

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

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JULIE PARKER,

SUMMONS

Plaintiff,

Index No. _____

- against -

HOWARD RUBIN,
KEVIN MAHANEY

Plaintiff designates New York
County as the Place of Trial

Defendants.

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YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of your answer, or, if the complaint is not served with the summons, to serve a notice of appearance of the day of service. If this summons is not personally served upon you, or if this summons is served upon you outside of the State of New York, then your answer or notice of appearance must be served within thirty (30) days. In case of your failure to appear or answer, judgment will be taken against you by default, for the relief demanded in the complaint.

The basis of venue is CPLR 503.

Dated: New York, New York
January 9, 2018

Respectfully submitted,

THE LANDAU GROUP, PC



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Attorneys for Plaintiff Julie Parker

SUPREME COURT OF THE STATE OF NEW YORK
NEW YORK COUNTY

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JULIE PARKER,

Plaintiff,

COMPLAINT AND JURY DEMAND

Index No. _____

- against -

HOWARD RUBIN,
KEVIN MAHANEY

Defendants.

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Julie Parker (“Plaintiff” or “Ms. Parker”), by her attorneys, The Landau Group, PC, as and for her complaint, against Defendants’ Howard Rubin (“Rubin”), and Kevin Mahaney (“Mahaney”) (collectively, “Defendants”), alleges, as follows:

PRELIMINARY STATEMENT

1. The instant case involves a brutal rape, and gruesome acts of sexual abuse, committed by Defendant Howard Rubin, against Plaintiff Julie Parker; and a subsequent cover up, and manipulative campaign by Defendant Kevin Mahaney, against Plaintiff, to keep Ms. Parker silenced about the incident, and to protect each of the Defendants’ from civil liability and prospective criminal prosecution.

PARTIES, JURISDICTION AND VENUE

2. Plaintiff Julie Parker is an individual residing in Los Angeles, California.
3. Defendant Howard Rubin is a resident of New York, New York, and was one of the top Portfolio Managers at Soros Fund Management, LLC, located in New York, New York.
4. Defendant Mahaney is a resident of New York, New York, and is the CEO of I Comm Connect, LLC and Olympia Equity Investors, successful real estate and investment companies.
5. Venue is therefore proper in this Court pursuant to CPLR 503(a).

6. This Court has jurisdiction pursuant to CPLR 301.

STATEMENT OF FACTS

7. In October of 2015, Plaintiff was at the Polo Lounge in Beverly Hills, California, and met Defendant Mahaney, where they became friends.

8. Subsequently, Plaintiff was invited by Mahaney to stay with him, at his apartment located in New York City on or about October 31, 2015.

9. Mahaney flew Plaintiff out to Manhattan to stay with him, and the two celebrated Halloween together, and Manhattan at-large, including being with Mahaney's children on occasion.

10. Plaintiff and Mahaney never had a sexual relationship. Plaintiff and Mahaney cuddled, and sometimes kissed, but did not have sexual intercourse, instead, Mahaney encouraged Plaintiff to treat him as her "mentor", and "confidant".

11. As such, Plaintiff confided in Mahaney, and revealed intimate details about her family life, and how she had trouble trusting people.

12. Mahaney told Plaintiff that he cared about her, and would always be there for her.

13. While at Mahaney's apartment, Plaintiff told Mahaney that she wanted to attend college, but that it was expensive, and needed help paying for it.

14. Mahaney informed Plaintiff that he would *not* give her money, but that he was friends with someone who would set up a date with a wealthy guy willing to pay for having lunch and drinks together. .

15. On or before November 3, 2015, Defendant Mahaney introduced Plaintiff to Nicole Minton ("Minton").

16. Plaintiff and Minton exchanged text messages, and Plaintiff told Minton about herself, and sent her photos. Mahaney sat beside Plaintiff during this correspondence, and informed Minton that he recommended Plaintiff.

17. During this correspondence, Minton informed Plaintiff that she would be paid \$2,000.00 to go out to dinner and drinks, with a wealthy man, but that she would not be required to have sex.

18. On or about November 4, 2015, Plaintiff travelled to Washington DC, from New York City, and Mahaney's apartment, to visit a friend.

19. On the night of November 4, 2015, Minton sent Plaintiff a text message, which instructed Plaintiff that she would be meeting a guy named "Howie" for lunch tomorrow, at the Russian Tea Room, in Manhattan.

20. On November 5, 2015, Plaintiff and her friend, travelled from Washington DC back to New York City, to Mahaney's apartment.

21. Shortly after Plaintiff's arrival in New York, she deposited her luggage at Mahaney's apartment, and prepared for her date with Defendant Rubin, at the Russian Tea Room in Manhattan, located at 157 W. 57th Street.

22. Ms. Parker was told by Minton to arrive at the Russian Team Room at, or around, 2pm, on November 5, 2015.

23. The information Plaintiff received regarding Rubin, was that she would be having lunch with a really nice guy in his 40's that went by the name "Howie."

24. When Ms. Parker arrived, Defendant Rubin was not yet there, as such, she was escorted by the host to their reserved table.

25. Defendant Rubin ordered some expensive caviar, and their first round of alcoholic drinks from their waiter, which upon information and belief, was 2 glasses of Don Julio 1942 Anejo, neat. A very expensive tequila that is 80 proof (or 40% alcohol by volume).

26. Thereafter, Defendant Rubin engaged Ms. Parker in conversation, and continuously asked her to drink “more” and get “comfortable”. Both Defendant Rubin and Ms. Parker ordered additional food and alcoholic beverages in the restaurant.

27. Defendant Rubin and Ms. Parker had multiple alcoholic drinks over the course of a couple hours at the restaurant.

28. Defendant Rubin and Ms. Parker talked for well over an hour, about, among other things, Defendant Rubin’s lifestyle and wealth, and Plaintiff’s interests and ambitions to go to college.

29. Defendant Rubin indicated to Plaintiff that if he liked her, he would fly her to Miami to watch some baseball or basketball game that he had floor seats to.

30. Defendant Rubin and Ms. Parker got along well in the beginning of their date, and he appeared to be a genuinely nice person, who was interested in talking to Ms. Parker, and getting to know her.

31. During their date, Defendant Rubin continued to insist that Ms. Parker drink and relax. Ms. Parker complied, and was served accordingly by the Russian Tea Room, without once being asked for any identification, and after both her, and Defendant Rubin had been at the restaurant for more than an hour.

32. Plaintiff was just 20 years old.

33. At some point, during their date, Defendant Rubin’s assistant ‘Stephanie’, came into the restaurant, and presented Plaintiff with a non-disclosure agreement (“NDA”).

34. The NDA presented by Defendant Rubin indicated that Ms. Parker could be sued for up to \$1,000,000, if she broke the terms of the NDA, which included, that she could not disclose any activities or conduct which occurred between Defendant Rubin and Ms. Parker.

35. Ms. Parker asked Defendant Rubin and Stephanie why she was required to sign an NDA, whereupon Rubin stated that it was required because he was married, had kids, and a business.

36. Hindsight is 20/20. Ms. Parker was a young, intoxicated, women, already in the process of being manipulated, and seduced, by an extraordinary wealthy man, who seemed genuine, and interested in her, as a caring adult, with promises of the good life, and that this was simply how things were done with the wealthy. It was an intoxicated, impromptu decision made by Plaintiff without legal counsel or even the thought that something horrible was about to transpire. As such, Ms. Parker affixed her signature to the document. Ms. Parker was never given a copy of the NDA.

37. After signing the NDA, Stephanie grabbed it from Plaintiff, and promptly left the restaurant.

38. After Stephanie left, Plaintiff and Defendant Rubin, continued with their lunch date.

39. Defendant Rubin told Ms. Parker more about his wealth, and that he owned the penthouse apartment, in the lavish, and ultra-expensive Metropolitan Tower, which he explained was right next door to the Russian Tea Room.

40. Defendant Rubin told Ms. Parker about his apartment, and how lavish, and beautiful it was. Further, Rubin explained that he had dated many famous models, and Playboy playmates, and had brought them up to his apartment, where he took pictures with them, and had them sign a book that he kept, with their pictures in it. Further, Rubin explained that in addition to this

book, that he had very large photographs of some of these models, and Playmates, that he hung on the walls of his apartment.

41. Defendant Rubin then asked Ms. Parker if she would like to see his apartment, and his book of the famous women he had dated. Ms. Parker told Rubin that she would.

42. Plaintiff and Rubin then finished up their drinks, and went to his apartment next door.

43. Upon information and belief, Defendant Rubin's apartment was the penthouse apartment, on the 76th Floor, of the Metropolitan Tower, located next door to the Russian Tea Room.

44. Defendant Rubin walked Ms. Parker inside, and took the elevator up to his apartment.

45. Defendant Rubin's apartment was very large, and beautifully decorated in a modern style.

46. Defendant Rubin led Ms. Parker into his apartment, and began to show her around. While Plaintiff was admiring the apartment, Defendant Rubin fixed her a cocktail.

47. Defendant Rubin did in fact show Plaintiff the book of famous models, and playmates, he told her about, which contained pictures of Rubin with the respective model or playmate.

Further, the walls of his apartment were decorated with large photographs of playboy playmates, and other famous models.

48. Plaintiff began to drink the cocktail fixed by Rubin, as he showed her around, and after a few minutes, began to feel light headed and her body fatigued. At the time she was disoriented, but it is evident now that Defendant Rubin drugged Plaintiff's drink.

49. Next, within 10 to 15 minutes of consuming the drink, Defendant Rubin told Ms. Parker that he wanted to show her his "toy room."

50. Rubin's toy room was a small - around 200-300 square foot - room, with ropes and toys to tie people up with, and electrocuting devices, and other devices and things that Ms. Parker had never seen before in her life.

51. Plaintiff was startled by what she saw, but Rubin assured her, and told her that he was into these things, and asked if he could lightly tie up her wrists, "for fun".

52. Plaintiff allowed Rubin to do this, and explained that he would go easy on her, and that she had a safe word: PINEAPPLES. Defendant Rubin instructed Plaintiff to say pineapples if she got uncomfortable, or if anything became too much for her.

53. Defendant Rubin then lightly tied Ms. Parker's wrists up in ropes, while she was still fully clothed. Defendant Rubin then gently slapped Ms. Parker on the face.

54. Rubin asked Plaintiff if she was okay with this, and she explained that she was.

55. Rubin then increased the resistance of the ropes, around Plaintiff's wrists, so they were secure, and tight, giving Rubin all of the power, and forcing Plaintiff to totally relinquish control. At this point, Plaintiff was still fully clothed, and had not consented to any other physical or sexual contact.

56. With her defenses down, drugged, and intoxicated, Rubin proceeded, to put Ms. Parker through the most hellish encounter of her young life.

57. Once Plaintiff was fully restrained, and completely vulnerable to Defendant Rubin, he then took a much darker turn, and smacked Ms. Parker on her face, really hard.

58. Ms. Parker yelled "PINEAPPLES" – and for Rubin to stop.

59. Rubin then became incensed and ripped her blouse off, to expose her breasts, whereupon Rubin then grabbed a device to clamp Ms. Parker's nipples, and began pulling hard, causing Ms. Parker to grimace in pain.

60. Defendant Rubin pulled Ms. Parker's nipples even harder, and she begged him to stop, which enraged him, and caused him to start punching and smacking Plaintiff with his fists, all over her body, while Plaintiff was restrained by ropes hanging from this predator's ceiling.

61. Ms. Parker was screaming and crying in agony and pain, and begged Rubin to stop his abuse, and to let her go, however, the more Ms. Parker begged and cried, the worse Defendant Rubin's abuse became.

62. Defendant Rubin told Ms. Parker that the more she begged and cried for him to stop, the worse it would get; playing a horrifying and sadistic game.

63. While Rubin beat and prodded Plaintiff, he called her appalling names, like she was a piece of shit, and a whore, and he kept saying that Plaintiff was just as bad as the other whores.

64. Rubin continued to beat Ms. Parker with different toys, causing extensive bruising and swelling, throughout her body.

65. Without warning, Rubin shortly thereafter, in the middle of Plaintiff's screams for mercy, and pleas for him to stop and repeated uses of the "safe word" – Rubin shoved a big Black dildo up Ms. Parker anus ripping her insides, and causing her to bleed.

66. After the foregoing brutal criminal sexual acts, Defendant Rubin then released Ms. Parker from being tied up, and grabbed her by the back of her hair and smashed her face into the ground; whereupon, he held Ms. Parker down, and started shoving more things inside of her anus and vagina.

67. Through the veil of tears, Ms. Parker begged Rubin once again to stop; however, Rubin did not stop, and instead he got worse, and the torture inflicted upon Ms. Parker got worse with each plea.

68. Defendant Rubin told Ms. Parker that she "deserved it", and that the more she asked him to stop the more hurt she was going to get.

69. Defendant Rubin dragged Ms. Parker by her hair outside of his dungeon-like “toy” room, threw her over his couch, and then penetrated her with his penis and choked her with his hands around her neck, while he raped her without a condom.

70. When Defendant Rubin was about to ejaculate his semen, he pulled Ms. Parker off the couch to the ground and flipped her body over and ejaculate his semen on her face and breasts.

71. When Rubin concluded, he told Ms. Parker that she was a “whore” and to “clean” herself up.

72. Ms. Parker was drugged, beaten, raped, battered, shaken, crying, and scared for her life.

73. Defendant Rubin offered her another drink to try and calm her down, and like a sociopath, thanked her for a “pleasurable experience”, while Ms. Parker wreathed in pain, crying hysterically. Rubin even told Plaintiff that he would like to see her again.

74. Defendant Rubin then kicked Ms. Parker out of his apartment, and informed her that he had to go meet his wife and kids for dinner and to leave.

75. Ms. Parker promptly gathered her clothes, and left Rubin’s place as fast as she could, whereby she went back to Defendant Mahaney’s condominium.

76. While Plaintiff was in the car she called her friend, screaming and crying, and asked her friend to get her belongings and meet downstairs. Plaintiff indicated to her friend that they were leaving Mahaney’s apartment, and that she was extremely upset at Mahaney for setting her up with Rubin.

77. When Plaintiff got back to Mahaney’s condo, Mahaney was waiting for her downstairs in the lobby, where Plaintiff was noticeably upset. When Mahaney approached her, Plaintiff panicked, and pushed him away.

78. In the elevator up to Mahaney’s apartment, Plaintiff was shaking.

79. Plaintiff started yelling at Mahaney in the apartment, and said she was leaving.

80. Mahaney told Plaintiff to sit down, and to talk to him about the “details” of her experience.

81. Prior to Plaintiff explaining what had just occurred, Mahaney demanded that Plaintiff’s friend “leave the room”.

82. Plaintiff explained to Mahaney what Rubin had done to her, and that she needed to go to the hospital and report him to the police.

83. Mahaney told Plaintiff that if she went to the police, that she would continue to live with what Rubin had done to her for the rest of her life because of the NDA, and because Defendant Rubin was extremely wealthy and powerful, and would destroy her life.

84. Defendant Mahaney told Plaintiff that instead of going to the hospital or police, and reporting Defendant Rubin, that she could start her life over, and that he would help take care of her education, and pay for an apartment, and just pretend that none of the incident with Rubin ever happened, but that she could never tell anyone about what had occurred. This included Plaintiff not being permitted to seek therapy, or any other medical treatment, for the injuries she sustained from the rape.

85. On November 7, 2015, Defendant Mahaney made a deposit for Plaintiff’s college education. Subsequently, Defendant Mahaney paid for Plaintiff’s apartment in Los Angeles, and her college education.

86. Plaintiff enrolled in college, and began attending classes towards her professional future, however, following Ms. Parker’s experience with Rubin, her life and emotional stability began to fall apart in a way not uncommon with other victims who are raped, beaten and who were penetrated with foreign objects thrust inside of them without consent.

87. Ms. Parker began to drink excessively and take drugs in an attempt to forget the pain and memories she was constantly experiencing from her encounter.

88. Beginning in 2016, Plaintiff experienced intense anxiety and panic attacks, and depression, on a daily basis. At school, Plaintiff would oftentimes sneak off to the bathroom, and try to compose herself, when she felt the onset of extreme fear or discomfort, which commonly included, an accelerated heart rate, sweating, trembling, and almost always a fear of losing control or of dying.

89. Plaintiff's friends witnessed how dire her situation was becoming, and told her that she needed to get treatment and go to rehab. However, whenever Mahaney was advised of such counsel, he would fly out to Los Angeles to see Ms. Parker, and remind her of the terrible things that could happen if Plaintiff told anyone, since Rubin was a wealthy and powerful man and that if anything was reported, that Mahaney would no longer be there to "protect" her, or pay for her apartment or college.

90. Like a wolf in sheep's clothing, Mahaney told Plaintiff that so long as he was around, she had no problems, and that she needed a "break" from her friends, and to stay with him in either New York or Miami to get on a "better track"; all she had to do was keep quiet.

91. Ms. Parker's experience with Defendant Rubin, and ongoing association with Defendant Mahaney effected all aspects of her physical, professional and emotional life, as well as her ability to interact with the world, and the people in it.

92. Soon after she began college, Plaintiff was unable to continue, and dropped out of school.

93. Plaintiff had been an active and good student in high school, on an anti-bullying committee, and had volunteered and traveled to third world countries.

94. However, as a result of this incident, Ms. Parker could not continue her college education because she lived in a constant state of fear, and experienced nightmares, substance abuse, panic attacks, depression, sadness, anxiety, and powerlessness, on a daily basis.

95. Further, as a result of this incident, Plaintiff always keeps some sort of weapon in her room, that she keeps close by her bed, while she sleeps.

96. Defendant Mahaney, subsequent to the incident with Rubin, came to control and manipulate all aspects of Plaintiff's life; he knew exactly where she slept, went to school, and who she was associating with, including members of Plaintiff's family. The control and manipulation Mahaney held over Plaintiff, put her in an impossible situation, where she feared for her safety, and emotional stability. Defendant Mahaney's manipulation also included isolating Plaintiff from her friends, telling Plaintiff that her father and mother were bad people for not trying to help her out financially. Therefore, Mahaney was completely trying to manipulate Plaintiff, and make her feel isolated, and alone in the world, like she had nothing and couldn't depend on anyone but him.

97. Any time Mahaney wanted to, he could stop paying Plaintiff's rent and college, and Plaintiff would be out on the street. If she told any authorities about the control Mahaney held over her, or Rubin raping her, she feared reprisals from them, not only because of the NDA, but because Mahaney told her that Rubin would destroy her life, given his extraordinary wealth, and power. Further, Mahaney knew that he would be implicated in any controversy involving Rubin and Plaintiff, and therefore, sought to control Plaintiff, and buy her silence, through manipulative inducements, and implied threats, of physical harm, and financial destruction, if Plaintiff reported him, or Rubin, to the authorities for what Rubin – and now Mahaney – had done.

98. In 2016, Plaintiff tried to commit suicide, and ended up in a hospital as a result of a drug overdose. Defendant Mahaney did not want Plaintiff to go to a rehabilitation facility, and told her that he did not think she needed it.

99. Rubin raping Plaintiff, in conjunction, with the unrelenting pressure, control, and manipulation, placed on her by Mahaney, to hide this fact, caused this young girl, to break down, and fall apart. A person can only take so much.

100. On or around May 2017, Plaintiff made a decision and left – travelling to Asia, on a one way ticket to Bali, and throwing herself into an intensive yoga retreat, in an attempt to find inner peace, and treat her anxiety, depression and substance abuse.

101. During this period of exploration, Plaintiff learned mediation and yoga, and this has helped her to cope with the trauma she experienced.

102. Plaintiff did not return to the US for roughly 5 months thereafter, on or around October 2017. Although benefitted from the Asian retreat and yoga immersion, the horrific experiences the Defendants joint and severally put this young woman through will require a great deal of therapy, treatment, and time, to deal with, and which she will be forced to endure, likely, for the rest of her life.

CAUSE OF ACTION ONE

**ACTION BY VICTIM OF CONDUCT CONSTITUTING CERTAIN SEXUAL OFFENSES AND ACTS PURSUANT TO CPLR § 213-C: FOR RAPE IN VIOLATION OF PENAL LAW §130.35; CRIMINAL SEXUAL ACTS IN VIOLATION OF PENAL LAW §130.50; AND AGGRAVATED SEXUAL ABUSE IN VIOLATION OF PENAL LAW §130.70; AND PENAL LAW §20.00
(Against All Defendants')**

103. Plaintiff repeats, repleads and incorporates by reference each and every allegation of paragraphs 1 through 102 of this Complaint as though set forth in full herein.

**DEFENDANT RUBIN'S VIOLATIONS OF
PENAL LAW §130.35, PENAL LAW §130.50, AND PENAL LAW §130.70**

104. As set forth more fully above, the acts of Defendant Rubin against Plaintiff was rape under Penal Law §130.35(1) because he engaged in sexual intercourse with Plaintiff by forcible compulsion.

105. As set forth more fully above, the acts of Defendant Rubin against Plaintiff were criminal sexual act(s) in the first degree, under Penal Law §130.50(1), because Defendant Rubin engaged in anal sexual conduct with Plaintiff by forcible compulsion.

106. As set forth more fully above, the acts of Defendant Rubin against Plaintiff was aggravated sexual abuse in the first degree, under Penal Law §130.70(1), because he inserted a foreign object into Plaintiff's vagina, by forcible compulsion, causing her physical injury.

107. As set forth more fully above, the acts of Defendant Rubin against Plaintiff was aggravated sexual abuse in the first degree, under Penal Law §130.70(1), because Rubin inserted a foreign object into Plaintiff's anus, by forcible compulsion, causing her physical injury.

108. Defendant Rubin forcibly intruded into Plaintiff's anus and vagina - sexual organs, which constitutes a rape.

109. Plaintiff repeatedly told Defendant Rubin to "STOP", however, Defendant Rubin did not stop and continued to rape Plaintiff, and overcame any resistance with his superior size and strength by throwing her face into the ground, then pinning her body against the hard back of a sofa while restraining her shoulders and arms, and inserting his penis into her vagina. Plaintiff was visibly upset – crying and shaking.

110. Defendant Rubin's acts also constitute criminal sexual acts in the first degree, and aggravated sexual abuse in the first degree, where, among other things, Defendant Rubin tied Plaintiff up to a pole or device from the ceiling in his "toy room" so she could not escape, and punched her in the face, tore off her clothes, and inserted a large dildo, and other foreign objects

into Plaintiff's vagina and anus, and whipped her with paddles across her body, causing extensive bruising and pain, and stuck clamps on her nipples, which he turned and tightened causing severe pain, and while Defendant Rubin did the foregoing, Plaintiff screamed and begged Defendant Rubin to stop, and where Defendant Rubin grew more brutal when Plaintiff begged him to stop, and told her that it would get worse the more she asked him to stop, and in fact it did get worse and more brutal, all the while calling her a "whore" and saying that Ms. Parker "needed to go through the pain so that she would know how shitty of a person she was".

111. Plaintiff also sustained severe physical injuries, including extensive bruising throughout her body, and bleeding from her anus and vagina, and Defendant Rubin caused her extreme pain by, among other things, punching her in the face, beating her with paddles and other devices, and repeatedly inserting extremely large dildos and other objects, including his own penis, into her anus and vagina, in what felt like a sharpened stick covered with flesh, into her vagina. Further, Plaintiff experienced extensive bruising and pain throughout her body, which remained visible for weeks after, as well as bleeding from her vagina and anus, and pain when urinating for several days thereafter.

DEFENDANT MAHANEY'S LIABILITY UNDER PENAL LAW §20.00

112. As set forth more fully above, Defendant Mahaney is criminally liable for the conduct of Defendant Rubin, under Penal Law §20.00, when Defendant Mahaney, acting with the required mental culpability for the commission thereof, solicited, requested, commanded, or intentionally aided Rubin in the commission, and **cover up**, of the offense(s) of rape, criminal sexual acts in the first degree, and aggravated sexual abuse in the first degree, against Plaintiff.

113. Defendant Mahaney offered Ms. Parker a bribe and the ongoing threat of Rubin destroying her life due to the NDA and his "wealth and power". As such, Mahaney induced

Plaintiff to "stay quiet" about Rubin's criminal acts; including telling Plaintiff to neither go to the police or hospital or ever seek therapy, for fear that someone else would know and may report such incident unilaterally to the authorities.

114. Defendant Mahaney therefore learned of the criminal sexual offenses Rubin committed against Ms. Parker, while they were in progress, or immediately thereafter, and aided, abetted, and assisted Rubin, to cover up such criminal offenses, while they were in progress, or immediately after they occurred, and thereafter, for upwards of two years, and therefore, he cannot avoid accomplice liability, for purposes of his own liability, under Penal Law §20.00.

115. Plaintiff has sustained, and continues to suffer, traumatic and enduring damages and injuries, as a result of Defendants' actions, including, but not limited to: substantial bruising throughout her body, bleeding from her anus, pain when urinating, wage loss, loss of professional advancement and educational opportunities, severe mental anguish emotional distress, pain and suffering, anxiety, depression, post-traumatic stress disorder, Rape Trauma Syndrome, major depression, generalized anxiety disorder, substance use and abuse, panic and anxiety attacks, past, present, and future medical expenses, loss of sleep, nightmares, difficulty concentrating, fear, inability to trust, difficulty with relationships, thoughts of suicide, and extreme humiliation, powerlessness, hopelessness, and embarrassment from the reprehensible actions of Defendants.

116. The conduct of Defendants was intentional, and in wanton and deliberate disregard of Plaintiff's rights, therefore, the imposition of exemplary and punitive damages is warranted, and should be assessed against Defendants to punish Defendants for such appalling, and criminal acts.

117. Defendants collectively, and each of them individually, by engaging in the aforementioned acts and/or in authorizing and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and acted with willful and conscious disregard of the rights, safety and welfare of Plaintiff, thereby justifying the award of punitive and exemplary damages.

WHEREFORE, Plaintiff respectfully requests the following relief:

- a. Actual and compensatory damages in excess of \$2,500,000.00;
- b. Exemplary and Punitive Damages in excess of \$14,500,000.00;
- c. Attorney Fees, costs, and interest, in an amount to be determined by the Court; and
- d. For such other relief that the court deems proper.

**CAUSE OF ACTION TWO
FRAUD IN THE INDUCEMENT
(Against Defendant Rubin)**

118. Plaintiff repeats, repleads and incorporates by reference each and every allegation of paragraphs 1 through 117 of this Complaint as though set forth in full herein.

119. As set forth more fully above, Defendant Rubin presented a Non-Disclosure Agreement (“NDA”) to Plaintiff while they were eating and drinking at a public restaurant, and under the illusion, that it was required because Rubin was married, had children, and a business.

120. This was a knowing misrepresentation by Defendant Rubin, which was intended to deceive Plaintiff, so that he could get away with raping, and sexually abusing her, under the guise of an NDA, and the threat that he would sue Plaintiff for millions of dollars, and destroy her life, if she breached it, regardless of what reprehensible acts he subsequently committed against her.

121. Defendant Rubin therefore made this misrepresentation for the deliberate purpose of inducing Plaintiff to rely upon it, knowing that his material representations were false.

122. A simple internet search would refer a casual observer to Defendant Rubin's professional experience, and deep wall street pedigree, once among the top Portfolio Managers at Soros Fund Management, Bears Stearns, and Merrill Lynch.

123. Appreciating this background, it is not difficult to understand the specific intent associated with presentment of such NDA and by extension, Mahaney's ability thereafter to use this very same tool in manipulating Plaintiff to stay silent.

124. Juxtaposed, Ms. Parker stood at 5'5" and 105 pounds, was 20 years old, and with not much money or support. Ms. Parker, became the ideal victim for Rubin and Mahaney.

125. As such, Plaintiff justifiably relied on Defendant Rubin's misrepresentation or material omission of fact, to her ongoing detriment.

126. The very idea of rape is that you may not consent to it.

127. If ever there was a matter where an NDA was unenforceable, and if ever there was a time, where an NDA was fraudulently induced, this is that case.

128. As such, Defendant Rubin made knowing misrepresentations of material present fact relative to the NDA, which was intended to deceive Plaintiff and induce her to act on it, resulting in injury to Plaintiff thereto.

129. Plaintiff has sustained, and continues to suffer, traumatic and enduring damages and injuries, as a result of Defendant Rubin's actions, including, but not limited to: substantial bruising throughout her body, bleeding from her anus, pain when urinating, wage loss, loss of professional advancement and educational opportunities, severe mental anguish emotional distress, pain and suffering, anxiety, depression, post-traumatic stress disorder (PTSD), Rape

Trauma Disorder, substance use and abuse disorders, major depression, panic and anxiety attacks, generalized anxiety disorder, past, present and future medical expenses, loss of sleep, nightmares, difficulty concentrating, fear, inability to trust, difficulty with relationships, thoughts of suicide, and extreme humiliation, powerlessness, hopelessness, and embarrassment from the reprehensible actions of Defendant Rubin.

130. The conduct of Defendant Rubin was intentional, and in wanton and deliberate disregard of Plaintiff's rights, therefore, the imposition of exemplary and punitive damages is warranted, and should be assessed against Defendant Rubin to punish him for such appalling, and criminal acts.

131. Defendant Rubin by engaging in the aforementioned acts and/or in authorizing and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and acted with willful and conscious disregard of the rights, safety and welfare of Plaintiff, thereby justifying the award of punitive and exemplary damages.

WHEREFORE, Plaintiff respectfully requests the following relief:

- a. Compensatory damages in excess of \$2,500,000.00;
- b. Exemplary and Punitive Damages in excess of \$7,500,000.00;
- c. Attorney Fees, costs, and interest, in an amount to be determined by the Court;
- d. That the NDA be declared as void; and
- e. For such other relief that the court deems proper.

**CAUSE OF ACTION THREE
AIDING AND ABETTING FRAUD
(Against Defendant Mahaney)**

132. Plaintiff repeats, repleads and incorporates by reference each and every allegation of paragraphs 1 through 131 of this Complaint as though set forth in full herein.

133. As set forth more fully above, Plaintiff explained to Mahaney what Rubin had done to her, immediately prior to her arrival back at his apartment, and that she needed to go to the hospital and report Rubin to the police.

134. As more fully identified above, Mahaney told Plaintiff not to do this, and that if she did go to the police or hospital, that Rubin would destroy her life because of said NDA, and his position is society.

135. Ms. Parker lived in a constant state of fear, promulgated initially by Rubin, but maintained by Mahaney thereafter, as fully set forth more fully above.

136. Mahaney was unconcerned with Plaintiff's life, and emotional stability, and was as friendly to her as Satan himself, controlling, and silencing her, through bribes, manipulation, and implied threats of destroying her life, if she spoke out about what occurred between her and Rubin, because Mahaney would necessarily be publicly implicated in such wrongdoing.

137. Mahaney only cared about himself and did what he felt necessary to prevent Ms. Parker from implicating him and destroying his paper-thin, cultivated image, and exposing him to liability.

138. Accordingly, Defendant Mahaney acted as Defendant Rubin's accomplice, and aided and abetted his crimes and fraud, by bribing Plaintiff, and inducing her to cover up Rubin's misdeeds. Mahaney, through coercive, illegal, and intimidating tactics, and by ultimately controlling her entire life; he positioned himself to know exactly where she was, and what she was doing at all times.

139. Defendant Mahaney was aware of the existence of the underlying fraud between Rubin and Plaintiff.

140. Mahaney, to his own benefit, used this fraud for his own selfish purposes, thereby directly and indirectly substantially assisting Rubin in achievement of its continuation.

141. Mahaney affirmatively assisted, helped conceal, or by failing to act when required to do so, enabled the fraud to proceed.

142. Mahaney actions were a proximate cause of the harm on which the primary liability against Rubin is predicated, and Plaintiff suffered substantial damages, mental anguish, emotional distress, pain and suffering, and other injuries as a result thereto, as fully set forth above.

143. Defendants collectively, and each of them individually, by engaging in the aforementioned acts and/or in authorizing and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and acted with willful and conscious disregard of the rights, safety and welfare of Plaintiff, thereby justifying the award of punitive and exemplary damages.

WHEREFORE, Plaintiff respectfully requests the following relief:

- a. Compensatory damages in excess of \$2,500,000.00;
- b. Exemplary and Punitive Damages in excess of \$4,500,000.00;
- c. Attorney Fees, costs, and interest, in an amount to be determined by the Court;
- d. For such other relief that the court deems proper.

**CAUSE OF ACTION THREE
FRAUD IN THE INDUCEMENT
(Against Defendant Mahaney)**

144. Plaintiff repeats, repleads and incorporates by reference each and every allegation of paragraphs 1 through 143 of this Complaint as though set forth in full herein.

145. As set forth more fully above, Defendant Mahaney made a misrepresentation or a material omission of fact to Plaintiff, namely, relative to not reporting the incident with Rubin, to any authorities, and that Plaintiff's life would be destroyed if she did.

146. Defendant Mahaney's material misrepresentations or omissions to Plaintiff were false, and known to be false by the defendant, and were made for the purpose of inducing Plaintiff to rely on it, namely, to protect Defendant Mahaney's own interests, and so he would not be publicly implicated in any wrongdoing, such as Defendant Rubin raping Plaintiff, and Mahaney having full knowledge of it, sanctioning it, and attempting to cover it up, by bribing and manipulating Plaintiff, and exercising complete control over her life.

147. Plaintiff justifiably relied on Defendant Mahaney's material misrepresentations or omissions of fact, to her detriment, and suffered substantial damages, mental anguish, pain and suffering, and other injuries as a result thereto, as fully set forth above.

148. Defendant Mahaney by engaging in the aforementioned acts and/or in authorizing and/or ratifying such acts, engaged in willful, malicious, intentional, oppressive and despicable conduct, and acted with willful and conscious disregard of the rights, safety and welfare of Plaintiff, thereby justifying the award of punitive and exemplary damages.

WHEREFORE, Plaintiff respectfully requests the following relief:

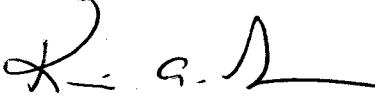
- a. Compensatory damages in an amount in excess of \$2,500,000.00;
- b. Exemplary and Punitive Damages in an amount in excess of \$4,500,000.00;
- c. Attorney Fees, costs, and interest, in an amount to be determined by the Court;
- d. For such other relief that the court deems proper.

Dated: New York, New York
January 9, 2018

Respectfully submitted,

THE LANDAU GROUP, PC

By:



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JURY DEMAND

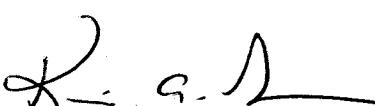
Plaintiff requests a trial by jury on all issues so triable.

Dated: New York, New York
January 9, 2018

Respectfully submitted,

THE LANDAU GROUP, PC

By:



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