

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

JANE DOE

Plaintiff,

v.

**NBCUNIVERSAL MEDIA, LLC
&
SNL STUDIOS
&
HORATIO SANZ
&
JOHN & JANE SMITH 1-20 (FICTITIOUS PERSONS
AND/OR ENTITIES)**

Defendants

Index No.:

SUMMONS

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff's attorneys a verified answer to the verified complaint in this action within twenty days after the service of this summons, exclusive of the day of service, or within thirty days after service is complete if this summons is not personally delivered to you within the State of New York. In case of your failure to answer, judgment will be taken against you by default for the relief demanded in the complaint.

Trial is desired in the County of New York. The basis of venue designated above is that the Defendants maintain their principal office in this County and a substantial part of the events or omissions giving rise to the claim occurred in this County.

DEFENDANTS' ADDRESSES:

NBCUNIVERSAL MEDIA, LLC, 30 Rockefeller Plaza, New York, NY 10112

SNL STUDIOS, 30 Rockefeller Plaza, New York, NY 10112

HORATIO SANZ, 1812 Lemoyne St., Los Angeles, CA 90026

SOLOFF & ZERVANOS, P.C.



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Phone: 212-804-8125

DATE: August 12, 2021

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**VERIFIED COMPLAINT
JURY TRIAL DEMANDED**

Plaintiff, by her attorneys, SOLOFF & ZERVANOS as and for her verified complaint respectfully alleges as follows upon information and belief:

PARTIES, JURISDICTION & VENUE

1. Plaintiff JANE DOE is an adult individual, citizen and resident of Pennsylvania, whose identity and address are not disclosed herein due to her desire to keep confidential her identity and address because she was a victim of nonconsensual sexual contact, while she was less than eighteen (18) years old at the time of criminal sexual assaults and sexual abuse, as outlined herein. Defendants are aware of the identity of Plaintiff. Plaintiff is a resident of the Commonwealth of Pennsylvania. Plaintiff maybe contacted by and through her counsel identified herein.

2. Defendant NBCUNIVERSAL MEDIA, LLC (hereinafter “NBC”) is a limited liability company and media, entertainment, and broadcasting company which maintains its offices and principal place of business at 30 Rockefeller Plaza, New York, NY 10112.

3. Defendant SNL STUDIOS (hereinafter “SNL”) is a private entity and production company which maintains its offices and principal place of business at 30 Rockefeller Plaza, New York, NY 10112.

4. Defendant HORATIO SANZ (hereinafter “SANZ”) is an adult individual who currently resides at 1812 Lemoyne St., Los Angeles, CA 90026.

5. Defendants NBC and SNL employed Defendant SANZ and others as a cast member on the late-night television show *Saturday Night Live* from 1998 to 2006.

6. At all times herein mentioned, Defendant SANZ was employed by, had privileges at, and/or was otherwise an agent of Defendants NBC and SNL under their supervision and control.

7. Defendants JOHN & JANE SMITH 1-20 are fictitious entities and/or persons which/who are named here pursuant to CPLR § 1024 and which/who hired, employed, supervised and/or oversaw Defendant SANZ at NBC and/or SNL and/or which operated the facilities described above and/or who were employed at NBC and/or SNL and who had knowledge of SANZ’s violations outlined below in this complaint. Such Defendant or Defendants are fictitious entities or persons whose names are not presently known or identifiable to Plaintiff.

8. Plaintiff brings this case pursuant to New York’s Child Victims Act (“CVA”) (CPLR § 214-g and 22 NVCRR 202.72) within the two (2) year “retroactive revival window” which removes the previously applicable statute of limitations as the victim of sexual assaults, sexual misconduct and sexual harassment due to the failures and egregious conduct of

Defendants NBC and SNL which permitted and enabled Defendant SANZ to groom and ultimately significantly harm her as described more particularly below.

9. Pursuant to the CVA, CPLR § 214-g, a claim may be brought against any party for injuries resulting from conduct which “would constitute a sexual offense as defined in article one hundred thirty of the penal law committed against a child less than eighteen years of age.”

10. Further, pursuant to the CVA, Defendants are liable for the intentional and negligent acts and omissions which contributed to Plaintiff being a victim of child sexual abuse and resulted in serious psychological and emotional harm suffered by her. The intentional and negligent acts and omissions took place at various locations resulting in foreseeable harm to Plaintiff.

11. As defined by the CVA, Plaintiff was less than eighteen (18) years old at the times of the criminal sexual assaults and sexual abuse alleged herein.

12. This Court has personal jurisdiction over all Defendants pursuant to CPLR § 301 and § 302, in that the Defendants transact business in the State of New York and committed tortious acts within the State of New York.

13. This Court has jurisdiction over this action because the amount of damages Plaintiff seeks exceed the jurisdictional limits of all lower courts that would otherwise have jurisdiction.

14. Venue for this action is proper in the County of New York pursuant to CPLR § 503, in that one or more Defendants reside in this County and a substantial part of the events or omissions giving rise to the claim occurred in this County.

NO APPORTIONMENT OF LIABILITY PURSUANT TO CPLR § 1603

15. Pursuant to CPLR 1603, the foregoing causes of action are exempt from the operation of CPLR 1601 by reason of one or more of the exemptions provided in CPLR 1602,

including but not limited to, CPLR 1602(2), CPLR 1602(5), 1602(7) and 1602(11), thus precluding Defendants from limiting their liability by apportioning some portion of liability to any joint tortfeasor.

FACTS

16. In 1999, Plaintiff JANE DOE, then aged fourteen (14) years, who was a huge fan of *Saturday Night Live* (“*SNL*”), started posting on various online websites, message boards and chatrooms about *SNL*.

17. Further, Plaintiff JANE DOE administered websites and/or participated regularly in a popular fan website dedicated to news surrounding *SNL* and its cast member Jimmy Fallon between April, 1999, (aged 14) to May 22, 2002 (aged 17).

18. The news group, websites, message boards and chatrooms were read by NBC staff and *SNL* cast members, including but not limited to Defendant SANZ.

19. In January, 2000, Defendant SANZ and co-cast member Jimmy Fallon emailed Plaintiff (then 15) from an NBC email account.

20. Thereafter, Defendant SANZ began his process of grooming Plaintiff.

21. In June, 2000, another *SNL* cast member read one of Plaintiff’s newsgroup posts on an episode of NBC’s *Late Night with Conan O’Brien*.

22. On or about October 7-8, 2000, Plaintiff (15) and Defendant SANZ met in person at NBC after an airing/taping of *Saturday Night Live*, during which SANZ (31) was flirtatious and physically affectionate with the then 15-year old Plaintiff by kissing her cheek and putting his hands on her waist.

23. In the fall of 2000, Plaintiff (15) and Defendant SANZ met in person again at NBC after an airing/taping of *Saturday Night Live*, where SANZ was again was flirtatious and physically affectionate.

24. For the remainder of 2000 and into 2001, Plaintiff JANE DOE (15 & 16) continued to be a fan of *Saturday Night Live* and Defendant SANZ. She traveled from out of state to New York on multiple occasions waiting in the standby line with friends to see the rehearsal or airing of *SNL* and also to obtain autographs.

25. For decades since *Saturday Night Live*'s debut in 1975, NBC and/or its staff hosted late night parties after the show in which staff members and guests partied into the early morning hours.

26. On or around May 12, 2001, Plaintiff (16) was permitted entry to attend a *Saturday Night Live* after party. Defendant SANZ, along with other *SNL* cast members, saw her at this party drinking alcohol, at a time when they knew or should have known that Plaintiff was under the legal drinking age. Defendant SANZ joked "Is that [name redacted] the fan? It's [name redacted] the fan! A fan drinking at the party!" and further was aware or should have been aware that she was underage.

27. At the party, Plaintiff (16) was served alcohol and danced.

28. Defendant SANZ spent time drinking alcohol with Plaintiff (16).

29. The next week, on or around May 19, 2001, Plaintiff (16) was again permitted by *SNL* cast members to attend an after party of NBC and *SNL* Studios within NBC studios where she was shown around the facility.

30. On this date, while in the *SNL* offices, Defendant SANZ was sitting on a couch telling stories to a group of approximately 6-10 people, including NBC employees, when Defendant SANZ signaled Plaintiff over and guided her to sit on his lap with her legs positioned between his legs and his arm around her hips, waist and buttocks where he continued to tell stories.

31. Afterwards, Defendant SANZ invited Plaintiff and others, including at least three NBC employees, onto the NBC's rooftop to watch the sunrise. There, Defendant SANZ hovered near Plaintiff and leered at her as the sun rose over New York.

32. On August 23, 2001, Plaintiff (16) was contacted by a teenaged friend who had been messaged by a person purporting to be Defendant SANZ. Plaintiff's friend contacted Plaintiff to confirm that the person identified on AOL Instant Messenger as "Marblechomper" was actually Defendant SANZ.

33. Plaintiff contacted "Marblechomper" through AOL's Instant Messenger and confirmed that it was in fact Defendant SANZ. On this date, Defendant SANZ told Plaintiff to keep secret about their communications on Instant Messenger, stating: "Don't tell anybody. Promise?" to which Plaintiff replied: "on my life." He further began referring to Plaintiff as "dear" and commented to her "Maybe Lorne will give you his tickets."

34. Defendant SANZ continued his grooming process in this and other communications.

35. He also began regularly leaking information regarding the *SNL* hosts and musical guests to Plaintiff which she posted on her website.

36. The August 23, 2001 messages started an incessant exchange of communications in which Defendant SANZ groomed and molested Plaintiff. In these communications with Plaintiff, SANZ regularly and repeatedly asked for photos of her.

37. Considering the frequency, duration and timing of messages, Defendant SANZ instant messaged her from his shared office at NBC.

38. Defendant SANZ exchanged messages with Plaintiff and steered conversations to discuss sex, sexual experiences, sexual activities, sexual fantasies, masturbation and SANZ's

instruction of Plaintiff (16) in sexual acts. Defendant SANZ's conduct constitutes the use of a child in a sexual performance as defined by New York Penal Code § 263.05.

39. SANZ encouraged Plaintiff (16) in taking revealing photographs and photographs that depicted her as more mature. Defendant SANZ's conduct constitutes the use of a child in a sexual performance as defined by New York Penal Code § 263.05.

40. In his messaging with Plaintiff, Defendant SANZ discussed sex acts in a manner that degraded Plaintiff. In addition, during communications and in person, Defendant SANZ referred to Plaintiff as "slut", "slutty" and/or "bitch."

41. On September 11, 2001, the United States was attacked by a group of organized terrorists killing nearly 3,000 people.

42. In the fall of 2001, Defendant SANZ and Plaintiff (16) grieved the events of September 11th together through chats.

43. Plaintiff told Defendant SANZ about how the attacks occurred while she was in her class in high school.

44. Defendant SANZ used this tragedy as an opportunity to further groom Plaintiff as they trauma bonded together and SANZ told her things would eventually get back to normal.

45. On or around September 29, 2001, Plaintiff was again permitted to attend an SNL after party where she was served alcohol.

46. At the party, Plaintiff sat with Defendant SANZ and Jimmy Fallon where Plaintiff consumed alcohol in their presence.

47. On this evening, Defendant SANZ drank alcohol with the underage Plaintiff and gave Plaintiff a rose(s). This is one of many times that SANZ gave a rose(s) to Plaintiff.

48. During this time, Defendant SANZ continued communicating with Plaintiff through AOL Instant Messenger and continued to ask Plaintiff to describe her sexual experiences

to him. SANZ continued to encourage Plaintiff (16) to perform sexual acts, including masturbation, which he asked her to describe to him. Defendant SANZ's conduct constitutes the use of a child in a sexual performance as defined by New York Penal Code § 263.05.

49. On November 17, 2001, Defendant SANZ put Plaintiff on his guest list for the *SNL* after party for that night, as he would continue to do. Plaintiff sat with Jimmy Fallon and others in a VIP area, ordered and consumed a Budweiser beer in the presence of NBC/*SNL* employees. Plaintiff sat with Jimmy Fallon and they shared calamari.

50. At the party, Plaintiff told Jimmy Fallon she was in high school to which he commented: "So you have a few years before you graduate" and asked Plaintiff what she intended to study in college. They also discussed Plaintiff's upcoming SAT. The people seated at the table became very quiet when Plaintiff disclosed she was a junior in high school.

51. At the party, Fallon also introduced Plaintiff to show producer Lorne Michaels and they discussed Plaintiff's Jimmy Fallon website.

52. Plaintiff was never asked by anyone for identification before being served alcohol and, despite Plaintiff being underage, she was continually permitted by NBC employees to consume alcohol and attend the parties regularly, including on at least four (4) occasions in winter and spring of 2002.

53. Also during this time, Defendant SANZ continued to contact Plaintiff on AOL Instant Messenger, instigating conversations of an inappropriate sexual nature with the underage Plaintiff. Defendant SANZ later (in 2019) admitted and bragged to Plaintiff that he masturbated during these conversations. Defendant SANZ's conduct constitutes the use of a child in a sexual performance as defined by New York Penal Code § 263.05.

54. SANZ continued to solicit inappropriate photographs of Plaintiff and asked her to describe her sexual activity, masturbation habits, and further, gave Plaintiff instructions on how

to masturbate, all in violation of, *inter alia*, New York Penal Code § 263.05 (the use of a child in a sexual performance) as well as in violation of 18 Pa.C.S.A. § 6301, Corruption of minors, 18 Pa.C.S.A. § 6312, Sexual abuse of children, and 18 Pa.C.S.A. § 902, Criminal solicitation.

55. Defendant SANZ was not the only *SNL* cast member and NBC employee who openly preyed upon women and young girls.

56. For example, on September 30, 2001, another NBC employee and *SNL* cast member openly sexually harassed Plaintiff's friend (17) at an *SNL* cast party.

57. For example, Plaintiff was warned to stay away from another *SNL* cast member/NBC employee because he sexually assaulted and/or sexually harassed multiple friends of Plaintiff.

58. Defendant SANZ told one of Plaintiff's friends to stop telling people about her assault by a fellow cast member.

59. Defendants NBC knew or should have known about the sexually harassing and predatory conduct of its employees towards women and girls yet continued to facilitate their and others' conduct leading to Plaintiff's and others' harm.

60. On or about May 11-12, 2002, Defendant SANZ provided alcohol to Plaintiff (17) and gave her a ride in a limousine paid for by Defendant NBC and operated by an employee and/or agent of NBC.

61. On this evening and morning, Plaintiff attended two *SNL* parties, one of which took place at an *SNL* cast member's loft, where Defendant SANZ openly put his arm around Plaintiff while they talked with other guests and NBC employees/*SNL* cast members.

62. On this evening and morning, both at the parties and afterwards, Defendant SANZ intentionally touched the Plaintiff's sexual or intimate parts for the purpose of degrading or abusing Plaintiff and/or for sexual gratification, including: kissing her, groping her breasts,

groping her buttocks, and digitally penetrating her genitals forcibly and without Plaintiff's consent, all in violation of New York Penal Code §§ 130.52 (forcible touching) and 130.55 (sexual abuse in the third degree), in sight of attendees, including NBC employees.

63. Plaintiff did not and could not expressly or impliedly acquiesce in the Defendant's sexual touching.

64. At all relevant times, Defendant SANZ acted through forcible compulsion as defined by N.Y. Penal Code § 130.00(8) considering: his position of power and authority over the Plaintiff; the young age of Plaintiff (17) as compared with the Defendant (32); the relative size and strength of the Defendant compared with the Plaintiff; the nature of the Defendant's relationship to the Plaintiff and the Plaintiff's isolation with Defendant at the time of the offenses. Because Defendant SANZ committed sexual offenses as defined in article one hundred thirty of the penal law and as defined in New York Penal Code § 263.05 (the use of a child in a sexual performance), against Plaintiff a child less than eighteen years of age, this action falls within the revival statute contained within the CVA.

65. Attendees at the party who were NBC employees observed Defendant SANZ groping and assaulting Plaintiff and one commented: "Are you f***ing serious?"

66. Plaintiff's friend recalled: "I remember Horatio once trying with you. Now that I'm thinking this through. And you were upset and said thank god you were wearing panty hose because it stopped the action." By this statement, Plaintiff meant that while he had digitally penetrated her, the sexual assault did not escalate further because Defendant SANZ could not successfully remove Plaintiff's panty hose.

67. The following week, Defendant SANZ asked a friend of Plaintiff's not to tell anyone about him and Plaintiff.

68. On or about May 19, 2002, Plaintiff (17) attended a *SNL* finale party at NBC and was admitted entry onto the premises by NBC employees Fallon and Defendant SANZ. Plaintiff openly consumed alcohol at this party while under aged, including while talking to *SNL* executive producer Michael Shoemaker.

69. At the *SNL* party, an NBC page, who previously kissed Plaintiff when she was 16, grabbed Plaintiff sexually and without Plaintiff's consent.

70. After engaging in the nonconsensual sexual conduct with Plaintiff, described above, Defendant SANZ continued to contact Plaintiff, when she was less than 18, via AOL Instant Messenger to engage in sexually inappropriate conversation during which, she later found out (in 2019), he masturbated and solicited sexual images from Plaintiff, in violation of New York and Pennsylvania law, as outlined above.

71. During this time period, SANZ continued to put Plaintiff on his guest list for *SNL* after parties where she continued to be served alcohol and engaged in drug use.

72. For the remainder of high school, Plaintiff became depressed, ashamed and self-loathing. She regularly self-medicated with dissociative drugs.

73. In 2003, Plaintiff began attending college. During this time, Plaintiff continued to struggle with shame, depression, and self-harm. Defendant SANZ continued to message Plaintiff and solicit sexually explicit images and conversation from Plaintiff. Defendant SANZ became increasingly emotionally abusive and controlling towards Plaintiff.

74. In 2005, as a direct and proximate result of the ongoing intense shame and damage Plaintiff suffered due to the sexual conduct by SANZ, she was hospitalized for treatment.

75. When Plaintiff reached out to Defendant SANZ about her hospitalization, he reacted with annoyance. Defendant SANZ then steered conversations into discussing sex with Plaintiff.

76. For many years after Plaintiff's hospitalization, Defendant SANZ continually communicated with Plaintiff. Defendant SANZ remained manipulative, degrading, insulting and abusive towards her. SANZ continued to pressure her to send him sexy photos, including sexy photos of Plaintiff while underage, enticed and instructed her to masturbate as he had done in the past and steered conversations to cybersex.

77. Further, he asked Plaintiff if she had disclosed his abuse of her to anyone in a further effort to control and silence her.

78. Defendant SANZ's actions after his sexual assaults of her while she was underage and enticing her into sexual performances online while she was a minor continue to cause psychological harm and damage to Plaintiff.

79. In the summer of 2019, Plaintiff ran into Defendant SANZ at a comedy event in New York where SANZ admitted to engaging in frequent "cybersex" with her and further admitted and bragged to Plaintiff that he masturbated during their conversations when she was underage.

80. He later admitted this again in a text message exchange on November 27, 2019.

81. On November 27, 2019 between 7:56pm and 11:44pm, Defendant SANZ further expressly admitted to Plaintiff via text message, *inter alia*, that:

- a. he "felt terrible about" hooking up with Plaintiff, a then 16-year-old girl;
- b. he unintentionally groomed Plaintiff;
- c. he was "very sorry";

- d. Plaintiff could “#metoo”¹ him because “it happened”;
- e. he would “swear on a stack of improv books...I’m a different person”;
- f. “I took friendship where it could”;
- g. “after the Tracy [Morgan] party I really tried to fix what I’d done”;
- h. “I was very immature and had very limited sexual awareness.”
- i. He was masturbating while they spoke and that was “Dumb shit. I don’t lead my life that way now. I was bragging to you cuz I was f***ed up.”;
- j. “I was a creep but a wounded creep. And I’ve tried to make amends since quitting drinking.”;
- k. He “wasn’t really thinking. But I really didn’t do that with others. It was a f***ing big mistake. I’m very sorry. If you want to metoo me you have every right. Just believe me I’m not like that anymore.”;
- l. “I don’t love that old me as much as you probably don’t.”;
- m. He apologized for using and manipulating Plaintiff;
- n. “I really cared about you. Just was so low... It was a new thing. And it was wrong.”;
- o. “I was wrong.”;
- p. “I’ve admitted I was wrong.”;
- q. “I was a lonely wreck. And I thought I was giving you some fun at those parties.”;
- r. “It seems worse to try to rationalize. So I’ll stop.”;

¹ The term “#metoo” refers to the social movement against sexual abuse and sexual harassment where people publicize allegations of sex crimes committed against them. *see, e.g.*, Edwards, Stephanie Zacharek, Eliana Dockterman, Haley Sweetland. "TIME Person of the Year 2018: The Silence Breakers". *Time*.

- s. “Making out with 16-year-old is far from Kiddie f***ing. Not appropriate but Jesus. Kiddie F***er?”;
- t. “It was wrong. I was wrong.”;
- u. They talked “pretty much” every single day;
- v. “I was a small man that craved any attention.”;
- w. “I wasn’t jerking off 24/7”;
- x. “I was ashamed.”;
- y. “I had a real issue with sex. I was stunted. I didn’t know how it worked.”;
- z. “I spent all my 20’s trying to be funny. So I wasn’t normal with girls.”
- aa. He was masturbating to her “Probably on im [Instant Messenger]”;
- bb. “I f***ed up. But I’ve f***ed up a lot in my life, so it really hurts that I did that to you.”;
- cc. “. . . I let us get closer and closer. I was a weak man. I was wrong.”;
- dd. He sees that his weakness set Plaintiff back a lot.;
- ee. “I’m just sorry.”;
- ff. “I was dumb. Very dumb.”;
- gg. “I wanted to impress you [Plaintiff].”;
- hh. “I got out of hand with something new to me.”;
- ii. “. . . You happened to be 16.”;
- jj. “You made me decoupage. I cared.”;

**AND AS FOR A FIRST CAUSE OF ACTION
FOR ASSAULT & SEXUAL ASSAULT
PLAINTIFF v. ALL DEFENDANTS**

82. Plaintiff incorporates by reference the above and below allegations of this Complaint as though fully set forth herein.

83. Defendants SANZ, SNL and NBC owed a duty not to assault, sexually assault, and/or permit the sexual assault of Plaintiff.

84. Defendant SANZ intentionally placed Plaintiff in fear of imminent harmful or offensive contact, as outlined above.

85. Defendant SANZ assaulted, sexually assaulted, and/or sexually harassed Plaintiff on the premises of SNL and/or NBC and elsewhere.

86. As a direct and proximate result of the Defendant SANZ's assaults and sexual assaults, for which Defendants SNL and/or NBC are also vicariously liable, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological trauma and emotional distress, mental anguish, embarrassment, and humiliation.

87. Defendant SANZ's sexual assaults of Plaintiff, as set forth herein, constitute intentional, malicious, wanton, reckless, and outrageous conduct.

88. Such grossly reckless conduct is motivated by self-seeking, self-interest, deliberate indifference, deviant sexual desire, and is the product of a malicious mind such that the imposition of punitive damages is warranted against the Defendants.

89. Punitive damages are justified in cases like this to both punish the wrongdoers and to hold them out as examples to the rest of the community such that Defendants and others that may be similarly situated are clearly and explicitly discouraged from engaging in these kinds of grossly deviant behaviors in the future. Plaintiff seeks the imposition of punitive damages against all defendants in this and every count of this complaint.

90. In addition to their negligence and recklessness, Defendants SNL and NBC are also vicariously liable for Defendant SANZ's acts of sexual assault for the reasons outlined below and above.

91. Defendants SNL and NBC are liable for the assaults and sexual assaults of Plaintiff as a result of their own actions and inaction in sponsoring, encouraging and knowingly permitting Plaintiff, an underage fan, into parties and serving her alcohol leading to further grooming, sexual harassment and sexual assault by Defendant SANZ and failing to properly supervise Defendant SANZ and retaining him, failing to properly supervise the properties it possessed and failing to have proper safety protocols in place at its events to protect against assaults of minors including plaintiff.

92. Defendants SNL and NBC enabled SANZ to continue to engage in sexual contact with Plaintiff instead of properly supervising him, terminating him and/or reporting him to the authorities.

93. Defendants SNL and NBC ignored the known and obvious grooming behavior and inappropriate touching by SANZ on the premises owned, possessed, controlled or otherwise occupied by them.

94. As a direct and proximate result of the Defendants' conduct, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

95. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

**AND AS FOR A SECOND CAUSE OF ACTION
FOR BATTERY
PLAINTIFF v. ALL DEFENDANTS**

96. Plaintiff incorporates by reference the above and below allegations of this Complaint as though fully set forth herein.

97. On multiple occasions, described particularly above, Defendant SANZ intentionally engaged in offensive, harmful, and wrongful bodily contact of Plaintiff without Plaintiff's consent, in a continual course of conduct for no legitimate purpose.

98. As a direct and proximate result of the Defendant SANZ's acts of battery, for which Defendants SNL and NBC are vicariously liable, Plaintiff sustained in the past and will suffer in the future physical injury, pain and suffering, serious and severe psychological trauma and emotional distress, mental anguish, embarrassment, and humiliation.

99. Defendant SANZ's acts of battery upon of Plaintiff, as set forth herein, constitute intentional, malicious, wanton, reckless, and outrageous conduct.

100. Such grossly reckless conduct is motivated by self-seeking, self-interest, deliberate indifference, deviant sexual desire, and is the product of a malicious mind such that the imposition of punitive damages is warranted against the Defendants.

101. Punitive damages are justified in cases like this to both punish the wrongdoers and to hold them out as examples to the rest of the community such that Defendants and others that may be similarly situated are clearly and explicitly discouraged from engaging in these kinds of grossly deviant behaviors in the future.

102. Defendants SNL and NBC are vicariously liable for Defendant SANZ's acts of sexual battery for the reasons outline below and above.

103. Defendants SNL and NBC are also liable for the sexual battery of Plaintiff as a result of their own actions and inaction described herein.

104. Defendants SNL and NBC enabled SANZ to continue to engage in inappropriate touching and sexual acts with Plaintiff instead of properly supervising him, terminating him and/or reporting him to the authorities.

105. As a direct and proximate result of SNL and NBC's conduct, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

106. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

**AND AS FOR A THIRD CAUSE OF ACTION
FOR NEGLIGENCE, RECKLESSNESS AND WILLFUL & WANTON CONDUCT
PLAINTIFF v. DEFENDANTS SNL & NBC**

107. Plaintiff incorporates by reference the above and below allegations of this Complaint as though fully set forth herein.

108. Defendants SNL and NBC owed a duty to protect Plaintiff and other minors from reasonably foreseeable harms that occurred on their premises, at their events and committed by their employees of which they had actual and/or constructive knowledge.

109. Defendants SNL and NBC's breach of duties, negligent, reckless, and/or willful and wanton conduct, described throughout this Complaint, enabled Defendant SANZ to sexually assault, assault, and/or sexually harass Plaintiff on their premises.

110. Defendants SNL and NBC are liable for the assaults and sexual assaults of Plaintiff as a result of their own actions and inaction in sponsoring, encouraging and knowingly permitting Plaintiff, an underaged fan, into parties and serving her alcohol leading to further grooming, sexual harassment and sexual assault by Defendant SANZ and failing to properly supervise Defendant SANZ and retaining him, failing to properly supervise the properties it possessed and failing to have proper safety protocols in place at its events to protect against assaults of minors including plaintiff.

111. Defendants SNL and NBC knew or should have known that Defendant SANZ committed grooming conduct, sexually assaultive and/or sexually harassing conduct.

112. Prior to sexual abuse and misconduct perpetrated against Plaintiff as described herein, Defendants SNL and NBC knew or should have known of SANZ's propensity for the sexual misconduct perpetrated against Plaintiff.

113. At all relevant times, Defendants SNL and NBC had actual knowledge of the sexual abuse perpetrated by SANZ against Plaintiff, in that, Defendants' employees directly witnessed grooming and sexual misconduct perpetrated by Defendant SANZ against Plaintiff.

114. Further, Defendants SNL and NBC created an environment which permitted the sexual harassment and assault committed by Defendant SANZ by failing to supervise or monitor its employees and staff, by failing to intervene or investigate acts of sexual abuse perpetrated upon minors by employees, and by failing to contemporaneously report the abuses to law enforcement.

115. At all relevant times, Defendants SNL and NBC, and its agents and/or employees, knowingly, negligently, recklessly, and carelessly placed SANZ in a position to cause foreseeable harm, which would not have occurred had Defendants SNL and NBC, taken reasonable care in their decisions in the hiring, retention and supervision of SANZ.

116. At all relevant times, Defendants SNL and NBC, and its agents and/or employees, failed to properly observe, supervise, inspect, and monitor the conduct, duties, and tasks being carried out by its employees at Defendants' events, including SANZ, where it was known and foreseeable that minors could be victims of inappropriate touching, sexual misconduct, sexual assault and abuse.

117. Defendants SNL and NBC failed to report SANZ's misconduct to law enforcement.

118. As outlined above, Defendants SNL and NBC knew or should have known of Defendant SANZ's sexual assaultive and harassing conduct.

119. Defendants SNL and NBC ignored the known and suspected acts of sexual assault, assault, and battery of Defendant SANZ, allowing him to continue to sexually assault and/or sexually harass Plaintiff.

120. By tolerating the sexual misconduct of Defendant SANZ, Defendants SNL and NBC, its agents, servants, and/or employees placed minors, including Plaintiff, in danger of harm and being sexually assaulted by Defendant SANZ.

121. As a direct and proximate result of SNL and NBC's negligent, reckless, and willful and wanton conduct, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment and humiliation.

122. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

**AND AS FOR A FOURTH CAUSE OF ACTION
FOR NEGLIGENT INFLICTION OF EMOTIONAL DISTRESS
PLAINTIFF v. ALL DEFENDANTS**

123. Plaintiff incorporates by reference the above and below allegations of this Complaint as though fully set forth herein.

124. Defendants SANZ, SNL, and NBC owed a duty to Plaintiff not to cause emotional distress.

125. Defendant SANZ was negligent and/or reckless in performing non-consensual sexual acts on Plaintiff.

126. Defendant SNL and NBC are vicariously liable for SANZ's negligence and recklessness and for its own negligence and recklessness in allowing Defendant SANZ to perform non-consensual sexual acts on Plaintiff.

127. As a direct and proximate result of Defendants' negligent, reckless, and willful and wanton conduct, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

128. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

**AND AS FOR A FIFTH CAUSE OF ACTION
FOR INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
PLAINTIFF v. ALL DEFENDANTS**

129. Plaintiff incorporates by reference the above and below allegations of this Complaint as though fully set forth herein.

130. Defendant SANZ acted intentionally and with the intention to cause severe emotional distress to Plaintiff.

131. Defendant SANZ acted in a manner so shocking and outrageous that it exceeds all reasonable bounds of decency for the reasons described above and below.

132. Defendants SNL and NBC acted in a manner that was likewise intentional, reckless, willful, shameful, and in abject, wanton, and total disregard to the serious harm inflicted upon Plaintiff through its complicity in allowing, enabling and permitting Defendant SANZ to perform non-consensual, criminal sexual acts upon Plaintiff.

133. As a direct and proximate result of Defendants' negligent, reckless, and willful and wanton conduct, Plaintiff sustained in the past and will sustain in the future physical injury, pain and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

134. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

WHEREFORE, Plaintiffs demand judgment against all Defendants, for general, compensatory, special, and punitive damages, in a sum which exceeds the jurisdictional limits of all lower Courts which might otherwise have jurisdiction, together with the costs and disbursements of this action, and for such other and further relief as this Court deems just and proper.

Respectfully submitted,

SOLOFF & ZERVANOS, P.C.

Handwritten signature of Jeffrey P. Fritz in black ink, written over a horizontal line.

JEFFREY P. FRITZ, ESQUIRE

jfritz@lawsz.com

Attorneys for Plaintiff, JANE DOE

Soloff & Zervanos

200 Park Ave, Suite 1700

New York, NY 10166

Phone: 212-804-8125

DATE: August 12, 2021

VERIFICATION

STATE OF NEW YORK :
: SS.
COUNTY OF NEW YORK :

JEFFREY P. FRITZ, being duly sworn, deposes and says that deponent is the attorney for the Plaintiff in the within action; that deponent has read the foregoing Complaint and knows the contents thereof; that the same is true to deponent's own knowledge, except as to the matters therein stated to be alleged on information and belief, and that as to those matters deponent believes it to be true.

This verification is made by deponent instead of the plaintiff because the plaintiff is not within the county where deponent maintains his offices.

Further, this verification is made by deponent and not by the plaintiff in order to protect plaintiff's identity under NY Civil Rights Law § 50-b.

As to those matters alleged upon information and belief, the source of deponent's information and the grounds for deponent's belief are investigative materials and records contained in deponent's file.



JEFFREY P. FRITZ

DATE: August 12, 2021