

1 MICHAEL R. DUFOUR, ESQ., SBN 290981  
mdufour@swlegalgrp.com  
2 **SOUTHWEST LEGAL GROUP**  
8675 FALMOUTH AVENUE, SUITE 307  
3 PLAYA DEL REY, CA 90293  
TELEPHONE: (818) 591-4300  
4 FACSIMILE: (818) 591-4300

5 W. CRAFT HUGHES, ESQ. (*Pro Hac Vice* forthcoming)  
craft@hughesellzey.com  
6 JARRETT L. ELLZEY, ESQ. (*Pro Hac Vice* forthcoming)  
jarrett@hughesellzey.com  
7 **HUGHES ELLZEY, LLP**  
1105 MILFORD STREET  
8 HOUSTON, TX 77006  
TELEPHONE: (713) 322-6387  
9 FACSIMILE: (888) 995-3335

10 *Attorneys for Plaintiff*

11 **SUPERIOR COURT OF CALIFORNIA, COUNTY OF SAN DIEGO**

13 ANNE M. ALBREKTSEN,  
14 *Plaintiff,*

15 v.

16 WELK RESORTS GROUP, INC., and  
17 JARED JAMES ABRAHAMS,  
18 *Defendants.*

) Case No.: 37-2018-00063422-CU-MC-CTL  
)  
)

) COMPLAINT FOR DAMAGES FOR:  
)

- ) 1) NEGLIGENCE;  
) 2) NEGLIGENT HIRING/SUPERVISION;  
) 3) SEXUAL HARASSMENT; and  
) 4) FAILURE TO PREVENT  
) HARASSMENT.

) [JURY TRIAL DEMANDED]  
)  
)

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20 **COMES NOW**, ANNE M. ALBREKTSEN filing this complaint for damages and demand  
21 for jury trial (“Complaint”) against WELK RESORTS GROUP, INC. and JARED JAMES  
22 ABRAHAMS. Plaintiff, for her Complaint, alleges as follows upon personal knowledge as to herself  
23 and her own acts and experiences, and, as to all other matters, upon information and belief, including  
24 investigation conducted by her attorneys:

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1 **GENERAL ALLEGATIONS**

2 1. ANNE M. ALBREKTSEN (“PLAINTIFF”) brings this action against WELK  
3 RESORTS GROUP, INC. (“WRG”) and JARED JAMES ABRAHAMS (“ABRAHAMS”) for  
4 sexual harassment, negligent hiring, negligent supervision, and harboring a sexually hostile work  
5 environment.

6 2. WRG negligently hired and supervised ABRAHAMS and allowed him to prey on  
7 young women like PLAINTIFF and other female employees during their employment at WRG.

8 3. ABRAHAMS is a convicted sextortionist and known computer hacker previously  
9 sentenced to 18 months in federal prison.

10 4. WRG hired ABRAHAMS to work in its IT department.

11 5. At the time ABRAHAMS was hired, WRG knew or should have known that  
12 ABRAHAMS previously plead guilty to three counts of extortion and had a tendency to target young  
13 women like PLAINTIFF.

14 6. WRG’s reckless disregard for employee safety enabled ABRAHAMS to sexually  
15 harass PLAINTIFF, blackmail PLAINTIFF, and provided ABRAHAMS with easy access to  
16 PLAINTIFF’s personal information. ABRAHAMS stole PLAINTIFF’s personal information during  
17 his employment at WRG and used it to injure, threaten, and sextort PLAINTIFF. WRG’s actions  
18 and/or failure to act proximately caused PLAINTIFF to suffer grievous mental anguish, nervous  
19 shock, and damages.

20 **PARTIES**

21 7. At all times mentioned herein, plaintiff ANNE M. ALBREKTSEN was and is an  
22 individual and resident of the County of San Diego, State of California.

23 8. At all times mentioned herein, defendant WELK RESORT GROUP, INC. was and  
24 is a corporation, organized under the laws of the State of California, having its principal place of  
25 business in the County of San Diego, State of California. Defendant WRG may be served with  
26 process by serving its registered agent: C T Corporation System, 818 West Seventh Street, Suite  
27 930, Los Angeles, CA 90017.

1 9. At all times mentioned herein, defendant JARED JAMES ABRAHAMS was and is  
2 an individual and resident of the County of San Diego, State of California. At all times herein alleged,  
3 defendant ABRAHAMS was employed by WRG and all his actions occurred during the course and  
4 scope of his employment with WRG.

5 10. Defendants WELK RESORT GROUP, INC. and JARED JAMES ABRAHAMS are  
6 collectively referred as "Defendants" herein.

7 11. PLAINTIFF is informed and believes, and on that basis alleges that at all times  
8 mentioned herein, Defendants are responsible in some manner or capacity for the occurrences herein  
9 alleged, and that PLAINTIFF's damages, as herein alleged, were legally caused by all said  
10 Defendants.

11 **JOINT, SEVERAL, AND VICARIOUS LIABILITY**

12 12. Whenever in this Complaint it is alleged that defendant WRG committed any act or  
13 omission, it is meant that WRG's officers, directors, vice-principals, agents, servants, or employees  
14 committed such act or omission and that at the time such act or omission was committed, it was done  
15 with the full authorization, ratification or approval of WRG or was done in the routine normal course  
16 and scope of employment of WRG's officers, directors, vice-principals, agents, servants, or  
17 employees.

18 13. At all times mentioned herein, defendant ABRAHAMS was an employee, agent,  
19 and/or servant of WRG, and/or was under its complete control and/or active supervision. WRG  
20 engaged in, joined in, and conspired with ABRAHAMS in carrying out the tortious and unlawful  
21 activities described in this Complaint.

22 14. Defendant WRG conspired, jointly caused, knowingly participated and/or aided and  
23 abetted with ABRAHAMS in the wrongful conduct described hereinafter so as to be jointly and  
24 severally liable to Plaintiff for each of the acts, omissions, breaches, malfeasance and causes of  
25 action set forth herein.

26 15. At all times relevant to this lawsuit, WRG had in place or implemented corporate  
27 policies that governed, controlled, and instructed how it conducted daily business operations.  
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**FACTS**

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16. PLAINTIFF is an employee of defendant WRG.

17. Defendant ABRAHAMS is also an employee of WRG.

18. In early November 2018, PLAINTIFF was unexpectedly locked out of her e-mail account and all of her social media accounts.

19. PLAINTIFF suspected she had been hacked by a malicious actor and locked out of her accounts intentionally.

20. PLAINTIFF created a new e-mail account and began messaging her prior e-mail account.

21. PLAINTIFF received responses indicating that someone had, in fact, taken control of her various online accounts.

22. This individual threatened to release PLAINTIFF’s personal photos and private information on the Internet if she did not send nude photos of herself or agree to video chat with him.

23. PLAINTIFF was able to obtain various IP addresses linked to the hacker, screenshots, and other information.

24. PLAINTIFF knew that other women employees at WRG were experiencing similar hacking attacks. As a result, PLAINTIFF suspected the hacker might be an employee of WRG.

25. On or about November 8, 2018, PLAINTIFF reported the cyber threats and harassment to the local police in La Mesa, CA. However, PLAINTIFF didn’t know who was threatening her at the time she made the police report and could not provide the police with any suspects.

26. On or about November 10, 2018, PLAINTIFF and her counsel determined the hacker was defendant ABRAHAMS through an independent investigation.

27. ABRAHAMS had previously been convicted for “sextortion” and served 18 months in federal prison after pleading guilty to three counts of extortion and one count of unauthorized access of a computer.

1           28.       On or about November 11, 2018, PLAINTIFF filed an IC3 complaint with the FBI.

2           29.       On or about November 13, 2018, a co-worker at WRG named Kurtis told  
3 PLAINTIFF that he previously saw ABRAHAMS using PLAINTIFF’S computer on two separate  
4 occasions.

5           30.       Kurtis said he confronted ABRAHAMS and asked what he was doing on  
6 PLAINTIFF’S computer, but ABRAHAMS quickly stood up and walked away.

7           31.       Kurtis said he confronted ABRAHAMS on a second occasion, again asking why  
8 ABRAHAMS was using PLAINTIFF’s desktop computer. ABRAHAMS replied and said  
9 PLAINTIFF “asked me to send in her data sheet because she forgot.”

10          32.       However, PLAINTIFF has never given ABRAHAMS permission to access her  
11 computer or send in a data sheet from her computer.

12          33.       PLAINTIFF immediately reported this information to WRG director Trish Danley  
13 and WRG supervisor Brittany Ferrer.

14          34.       Defendant WRG recently confiscated the desktop computer used by ABRAHAMS  
15 at WRG’s office. Defendant WRG also approved PLAINTIFF for a leave of absence from work.

16          35.       Upon information and belief, this information was readily accessible to defendant  
17 WRG and the general public when WRG decided to hire ABRAHAMS as an employee.

18          36.       The facts and allegations leading to ABRAHAMS’ prior conviction demonstrated a  
19 nearly identical *modus operandi* to the hacking and sextortion PLAINTIFF experienced at WRG.

20          37.       ABRAHAMS’ prior conviction was so notorious, that ABRAHAMS is listed on the  
21 FBI’s sextortion brochure as a case study for that type of crime. *See* [https://www.fbi.gov/file-](https://www.fbi.gov/file-repository/stop-sextortion-brochure.pdf/view)  
22 [repository/stop-sextortion-brochure.pdf/view](https://www.fbi.gov/file-repository/stop-sextortion-brochure.pdf/view).

23          38.       Upon information and belief, defendant WRG (a) failed to adequately investigate  
24 ABRAHAMS before hiring him as an employee, (b) failed to warn female employees of  
25 ABRAHAMS’ previous crimes, (c) failed to monitor and/or supervise ABRAHAMS’ workplace  
26 activities, (d) failed to prevent ABRAHAMS from exploiting and victimizing PLAINTIFF and other  
27 female employees at WRG.

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1 **FIRST CAUSE OF ACTION**

2 **NEGLIGENCE**

3 **(Against WRG)**

4 39. PLAINTIFF re-alleges and incorporates by reference each preceding paragraph as  
5 though set forth at length herein.

6 40. PLAINTIFF was harmed by WRG's negligence.

7 41. Defendant WRG had a duty to use reasonable care to prevent harm to PLAINTIFF  
8 and employees of WRG.

9 42. Defendant WRG breached its duty because a reasonably careful person would not  
10 have hired ABRAHAMS as an employee to work in the IT department at WRG.

11 43. Defendant WRG breached its duty because a reasonably careful person would have  
12 conducted a criminal background check on ABRAHAMS before deciding to hire ABRAHAMS as  
13 an employee.

14 44. WRG's actions and/or failure to act proximately caused PLAINTIFF to suffer  
15 grievous mental anguish, nervous shock, and damages. WRG's negligence was a substantial factor  
16 in causing PLAINTIFF's harm.

17 **SECOND CAUSE OF ACTION**

18 **NEGLIGENT HIRING / NEGLIGENT SUPERVISION**

19 **(Against WRG)**

20 45. PLAINTIFF re-alleges and incorporates by reference each preceding paragraph as  
21 though set forth at length herein.

22 46. PLAINTIFF was harmed by ABRAHAMS and defendant WRG is responsible for  
23 that harm because WRG negligently hired and/or negligently supervised ABRAHAMS.

24 47. WRG hired ABRAHAMS to work in its IT department.

25 48. ABRAHAMS was unfit to perform the work for which he was hired because he's a  
26 convicted computer hacker with a known tendency to threaten, sextort, and harass young women  
27 like PLAINTIFF – with previous criminal convictions for extortion.

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1           49.       Defendant WRG knew or should have known that ABRAHAMS was unfit and  
2 dangerous, creating a particular safety risk to PLAINTIFF and other employees.

3           50.       ABRAHAMS threatened, sextorted, and harassed PLAINTIFF.

4           51.       Defendant WRG' negligence in hiring and supervising ABRAHAMS was a  
5 substantial factor in causing PLAINTIFF's harm.

6                                   **THIRD CAUSE OF ACTION**

7                                   **SEXUAL HARASSMENT: Gov. Code § 12940(j)**

8                                   **(Against all Defendants)**

9           52.       PLAINTIFF re-alleges and incorporates by reference each preceding paragraph as  
10 though set forth at length herein.

11          53.       Defendant WRG violated Gov. Code § 12940(j)(1) by harassing PLAINTIFF during  
12 her employment.

13          54.       Defendant ABRAHAMS violated Gov. Code § 12940(j)(1) by harassing  
14 PLAINTIFF during her employment.

15          55.       Defendant WRG knew or should have known of this conduct and failed to take  
16 immediate and appropriate corrective action.

17          56.       Defendant WRG failed to take all reasonable steps to prevent harassment from  
18 occurring.

19                                   **FOURTH CAUSE OF ACTION**

20                                   **FAILURE TO PREVENT HARASSMENT: Gov. Code § 12940(k)**

21                                   **(Against WRG)**

22          57.       PLAINTIFF re-alleges and incorporates by reference each preceding paragraph as  
23 though set forth at length herein.

24          58.       Defendant WRG violated Gov. Code § 12940(k) because it failed to take all  
25 reasonable steps necessary to prevent the harassment from occurring.

26                                   **PUNITIVE DAMAGES**



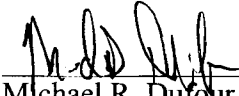


1 Dated: November 27, 2018.

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Respectfully Submitted,

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Michael R. Dufour  
[mdufour@swlegalgrp.com](mailto:mdufour@swlegalgrp.com)  
SOUTHWEST LEGAL GROUP  
8675 Falmouth Avenue, Suite 307  
Playa Del Rey, CA 90293  
Tel: (818) 591-4300  
Fax: (818) 591-4315

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HUGHES ELLZEY, LLP  
W. Craft Hughes\*  
[craft@hughesellzey.com](mailto:craft@hughesellzey.com)  
Jarrett L. Ellzey\*  
[jarrett@hughesellzey.com](mailto:jarrett@hughesellzey.com)  
1105 Milford Street  
Houston, TX 77006  
Tel: (713) 322-6387  
Fax: (888) 995-3335

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Counsel for Plaintiff  
*\*Pro Hac Vice forthcoming*

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