

Editor's Note: It is the policy of the Pittsburgh Post-Gazette not to name alleged victims of sexual assault unless they choose to be identified. Therefore, the Post-Gazette has redacted the plaintiff's name in this document.

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HOWARD W. CONYERS

BY *M. J. [Signature]*  
DEPUTY

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[REDACTED]  
S1425

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IN THE SECOND JUDICIAL DISTRICT COURT OF THE STATE OF NEVADA  
IN AND FOR THE COUNTY OF WASHOE

[REDACTED]

Plaintiff,

Case No. CV09 02222  
Dept. No.: 10

vs.

Ben Roethlisberger; John Koster; Guy Hyder;  
Mark Masters; Dave Monroe; Mike Rosenow;  
Debbie Neall; Bryan Casuscelli; Stacy Dingman;  
DOE DEFENDANTS I-XX  
(partnerships, companies and business  
entities that have an ownership interest  
in and promote Defendant Roethlisberger,  
his name, his celebrity, and his various commercial  
enterprises); DOES XXI-XXXV (individuals who  
participated in and committed acts alleged herein,  
individually, or along with or at the direction of  
other Defendants, and/or conspired with other  
Defendants to cause the harms alleged herein),

Defendants.

COMPLAINT

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COMES NOW, the Plaintiff in the above entitled matter, by and through her undersigned attorneys, and for her Claims for Relief complains and alleges the facts and legal claims set forth below.

**JURISDICTION AND VENUE**

1. As set forth below, the Plaintiff is and was, at all times relevant, a resident of the State of Nevada. The acts and events complained of herein happened in the State of Nevada. Defendant Monroe is a resident of Washoe County, Nevada. Therefore, venue is proper in Washoe County and in the State of Nevada.

**THE PARTIES**

2. Plaintiff, [REDACTED] is, and at times relevant hereto, was a resident of the State of Nevada.

3. Defendant Ben Roethlisberger (hereinafter sometimes "Roethlisberger"), at all relevant times was and is a celebrity athlete, a quarterback, employed by the Pittsburgh Steelers.

4. On information and belief Plaintiff alleges that Defendant Roethlisberger was an invited guest of Harrah's prior to and during the 2008 Celebrity Golf Tournament at Lake Tahoe (hereinafter sometimes referred to as the "Celebrity Tournament").

5. On information and belief Plaintiff alleges that at all times relevant, Defendant Roethlisberger was and is a resident of the State of Pennsylvania.

6. On information and belief Plaintiff alleges that Defendant Roethlisberger, at all relevant times, was in the State of Nevada for commercial purposes including for promotional consideration.

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7. Defendant John Koster (hereinafter sometimes "Koster") was, at all times relevant, Harrah's Northern Nevada President (Tahoe President).

8. On information and belief Plaintiff alleges that, at all times relevant, Koster was and is a resident of Douglas County, Nevada.

9. Defendant Guy Hyder (hereinafter sometimes "Hyder") at all times relevant, was and is Chief of Security at Harrah's Lake Tahoe.

10. On information and belief Plaintiff alleges that at all times relevant, Hyder was and is in fact a resident of Woodsfords/ Markleeville, California, although, on information and belief he claims to be a Nevada resident.

11. Defendant Dave Monroe (hereinafter sometimes "Monroe"), at all times relevant, was and is Vice President of Food and Hotel Operations at Harrah's Lake Tahoe.

12. On information and belief Plaintiff alleges that all times relevant, Monroe was and is a resident of Washoe County, Nevada, residing in Reno, Washoe County, Nevada.

13. Defendant Mike Rosenow (hereinafter sometimes "Rosenow"), at all times relevant, was Vice President of Human Resources at Harrah's Lake Tahoe.

14. On information and belief Plaintiff alleges that at all times relevant, Rosenow was a resident of Douglas County, Nevada, and is presently a resident of Florida.

15. Defendant Debbie Neall (hereinafter sometimes "Neall") at all times relevant hereto was and is the Employee Relations Manager for Harrah's Lake Tahoe.

16. On information and belief Plaintiff alleges that Defendant Neall was and is a resident of Douglas County, Nevada.

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17. Defendant Mark Masters (hereinafter sometimes "Masters") at all times relevant hereto, was and is employed at Harrah's Tahoe in security and is a close associate of Hyder.

18. On information and belief Plaintiff alleges that at all times relevant, Masters was and is a resident of Douglas County, Nevada.

19. Defendant Stacy Dingman (hereinafter sometimes "Dingman") was formerly and at some times relevant hereto was Director of Hotels at Harrah's and was and is currently employed by Lakeside Inn and Casino.

20. On information and belief Plaintiff alleges that Dingman was and is a resident of Douglas County, Nevada.

21. Defendant Bryan Casuscelli (hereinafter sometimes "Casuscelli") was and is, at all times relevant hereto, Harrah's Tahoe's Director of Player Development, and Ben Roethlisberger's Executive Casino Host.

22. On information and belief Plaintiff alleges that Casuscelli was and is a resident of Douglas County, Nevada.

23. On information and belief Plaintiff alleges that Defendant Roethlisberger is an owner of or has a financial interest in various DOE DEFENDANTS I-XX (hereinafter sometimes DOES I-XX) partnerships, companies and business entities that have an ownership interest in and promote his name, his celebrity, and his various commercial enterprises.

24. On information and belief Plaintiff alleges that Defendant Roethlisberger and DOES I-XX, DEFENDANTS, together, sought to promote the Roethlisberger "brand" by

1 and through promotional considerations and publicity obtained by and to be obtained by his  
2 participation in the Harrah's Tahoe Celebrity Golf Tournament.

3 25. DOE DEFENDANTS XXI-XXXV are individuals and/or business entities who  
4 combined with and/or conspired with one or more Defendants to advise, to assist, to  
5 facilitate, and/or to commit the acts complained of herein and are also liable for the damages  
6 caused to Plaintiffs.  
7

8 26. At all times relevant hereto, Defendants and the Doe Defendants were the agents,  
9 and servants, of the other named Defendants who were acting in the course and scope of  
10 their agency and at some times their employment, and with the knowledge, direction, and  
11 consent of their principal(s) and/or employer.  
12

13 27. *The true names or capacities of Defendants named herein as DOES I-XXX,*  
14 *inclusive, are unknown to Plaintiffs who sue said Defendants by such fictitious names, and*  
15 *Plaintiff will amend this Complaint to show their true names and capacities when the same*  
16 *have been ascertained.*  
17

18 **FACTS**

19 28. Plaintiff [REDACTED] applied for a position in the Hotel at Harrah's Lake Tahoe,  
20 was offered a job, accepted the offer, and relocated to Lake Tahoe, State of Nevada. She  
21 began her employment with Harrah's in March of 2003. Plaintiff began her employment with  
22 Harrah's in March of 2003 as a Hotel Shift Manager, at the Front Desk. She was promoted  
23 to the Reflection's Spa Manager in or about July, 2004.  
24

25 29. After approximately six months, Plaintiff became the VIP Shift Manager.

26 30. Approximately six months later, she was promoted by the Vice President of  
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1 Hotel Operations to the VIP Services Manager.

2 31. Plaintiff was responsible for setting the direction of VIP departments, budgeting,  
3 and capital project submissions. Plaintiff was also appointed to serve on the project team  
4 that oversaw the building of the Summit Suite Penthouses, a 30 million dollar project.  
5

6 32. Plaintiff was, also, charged with the responsibility of building, and training the  
7 Butler staff.

8 33. Plaintiff eventually was recognized, upon completion of projects, by Harrah's as  
9 the "Leader of the Quarter" for the Tahoe properties.  
10

11 34. After completion of the capital projects, with success in getting them off the  
12 ground, Plaintiff sought to transition into the Casino Marketing department.

13 35. Plaintiff applied for the position of an Executive Casino Host, was offered the  
14 position in February, 2008 and began reporting to the Vice President of Casino Marketing,  
15 Jennifer Trinkaus.  
16

17 36. In July of 2008 the NBC American Century Celebrity Golf Tournament was held  
18 at Lake Tahoe.

19 37. In addition to her regular responsibilities, Plaintiff was scheduled to be on the  
20 Penthouse floor each and every night during the event serving a concierge-like function, in  
21 addition to her other duties.

22 38. When Plaintiff questioned this, Plaintiff was told by her superiors that because of  
23 her level of expertise, reputation for excellent service, and knowledge of the Penthouse  
24 facilities and Staff, she was selected to serve the important and celebrity guests, on that floor.  
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1 39. Plaintiff felt honored to be considered for such a position and reported each day  
2 to carry out her other duties and those duties.

3 40. Prior to the event starting, Plaintiff was introduced, by one of the Butlers, to Ben  
4 Roethlisberger, an NFL Quarterback for the Pittsburgh Steelers who had checked in on or  
5 about July 5, 2008.

6 41. Plaintiff knew that Roethlisberger was a celebrity, but was not very familiar with  
7 his football career.

8 42. Plaintiff was, also, familiar with Roethlisberger's name from hearing Harrah's  
9 Northern Nevada President (Tahoe President), John Koster, bring his name up on several  
10 occasions.  
11

12 43. Plaintiff also learned that Defendant John Koster was paired with Ben  
13 Roethlisberger for the golf event.  
14

15 44. Plaintiff learned that Koster boasted about what good friends he and  
16 Roethlisberger were on many occasions.

17 45. There were other very high profile guests on the floor, including, among others,  
18 Michael Jordan and Charles Barkley.  
19

20 46. On or about July 10, 2008, Defendant Roethlisberger came to Plaintiff's desk and  
21 struck up a conversation. There was a discussion of fly-fishing and of the fact that Plaintiff  
22 was an avid fly fisherman.

23 47. It was Plaintiff's responsibility to serve all of these guests on the floor, in  
24 addition to her role as an Executive Casino Host.

25 48. Hyder, the Harrah's Director of Security, commented to Plaintiff on how pleasant  
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1 Roethlisberger was, and said that Koster was a huge fan of Roethlisberger.

2 49. Hyder emphasized how important it was for Plaintiff to ensure that  
3 Roethlisberger had a nice trip.

4 50. On the evening of Friday, July 11, 2008, Plaintiff, after being on the Harrah's  
5 casino floor in the high limit area, taking care of one of her guests, returned to her post on  
6 the Penthouse floor, at approximately 10:00 p.m..  
7

8 51. On Friday July 11<sup>th</sup>, 2008, Plaintiff was at her post, on the seventeenth floor, in  
9 the Penthouse area, at approximately ten o' clock p.m. in the evening.

10 52. Ben Roethlisberger returned to his room with a young woman who Plaintiff had  
11 not seen before. She left his room approximately 20 minutes later.

12 53. Roethlisberger walked her to the elevator. He then stopped by Plaintiff's desk  
13 and said hello. He talked with Plaintiff and other staff for approximately 20 minutes.  
14

15 54. As Roethlisberger left, he mentioned to Plaintiff that his television sound system  
16 was not working.

17 55. Plaintiff offered to have someone from engineering fix it.

18 56. Roethlisberger said that he would call about it later.

19 57. A few minutes later, Ben Roethlisberger's name came up on Plaintiff's  
20 telephone, at her desk.  
21

22 58. Plaintiff answered the phone, and Roethlisberger said that his television was still  
23 broken and asked if Plaintiff could fix it.

24 59. Plaintiff said that she would have someone look at it and he responded by asking  
25 if Plaintiff would come and "take a quick look".  
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1 60. Plaintiff called her boss, Jennifer Trinkaus, the VP of Casino Marketing, but  
2 Trinkaus did not answer her phone. Plaintiff later learned that Trinkaus was allegedly in the  
3 nightclub.

4 61. Plaintiff also called engineering, but was unable to reach anyone.

5 62. Roethlisberger called, again, asking when Plaintiff was going to fix the television.

6 63. Mindful of Hyder's earlier admonition that Koster wanted to be sure that  
7 Roethlisberger had a good trip, and because of Roethlisberger's insistence, Plaintiff  
8 complied with Roethlisberger's demand that she go to fix the television.

9 64. Plaintiff knocked on Roethlisberger's door, the last door on the left at the end of  
10 the hallway on the 17<sup>th</sup> floor, and Roethlisberger opened it. He was wearing athletic shorts  
11 and a t- shirt.

12 65. Plaintiff entered the room. The room was a mess.

13 66. Plaintiff asked which television it was that was malfunctioning.

14 67. Roethlisberger led her to the adjacent room and pointed at the bedroom  
15 television.

16 68. Plaintiff picked up the remote control and attempted to identify and solve the  
17 alleged problem or problems.

18 69. The equipment functioned properly and Plaintiff could see no problem with the  
19 television or with the sound system and so informed Roethlisberger.

20 70. As Plaintiff attempted to leave the room, Roethlisberger stood in front of  
21 Plaintiff, blocking her way.

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1 71. Roethlisberger was and is a very large person, reportedly Six Foot Five inches tall  
2 and approximately two hundred and forty pounds, much larger than [REDACTED].

3 72. Roethlisberger grabbed Plaintiff and started to kiss her.

4 73. Plaintiff was shocked and stunned that this previously friendly man, that appeared  
5 to be a gentleman in her previous contacts with him was suddenly preventing her from  
6 leaving, was assaulting her and battering her.  
7

8 74. [REDACTED] feared that since he was a football player he could or would  
9 physically harm her if she attempted to fight him.

10 75. Plaintiff communicated her objection and lack of consent.

11 76. Plaintiff protested several times, but instead of stopping, Roethlisberger began  
12 fondling Plaintiff through her dress and between her legs.

13 77. Roethlisberger held her against her will and physically moved Plaintiff and  
14 pushed her onto his bed.  
15

16 78. Despite additional protests, he kept going, pulled her underpants off and  
17 proceeded to penetrate her.  
18

19 79. Plaintiff continued to protest "You don't want to do this."

20 80. Panicked, Plaintiff begged, "Please don't" and also, hoping it would cause him  
21 to stop, attempted to stop him by saying, "I am not on any type of birth control."

22 81. Roethlisberger continued to penetrate Plaintiff, against her will, stating, "Don't  
23 worry. I will pull out."

24 82. Roethlisberger did "pull out" and ejaculated on Plaintiff's stomach.

25 83. After that, Roethlisberger allowed Plaintiff to get off of the bed.  
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1 84. Very shocked and upset, Plaintiff got up and immediately went into the  
2 bathroom, where she splashed water on her face, and tried to pull herself together.

3 85. When Plaintiff came out of the bathroom, Roethlisberger asked, "There are  
4 cameras on this room, aren't there?" Plaintiff said, "Yes. There are cameras everywhere."

5 86. Roethlisberger, acting very worried, sternly instructed her, "If anyone asks you,  
6 you fixed my television." "You fixed my television. Now go!", he said sternly.  
7

8 87. Plaintiff left the room, embarrassed, stunned and confused.

9 88. Plaintiff left the building, shortly thereafter, and went to her truck, in the parking  
10 lot, and drove away, very distraught, and crying.

11 89. The next day, Plaintiff reported to work and attempted to do her job, but still very  
12 shocked and distressed, sobbing and crying, Plaintiff called Guy Hyder, the Chief of  
13 Security, and told him what happened.  
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15 90. Hyder dismissed Plaintiff's distress and crying and responded by saying that  
16 Plaintiff was "over reacting", that "most girls would feel lucky to get to have sex with  
17 someone like Ben Roethlisberger" and that "Koster would love you even more if he knew  
18 about this." Hyder said, "Koster would [REDACTED] if Roethlisberger let him."  
19

20 91. From the day of the assault, Plaintiff became increasingly anxious, afraid, and  
21 depressed.

22 92. Plaintiff was frightened, lost sleep, and became very wary of others, particularly  
23 men, and did not know who to turn to after she had reported this very traumatic incident to  
24 Hyder, Chief of Security, assuming that the assault would be investigated by him, and that  
25 the appropriate executives would be notified.  
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1 93. Hyder, apparently unwilling to displease Koster or make the least inquiry,  
2 particularly of Defendant Roethlisberger, did not do his job of investigating the assault and,  
3 on information and belief, of properly reporting it as was his duty.

4 94. Plaintiff now suspects, however, that Koster was informed of the assault and  
5 battery by Hyder, of her report of it and of his, Hyder's, dismissal of the incident intended to  
6 discourage any report by Plaintiff.  
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8 95. Hyder failed to preserve any evidence, failed to interview any witnesses,  
9 particularly Roethlisberger, and, apparently fearful of reprisals by Koster, failed to conduct  
10 an investigation of this serious matter, as was his duty.

11 96. At a gathering in August of 2008 Defendant Monroe stated to Plaintiff that  
12 Koster was very good friends with Roethlisberger and if Plaintiff ever let on that she knew  
13 him, Roethlisberger, or had any personal conversations with him, Koster "will personally fire  
14 you for starting rumors about Roethlisberger's personal life." "John will fire you, [REDACTED]"  
15 Monroe said, "that's how he is." "That guy (Roethlisberger) can have anyone he wants."  
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17 97. Plaintiff fell into a depression which deepened over time.

18 98. Plaintiff felt that she had nobody to turn to at Harrah's and was afraid of the  
19 consequences of reporting it to police authorities since it was obvious to her that Harrah's  
20 and its personnel, particularly Hyder and Koster, would side with and support  
21 Roethlisberger, the celebrity friend of Koster. Koster valued his friendship with  
22 Roethlisberger more than employee safety.  
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24 99. Plaintiff told herself that she just had to try to deal with the trauma on her own  
25 and get through Labor Day so she could go home and seek refuge with her family.  
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1 100. The day prior to Labor Day, Plaintiff fell apart, stopped eating, could not sleep,  
2 suffered a nervous breakdown, and became so anxious and depressed that her self-care went  
3 dramatically downhill.

4 101. Plaintiff called her boss and told her that something terrible had happened, that  
5 she did not want to speak to her about it, and asked to go home to her parents' house.  
6

7 102. Plaintiff was not eating and had lost a great deal of weight.

8 103. Plaintiff was reluctant to tell her parents or anyone what had really happened.

9 104. Plaintiff's parents were very concerned about Plaintiff's dramatic change in her  
10 appearance and her obvious depression and anxiety. But, Plaintiff, not wanting to distress  
11 her parents, by telling them what had happened to her, did not inform her parents of what  
12 had actually happened.

13 105. Plaintiff flew back to Lake Tahoe in bad shape, and was checked into the Reno  
14 Renown Hospital on or about September 25<sup>th</sup> where she was diagnosed with major  
15 depression and anxiety.  
16

17 106. Plaintiff had to be fed intravenously because of the lack of fluids. The  
18 emergency room doctors felt that Plaintiff was very anxious and so depressed that she should  
19 be admitted to West Hills Hospital, a Reno facility that treated anxiety and depression. She  
20 was admitted on or about September 26<sup>th</sup>, 2008.  
21

22 107. While at West Hills, Plaintiff was heavily drugged, and was frightened and  
23 traumatized by some of the inmates.

24 108. Plaintiff was hospitalized there until on or about October 2<sup>nd</sup> 2008.  
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1 109. Upon discharge from West Hills, Plaintiff had nightmares and was put on  
2 several anti -depressants, anti-anxiety drugs and on sleep medication.

3 110. Plaintiff filed for a Family Medical Leave Act (FMLA) leave and was released  
4 from work.

5 111. Plaintiff did not recover and, therefore, was, then, sent to a care facility in Napa  
6 Valley.

7 112. Plaintiff was admitted to St. Helena Hospital, until on or about October 14<sup>th</sup>,  
8 2008 and was released on or about October 30<sup>th</sup> 2008. Plaintiff was diagnosed with extreme  
9 Post Traumatic Stress Disorder (PTSD), Anxiety, and Major Depression.  
10

11 113. After leaving St. Helena Hospital, Plaintiff returned to her home at Zephyr  
12 Cove, Lake Tahoe.

13 114. Plaintiff continued a discharge treatment program for PTSD, anxiety and  
14 depression, on an outpatient basis.

15 115. A few weeks later, on or about November 19<sup>th</sup>, 2008, Plaintiff was admitted to a  
16 Carson City Hospital, again, for major depression and anxiety and was in grave health due to  
17 not eating and sleeping.  
18

19 116. Plaintiff was thirty pounds lighter and her spirit was broken.

20 117. During the fall of 2008, while Plaintiff was hospitalized, Hyder entered into  
21 contact with Plaintiff's parents, stating falsely that the reason for Plaintiff's breakdown was  
22 the cessation of Plaintiff's e-mail correspondence with a young man, and omitting all  
23 reference to and concealing the sexual assault that had taken place on July 11, 2008.  
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25 118. Hyder proceeded to gain the confidence of the [REDACTED] family and pretended to  
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1 be there as a friend for Plaintiff when, in fact, he was engaged in surveillance of her and her  
2 progress for his own purposes and/or for those of Koster and other Defendants.

3 119. Hyder, pretending to be a friend, told Plaintiff that he should have a key to her  
4 home, in order to check on her.

5 120. Believing Hyder's claim that he was a friend and was helping her, and, under the  
6 circumstances, believing his stated purpose or purposes for having the key, Plaintiff provided  
7 him with a key. Subsequently, Hyder and one or more of the other Defendants, including  
8 Defendant Masters, entered her home, and on information belief, without her knowledge,  
9 proceeded to examine, and remove and alter the content of and the file or files and  
10 information on her work laptop computer, and to remove her computer, which was done  
11 without her knowledge and understanding, and was done for the purpose of providing the  
12 information to Harrah's and for their own, Defendants' purposes.  
13

14 121. Near the end of her leave time, Plaintiff, at risk of losing her job, and,  
15 particularly, concerned about the possible loss of her much needed medical benefits and the  
16 assistance she so badly needed, returned to work during the Thanksgiving weekend, 2008.  
17

18 122. Plaintiff attempted to work as hard as she could, but the setting was a disturbing  
19 reminder of the sexual assault and battery.  
20

21 123. Plaintiff was called by a pit boss at Harvey's, and went there to assist with a  
22 guest.  
23

24 124. The pit boss, during that visit to the pit, asked Plaintiff, "What happened? Why  
25 were you in the hospital?"

26 125. Plaintiff became tearful and indicated to the pit boss that she couldn't talk about  
27

1 it.

2 126. The next day, Plaintiff's Manager, Rod Campbell called her at home and asked  
3 her to come to his office. She went to work early and was faced with Defendant Debbie  
4 Neall, the Manager of Employee Relations.

5 127. Plaintiff was given her first ever "Negative Work History" documentation for  
6 allegedly "becoming visibly upset in view of both guests and employees on the casino floor  
7 which placed others in an uncomfortable position." This allegation was false.

8 128. At the meeting, Defendant Neall did not ask for Plaintiff's version of what  
9 happened, nor did she ask any questions.

10 129. Plaintiff, initially, under the circumstances, refused to sign the write up because  
11 it did not reflect what happened.

12 130. Because Plaintiff became very upset concerning this treatment, Defendant  
13 Debbie Neall took Plaintiff to the in-house clinic. The doctor said that Plaintiff was not well  
14 enough to work. He opined that she has been through a lot.

15 131. Plaintiff was put on another leave.

16 132. A few weeks later, on December 18<sup>th</sup>, 2008, Plaintiff was admitted to Barton  
17 Memorial Hospital at Lake Tahoe.

18 133. Plaintiff was devastated and was very afraid of being retaliated against if she  
19 spoke out about what had happened.

20 134. Plaintiff was afraid to return to work but was under extreme pressure to return  
21 because of her medical expenses, loss of income, debt piling up, and with a desperate need  
22 for on-going treatment and health insurance.



1 135. Plaintiff was afraid to speak out to Harrah's because she was, under the  
2 circumstance, very afraid of the consequences and was, by her experience, and knowledge,  
3 convinced that Harrah's would continue to side with the celebrity and do nothing as Hyder  
4 had done.

5 136. She knew that on multiple occasions President Koster had referred to his very  
6 close personal relationship with Roethlisberger.  
7

8 137. She learned that he had said that he was welcome in Roethlisberger's home and  
9 vice versa.

10 138. Plaintiff was afraid that she would be terminated if she said or did anything that  
11 might displease Roethlisberger or Koster.

12 139. Plaintiff is informed that in late December of 2008 or early January of 2009,  
13 Defendants Hyder, Monroe, Rosenow and Koster met for the specific purpose of discussing  
14 the fact that Stacy Dingman had reported that Plaintiff had divulged to her that she had been  
15 sexually assaulted by Defendant Roethlisberger during the 2008 Celebrity Tournament.  
16

17 140. Plaintiff is further informed that at that time Defendants Hyder, Monroe,  
18 Rosenow and Koster reached an agreement not to investigate the incident. Defendants,  
19 instead, continued to surveil and monitor Plaintiff, hoping she would do nothing.  
20

21 141. In early March of 2009 Plaintiff spoke with the physician at Harrah's, told him  
22 what had occurred, explained that she was always very afraid to say anything, and that was  
23 why she had suffered so much over the past few months.  
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1 142. The doctor said he would call Debbie Neall, the Manager of Employee  
2 Relations, concerning the matter. He cryptically inquired of Neall as to what Neall would do  
3 if an employee was assaulted or attacked by a guest while at work.

4 143. Neall reportedly responded that Harrah's would have no responsibility in  
5 reporting it but would encourage the employee to make a report with Douglas County  
6 Sheriffs Department.  
7

8 144. The doctor asked Plaintiff for permission to discuss the incident with Debbie  
9 Neall which Plaintiff gave to him, but, upon later inquiry by Plaintiff, the doctor said he had  
10 changed his mind about contacting employee relations and Debbie Neall, and suggested that  
11 Plaintiff would be better off not pursuing the matter further with Harrah's.

12 145. The Dr. released Plaintiff back to work on March 3<sup>rd</sup>, 2009. That return date was  
13 delayed by Neall.  
14

15 146. Because of the lapse in the FMLA and the new start date, Plaintiff's health  
16 insurance was canceled.

17 147. On the day before her return to work, Plaintiff went to Guy Hyder's office and  
18 asked to speak to him, privately.  
19

20 148. Plaintiff was tearful and said, do you remember that day that I called you about  
21 the incident with Ben Roethlisberger, referring to the day after the sexual assault? Hyder  
22 said, Yes.

23 149. Plaintiff then said, I want you to know that that is specifically why I have fallen  
24 apart over the last few months. I was very scared and I didn't know what to do.  
25

26 150. Plaintiff stated that her problems arose directly out of the sexual assault by  
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1 Roethlisberger. Hyder said, "I figured that was what was wrong, but I thought it was just  
2 like a date rape thing." Hyder then said that he knew that Plaintiff was very distraught and  
3 upset, but that he thought that she had regretted sleeping with Defendant Roethlisberger and  
4 became upset.

5 151. Plaintiff, again, very upset by Hyder's comments, and disappointed with this  
6 statement, left Hyder's office in tears.  
7

8 152. After returning to work on Friday, March 6, 2009, Plaintiff was subjected to  
9 various acts by the Defendants which were intended to silence her and to dissuade her from  
10 further mentioning the sexual assault which had taken place during the 2008 Celebrity  
11 Tournament.

12 153. On her first day back to work, Plaintiff was reissued the negative work history  
13 from Harrah's based on the incident which had occurred on November 29, 2008, and was  
14 told that any further episodes would result in termination.  
15

16 154. Plaintiff was told about an incident wherein the Director of Player Development,  
17 Bryan Casuscelli, Ben Roethlisberger's Executive Casino Host, was seen removing and  
18 throwing away Plaintiff's business cards that were in the Butler pantry.  
19

20 155. When confronted by one of the butlers, Defendant Casuscelli stated that she  
21 (Plaintiff) may be coming back (to work), but she will never be a Host again.

22 156. Plaintiff complained to Supervisor Rod Campbell, but Campbell stated that he  
23 wasn't comfortable speaking to Bryan about it because he was hoping to be considered for  
24 the promotion to Vice President of Casino Marketing and speaking to Bryan might rock the  
25 boat.  
26

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28

1 157. A few days afterward, Plaintiff had a meeting with Mike Rosenow, Vice  
2 President of Human Resources for Harrah's, and told him that she was very concerned with  
3 the write up, with Bryan Casuscelli's remarks regarding the business cards, and the overall  
4 level of support, or lack thereof that she was receiving from Harrah's.

5 158. She explained that she had been through a considerable amount of anguish and  
6 that she was trying her very best to return to work and be an asset to the company.  
7

8 159. Rosenow noted that John Koster was aware of the Defendant Bryan Casuscelli's  
9 actions and agreed that it was in very poor taste and would not be tolerated. Mike Rosenow  
10 assured Plaintiff that there would be written statements taken from the Butlers who were  
11 present.

12 160. Rosenow asked Plaintiff to continue staying focused on her work.

13 161. On or about the early part of March, 2009, Plaintiff, during the course of her  
14 work shift, was in the company of guests, and introduced the guest to Koster.  
15

16 162. Notwithstanding Koster's awareness of the assault which had taken place on  
17 July 11, 2008, Koster proceeded to engage in an effusive and laudatory description of his  
18 "close friendship" with Ben Roethlisberger.  
19

20 163. Koster knew of the devastating impact this would have on Plaintiff, but chose,  
21 nonetheless, to send a message to Plaintiff that he, Koster, was supportive of his friend  
22 Roethlisberger, continued to admire this rapist, would not tolerate any but the most laudatory  
23 view and comments regarding Roethlisberger and would not investigate in any way the  
24 assault which had taken place during the 2008 Celebrity Tournament.  
25

26 164. Fearing reprisal and that she was being set up for termination, Plaintiff sought  
27  
28

1 legal Counsel who referred her to the undersigned Counsel.

2           165. On April 2, 2009, the undersigned Counsel sent a letter to Gary Loveman,  
3 Chairman, Chief Executive Officer and Pres. Of Harrah's Entertainment Inc., Tom Jenkin,  
4 President, Western Division and William Buffalo, Vice President and Deputy General  
5 Counsel, informing them of the assault that had taken place on July 11, 2008, and of the acts  
6 of ratification, condonation and approval by the executives at Harrah's Tahoe, and of the acts  
7 and failure to act of Hyder, requesting a full and independent investigation of the entire  
8 matter and of those acts.

9  
10           166. Plaintiff believes that Counsel retained by Harrah's Entertainment, Inc.,  
11 interviewed Defendants Koster, Hyder, Monroe and Neall regarding their actions and  
12 failures to act upon learning of the sexual assault that had taken place during the 2008  
13 Celebrity Tournament.

14  
15           167. On April 13, 2009, Counsel for Harrah's Entertainment, Inc., sent a letter to  
16 Plaintiff's Counsel communicating what Plaintiff believes to be character assassination  
17 advanced by Defendants Koster, Hyder, Monroe, Neall and Dingman intended to inflict  
18 emotional distress on Plaintiff, to defame Plaintiff, and to dissuade Plaintiff from pressing  
19 claims against Roethlisberger and/or Defendants and Harrah's.

20  
21           168. The attorney, among other things, set forth false and scurrilous claims by  
22 Defendant Stacy Dingman who had combined with Hyder and others in this defamation and  
23 attacks on Plaintiff.

24  
25           169. Dingman has been known to be a close personal friend of and to be personally  
26 involved with Hyder.

27  
28

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1 170. The Defendants sought by the letter and the accusations in it to dissuade  
2 Plaintiff from pursuing this matter against any of the Defendants and others involved in this  
3 cover-up.

4 171. Plaintiff's Counsel requested access to the Harrah's electronic surveillance and  
5 other phone and radio and electronic communications for the purpose of confirming facts  
6 relating to these claims. That request for access has been repeatedly ignored or denied.  
7

8 172. Nonetheless, demand has been made that all evidence in this matter be  
9 preserved, including, but not limited to all information regarding Ben Roethlisberger during  
10 his stay at Harrah's.

11 173. Notwithstanding the Defendants' full awareness of the assault which took place  
12 on July 11, 2008, they have again invited Defendant Roethlisberger to to be the guest of  
13 Harrah's during the 2009 celebrity golf tournament, while insisting that Plaintiff, to the  
14 detriment of her client relations, and her professional future, take a paid leave for a two-week  
15 period of time to accommodate her assailant. Defendants have done so with full knowledge  
16 of the emotional impact such action would have on Plaintiff.  
17

18 174. Additionally, on various occasions, Defendants and agents of Harrah's have  
19 attempted to obtain detailed statements from Plaintiff and have lobbied her against and  
20 discouraged her from pursuing any claims relating to this outrage.  
21

22 175. Defendant Monroe, who had held himself out as Plaintiff's and her family's  
23 friend and was acutely aware of the emotional devastation suffered by Plaintiff, as recently  
24 as June of 2009, falsely informed Plaintiff that he was unaware of the fact that she had been  
25 sexually assaulted.  
26

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1 176. Additionally, Defendant Monroe urged Plaintiff to not trust attorneys in general  
2 and her attorneys in particular while pretending to be her friend.

3 177. Defendant Monroe has been guilty of complicity in the cover-up of this very  
4 serious incident, has, along with other Defendants, adopted, ratified, and approved the  
5 conduct of Roethlisberger and others who have failed to properly investigate and pursue this  
6 matter according to the law and according to Harrah's stated policies, practices and  
7 procedure, and has failed to be the friend that he pretends to be and has failed to stand up to  
8 other Harrah's executives and insist that Mr. Hyder and others be punished for their failure  
9 and/or failures to properly investigate and pursue this matter upon receiving Plaintiff's report  
10 shortly after the sexual assault.  
11

12 178. Plaintiff has incurred medical bills in excess of Three Hundred and Eighty  
13 Thousand Dollars (\$380,000.00) as a direct and proximate result of the harm done to her by  
14 the Defendants.  
15

16 179. Plaintiff has lost wages in excess of Thirty Thousand Dollars (\$30,000.00)  
17

18 180. Plaintiff has suffered and continues to suffer extreme emotional upset and pain  
19 due to the sexual assault by Roethlisberger and the acts of the other Defendants named  
20 herein.

21 **CLAIMS AGAINST DEFENDANT BEN ROETHLISBERGER**

22 **FIRST CLAIM FOR RELIEF**

23 **ASSAULT**

24 181. Plaintiff incorporates by reference each and every allegation in the preceding  
25 paragraphs as if set forth, herein, verbatim.  
26

27  
28

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1 182. Defendant Roethlisberger caused Plaintiff to feel apprehension of a harmful or  
2 offensive contact with or on her person.

3 183. That apprehension of a harmful and offensive contact caused Plaintiff to suffer  
4 harm and injury.

5 184. Defendant suffered damages thereby as set forth herein.

6 185. Defendant's acts were intentional and malicious.

7 186. As a direct and proximate result of the wrongful conduct of Defendant  
8 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
9 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
10 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
11 to proof at the time of trial.

12 187. The conduct of Defendant Roethlisberger was willful, wanton, malicious, and  
13 oppressive, entitling Plaintiff to an award of exemplary and punitive damages in an amount  
14 sufficient to deter Defendant from engaging in such conduct in the future.

15 **SECOND CLAIM FOR RELIEF**

16 **SEXUAL ASSAULT AND BATTERY**

17 188. Plaintiff incorporates by reference each and every allegation in the preceding  
18 paragraphs as if set forth herein, verbatim.

19 189. Defendant Roethlisberger made an intentional, unlawful, and harmful sexual  
20 contact with and on the person of Plaintiff including, but not limited to sexual penetration of  
21 Plaintiff.

22 190. As a direct and proximate result of the wrongful conduct of Defendant  
23  
24  
25  
26  
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28



1 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
2 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
3 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
4 to proof at the time of trial.

5 191. The conduct of Defendant Roethlisberger was willful, wanton, malicious, and  
6 oppressive, entitling Plaintiff to an award of exemplary and punitive damages in an amount  
7 sufficient to deter Defendant from engaging in such conduct in the future.

8 **THIRD CLAIM FOR RELIEF**

9 **FALSE IMPRISONMENT**

10 192. Plaintiff incorporates by reference each and every allegation in the preceding  
11 paragraphs as if set forth herein, verbatim.

12 193. Defendant Roethlisberger intentionally and unlawfully acted and committed acts  
13 intended to and did confine Plaintiff within boundaries fixed by Defendant and did, thereby,  
14 confine her against her will.

15 194. Defendant's acts directly and indirectly resulted in such a confinement of  
16 Plaintiff.

17 195. Plaintiff was conscious of a confinement and was harmed by it.

18 196. As a direct and proximate result of the wrongful conduct of Defendant  
19 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
20 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
21 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
22 to proof at the time of trial.  
23  
24  
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1 197. The conduct of Defendant Roethlisberger was willful, wanton, malicious, and  
2 oppressive, entitling Plaintiff to an award of exemplary and punitive damages in an amount  
3 sufficient to deter Defendant from engaging in such conduct in the future.

4 **FOURTH CLAIM FOR RELIEF**

5 **FALSE PRETENSES**

6  
7 198. Plaintiff incorporates by reference each and every allegation in the preceding  
8 paragraphs as if set forth herein, verbatim.

9 199. Defendant Roethlisberger intentionally and unlawfully acted and made  
10 statements that were false and that pretended facts and circumstances designed to deceive  
11 Plaintiff and to induce her to act on and rely on said false pretenses to her detriment.

12 200. Defendant's acts directly and indirectly resulted in action and conduct by  
13 Plaintiff in that, but for those false pretenses, would not have occurred.

14 201. As a direct and proximate result of the wrongful conduct of Defendant  
15 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
16 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
17 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
18 to proof at the time of trial.

19 202. The conduct of Defendant Roethlisberger was willful, wanton, malicious, and  
20 oppressive, entitling Plaintiff to an award of exemplary and punitive damages in an amount  
21 sufficient to deter Defendant Roethlisberger from engaging in such conduct in the future.

22 **FIFTH CLAIM FOR RELIEF**

23 **FRAUD**

1 203. Plaintiff incorporates by reference each and every allegation in the preceding  
2 paragraphs as if set forth herein, verbatim.

3 204. Defendant Roethlisberger intentionally made statements and representations that  
4 were false and were known to be false.

5 205. Defendant Roethlisberger intended to induce Plaintiff to act or refrain from  
6 acting upon the statements and misrepresentations.  
7

8 206. Plaintiff justifiably relied upon Defendant's statements and representations.

9 207. As a result, Plaintiff suffered damages thereby, as set forth herein.

10 208. Defendant's acts were intentional and malicious.

11 209. As a direct and proximate result of the wrongful conduct of Defendant  
12 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
13 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
14 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
15 to proof at the time of trial.  
16

17 210. The conduct of Defendant Roethlisberger was willful, wanton, malicious, and  
18 oppressive, entitling Plaintiff to an award of exemplary and punitive damages in an amount  
19 sufficient to deter Defendant from engaging in such conduct in the future.  
20

21 **SIXTH CLAIM FOR RELIEF**

22 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

23 211. Plaintiff incorporates by reference each and every allegation in the preceding  
24 paragraphs as if set forth herein, verbatim.

25 212. Defendant Roethlisberger's conduct was extreme and outrageous with the intent  
26  
27  
28

1 of and reckless disregard for causing emotional distress to Plaintiff.

2 213. Plaintiff suffered severe and extreme emotional distress with severe physical  
3 symptomology as the actual and proximate result of Defendant's conduct.

4 214. As a direct and proximate result of the wrongful conduct of Defendant  
5 Roethlisberger, Plaintiff suffered great mental anguish, extreme damage to her career and  
6 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
7 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
8 to proof at the time of trial.

9  
10 215. The conduct of Defendant was willful, wanton, malicious, and oppressive,  
11 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
12 deter Defendant Roethlisberger from engaging in such conduct in the future.

13  
14 **CLAIMS AGAINST JOHN KOSTER, GUY HYDER, DAVE MONROE, MIKE**  
15 **ROSENOW, DEBBIE NEALL, MARK MASTERS, BRYAN CASUSCELLI, AND**  
16 **STACY DINGMAN**

17 **SEVENTH CLAIM FOR RELIEF**

18 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

19 216. Plaintiff incorporates by reference each and every allegation in the preceding  
20 paragraphs as if set forth, herein, verbatim.

21 217. Defendants' various conduct was extreme and outrageous and was committed  
22 with the intent of causing harm and with reckless disregard for causing harm and emotional  
23 distress to Plaintiff, who was known to be a vulnerable person in recovery.

24 218. Plaintiff suffered severe and extreme emotional distress, with extreme physical  
25 symptomology, as the actual and proximate result of Defendants' conduct.  
26

1 219. As a direct and proximate result of the wrongful conduct of Defendants, and  
2 each of them, Plaintiff suffered great mental anguish, extreme damage to her career and  
3 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
4 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
5 to proof at the time of trial.

6  
7 220. The conduct of Defendants was willful, wanton, malicious, and oppressive,  
8 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
9 deter Defendants, and each of them from engaging in such conduct in the future.

10 **EIGHTH CLAIM FOR RELIEF**

11 **INVASION OF PRIVACY**

12  
13 221. Plaintiff incorporates by reference each and every allegation in the preceding  
14 paragraphs as if set forth herein, verbatim.

15 222. Plaintiff had an actual expectation of seclusion, solitude, and privacy which was  
16 objectively reasonable.

17 223. Defendants Hyder and Masters and other Defendants intentionally intruded upon  
18 the exclusion, solitude, and privacy of the Plaintiff.

19  
20 224. Defendants by pretense and fraud and misrepresentation gathered information  
21 regarding the private and personal life of Plaintiff and regarding her medical condition or  
22 conditions.

23 225. The intrusions were such that each one was and would be highly offensive to  
24 Plaintiff and would be highly offensive to a reasonable person.

25 226. Defendants Hyder and Masters entered Plaintiff's home and gathered  
26

27  
28

1 information, including, without limitation, information from Plaintiff's computer and took  
2 her computer and other private information including medical information.

3 227. Plaintiff alleges on information and belief that Defendants Hyder and Masters  
4 copied, deleted, altered, and destroyed, the private and personal information of Plaintiff on  
5 the computer and sought to and did inspect it to determine information about Plaintiff and  
6 the state of mind of Plaintiff, the information possessed by Plaintiff and other information  
7 related to the sexual assault and the conduct of and involvement of others and relating to her  
8 relationship with third parties before and after the July 11, 2008 incident.

9  
10 228. Defendants publicly disclosed private facts regarding Plaintiff to which she had  
11 a right of privacy.

12  
13 229. These disclosures and each of them was and would be offensive and  
14 objectionable to a reasonable person of ordinary sensibilities.

15 230. Defendants' conduct was extreme and outrageous with the intent of and reckless  
16 disregard for causing emotional distress to Plaintiff.

17 231. Plaintiff suffered severe and extreme emotional distress as the actual and  
18 proximate result of Defendants' conduct.

19  
20 232. As a direct and proximate result of the wrongful conduct of Defendants, and  
21 each of them, Plaintiff suffered great mental anguish, extreme damage to her career and  
22 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
23 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
24 to proof at the time of trial.

25  
26 233. The conduct of Defendants was willful, wanton, malicious, and oppressive,

1 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
2 deter Defendants, and each of them from engaging in such conduct in the future.

3 **NINTH CLAIM FOR RELIEF**

4 **TRESPASS**

5 234. Plaintiff incorporates by reference each and every allegation in the preceding  
6 paragraphs as if set forth herein, verbatim.  
7

8 235. Plaintiff had an actual expectation of seclusion, solitude, and privacy on and in  
9 her home which was objectively reasonable.

10 236. Defendants Hyder and Masters intentionally intruded upon the seclusion,  
11 solitude, and privacy of the Plaintiff by entering into her home and on her land.

12 237. Defendants and each of them, personally or through their agents, trespassed  
13 upon and throughout her home and gathered information regarding her medical conditions,  
14 and regarding other private matters and information and/or aided, counseled and encouraged  
15 others, including, but not limited to Hyder and Masters, to trespass for their benefit.  
16

17 238. The intrusions and trespasses were such that each one was and would be highly  
18 offensive to a reasonable person.

19 239. Defendants Hyder and Masters trespassed upon and entered Plaintiff's home and  
20 gathered information, including, without limitation, information from Plaintiff's computer  
21 and other private information including medical information and other and private  
22 information.  
23

24 240. Defendants disclosed said information to Harrah's and to each other and  
25 publicly disclosed the private information and these private facts and/or information of  
26  
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1 Plaintiff.

2 241. Disclosure was and would be offensive and objectionable to a reasonable person  
3 of ordinary sensibilities.

4 242. Defendants' conduct was extreme and outrageous and was with the intent of and  
5 reckless disregard for causing emotional distress to Plaintiff.

6 243. Plaintiff was caused to suffer and suffered severe and extreme emotional  
7 distress, as the actual and proximate result of Defendants' conduct.

8 244. As a direct and proximate result of the wrongful conduct of Defendants, and  
9 each of them, Plaintiff suffered great mental anguish, extreme damage to her career and  
10 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
11 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
12 to proof at the time of trial.

13 245. The conduct of Defendants was willful, wanton, malicious, and oppressive,  
14 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
15 deter Defendants, and each of them from engaging in such conduct in the future.

16 **TENTH CLAIM FOR RELIEF**

17 **DEFAMATION, DEFAMATION PER SE AND TRADE DEFAMATION**

18 246. Plaintiff incorporates by reference each and every allegation in the preceding  
19 paragraphs as if set forth herein, verbatim.

20 247. Defendants made false and defamatory statements regarding the character of and  
21 credibility of Plaintiff in general and in particular regarding the assault, battery and false  
22 imprisonment of Plaintiff by Ben Roethlisberger.



1 248. Defendants made false and defamatory statements regarding Plaintiff's illness.

2 249. Defendants made false and defamatory statements regarding Plaintiff's physical  
3 and mental health.

4 250. Defendant Dingman falsely reported that Plaintiff was being treated in the  
5 hospital for schizophrenia and made other false and defamatory statements regarding  
6 Plaintiff when she knew that Plaintiff's problems arose out of having been sexually  
7 assaulted.  
8

9 251. Defendants made false and defamatory statements regarding Plaintiff's  
10 relationships with various men.

11 252. Defendants made false and defamatory statements regarding Plaintiff about her  
12 honesty, integrity and credibility and regarding her stability and/or suitability for  
13 employment.  
14

15 253. Defendants made unprivileged publications and communications of the  
16 foregoing statements.

17 254. Defendants knew or upon reasonable inquiry and investigation would have  
18 learned that their defamatory statements were false and were, at the very least, negligent in  
19 making the statements and publications.  
20

21 255. Defendants imputed sexual promiscuity to Plaintiff.

22 256. Defendants imputed a lack of fitness for her trade, business, and profession.

23 257. Defendants imputed serious sexual misconduct to Plaintiff.

24 258. Plaintiff sustained substantial actual and presumed damages to her person and  
25 profession as the direct and indirect consequences and result of those acts and statements.  
26

27

28

1 259. As a direct and proximate result of the wrongful conduct of Defendants, and  
2 each of them, Plaintiff suffered great mental anguish, extreme damage to her career and  
3 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
4 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
5 to proof at the time of trial.

6  
7 260. The conduct of Defendants was willful, wanton, malicious, and oppressive,  
8 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
9 deter Defendants, and each of them from engaging in such conduct in the future.

10 **ELEVENTH CLAIM FOR RELIEF**

11 **CIVIL CONSPIRACY**

12  
13 261. Plaintiff incorporates by reference each and every allegation in the preceding  
14 paragraphs as if set forth herein, verbatim.

15 262. Defendants conspired with one another and acted in concert, to accomplish the  
16 illegal act or acts of aiding and abetting Defendant Ben Roethlisberger after the fact, and as  
17 accessories after the fact, to his assault, battery, sexual assault, and false imprisonment of  
18 Plaintiff, acting to aid, counsel, encourage, and ratify, approve, cover up, and condone his  
19 illegal conduct by acting to and seeking to discredit Plaintiff, by invading her privacy, by  
20 seeking to inflict intentional emotional distress, upon her, by seeking to defame her, by  
21 seeking to discourage and dissuade Plaintiff from reporting Roethlisberger, by seeking to  
22 interfere with her contractual relations, and by seeking to, for individual and mutual benefit,  
23 and for the benefit of Harrah's and for the benefit of Roethlisberger, to prevent inquiry and  
24 investigation of the acts and conduct of Ben Roethlisberger.  
25  
26

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1 263. As a direct and proximate result of the wrongful conduct of Defendants, and  
2 each of them, Plaintiff suffered great mental anguish, extreme damage to her career and  
3 professional reputation and other damages, and incurred legal expenses, all to Plaintiff's  
4 damage in an amount in excess of TEN THOUSAND DOLLARS (\$10,000.00), according  
5 to proof at the time of trial.

6  
7 264. The conduct of Defendants was willful, wanton, malicious, and oppressive,  
8 entitling Plaintiff to an award of exemplary and punitive damages in an amount sufficient to  
9 deter Defendants, and each of them from engaging in such conduct in the future.

10 **TWELFTH CLAIM FOR RELIEF**

11 **PUNITIVE DAMAGES**

12  
13 265. Defendants and each of them acted with actual and implied malice and with  
14 intentional disregard for the truth and with the purpose and intent to cause Plaintiff physical  
15 injury and harm, and emotional distress with intentional disregard for the safety of and  
16 consequences to Plaintiff, a vulnerable person, due to the consequences of the harms she had  
17 suffered, by and through the intent to cover up the abominable conduct of and acts of  
18 Roethlisberger.

19  
20 266. The Defendants and each of them acted with Malice and with Oppression and  
21 Fraud so as to give rise to a basis for the award of Punitive Damages against each of them  
22 and Plaintiff seeks an award of Punitive Damages against each Defendant so as to punish  
23 each of them and to deter and prevent them and each of them from carrying out any such acts  
24 or conduct toward any other person or person.

25  
26 **WHEREFORE,** Plaintiff prays for Judgment against Defendants as follows:

27  
28

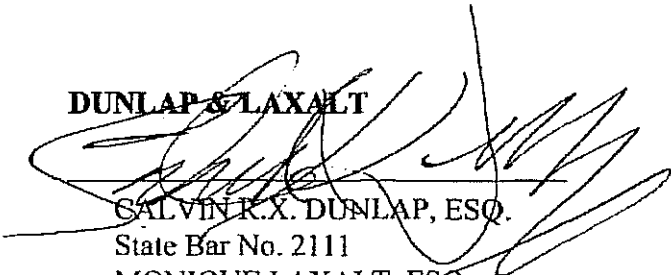
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1. For Special Damages, including but not limited to loss of wages, Medical bills and expenses, and other out of pocket expenses in excess of Three Hundred and Eighty Thousand Dollars (\$380,000.00), according to the proof.
2. For General Damages in Excess of Ten Thousand Dollars, according to proof.
3. For attorneys fees and costs.
4. For Punitive Damages.
5. For such other and further relief that is appropriate according to the proof.

**AFFIRMATION**

The undersigned does hereby affirm that the foregoing document does not contain the social security number of any person.

Dated this 17<sup>th</sup> day of July, 2009.

**DUNLAP & LAXALT**  
  
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MONIQUE LAXALT, ESQ.  
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