

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

-----X
LILI BERNARD, EDEN TIRL, JEWEL GITTENS,
JENNIFER THOMPSON, and CINDRA LADD,

Index No. _____/2022

Plaintiffs,

VERIFIED COMPLAINT

-against-

WILLIAM COSBY, JR., KAUFMAN ASTORIA
STUDIOS, INC., THE CARSEY-WERNER
COMPANY, LLC, and NBCUNIVERSAL MEDIA,
LLC,

Defendants.

-----X
The above-named plaintiffs, complaining of the defendants, by and through
their attorneys, MERSON LAW, PLLC, respectfully allege:

NATURE OF THE CLAIM

1. William Cosby, Jr. (hereinafter, "Bill Cosby") sexually abused, assaulted, and battered many women, including Plaintiffs herein.
2. This action is brought under the Adult Survivors Act, CPLR 214-j, by five women who were sexually abused by defendant Bill Cosby.
3. Each plaintiff was sexually assaulted and battered by defendant Bill Cosby in the same or similar manner when he used his power, fame, and prestige, including the power, fame and prestige given to him by defendants NBCUniversal Media, LLC, Kaufman Astoria Studios, Inc., and The Carsey-Werner Company, LLC, to misuse his enormous power in such a nefarious, horrific way.

4. Now, these five Plaintiffs have come forward to stand up for themselves and others, after they were sexually abused and assaulted by Bill Cosby.

5. Plaintiffs were all sexually battered, assaulted, and abused by Bill Cosby as a part of the same conduct, occurrence, plan, or scheme that was perpetrated, conducted, organized, and/or performed in New York and other states by Bill Cosby and his associates and enablers.

6. Over the course of several decades, Bill Cosby engaged in the serial sexual assault of dozens of women for his sexual gratification while the co-defendants enabled and aided these sexual assaults to benefit financially by their association with Bill Cosby.

7. In performing the sexual assaults set forth above, Bill Cosby committed multiple torts, including, but not limited to, sexual assault, sexual battery, intentional infliction of emotional distress, and false imprisonment pursuant to New York common law.

8. Defendants NBCUniversal Media, LLC, Kaufman Astoria Studios, Inc., and The Carsey-Werner Company, LLC are also culpable and liable because they knew and/or should have known that Bill Cosby was sexually abusing, assaulting, and/or battering women, including on their premises, but did nothing to stop it.

9. Defendants NBCUniversal Media, LLC, Kaufman Astoria Studios, Inc., and The Carsey-Werner Company, LLC did not investigate, reprimand, supervise nor in any way try to stop Bill Cosby from sexually abusing, assaulting and/or battering women.

10. Moreover, defendants NBCUniversal Media, LLC, Kaufman Astoria Studios, Inc., and The Carsey-Werner Company, LLC condoned and encouraged Bill Cosby's sexual abuse, assault, and/or battery of women including on company premises by doing nothing to stop it despite knowledge of his serial sexual abuse of women, and by providing Bill Cosby with staff and facilities to groom and sexually abuse women.

11. Plaintiffs' claims against defendants NBCUniversal Media, LLC, Kaufman Astoria Studios, Inc., and The Carsey-Werner Company, LLC are for their negligence and negligent hiring, retention, and supervision because they knew or should have known that Bill Cosby was sexually assaulting, assaulting, and battering women, but failed to stop it, investigate it, or protect these and other women.

PARTIES

12. At all times relevant including at present, plaintiff Jewel Gittens was a resident and domiciliary of the State of New York.

13. When the plaintiffs were sexually abused by defendant Bill Cosby, Bill Cosby was a resident of New York County, New York.

14. At all relevant times, Bill Cosby was a serial sexual assaulter of women, by, among other things, drugging women so that he could engage in sexual acts with said women without their consent, raping women, forcibly touching women, and/or forcing women to engage in sexual acts with him without their consent.

15. Kaufman Astoria Studios, Inc. (hereinafter, "Kaufman Astoria") is a domestic business corporation with its principal place of business in New York County, New York.

16. To the extent that Kaufman Astoria was a different entity, corporation, or organization during the relevant time periods set forth herein, such entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as Kaufman Astoria Studios, Inc.

17. To the extent that Kaufman Astoria is a successor to a different entity, corporation, or organization which existed during the relevant time periods set forth herein, including any entity, corporation, or organization that subsequently or eventually merged into Kaufman Astoria, such predecessor entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as Kaufman Astoria Studios, Inc.

18. All such Kaufman Astoria-related entities, corporations, or organizations are collectively identified and referred to herein as "Kaufman Astoria" and are included within the designation, "Defendants."

19. At all relevant times, Bill Cosby was an agent, servant, and/or employee of Kaufman Astoria.

20. The Carsey-Werner Company, LLC (hereinafter, "Carsey-Werner") is a foreign limited liability corporation with its principal place of business in California.

21. To the extent that Carsey-Werner was a different entity, corporation, or organization during the relevant time periods set forth herein, such entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as The Carsey-Werner Company, LLC.

22. To the extent that Carsey-Werner is a successor to a different entity, corporation, or organization which existed during the relevant time periods set forth herein, including any entity, corporation, or organization that subsequently or eventually merged into Carsey-Werner, such predecessor entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as The Carsey-Werner Company, LLC.

23. All such Carsey-Werner-related entities, corporations, or organizations are collectively identified and referred to herein as “Carsey-Werner” and are included within the designation, “Defendants.”

24. At all relevant times, Carsey-Werner transacted business within New York State under which it supplied goods or services in the state.

25. At all relevant times, Carsey-Werner committed a tortious act within the state, as set forth below.

26. At all relevant times, Carsey-Werner committed tortious acts outside the state causing injury to persons within the state, as set forth below.

27. At all relevant times, Carsey-Werner regularly did or solicited business or engaged in any other persistent course of conduct or derived substantial revenue from goods consumed or used or services rendered in New York.

28. At all relevant times, Carsey-Werner expected or should have reasonably expected that its actions would have consequences in the state of New York.

29. At all relevant times, Carsey-Werner derived substantial revenue from interstate or international commerce.

30. At all relevant times, Bill Cosby was an agent, servant, and/or employee of Carsey-Werner.

31. NBCUniversal Media, LLC (hereinafter, "NBC") is a foreign limited liability company authorized to do business in the State of New York, with its principal place of business in New York County, New York.

32. To the extent that NBC was a different entity, corporation, or organization during the relevant time periods set forth herein, such entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as NBCUniversal Media, LLC.

33. To the extent that NBC is a successor to a different entity, corporation, or organization which existed during the relevant time periods set forth herein, including any entity, corporation, or organization that subsequently or eventually merged into NBC, such predecessor entity, corporation, or organization is hereby on

notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as NBCUniversal Media, LLC.

34. All such NBC-related entities, corporations, or organizations are collectively identified and referred to herein as “NBC” and are included within the designation, “Defendants.”

35. At all relevant times, Bill Cosby was an agent, servant, and/or employee of NBC.

36. At all relevant times, Bill Cosby, Kaufman Astoria, Carsey-Werner, and NBC were agents of each other.

37. From approximately 1984 through 1992, defendants Bill Cosby, Kaufman Astoria, Carsey-Werner, and NBC owned, operated, managed, controlled, and/or supervised the production of the television program *The Cosby Show*.

38. At all relevant times, *The Cosby Show* was filmed at a facility owned, operated, controlled, managed, and/or supervised by Kaufman Astoria, Carsey-Werner, and/or NBC, in Queens County, New York.

39. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC financially benefited from their relationship with Bill Cosby and the success of *The Cosby Show*.

40. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC financially benefited from the public perception of Bill Cosby as “America’s Dad,” and as a morally upstanding father figure.

41. At all relevant times, the employees, agents, and/or servants of Kaufman Astoria, Carsey-Werner, and NBC facilitated the sexual assault of women by Bill Cosby by, among other things, bestowing Bill Cosby with power or the appearance of power at *The Cosby Show* and beyond, despite his propensity toward sexual assault of women and his active serial sexual assaults of women associated with *The Cosby Show*; permitting Bill Cosby access to women; providing women to Bill Cosby to be sexually assaulted; failing to protect the women involved in *The Cosby Show*, including actresses hired, offered, or seeking roles with *The Cosby Show* and visitors to *The Cosby Show*; encouraging women to meet with Bill Cosby alone and without adequate supervision; providing locations for Bill Cosby to sexually assault women; covering up the sexual assaults of said women; and implicitly approving and ratifying the sexual assaults through inaction or the other actions set forth herein.

PLAINTIFF LILI BERNARD

42. Lili Bernard and Bill Cosby first met on the set of Bill Cosby's television show, *The Cosby Show*.

43. In or around July 1990, Bill Cosby offered to be a mentor for Ms. Bernard's acting career, including helping her obtain roles on *The Cosby Show* and elsewhere.

44. During one of the mentoring sessions toward the end of July 1990, Bill Cosby grabbed Ms. Bernard's ribcage, diaphragm, and breasts without Ms. Bernard's consent.

45. In or around August 1990, Bill Cosby arranged for and induced Ms. Bernard to travel from New York to New Jersey, under the false pretense that he was arranging a meeting with a producer to help advance Ms. Bernard's career.

46. Upon information and belief, when Bill Cosby arranged for Ms. Bernard's interstate transportation from New York to New Jersey, he did so for the purpose of drugging and raping Ms. Bernard.

47. While in New Jersey, Bill Cosby drugged Ms. Bernard without her consent by placing an unknown intoxicant in a purportedly non-alcoholic drink that he had prepared and provided to Ms. Bernard.

48. Once Ms. Bernard was incapacitated from the unknown intoxicant, Bill Cosby undressed and raped her without her consent.

49. Following the events that took place in New Jersey, Ms. Bernard was in denial about how she was drugged and raped by Bill Cosby, and temporarily blocked the trauma from her memory.

50. A couple of months later, Bill Cosby arranged for and induced Ms. Bernard to travel interstate from New York to Nevada under the false pretense that he was arranging a meeting with producers from *A Different World* to cast her in the show.

51. *A Different World* was a television program produced by Carsey-Werner and aired on NBC.

52. At all relevant times, Bill Cosby, Carsey-Werner and NBC owned, operated, managed, controlled, produced, and/or supervised the production of *A*

Different World.

53. Upon information and belief, when Bill Cosby arranged for Ms. Bernard's interstate transportation from New York to Nevada, he did so for the purpose of drugging and raping Ms. Bernard.

54. Ms. Bernard was still in denial about the rape that occurred in New Jersey when she agreed to travel from New York to Nevada at Bill Cosby's request.

55. While in Las Vegas, Bill Cosby drugged Ms. Bernard by providing her with a purportedly non-alcoholic beverage that contained an unknown intoxicant.

56. Once Ms. Bernard was incapacitated from the unknown intoxicant, Bill Cosby undressed and raped Ms. Bernard without her consent.

57. During the rape, when Ms. Bernard awoke, attempted to defend herself, and screamed, "No," Bill Cosby covered her mouth with his hand and then smothered her entire face with a pillow until Ms. Bernard lost consciousness again.

58. Following the Nevada drugging and rape, Ms. Bernard remained mostly silent because of her fear of Bill Cosby, his power and reprisal.

59. In or around October 1991, Bill Cosby invited Ms. Bernard to his home in Manhattan, New York for a meeting to discuss a role in *The Cosby Show*.

60. Ms. Bernard agreed to go to Bill Cosby's home based on her expectation that she would not be alone with Bill Cosby, because his butler or cook were normally there during her previous visits to his home for mentoring sessions.

61. Once in Bill Cosby's home, Bill Cosby forcibly placed Ms. Bernard's hand on his penis and threatened that if she resisted he would "blacklist" her from the

entertainment industry.

62. Bill Cosby then pushed Ms. Bernard's head onto his penis, without her consent, forcing his penis into her mouth.

63. Following the assault, while Ms. Bernard remained crying, Bill Cosby provided her with a purportedly non-alcoholic beverage and told her to calm down and drink it.

64. After consuming some of the beverage, Ms. Bernard felt dizzy and as if she was going to lose consciousness.

65. Upon information and belief, Bill Cosby had drugged Ms. Bernard without her consent by placing an unknown intoxicant in the beverage that he gave to Ms. Bernard.

66. While still in his home, Ms. Bernard told Bill Cosby that she would go to the police and to the hospital.

67. In response, Bill Cosby told Ms. Bernard that if she went to the police or the hospital, he would seek criminal charges against her for making a false accusation, make sure that she stays in prison for a long time, sue her for defamation, "blacklist" her from the entertainment industry, and "erase" her.

68. Bill Cosby then pushed Ms. Bernard down the stairs and out of his home.

69. In or around December 1991, Ms. Bernard was on the set of *The Cosby Show* as an actress playing the role of "Mrs. Minifield."

70. On each of Ms. Bernard's workdays on *The Cosby Show*, in or around December 1991, Bill Cosby demanded and required that she eat every meal in his

dressing room with him. While she ate, Bill Cosby ogled her threateningly.

71. On one of Ms. Bernard's workdays on *The Cosby Show*, in or around December 1991, Bill Cosby demanded that Ms. Bernard leave the set and come to his home to continue rehearsing.

72. When Ms. Bernard refused to comply with Bill Cosby's demand, Bill Cosby, in the presence of the production crew, loudly threatened to fire her and yelled sexual profanities at her.

73. In or around February 1992, while Ms. Bernard was on the set of *The Cosby Show* to meet with other cast members, Bill Cosby told Ms. Bernard in the presence of other actors and in a threatening manner that she is "done," "over," "dead" and that she does "not exist."

74. Ms. Bernard was fearful for her life and career due to the verbal threats, drugging, and sexual assaults of Bill Cosby.

PLAINTIFF EDEN TIRL

75. In or around 1989, plaintiff Eden Tirl first met Bill Cosby at Kaufman Astoria Studios in Queens, New York following a taping of *The Cosby Show*.

76. The next morning, Ms. Tirl was contacted by her agent and informed that she was given a role as a police officer on *The Cosby Show*, despite never auditioning for a role in that program.

77. On that same day, shortly after learning that she was given a role on *The Cosby Show*, Bill Cosby called Ms. Tirl at her home to invite her to a basketball game; Ms. Tirl declined that invitation.

78. Despite the relatively minor role to be played by Ms. Tirl on *The Cosby Show*, *The Cosby Show* provided her with a car service to and from the studio and a private dressing room.

79. While on set, on approximately four occasions, Frank Scotti, an employee working at *The Cosby Show*, insisted, in the presence of other employees of defendants Kaufman Astoria, Carsey-Werner, and NBC, that Ms. Tirl have lunch with Bill Cosby alone in his private dressing room.

80. On the first such occasion, when Ms. Tirl resisted the invitation, Mr. Scotti grabbed her by the arm and physically escorted her to the dressing room in the presence of employees of Kaufman Astoria, Carsey-Werner, and NBC.

81. Once alone in Bill Cosby's dressing room, prior to Bill Cosby's arrival, Ms. Tirl exited and returned to the set.

82. On the second such occasion, when Frank Scotti demanded that Ms. Tirl have lunch with Bill Cosby alone in his dressing room, Ms. Tirl loudly and publicly screamed, "No," in the presence of employees of defendants Kaufman Astoria, Carsey-Werner, and NBC.

83. In response to Ms. Tirl's public outcry, a woman believed to be an Assistant Director told Ms. Tirl, "It's okay. You can go," and "It happens all the time. Just go," before Ms. Tirl was once again physically escorted to Bill Cosby's private dressing room by Mr. Scotti while other employees working on *The Cosby Show* stood by.

84. Once again, when Ms. Tirl was alone in Bill Cosby's dressing room, Ms. Tirl escaped and returned to the set prior to Bill Cosby's arrival.

85. That evening, when Ms. Tirl attempted to leave the studio in the private car arranged by *The Cosby Show*, the driver delayed departure until Bill Cosby, without invitation, entered the vehicle and instructed the driver to leave the studio.

86. During the drive, Bill Cosby repeatedly propositioned and invited Ms. Tirl to join him at various locations, including a jazz club, dinner, a show, and his home for drinks; Ms. Tirl declined all invitations.

87. When Mr. Scotti demanded that Ms. Tirl have lunch alone with Bill Cosby on a third occasion, Ms. Tirl made eye contact with the director of *The Cosby Show* with the expectation that he, as an authority figure, would intercede; however, he did nothing.

88. Ms. Tirl then said to other employees of Kaufman Astoria, Carsey-Werner, and NBC that she was uncomfortable and that she did not want to go, but those employees also did nothing.

89. Ms. Tirl then broke down and publicly cried because of the humiliation before being publicly and physically escorted to Bill Cosby's dressing room once again by Mr. Scotti.

90. Once again, finding herself alone in Bill Cosby's dressing room, Ms. Tirl escaped before Bill Cosby arrived.

91. On a fourth such occasion, while Ms. Tirl was speaking with other actors, Mr. Scotti once again demanded that she go to Bill Cosby's dressing room.

92. Embarrassed and humiliated by such a request in the presence of her peers and having experienced the previous lack of help and outright encouragement from the staff at *The Cosby Show* that she submit to Mr. Scotti's demand, Ms. Tirl was once again escorted to Bill Cosby's dressing room by Mr. Scotti.

93. Unlike the prior occasions, when Ms. Tirl entered Bill Cosby's dressing room on this last occasion, Bill Cosby entered the room behind her, closed the door, locked it, and took a seat by the door to the dressing room.

94. Once Bill Cosby had Ms. Tirl alone and in a locked room blocking the means of egress, Bill Cosby engaged in small talk with Ms. Tirl before offering that she could have anything she wanted and that he "owned" NBC.

95. Ms. Tirl responded that she only wanted to have a professional experience at *The Cosby Show* and only wanted to build her career in a professional manner.

96. Bill Cosby then turned the conversation to discussing Ms. Tirl's boyfriend.

97. Bill Cosby then asked Ms. Tirl to "come here."

98. He stood and Ms. Tirl stood in response, defensively.

99. Bill Cosby then asked Ms. Tirl to turn around.

100. Ms. Tirl felt threatened but turned around with the belief that Bill Cosby would not harm her, given that she was publicly escorted to his dressing room and was in proximity to the employees of Kaufman Astoria, Carsey-Werner, and NBC in the busy hallway outside.

101. Once Ms. Tirl turned around, Bill Cosby asked her to raise her arms up under the guise that it was part of an acting exercise, so that her arms were away from her body.

102. Suddenly, and without consent, Bill Cosby came behind her, pulled her arms down, wrapping them around the front of her chest and held them down so that Ms. Tirl could not move or escape his grasp.

103. As he held Ms. Tirl, Bill Cosby touched her breasts without her consent, forcibly pressed his penis into Ms. Tirl's back without her consent, and forcibly kissed her neck without her consent, and then whispered, "This is all we were going to do. Make love. This is making love."

104. Once done, he released her and told her that she could go back to *The Cosby Show* set.

105. Ms. Tirl then immediately escaped Bill Cosby's dressing room and returned to *The Cosby Show* set to complete the taping of the episode.

PLAINTIFF JEWEL GITTENS

106. In or around the late 1980s, Jewel Gittens first met Bill Cosby under the pretense that Bill Cosby wanted to meet her for a potential role on *The Cosby Show*.

107. Following that initial meeting, Bill Cosby invited and hosted Ms. Gittens at his home and the set of *The Cosby Show* on numerous occasions for the ostensible purpose of mentoring her and assisting her in obtaining a role on *The Cosby Show*.

108. On one occasion, when Jewel Gittens was visiting the set of *The Cosby Show* as Bill Cosby's invited guest, Frank Scotti was posted at or near Bill Cosby's dressing room.

109. While at *The Cosby Show* set, Frank Scotti approached Ms. Gittens and gave her a beverage, which he claimed was coffee.

110. When Mr. Scotti gave Ms. Gittens the beverage, Mr. Scotti stated that he brought her the beverage at Bill Cosby's instruction.

111. Upon smelling the coffee, Ms. Gittens noted that it smelled weird, as if it had alcohol or another unknown substance in it. Ms. Gittens then discarded the unknown beverage.

112. When Ms. Gittens confronted Bill Cosby in his dressing room about the unknown beverage, Frank Scotti stood outside of Bill Cosby's dressing room.

113. On another occasion, in or around 1989 or 1990, Bill Cosby invited Jewel Gittens to his house ostensibly to discuss working on *The Cosby Show* as they had done many times in the past.

114. When Ms. Gittens arrived at Bill Cosby's Manhattan home, Bill Cosby was the only other person present.

115. During this meeting, Bill Cosby offered Ms. Gittens a glass of wine, which he insisted was of high quality.

116. Ms. Gittens accepted Bill Cosby's offer of a glass of wine because of his insistence.

117. When Ms. Gittens tasted the wine, it tasted foul and bitter.

118. Bill Cosby insisted that Ms. Gittens finish the entire glass of wine.

119. Upon information and belief, unbeknownst to Ms. Gittens, Bill Cosby had drugged the glass of wine with an intoxicant intended to immobilize Ms. Gittens and leave her susceptible to sexual assault.

120. After ingesting some of the wine, Ms. Gittens felt its effect, including a lack of awareness of her surroundings, and sat on a couch.

121. Bill Cosby lifted Ms. Gittens from the couch via her armpits so that she was standing in front of a mirror with Bill Cosby behind her.

122. As she stood, disoriented and sluggish, Bill Cosby grabbed her hand and placed it behind her back and onto his penis without her consent.

123. Bill Cosby then reached under Ms. Gittens' skirt and anally penetrated her with his finger without her consent.

124. Bill Cosby ejaculated from the sexual encounter he forced upon Ms. Gittens.

125. Once done, Bill Cosby pulled the still-compromised Ms. Gittens outside of his home, where he placed her in a taxi and paid her fare.

126. While in the taxi, Ms. Gittens became violently ill, and vomited.

PLAINTIFF JENNIFER THOMPSON

127. In the Spring of 1988, when Jennifer Thompson was seventeen years old, she first met Bill Cosby at Kaufman Astoria Studios, in a meeting arranged by modeling agent Sue Charney.

128. At their first meeting, Bill Cosby offered himself as a mentor to Ms. Thompson, and provided her with his phone number.

129. As part of the purported mentoring offered by Bill Cosby to Ms. Thompson, Bill Cosby offered and arranged for Ms. Thompson to appear on *The Cosby Show*.

130. Prior to her eighteenth birthday, Ms. Thompson contacted Bill Cosby for mentoring after a difficult modeling job.

131. In response to Ms. Thompson's call, Bill Cosby invited her to his Manhattan home.

132. At his home, Ms. Cosby insisted that Ms. Thompson drink an alcoholic beverage that he had prepared for her, rubbed her shoulders without her consent, and invited Ms. Thompson to have dinner with him at a later date and stay at his house afterwards. Ms. Thompson declined his invitation and left his home.

133. Following Ms. Thompson's eighteenth birthday, Bill Cosby invited Ms. Thompson to a restaurant to meet with a renowned psychiatrist, under the pretense that Bill Cosby, as a mentor, was concerned for Ms. Thompson's mental health following her reaction to their interaction at his home.

134. After the dinner, Ms. Thompson went to Bill Cosby's Manhattan home with Bill Cosby.

135. At Bill Cosby's home, Bill Cosby grabbed Ms. Thompson's hand and forcefully placed it on his penis without her consent.

136. Bill Cosby then placed his hand atop Ms. Thompson's hand, and forcibly made Ms. Thompson masturbate him without her consent.

PLAINTIFF CINDRA LADD

137. In approximately 1969, Cindra Ladd became platonic friends with Bill Cosby and would socialize with him platonically.

138. On one evening in Bill Cosby's presence, Ms. Ladd complained of having a bad headache.

139. In response, Bill Cosby offered her an unidentified pill under the guise that it would help alleviate her headache.

140. When Ms. Ladd demonstrated her hesitation in taking the pill, Bill Cosby asked if she did not trust him.

141. Trusting Bill Cosby, Ms. Ladd ingested the pill with the expectation that it would help with her headache, and then went with him to a movie.

142. Upon information and belief, Bill Cosby offered and encouraged Ms. Ladd to take the unidentified pill to incapacitate her so that he could sexually assault and rape her.

143. During the movie, Ms. Ladd blacked out.

144. When Ms. Ladd awoke, she was lying in bed with Bill Cosby nearby wearing a robe, with indications that Bill Cosby had vaginally raped her without her consent while she was blacked out, including his semen on and between her legs.

145. Upon information and belief, while Ms. Ladd was blacked out from the pill provided to her from Bill Cosby, Bill Cosby sexually assaulted and raped her without her consent.

**AS AND FOR A FIRST CAUSE OF ACTION
BY ALL PLAINTIFFS FOR ASSAULT AS AGAINST BILL COSBY**

146. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

147. Bill Cosby's predatory, abusive, manipulative, and unlawful acts against Plaintiffs created a reasonable apprehension in Plaintiffs of immediate harmful or offensive contact as to Plaintiffs' persons, all of which was done intentionally by Bill Cosby to Plaintiffs without Plaintiffs' consent.

148. As a direct and proximate result of the aforementioned assault, Plaintiffs sustained in the past and will continue to sustain in the future serious and severe psychological injuries and emotional distress, mental anguish, embarrassment, and humiliation.

149. As a direct and proximate result of the aforementioned assaults, Plaintiffs have incurred medical expenses and other economic damages, and will now be obligated to expend sums of money for medical care and attention in an effort to cure themselves of the injuries and to alleviate their pain and suffering, emotional distress, mental anguish, embarrassment and humiliation.

150. By reason of the foregoing, Plaintiffs are entitled to compensatory damages from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate.

151. By reason of the foregoing, Plaintiffs are further entitled to punitive damages from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate.

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

153. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A SECOND CAUSE OF ACTION
BY ALL PLAINTIFFS FOR BATTERY AS AGAINST BILL COSBY**

154. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

155. Bill Cosby's unlawful, abusive, manipulative, and predatory acts against Plaintiffs amounted to harmful and offensive contacts to Plaintiffs' persons, each of which was done intentionally by Bill Cosby without Plaintiffs' consent.

156. As a direct and proximate result of the batteries, Plaintiffs sustained in the past and will continue to sustain in the future psychological injury, pain, and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

157. By reason of the foregoing, Plaintiffs are entitled to compensatory damages from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate.

158. By reason of the foregoing, Plaintiffs are further entitled to punitive damages from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate, to deter said Defendant and others from future similar misconduct.

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

160. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A THIRD CAUSE OF ACTION FOR INTENTIONAL
INFLICTION OF EMOTIONAL DISTRESS AS AGAINST BILL COSBY**

161. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

162. Bill Cosby engaged in outrageous conduct toward Plaintiffs with the intention to cause, or with reckless disregard for the probability of causing, Plaintiffs to suffer severe emotional distress.

163. As a proximate result of the assaults and batteries to Plaintiffs, Plaintiffs suffered and continue to suffer from extreme mental distress, humiliation, anguish, and emotional and physical injuries, as well as economic losses, in amounts to be proven at trial.

164. Bill Cosby committed the acts alleged herein maliciously, fraudulently, and oppressively with the wrongful intention of injuring Plaintiffs from an improper or evil motive amounting to malice and in conscious disregard of Plaintiffs' rights, entitling Plaintiffs to recover punitive damages from Bill Cosby in such sums as a jury would find fair, just, and appropriate, to deter Bill Cosby and others from future similar misconduct.

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

166. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A FOURTH CAUSE OF ACTION BY PLAINTIFFS LILI
BERNARD, EDEN TIRL, JEWEL GITTENS, AND CINDRA LADD
FOR FALSE IMPRISONMENT AS AGAINST BILL COSBY**

167. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

168. Bill Cosby, intentionally and without the right to do so, confined Lili Bernard, Eden Tirl, Jewel Gittens, and Cindra Ladd.

169. Lili Bernard, Eden Tirl, Jewel Gittens, and Cindra Ladd were aware of their confinement.

170. As a direct and proximate result of the false imprisonments, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Cindra Ladd sustained in the past and will continue to sustain in the future psychological injury, pain, and suffering, serious and severe psychological and emotional distress, mental anguish, embarrassment, and humiliation.

171. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Cindra Ladd are entitled to compensatory damages from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate.

172. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Cindra Ladd are further entitled to punitive from defendant Bill Cosby in such sums as a jury would find fair, just, and adequate, to deter said Defendant and others from future similar misconduct.

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

174. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A FIFTH CAUSE OF ACTION BY PLAINTIFFS
LILI BERNARD, EDEN TIRL, JEWEL GITTENS, AND
JENNIFER THOMPSON FOR NEGLIGENCE
AS TO KAUFMAN ASTORIA, CARSEY-WERNER, AND NBC**

175. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

176. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC owed a duty of care to plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, Jennifer Thompson and others to properly supervise its employees and the facility where *The Cosby Show* was produced, such that individuals working on or visiting *The Cosby Show* set were safe from sexual abuse.

177. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC owed a duty of care to properly supervise its employees, agents, and servants, and to ensure that its employees were not using the authority bestowed upon them by said defendants or the facilities of said defendants to sexually assault, facilitate the sexual assault, and/or cover up the sexual assault of women.

178. At all relevant times, Bill Cosby openly and notoriously engaged in the mistreatment, sexual abuse and sexual assault of women associated with, employed by, and/or visiting *The Cosby Show*.

179. At all relevant times, Bill Cosby's propensity to mistreat and sexually abuse women was known by the employees, servants, and agents of defendants Kaufman Astoria, Carsey-Werner, and NBC.

180. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was a serial sexual assaulter of women and/or had a predilection towards sexually abusing women.

181. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was sexual assaulting women.

182. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was a danger to women.

183. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC bestowed upon Bill Cosby power or the appearance of power which Bill Cosby used to access and sexually abuse women.

184. At all relevant times, Bill Cosby used the power and role bestowed upon him by Kaufman Astoria, Carsey-Werner, and NBC to prey upon and sexually abuse women at Kaufman Astoria's facility and elsewhere.

185. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using the power and role bestowed upon him by Kaufman Astoria, Carsey-Werner, and NBC to prey upon women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

186. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC provided Bill Cosby with facilities so that he could gain access to, groom, isolate and sexually abuse women.

187. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using their facilities to prey upon and sexually abuse women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

188. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC provided Bill Cosby with authority and/or apparent authority so that he could gain access to, groom, isolate and sexually abuse women.

189. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using the authority or apparent authority they bestowed upon him to prey upon and sexually abuse women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

190. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC provided Bill Cosby with, or arranged Bill Cosby to be provided with, women so that he could groom, isolate and sexually abuse them.

191. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was sexually abusing the women provided to him by defendants Kaufman Astoria, Carsey-Werner, and NBC, including

actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

192. At all relevant times, defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using their facilities to prey upon and sexually abuse women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

193. Kaufman Astoria, Carsey-Werner, and NBC created, through their action and inaction, an environment in which the sexual assault of women by Bill Cosby was permitted, accepted, institutionalized, and encouraged.

194. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC provided and employed individuals to facilitate and cover up Bill Cosby's serial sexual abuse and rape of women.

195. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC, their employees, agents, and/or servants facilitated and covered up Bill Cosby's serial sexual abuse and rape of women.

196. At all relevant times, Frank Scotti was an agent, servant, and/or employee of NBC.

197. At all relevant times, Frank Scotti was an agent, servant, and/or employee of Kaufman Astoria.

198. At all relevant times, Frank Scotti was an agent, servant, and/or employee of Carsey-Werner.

199. At all relevant times, Frank Scotti, in the course of his employment or in his role as agent for the Defendants, facilitated the sexual assault of women by Bill Cosby by, among other things, delivering women to Bill Cosby's private dressing room under false pretenses; arranging for Bill Cosby to isolate said women; guarding the dressing room of Bill Cosby to prevent interruption of Bill Cosby's sexual assault of women; guarding the dressing room of Bill Cosby to prevent the escape of women provided to Bill Cosby for sexual assault; arranging locations for Bill Cosby to sexually assault women; covering up the sexual assault of said women; and otherwise facilitating the sexual assault of women by Bill Cosby.

200. At all relevant times, employees, servants and/or agents of Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using the employees, agents, and/or servants of Kaufman Astoria, Carsey-Werner, and NBC to facilitate and cover up his sexual assault of women.

201. Even though defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using their facilities and employees to gain access to, groom, sexually assault, sexually batter, rape, and cover up the sexual assault, rape, and battery of women, Kaufman Astoria, Carsey-Werner, and NBC did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries and rape.

202. Even though defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known that Bill Cosby was using the authority or apparent

authority bestowed upon him by said defendants to gain access to, groom, sexually assault, sexually batter, rape, and cover up the sexual assault and battery of women, Kaufman Astoria, Carsey-Werner, and NBC did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries and rape.

203. Even though defendants Kaufman Astoria, Carsey-Werner, and NBC knew or should have known of Bill Cosby's propensity toward, history of, and ongoing serial sexual assault, battery, and rape of women, Kaufman Astoria, Carsey-Werner, and NBC did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries, and rape.

204. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC and/or their agents, servants, and/or employees failed to have, enact, and/or enforce rules, regulations, policies or procedures regarding sexual abuse, assault, battery, and/or harassment at the workplace.

205. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC and/or their agents, servants, and/or employees caused, created, or, despite actual or constructive notice, permitted the existence of a dangerous condition to exist within their premises.

206. At all relevant times, Kaufman Astoria, Carsey-Werner, and NBC and/or their agents, servants, and/or employees breached the above-stated duties in

a negligent, reckless, willful and wanton manner, and caused plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson to be sexually assaulted, sexually abused and molested.

207. As a result of the negligence of Kaufman Astoria, Carsey-Werner, and NBC, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson suffered serious personal injuries, emotional distress, mental pain and suffering, mental anguish, and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

208. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to compensatory damages from Kaufman Astoria, Carsey-Werner, and NBC in such sums as a jury would find fair, just, and adequate.

209. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to punitive damages from Kaufman Astoria, Carsey-Werner, and NBC in such sums as a jury would find fair, just, and adequate.

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

211. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A SIXTH CAUSE OF ACTION FOR NEGLIGENT
HIRING, RETENTION AND SUPERVISION BY PLAINTIFFS
LILI BERNARD, EDEN TIRL, JEWEL GITTENS, AND JENNIFER
THOMPSON AS TO KAUFMAN ASTORIA, CARSEY-WERNER, AND NBC**

212. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

213. Kaufman Astoria, Carsey-Werner, and NBC negligently hired, retained and supervised Bill Cosby, Frank Scotti, and others, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill and moral character to properly supervise the production and staff of *The Cosby Show*, enforce rules, and protect vulnerable persons employed by or visiting *The Cosby Show* from Bill Cosby or those agents, servants and/or employees of Kaufman Astoria, Carsey-Werner, and NBC who aided, facilitated, and/or covered up Bill Cosby's sexual assault of women.

214. As a result of such negligent hiring, supervising and/or retention, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson suffered serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

215. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to compensatory damages from Kaufman Astoria, Carsey-Werner, and NBC in such sums as a jury would find fair, just, and adequate.

216. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to punitive damages from Kaufman Astoria, Carsey-Werner, and NBC in such sums as a jury would find fair, just, and adequate.

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

218. This action falls within exceptions to Article 16 of the CPLR.

WHEREFORE, Plaintiffs demands judgment against Defendants in such sum as a jury would find fair, adequate, and just.

Dated: New York, New York
December 5, 2022

MERSON LAW, PLLC

By: 

Jordan Merson, Esq.

Jordan Rutsky, Esq.

Attorneys for Plaintiffs

950 Third Ave., 18th Floor

New York, New York 10022

(212) 603-9100

347) 441-4171

ATTORNEY VERIFICATION

JORDAN MERSON, ESQ., an attorney duly admitted to practice in the Courts of New York State, and a member of MERSON LAW, PLLC., attorneys for Plaintiffs in the within action, hereby affirms under penalty of perjury:

That he has read the within complaint and knows the contents thereof, and that the same is true to his own knowledge, except as to the matters therein stated to be alleged upon information and belief, and that as to those matters he believes it to be true. That the sources of his information and knowledge are investigations and records in the file. That the reason this verification is made by affirmant and not by the plaintiffs is that the plaintiffs are not within the County where the attorney has his office.

Dated: New York, New York
 December 5, 2022


JORDAN MERSON, ESQ.