

VIRGINIA:

IN THE CIRCUIT COURT OF FAIRFAX COUNTY

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2017 JUL 28 AM 10:11  
JOHN T. FREY  
CLERK, CIRCUIT COURT  
FAIRFAX, VA

\_\_\_\_\_  
CHELSEA CLAIRE JACOBS,  
1608 Agawela Avenue  
Knoxville, Tennessee 37919

Plaintiff,

v.

Case No. 2017 10413

BRENTWOOD DULLES CORNER, LLC,  
Serve: Business Filings Incorporated  
4701 Cox Road, Suite 285  
Glen Allen, Virginia 23060

and

RAWAN AL-SABYANI,

Defendants.  
\_\_\_\_\_

COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff Chelsea Claire Jacobs, by and through her undersigned counsel, hereby brings this Complaint and Demand for Jury Trial against Defendants Brentwood Dulles Corner, LLC and Rawan Al-Sabyani for false arrest and malicious prosecution.

PARTIES & JURISDICTION

1. Plaintiff Chelsea Claire Jacobs ("Ms. Jacobs") is an individual resident of the State of Tennessee and resides at 1608 Agawela Avenue, Knoxville, Tennessee 37919.

2. Defendant Brentwood Dulles Corner LLC (“Brentwood”) is a Limited Liability Company formed under the laws of the Commonwealth of Virginia with its principal office located at 880 S Pleasantburg Drive, Suite 3G, Greenville, SC 29607. Brentwood owns a hotel, the Westin Washington Dulles Airport located at 2520 Wasser Terrace, Herndon, Virginia 20171 (“Westin”).

3. Defendant Rawan Al-Sabyani (“Ms. Al-Sabyani”) is an employee and “Westin Experience Specialist” of the Westin.

4. This Court has jurisdiction over this matter pursuant to Va. Code § 8.01-328.1(A), as the Defendants transact business, contract to supply services, and caused the tortious injury by actions in the Commonwealth at the Westin.

5. Venue is appropriate in this Court pursuant to Va. Code § 8.01-262, as the cause of action arose in this jurisdiction and the witnesses and other evidence can be found in this jurisdiction.

### FACTS

6. During November 2015, Ms. Jacobs traveled from her home in Tennessee to Virginia on business.

7. During her trip, Ms. Jacobs reserved a stay at the Westin for one night with a check in on November 24, 2015 and a check out on November 25, 2015.

8. Ms. Jacobs was, in fact, a Platinum Preferred Guest for Starwood Hotels, of which the Westin is a member. This status gave her special rewards and amenities for her stay based on her frequent business. Ms. Jacobs had even stayed at the Westin previously.

9. Pursuant to the confirmation email Ms. Jacobs received through her booking agent, “[i]f [Ms. Jacobs’s] travel plans change, [she] may add to [her] stay at this hotel.”

10. Ms. Jacobs checked in to the Westin on the afternoon of November 24, 2015. Ms. Jacobs prepaid for one night's stay at the hotel, but also gave her credit card to be kept on file at the hotel for incidentals and other charges.

11. During the evening of November 24, 2015, Ms. Jacobs became severely ill with a stomach virus. Although Ms. Jacobs was scheduled to return home on November 25, 2015, the symptoms caused by the virus were so severe as to prevent her from traveling.

12. As a result, Ms. Jacobs called the front desk of the Westin from her room on the morning November 25, 2015 at approximately 11:00 AM and spoke with a male manager (hereinafter the "Morning Manger") and explained that she was severely ill and would not be able to travel. She requested an extension of her stay until November 26, 2015, for which she would pay using her credit card on file. The Morning Manager agreed to extend Ms. Jacobs's stay to November 26, 2015 stating that if she stayed in the room past 5:00 PM on November 25, 2015 she would be charged for an additional day on her card that was on file. Accordingly, the Morning Manager created a binding agreement between Ms. Jacobs and the Westin and Brentwood for her to stay through to November 26, 2015.

13. Subsequently at or about 3:00 PM, three male employees of the Westin, one of whom was carrying a plunger, knocked on the door of Ms. Jacobs's room. She opened the door and responded by stating she was ill and had extended her stay for an extra night. She informed the three employees that the Morning Manager had agreed that she could stay an extra day given the circumstances. The three male employees left Ms. Jacobs's room after Ms. Jacobs's explained the situation.

14. Despite the foregoing agreement with the Westin, Ms. Al-Sabyani called the Fairfax County Police and falsely claimed that Ms. Jacobs had overstayed her authorized period

at the hotel, had been ordered to leave, and had refused to do so. Ms. Al-Sabyani instructed the police to come to the Westin, arrest Ms. Jacobs, and remove her from the premises.

15. Contrary to the statements of Ms. Al-Sabyani, Ms. Jacobs had received explicit permission from, and had entered into a contract with, the Westin to extend her stay until November 26, 2015 via a manager the night before. Therefore, Ms. Jacobs was not forbidden from the premises or trespassing. She was an authorized, paying guest of the hotel. Ms. Al-Sabyani was aware of these facts at the time she called the Fairfax County Police. Ms. Al-Sabyani had no probable cause to accuse Ms. Jacobs of holding over in the hotel, trespassing, or not vacating after being told to do so.

16. At approximately 5:00 PM, Ms. Al-Sabyani appeared at Ms. Jacobs's room accompanied by two Fairfax County Police officers. Based on the information supplied by Ms. Al-Sabyani and at Ms. Al-Sabyani's direction, Officer S.J. Meang and another officer of the Fairfax County Police Department came to the Westin and after conferring with Ms. Al-Sabyani entered the room of Ms. Jacobs and placed her in handcuffs.

17. Ms. Jacobs was terrified and shocked by the sudden appearance of the officers at her hotel room door. Ms. Jacobs attempted to explain to the arresting officers that the Morning Manager had agreed to extend Ms. Jacobs's stay, Ms. Jacobs had agreed to pay for the room for an additional night, and that her credit card was on file to be charged for the additional night's stay. In fact, on November 26, 2017, the Westin did charge Ms. Jacobs's credit card for incidentals incurred during her stay.

18. Ms. Al-Sabyani and the arresting officers ignored Ms. Jacobs and she was arrested.

19. Ms. Jacobs was then taken to the Fairfax County Jail where she remained from November 25 to November 27, 2015. Ms. Jacobs was terrified and humiliated from her stay in the jail. Ms. Jacobs has never been arrested before, does not have any criminal history, and at all times has been an exemplary, law-abiding citizen.

20. Based on the false accusations of Ms. Al-Sabyani, Officer Meang caused a misdemeanor warrant to be issued against Ms. Jacobs in the Fairfax County General District Court.

21. Ms. Jacobs was charged with and prosecuted for violation of Section 5-4-1 of the Fairfax County Code, "Trespassing after having been forbidden to do so."

22. The criminal charge was completely baseless and false and there were no grounds to prosecute Ms. Jacobs for any charge, let alone under this section. Ms. Jacobs had not been forbidden from the Westin premises; in fact, she had been expressly permitted to extend her stay to November 26, 2015 by contract with a Westin manager on November 24, 2016.

23. Because the allegations, arrest, and prosecution were baseless, the Assistant Commonwealth's Attorney prosecuting Ms. Jacobs's case entered an order of *nolle prosequi* on January 12, 2016. In addition, an Order of Expungement was entered on April 12, 2016 expunging Ms. Jacobs's arrest.

**COUNT I**  
**False Arrest**

25. Ms. Jacobs re-alleges and incorporates by reference paragraphs 1 through 23 as if set forth fully herein.

26. At all times, and in all matters set forth herein, Ms. Al-Sabyani was acting within the scope of her employment with Brentwood. Therefore, Brentwood is liable for the conduct of Ms. Al-Sabyani, its agent.

27. Ms. Al-Sabyani and Brentwood knew that Ms. Jacobs was not trespassing at the Westin, knew that no crime had been, or was going to be, committed, and knew that there was no basis to allege trespassing or any other basis to give rise to a probable cause or legal justification for an arrest.

28. Nevertheless, Ms. Al-Sabyani and Brentwood worked to maliciously and/or intentionally cause the arrest and imprisonment of Ms. Jacobs through the use of force and acts of the Fairfax County Police without probable cause or other legal justification. In their actions, Ms. Al-Sabyani and Brentwood were the cause of Ms. Jacobs being arrested, taken into custody, and held against her will.

29. Ms. Al-Sabyani and Brentwood acted intentionally, wantonly, and/or in a grossly negligent manner as to evince a conscious disregard of Ms. Jacobs's rights.

30. As a direct and proximate result of the actions of Ms. Al-Sabyani and Brentwood, Ms. Jacobs has suffered a loss of freedom, mental anguish, insult, embarrassment, harm to her personal and professional reputation, and has incurred expenses.

#### **Prayer for Relief**

**WHEREFORE**, Ms. Jacobs respectfully requests that this Court enter judgment in her favor and against Ms. Al-Sabyani and Brentwood jointly and severally, and award her the following relief:

- A. Compensatory damages in an amount of not less than \$1,000,000;
- B. Punitive damages in an amount of not less than \$1,000,000;
- C. Pre- and post-judgment interest;
- D. Reasonable attorney's fees and costs; and
- E. Such other and further relief as this Court deems just and proper.

**COUNT II**  
**Malicious Prosecution**

31. Ms. Jacobs re-alleges and incorporates by reference paragraphs 1 through 23 as if set forth fully herein.

32. At all times, and in all matters set forth herein, Ms. Al-Sabyani was acting within the scope of her employment with Brentwood. Therefore, Brentwood is liable for the conduct of Ms. Al-Sabyani, its agent.

33. Ms. Al-Sabyani and Brentwood knew that Ms. Jacobs was not trespassing at the Westin, knew that no crime had been, or was going to be, committed, and knew that there was no basis to allege trespassing or any other basis to give rise to a probable cause or legal justification for arrest.

34. Nevertheless, Ms. Al-Sabyani and Brentwood worked to maliciously and/or intentionally cause misdemeanor warrants to be issued against Ms. Jacobs and for Ms. Jacobs to be charged with and prosecuted for trespassing in violation of the Fairfax County Code, without probable cause or legal justification. In their actions, Ms. Al-Sabyani and Brentwood were the cause of Ms. Jacobs's prosecution on false charges.

35. Ms. Al-Sabyani's and Brentwood's malicious prosecution of misdemeanor charges against Ms. Jacobs resulted in the false arrest and false imprisonment of her.

36. Ms. Al-Sabyani and Brentwood acted intentionally, wantonly, and/or in a grossly negligent manner as to evince a conscious disregard of Ms. Jacobs's rights.

37. The prosecution of Ms. Jacobs ultimately terminated in Ms. Jacobs's favor.

38. However, as a direct and proximate result of the actions of Ms. Al-Sabyani and Brentwood, Ms. Jacobs has suffered a loss of freedom, mental anguish, insult, embarrassment, harm to her personal and professional reputation, and has incurred expenses.

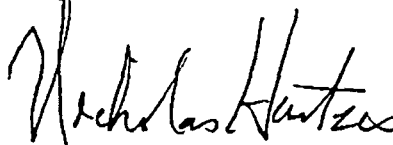
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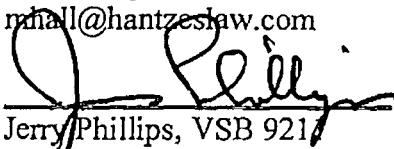
- F. Compensatory damages in an amount of not less than \$1,000,000;
- G. Punitive damages in an amount of not less than \$1,000,000;
- H. Pre- and post-judgment interest;
- I. Reasonable attorney's fees and costs; and
- J. Such other and further relief as this Court deems just and proper.

Respectfully Submitted,

Chelsea Jacobs,  
By Counsel,



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Michael Hall, VSB 85481  
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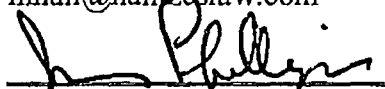


**DEMAND FOR JURY TRIAL**

Ms. Jacobs demands a trial by jury for all claims.



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