

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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CHERI PIERSON,

Plaintiff,

v.

LEON BLACK, ESTATE OF JEFFREY E. EPSTEIN,
DARREN K. INDYKE, in his capacity as the EXECUTOR
FOR THE ESTATE OF JEFFREY E. EPSTEIN and
ADMINISTRATOR OF THE 1953 TRUST;
RICHARD D. KAHN, in his capacity as the EXECUTOR
FOR THE ESTATE OF JEFFREY E. EPSTEIN and
ADMINISTRATOR OF THE 1953 TRUST; and THE 1953
TRUST,

Defendants.
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Civil Action No.:

SUMMONS

To the above-named Defendants:


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 this summons, to serve a notice of appearance on the Plaintiff's attorney within twenty (20) days after service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded in the complaint.

Venue is proper as Defendant Leon Black resides in New York County and a substantial part of the events giving rise to Plaintiff's claims took place in New York County. Plaintiff designates NEW YORK COUNTY as the place of trial.

Dated: November 28, 2022
New York, New York

Respectfully submitted,

WIGDOR LLP

By: 

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Counsel for Plaintiff

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

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 CHERI PIERSON, :
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 Plaintiff, :
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 v. :
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 LEON BLACK, ESTATE OF JEFFREY E. EPSTEIN, :
 DARREN K. INDYKE, in his capacity as the :
 EXECUTOR FOR THE ESTATE OF JEFFREY E. :
 EPSTEIN and ADMINISTRATOR OF THE 1953 TRUST; :
 RICHARD D. KAHN, in his capacity as the EXECUTOR :
 FOR THE ESTATE OF JEFFREY E. EPSTEIN and :
 ADMINISTRATOR OF THE 1953 TRUST; and THE :
 1953 TRUST, :
 :
 Defendants. :
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Civil Action No.:

COMPLAINT

Jury Trial Demanded

Plaintiff Cheri Pierson (“Plaintiff”) through her lawyers Wigdor LLP, brings this Complaint against Defendants Leon Black (“Black”), the Estate of Jeffrey E. Epstein (“Estate”), the 1953 Trust (“The Trust”), Darren K. Indyke (“Indyke”) and Richard D. Kahn (“Kahn”) in their capacities as the Executors for the Estate of Jeffrey E. Epstein, and Administrators of the 1953 TRUST (collectively “the Epstein Defendants”), and hereby alleges as follows:

PRELIMINARY STATEMENT

1. In the spring of 2002, on a weekday in the late afternoon, Ms. Pierson was raped by Black.
2. Black’s brutal attack took place in a secluded and private area where no one could see Black or hear Ms. Pierson scream.

3. Black raped her on the third floor of Jeffrey Epstein's ("Epstein") Manhattan mansion located at 9 East 71st Street, in a private suite that contained a massage table and was connected to a bathroom.

4. After riding up in the elevator to the third floor with Black, Ms. Pierson entered the massage suite believing that she would give Black a massage and receive the money that had been promised her in exchange. Money that she desperately needed to help care for her young daughter.

5. By the time Ms. Pierson exited the massage suite and rode down the elevator with Black, she could barely walk out of the house onto the sidewalk, as she was in excruciating pain and still in shock. Black callously announced that his driver was waiting for him, turned his back and left her standing at the curb.

6. Black had the opportunity and the means to rape Ms. Pierson that day because their meeting was pre-arranged by his close friend and confidant, Epstein.

7. Several weeks before the rape, Epstein told Ms. Pierson that he was arranging for her to meet a very powerful and wealthy man – someone who Epstein said “helps people” and implied that he may be able to financially “help” Ms. Pierson. Epstein made the suggestion in the context of a skincare product that Ms. Pierson was trying to market and sell. Epstein knew about the skincare product because the two of them had discussed it many times.

8. One day, she received a call from Epstein, who said that he had arranged for her to meet a powerful businessman. Unbeknownst to her, the man was Leon Black. Epstein told Ms. Pierson that she was to come to his townhouse after she finished work, where she would meet Black and give him a massage. When she asked Epstein who the mystery businessman was, Epstein said that the man was married, and it would be up to him to tell Ms. Pierson his name or not.

9. When Ms. Pierson arrived at Epstein's on the arranged date, and while she was standing in a back hallway towards the kitchen, Black joined her in the hallway. Black made it clear that he was the person she was to give the massage to, although he did not offer his name. He was dressed in a business suit. Ms. Pierson assumed that they would be going upstairs but Black made her wait because he heard people out in the main hallway, and he wanted to make certain they left before he and Ms. Pierson ventured out.

10. Wanting to please the wealthy businessman who Epstein claimed was inclined to help her with the skincare product, Ms. Pierson engaged him in meaningless chit chat that at one point included commentary by both of them about the artwork on the wall in the hallway. Eventually, they heard people who had been in the main hallway exit the house and Black said it was time to go up.

11. Ms. Pierson knew that Black had done this before as he was the one that led the way to the elevator and up to the massage suite on the third floor. Black already had cash for her.

12. As set forth in the horrific details below, Black wasted no time before inflicting violence on Ms. Pierson.

13. Appallingly, there is no question that Black's criminal conduct was facilitated and fostered by Epstein and individuals that worked for Epstein. It is unknown how many times before or after the rape of Ms. Pierson or whether Black had met women at Epstein's townhouse for pre-arranged "massages."

14. Because Black repeatedly has stated publicly that he regularly and often visited Epstein's townhome, and did so for more than 20 years, he had countless opportunities to spend secluded hours in the third-floor massage suite with unknown women, just like he did with Ms. Pierson in 2002.

15. For decades, Black managed to shield from public view his predatory and violent side. Although Black believed that Ms. Pierson was a problem that he had “taken care of” and would not come back to haunt him, pursuant to the Adult Survivor’s Act (“ASA”) Ms. Pierson seeks to hold Black, and those that assisted him, accountable for the severe and debilitating pain that she suffered.

JURISDICTION AND VENUE

16. The Court has personal jurisdiction pursuant to Civil Practice Law and Rules (“CPLR”) § 301, *inter alia*, because Defendant Black resides in New York.

17. Venue is proper in this County pursuant to CPLR § 503 because a substantial part of the events giving rise to Plaintiff’s claims took place in New York County, including at Epstein’s home located at 9 East 71st Street, New York, New York.

PARTIES

18. Plaintiff Cheri Pierson currently resides in Virginia.

19. At all relevant times and presently, Defendant Leon Black resides in New York, New York.

20. Jeffrey E. Epstein was found dead on August 10, 2019 while in federal custody in New York, New York for sex crimes. At the time of his death Epstein, who had multiple residences, continued to reside at his home located at 9 East 71st Street, New York, New York.

21. Defendant the Estate of Jeffrey E. Epstein, which was created upon Epstein’s death, is domiciled in the U.S. Virgin Islands (“USVI”).¹

¹ On August 15, 2019, Defendants Indyke and Kahn filed a Petition for Probate and Letters Testamentary which included Epstein’s last will and testament with the Probate Division of the Superior Court of the Virgin Islands.

22. Defendant The 1953 Trust was created by Epstein, and on August 8, 2019, Epstein “amended and restated” its terms. That same day, Epstein revised his Last Will and Testament, transferring all of his “property, real and personal, wherever situated” to The Trust. On August 26, 2019, the executors of the Estate, Indyke and Kahn, filed a Certificate of Trust in the Superior Court of the Virgin Islands for The Trust.

23. Darren K. Indyke is co-executor of the Estate and Administrator of the Trust.

24. Richard D. Kahn is co-executor of the Estate and Administrator of the Trust.

I. FACTUAL ALLEGATIONS

A. Epstein’s Death, Will, Probate and the Trust

25. On July 6, 2019, Epstein was indicted by the United States Attorney’s Office for the Southern District of New York, for sex crimes involving minors.²

26. While in custody in the Metropolitan Correctional Center, on August 10, 2019, Epstein was found dead in his jail cell. A New York City medical examiner concluded that Epstein died by suicide.

27. On August 15, 2019, Epstein’s last will and testament (the “Will”) was filed in the Probate Division of the Superior Court of the USVI.

28. The Will was executed by Epstein on August 8, 2019, and it was accompanied by affidavits from Indyke and Kahn attesting to their “Oath of Willingness to Serve as Executor and Appointment of Local Counsel.” Indyke and Kahn filed a Petition for Probate and for Letters Testamentary in the Superior Court of the USVI. The Will’s first article directs Epstein’s executors “to pay from my estate all expenses of my last illness, my funeral and burial expenses, the

² <https://www.justice.gov/usao-sdny/press-release/file/1181016/download>

administration expenses of my Estate and all of my debts duly proven and allowed against my estate.”

29. The Will further directs that “after the payments and distributions provided in Article FIRST,” Epstein “give[s] all of my property, real and personal, wherever situated...to the then acting Trustees of the 1953 Trust.” On August 15, 2019, Indyke and Kahn petitioned the court in the USVI for Epstein’s Will to be admitted to probate and to be authorized to administer the estate.³ On August 26, 2019, Indyke filed a Certificate of Trust with the Superior Court for the USVI, affirming that he and Kahn are the two Trustees of the Trust.⁴ See 68.

B. Leon Black’s Relationship with Jeffrey Epstein

30. There remains much mystery surrounding Epstein and how he became an ultra-wealthy and powerfully connected person.

31. Epstein had a modest upbringing in Coney Island, New York, did not earn a college degree, and first worked as a high school math teacher in Manhattan. Yet from there, Epstein somehow rose to become an extremely wealthy person, with properties all over the world, who spent his time with some of the world’s most powerful politicians, businessmen, and celebrity figures, including, but not limited to, former Presidents Bill Clinton and Donald Trump, Prince Andrew, Duke of York, billionaires Les Wexner, Glen Dubin and Defendant Black, Jes Staley, Alan Dershowitz, Bill Gates and countless others.

³ Petition for Probate and for Letters Testamentary, *In the Matter of the Estate of Jeffrey E. Epstein*, Probate No. ST-19-PB-80 (Super. Ct. V.I. Aug. 15, 2019), <https://www.vicourts.org/common/pages/DisplayFile.aspx?itemId=15998283>.

⁴ Certificate of Trust, *In the Matter of the Estate of Jeffrey E. Epstein*, Probate No. ST-19-PB-80 (Super. Ct. V.I. Aug. 26, 2019), <https://www.vicourts.org/common/pages/DisplayFile.aspx?itemId=15998303>.

32. It remains a matter of debate as to why Epstein received only a mild “slap on the wrist” despite operating an allegedly sophisticated sex trafficking ring in Palm Beach, Florida that was only exposed when numerous girls came forward and accused Epstein of engaging in sex acts with them while they were under the age of 18, including some as young as 13. Despite the dearth of accusers, in 2008, Epstein was allowed to plead guilty to just one count of soliciting an underage prostitute. He served just 13 months in the Palm Beach County Stockade, during which numerous news reports claim that Epstein regularly was granted unsupervised visits from women.

33. After renewed public outcry concerning Epstein’s heinous conduct and the sweetheart prosecution deal he received in 2008, Epstein was arrested again on July 6, 2019, when his private jet landed in New Jersey’s Teterboro airport. Manhattan federal prosecutors charged Epstein with sex trafficking and conspiracy to commit sex trafficking.

34. Following Epstein’s arrest, during a July 31, 2019 earnings call, Black told Apollo investors (Apollo is the publicly traded private equity firm with over \$400 billion in assets under management founded by Black and where he served as then-Chairman and Chief Executive Officer (“CEO”)), that he **“was completely unaware of and [was] deeply troubled by the conduct that is now the subject of the federal criminal charges brought against [Epstein].”** (emphasis added).

35. On August 10, 2019, after he was denied bail, Epstein was found dead in his jail cell in the Manhattan Correctional Center. New York’s Chief Medical Examiner determined that Epstein committed suicide by hanging.

36. On October 12, 2020, the *New York Times* published an article⁵ revealing that Black, one of the world's wealthiest persons, with a net worth estimated at close to \$10 billion, had paid Epstein tens of millions of dollars *after* Epstein's 2008 conviction.

37. In response, Black, in an October 12, 2020 letter to Apollo's Limited Partners, stated again that:

"I was completely unaware of, and continue to be appalled by, the reprehensible conduct that surfaced at the end of 2018 and led to the federal criminal charges brought against Epstein."

"There has never been an allegation by anyone, including the *New York Times*, that I engaged in any wrongdoing or inappropriate conduct."

38. Later that month, during an October 29, 2020, earnings call ("October 2020 earnings call"), Black reiterated that:

"there has never been an allegation by anyone that I engaged in any wrongdoing, because I did not. And any suggestion of blackmail or any other connection to Epstein's reprehensible conduct is categorically untrue."⁶

39. During this earnings call, Black also said:

"Had I known any of the facts about Epstein's sickening and repulsive conduct, which I learned in late 2018, more than a year after I stopped working with them, I never would have had anything to do with him." (emphasis added)

⁵ Matthew Goldstein, Steve Eder and David Enrich, *The Billionaire Who Stood by Jeffrey Epstein*, (Oct. 12, 2020), <https://www.nytimes.com/2020/10/12/business/leon-black-jeffrey-epstein.html>.

⁶ A full transcript of the call and Black's prepared remarks is available here: <https://www.fool.com/earnings/call-transcripts/2020/10/30/apollo-global-management-llc-apollo-q3-2020-earnings/>.

C. The Falsity of the Dechert Report

40. Following the October 12, 2020 *New York Times* article, Apollo hired the law firm of Dechert LLP (“Dechert”) to “investigate” Epstein’s ties to Black and to Apollo.

41. Dechert was also tasked with creating a report to submit to the Securities and Exchange Commission (“SEC”) (the “Report”).

42. On or around January 22, 2021, Dechert released its Report⁷ which recounted Black’s claim that, while he was aware of Epstein’s 2008 guilty plea, he “understood from Epstein that these offenses arose from *a single instance* in which Epstein had received a *massage* from a 17-year-old *prostitute*.” (Report at 6, emphasis added). Of course, it was widely reported that Epstein had had sex with *countless* underaged girls, and not merely a massage on one occasion from a *prostitute*.

43. Black claimed to Dechert that, as a result of what Epstein supposedly told him about the nature of his conviction, he thought it was appropriate to “maintain a personal and professional relationship with Epstein” because: (i) Black believed Epstein had made a single “mistak[e]”; (ii) “numerous prominent figures” “continued to maintain social and business relationships with Epstein”; and (iii) because Black “believes in rehabilitation, and in giving people second chances,” while also “name-dropping” his relationships with Michael Milken and Martha Stewart, two individuals that had served prison time. *Id.*

⁷ The complete Dechert Report is available here: <https://www.sec.gov/Archives/edgar/data/1411494/000119312521016405/d118102dex991.htm> (“Exhibit 99.1”).

44. Black admitted to Dechert that, up until the fall of 2018, he maintained a relationship with Epstein, whom he viewed “as a friend worthy of trust” and who he confided on personal matters, attended social events with, and introduced to his family. *Id.* at 7.

45. While Black admitted that he knew Epstein had “eclectic tastes” and “often employed attractive women,” he claimed he did not believe that any of the women in Epstein’s employ were underage,” and was “repulsed” by the details of Epstein’s crimes. *Id.* at 8 (emphasis added).

46. The complete falsity of this statement, disgustingly, is blatant.

47. As Black knows, from as early as 2008 and continuing through the present, Epstein purposefully introduced Black to certain women with whom Epstein had had ongoing sexual relationships with while these women were underage. When they were no longer attractive to Epstein because his preference was for pubescent girls, Epstein simply passed some of these women on to Black, and likely to other men. Black, thereafter, became involved sexually with these women, at least several of whom had been with Epstein for years while underage.

48. There can be no doubt that Black knew about their prior involvements with Epstein, indeed, that is how they were introduced to Black. Several of these women, whose identities are known but are being protected for their privacy herein, were sexually involved with Black for more than a decade, including through the present.⁸

⁸ Several of these women, referred to only as Jane Does, are included in the allegations of Guzel Ganieva, in her Complaint filed against Black in New York State Court, entitled *Ganieva v. Black*, Index No. 155262/2021, filed in New York County, Supreme Court.

49. Despite this sharing of sexual partners between Epstein and Black, and Black's financial support for some of these women for years, the Dechert Report repeatedly represents that Black had no knowledge that Epstein engaged in sexual relationships with underage girls.

50. Although the Report had the appearance of a legitimate independent investigation, as Dechert must admit, any "conclusions" contained in the Report were based on nothing more than voluntary statements provided by (unnamed) voluntary participants, who likely prepared heavily with counsel about what they said and produced to Dechert, and may have even had counsel present when they spoke to Dechert.

51. Significantly, in connection with the SEC filed Report, no one testified under oath or provided sworn statements under the penalty of perjury, and it is unclear what access, if any, Dechert had to all relevant documents and evidence.

52. Further, these "Good Samaritans" who volunteered to speak to Dechert were none other than Black's posse, consisting of Paul Weiss lawyers (supposedly the best and brightest legal minds in the world, but who were consistently outshined by Epstein, who could only come up with a \$2 billion tax solution for Black), Apollo Global Management partners and associates, and other people with personal, professional and/or financial interests aligned with Black's.

53. The Report repeatedly and conveniently emphasizes that during the time Epstein served his prison sentence in Florida, "**Black had no client relationship with Epstein at the time.**" *Id.* at 6.

54. The Report further revealed that Black paid Epstein, between 2012 and 2017, a total of **\$158 million** (*id.* at 4), which Black claimed were payments made to compensate Epstein — who possessed neither a college degree, nor any advanced degrees related to tax advisement or estate planning — "for the overall value he believed Epstein was providing to him through

Epstein's advice on trust and estate planning, tax issues, philanthropic issues, and the operation of [Black's] Family [wealth management] Office." *Id.* at 17.

55. In a January 25, 2021 statement, Black once again said that he knew nothing about Epstein's sexual deviance:

"I was completely unaware of Mr. Epstein's abhorrent misconduct that came to light in late 2018," and repeated, "I did not engage in any wrongdoing or inappropriate conduct."

56. Disgustingly, in what can only be described as the epitome of irony and disingenuousness based on Ms. Pierson's experiences, Black said:

"Having reflected at great length on my *professional* relationship with Mr. Epstein, ... I have also decided that one way I can begin to address the grievous error of having maintained a *professional* relationship with Mr. Epstein is to pledge \$200 million towards initiatives that seek to achieve *gender equality and protect and empower women*, including ... helping *survivors of domestic violence, sexual assault and human trafficking*." (emphasis added)

57. To date, no public information is available about whether *any* of the "\$200 million pledge" has been gifted to any individuals, groups or organizations, much less those involved in preventing domestic abuse, sexual assault, rape or human trafficking.

D. By 1998, Black Asks Jeffrey Epstein to Serve as the Only "Director" of His Private Family Foundation, the "Leon Black Family Foundation"

58. Contrary to Black's recent revisionist history, beginning in the 1990s, he and Epstein were extremely close friends and confidants, not mere business acquaintances.

59. By 1998, Black asked Epstein to serve as the only "Director" of his private investment fund, the Leon Black Family Foundation, Inc. (the "Family Office"). Black was the President and Treasurer, and Debra Black, his wife, was the Vice President and Secretary.

According to documents submitted to the IRS, Black, his wife and Epstein devoted about four hours a week to serving in their respective roles.

60. By 2001, the Family Office was disbursing more than \$2.5 million to various groups, including but not limited to Dartmouth College, Jewish Museum, Lincoln Center for Performance, American Ballet Theatre, the Robinhood Foundation, Museum of Modern Art, Beaver Creek Arts Foundation, Metropolitan Museum of Art, the Spence School and Trinity School.

61. Black, his wife Debra Black and Epstein continued to serve as the only executives of the Family Office from 1997 through at least 2012. During this time, other groups were beneficiaries of the distributions, including the Miami City Ballet, Harvard Business School, and the Tony Blair Faith Foundation, now the Tony Blair Institute for Global Change – which also received tens of millions from the Bill and Melinda Gates’ foundation.

62. In addition to working together to invest Black’s family foundation money, Black has been quoted as stating that he “often” went to Epstein’s townhouse on East 71st Street, sometimes early in the day for breakfast meetings.

63. As detailed in Ms. Ganieva’s State Court Complaint, Black described Jeffrey Epstein as his “best friend” by 2008. *See* Second Amended Complaint, Dkt. No. 155, *Ganieva v. Black*, Index No. 155262/2021.

64. When Ms. Pierson first met Epstein and Ghislaine Maxwell, it is undisputed that Black and Epstein were personal friends, and also through the Family Office, had business connections.

II. PLAINTIFF IS RECRUITED INTO EPSTEIN'S FOLD

65. In 1999, Ms. Pierson was a single mother living in New Jersey with her young child and commuting into midtown for a low wage position as a receptionist. She had suffered some financial setbacks and was in credit card debt.

66. Sometime in 2000, a woman of Ukrainian descent, that Ms. Pierson had met through work, began to call Ms. Pierson repeatedly, telling her that she needed to meet this rich man who the acquaintance said she had met. This woman told Ms. Pierson that he was a wealthy man and that he helped women like Ms. Pierson financially. She wanted to give him Ms. Pierson's number.

67. At first, Ms. Pierson ignored the calls from the acquaintance. However, Ms. Pierson soon began receiving calls from a woman named Maxwell, with a British accent, also about meeting a wealthy businessman. Ms. Pierson assumed that her acquaintance had divulged Ms. Pierson's name and number, even though she had never given her permission to do so.

68. The caller named "Maxwell," told Ms. Pierson that she really should meet Epstein. Maxwell implied that she knew that Ms. Pierson needed money and suggested that as a powerful businessman, Epstein was someone that could "help" Ms. Pierson.

69. In addition to raising a child as a single mother, Ms. Pierson had dreams of launching a skin care product but knew that realistically, she lacked even a fraction of the money to do so. Passionate about the skin care product, and needing money, Ms. Pierson eventually agreed to meet Epstein.

70. Maxwell told Ms. Pierson to come to her office after she finished with her receptionist job. Therefore, one day after work, Ms. Pierson went to 9 East 71 Street, to meet the woman she knew as Maxwell.

71. When Ms. Pierson entered the lavish townhouse, she was directed to an office where she first met Maxwell, whom Ms. Pierson now knows is Ghislaine Maxwell. She met her in an office that had a large desk and an expensive-looking rug. Maxwell appeared busy and distracted, but made sure to tell Ms. Pierson that she was going to be introducing her to Epstein, who “picks models for Victoria's Secret.” Ms. Pierson remembers this comment because it was strange to Ms. Pierson. Although she looked much younger than her age and continued to do some modeling, she knew that she was not going to be seriously considered as a Victoria’s Secret model.

72. Eventually, Ms. Pierson was introduced to Epstein. He told her all about how he “make[s] money for rich guys” and was a philanthropist. Just when Ms. Pierson thought about telling Epstein about her skincare product, Epstein said, “I am a massage slut...I get 2-3 massages a day, lots of women do it and they do very well.”

73. Epstein said that he would pay Ms. Pierson \$300 to give him a massage in a bikini for 20 minutes, and she did so.

74. Over the course of months, including until at least late December 2001, Ms. Pierson gave Epstein massages on approximately four other occasions. Each time Epstein paid Ms. Pierson \$300. Disgustingly, Epstein masturbated and wanted her to perform oral sex on him as part of the massage, but each time she refused. Epstein was not happy and said she needed “to do more.”

75. Ms. Pierson recalls being asked to go to Epstein’s not long after the events of September 11, 2001. She was there with a number of other guests. The event stands out in her mind because Epstein made a vulgar and disgusting remark about the young models stranded in NYC after September 11, 2001. Specifically, Epstein began talking about how bad it was for foreign models who had come for Fashion Week and now could not leave. He said that the modeling agencies had stranded these women with no help or money. Disgustingly, Epstein

remarked that these young girls, mostly teenagers, were in such dire financial straits that they would take \$100 to get “fucked up the ass.”

76. Ms. Pierson also recalls that in early December 2001, she went to Miami to see the U2 “Heart” tour. While there, Epstein called Ms. Pierson out of the blue and asked her what she was doing. Ms. Pierson told him that she was just “hanging out.” Epstein said that he was in Florida and offered to fly her back to New Jersey on his plane with him. Ms. Pierson did not know how Epstein even knew she was in Florida. Ms. Pierson told Epstein that she had a plane ticket and politely declined. Epstein was insistent that she come with him. Ms. Pierson refused, fearful of whether or not Epstein would actually fly her to New Jersey or elsewhere. It was clear that Epstein was angry at Ms. Pierson for refusing to fly back from Florida with him.

77. Following Ms. Pierson’s trip to Florida, Epstein called her several times to give him a massage. Ms. Pierson declined, knowing that Epstein needed her to “do more” if he was going to pay her for a massage. During this time, on one occasion, Ms. Pierson went to Epstein’s townhouse and he used the skincare product she hoped to sell one day. The two had talked about her dream of developing the product, and Epstein knew that it was her dream to make it happen.

78. Sometime in the first few months of 2002, Ms. Pierson was in desperate need for money, and she called Epstein for help. Epstein sent a messenger who hand delivered a card to Ms. Pierson that contained \$300. The card was engraved with the words “compliments of Jeffrey Epstein.” Ms. Pierson did not have to give Epstein a massage for this money, and she was grateful.

79. Shortly thereafter, Epstein called Ms. Pierson and said that he was going to introduce her to someone else that may be able to “help” her, clearly implying financial help. Ms. Pierson hoped that perhaps this person could help with her skincare product.

80. Epstein did not provide a name for this businessman, and she did not ask.

81. Ms. Pierson agreed to come to Epstein's townhouse late one afternoon during the work week to meet him. It was made clear by Epstein that she was expected to give this man a massage.

82. There, in the hallway near the kitchen of Epstein's townhouse, Ms. Pierson first met Black, still not knowing his name. Black was in a business suit. He did not introduce himself.

83. After waiting for people to leave from the main hallway because Black did not want to be seen, Ms. Pierson and Black took the elevator up to the third floor to Epstein's "massage room" suite where Ms. Pierson previously had given Epstein a massage. Black led the way to the suite.

84. Once in the room, Black gave Ms. Pierson \$300 for the massage. Black appeared at ease, like he knew his way around the massage room and had been there before. Black took off his pants, left his socks on, and unbuttoned his white dress shirt. He told her she needed to undress completely.

85. He insisted that he wanted to orally copulate Ms. Pierson and pressured her to get on the massage table. As she stood there panicked not knowing what to do, Black used his massive body (6'4" and 300 pounds), and his superior strength to overwhelm, take by surprise and force Ms. Pierson into a position where she was rendered physically helpless. Throwing her backwards and vertical at the same time, he put her perpendicular to the head and the foot of the massage table, so that only a small portion of her back was on the massage table.

86. Black used the edge of the massage table as a fulcrum to leverage his physical power and to disable Ms. Pierson. Black grasped her lower legs and lodged them up on his shoulders. She was upside down like a rag doll. She recalls Black making vulgar and disgusting comments but her immediate fear was smashing the top of her skull into the hard floor if Black wanted to.

87. Her arms were useless in this position, as she struggled to brace herself, to keep her head from striking the floor. Being held in this upside-down position while he was engaging in his sexual deviance caused blood to rush to her head, and she felt like she could not breathe, was dizzy and may have temporarily lost consciousness. She recalls desperately yelling and screaming – but is unsure what words came out in her upside-down state. She tried to kick. She struggled to free her legs from his vicious grip, but he was too strong. Unquestionably, he knew she did not consent.

88. Her position, and Black’s use of the table to leverage her was akin to her hands being tied behind her back, her mouth gagged and being strung up by her feet. It is not much different than being tied to a tree limb upside down. This is the definition of “physical force” “to commit a sexual act without consent of the victim.” She was terrified of the physical harm he would inflict on her.

89. At 125 pounds and 5 feet 8 inches and in his total physical control, Ms. Pierson had no ability to escape the physical power of Black’s massive body. When Black then placed his mouth on her vagina and began biting her, Ms. Pierson experienced excruciating pain. With the top of her head precariously inches above the ground and her legs bound to his shoulders, she could only see the lower wall closest to her. She had no idea what exactly he was doing to her to cause the tearing pain she felt or what acts he engaged in specifically during the violence. Ms. Pierson was in agony and had never experienced anything like that before.

90. At some point, while she remained strung upside down barely conscious, Black was “finished.” Ms. Pierson does not remember how she went from being upside down to getting upright.⁹

91. She remembers being in the bathroom, in excruciating pain from the rape and in shock. She remembers being in the elevator to go downstairs and walking out of Epstein’s home with Black.

92. She remembers that when they exited, it was now dark outside. Outside of Epstein’s house, Black turned to Ms. Pierson and said, “I am Black.” Ms. Pierson looked at Black with a confused look, because she did not know his name and thought he oddly was referring to skin color. Black then said “Black, my name is Leo Black.” He did not say “Leon” Black. Black pointed to a town car and said, “this is me.” He turned, got into the back seat of the car and drove away while she was still standing there.

93. Ms. Pierson, who had no medical insurance, was left to deal with the physical aftermath of what he had done. Her vagina was grossly swollen, torn and bleeding. She used ice, and also took baths in an attempt to help her vagina heal. She used over the counter products to help with the pain and to help prevent infection from the cuts and tears. For several weeks, it was painful and difficult to urinate.

⁹ Massage tables commonly are 2.5 to 3 feet off the ground. Medical literature is clear that hanging upside down for more than 30 seconds to 60 seconds is dangerous as blood begins to pool in the head, causing blood pressure to increase and the heart to immediately slow. The increased blood pressure also can cause extreme pressure on a person’s eyes. Ms. Pierson’s feeling of dizziness and fainting contributed to her physical incapacitation as Black’s rape of her took time.

94. Not long after Black raped her, she confided in a friend about what happened. This friend reacted poorly and told her that if she told anyone what Black had done, no one would believe her. From then on, Ms. Pierson decided she would not tell her story.

95. Without warning, weeks after the violent assault, Black called Ms. Pierson. She was shocked because she had not given Black her phone number or her name.

96. Ms. Pierson knew that either Epstein or Maxwell had given it to him. Black told Ms. Pierson that he wanted her to meet him in New York City for lunch because he “just want[ed] to talk.”

97. Ms. Pierson refused.

98. Black was persistent. He kept calling her and did not take no for an answer.

99. Ms. Pierson eventually agreed to meet him for lunch, in a public place. She believed he wanted to apologize for what he had done. They met in a restaurant in midtown during the week. Ms. Pierson was not prepared for how upset she became when she saw Black and started reliving the sexual assault.

100. Sadly, Ms. Pierson became so upset that she could not eat, and she began crying loudly. People in the restaurant noticed and looked at the two of them. Black was visibly concerned that Ms. Pierson was making a scene and tried to get her to calm down. Unable to do so, Ms. Pierson excused herself to go to the bathroom but then left the restaurant.

101. A few weeks later, Black called Ms. Pierson again. Black said he wanted to meet her in person. Black said he “just wanted to talk.” He told her he felt “bad.” Ms. Pierson refused.

102. He called again. She refused again. Finally, the third time he called, Black asked Ms. Pierson to come meet him and said that he just wanted to talk to her and “want[ed] to give her

something.” At the time, Ms. Pierson was depressed, and allowed herself to be convinced to see him. She said she would only meet him in a public place.

103. They met at the bar in the St. Regis Hotel. It was a Sunday evening.

104. The two sat down and after a short conversation, without warning, Black simply placed an envelope in her lap. It contained \$5000 in one-hundred-dollar bills. Ms. Pierson was shocked. Black told her that the money was to help with her credit card debt.

105. Unbeknownst to Ms. Pierson, this was a “test.”

106. Predictably, not long after the dinner Black called Ms. Pierson and said, “I want to see you.” Ms. Pierson asked why. She knew she would never allow herself to be in a position where he could physically harm her again, Ms. Pierson asked him if he was trying to give her more money. Taken aback, Black exclaimed “I just gave you \$5000!”

107. Ms. Pierson refused to see him again. She failed his test.

108. A few months later, Ms. Pierson was walking down the street on the Upper East Side when Black came walking out of an exclusive, members-only restaurant. Black recognized Ms. Pierson immediately and said to her, “you look great! How are you?” Ms. Pierson answered quickly that she was fine and kept walking.

A. Epstein Facilitated Black’s Sexual Assault of Ms. Pierson

109. Through other court filings, it is well-documented that by 2001, Epstein, with the help of Maxwell and other “personal assistants,” had managed to lure multiple young women, and

girls, into his sordid scheme that eventually led to sex trafficking charges against him, and also against Maxwell.¹⁰

110. Although the first criminal litigation took place in Florida, after the initial reports to criminal authorities were made by young victims in Palm Beach, numerous victims reported being transported to Epstein's Manhattan townhouse where these victims were pressured and coerced to engage in sexual acts.

111. Additionally, lawsuits were filed on behalf of young victims that were coerced into Epstein's trafficking ring and forced to engage in sexual acts exclusively in Manhattan.

112. Even before 2000, Epstein used promises of financial help, money for school, and career opportunities such as modeling, to lure in his vulnerable victims.

113. Although Ms. Pierson was not underage, she was in financial debt and struggling as a single mother. Epstein preyed on her financial situation.

114. Like many other victims, Epstein used threats to make sure that Ms. Pierson would keep silent about her experiences with him, and with Black, including by telling her that he had a video camera in the bathroom off of the massage room and he had "seen her" in there. Ms. Pierson understood this to mean that he had a video recording of her.

115. Epstein first targeted Ms. Pierson, and when she did not satisfy him, he passed her on to his close friend Black, knowing that Black, too, had sexual deviant needs.

116. Helping both Epstein and Black perpetuate their wrongs, including upon Ms. Pierson, were various housekeepers, staff and assistants employed by Epstein.

¹⁰ On July 2, 2020, Ghislaine Maxwell was arrested and charged with six federal crimes. On December 20, 2021, the jury found her guilty of five counts, including sex trafficking of a minor, and on June 28, 2022, she was sentenced to 20 years in prison. *United States v. Maxwell*, No. 20-CR-330 (S.D.N.Y. Apr. 29, 2022).

FIRST CAUSE OF ACTION
(Sexual Assault)
Against Defendant Black

117. Ms. Pierson hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

118. As described above, Defendant Black violently, forcibly and against Ms. Pierson's will and without her consent, frightened and placed her in apprehension of harm when he physically and violently sexually assaulted and raped her in the massage room on the third floor of Epstein's townhome.

119. Defendant Black used his body, fingers, mouth, teeth, tongue, penis and/or foreign objects to engage in unwanted, harmful physical contact with Plaintiff, including invasively penetrating her vagina, causing tearing and bleeding.

120. As a direct and proximate result of Defendant Black's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages and other relief.

121. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, that constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130").

SECOND CAUSE OF ACTION
(Sexual Battery)
Against Defendant Black

122. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

123. As described above, Defendant Black violently, forcibly and against Ms. Pierson's will and without her consent, subjected her to bodily harm when he physically and violently sexually assaulted and raped her in the massage room on the third floor of Epstein's townhome.

124. Defendant Black used his body, fingers, mouth, teeth, tongue, penis and/or foreign objects to engage in unwanted, harmful physical contact with Plaintiff including invasively penetrating her vagina, causing tearing and bleeding her vagina.

125. As a direct and proximate result of Defendant Black's conduct, Plaintiff has suffered, and continues to suffer, harm for which she is entitled to an award of monetary damages and other relief.

126. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, that constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130").

THIRD CAUSE OF ACTION
(Intentional Infliction of Emotional Distress)
Against Defendant Black

127. Plaintiff hereby repeats, reiterates and re-alleges each and every allegation in all of the preceding paragraphs as if fully set forth herein.

128. Defendant Black engaged in conduct toward Plaintiff that is extreme and outrageous so as to exceed the bounds of decency in a civilized society.

129. Defendant Black's conduct of forcibly and violently sexually assaulting and raping Plaintiff is extreme and outrageous conduct that shocks the conscience.

130. These actions were taken with intent to cause, or disregard for, the substantial probability of causing severe emotional distress.

131. As a direct and proximate result of Defendant Black's extreme and outrageous conduct, Plaintiff has suffered severe emotional distress.

132. Defendant Black's conduct was wanton, malicious, willful and/or cruel, entitling Plaintiff to an award of punitive damages.

133. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, that constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130").

FOURTH CAUSE OF ACTION
(Gender-Motivated Violence Pursuant to VGMVPA)
Against Defendant Black

134. Plaintiff hereby repeats, reiterates and realleges each and every allegation in the preceding paragraphs as if set forth fully herein.

135. The above-described conduct of Defendant Black, including, but not limited to, Defendant Black's sexual assault and rape of Plaintiff constitutes a "crime of violence" and a "crime of violence motivated by gender" against Plaintiff as defined by the New York City Victims of Gender-Motivated Violence Protection Act, N.Y.C. Admin. Code § 8-901 *et seq.*

136. The above-described conduct of Defendant Black, including, but not limited to, Defendant Black's sexual assault and rape of Plaintiff constitutes a "crime of violence" against Plaintiff motivated: (i) by her gender; (ii) on the basis of her gender; and/or (iii) due, at least in part, to an animus based on her gender.

137. Defendant Black committed a "crime of violence" against Plaintiff because she is a woman and, at least in part, because he has an unlawful animus towards women. Defendant Black's

gender-motivated animus towards women is demonstrated by, among other things, his sexually violent and abusive treatment of women.

138. As a direct and proximate result of the aforementioned gender-motivated violence, Plaintiff has sustained in the past and will continue to sustain, monetary damages, physical injury, pain and suffering, and serious psychological and emotional distress, entitling her to an award of compensatory damages.

139. Defendant Black's gender-motivated violence against Plaintiff entitles her to punitive damages, as well as an award of attorneys' fees and costs.

140. This cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022), because it arises out of conduct perpetrated against Plaintiff who was eighteen or older at the time of the conduct, that constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law ("Article 130").

FIFTH CAUSE OF ACTION
(NEGLIGENCE)
Against the Epstein Defendants

141. Plaintiff hereby repeats, recites and realleges each and every allegation in the preceding paragraphs as if set forth fully herein.

142. As set forth above, Epstein, through Maxwell, targeted Ms. Pierson to perform sexual acts for Epstein. When Ms. Pierson failed to satisfy Epstein's sexual needs, Epstein planned and arranged for Plaintiff to meet Defendant Black at Epstein's townhouse for a purported massage.

143. Epstein knew of, or was negligent or recklessly indifferent to, the harm that Black inflicted on Plaintiff at Epstein's townhouse.

144. Epstein, reasonably and foreseeably, did know or should have known, that Black would inflict such harm on Plaintiff.

145. The above-described conduct of Defendant Black, which Epstein knowingly facilitated, constitutes a sexual offense as defined in Article One Hundred Thirty of the New York Penal Law (“Article 130”), and this cause of action is timely under the Adult Survivors Act N.Y. C.P.L.R. § 214-j (McKinney 2022).

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendants, containing the following relief:

A. A declaratory judgment that the actions, conduct and practices of Defendants complained of herein violate the laws of the State of New York and the City of New York;

B. An injunction and order permanently restraining Defendants and their partners, officers, owners, agents, successors, employees and/or representatives, and any and all persons acting in concert with them, from engaging in any such further unlawful conduct, including the policies and practices complained of herein;

C. An award of damages against Defendants, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic damages;

D. An award of damages against Defendants, or any jointly or severally liable entity or person, in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all non-monetary and/or compensatory damages, including, but not limited to, compensation for her emotional distress;

E. An award of damages for any and all other monetary and/or non-monetary losses suffered by Plaintiff, including, but not limited to, loss of income, reputational harm and harm to professional reputation, in an amount to be determined at trial, plus prejudgment interest;

F. An award of punitive damages, and any applicable penalties and/or liquidated damages in an amount to be determined at trial;

G. Prejudgment interest on all amounts due;

H. An award of costs that Plaintiff has incurred in this action, including, but not limited to, expert witness fees, as well as Plaintiff’s reasonable attorneys’ fees and costs to the fullest extent permitted by law; and,

I. Such other and further relief as the Court may deem just and proper.


JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: November 28, 2022
New York, New York

Respectfully submitted,

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