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County of Los Angeles
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10 **SUPERIOR COURT OF CALIFORNIA**

11 **COUNTY OF LOS ANGELES, UNLIMITED JURISDICTION**

12 BRIAN KING JOSEPH, an individual

13 Plaintiff,

14 vs.

15 TREYBALL STUDIOS MANAGEMENT,
16 INC., a California corporation; WILLARD
17 CARROLL SMITH II, an individual, and
18 DOES 1-50, Inclusive,

19 Defendants.

Case No. **25STCV38237**

COMPLAINT:

1. Retaliation in Violation of FEHA (Gov. Code §12940(h))
2. Retaliation Pursuant to Cal. Labor Code §1102.5
3. Wrongful Termination in Violation of Public Policy
4. Bane Act Violation (Cal. Civ. Code §52.1)
5. Ralph Act Violation (Cal. Civ. Code §51.7)
6. Sexual Harassment in Violation of FEHA (Gov. Code §12940(j)(1))

DEMAND FOR JURY TRIAL

1 **SUMMARY OF ACTION**

2 1. Defendant wrongfully terminated and retaliated against Plaintiff in violation of the
3 California Labor Code §1102.5, California Labor Code §6310, and multiple instances of California
4 public policy. These sections prohibit employers from terminating or retaliating against employees
5 for engaging in protected activities such as reporting illegal or unsafe working conditions. Here,
6 Plaintiff was terminated based on his complaints of unsafe working conditions and practices that
7 Defendant engaged in. Plaintiff seeks to recover for this flagrant violation of law.

8 **PARTIES**

9 2. Plaintiff, BRIAN KING JOSEPH (“Plaintiff”) is an individual who resides in the State of
10 California.

11 3. Defendant, TREYBALL STUDIOS MANAGEMENT, INC. (“TSM”) is a Delaware
12 corporation doing business in the state of California.

13 4. Defendant, WILLARD CARROLL SMITH II (“Smith”) is an individual who resides in
14 the State of California.

15 5. Plaintiff is ignorant of the true names and capacities of defendants sued herein as Does 1
16 through 50 (collectively with TREYBALL STUDIOS MANAGEMENT, INC. and WILLARD
17 CARROLL SMITH II, the “Defendants”), inclusive, and therefore sues these Does by such
18 fictitious names under California Code of Civil Procedure § 474. Plaintiff will amend this
19 Complaint to allege their true names and capacities when the same are ascertained.

20 6. Plaintiff is informed and believes and thereon alleges that each of the fictitiously named
21 defendants is legally responsible in some manner for the occurrences herein alleged and that the
22 injuries of Plaintiff as herein alleged have been proximately caused by the aforementioned
23 defendants, and each of them.

24 7. On information and belief one or more Defendant is the full or partial parent or owner of,
25 a wholly or partially owned subsidiary or division of, the agent of, the alter egos of each other,
26 and/or subsidiaries or divisions of an unknown and unnamed parent or holding enterprise.

27 8. Plaintiff is informed and believes and thereon alleges that each of the Defendants named
28 herein has at all times relevant to this action been the officer, agent, employee and/or representative

1 of the remaining Defendants and has acted within the course and scope of such agency and
2 employment, and with the permission and consent of the Defendants.

3 9. Plaintiff is informed and believes, and thereon alleges, that each of said Defendants is
4 responsible, jointly and severally, for the events and injuries described herein and caused damages
5 thereby to Plaintiff as alleged herein as the operations of each Defendants together with the other
6 ones consist of an integrated enterprise with centralized operations such that the parent has
7 substantial control over the subsidiary's employment practices and the hiring and firing of
8 employees.

9 10. On information and belief, it further is alleged that the Defendants were at all times relevant
10 hereto, the alter egos of each other such that to affirm the legal separateness of the Defendants for
11 purposes of the claims presented in this action would lead to an injustice and/or inequitable result.
12 There is a unity of interest and ownership between the company and its equitable owner(s) that the
13 separate personalities of the company and its shareholders do not in reality exist. Defendants
14 exhibit an interrelation of operations, commingling of funds, lack of observation of corporate
15 formalities, undercapitalization, centralized control, common management, and common financial
16 control such that they are an integrated enterprise and/or are alter egos. The company is a mere
17 shell, instrumentality, and conduit through which the individual Defendant(s) carried on their
18 business, exercising complete control and dominance of such business to the extent that any
19 individuality or separateness of the Defendants does not and did not exist.

20 11. Plaintiff is informed and believes and thereon alleges that at all times herein mentioned
21 each of the defendants was acting as the partner, agent, servant, and employee of each of the
22 remaining defendants, and in doing the things alleged herein was acting within the course and
23 scope of such agency and with the knowledge of the remaining Defendants.

24 **VENUE AND JURISDICTION**

25 12. The California Superior Court has jurisdiction in this matter due to Defendant's violation
26 of, among other statutes, the California Labor Code, California Government Code, and related
27 common law principles.

28 13. The California Superior Court also has jurisdiction in this matter because the individual

1 monetary damages and restitution sought herein exceed the minimal jurisdiction limits of the
2 Superior Court and will be established at trial, according to proof.

3 14. Venue is proper in Los Angeles County pursuant to CCP §395 (a) and CCP §395.5 in that
4 liability arose there because at least some of the transactions that are the subject matter of this
5 Complaint occurred therein and/or each Defendant either is found, maintains offices, transacts
6 business, and/or has an agent therein.

7 **FACTUAL ALLEGATIONS**

8 15. Plaintiff is a professional violinist who became employed by Defendants in connection
9 with a high-profile live music tour as a touring musician and crew member.

10 16. Following studio sessions with several high-profile artists, Plaintiff was referred to
11 Defendants for a potential recording opportunity. Two representatives for Defendants contacted
12 Plaintiff about coming out to Smith’s personal residence for an introduction.

13 17. In or around November of 2024, Omar provided Plaintiff with Smith’s address, where
14 Plaintiff met Smith and showcased his talent on the violin. At this same meeting, Smith invited
15 Plaintiff to join Smith at an upcoming performance in San Diego, which was set for December
16 2024, and ultimately to join Smith as part of his global tour, “Based on a True Story: 2025 Tour.”

17 18. In or around December of 2024, Plaintiff performed at Smith’s San Diego show and was
18 subsequently invited by Smith to be more involved with the performance. Smith expressed to
19 Plaintiff that he was a valued member of the group and slowly provided Plaintiff with additional
20 stage time and features during the course of his shows.

21 19. Thereafter, Smith invited Plaintiff to play on several tracks on Smith’s upcoming album,
22 and their relationship grew even closer. Smith and Plaintiff began spending additional time alone,
23 with Smith even telling Plaintiff that “You and I have such a special connection, that I don’t have
24 with anyone else,” and other similar expressions indicating his closeness to Plaintiff.

25 20. Following a two-month break from the December performance, Plaintiff was provided with
26 documentation and touring information for Smith’s global tour. The tour would span over several
27 months, and Plaintiff was provided with a full schedule for the upcoming performances. In reliance
28 of the upcoming tour, Plaintiff advised Defendant’s representatives that he would be spending

1 thousands of dollars for additional musical equipment, medication, and other necessities for the
2 upcoming tour.

3 21. In or around March 2025, Plaintiff joined Smith for the first leg of the tour in Las Vegas,
4 Nevada.

5 22. Defendant booked rooms for Plaintiff, the rest of the band, and crew members, with each
6 individual's room number and confirmation code being sent on a spreadsheet to cast and crew.

7 23. No other individuals besides for the crew and hotel staff would have had access to
8 Plaintiff's personal room.

9 24. Plaintiff's bag, which contained his room key, was left in the van responsible for
10 transporting all cast and crew members of Defendant's team at around 11 AM when Plaintiff and
11 crew were dropped off at the venue for rehearsal.

12 25. Plaintiff requested that management retrieve his bag at 3 PM, at which point management
13 indicated that they were unable to find it.

14 26. At 5 PM, management returned to Plaintiff with the bag, which contained Plaintiff's key.

15 27. On or about March 20, 2025, at around 11:00 P.M. while staying at a hotel in Las Vegas
16 for a scheduled performance with Defendant's tour, Plaintiff returned to his assigned hotel room
17 and discovered evidence suggesting that an unknown person had unlawfully entered the room.

18 28. According to hotel security, there were no signs of forced entry into the room, and the only
19 individuals with access to the room would have been part of Defendants' management team, who
20 booked the room for Plaintiff. This information was documented by phone calls between Plaintiff
21 and hotel security.

22 29. The evidence included a handwritten note addressed to Plaintiff by name, which read
23 "Brian, I'll be back no later [sic] 5:30, just us (drawn heart), Stone F." Among the remaining
24 belongings were wipes, a beer bottle, a red backpack, a bottle of HIV medication with another
25 individual's name, an earring, and hospital discharge paperwork belonging to a person
26 unbeknownst to Plaintiff.

27 30. Plaintiff feared that an unknown individual would soon return to his room to engage in
28 sexual acts with Plaintiff.

1 31. Concerned for his safety and the safety of his fellow performers and crew, Plaintiff
2 immediately notified hotel security and representatives for Defendant, obtained photo
3 documentation, requested a room change, and called the local non-emergency police line (311) to
4 report the incident.

5 32. Plaintiff reported the event and followed all instructions he was given by Defendant's
6 management team. He filed a full written incident report with hotel security, communicated with
7 hotel management, and offered to provide all information to Defendant.

8 33. Plaintiff made clear that his only concern was safety and that he did not wish to receive
9 any special treatment or compensation.

10 34. On or around March 21, 2025, Plaintiff traveled back to Los Angeles the next day to
11 support the cast and crew for a pre-recorded show. However, Plaintiff was told by Tim Miller that
12 it was too late to enter through the crew entrance and that they would see him in New Mexico just
13 weeks later for the next leg of the tour.

14 35. On or around March 23, 2025, Plaintiff reached out to Miller to speak about the next leg
15 of the tour.

16 36. On or around March 24, 2025 Plaintiff spoke with Miller, during which Miller began
17 blaming Plaintiff for the incident that transpired on March 20, 2025.

18 37. Rather than being protected against further assault, and for attempting to understanding
19 Plaintiff's complaint, Plaintiff was shamed by Defendant and told that he was being terminated.

20 38. When Plaintiff requested for further reasoning, Tim Miller, acting on behalf of Defendants,
21 redirected the blame for the termination onto Plaintiff, replying, "I don't know, you tell me,
22 because everyone is telling me that what happened to you is a lie, nothing happened, and you made
23 the whole thing up. So, tell me, why did you lie and make this up?"

24 39. Plaintiff, shocked at the accusation, had nothing further to say, and felt as though the
25 reports, evidence, and turmoil from the night before spoke for itself. As requested by Miller,
26 Plaintiff submitted evidence and a timeline of the events that transpired on March 20, 2025,
27 attempting to explain the traumatic series of events that occurred that evening.

28 40. Defendant never made any effort to verify if the safety concern was true or not. One call

1 to the hotel security would have been sufficient. Instead Defendant was intent on firing Plaintiff
2 because he reported the attempted sexual assault.

3 41. Miller also indicated in person and via email that the tour was “moving in a different
4 direction,” which was part of the reason for Plaintiff’s termination. However, following Plaintiff’s
5 report and termination, Defendant hired another violinist to assume the same position on the tour.
6 This hiring strongly suggested that Defendant's stated reason for the termination was pretextual.

7 42. Plaintiff further pleads on information and belief that Defendants’ conduct goes beyond a
8 mere failure to protect an employee’s safety or a dispute over a claim. The facts strongly suggest
9 that Defendant Willard Carroll Smith II was deliberately grooming and priming Mr. Joseph for
10 further sexual exploitation. The sequence of events, Smith’s prior statements to Plaintiff, and the
11 circumstances of the hotel intrusion all point to a pattern of predatory behavior rather than an
12 isolated incident.

13 43. Defendant's actions caused Plaintiff severe emotional distress, economic loss, reputational
14 harm, and other damages. Plaintiff was also harmed as a result of the stress of losing his job his
15 health deteriorated causing major physiological damage. Plaintiff suffered from PTSD and other
16 mental illness as a result of the termination.

17 **FIRST CAUSE OF ACTION**

18 **RETALIATION IN VIOLATION OF REPORTING SEXUAL HARASSMENT**

19 **FEHA (GOV. CODE §12940(h))**

20 **(Against all Defendants)**

21 44. Plaintiff incorporates by reference and realleges herein each and every one of the
22 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
23 forth herein.

24 45. Gov. Code 12940(h) states that it is illegal, for any employer, labor organization,
25 employment agency, or person to discharge, expel, or otherwise discriminate against any person
26 because the person has opposed any practices forbidden under this part or because the person has
27 filed a complaint, testified, or assisted in any proceeding under this part.

28 46. Plaintiff was an employee of Defendants working in California.

1 47. Defendant took an adverse employment action against Claimant, by terminating his
2 employment as the tour's violinist for Smith's global tour.

3 48. Among other things, Defendant terminated Plaintiff's employment because he made
4 opposed practices forbidden by Gov. Code 12940(h) when he reported what he reasonably
5 believed to be sex-based harassment at work.

6 49. Plaintiff's complaint of sex-based harassment was a substantial motivating reason for the
7 adverse employment action.

8 50. Defendant removed Plaintiff's previous role as the tour's violinist for the next show in Los
9 Angeles, and then effectively terminated his employment from the tour altogether.

10 51. Plaintiff was harmed.

11 52. Defendant's decision to remove him from the tour and end his employment all together
12 directly caused Plaintiff's harm.

13 53. As a direct and proximate result of the acts of Defendants, as alleged above, Plaintiff has
14 suffered humiliation, mental and physical distress, and anxiety, and has been generally damaged
15 in an amount to be ascertained at the time of trial.

16 54. The acts of Defendants, and each of them, were undertaken for improper purposes as
17 alleged above and were willful, wanton, deliberate, malicious, oppressive, despicable, in conscious
18 disregard of Plaintiff's rights, and were designed and intended to cause and did, in fact, cause
19 Plaintiff to suffer economic damages, physical pain and injury, and substantial emotional distress,
20 and significant PTSD and therefore justify the awarding of substantial exemplary and punitive
21 damages. Defendants' conduct described herein was engaged by managing agents for Defendant
22 and/or ratified by managing agents.

23 **SECOND CAUSE OF ACTION**

24 **RETALIATION – LABOR CODE §1102.5**

25 **(Against all Defendants)**

26 55. Plaintiff incorporates by reference and realleges herein each and every one of the
27 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
28 forth herein.

1 56. Pursuant to Labor Code §1102.5, it is unlawful for an employer to retaliate against an
2 employee for disclosing information, or because the employer believes that the employee disclosed
3 or may disclose information, if the employee has reasonable cause to believe that the information
4 discloses a violation of state or federal statute or violation of or noncompliance with a local, state,
5 or federal rule or regulation.

6 57. Plaintiff hereby claims that Defendants discharged him in retaliation for engaging in
7 protected activities when he reported unlawful conduct during a work tour.

8 58. Defendant was Plaintiff's employer at the time of the retaliation.

9 59. Plaintiff complained about the illegality of such conduct to Defendant's employees or
10 representatives, and by doing so engaged in a protected activity.

11 60. Defendant discharged Plaintiff.

12 61. Plaintiff's protected activity was a contributing factor in Defendant's decision to discharge
13 Plaintiff.

14 62. As a direct and proximate result of the acts of Defendants, as alleged above, Plaintiff has
15 suffered humiliation, mental and physical distress, and anxiety, and has been generally damaged
16 in an amount to be ascertained at the time of trial.

17 63. The acts of Defendants, and each of them, were undertaken for improper purposes as
18 alleged above and were willful, wanton, deliberate, malicious, oppressive, despicable, in conscious
19 disregard of Plaintiff's rights, and were designed and intended to cause and did, in fact, cause
20 Plaintiff to suffer economic damages, physical pain and injury, and substantial emotional distress
21 and significant PTSD and therefore justify the awarding of substantial exemplary and punitive
22 damages. The Defendants' conduct described herein was engaged by managing agents for
23 Defendant and/or ratified by managing agents.

24 64. As a result of the termination, Plaintiff was damaged in an amount to be determined at trial.

25 **THIRD CAUSE OF ACTION**

26 **RETALIATORY TERMINATION IN VIOLATION OF PUBLIC POLICY**

27 **(Against all Defendants)**

28 65. Plaintiff incorporates by reference and realleges herein each and every one of the

1 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
2 forth herein.

3 66. At all times relevant to this Complaint, it has been the law of the State of California to
4 prevent retaliation against employees who complain about workplace health and safety conditions.

5 67. It is unlawful for an employer to terminate an employee when the discharge of the
6 employee contravenes the dictates of public policy. *Tameny v. Atlantic Richfield Co.* 27 Cal.3d
7 167, 176-177. (Cal. 1980).

8 68. Plaintiff claims that he was discharged from his employment with Defendant for reporting
9 conduct that violates public policy.

10 69. Leading up to the time of the discharge, Plaintiff was employed by Defendant.

11 70. Plaintiff engaged in a protected activity by reporting the trespass of an unknown intruder
12 into the hotel room booked for him by Defendants and who had made sexual assault threats at him
13 while he was on the job.

14 71. Defendant discharged Plaintiff.

15 72. Plaintiff's protected activity was a substantial motivating reason for Plaintiff's discharge.

16 73. As a direct and proximate result of the acts of Defendants, as alleged above, Plaintiff has
17 suffered humiliation, mental and physical distress, and anxiety, and has been generally damaged
18 in an amount to be ascertained at the time of trial.

19 74. The acts of Defendants, and each of them, were undertaken for improper purposes as
20 alleged above and were willful, wanton, deliberate, malicious, oppressive, despicable, in conscious
21 disregard of Plaintiff's rights, and were designed and intended to cause and did, in fact, cause
22 Plaintiff to suffer economic damages, physical pain and injury, and substantial emotional distress
23 and significant PTSD and therefore justify the awarding of substantial exemplary and punitive
24 damages. The Defendants' conduct described herein was engaged by managing agents for
25 Defendant and/or ratified by managing agents.

26 75. As a result of the termination, Plaintiff was damaged in an amount to be determined at trial.
27
28

FOURTH CAUSE OF ACTION

BANE ACT VIOLATION (CIV. CODE §52.1)

(Against All Defendants)

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2
3
4 76. Plaintiff incorporates by reference and realleges herein each and every one of the
5 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
6 forth herein.

7 77. Plaintiff had the right, under the laws and Constitution of the State of California, to report
8 safety hazards in his workplace and to be free from retaliation for doing so, including rights
9 protected by California Labor Code §§ 6310 and 1102.5, and the California Constitution's
10 guarantees of personal security and safety.

11 78. Following the unlawful entry by an unknown person and the leaving of personal items and
12 a note addressed to Plaintiff in his hotel room while employed by Defendants, Plaintiff exercised
13 his rights by reporting the incident to hotel security, filing a written report, contacting Defendants'
14 management, filing a report with them and requesting that appropriate safety measures be taken.

15 79. Following these protected actions, Defendants, through their agents and representatives,
16 engaged in threats, intimidation, and/or coercion by abruptly terminating Plaintiff's employment,
17 falsely stating they were "moving in a different direction," and replacing him with another
18 violinist.

19 80. These acts were intended to—and did—cause Plaintiff to reasonably believe that if he
20 exercised his rights to report workplace safety hazards or demand a safe working environment,
21 Defendants would take adverse employment actions against him, including termination of his
22 livelihood and damage to his professional reputation.

23 81. In the alternative, Defendants' termination of Plaintiff was a retaliatory act intended to
24 punish him for exercising the above rights and to deter him and others from engaging in such
25 protected activity in the future.

26 82. Defendants intended to deprive Plaintiff of his enjoyment of the rights and interests
27 protected by California law, including the right to report workplace safety hazards and to work in
28 a secure environment free from retaliation.

1 83. Plaintiff believes that Will Smith himself was involved in the decision to terminate
2 Plaintiff.

3 84. As a direct and proximate result of Defendants’ actions, Plaintiff suffered and continues to
4 suffer substantial harm, including economic losses, severe emotional distress, mental anguish,
5 reputational harm, and significant PTSD and other damages according to proof at trial.

6 85. Pursuant to Cal. Civ. Code § 52.1, Plaintiff is entitled to compensatory damages, punitive
7 damages, civil penalties, injunctive and declaratory relief, and reasonable attorneys’ fees and costs.

8
9 **FIFTH CAUSE OF ACTION**

10 **RALPH ACT VIOLATION (CIV. CODE §51.7)**

11 **(Against All Defendants)**

12 86. Plaintiff incorporates by reference and realleges herein each and every one of the
13 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
14 forth herein.

15 87. At all times relevant, Plaintiff had the right under California Civil Code § 51.7 to be free
16 from violence or intimidation by threat of violence because of his sex and/or sexual orientation,
17 whether actual or perceived.

18 88. While working for Defendants, Plaintiff returned to his hotel room—assigned and arranged
19 by Defendants—and discovered evidence of an unlawful entry, and an individual’s personal
20 belongings and evidence of a sexual threat of violence.

21 89. The intrusion into Plaintiff’s hotel room was a violent act and/or intimidation by threat of
22 violence against Plaintiff’s person and property and in a sexual nature. The circumstances—
23 including the personal nature of the items left behind, the note addressed to Plaintiff, and prior
24 statements by Smith to Plaintiff such as “You and I have such a special connection”—support the
25 inference that Plaintiff believed that the substantial motivating reason for the unlawful entry and
26 related conduct was Plaintiff’s sex and/or sexual orientation.

27 90. Plaintiff promptly reported the intrusion to hotel security and Defendants’ management,
28 filed a written incident report, and sought safety measures. Shortly thereafter, Defendants

1 terminated Plaintiff from the tour under false pretenses and replaced him with another violinist.

2 91. Defendants’ actions—including failing to take protective measures, and terminating
3 Plaintiff in retaliation for reporting potentially sexual violent acts —were substantially motivated
4 by Plaintiff’s sex and/or sexual orientation, or by Defendants’ perception thereof.

5 92. As a direct and proximate result of Defendants’ conduct, Plaintiff suffered and continues
6 to suffer substantial harm, including severe emotional distress, fear for his personal safety,
7 economic losses, and damage to his professional reputation and significant PTSD.

8 93. Pursuant to Cal. Civ. Code §§ 51.7 and 52(b), Plaintiff is entitled to compensatory
9 damages, punitive damages, statutory penalties, injunctive and declaratory relief, and reasonable
10 attorneys’ fees and costs and all other damages.

11 **SIXTH CAUSE OF ACTION**

12 **SEXUAL HARASSMENT IN VIOLATION OF FEHA (GOV. CODE §12940(j))**

13 **(Against all Defendants)**

14 94. Plaintiff incorporates by reference and realleges herein each and every one of the
15 allegations contained in the preceding and foregoing paragraphs of this Complaint as if fully set
16 forth herein.

17 95. Gov Code 12940(j) makes it illegal for an employer, labor organization, employment
18 agency, apprenticeship training program or any training program leading to employment, or any
19 other person, because of race, religious creed, color, national origin, ancestry, physical disability,
20 mental disability, medical condition, genetic information, marital status, sex, gender, gender
21 identity, gender expression, age, sexual orientation, reproductive health decision making, or
22 veteran or military status, to harass an employee, an applicant, an unpaid intern or volunteer, or a
23 person providing services pursuant to a contract.

24 96. It further states, “An employer may also be responsible for the acts of nonemployees, with
25 respect to harassment of employees, applicants, unpaid interns or volunteers, or persons providing
26 services pursuant to a contract in the workplace, if the employer, or its agents or supervisors, knows
27 or should have known of the conduct and fails to take immediate and appropriate corrective
28 action.”

1 97. Plaintiff was an employee of Defendants and/or providing services pursuant to a contract
2 to Defendants.

3 98. Plaintiff was based in Los Angeles, primarily working, practicing and preparing for the
4 tour out of California with tours scheduled at various times across the United States (including
5 California).

6 99. An individual broke into Plaintiff's hotel room while he was working for, and on tour for
7 Defendant.

8 100. That individual left a handwritten note addressed to Plaintiff, with the intent to engage in
9 sexual acts with Plaintiff at a later time in said hotel room.

10 101. This intrusion occurred in a hotel room assigned and arranged by Defendants for the tour
11 in which Plaintiff was working.

12 102. Plaintiff made a protected complaint about what he reasonably and objectively believed to
13 be protected sexual harassment to Defendants.

14 103. Defendants knew of the conduct of this intruder after it was reported to them and failed to
15 take immediate and appropriate corrective action after Plaintiff reported the sexual harassment.

16 104. Plaintiff's complaint regarding this sexual harassment was a substantial motivating reason
17 for the adverse employment action.

18 105. Defendant removed Plaintiff's previous role as the tour's violinist for the next show in New
19 Mexico, and then effectively terminated his employment from the tour altogether immediately
20 after Plaintiff made such complaint and as a result of making such complaint.

21 106. Plaintiff was harmed.

22 107. Defendant's decision to remove him from the tour and end employment with Plaintiff
23 directly caused Plaintiff's harm

24 108. As a direct and proximate result of the acts of Defendants, as alleged above, Plaintiff has
25 suffered humiliation, mental and physical distress, and anxiety, and has been generally damaged
26 in an amount to be ascertained at the time of trial.

27 109. The acts of Defendants, and each of them, were undertaken for improper purposes as
28 alleged above and were willful, wanton, deliberate, malicious, oppressive, despicable, in conscious

1 disregard of Plaintiff's rights, and were designed and intended to cause and did, in fact, cause
2 Plaintiff to suffer economic damages, physical pain and injury, and substantial emotional distress,
3 and significant PTSD and therefore justify the awarding of substantial exemplary and punitive
4 damages. Defendants' conduct described herein was engaged by managing agents for Defendant
5 and/or ratified by managing agents.

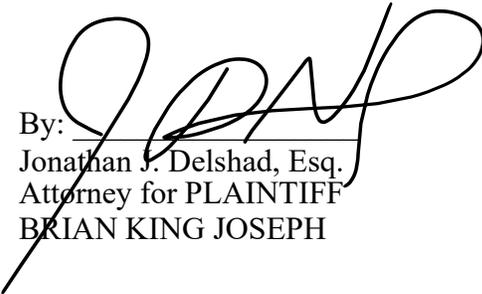
6 **PRAYER FOR RELIEF**

7 Plaintiff prays for judgment as follows:

- 8 a. For special, general, and compensatory damages according to proof at trial;
- 9 b. For punitive damages according to proof at trial;
- 10 c. For reasonable attorneys' fees, expert witness fees, and other litigation expenses
11 pursuant to law;
- 12 d. For injunctive relief where the court deems appropriate;
- 13 e. For all other relief the Court deems appropriate and just;
- 14 f. For a total amount of damages as determined by the jury.

15
16 Respectfully submitted,

17 Dated: December 29, 2025

18 By: 
Jonathan J. Delshad, Esq.
Attorney for PLAINTIFF
BRIAN KING JOSEPH