

Assigned for all purposes to: Torrance Courthouse, Judicial Officer: Gary Tanaka

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10 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
11 **FOR THE COUNTY OF LOS ANGELES**

13 This Matter Relates to:)	Case No.: 22TRCV01604
)	
14 JULIA MISLEY, formerly known as JULIA)	COMPLAINT FOR DAMAGES FOR:
15 HOLCOMB, an individual,)	
)	(1) SEXUAL BATTERY (<i>CIVIL CODE</i>
16 Plaintiff,)	§1708.5);
)	(2) SEXUAL ASSAULT;
17 vs.)	(3) INTENTIONAL INFLECTION OF
)	EMOTIONAL DISTRESS
18 DEFENDANT DOE 1, an individual; and DOES 2)	
through DOE 50, inclusive,)	
)	
19 Defendant)	DEMAND FOR JURY TRIAL
)	
20)	

21 Plaintiff JULIA (HOLCOMB) MISLEY brings this action against Defendants
22 DEFENDANT DOE 1, and DOES 2 through 50, inclusive (collectively, “Defendants”), and
23 based on information and belief alleges as follows:

24 **INTRODUCTION**

25 1. Plaintiff is a survivor of childhood sexual abuse, sexual battery, assault, and
26 molestation at the hands of DEFENDANT DOE 1. When Plaintiff was 16 years old,
27 DEFENDANT DOE 1 used his role, status, and power as a well-known musician and rock star to
28 gain access to, groom, manipulate, exploit, sexually assault Plaintiff over the course of over three

1 years in numerous states across the country, including in the State of California, County of Los
2 Angeles. As a result of DEFENDANT DOE 1'S sexual abuse and assault, Plaintiff has suffered
3 severe emotional, physical and psychological injury, including humiliation, shame, and guilt,
4 economic loss, economic capacity, earning loss and permanent emotional distress.

5 **JURISDICTION AND VENUE**

6 2. This Court has jurisdiction over the subject matter of this action pursuant to Article
7 VI, section 10 of the California Constitution and section 410.10 of the California Code of Civil
8 Procedure.

9 3. Venue is proper in this Court under Code of Civil Procedure section 395 because a
10 substantial part of the conduct alleged giving rise to the violations of law alleged herein occurred
11 in Los Angeles County.

12 **PARTIES**

13 4. Plaintiff is an adult female residing in the State of Texas. Plaintiff was sexually
14 abused as a minor. Plaintiff brings this Complaint pursuant to California Code of Civil Procedure
15 Section 340.1, as amended by Assembly Bill 218, for the child sexual assault she suffered at the
16 hands of Defendant. Thus, Plaintiff's claims for damages suffered as a result of childhood sexual
17 assault are timely filed as they are filed within three years of January 1, 2020. Plaintiff is over the
18 age of forty (40) years old. Therefore, the Plaintiff has filed a declaration from a mental
19 healthcare practitioner, and an attorney declaration for each named defendant in this action,
20 pursuant to the requirements of Code of Civil Procedure §340.1.

21 5. The childhood sexual abuse, harassment and/or assault of Plaintiff occurred in
22 numerous states around the country including California and Los Angeles County.

23 6. DEFENDANT DOE 1, the alleged perpetrator, at all times mentioned herein was
24 and is an adult male individual. By 1973, DEFENDANT DOE 1 was a renowned and well-known
25 musician and leading member of a world-famous rock band. By 1973 DEFENDANT DOE 1 had
26 acquired wealth, stature, and power as a result of his career and status as a rock star. This status
27 afforded DEFENDANT DOE 1 particular power and influence over minors including Plaintiff.

28 7. On information and belief Plaintiff alleges that the true names and capacities,

1 whether individual, corporate, associate or otherwise, of Defendants named herein as DOES 2
2 through 50, inclusive, are unknown to the Plaintiff, who therefore sues said Defendants by such
3 fictitious names. Plaintiff will amend the Complaint to allege their true names and capacities
4 when such have been ascertained. Upon information and belief, each of the said Doe Defendants
5 is responsible in some manner under *Code of Civil Procedure* §§340.1(a)(1), (2), (3), and
6 340.1(c) for the occurrences herein alleged, and were a legal cause of the childhood sexual assault
7 and intentional infliction of emotional distress which resulted in injury to the Plaintiff as alleged
8 herein.

9 8. At all times mentioned herein, there existed a unity of interest and ownership
10 among Defendants and each of them, such that any individuality and separateness between
11 Defendants, and each of them, ceased to exist. Defendants and each of them, were the
12 successors-in-interest and/or alter egos of the other Defendants, and each of them, in that they
13 purchased, controlled, dominated and operated each other without any separate identity,
14 observation of formalities, or other manner of division. To continue maintaining the facade of a
15 separate and individual existence between and among Defendants, and each of them, would allow
16 Defendants to perpetrate a fraud and an injustice.

17 9. At all times mentioned herein, Defendants and each of them were the agents,
18 representatives and/or employees of each and every other Defendant. In doing the things
19 hereinafter alleged, Defendants and each of them, were acting within the course and scope of said
20 alternative personality, capacity, identity, agency, representation and/or employment and were
21 within the scope of their authority, whether actual or apparent. Plaintiff is informed and believes,
22 and on that basis alleges, that at all times mentioned herein, Defendants and each of them were
23 the managers, trustees, partners, servants, joint venturers, shareholders, contractors, and/or
24 employees of each and every other Defendant, and the acts and omissions herein alleged were
25 done by them, acting individually, through such capacity and within the scope of their authority,
26 and with the permission and consent of each and every other Defendant and that said conduct was
27 thereafter ratified by each and every other Defendant, and that each of them is jointly and
28 severally liable to Plaintiff.

1 **GENERAL FACTUAL ALLEGATIONS**

2 ***I. Minor Plaintiff Meets and is Assaulted by DEFENDANT DOE 1***

3 10. On information and belief, in 1973, Plaintiff came to know an individual who was
4 well known in the music community as associating with girls and young women who would
5 become accessible and susceptible to famous musicians. In 1973, DEFENDANT DOE 1
6 performed a concert in Portland, Oregon, and Plaintiff was invited backstage by agents of
7 defendant. This was the first time Plaintiff met DEFENDANT DOE 1. Upon information and
8 belief, Plaintiff had turned 16 one month earlier. Upon information and belief, DEFENDANT
9 DOE 1 was 25 years old.

10 11. Upon information and belief, DEFENDANT DOE 1 showed unusual interest in
11 Plaintiff immediately and, after speaking with her backstage DEFENDANT DOE 1 took Plaintiff
12 and another individual to his hotel room. Upon information and belief, DEFENDANT DOE 1
13 then required the other individual to leave so that he was alone with Plaintiff. Among other
14 topics, Plaintiff and DEFENDANT DOE 1 discussed Plaintiff's age and Plaintiff informed him of
15 her age. Defendant Doe 1 inquired where Plaintiff's parents were and why she was out all night
16 by herself. Plaintiff informed DEFENDANT DOE 1 of struggles she was facing at home.
17 DEFENDANT DOE 1 performed various acts of criminal sexual conduct upon Plaintiff that
18 night. DEFENDANT DOE 1 had Plaintiff stay with him in his hotel that night and then sent her
19 home the next morning in a taxicab. Before she left, DEFENDANT DOE 1 invited Plaintiff to
20 Seattle for his band's next concert. Upon information and belief, He said he would buy the plane
21 ticket so that she could travel separately from him since she was a minor and could not travel with
22 DEFENDANT DOE 1 across state lines. Plaintiff used the plane ticket provided by
23 DEFENDANT DOE 1 to fly to Seattle for his concert. DEFENDANT DOE 1 had Plaintiff stay
24 in his hotel room after the show that night and again DEFENDANT DOE 1 performed various
25 sexual acts upon Plaintiff. Plaintiff flew back to Portland the next day with the ticket provided by
26 Defendant.

27 12. Upon information and belief, after the show in Seattle, DEFENDANT DOE 1
28 continued to pursue Plaintiff by frequently telephoning her at her home, making various

1 statements to induce her to visit him again including, but not limited to, telling her that he wrote a
2 song for her that he recorded with his band, and that he wished she could be in the recording
3 studio with him so he could sing it to her.

4 13. Upon information and belief, once Plaintiff finished her sophomore school year,
5 DEFENDANT DOE 1 caused her to travel to Boston to stay with him. Upon information and
6 belief, within a weeks, DEFENDANT DOE 1 told Plaintiff that he didn't want her to return to
7 Portland for school, that he wanted her to stay with him and that he wanted to continue taking her
8 on the road with him and his band promising to provide for her as she traveled with him. During
9 this time, he continued to sexually assault Plaintiff. Plaintiff, a minor, was powerless to resist
10 DEFENDANT DOE 1's power, fame and substantial financial ability. DEFENDANT DOE 1
11 coerced and persuaded Plaintiff into believing this was a "romantic love affair".

12 ***II. DEFENDANT DOE 1 Becomes Plaintiff's Guardian and the Assaults Continue***

13 14. Upon information and belief, in approximately 1974, DEFENDANT DOE 1 and
14 his agents took actions for DEFENDANT DOE 1 to become the guardian for Plaintiff so that he
15 could more easily travel with Plaintiff and avoid criminal prosecution. Upon information and
16 belief, DEFENDANT DOE 1 met with Plaintiff's mother and convinced her to sign over the
17 guardianship of her daughter to him. Upon information and belief, DEFENDANT DOE 1 made
18 various promises and inducements to Plaintiff's mother assuring her of the wellbeing of Plaintiff
19 including, but not limited to promising he would enroll her in school; that he would support her;
20 and provide her with better medical care and support than her mother could at the time.
21 DEFENDANT DOE 1 did not meaningfully follow through on these promises and instead
22 continued to travel with, assault and provide alcohol and drugs to Plaintiff.

23 ***III. DEFENDANT DOE 1 Impregnates Plaintiff and Coerces an Abortion***

24 15. Upon information and belief, in approximately 1975, Plaintiff became pregnant as
25 a result of the sexual acts by DEFENDANT DOE 1 causing him to be simultaneously both the
26 father of Plaintiff's unborn child and her legal guardian. Upon information and belief
27 DEFENDANT DOE 1 was the sole source of income, transportation and support for Plaintiff.
28 Upon information and belief, DEFENDANT DOE 1 when informed of the pregnancy instructed

1 Plaintiff that she could not seek prenatal medical care because “he would get in trouble” for
2 fathering the child when inquiries of paternity arose with the medical providers. Plaintiff
3 continued to follow the instructions and commands of DEFENDANT DOE 1 who continued to
4 woo and exert undue influence over Plaintiff by, among other actions, informing Plaintiff that he
5 wrote, and his band recorded another song referring to and inspired by her.

6 16. Upon information and belief, in approximately fall of 1975 when Plaintiff was
7 pregnant, DEFENDANT DOE 1 while touring with his band left Plaintiff home alone in
8 DEFENDANT DOE 1’s Massachusetts apartment with little food, money and without a car.
9 Upon information and belief, a fire occurred in the apartment and Plaintiff lost consciousness
10 from smoke inhalation. Plaintiff regained consciousness in a Catholic hospital with
11 DEFENDANT DOE 1 at her bedside. Medical staff informed them that Plaintiff would make a
12 full recovery and the baby was unharmed.

13 17. Upon information and belief thereafter, DEFENDANT DOE 1 pressured and
14 coerced Plaintiff to have an abortion by threatening that he would send her back to her family and
15 cease to support and love her. Agents of DEFENDANT DOE 1 were present and assisted with
16 arrangement for the abortion which needed to be performed at a different facility since the facility
17 treated Plaintiff was Catholic and an abortion was not available. Plaintiff relented and the
18 abortion was performed.

19 ***IV. DEFENDANT Causes Additional Harm to Plaintiff by His Publications for Profit***

20 18. Plaintiff made a conscious decision to leave and escape the music and drug addled
21 world seeking to be free from the sexualized culture created by DEFENDANT DOE 1 and the
22 industry. Plaintiff returned to Portland and over the years rebuilt her life, obtained a GED,
23 attended college, and became active in her Christian faith. She met her husband, became married
24 and started a family, repairing her soul through faith and family. Plaintiff became deeply devoted
25 to the Catholic faith which celebrated the sanctity of life as she sought comfort, counseling and
26 solace with her priest. As a result of the abuse, Plaintiff kept her private shame in silence and
27 secrecy.

28 19. That life was shattered when DEFENDANT DOE 1 made widespread publications

1 and statements for profit. The callous behavior by DEFENDANT DOE 1 included publishing of
2 his memoirs and/or books describing his abuse of Plaintiff without her knowledge or consent.
3 Those memoirs characterize the child sex assaults of Plaintiff as a romantic, loving relationship
4 without her knowledge or consent. DEFENDANT DOE 1 made these statements with the intent
5 of garnering various benefits including fame and financial benefit for himself and his
6 managers/agents/publishers without the consent or permission of Plaintiff and to her detriment.
7 As a result of DEFENDANT DOE 1's statements and writings, DEFENDANT DOE 1 imposed
8 involuntary infamy upon Plaintiff. She suffered and continues to suffer deep emotional harm as a
9 result. The involuntary infamy and public dissemination of Plaintiff's assaults has aggravated and
10 exacerbated the harm caused by the assaults and continues to prevent healing of the trauma and
11 creates additional trauma.

12 20. Upon information and belief, DEFENDANT DOE 1's memoirs and statements
13 confirm and confess the crimes he perpetrated upon Plaintiff including:

14 "She was 16, she knew how to nasty ... with my bad self being twenty-six and she barely
15 old enough to drive and sexy as hell, I just fell madly in love with her... She was my
16 heart's desire, my partner in crimes of passion... I was so in love I almost took a teen
17 bride. I went and slept at her parent's house for a couple of nights and her parent's fell in
18 love with me, signed paper over for me to have custody, so I wouldn't get arrested if I
19 took her out of state. I took her on tour with me."

20 21. By including Plaintiff's name in the acknowledgements, he left the readers and the
21 public without any doubt of Plaintiff's identity. Soon after, Plaintiff was in line at a grocery store
22 and saw a picture of herself on a tabloid that referred to her as DEFENDANT DOE 1's teen lover.
23 The caption under Plaintiff's photo read, "She was 15 when they fell in love. He's described her
24 as having 'more legs than a bucket of chicken.' ... attempts to contact Julia have been
25 unsuccessful."

26 22. The article went on to describe certain details including the fire that nearly killed
27 her and the coerced abortion, these were now published along with her status as a victim of sexual
28 assault subjecting her to involuntary infamy.

1 harmful or offensive contact by DEFENDANT DOE 1, and actually believed DEFENDANT
2 DOE 1 had the ability to make harmful or offensive contact with Plaintiff's person.

3 37. Plaintiff did not consent to DEFENDANT DOE 1's intended harmful or offensive
4 contact with Plaintiff's person, or intent to put Plaintiff in imminent apprehension of such contact.
5 Additionally, because Plaintiff was a minor during the time herein alleged and lacked the ability
6 to consent to sexual contact with any person.

7 38. In doing the things herein alleged, DEFENDANT DOE 1 violated Plaintiff's right,
8 pursuant to *Civil Code* §43, of protection from bodily restraint or harm, and from personal insult.
9 In doing the things herein alleged, DEFENDANT DOE 1 violated his duty, pursuant to *Civil*
10 *Code* §1708, to abstain from injuring the person of Plaintiff or infringing upon Plaintiff's rights.

11 39. As a result of the above-described conduct, Plaintiff has suffered and continues to
12 suffer great pain of mind and body, shock, emotional distress, physical manifestations of
13 emotional distress including embarrassment, loss of self-esteem, disgrace, humiliations, and loss
14 of enjoyment of life; has suffered and will continue to suffer and was prevented and will continue
15 to be prevented from performing daily activities and obtaining the full enjoyment of life; will
16 sustain loss of earnings and earning capacity, and/or has incurred and will continue to incur
17 expenses for medical and psychological treatment, therapy, and counseling.

18 40. Plaintiff is informed and based thereon alleges that the conduct of DEFENDANT
19 DOE was oppressive, malicious and despicable in that it was intentional and done in conscious
20 disregard for the rights and safety of others, and were carried out with a conscious disregard of
21 Plaintiff's right to be free from such tortious behavior, such as to constitute oppression, fraud or
22 malice pursuant to California *Civil Code* §3294, entitling Plaintiff to punitive
23 damages against DEFENDANT DOE in an amount appropriate to punish and set an example of
24 DEFENDANT DOE.

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1 susceptible to mental distress and acting intentionally or unreasonably with full recognition that
2 his acts would cause mental distress.

3 45. DEFENDANT DOE 1's conduct exceeded all bounds of decency and is odious
4 and utterly intolerable in a civilized society.

5 46. DEFENDANT DOE 1's conduct was intentional and/or reckless.

6 47. DEFENDANT DOE 1's conduct caused emotional distress in the minor Plaintiff
7 and this emotional distress was and continues to be severe and extreme.

8 48. As a result of the above-described conduct, Plaintiff has suffered and continues to
9 suffer extreme emotional distress, physical manifestations of emotional distress, embarrassment,
10 anxiety, fear, nightmares, terror, shame, symptoms of PTSD, loss of enjoyment, loss of trust,
11 guilt, loss of income, and was prevented and will continue to be prevented from performing daily
12 activities and obtaining the full enjoyment of life, and/or has incurred and/or will continue to
13 incur expenses for medical and psychological treatment, therapy, and counseling.

14 49. As a result of the above noted conduct, Plaintiff has against her will become a
15 central figure in a scandal that has deprived her of the ability to proceed under a pseudonym or
16 "Jane Doe" in this very lawsuit because confidentially of her identity, likeness and privacy rights
17 normally afforded to a victim of child sex crimes was ripped aside by DEFANDANT DOE 1's
18 actions. DEFANDANT DOE 1 forced upon Plaintiff a constant state of involuntary infamy. This
19 infamy manifests as disgrace, dishonor, disrepute and feeling a constant state of being known for
20 a depraved and shameful sexual act (when in reality Plaintiff was the victim of a bad act –
21 childhood sexual assault).

22 50. As a result of the above noted conduct, Plaintiff was required to make disclosures
23 of private, traumatic, painful and personal nature from her personal life that would not have been
24 made otherwise. These disclosures caused Plaintiff extreme and ongoing damages and pain and
25 suffering.

26 **PRAYER FOR RELIEF**

27 Wherefore, Plaintiff prays for Judgment against Defendants as follows:
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1. For past, present and future general 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. Any appropriate statutory damages, including but not limited to attorneys' fees;
4. For costs of suit;
5. For pre- and post- judgment interest as allowed by law;
6. For attorneys' fees pursuant to the aforementioned statutes and otherwise allowable by law:
 - a. California Code of Civil Procedure §1021.5;
7. For exemplary and punitive damages in an amount to be determined at trial;
8. For disgorgement of all monies and profits derived from defendant's memoirs, statements and publications; and,
9. For such other and further relief as the court may deem proper.

DATED: December 27, 2022

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DEMAND FOR JURY TRIAL

A trial by jury is hereby demanded by Plaintiff.

DATED: December 27, 2022

JEFF ANDERSON & ASSOCIATES PA



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