and which would have been
5 proscribed by Section 288a(c)(2)(A) of the California Penal Code or any prior laws of California
6 of similar effect at the time the act was committed by committing an act of oral copulation (the
7 act of copulating the mouth of one person with the sexual organ or anus of another person) when
8 the act was accomplished against Plaintiff's will by means of duress.

9 **Penal Code § 288a(c)(2)(B)**

10 92. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
11 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
12 occurred when Plaintiff was under the age of fourteen (14) and which would have been
13 proscribed by Section 288a(c)(2)(B) of the California Penal Code or any prior laws of California
14 of similar effect at the time the act was committed by committing an act of oral copulation (the
15 act of copulating the mouth of one person with the sexual organ or anus of another person) upon
16 Plaintiff who was under the age of fourteen (14), when the act was accomplished against
17 Plaintiff's will by means of duress.

18 **Penal Code § 288a(c)(2)(C)**

19 93. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and Does
20 6 through 10, inclusive, intentionally committed the following act against Plaintiff that occurred
21 when Plaintiff was fourteen (14) years old or older, but under the age of eighteen (18), and which
22 would have been proscribed by Section 288a(c)(2)(C) of the California Penal Code or any prior
23 laws of California of similar effect at the time the act was committed by committing an act of oral
24 copulation (the act of copulating the mouth of one person with the sexual organ or anus of another
25 person) upon Plaintiff who was ten (10) to seventeen (17) years old, when the act was
26 accomplished against Plaintiff's will by means of duress.

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1 **Penal Code § 288a(c)(3)**

2 94. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
3 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
4 occurred when Plaintiff was under the age of eighteen (18) and which would have been
5 proscribed by Section 288a(c)(3) of the California Penal Code or any prior laws of California of
6 similar effect at the time the act was committed by committing an act of oral copulation (the act
7 of copulating the mouth of one person with the sexual organ or anus of another person) where the
8 act was accomplished against Plaintiff's will by threatening to retaliate in the future against
9 Plaintiff or any other person, and there was a reasonable possibility that MICHAEL JACKSON
10 would execute the threat.

11 **Penal Code § 289(h)**

12 95. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
13 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
14 occurred when Plaintiff was under the age of eighteen (18) and which would have been
15 proscribed by Section 289(h) of the California Penal Code or any prior laws of California of
16 similar effect at the time the act was committed by participating in an act of sexual penetration
17 (the act of causing the penetration, however slight, of the genital or anal opening of another
18 person or causing another person to so penetrate the defendant's or another person's genital or
19 anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object
20 (including any part of the body except a sexual organ), substance, instrument, or device) with
21 Plaintiff who was under eighteen (18) years of age.

22 **Penal Code § 289(i)**

23 96. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
24 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
25 occurred when Plaintiff was under the age of sixteen (16) and which would have been proscribed
26 by Section 289(i) of the California Penal Code or any prior laws of California of similar effect at
27 the time the act was committed by participating in an act of sexual penetration (the act of causing
28 the penetration, however slight, of the genital or anal opening of another person or causing

1 another person to so penetrate the defendant's or another person's genital or anal opening for the
2 purpose of sexual arousal, gratification, or abuse by any foreign object (including any part of the
3 body except a sexual organ), substance, instrument, or device) with Plaintiff who was under
4 sixteen (16) years of age and MICHAEL JACKSON was over the age of twenty-one (21) years.

5 **Penal Code § 289(j)**

6 97. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
7 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
8 occurred when Plaintiff was under the age of fourteen (14) and which would have been
9 proscribed by Section 289(j) of the California Penal Code or any prior laws of California of
10 similar effect at the time the act was committed by participating in an act of sexual penetration
11 (the act of causing the penetration, however slight, of the genital or anal opening of another
12 person or causing another person to so penetrate the defendant's or another person's genital or
13 anal opening for the purpose of sexual arousal, gratification, or abuse by any foreign object
14 (including any part of the body except a sexual organ, substance, instrument, or device) with
15 Plaintiff who was under fourteen (14) years of age and who was more than 10 years younger than
16 MICHAEL JACKSON.

17 **Penal Code § 647.6(a)(1)**

18 98. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
19 Does 6 through 10, inclusive, intentionally committed the following act against Plaintiff that
20 occurred when Plaintiff was under the age of eighteen (18) and which would have been
21 proscribed by Section 647.6(a)(1) of the California Penal Code or any prior laws of California of
22 similar effect at the time the act was committed by annoying or molesting Plaintiff when he was a
23 child under eighteen (18) years of age.

24 **Civil Code § 1708.5**

25 99. On multiple occasions, as set forth more fully above, MICHAEL JACKSON, and
26 Does 6 through 10, inclusive, acted with the intent to cause a harmful and offensive contact with
27 Plaintiff's intimate parts as set forth in California Civil Code Section 1708.5 regarding sexual
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1 battery, and did, in fact, cause such sexually harmful and offensive contact. On each occasion,
2 Plaintiff did not consent to MICHAEL JACKSON's conduct.

3 100. MICHAEL JACKSON did sexually harass, molest and abuse Plaintiff, who was a
4 minor at the time. Such conduct was done for MICHAEL JACKSON's sexual gratification, and
5 was performed on Plaintiff without his free consent, as Plaintiff was a mere minor and thus
6 unable to give valid, legal consent to such sexual acts.

7 101. On multiple occasions, as set forth more fully above, MICHAEL JACKSON,
8 together with his co-conspirators, alter egos, aiders and abettors and agents MJJ PRODUCTIONS
9 and MJJ VENTURES, acted with the intent to cause a harmful and offensive physical contact
10 with Plaintiff by the use of his intimate part as set forth in California Civil Code Section 1708.5
11 regarding sexual battery; and did, in fact, cause such sexually harmful or offensive contact. On
12 each occasion, Plaintiff did not consent to MICHAEL JACKSON's conduct. The physical contact
13 alleged above, offends one's reasonable sense of personal dignity.

14 102. As a minor student, employee, and guest of MJJ PRODUCTIONS and MJJ
15 VENTURES, where MICHAEL JACKSON was employed and worked, Plaintiff was under
16 MICHAEL JACKSON's, MJJ PRODUCTIONS, and MJJ VENTURES' direct supervision, care
17 and control, thus creating a special relationship, fiduciary relationship, and/or special care
18 relationship with Defendants, and each of them. Additionally, as a minor child under the custody,
19 care and control of Defendants, Defendants stood *in loco parentis* with respect to Plaintiff while
20 he was attending events and functions at locations run and controlled by Defendants MJJ
21 PRODUCTIONS and MJJ VENTURES. As the responsible parties and/or employers controlling
22 MICHAEL JACKSON, Defendants were also in a special relationship with Plaintiff, and owed
23 special duties to Plaintiff.

24 103. Plaintiff is informed and believes, and on that basis alleges, that Defendants knew
25 or had reason to know, or were otherwise on notice, that MICHAEL JACKSON had engaged in
26 unlawful sexually-related conduct with minors in the past, and/or was continuing to engage in
27 such conduct with Plaintiff, and failed to take reasonable steps, and to implement reasonable
28 safeguards, to avoid acts of unlawful sexual conduct in the future by MICHAEL JACKSON, such

1 as that which occurred with Plaintiff, including but not limited to preventing or avoiding
2 placement of MICHAEL JACKSON in a function or environment in which contact with children
3 was an inherent part of that function or environment. Defendants had a duty to disclose to these
4 facts to Plaintiff, his parents and others, but negligently and/or intentionally suppressed,
5 concealed or failed to disclose this information for the express purposes of facilitating MICHAEL
6 JACKSON's sexual abuse of children, maintaining MICHAEL JACKSON's image as an ethical
7 and wholesome entertainer, and securing their insured employment with MJJ PRODUCTIONS
8 and MJJ VENTURES. The duty to disclose this information arose by the special, trusting,
9 confidential, fiduciary, and/or *in loco parentis* relationship between Defendants and Plaintiff.

10 104. Instead, Defendants ignored and/or concealed the sexual abuse of Plaintiff and
11 others by MICHAEL JACKSON that had already occurred, and continued to allow hundreds of
12 children, including the Plaintiff, to visit Defendants' property, Neverland, and other properties,
13 and continue to be in contact with MICHAEL JACKSON, despite this knowledge of MICHAEL
14 JACKSON's prior, sexually abusive acts towards minors. Plaintiff is informed and believes, and
15 on that basis alleges, that Defendants and each of them were given notice of incidents of
16 inappropriate conduct by MICHAEL JACKSON, including such facts as those set forth in this
17 Complaint.

18 105. Plaintiff is informed and believes, on that basis alleges, that prior to and during the
19 sexual harassment, molestation and abuse of Plaintiff, Defendants knew or had reason to know
20 that MICHAEL JACKSON had violated his role as a dancer, entertainer, teacher, mentor, coach,
21 and advisor to minors, and used this position of authority and trust acting on behalf of Defendants
22 to gain access to children, including Plaintiff, on and off the premises and grounds of Defendants,
23 in which he caused Plaintiff to touch him, to allow him to touch Plaintiff in a sexual manner, and
24 engaged in sexual conduct and abuse, including harassment and molestation, with such children
25 including Plaintiff.

26 106. With actual or constructive knowledge that Defendant MICHAEL JACKSON had
27 previously engaged in dangerous and inappropriate conduct, including sexually abusing other
28 minors at Defendants MJJ PRODUCTIONS and MJJ VENTURES' owned and controlled

1 properties, Defendants conspired to and did knowingly fail to take reasonable steps, and failed to
2 implement reasonable safeguards to avoid acts of unlawful sexual conduct in the future by
3 MICHAEL JACKSON, including, but not limited to, preventing or avoiding placement of
4 MICHAEL JACKSON in a function or environment in which contact with children is an inherent
5 aspect of that function or environment.

6 107. Plaintiff further alleges that Defendants failed to report and did hide and conceal
7 from the Plaintiff, the Plaintiff's parents, other minor children in their care (and parents of those
8 children), law enforcement authorities, civil authorities and others, the true facts and relevant
9 information necessary to bring MICHAEL JACKSON to justice for the sexual misconduct he
10 committed with minors, as well as to protect their fiduciaries, including Plaintiff.

11 108. Defendants also implemented various measures designed to, or which effectively,
12 made MICHAEL JACKSON's conduct harder to detect including, but not limited to:

- 13 a. Permitting MICHAEL JACKSON to remain in a position of authority and
14 trust after Defendants knew or had reason to know he was a molester of
15 children;
- 16 b. Placing MICHAEL JACKSON in a separate and secluded environment,
17 including placing him in charge of young boys, mentoring programs,
18 advising programs, coaching programs, and youth programs where they
19 purported to supervise the children, which allowed MICHAEL JACKSON
20 to sexually and physically interact with and abuse the children, including
21 Plaintiff;
- 22 c. Allowing MICHAEL JACKSON to come into contact with minors,
23 including Plaintiff, without adequate supervision;
- 24 d. Failing to inform, or concealing from Plaintiff's parents and law
25 enforcement officials the fact that Plaintiff and others were or may have
26 been sexually abused after Defendants knew or had reason to know that
27 MICHAEL JACKSON may have sexually abused Plaintiff or others,
28 thereby enabling Plaintiff to continue to be endangered and sexually
abused, and/or creating the circumstance where Plaintiff and others were
less likely to receive medical/mental health care and treatment, thus
exacerbating the harm to Plaintiff;
- e. Holding out MICHAEL JACKSON to Plaintiff and his parents, other
children and their parents, and to the community as being in good standing
and trustworthy;
- f. Failing to take reasonable steps, and to implement reasonable safeguards to
avoid acts of unlawful sexual conduct by MICHAEL JACKSON with
students, who were minor children; and

1 g. Failing to put in place a system or procedure to supervise or monitor
2 employees, volunteers, representatives or agents to insure that they did not
3 molest or abuse minors in Defendants' care, including Plaintiff.

4 109. By his position within the Defendants' institutions, Defendants and MICHAEL
5 JACKSON demanded and required that Plaintiff respect MICHAEL JACKSON in his position of
6 dancer, entertainer, teacher, mentor, and advisor at Defendants MJJ PRODUCTIONS and MJJ
7 VENTURES.

8 110. Plaintiff is informed and believes, and on that basis alleges, that Defendants and
9 each of them, were or had reason to have been aware of MICHAEL JACKSON's wrongful
10 conduct at or about the time it was occurring, and thereafter, but took no action to obstruct, inhibit
11 or stop such continuing conduct, or to help Plaintiff endure the trauma from such conduct.
12 Despite the authority and ability to do so, these Defendants negligently and/or willfully refused
13 to, and/or did not act effectively to stop the sexual assaults on Plaintiff, to inhibit or obstruct such
14 abuse, or to protect Plaintiff from the results of that trauma.

15 111. During the period of abuse of Plaintiff at the hands of MICHAEL JACKSON,
16 Defendants MJJ PRODUCTIONS and MJJ VENTURES had the authority and the ability to
17 obstruct or stop MICHAEL JACKSON's sexual assaults on Plaintiff, but negligently and/or
18 willfully failed to do so, thereby allowing the abuse to occur and to continue unabated. This
19 failure was a part of Defendants' plan and arrangement to conceal wrongful acts, to avoid and
20 inhibit detection, to block public disclosure, to avoid scandal, to avoid the disclosure of their
21 tolerance of child sexual molestation and abuse, to preserve a false appearance of propriety, and
22 to avoid investigation and action by public authority including law enforcement. Plaintiff is
23 informed and believes, and on that basis alleges, that such actions were motivated by a desire to
24 protect the reputation of Defendants and each of them, and to protect the monetary support of
25 Defendants while fostering an environment where such abuse could continue to occur.

26 **LIABILITY OF MJJ PRODUCTIONS, MJJ VENTURES AND DOES 6 THROUGH 50**

27 112. Plaintiff is informed and believes, and on that basis alleges, that at the time
28 MICHAEL JACKSON's violations of the Penal Code and Civil Code alleged herein, were
committed, Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,

1 inclusive, had actual knowledge of, had reason to know, or were otherwise on notice of, prior acts
2 of childhood sexual abuse committed by MICHAEL JACKSON, and despite such knowledge
3 and/or notice, placed Plaintiff in MICHAEL JACKSON's custody and/or made Plaintiff available
4 to MICHAEL JACKSON and then failed to take reasonable steps or implement reasonable
5 safeguards to protect Plaintiff from MICHAEL JACKSON's acts of abuse. Plaintiff is further
6 informed and believes, and on that basis alleges, that these acts and/or omissions on the part of
7 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, were
8 committed in spite of their ability to exercise control over the personal and business affairs of
9 MICHAEL JACKSON. Accordingly, Defendants MJJ PRODUCTIONS, MJJ VENTURES and
10 Does 6 through 50, are liable for MICHAEL JACKSON's acts of childhood sexual abuse in that
11 their wrongful, intentional and/or negligent acts were a legal cause of the childhood sexual abuse
12 within the meaning of C.C.P. §§ 340.1(a)(2), (3) and (b)(2).

13 **DUTY OF MJJ PRODUCTIONS, MJJ VENTURES AND DOES 6 THROUGH 50**

14 113. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
15 inclusive, owed the Plaintiff, a special duty of care. The Plaintiff, as a minor at all relevant times
16 alleged herein, was placed in the physical custody, control, and dominion of Defendants MJJ
17 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, and their agents,
18 employees, and/or servants, and was placed in such custody, control, and dominion in locations
19 including, but not limited to: Neverland, the "Hideout", and the Havenhurst residence. The
20 Plaintiff, as a minor in the custody, control, and under the dominion of Defendants MJJ
21 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, stood *in loco parentis*
22 with Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive. As
23 an entity responsible for the custody, supervision, care, and dominion of minor children in its
24 care, Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive,
25 owed the Plaintiff a special duty of care, as the Defendants MJJ PRODUCTIONS, MJJ
26 VENTURES and Does 6 through 50, inclusive, were entrusted with the Plaintiff's safety, security
27 and care. *See Pamela L. v. Farmer* (1980) 112 Cal.App.3d 206, 211-12 ("In inviting the children
28 to her home, respondent assumed that special relationship. Respondent recognized that special

1 duty and relationship when she assured plaintiffs' parents it would be safe for them to play at her
2 house.”)

3 114. Given the knowing failure of Defendants MJJ PRODUCTIONS, MJJ VENTURES
4 and Does 6 through 50, inclusive, to protect Plaintiff as alleged herein, pursuant to C.C.P. §
5 340.1(b)(2), the statute of limitations applicable to Plaintiff's claims against Defendants MJJ
6 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, is that provided in C.C.P.
7 § 340.1(a), “within three years of the date the plaintiff discovers or reasonably should have
8 discovered that psychological injury or illness occurring after the age of majority was caused by
9 the sexual abuse.”

10 DAMAGES

11 115. As a direct and proximate result of Defendants' failure to protect Plaintiff from
12 MICHAEL JACKSON's acts of childhood sexual abuse as alleged above, Plaintiff has suffered
13 and will continue to suffer (a) severe mental and emotional distress including, but not limited to,
14 severe anxiety, stress, anger, fear, low self-esteem, shame, humiliation, depression and physical
15 distress; (b) expenses for mental health professionals and other medical treatment; and (c) loss of
16 past and future earnings and other economic benefits according to proof at the time of trial.

17 116. As a direct and proximate result of the Defendants' tortuous acts, omissions,
18 wrongful conduct and/or breaches of their duties, whether willful or negligent, Plaintiff's
19 employment and personal development has been adversely affected. Plaintiff has lost wages as a
20 result of the abuse she suffered at the hands of Defendants, and will continue to lose wages in an
21 amount to be determined at trial. Plaintiff has suffered economic injury, all to Plaintiff's general,
22 special and consequential damage in an amount to be proven at trial, but in no event less than the
23 minimum jurisdictional amount of this Court.

24 117. As is set forth herein, Defendants and each of them have failed to uphold
25 numerous mandatory duties imposed upon them by state and federal law, and by written policies
26 and procedures applicable to Defendants, including but not limited to the following:

- 27 * Duty to protect minor children in their care, and provide adequate
28 supervision;

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- * Duty to ensure that any direction given to employees is lawful, and that adults act fairly, responsibly and respectfully towards other adults and minor children;
- * Duty to properly train teachers, mentors, coaches, and advisors so that they are aware of their individual responsibility for creating and maintaining a safe environment;
- * Duty to supervise employees and minor children in its care, enforce rules and regulations prescribed for childcare organizations, exercise reasonable control over minor children in its care as is reasonably necessary to maintain order, protect property, or protect the health and safety of employees and minor children or to maintain proper and appropriate conditions conducive to learning and child development;
- * Duty to exercise careful supervision of the moral conditions in the youth programs set forth by Defendants MJJ PRODUCTIONS and MJJ VENTURES;
- * Duty to properly monitor minor children, prevent or correct harmful situations or call for help when a situation is beyond their control;
- * Duty to ensure that personnel are actually on hand and supervising students;
- * Duty to provide enough supervision to minor children, including the Plaintiff;
- * Duty to supervise diligently;
- * Duty to act promptly and diligently and not ignore or minimize problems;
- * Duty to refrain from violating Plaintiff's right to protection from bodily restraint or harm, from personal insult, from defamation, and from injury to her personal relations (Civil Code § 43);
- * Duty to abstain from injuring the person or property of Plaintiff, or infringing upon any of her rights (Civil Code § 1708); and
- * Duty to report suspected incidents of child abuse and more specifically childhood sexual abuse (Penal Code §§ 11166, 11167).

118. The conduct alleged above included intentional, outrageous, malicious, despicable and oppressive acts beyond the bounds of decent behavior, which were undertaken, wantonly, oppressively and with a conscious disregard for Plaintiff's rights as a child. Plaintiff is therefore entitled to an award of punitive damages in an amount sufficient to punish, deter and make an example of those Defendants engaging in such behavior according to proof at trial. In subjecting Plaintiff to the wrongful treatment herein described, Defendants MJJ VENTURES, MJJ PRODUCTIONS and MICHAEL JACKSON acted willfully and maliciously with the intent to

1 harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to constitute malice and/or
2 oppression under California Civil Code section 3294. Plaintiff is informed, and on that basis
3 alleges, that these willful, malicious, and/or oppressive acts, as alleged herein above, were ratified
4 by the officers, directors, and/or managing agents of the Defendants MJJ PRODUCTIONS, MJJ
5 VENTURES, and DOES 6 through 50. Plaintiff is therefore entitled to the recovery of punitive
6 damages, in an amount to be determined by the court, against Defendants MJJ PRODUCTIONS,
7 MJJ VENTURES, and DOES 6 through 50, in a sum to be shown according to proof.

8 **FIRST CAUSE OF ACTION**
9 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
10 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

11 119. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
12 through 118, inclusive, as though fully set forth herein.

13 120. Defendants' conduct towards the Plaintiff, as described herein, was outrageous and
14 extreme.

15 121. A reasonable person would not expect or tolerate Defendants' putting MICHAEL
16 JACKSON in positions of authority at MJJ PRODUCTIONS, MJJ VENTURES, and DOES 6-50,
17 which enabled MICHAEL JACKSON to have access to minor children, including Plaintiff, so
18 that he could commit wrongful sexual acts with him, including the conduct described herein
19 above. Plaintiff held great trust, faith and confidence in Defendants, which, by virtue of
20 Defendants' wrongful conduct, turned to fear.

21 122. A reasonable person would not expect or tolerate Defendants to be incapable of
22 supervising and preventing employees of Defendants, including MICHAEL JACKSON, from
23 committing wrongful sexual acts with minor children in their charge, including Plaintiff, or to be
24 incapable of properly supervising MICHAEL JACKSON to prevent such abuse from occurring.

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

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

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

6 125. In subjecting the Plaintiff to the wrongful treatment herein described, Defendants
7 MJJ PRODUCTIONS, MJJ VENTURES and DOES 6-50, acted willfully and maliciously with
8 the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to constitute
9 malice and oppression under California Civil Code section 3294. Plaintiff is therefore entitled to
10 the recovery of punitive damages, in an amount to be determined by the court, against Defendants
11 MJJ PRODUCTIONS, MJJ VENTURES and DOES 6 through 50, inclusive, in a sum to be
12 shown according to proof.

13 **SECOND CAUSE OF ACTION**
14 **NEGLIGENCE**

15 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

16 126. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
17 through 125, inclusive, as though fully set forth herein.

18 127. As more fully set forth above, the conduct and actions of MICHAEL JACKSON
19 and Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive,
20 served to create an environment in which MICHAEL JACKSON was afforded continuous access
21 to Plaintiff.

22 128. As more fully set forth above, Defendants MJJ PRODUCTIONS, MJJ
23 VENTURES and Does 6 through 50, inclusive, were aware of, had reason to know of, and/or
24 were otherwise on notice of MICHAEL JACKSON's proclivities for engaging in sexual acts with
25 young boys prior to the first occasion on which Plaintiff was placed in MICHAEL JACKSON's
26 custody through the acts of Defendants. Accordingly, at the time MICHAEL JACKSON and
27 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive,
28 performed the acts alleged herein, it was or should have been reasonably foreseeable to
Defendants that by continuously exposing and making Plaintiff available to MICHAEL

1 JACKSON, Defendants were placing Plaintiff in grave risk of being sexually abused by
2 MICHAEL JACKSON. By knowingly subjecting Plaintiff to such foreseeable danger, and by
3 subsequently assuming the position of Plaintiff's employer, Defendants MJJ PRODUCTIONS,
4 MJJ VENTURES and Does 6 through 50, inclusive, were duty-bound to take reasonable steps
5 and implement reasonable safeguards to protect Plaintiff from MICHAEL JACKSON.
6 Furthermore, as alleged herein, Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6
7 through 50, inclusive, at all times exercised a sufficient degree of control over MICHAEL
8 JACKSON's personal and business affairs to prevent the acts of abuse by keeping MICHAEL
9 JACKSON away from Plaintiff. However, Defendants MJJ PRODUCTIONS, MJJ VENTURES
10 and Does 6 through 50, inclusive, failed to take any reasonable steps or implement any reasonable
11 safeguards for Plaintiff's protection whatsoever, and continued to make Plaintiff accessible to
12 MICHAEL JACKSON for the purposes of sexual abuse.

13 **NEGLIGENCE PER SE—PENAL CODE MANDATORY CHILD ABUSE REPORTING**

14 129. Under the Child Abuse and Neglect Reporting Act, Defendants MJJ
15 PRODUCTIONS, MJJ VENTURES and DOES 6 through 50, inclusive, were child care
16 custodians and were under a statutory duty to report known or suspected incidents of sexual
17 molestation or abuse of minors to a child protective agency, pursuant to California Penal Code §
18 11166, and/or not to impede the filing of any such report. Furthermore, Defendants MJJ
19 PRODUCTIONS and MJJ VENTURES were under a statutory duty to provide their employees
20 with various acknowledgements of reporting requirements under Penal Code §11166.5.

21 130. Defendants MJJ PRODUCTIONS, MJJ VENTURES and DOES 6 through 50,
22 inclusive, knew or had reason to know that their agent, employee, counselor, advisor and mentor,
23 MICHAEL JACKSON, had sexually molested, abused or caused touching, battery, harm, and
24 other injuries to minors, including Plaintiff, giving rise to a duty to report such conduct under
25 California Penal Code §11166.

26 131. Defendants MJJ PRODUCTIONS, MJJ VENTURES and DOES 6 through 50,
27 inclusive, knew, or had reason to know of in the exercise of reasonable diligence, that an undue
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1 risk to minors, including the Plaintiff, existed because Defendants MJJ PRODUCTIONS and MJJ
2 VENTURES did not comply with California's mandatory reporting requirements.

3 132. By failing to report the continuing molestations and abuse, which Defendants MJJ
4 PRODUCTIONS, MJJ VENTURES and DOES 6 through 50, inclusive, knew of or had reason to
5 known of, and by ignoring the fulfillment of the mandated compliance with the reporting
6 requirements provided under California Penal Code § 11166, Defendants MJJ PRODUCTIONS,
7 MJJ VENTURES and DOES 6 through 50, inclusive, created the risk and danger contemplated
8 by the Child Abuse and Neglect Reporting Act (hereinafter "CANRA"), and as a result,
9 unreasonably and wrongfully exposed Plaintiff and other minors to sexual molestation and abuse.

10 133. The Plaintiff was a member of the class of persons for whose protection California
11 Penal Code § 11166 was specifically adopted to protect.

12 134. Had Defendants MJJ PRODUCTIONS, MJJ VENTURES and DOES 6 through
13 50, inclusive, adequately reported the molestation of Plaintiff and other minors as required by
14 California Penal Code § 11166, further harm to Plaintiff and other minors would have been
15 avoided.

16 135. As a proximate result of Defendants MJJ PRODUCTIONS, MJJ VENTURES and
17 DOES 6 through 50's, inclusive, failure to follow the mandatory reporting requirements of
18 California Penal Code § 11166, Defendants MJJ PRODUCTIONS, MJJ VENTURES and DOES
19 6 through 50, inclusive, wrongfully denied the Plaintiff and other minors the intervention of child
20 protection services. Such public agencies would have changed the then-existing arrangements and
21 conditions that provided the access and opportunities for the molestation of Plaintiff by
22 MICHAEL JACKSON.

23 136. The physical, mental, and emotional damages and injuries resulting from the
24 sexual molestation of Plaintiff by MICHAEL JACKSON, were the type of occurrence and
25 injuries that the CANRA was designed to prevent.

26 137. As a result, Defendants MJJ PRODUCTIONS, MJJ VENTURES and DOES 6
27 through 50's, inclusive, failure to comply with the mandatory reporting requirements of
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1 California Penal Code § 11166 also constituted a *per se* breach of Defendants' MJJ
2 PRODUCTIONS, MJJ VENTURES and Does 6 through 50's, inclusive duties to Plaintiff.

3 138. As a direct and proximate result of the failure of Defendants MJJ
4 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, to protect Plaintiff from
5 the acts of childhood sexual abuse to which he was subjected by MICHAEL JACKSON, Plaintiff
6 has suffered and will continue to suffer (a) severe mental and emotional distress including, but
7 not limited to, severe anxiety, stress, anger, fear, low self-esteem, shame, humiliation, depression
8 and physical distress; (b) expenses for mental health professionals and other medical treatment;
9 and (c) loss of past and future earnings and other economic benefits according to proof at the time
10 of trial.

11 **THIRD CAUSE OF ACTION**
12 **NEGLIGENT SUPERVISION**

13 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

14 139. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
15 through 138, inclusive, as though fully set forth herein.

16 140. By virtue of Plaintiff's special relationship with Defendants MJJ PRODUCTIONS,
17 MJJ VENTURES and Does 6 through 50, inclusive,, and Defendants MJJ PRODUCTIONS, MJJ
18 VENTURES and Does 6 through 50's, inclusive, relation to MICHAEL JACKSON, Defendants
19 MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, owed Plaintiff a duty
20 to provide reasonable supervision of MICHAEL JACKSON, to use reasonable care in
21 investigating MICHAEL JACKSON's background, and to provide adequate warning to the
22 Plaintiff, and other children, of MICHAEL JACKSON's dangerous propensities and unfitness.

23 141. Plaintiff is informed and believes, and on that basis alleges, that Defendants MJJ
24 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, by and through their
25 respective agents, servants and employees, knew or had reason to know of MICHAEL
26 JACKSON's dangerous and exploitive propensities and/or that MICHAEL JACKSON was an
27 unfit agent. Despite such knowledge, Defendants MJJ PRODUCTIONS, MJJ VENTURES and
28 Does 6 through 50, inclusive, negligently failed to supervise MICHAEL JACKSON in his
position of trust and authority as an authority figure and supervisor of children, where he was able

1 to commit wrongful acts against the Plaintiff. Defendants MJJ PRODUCTIONS, MJJ
2 VENTURES and Does 6 through 50, inclusive, failed to provide reasonable supervision of
3 MICHAEL JACKSON, failed to use reasonable care in investigating MICHAEL JACKSON, and
4 failed to provide adequate warning to Plaintiff of MICHAEL JACKSON's dangerous propensities
5 and unfitness. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
6 inclusive, further failed to take reasonable measures to prevent sexual abuse harassment, and
7 molestation of children, including Plaintiff.

8 ///

9 142. Plaintiff is informed and believes, and on that basis alleges, that Defendants MJJ
10 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, were put on notice, and
11 knew or had reason to know, that MICHAEL JACKSON had previously engaged and was
12 continuing to engage in unlawful sexual conduct with children and committed other felonies, for
13 his own personal gratification, and that it was, or should have been foreseeable that he was
14 engaging, or would engage in illicit sexual activities with Plaintiff, and others, under the cloak of
15 his authority, confidence, and trust, bestowed upon him through Defendants MJJ
16 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, and each of them.

17 143. Plaintiff is informed and believes, and on that basis alleges, that Defendants MJJ
18 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, were placed on actual
19 and/or constructive notice that, MICHAEL JACKSON had children prior to, and/or during the
20 time he was in contact with the Plaintiff. Plaintiff is informed, and thereon alleges, that
21 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, were
22 informed of sexual abuse, harassment and molestations committed by MICHAEL JACKSON or
23 of conduct that would put a reasonable person on notice of such propensity to abuse, harassment
24 and molestation.

25 144. Even though Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6
26 through 50, inclusive, knew or had reason to know of these activities by MICHAEL JACKSON,
27 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, did
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1 nothing to investigate, supervise or monitor MICHAEL JACKSON to ensure the safety of the
2 guests.

3 145. As an institution entrusted with the care of minors, where staff, employees, agents,
4 and management, such as the MICHAEL JACKSON were placed in contact with minors,
5 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's expressly and
6 implicitly represented that these individuals, including MICHAEL JACKSON, were not a sexual
7 threat to children and others who would fall under MICHAEL JACKSON's influence, control,
8 direction, and guidance.

9 ///

10 146. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
11 inclusive, negligently failed to supervise MICHAEL JACKSON in his positions of trust and
12 authority as an employee, agent, counselor and mentor, and/or other authority figure, where
13 MICHAEL JACKSON was able to commit wrongful acts against the Plaintiff. Defendants MJJ
14 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, failed to provide
15 reasonable supervision of MICHAEL JACKSON. Defendants MJJ PRODUCTIONS, MJJ
16 VENTURES and Does 6 through 50 further failed to take reasonable measures to prevent sexual
17 harassment, molestation and abuse of minors, including the Plaintiff.

18 147. At no time during the periods of time alleged did Defendants' MJJ
19 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, have in place a system or
20 procedure to reasonably investigate, supervise and monitor individuals in contact with minor
21 children, including MICHAEL JACKSON, to prevent pre-sexual grooming and sexual
22 harassment, molestation and abuse of children, nor did they implement a system or procedure to
23 oversee or monitor conduct toward minors, students and others in Defendants MJJ
24 PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, care.

25 148. Defendants' MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
26 inclusive, were or had reason to be aware and understand how vulnerable children were to sexual
27 harassment, molestation and abuse by mentors, advisors, and other persons of authority within
28 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive.

1 149. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's,
2 inclusive, conduct was a breach of their duties to the Plaintiff.

3 150. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
4 inclusive, breached their duty to the Plaintiff by, *inter alia*, failing to adequately monitor and
5 supervise MICHAEL JACKSON and stopping MICHAEL JACKSON from committing wrongful
6 sexual acts with minors including the Plaintiff. This belief is founded on the fact that employees
7 and staff of Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
8 inclusive, including had suspected the abuse was occurring at the time, and failed to investigate
9 into the matter further. Based on these facts, Defendants MJJ PRODUCTIONS, MJJ
10 VENTURES and Does 6 through 50, inclusive, knew or had reason to know of MICHAEL
11 JACKSON's incapacity to supervise and stop employees of Defendants MJJ PRODUCTIONS,
12 MJJ VENTURES and Does 6 through 50, inclusive from committing wrongful sexual acts with
13 minors.

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

21 **FOURTH CAUSE OF ACTION**
22 **NEGLIGENT RETENTION/HIRING**

23 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

24 152. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
25 through 118, inclusive, as though fully set forth herein.

26 153. By virtue of Plaintiff's special relationship with Defendants MJJ PRODUCTIONS,
27 MJJ VENTURES and Does 6 through 50, inclusive and each of them, and Defendants MJJ
28 PRODUCTIONS, MJJ VENTURES and Does 6 through 50's, inclusive, relation to MICHAEL
JACKSON, Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,

1 inclusive, owed Plaintiff a duty to not hire and/or retain MICHAEL JACKSON, given his
2 dangerous and exploitive propensities, which Defendants MJJ PRODUCTIONS, MJJ
3 VENTURES and Does 6 through 50, inclusive, knew or had reason to know had they engaged in
4 a meaningful and adequate investigation of his background prior to his hiring.

5 154. As an institution entrusted with the care of minors, where staff, employees, agents,
6 and management, such as the MICHAEL JACKSON were placed in contact with minors,
7 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's, inclusive,
8 expressly and implicitly represented that these individuals, including MICHAEL JACKSON,
9 were not a sexual threat to children and others who would fall under MICHAEL JACKSON's
10 influence, control, direction, and guidance.

11 155. Plaintiff is informed and believes, and on that basis alleges, that at no time during
12 the periods of time alleged did Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6
13 through 50's, inclusive, have in place a system or procedure to reasonably investigate, supervise
14 and/or monitor those individuals in direct contact with children, including MICHAEL
15 JACKSON, to prevent pre-sexual grooming and/or sexual harassment, molestation and abuse of
16 patrons, nor did they implement a system or procedure to oversee or monitor conduct toward
17 patrons and others in Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through
18 50's, inclusive, care.

19 156. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's,
20 inclusive, and each of them were or had reason to be aware and understand how vulnerable minor
21 children were to sexual abuse, harassment and molestation by persons of authority, including the
22 MICHAEL JACKSON, within the control of Defendants MJJ PRODUCTIONS, MJJ
23 VENTURES and Does 6 through 50, inclusive.

24 157. Plaintiff is informed and believes and on that basis alleges other children and/or
25 employees of Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's,
26 inclusive, complained of MICHAEL JACKSON's sexual improprieties prior to the sexual abuse
27 of the Plaintiff. Either Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through
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1 50's, inclusive, knew, or at the very least should have had reason to know of MICHAEL
2 JACKSON's prior criminal history of sexual misconduct with guests prior to Plaintiff's abuse.

3 158. Plaintiff is informed, and believes, and on that basis alleges, that the Defendants
4 MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, were put on notice,
5 and had reason to know that MICHAEL JACKSON had previously engaged and continued to
6 engage in unlawful sexual conduct with patrons and other felonies, for his own personal
7 gratification, and that it was, or should have been foreseeable that he was engaging, or would
8 engage in illicit sexual activities with Plaintiff, and others, under the cloak of his authority,
9 confidence, and trust, bestowed upon him through Defendants MJJ PRODUCTIONS, MJJ
10 VENTURES and Does 6 through 50, inclusive.

11 159. Plaintiff is informed and believes, and on that basis alleges that Defendants MJJ
12 PRODUCTIONS, MJJ VENTURES and Does 6 through 50's, inclusive, were placed on actual
13 and/or constructive notice that MICHAEL JACKSON had abused, harassed, molested and/or was
14 molesting minor children, both before his sexual abuse, molestation and harassment of the
15 Plaintiff, and during that same period. Plaintiff is informed, and thereon alleges, that other third
16 parties, patrons, and/or law enforcement officials informed Defendants MJJ PRODUCTIONS,
17 MJJ VENTURES and Does 6 through 50, inclusive, of inappropriate conduct and molestations
18 committed by MICHAEL JACKSON.

19 160. Even though Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6
20 through 50, inclusive, knew or had reason to know of these activities by MICHAEL JACKSON,
21 Plaintiff is informed that Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6
22 through 50, inclusive, failed to use reasonable care in investigating MICHAEL JACKSON and
23 did nothing to investigate, supervise or monitor MICHAEL JACKSON to ensure the safety of the
24 other minor children in his charge, including the Plaintiff.

25 161. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50's,
26 inclusive, conduct was a breach of their duties to the Plaintiff.

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

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

6 **FIFTH CAUSE OF ACTION**
7 **NEGLIGENT FAILURE TO TRAIN, WARN OR EDUCATE**
8 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

9 163. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
10 through 162, inclusive, as though fully set forth herein.

11 164. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
12 inclusive owed Plaintiff a duty to take reasonable protective measures to protect Plaintiff and
13 other minor children in their charge from the risk of sexual abuse, harassment and molestation by
14 MICHAEL JACKSON by properly warning, training or educating the Plaintiff and other minors
15 about how to avoid such a risk.

16 165. Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
17 inclusive, breached their duty to take reasonable protective measures to protect Plaintiff and other
18 minor children in their charge, from the risk of sexual abuse, harassment and molestation by
19 MICHAEL JACKSON, such as the failure to properly warn, train or educate Plaintiff and other
20 minor children in their charge about how to avoid such a risk.

21 166. Defendants breached their duty to take reasonable protective measures to protect
22 Plaintiff and other minor children in their charge from the risk of sexual harassment, molestation
23 and abuse by MICHAEL JACKSON, by failing to supervising and/or stop employees of
24 Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, including
25 MICHAEL JACKSON, from committing wrongful sexual acts with minor children, including
26 Plaintiff.

27 167. As a result of the above-described conduct, Plaintiff has suffered and continues to
28 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
emotional distress, embarrassment, loss of self-esteem, disgrace, humiliations, and loss of

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

5 **SIXTH CAUSE OF ACTION**
6 **BREACH OF FIDUCIARY DUTY**

7 **(As To Defendants MJJ Productions, MJJ Ventures, and Does 6 Through 50)**

8 168. Plaintiff repeats, re-alleges and incorporates herein by reference paragraphs 1
9 through 167, inclusive, as though fully set forth herein.

10 169. As set forth more fully above, Defendants MJJ PRODUCTIONS, MJJ
11 VENTURES and Does 6 through 50, inclusive, in concert with MICHAEL JACKSON, recruited,
12 enticed, and encouraged Plaintiff and Plaintiff's family to give their trust and confidence to
13 Defendants and MICHAEL JACKSON so that Plaintiff could be taken from his family's care and
14 supervision and placed under the care and supervision of Defendants and MICHAEL JACKSON.
15 In so doing, Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
16 inclusive, entered into a fiduciary relationship with Plaintiff whereby Defendants owed Plaintiff
17 an *in loco parentis* duty of care to take all reasonable steps and implement all reasonable
18 safeguards to protect Plaintiff while he was in the custody of Defendants and/or MICHAEL
19 JACKSON.

20 170. Plaintiff and his mother agreed to place their trust and confidence in Defendants
21 MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, in the expectation
22 that Defendants would properly supervise Plaintiff, regulate his activities and behavior, and
23 ensure his safety. Further, Plaintiff and his family agreed to this because they believed in the
24 integrity of Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50,
25 inclusive, and therefore felt comfortable in entrusting the minor Plaintiff to the care and custody
26 of Defendants.

27 171. As alleged herein, MICHAEL JACKSON breached his duty to Plaintiff by
28 repeatedly subjecting Plaintiff to acts of childhood sexual abuse. As further alleged herein,
Defendants MJJ PRODUCTIONS, MJJ VENTURES and Does 6 through 50, inclusive, breached

1 this duty to Plaintiff by failing to take any reasonable steps or implement any reasonable
2 safeguards to protect Plaintiff from MICHAEL JACKSON, and by allowing Plaintiff to be
3 sexually abused by MICHAEL JACKSON on a regular basis for years.

4 172. As a direct and proximate result of Defendants' MJJ PRODUCTIONS, MJJ
5 VENTURES and Does 6 through 50, inclusive, breach of their fiduciary duty to Plaintiff, Plaintiff
6 has suffered and will continue to suffer (a) severe mental and emotional distress including, but
7 not limited to, severe anxiety, stress, anger, fear, low self-esteem, shame, humiliation, depression
8 and physical distress; (b) expenses for mental health professionals and other medical treatment;
9 and (c) loss of past and future earnings and other economic benefits according to proof at the time
10 of trial.

11 **PRAYER FOR RELIEF**

12 Wherefore, Plaintiff prays for Judgment against Defendants as follows:

- 13 1. For past, present and future general damages in an amount to be determined at
14 trial;
- 15 2. For past, present and future special damages, including but not limited to past,
16 present and future lost earnings, economic damages and others, in an amount to be
17 determined at trial;
- 18 3. Any appropriate punitive or exemplary damages against Defendants MJJ
19 PRODUCTIONS, MJJ VENTURES, and DOES 6-50;
- 20 4. Any appropriate statutory damages;
- 21 5. For costs of suit;
- 22 6. For interest as allowed by law;
- 23 7. For attorney's fees pursuant to California C.C.P. §§ 1021.4, 1021.5, or otherwise
24 as allowable by law; and

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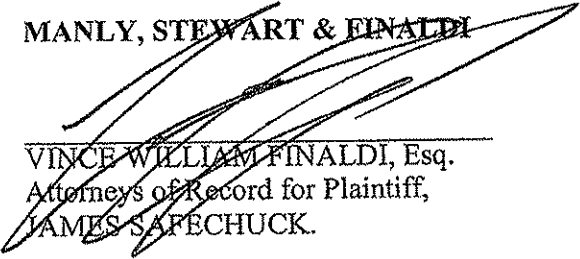
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8. For such other and further relief as the court may deem proper.

Dated: September 16, 2016

MANLY, STEWART & FINALDI

By:



VINCE WILLIAM FINALDI, Esq.
Attorneys of Record for Plaintiff,
JAMES SAFECHUCK.

MANLY, STEWART & FINALDI
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DEMAND FOR JURY TRIAL

A trial by Jury is hereby demanded by Plaintiff.

Dated: September 16, 2016

MANLY, STEWART & FINALDI

By:



VINCE WILLIAM FINALDI, Esq.
Attorneys of Record for Plaintiff,
JAMES SAFECHUCK.

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MANLY, STEWART & FINALDI
ATTORNEYS AT LAW
19100 Von Karman Ave, Suite 800
Irvine, California 92612
Telephone: (949) 252-9990

1 PROOF OF SERVICE

2 STATE OF CALIFORNIA, COUNTY OF ORANGE

3 I am employed in the county of Orange, State of California. I am over the age of 18 and
4 not a party to the within action; my business address is 19100 Von Karman Ave., Suite 800,
5 Irvine, CA 92612.

6 On September 19, 2016, I served the following document described as **SECOND**
7 **AMENDED COMPLAINT FOR DAMAGES FOR: (1) INTENTIONAL INFLICTION OF**
8 **EMOTIONAL DISTRESS; (2) NEGLIGENCE; (3) NEGLIGENT SUPERVISION; (4)**
9 **NEGLIGENT RETENTION/HIRING; (5) NEGLIGENT FAILURE TO WARN, TRAIN**
10 **OR EDUCATE; and (6) BREACH OF FIDUCIARY DUTY** on the interested parties in this
11 action.

12 [X] by placing [] the original [X] a true copy thereof enclosed in sealed envelopes addressed
13 as follows:

14 SEE ATTACHED MAILING LIST

15 [X] **BY U.S. MAIL**

16 [X] I deposited the sealed envelope with the United States Postal Service, with the postage
17 fully prepaid.

18 [X] I placed the envelope for collection and mailing, following our ordinary business
19 practices. I am readily familiar with this business's practice for collecting and processing
20 correspondence for mailing. On the same day that correspondence is placed for collection and
21 mailing, it is deposited in the ordinary course of business with the United States Postal Service, in
22 a sealed envelope with postage fully prepaid.

23 [] **BY MESSENGER SERVICE**

24 [] I served the documents by placing them in an envelope or package addressed to the
25 persons at the addresses listed above and providing them to a professional messenger service for
26 service.

27 [] **BY PERSONAL SERVICE**

28 [] I personally delivered the documents to the persons at the addresses listed above.

[] **BY FEDERAL EXPRESS DELIVERY** - I caused such envelopes to be delivered via
Federal Express service with instructions to personally deliver same to offices of the addressee on
the next business date.

[X] (State) I declare under penalty of perjury under the laws of the State of California that the
above is true and correct.

[] (Federal) I declare that I am employed in the office of a member of the bar of this court at
whose direction the service was made.

Executed on September 19, 2016, at Irvine, California.


Debbie Johnson

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MAILING LIST

James Safechuck v. MJJ Productions, et al.
LASC Case No. BC545264

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