

THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
Civil Division

JANE DOE)
(a fictitious name))
c/o Cohen & Cohen, P.C.)
1220 19th Street N.W. Suite 500)
Washington, D.C. 20036)

Plaintiff,)

v.)

MASSAGE ENVY FRANCHISING, LLC)
14350 North 87th Street, Suite 200)
Scottsdale, Arizona 85260)

Registered Agent:)
Corporations Creations Network, Inc.)
3260 N Hayden Rd. #210)
Scottsdale, AZ 85251)

-and-)

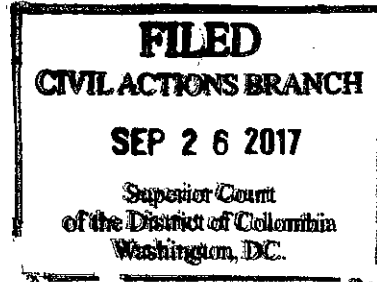
ME DC, LLC)
d/b/a MASSAGE ENVY SPA)
TENLEYTOWN #1210)
4024 8th Street, N.E.)
Washington, D.C. 20017)

Registered Agent:)
Business Filings, Inc.)
1015 15th Street, N.W.)
Washington, D.C. 20005)

-and-)

HABTAMU GEBRESELASSIE)
10 Manchester Place, Apartment 204)
Silver Spring, MD 20901-4214)

Defendants.)



Case No:

Calendar No:

Judge:

17-0006512

COMPLAINT

COMES NOW Plaintiff Jane Doe, by and through the undersigned counsel, and makes this Complaint against Defendant Massage Envy Franchising LLC, Defendant (hereinafter "Defendant MEF"), Defendant ME DC, LLC d/b/a Massage Envy Spa Tenleytown #1210 (hereinafter "Defendant MEDC") and Defendant Massage Therapist Habtamu Gebreselassie (hereinafter "Defendant Gebreselassie.") In support thereof, Plaintiff Jane Doe states as follows:

Parties

1. Plaintiff Jane Doe is a married adult female, in her 20s, residing in the District of Columbia, whose name and address are not contained in this Complaint so as to protect her privacy and identity as she incurred injuries and damages of a sensitive nature as a result of the intentional and negligent acts of Defendants. Plaintiff Jane Doe may be contacted through her counsel.

2. There exists good cause for Plaintiff Jane Doe to use a pseudonym due to the harmful effect of the public disclosure of her identity and the harm inflicted by the Defendants. Plaintiff Jane Doe's undersigned counsel will provide the identity of Plaintiff Jane Doe as the need evolves, and in accordance with the laws of the District of Columbia.

3. Defendant MEF is an Arizona corporation with its principal place of business located in Scottsdale, Arizona. Defendant MEF is a massage and spa therapy company with approximately 1200 franchises located across the United States and is believed to be the largest employer of massage therapists nationwide. Defendant MEF is a franchisor, and granted a franchise agreement to Defendant MEDC, its franchisee. As part of its franchise arrangement, Defendant MEF provides rules and guidelines regarding all aspects of operations to Defendant MEDC, including but not limited to hiring and retention practices of its massage therapists.

4. Defendant MEDC is a District of Columbia corporation with its principal place of business located at 4926 Wisconsin Avenue, N.W., Washington, D.C. 20016.

5. Defendant Gebreselassie upon information and belief resides at 10 Manchester Place, Apartment 204, Silver Spring, Maryland 20901.

Jurisdiction

6. This Court has subject matter jurisdiction over this action pursuant to § 11-921 of the D.C. Code.

7. This Court has personal jurisdiction over Defendants pursuant to § 13-423 of the D.C. Code in that they caused a tortious injury by acts and/or omissions within the District of Columbia.

8. This Court has personal jurisdiction over Defendant MEF and Defendant MEDC in that they are registered to transact business in the District of Columbia and/or do transact business in the District of Columbia.

9. This Court has personal jurisdiction over Defendant Gebreselassie in that he is licensed to perform massage therapy in the District of Columbia, and committed a tort within the District of Columbia.

Factual Background

10. At all times relevant to this Complaint, Defendant MEDC managed, operated, and maintained a massage spa located at 4926 Wisconsin Avenue, N.W., Washington, D.C. Defendant MEDC operated its massage spa facility in accordance with its franchise agreement with Defendant MEF.

11. At all times relevant to this Complaint, Plaintiff Jane Doe was a business customer of Defendant MEDC and Defendant Gebreselassie.

12. At all times relevant to this Complaint, Defendant Gebreselassie was an employee, servant and/or agent of Defendant MEF and Defendant MEDC working as a massage therapist. At all times relevant to this Complaint, Defendant Gebreselassie was assigned to give massages to female customers in his capacity as an employee, servant and/or agent of Defendant MEF and Defendant MEDC.

13. Upon information and belief, prior to September 17, 2017, Defendant Gebreselassie sexually assaulted a female patron while working at a Massage Envy franchise in Bowie, Maryland.

14. Upon information and belief, Defendant MEF and Defendant MEDC arranged for Defendant Gebreselassie to be transferred to Defendant MEDC, with full knowledge he had committed a prior sexual assault.

15. Upon information and belief, prior to September 17, 2017, Defendant Gebreselassie sexually assaulted a female patron while working at Defendant MEDC. With knowledge of this second sexual assault by Defendant Gebreselassie, Defendant MEF and Defendant MEDC negligently retained him as a massage therapist and then willfully, wantonly and recklessly allowed and arranged for him to come into contact with vulnerable unsuspecting female patrons for profit, including Plaintiff Jane Doe.

16. On September 17, 2017, Plaintiff Jane Doe was in the final 15 minutes of her 90 minute massage at Defendant MEDC located at 4926 Wisconsin Avenue, N.W., Washington, D.C. At all times during the massage, Plaintiff Jane Doe was undressed. Defendant Gebreselassie had placed an eye pillow over Plaintiff Jane Doe's eyes. Defendant Gebreselassie then moved the sheet that was covering Plaintiff Jane Doe's pelvic area and licked her vagina without invitation, warning or consent. Plaintiff Jane Doe was in a state of shock, and immediately began pulling the sheet up to

cover herself. Fearful and in shock, Plaintiff Jane Doe asked Defendant Gebreselassie what he was doing, at which point Defendant Gebreselassie grabbed Plaintiff Jane Doe's hand, fell to his knees and apologized, begging Plaintiff Jane Doe not to "tell anyone."

17. Plaintiff Jane Doe pulled her hand away, and as calmly as she could, said "we're done here" and asked Defendant Gebreselassie to leave the room several times. Defendant Gebreselassie refused to leave the room. Plaintiff Jane Doe continued to repeat over and over, "we're done here" and requesting that Defendant Gebreselassie leaving the room, increasing her tone. Finally, Defendant Gebreselassie left the room. After a period of time, Plaintiff Jane Doe was taken to a local hospital, where she was administered a "rape kit." She also received medicine to combat sexually transmitted infections. It will take time for Plaintiff Jane Doe to learn whether, in fact, she contracted a sexually transmitted infection from Defendant Gebreselassie.

18. Defendant Gebreselassie was arrested.

19. Prior to and on or about September 17, 2017, Defendant MEF and Defendant MEDC intentionally and negligently allowed Defendant Gebreselassie to have contact with its female patrons knowing that he had already sexually assaulted female patrons.

20. Defendant Gebreselassie, while an employee, servant and/or agent of Defendant MEF and Defendant MEDC, working within the course and scope of that employment, sexually assaulted Plaintiff Jane Doe, under the auspices of his employment duties, such that Defendant MEF and Defendant MEDC are vicariously liable for Defendant Gebreselassie's sexual assault upon Plaintiff Jane Doe.

21. As a direct and proximate result of the sexual assault, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will

continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

22. The above injuries were proximately caused by the intentional battery and sexual assault of Defendant Gebreselassie and the simple and gross negligence of Defendant MEF and Defendant MEDC without any contributory negligence on the part of Plaintiff Jane Doe.

Count I: Sexual Assault - Intentional Battery

23. Plaintiff Jane Doe re-states and re-alleges each and every allegation set forth above as if fully set forth herein.

24. On September 17, 2017, Defendant Gebreselassie sexually assaulted Plaintiff Jane Doe by licking her vagina without her invitation or consent. The sexual assault was an intentional battery.

25. As a direct and proximate result of the sexual assault, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress, humiliation and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses. The above injuries were proximately caused by the sexual assault and intentional battery committed by Defendant Gebreselassie.

Count II: Negligent Hiring

26. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

27. At the time Defendant Gebreselassie was hired as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie was unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's unfitness and proclivity for sexual assault before hiring him.

28. As a direct and proximate result of the negligent hiring by Defendant MEF and Defendant MEDC, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

29. Plaintiff Jane Doe avers that Defendant Gebreselassie's sexual assault and battery was intentional, willful and malicious.

Count III: Gross Negligent Hiring

30. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

31. At the time Defendant Gebreselassie was hired as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie was grossly unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's gross unfitness and proclivity for sexual assault before hiring him.

32. Through the acts and omissions described herein, Defendant MEF and Defendant MEDC failed to use reasonable care to avoid the sexual assault of patrons and business invitees like Plaintiff Jane Doe and were grossly negligent. Defendant MEF and Defendant MEDC were grossly negligent in hiring Defendant Gebreselassie when they knew beforehand he was grossly unfit to provide massage therapy services to unsuspecting, innocent female customers like Plaintiff Jane Doe. Defendant MEF and Defendant MEDC knowingly harbored an employee, servant and/or agent whom they knew had committed sexual assault prior to September 17, 2017, and they knowingly, wantonly and with reckless disregard for patron safety exposed Plaintiff Jane Doe to a significant risk of serious physical and psychological harm, including a significant and foreseeable risk of sexual assault.

33. The gross negligent hiring by Defendant MEF and Defendant MEDC and other acts and omissions described herein were willful, malicious, wanton, intentional and outrageous and constitute a reckless disregard for Plaintiff Jane Doe's safety.

34. Plaintiff Jane Doe avers that Defendant Gebreselassie's sexual assault and battery was intentional, willful and malicious.

Count IV: Negligent Retention

35. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

36. During the time that Defendant Gebreselassie was retained as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie was unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's unfitness and proclivity for sexual assault.

37. As a direct and proximate result of negligent retention by Defendant MEF and Defendant MEDC, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

Count V: Gross Negligent Retention

38. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

39. During the time that Defendant Gebreselassie was retained as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie was grossly unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's gross unfitness and proclivity for sexual assault.

40. Through the acts and omissions described herein, Defendant MEF and Defendant MEDC failed to use reasonable care to avoid the sexual assault of patrons and business invitees like Plaintiff Jane Doe and were grossly negligent. Defendant MEF and Defendant MEDC were grossly negligent in retaining, transferring and re-assigning Defendant Gebreselassie to a facility which caused Plaintiff Jane Doe to come into contact with him, when they knew beforehand he was grossly unfit to provide massage therapy services to unsuspecting, innocent female customers like Plaintiff Jane Doe. Defendant MEF and Defendant MEDC knowingly harbored an employee, servant and/or agent whom they knew had committed sexual assault prior to September 17, 2017, and they knowingly, wantonly and with reckless disregard for patron safety exposed Plaintiff Jane Doe to a significant risk of serious physical and psychological harm, including a significant and foreseeable risk of sexual assault.

41. The gross negligent retention by Defendant MEF and Defendant MEDC and other acts and omissions described herein were willful, malicious, wanton, intentional and outrageous and constitute a reckless disregard for Plaintiff Jane Doe's safety.

Count VI: Negligent Supervision

42. Plaintiff Jane Doe restates and re-alleges each and every allegation set forth above as if fully set forth herein.

43. Once Defendant Gebreselassie was hired as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, said Defendants became aware that Defendant Gebreselassie was unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's unfitness and proclivity for sexual assault. Defendant MEF and Defendant MEDC failed to supervise the conduct of Defendant Gebreselassie.

44. As a direct and proximate result of negligent supervision by Defendant MEF and Defendant MEDC, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

Count VII: Gross Negligent Supervision

45. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

46. Once Defendant Gebreselassie was hired as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, said Defendants became aware that Defendant Gebreselassie was grossly unfit to perform his assigned duties. Defendant MEF and Defendant MEDC knew or should have known of Defendant Gebreselassie's gross unfitness and proclivity for sexual assault. Defendant MEF and Defendant MEDC failed to supervise the conduct of Defendant Gebreselassie.

47. Through the acts and omissions described herein, Defendant MEF and Defendant MEDC failed to use reasonable care to avoid the sexual assault of patrons and business invitees like Plaintiff Jane Doe and were grossly negligent. Defendant MEF and Defendant MEDC were grossly negligent in failing to supervise Defendant Gebreselassie when they knew beforehand he was grossly unfit to provide massage therapy services to unsuspecting, innocent female customers like Plaintiff Jane Doe. Defendant MEF and Defendant MEDC knowingly harbored an employee, servant and/or agent whom they knew had committed sexual assault prior to September 17, 2017, and they knowingly, wantonly and with reckless disregard for patron safety exposed Plaintiff Jane Doe to a significant risk of serious physical and psychological harm, including a significant and foreseeable risk of sexual assault.

48. The gross negligent supervision by Defendant MEF and Defendant MEDC and other acts and omissions described herein were willful, malicious, wanton, intentional and outrageous and constitute a reckless disregard for Plaintiff Jane Doe's safety.

Count VIII: Negligent Infliction of Emotional Distress

49. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

50. At the time Defendant Gebreselassie was acting in the scope as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie licked Plaintiff Jane Doe's vagina during her massage.

51. It was foreseeable to Defendant MEF and Defendant MEDC that such conduct would cause Plaintiff Jane Doe harm, which it did.

52. As a direct and proximate result of the negligent infliction of emotional distress by Defendant MEF and Defendant MEDC, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

Count IX: Intentional Infliction of Emotional Distress

53. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

54. At the time Defendant Gebreselassie was hired as an employee, servant and/or agent by Defendant MEF and Defendant MEDC, Defendant Gebreselassie engaged in conduct that was intentional, reckless, extreme and outrageous.

55. As a direct and proximate result of the intentional infliction of emotional distress by Defendant Gebreselassie, Plaintiff Jane Doe suffered numerous damages, including but not limited to fear, emotional distress and humiliation, and she will continue to suffer such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

Count X: Violation of D.C. Consumer Protection Act

56. Plaintiff Jane Doe re-states and re-alleges the allegations set forth above as if fully set forth herein.

57. On September 17, 2017, Plaintiff Jane Doe, Defendant MEF and Defendant MEDC were in a contractual relationship for massage therapy services. The massage services contracted for on September 17, 2017 were trade practices as defined by D.C. Code Section 28-3901(a)(6). Defendant MEF and Defendant MEDC are merchants as defined by D.C. Code Section 28-3901(a)(3). Plaintiff Jane Doe is a consumer as defined by D.C. Code Section 28-3901(a)(2).

58. Plaintiff Jane Doe is entitled to the protection afforded by the D.C. Consumer Protection Procedures Act. Plaintiff Jane Doe avers that Defendant MEF and Defendant MEDC violated D.C. Code Section 28-3904(d) and engaged in unlawful trade practices by representing that its massage services (goods or services) were of a reasonable standard and quality when in fact they were not. Plaintiff Jane Doe to her detriment relied on said representation.

59. On and/or before September 17, 2017 Defendant MEF and Defendant MEDC recklessly, intentionally and negligently delivered consumer goods and services that were not of a reasonable standard and quality and proximately caused Plaintiff Jane Doe suffer numerous damages, including but not limited to fear, emotional distress and humiliation and she will continue to suffer

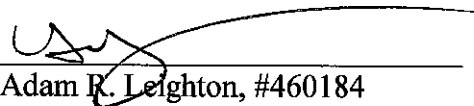
such pain and suffering for the rest of her life and she will continue to incur medical, therapeutic, lost wages and related expenses.

* * *

WHEREFORE, Plaintiff Jane Doe respectfully request judgment against Defendants in an amount to be determined at trial for the damages she has suffered and will sufferer, which amount is believed to be the sum of five million dollars (\$5,000,000.00) in compensatory damages, twenty million dollars (\$20,000,000.00) in punitive damages, treble damages, attorneys' fees, pre-judgment interest, post judgment interest, costs of suit, and such other and further relief as this Court deems just and proper and which are permissible in the District of Columbia.

Dated: September 26, 2017

RESPECTFULLY SUBMITTED,



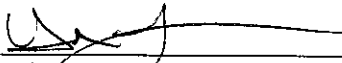
Adam R. Leighton, #460184
Kim Brooks-Rodney, #405477
Wayne Cohen, #433629
Cohen & Cohen P.C.
1220 19th Street, N.W.
Suite 500
Washington, DC 20036
(202) 955-4529
Attorneys for Plaintiff

Jury Demand

Plaintiff Jane Doe, by and through the undersigned counsel, hereby demands trial by jury of all issues in this matter.

Dated: September 26, 2017

RESPECTFULLY SUBMITTED,



Adam R. Leighton, #460184
Kim Brooks-Rodney, #405477
Wayne Cohen, #433629
Cohen & Cohen, P.C.
1220 19th Street, N.W.
Suite 500
Washington, DC 20036
(202) 955-4529
Attorneys for Plaintiff



Superior Court of the District of Columbia
 CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

Jane Doe

Plaintiff

vs.

Habtamu Gebresclassie

Defendant

Case Number

17-0006512

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Adam R Leighton #460184

Name of Plaintiff's Attorney

1220 19th Street NW, Suite 500

Address Washington, DC 20036

(202) 955-4529

Telephone

如需翻译, 请打电话 (202) 879-4828

Veillez appeler au (202) 879-4828 pour une traduction

Để có một bản dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오. የአማርኛ ትርጉም ለማግኘት (202) 879-4828 ይደውሉ

Clerk of the Court
 By _____
 Deputy Clerk
 Date _____

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

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TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL

500 Indiana Avenue, N.W., Suite 5000
Washington, D.C. 20001 Teléfono: (202) 879-1133

Jane Doe

Demandante

contra

Habtamu Gebreselassie

Número de Caso: 17 - 0006512

Demandado

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veinte (20) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que Usted le entregue al demandante una copia de la Contestación o en el plazo de cinco (5) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

Adam R Leighton #460184

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

1220 19th Street NW, Suite 500

Por:

Dirección

Washington, DC 20036

Subsecretario

(202) 955-4529

Fecha

Teléfono

如需翻译,请打电话 (202) 879-4828

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Đề có một bài dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오

ᄒᄒᄒᄒᄒ ᄒᄒᄒᄒᄒ ᄒᄒᄒᄒᄒᄒ (202) 879-4828 ᄒᄒᄒᄒᄒ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO, O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍAN RETENERLE SUS INGRESOS, O PODRÍAN TOMAR SUS BIENES PERSONALES O RAÍCES Y VENDERLOS PARA PAGAR EL FALLO. SI USTED PRETENDE Oponerse a esta acción, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

Si desea conversar con un abogado y le parece que no puede afrontar el costo de uno, llame pronto a una de nuestras oficinas del Legal Aid Society (202-628-1161) o el Neighborhood Legal Services (202-279-5100) para pedir ayuda o venga a la Oficina 5000 del 500 Indiana Avenue, N.W., para informarse de otros lugares donde puede pedir ayuda al respecto.

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See reverse side for English original



Superior Court of the District of Columbia
CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

Jane Doe

Plaintiff

vs.

Case Number 17-0006512

ME DC, LLC

Defendant

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

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Adam R Leighton #460184

Name of Plaintiff's Attorney

1220 19th Street NW, Suite 500

Address Washington, DC 20036

(202) 955-4529

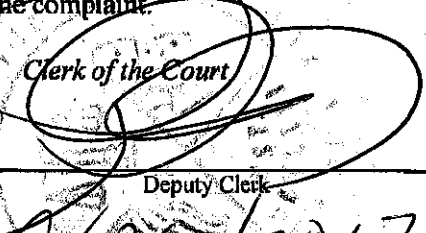
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Clerk of the Court
 By 
 Deputy Clerk
 Date 9/26/2017

IMPORTANT: IF YOU FAIL TO FILE AN ANSWER WITHIN THE TIME STATED ABOVE, OR IF, AFTER YOU ANSWER, YOU FAIL TO APPEAR AT ANY TIME THE COURT NOTIFIES YOU TO DO SO, A JUDGMENT BY DEFAULT MAY BE ENTERED AGAINST YOU FOR THE MONEY DAMAGES OR OTHER RELIEF DEMANDED IN THE COMPLAINT. IF THIS OCCURS, YOUR WAGES MAY BE ATTACHED OR WITHHELD OR PERSONAL PROPERTY OR REAL ESTATE YOU OWN MAY BE TAKEN AND SOLD TO PAY THE JUDGMENT. IF YOU INTEND TO OPPOSE THIS ACTION, DO NOT FAIL TO ANSWER WITHIN THE REQUIRED TIME.

If you wish to talk to a lawyer and feel that you cannot afford to pay a fee to a lawyer, promptly contact one of the offices of the Legal Aid Society (202-628-1161) or the Neighborhood Legal Services (202-279-5100) for help or come to Suite 5000 at 500 Indiana Avenue, N.W., for more information concerning places where you may ask for such help.

See reverse side for Spanish translation
 Vea al dorso la traducción al español



TRIBUNAL SUPERIOR DEL DISTRITO DE COLUMBIA
DIVISIÓN CIVIL
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Teléfono: (202) 879-1133

Jane Doe

ME DC, LLC

contra

Demandante

Demandado

17-0006512

Número de Caso: _____

CITATORIO

Al susodicho Demandado:

Por la presente se le cita a comparecer y se le requiere entregar una Contestación a la Demanda adjunta, sea en persona o por medio de un abogado, en el plazo de veinte (20) días contados después que usted haya recibido este citatorio, excluyendo el día mismo de la entrega del citatorio. Si usted está siendo demandado en calidad de oficial o agente del Gobierno de los Estados Unidos de Norteamérica o del Gobierno del Distrito de Columbia, tiene usted sesenta (60) días contados después que usted haya recibido este citatorio, para entregar su Contestación. Tiene que enviarle por correo una copia de su Contestación al abogado de la parte demandante. El nombre y dirección del abogado aparecen al final de este documento. Si el demandado no tiene abogado, tiene que enviarle al demandante una copia de la Contestación por correo a la dirección que aparece en este Citatorio.

A usted también se le requiere presentar la Contestación original al Tribunal en la Oficina 5000, sito en 500 Indiana Avenue, N.W., entre las 8:30 a.m. y 5:00 p.m., de lunes a viernes o entre las 9:00 a.m. y las 12:00 del mediodía los sábados. Usted puede presentar la Contestación original ante el Juez ya sea antes que Usted le entregue al demandante una copia de la Contestación o en el plazo de cinco (5) días de haberle hecho la entrega al demandante. Si usted incumple con presentar una Contestación, podría dictarse un fallo en rebeldía contra usted para que se haga efectivo el desagravio que se busca en la demanda.

Adam R Leighton #460184

SECRETARIO DEL TRIBUNAL

Nombre del abogado del Demandante

1220 19th Street NW, Suite 500

Por: _____

Dirección

Washington, DC 20036

Subsecretario

(202) 955-4529

Fecha _____

Teléfono

如需翻译,请打电话 (202) 879-4828

Veuillez appeler au (202) 879-4828 pour une traduction

Đề có một bài dịch, hãy gọi (202) 879-4828

번역을 원하시면, (202) 879-4828 로 전화하십시오

የተገኘው ትርጉም ለማግኘት (202) 879-4828 ይያዩ

IMPORTANTE: SI USTED INCUMPLE CON PRESENTAR UNA CONTESTACIÓN EN EL PLAZO ANTES MENCIONADO, O, SI LUEGO DE CONTESTAR, USTED NO COMPARECE CUANDO LE AVISE EL JUZGADO, PODRÍA DICTARSE UN FALLO EN REBELDÍA CONTRA USTED PARA QUE SE LE COBRE LOS DAÑOS Y PERJUICIOS U OTRO DESAGRAVIO QUE SE BUSQUE EN LA DEMANDA. SI ESTO OCURRE, PODRÍAN RETENERLE SUS INGRESOS, O PODRÍAN TOMAR SUS BIENES PERSONALES O RAÍCES Y VENDERLOS PARA PAGAR EL FALLO. SI USTED PRETENDE OPONERSE A ESTA ACCIÓN, NO DEJE DE CONTESTAR LA DEMANDA DENTRO DEL PLAZO EXIGIDO.

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Vea al dorso el original en inglés
 See reverse side for English original



Superior Court of the District of Columbia
 CIVIL DIVISION
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Telephone: (202) 879-1133

Jane Doe

Plaintiff

vs.

Massage Envy Franchising, LLC

Defendant

17-0006512

Case Number

SUMMONS

To the above named Defendant:

You are hereby summoned and required to serve an Answer to the attached Complaint, either personally or through an attorney, within twenty (20) days after service of this summons upon you, exclusive of the day of service. If you are being sued as an officer or agency of the United States Government or the District of Columbia Government, you have sixty (60) days after service of this summons to serve your Answer. A copy of the Answer must be mailed to the attorney for the party plaintiff who is suing you. The attorney's name and address appear below. If plaintiff has no attorney, a copy of the Answer must be mailed to the plaintiff at the address stated on this Summons.

You are also required to file the original Answer with the Court in Suite 5000 at 500 Indiana Avenue, N.W., between 8:30 a.m. and 5:00 p.m., Mondays through Fridays or between 9:00 a.m. and 12:00 noon on Saturdays. You may file the original Answer with the Court either before you serve a copy of the Answer on the plaintiff or within five (5) days after you have served the plaintiff. If you fail to file an Answer, judgment by default may be entered against you for the relief demanded in the complaint.

Adam R Leighton #460184

Name of Plaintiff's Attorney

1220 19th Street NW, Suite 500

Address Washington, DC 20036

(202) 955-4529

Telephone

如需翻译, 请打电话 (202) 879-4828

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Để có một bản dịch, hãy gọi (202) 879-4828

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Clerk of the Court
 By _____
 Deputy Clerk
 Date 9/26/17

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DIVISIÓN CIVIL
 500 Indiana Avenue, N.W., Suite 5000
 Washington, D.C. 20001 Teléfono: (202) 879-1133

Jane Doe

_____ Demandante
 contra
 Massage Envy Franchising, LLC
 _____ Demandado

17 - 0006512

Número de Caso: _____

CITATORIO

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Adam R Leighton #460184
 Nombre del abogado del Demandante
 1220 19th Street NW, Suite 500
 Dirección Washington, DC 20036
 (202) 955-4529
 Teléfono

SECRETARIO DEL TRIBUNAL

Por: _____
 Subsecretario

Fecha _____

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Superior Court of the District of Columbia

CIVIL DIVISION - CIVIL ACTIONS BRANCH

INFORMATION SHEET

Jane Doe

Case Number: 17-0006512

vs

Date: 09/26/2017

Massage Envy Franchising, LLC, et al.

One of the defendants is being sued
in their official capacity.

Name: (please print) Adam R Leighton	Relationship to Lawsuit <input checked="" type="checkbox"/> Attorney for Plaintiff
Firm Name: Cohen & Cohen, PC	<input type="checkbox"/> Self (Pro Se)
Telephone No.: (202) 955 4529	Other: _____
Six digit Unified Bar No.: 460184	

TYPE OF CASE: Non-Jury 6 Person Jury 12 Person Jury
Demand: \$ _____ Other: _____

PENDING CASE(S) RELATED TO THE ACTION BEING FILED

Case No.: _____ Judge: _____ Calendar #: _____

Case No.: _____ Judge: _____ Calendar #: _____

NATURE OF SUIT: (Check One Box Only)

A. CONTRACTS

- 01 Breach of Contract
- 02 Breach of Warranty
- 06 Negotiable Instrument
- 15 _____

- 07 Personal Property
- 09 Real Property-Real Estate
- 12 Specific Performance

COLLECTION CASES

- 14 Under \$25,000 Pltf. Grants Consent
- 16 Under \$25,000 Consent Denied
- 17 OVER \$25,000 Pltf. Grants Consent

B. PROPERTY TORTS

- 01 Automobile
- 02 Conversion
- 07 Shoplifting, D.C. Code § 27-102(a)
- 03 Destruction of Private Property
- 04 Property Damage
- 05 Trespass
- 06 Traffic Adjudication

C. PERSONAL TORTS

- 01 Abuse of Process
- 02 Alienation of Affection
- 03 Assault and Battery
- 04 Automobile-Personal Injury
- 05 Deceit (Misrepresentation)
- 06 False Accusation
- 07 False Arrest
- 08 Fraud

- 09 Harassment
- 10 Invasion of Privacy
- 11 Libel and Slander
- 12 Malicious Interference
- 13 Malicious Prosecution
- 14 Malpractice Legal
- 15 Malpractice Medical (Including wrongful death)
- 16 Negligence-(Not Automobile, Not Malpractice)

- 17 Personal Injury - (Not Automobile, Not Malpractice)
- 18 Wrongful Death (Not malpractice)
- 19 Wrongful Eviction
- 20 Friendly Suit
- 21 Asbestos
- 22 Toxic/Mass Torts
- 23 Tobacco
- 24 Lead Paint

SEE REVERSE SIDE AND CHECK HERE IF USED

INFORMATION SHEET, Continued

<p>D. OTHERS</p> <p>I.</p> <p><input type="checkbox"/> 01 Accounting</p> <p><input type="checkbox"/> 02 Att. Before Judgment</p> <p><input type="checkbox"/> 04 Condemnation (Emin. Domain)</p> <p><input type="checkbox"/> 05 Ejectment</p> <p><input type="checkbox"/> 07 Insurance/Subrogation Under \$25,000 Pltf. Grants Consent</p> <p><input type="checkbox"/> 08 Quiet Title</p> <p><input type="checkbox"/> 09 Special Writ/Warrants DC Code § 11-941</p>	<p><input type="checkbox"/> 10 T.R.O./Injunction</p> <p><input type="checkbox"/> 11 Writ of Replevin</p> <p><input type="checkbox"/> 12 Enforce Mechanics Lien</p> <p><input type="checkbox"/> 16 Declaratory Judgment</p> <p><input type="checkbox"/> 17 Merit Personnel Act (OEA) (D.C. Code Title 1, Chapter 6)</p> <p><input type="checkbox"/> 18 Product Liability</p> <p><input type="checkbox"/> 24 Application to Confirm, Modify, Vacate Arbitration Award (D.C. Code § 16-4315)</p>	<p><input type="checkbox"/> 25 Liens: Tax/Water Consent Granted</p> <p><input type="checkbox"/> 26 Insurance/Subrogation Under \$25,000 Consent Denied</p> <p><input type="checkbox"/> 27 Insurance/Subrogation Over \$25,000</p> <p><input type="checkbox"/> 28 Motion to Confirm Arbitration Award (Collection Cases Only)</p> <p><input type="checkbox"/> 26 Merit Personnel Act (OHR)</p> <p><input type="checkbox"/> 30 Liens: Tax/Water Consent Denied</p>
<p>II.</p> <p><input type="checkbox"/> 03 Change of Name</p> <p><input type="checkbox"/> 06 Foreign Judgment</p> <p><input type="checkbox"/> 13 Correction of Birth Certificate</p> <p><input type="checkbox"/> 14 Correction of Marriage Certificate</p>	<p><input type="checkbox"/> 15 Libel of Information</p> <p><input type="checkbox"/> 19 Enter Administrative Order as Judgment [D.C. Code § 2-1802.03(h) or 32-1519(a)]</p> <p><input type="checkbox"/> 20 Master Meter (D.C. Code § 42-3301, et seq.)</p>	<p><input type="checkbox"/> 21 Petition for Subpoena [Rule 28-I (b)]</p> <p><input type="checkbox"/> 22 Release Mechanics Lien</p> <p><input type="checkbox"/> 23 Rule 27 (a)(1) (Perpetuate Testimony)</p>

For individuals not represented by an attorney: () I acknowledge receipt of the Civil Actions Pro Se Handbook.



 Signature

9/26/17

 Date



SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
CIVIL DIVISION
Civil Actions Branch
500 Indiana Avenue, N.W., Suite 5000, Washington, D.C. 20001
Telephone: (202) 879-1133 • Website: www.dccourts.gov

JANE DOE

Vs.

C.A. No. 2017 CA 006512 B

MESSAGE ENVY FRANCHISING, LLC

INITIAL ORDER AND ADDENDUM

Pursuant to D.C. Code § 11-906 and District of Columbia Superior Court Rule of Civil Procedure ("Super. Ct. Civ. R.") 40-I, it is hereby **ORDERED** as follows:

(1) Effective this date, this case has assigned to the individual calendar designated below. All future filings in this case shall bear the calendar number and the judge's name beneath the case number in the caption. On filing any motion or paper related thereto, one copy (for the judge) must be delivered to the Clerk along with the original.

(2) Within 60 days of the filing of the complaint, plaintiff must file proof of serving on each defendant: copies of the summons, the complaint, and this Initial Order and Addendum. As to any defendant for whom such proof of service has not been filed, the Complaint will be dismissed without prejudice for want of prosecution unless the time for serving the defendant has been extended as provided in Super. Ct. Civ. R. 4(m).

(3) Within 21 days of service as described above, except as otherwise noted in Super. Ct. Civ. R. 12, each defendant must respond to the complaint by filing an answer or other responsive pleading. As to the defendant who has failed to respond, a default and judgment will be entered unless the time to respond has been extended as provided in Super. Ct. Civ. R. 55(a).

(4) At the time and place noted below, all counsel and unrepresented parties shall appear before the assigned judge at an initial scheduling and settlement conference to discuss the possibilities of settlement and to establish a schedule for the completion of all proceedings, including, normally, either mediation, case evaluation, or arbitration. Counsel shall discuss with their clients **prior** to the conference whether the clients are agreeable to binding or non-binding arbitration. **This order is the only notice that parties and counsel will receive concerning this Conference.**

(5) Upon advice that the date noted below is inconvenient for any party or counsel, the Quality Review Branch (202) 879-1750 may continue the Conference **once**, with the consent of all parties, to either of the two succeeding Fridays. Request must be made not less than seven business days before the scheduling conference date.

No other continuance of the conference will be granted except upon motion for good cause shown.

(6) Parties are responsible for obtaining and complying with all requirements of the General Order for Civil cases, each judge's Supplement to the General Order and the General Mediation Order. Copies of these orders are available in the Courtroom and on the Court's website <http://www.dccourts.gov/>.

Chief Judge Robert E. Morin

Case Assigned to: Judge FLORENCE Y PAN
Date: September 26, 2017
Initial Conference: 9:30 am, Friday, January 12, 2018
Location: Courtroom 415
500 Indiana Avenue N.W.
WASHINGTON, DC 20001

**ADDENDUM TO INITIAL ORDER AFFECTING
ALL MEDICAL MALPRACTICE CASES**

In accordance with the Medical Malpractice Proceedings Act of 2006, D.C. Code § 16-2801, et seq. (2007 Winter Supp.), "[a]fter an action is filed in the court against a healthcare provider alleging medical malpractice, the court shall require the parties to enter into mediation, without discovery or, if all parties agree[,] with only limited discovery that will not interfere with the completion of mediation within 30 days of the Initial Scheduling and Settlement Conference ("ISSC"), prior to any further litigation in an effort to reach a settlement agreement. The early mediation schedule shall be included in the Scheduling Order following the ISSC. Unless all parties agree, the stay of discovery shall not be more than 30 days after the ISSC." D.C. Code § 16-2821.

To ensure compliance with this legislation, on or before the date of the ISSC, the Court will notify all attorneys and *pro se* parties of the date and time of the early mediation session and the name of the assigned mediator. Information about the early mediation date also is available over the internet at <https://www.dccourts.gov/pa/>. To facilitate this process, all counsel and *pro se* parties in every medical malpractice case are required to confer, jointly complete and sign an EARLY MEDIATION FORM, which must be filed no later than ten (10) calendar days prior to the ISSC. D.C. Code § 16-2825 Two separate Early Mediation Forms are available. Both forms may be obtained at www.dccourts.gov/medmalmediation. One form is to be used for early mediation with a mediator from the multi-door medical malpractice mediator roster; the second form is to be used for early mediation with a private mediator. Both forms also are available in the Multi-Door Dispute Resolution Office, Suite 2900, 410 E Street, N.W. Plaintiff's counsel is responsible for eFiling the form and is required to e-mail a courtesy copy to earlymedmal@dcsc.gov. *Pro se* Plaintiffs who elect not to eFile may file by hand in the Multi-Door Dispute Resolution Office.

A roster of medical malpractice mediators available through the Court's Multi-Door Dispute Resolution Division, with biographical information about each mediator, can be found at www.dccourts.gov/medmalmediation/mediatorprofiles. All individuals on the roster are judges or lawyers with at least 10 years of significant experience in medical malpractice litigation. D.C. Code § 16-2823(a). If the parties cannot agree on a mediator, the Court will appoint one. D.C. Code § 16-2823(b).

The following persons are required by statute to attend personally the Early Mediation Conference: (1) all parties; (2) for parties that are not individuals, a representative with settlement authority; (3) in cases involving an insurance company, a representative of the company with settlement authority; and (4) attorneys representing each party with primary responsibility for the case. D.C. Code § 16-2824.

No later than ten (10) days after the early mediation session has terminated, Plaintiff must eFile with the Court a report prepared by the mediator, including a private mediator, regarding: (1) attendance; (2) whether a settlement was reached; or, (3) if a settlement was not reached, any agreements to narrow the scope of the dispute, limit discovery, facilitate future settlement, hold another mediation session, or otherwise reduce the cost and time of trial preparation. D.C. Code § 16-2826. Any Plaintiff who is *pro se* may elect to file the report by hand with the Civil Actions Branch. The forms to be used for early mediation reports are available at www.dccourts.gov/medmalmediation.

Chief Judge Robert E. Morin