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Electronically FILED by  
Superior Court of California,  
County of Los Angeles  
7/11/2023 10:57 AM  
David W. Slayton,  
Executive Officer/Clerk of Court,  
By N. Valles, Deputy Clerk

12 **Attorneys for Plaintiff, JANE DOE**

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IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA  
FOR THE COUNTY OF LOS ANGELES

JANE DOE, an individual,  
Plaintiff,  
vs.  
ROMAN POLANSKI, an individual,  
Defendant.

CASE NO: 23SMCV02793  
*[Assigned for all purposes to Hon. H. Jay Ford, III, Dept. O]*  
**FIRST AMENDED COMPLAINT**

**INTRODUCTION AND PARTIES**

1. Plaintiff Jane Doe, is an individual and a resident of California.
2. Plaintiff DOE has filed this action under a pseudonym to protect her privacy in light of the nature of the allegations of childhood sexual assault contained hereinafter. Her true name is not known to the Defendant and will be provided to the Defendant in a confidential manner.
3. Defendant ROMAN POLANSKI (hereinafter “Defendant Polanski” or “Defendant”) is an individual who was a resident of California when the wrongful conduct alleged herein occurred.
4. The subject incident upon which this Complaint is based occurred within Los

1 Angeles County, California. As such, venue is proper in the Los Angeles County.

2 5. Plaintiff has asserted claims arising out of “Childhood sexual assault” as used in  
3 California *Code of Civil Procedure* §340.1.

4 6. The plaintiff is over the age of 40. The Certificates of Merit required by Code of  
5 Civil Procedure § 340.1(g)(1) were lodged with the Court conditionally under seal after the filing  
6 of the Complaint.

7 **THE ABUSE OF THE PLAINTIFF**

8 7. Plaintiff met Defendant Polanski at a party in 1973 when she was a minor.  
9 Months later, Defendant invited Plaintiff to dinner, and she accepted his invitation. Plaintiff is  
10 informed and believes and based thereon alleges that Defendant Polanski knew she was a minor.

11 8. The evening that Plaintiff was to have dinner with Defendant, she met him at his  
12 home in Benedict Canyon. At the house, Defendant gave Plaintiff, who he knew was a minor,  
13 two shots of tequila.

14 9. Thereafter, Defendant Polanski drove himself and Plaintiff to dinner at Le  
15 Restaurant which was located on La Cienega in Los Angeles. Their table was not ready when  
16 they arrived, and they sat in the bar where Defendant Polanski ordered Plaintiff more tequila.

17 10. After being seated, but before they ate, Plaintiff began feeling dizzy from the  
18 tequila and went to the restroom where she was ill. When she returned to the table, she told  
19 Defendant that she didn’t feel well and that she was going to go outside to get some fresh air.

20 11. Defendant Polanski followed Plaintiff outside and then drove her back to his  
21 house. Plaintiff does not recall how she got from the car into Defendant’s home. Plaintiff recalls  
22 that Defendant Polanski led her into his bedroom and that she passed out on his bed.

23 12. Plaintiff remembers waking up in Defendant’s bed with him lying in the bed next  
24 to her. He told her that he wanted to have sex with her. Plaintiff, though groggy, told Defendant  
25 “No.” She told him, “Please don’t do this.” He ignored her pleas. Defendant Polanski removed  
26 Plaintiff’s clothes and he proceeded to rape her causing her tremendous physical and emotional  
27 pain and suffering.

28 13. After Defendant ejaculated, he drove Plaintiff home. That was the last time

1 Plaintiff saw Defendant.

2 **FIRST CAUSE OF ACTION**

3 **(Rape/Sexual Battery against Defendant POLANSKI)**

4 14. Plaintiff repeats and realleges by reference each and every allegation contained  
5 hereinabove in paragraphs 1 through 13 and incorporate the same herein as though fully set forth  
6 herein.

7 15. Cal. Civ. Code § 1708.5(a) provides: A person commits a sexual battery who does  
8 any of the following: (1) acts with the intent to cause a harmful or offensive contact with an  
9 intimate part of another, and a sexually offensive contact with that person directly or indirectly  
10 results; (2) acts with the intent to cause a harmful or offensive contact with another by use of his  
11 or her intimate part, and a sexually offensive contact with that person directly or indirectly  
12 results; (3) acts to cause an imminent apprehension of the conduct described in paragraph (1) or  
13 (2), and a sexually offensive contact with that person directly or indirectly results.

14 16. Cal. Civ. Code § 1708.5(d) defines “intimate part” as the sexual organ, anus,  
15 groin, or buttocks of any person, or the breast of a female.

16 17. Cal. Civ. Code § 1708.5(f) defines “offensive contact” to mean contact that  
17 offends a reasonable sense of personal dignity.

18 18. Plaintiff alleges that Defendant committed the act of civil sexual battery/rape in  
19 violation of Cal. Civ. Code § 1708.5, when he willfully, maliciously, and intentionally subjected  
20 her to the forceful, harmful, and/or offensive touching when he forcefully penetrated her vagina  
21 and touched her breasts and vagina without her consent.

22 19. Because of Plaintiff’s mental and emotional state, by virtue of her minor age at  
23 the time, she could not and did not give consent to any of the aforementioned acts.

24 20. As a direct and proximate result of Defendant’s unlawful conduct as alleged  
25 hereinabove, Plaintiff has suffered and continues to suffer physical injury, severe emotional  
26 distress including but not limited to humiliation, loss of enjoyment of life, embarrassment,  
27 depression, feelings of helplessness, mental distress, and anxiety, as well as economic harm, all  
28 in an amount exceeding the jurisdictional minimum of the Superior Court according to proof at

1 trial.

2 21. The aforementioned conduct by Defendant was willful, wanton, and malicious,  
3 with the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to  
4 constitute malice and oppression under Cal. Civ. Code § 3294. By virtue of the foregoing, each  
5 Plaintiff is entitled to recover punitive and exemplary damages from Defendant according to  
6 proof at trial.

7 **SECOND CAUSE OF ACTION**

8 **(Intentional Infliction of Emotional Distress against Defendant POLANSKI)**

9 22. Plaintiff repeats and realleges by reference each and every allegation contained  
10 hereinabove in paragraphs 1 through 21 and incorporate the same herein as though fully set forth  
11 herein.

12 23. Defendant's conduct toward Plaintiff, as described herein above, was outrageous  
13 and extreme.

14 24. Defendant's conduct against Plaintiff as described herein was intentional and  
15 malicious and done for the purpose of causing, or with the substantial certainty that it would  
16 cause that Plaintiff to suffer humiliation, mental anguish, and emotional and physical distress.

17 25. As a direct and proximate result of Defendant's unlawful conduct as alleged  
18 hereinabove, Plaintiff has suffered and continues to suffer physical injury, severe emotional  
19 distress including but not limited to humiliation, loss of enjoyment of life, embarrassment,  
20 depression, feelings of helplessness, mental distress, and anxiety, as well as economic harm, all  
21 in an amount exceeding the jurisdictional minimum of the Superior Court according to proof at  
22 trial.

23 26. The aforementioned conduct by Defendant was willful, wanton, and malicious,  
24 with the intent to harm Plaintiff, and in conscious disregard of Plaintiff's rights, so as to  
25 constitute malice and oppression under Cal. Civ. Code § 3294. By virtue of the foregoing,  
26 Plaintiff is entitled to recover punitive and exemplary damages from Defendant according to  
27 proof at trial.

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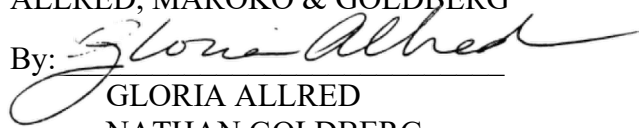
**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays for a judgment against Defendant Polanski as follows:

As To Both Causes of Action:

1. For past, present and future non-economic damages in an amount to be determined at trial;
2. For past, present and future special damages, including but not limited to past, present and future lost earnings, economic damages and others, in an amount to be determined at trial;
3. For costs of suit;
4. For interest based on damages, as well as pre-judgment and post-judgment interest as allowed by law;
5. For such other and further relief as the Court may deem proper.

DATED: July 11, 2023

ALLRED, MAROKO & GOLDBERG  
By:   
GLORIA ALLRED  
NATHAN GOLDBERG  
RENEE MOCHKATEL  
Attorneys for Plaintiff,  
**JANE DOE**