

Supreme Court of the State of New York
County of New York

Index No.

JANE DOE,

Plaintiff,

-against-

JASON KIDD,

Defendant.

Plaintiff designates New York
County as the place of trial.

The basis of venue is
PLACE OF THE OCCURRENCE

SUMMONS

FILED

07116541

DEC 13 2007


**NEW YORK
COUNTY CLERK'S OFFICE**

To the above named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or if the complaint is not served with this summons, to serve a notice of appearance on the plaintiff's attorneys within twenty (20) days after the service of this summons, exclusive of the date of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Dated: Fort Lauderdale, FL
October 18, 2007

Yours, etc.,



MARC NURIK
ROTHSTEIN ROSENFELDT ADLER
Attorneys for the Plaintiff
401 E. Las Olas Blvd., Suite 1650
Fort Lauderdale, FL. 33301
Ph: (954) 522-3456; Fax: (954) 527-8663

DEFENDANT'S ADDRESS:

JASON KIDD



Supreme Court of the State of New York
County of New York

Index No.

JANE DOE,

Plaintiff,

**VERIFIED
COMPLAINT**

-against-

JASON KIDD,

Defendant.

Plaintiff, JANE DOE, by and through her undersigned attorneys, ROTHSTEIN ROSENFELDT ADLER, complaining of the Defendant, JASON KIDD, states to the Court and alleges:

Allegations Common To All Counts

1. That at all times hereinafter mentioned the Plaintiff, JANE DOE, was and still is a resident of the County, City and State of New York.
 2. Upon information and belief, the Defendant, JASON KIDD, was and still is a resident of the State of New Jersey.
 3. On or about October 10, 2007 while the Plaintiff, JANE DOE, was lawfully within the premises known as Tenjune located on Little West 12th Street in the County, City and State of New York, the Defendant, JASON KIDD, willfully, suddenly, without any warning or provocation, battered and assaulted the Plaintiff, JANE DOE.
 4. The said battery was committed by Defendant, JASON KIDD, who, willfully and intentionally grabbed the Plaintiff's buttocks and "crotch" on multiple occasions without the permission and consent of the Plaintiff, JANE DOE.
 5. The said assault was committed by Defendant, JASON KIDD, who willfully and intentionally verbally threatened the Plaintiff, JANE DOE, after grabbing her buttocks and "crotch" area.
- _____

6. The said battery and assault which was committed upon the Plaintiff, JANE DOE, by the Defendant, JASON KIDD, was not in any way brought on by the Plaintiff, JANE DOE, nor did the Plaintiff, JANE DOE, provoke the Defendant, JASON KIDD.

7. As a result of the actions of the Defendant, JASON KIDD, the Plaintiff, JANE DOE, has sustained the serious injuries and damages as hereinafter alleged.

AS AND FOR A FIRST CAUSE OF ACTION - BATTERY

8. The Plaintiff, JANE DOE, repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "7" of this Complaint with the same force and effect as if same was more fully set forth at length herein.

9. Defendant's actions amounted to a series of harmful or offensive contacts to the Plaintiff's person, all of which were done intentionally by the Defendant, JASON KIDD, without the Plaintiff's consent.

10. As a direct and proximate result of the aforescribed batteries, Plaintiff, JANE DOE, has sustained in the past and will sustain in the future, physical injury, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

11. As a direct and proximate result of the aforescribed batteries, Plaintiff, JANE DOE, has incurred medical expenses, and other economic damages and continues to be sick, sore, lame and disabled; she has been incapacitated and has expended and become obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable and continues to be unable for some time to come, to pursue her usual activities and employment, all to her damage.

12. That by reason of the foregoing, Plaintiff, JANE DOE, sustained damages in a sum, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction.

AS AND FOR A SECOND CAUSE OF ACTION – ASSAULT

13. The Plaintiff, JANE DOE, repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "7" of this Complaint with the same force and effect as if same was more fully set forth at length herein.

14. Defendant's actions amounted to a series of events creating a reasonable apprehension in Plaintiff of immediate harmful or offensive contact to the Plaintiff's person, all of which were done intentionally by the Defendant, JASON KIDD.

15. As a direct and proximate result of the aforescribed assaults, Plaintiff, JANE DOE, has sustained in the past and will sustain in the future, physical injury, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

16. As a direct and proximate result of the aforescribed assaults, Plaintiff, JANE DOE, has incurred medical expenses, and other economic damages and continues to be sick, sore, lame and disabled, she has been incapacitated and has expended and become obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable and continues to be unable for some time to come, to pursue her usual activities and employment, all to her damage.

17. That by reason of the foregoing, Plaintiff, JANE DOE, sustained damages in a sum, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction.

**AS AND FOR A THIRD CAUSE OF ACTION – INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS**

18. The Plaintiff, JANE DOE, repeats, reiterates, and realleges each and every allegation contained in paragraphs "1" through "7" of this Complaint with the same force and effect as if same was more fully set forth at length herein.

19. Defendant JASON KIDD'S conduct described herein was extreme and outrageous.

20. Defendant JASON KIDD'S conduct described herein was intentional.

21. Defendant JASON KIDD'S conduct as described herein was reckless.

22. Defendant JASON KIDD'S conduct as described herein caused severe emotional distress upon Plaintiff, JANE DOE.

23. As a direct and proximate result of the aforescribed conduct of the Defendant, JASON KIDD, Plaintiff, JANE DOE, has sustained in the past and will sustain in the future, physical injury, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

24. As a direct and proximate result of the aforescribed conduct of the Defendant, JASON KIDD, Plaintiff, JANE DOE, has incurred medical expenses, and other economic damages and continues to be sick, sore, lame and disabled, she has been incapacitated and has expended and become obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable and continues to be unable for some time to come, to pursue her usual activities and employment, all to her damage.

25. That by reason of the foregoing, Plaintiff, JANE DOE, sustained damages in a sum, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction.

WHEREFORE, Plaintiff, JANE DOE, demands judgment against Defendant, JASON KIDD, on the first cause of action in a sum to be determined, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction along with punitive damages together with the costs, and disbursements of this action; Plaintiff, JANE DOE, demands judgment against Defendant, JASON KIDD, on the second cause of action, in a sum to be determined, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction along with punitive damages, together with the costs and disbursements of this action; Plaintiff, JANE DOE, demands judgment against Defendant, JASON KIDD, on the third cause of action, in a sum to be

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

Index No. _____

JANE DOE,

Plaintiffs,

-against-

JASON KIDD,

Defendants.

SUMMONS AND VERIFIED COMPLAINT

MARC S. NURIK, ESQ.
ROTHSTEIN ROSENFELDT ADLER
Attorneys for Plaintiff, Jane Doe.
401 East Las Olas Blvd., Suite 1650
Fort Lauderdale, FL 33301/Telephone: (954) 522-3456

40 Central Park So
Suite 1650
NYC NY 1001

Pursuant to 22 NYCRR 130-1.1a, the undersigned, an attorney admitted to practice in the county of New York State, certifies that, upon information and belief and reasonable inquiry, the contentions contained in the annexed documents are not frivolous.

Dated: Fort Lauderdale, Florida
October 8, 2007

MARC S. NURIK, ESQ.

Service of a copy of the within

is hereby admitted.

Dated:

By:

MARC S. NURIK, ESQ., Attorneys for Plaintiff

PLEASE TAKE NOTICE

That the within is a (certified) copy of _____ entered in the office of the clerk of the within

named Court on _____

[] Notice of Entry

that an order of which the within is a true copy will be presented for settlement to _____ one of the judges of the
within Court on _____ at _____ a.m.

[] Notice of Settlement

Dated: _____

ROTHSTEIN ROSENFELDT ADLER
Counsel for Plaintiff Jane Doe
401 East Las Olas Blvd., Suite 1650
Fort Lauderdale, Florida 33301
Tel: (954) 522-3456/Fax: (954) 527-8663
Email: mnurik@rrr-law.com

By: _____

Marc S. Nurik

ATTORNEY VERIFICATION

I, MARC S. NURIK, ESQ., an attorney, duly admitted to practice law in the State of New York, affirms under the penalty of perjury,

I am the attorney for Plaintiff, JANE DOE, in the within action. I have read the foregoing Complaint and know the contents thereof and the same are true to my knowledge, except as to matters which are stated to be alleged on information and belief, and as to those matters I believe them to be true. The source of my information consists of communication and correspondence with Plaintiff, JANE DOE, and records and documents contained in the file maintained in my offices.

The reason this verification is made by the undersigned and not by the Plaintiff is that the Plaintiff resides outside the County where the aforesaid attorney maintains his office.

Dated: Fort Lauderdale, Florida


October 18, 2007


MARC S. NURIK

determined, pursuant to CPLR 3017, which exceeds the jurisdictional limits of all lower courts, which would otherwise have jurisdiction along with punitive damages, together with the costs and disbursements of this action; along with such other and further relief as the Court deems just and proper.

DATED: FORT LAUDERDALE, FLORIDA
October 18, 2007.

Yours, etc.



MARC S. MURIK, ESQ.
ROTHSTEIN ROSENFELDT ADLER
Attorneys for the Plaintiff
401 E. Las Olas Blvd., Suite 1650
Fort Lauderdale, FL. 33301
Ph: (954) 522-3456; Fax: (954) 527-8663

TO:
JASON KIDD

T M Z