

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

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LILI BERNARD, EDEN TIRL, JEWEL GITTENS,
and JENNIFER THOMPSON,

Index No. _____/2023

Plaintiffs,

SUMMONS

-against-

Plaintiff designates
NEW YORK COUNTY
as place of trial.

ASTORIA STUDIOS LIMITED
PARTNERSHIP II,

Venue is based on the
location where a
substantial part of the
events giving rise to the
claims occurred.

Defendant.

-----X

To the above-named defendant:

ASTORIA STUDIOS LIMITED PARTNERSHIP II
34-12 36th Street
Astoria, New York 11106

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 Attorneys within 20 days after the service of this Summons, exclusive of the day of service (or within 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 your failure to appear or answer, judgement will be taken for the relief demanded herein.

A COPY OF THIS SUMMONS WAS FILED WITH THE CLERK OF THE COURT, NEW YORK COUNTY ON NOVEMBER 21, 2023 IN COMPLIANCE WITH CPLR §§ 305(a) AND 306(a).

Dated: November 21, 2023
New York, New York

MERSON LAW, PLLC
By: /s/Jordan Rutsky
Jordan Rutsky, Esq.
Jordan Merson, Esq.
Attorneys for Plaintiffs
950 Third Avenue, 18th Floor
New York, New York 10022
Telephone: (212) 603-9100
Facsimile: (347) 441-4171

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

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LILI BERNARD, EDEN TIRL, JEWEL
GITTENS, and JENNIFER THOMPSON,

Index No. _____/2022

Plaintiffs,

-against-

VERIFIED
COMPLAINT

ASTORIA STUDIOS LIMITED
PARTNERSHIP II,

Defendant.

-----X

The above-named plaintiffs, complaining of the defendant, by and through their attorneys, MERSON LAW, PLLC, respectfully allege:

1. This action is brought under the Adult Survivors Act, CPLR 214-j, by four women who were sexually abused by William Cosby, Jr. (“Bill Cosby”) in the same or similar manner when Bill Cosby used the facilities, resources, power, authority, fame and prestige provided to him by defendant Astoria Studios Limited Partnership II (“ASLP II”) to gain access, groom and sexually abuse these women in a nefarious and horrific way.

2. Plaintiffs were all sexually battered, assaulted, and abused as part of the same conduct, occurrence, plan, or scheme that was perpetrated, conducted, organized, and/or performed in New York.

3. Over the course of several decades, Bill Cosby engaged in the serial sexual assault of dozens of women for his sexual gratification while Defendant

enabled and aided these sexual assaults to benefit financially by its association with Bill Cosby.

4. ASLP II is culpable and liable because it knew and/or should have known that Bill Cosby was sexually abusing, assaulting, and/or battering women, including on its premises, but did nothing to stop it.

5. ASLP II did not investigate, reprimand, supervise nor in any way try to stop Bill Cosby from sexually abusing, assaulting, and/or battering women.

6. Moreover, ASLP II condoned and encouraged Bill Cosby's sexual abuse, assault, and/or battery of women including on company premises by doing nothing to stop it despite knowledge of Bill Cosby's serial sexual abuse of women, and by providing Bill Cosby with staff, facilities, resources, authority, and power to groom and sexually abuse women.

7. Plaintiffs' claims against ASLP II are for its negligence and negligent hiring, retention, and supervision because it knew or should have known that Bill Cosby was sexually assaulting, assaulting, and battering women, but failed to stop it, investigate it, or protect these and other women.

PARTIES

8. At all times relevant including at present, plaintiff Jewel Gittens was a resident and domiciliary of the State of New York.

9. ASLP II is a domestic limited partnership with its principal place of business in New York County, New York.

10. To the extent that ASLP II was a different entity, corporation, or organization during the relevant time periods set forth herein, such entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as “Astoria Studios Limited Partnership II.”

11. To the extent ASLP II is a successor to a different entity, corporation, or organization which existed during the relevant time periods set forth herein, including any entity, corporation, or organization that subsequently or eventually merged into ASLP II, such predecessor entity, corporation, or organization is hereby on notice that it is intended to be a defendant in this lawsuit and is named in the caption and in this complaint as “Astoria Studios Limited Partnership II.”

12. All such ASLP II-related entities, corporations, or organizations are collectively identified and referred to herein as “ASLP II” and are included within the designation, “Defendant.”

13. At all relevant times, Cosby was an agent, servant, and/or employee of ASLP II.

14. From approximately 1984 through 1992, ASLP II owned, operated, managed, controlled, and/or supervised the production of the television program *The Cosby Show*.

15. At all relevant times, *The Cosby Show* was filmed at a facility owned, operated, controlled, managed, and/or supervised by ASLP II, in Queens County, New York.

16. At all relevant times, ASLP II financially benefited from its relationship with Bill Cosby and the success of *The Cosby Show*.

17. At all relevant times ASLP II financially benefited from the public perception of Bill Cosby as "America's Dad," and as a morally upstanding father figure.

18. At all relevant times, the employees, agents, and/or servants of ASLP II facilitated the sexual assault of women by Bill Cosby by, among other things, bestowing Bill Cosby with power or the appearance of power at *The Cosby Show* and beyond, despite his propensity toward sexual assault of women and his active serial sexual assaults and mistreatment of women associated with *The Cosby Show*; permitting Bill Cosby access to women; providing women to Bill Cosby to be sexually assaulted; failing to protect the women involved in *The Cosby Show*, including actresses hired, offered, or seeking roles with *The Cosby Show* and visitors to *The Cosby Show*; encouraging women to meet with Bill Cosby alone and without adequate supervision; providing locations for Bill Cosby to sexually assault women; providing Bill Cosby with resources to sexually assault women; covering up the sexual assaults of said women; and implicitly approving and ratifying the sexual assaults through inaction or the other actions set forth herein.

PLAINTIFF LILI BERNARD

19. Lili Bernard and Bill Cosby first met on the set of Bill Cosby's television show, *The Cosby Show*.

20. In or around July 1990, Bill Cosby offered to be a mentor for Ms.

Bernard's acting career, including helping her obtain roles on *The Cosby Show* and elsewhere.

21. During one of the mentoring sessions toward the end of July 1990, Bill Cosby grabbed Ms. Bernard's ribcage, diaphragm, and breasts without Ms. Bernard's consent.

22. In or around August 1990, Bill Cosby arranged for and induced Ms. Bernard to travel from New York to New Jersey, under the false pretense that he was arranging a meeting with a producer to help advance Ms. Bernard's career.

23. While in New Jersey, Bill Cosby drugged Ms. Bernard without her consent by placing an unknown intoxicant in a purportedly non-alcoholic drink that he had prepared and provided to Ms. Bernard.

24. Once Ms. Bernard was incapacitated from the unknown intoxicant, Bill Cosby undressed and raped her without her consent.

25. Following the events that took place in New Jersey, Ms. Bernard was in denial about how she was drugged and raped by Bill Cosby, and temporarily blocked the trauma from her memory.

26. A couple of months later, Bill Cosby arranged for and induced Ms. Bernard to travel interstate from New York to Nevada under the false pretense that he was arranging a meeting with producers to cast her in a show.

27. While in Las Vegas, Bill Cosby drugged Ms. Bernard by providing her with a purportedly non-alcoholic beverage that contained an unknown intoxicant.

28. Once Ms. Bernard was incapacitated from the unknown intoxicant, Bill

Cosby undressed and raped Ms. Bernard without her consent.

29. During the rape, when Ms. Bernard awoke, attempted to defend herself, and screamed, “No,” Bill Cosby covered her mouth with his hand and then smothered her entire face with a pillow until Ms. Bernard lost consciousness again.

30. Following the Nevada drugging and rape, Ms. Bernard remained mostly silent because of her fear of Bill Cosby, his power, and reprisal.

31. In or around October 1991, Bill Cosby invited Ms. Bernard to his home in Manhattan, New York for a meeting to discuss a role in *The Cosby Show*.

32. Once in Bill Cosby’s home, Bill Cosby forcibly placed Ms. Bernard’s hand on his penis and threatened that if she resisted he would “blacklist” her from the entertainment industry.

33. Bill Cosby then pushed Ms. Bernard’s head onto his penis, without her consent, forcing his penis into her mouth.

34. In or around December 1991, Ms. Bernard was on the set of *The Cosby Show* as an actress playing the role of “Mrs. Minifield.”

35. On each of Ms. Bernard’s workdays on *The Cosby Show*, in or around December 1991, Bill Cosby demanded and required that she eat every meal in his dressing room with him. While she ate, Bill Cosby ogled her threateningly.

36. On one of Ms. Bernard’s workdays on *The Cosby Show*, in or around December 1991, Bill Cosby demanded that Ms. Bernard leave the set and come to his home to continue rehearsing.

37. When Ms. Bernard refused to comply with Bill Cosby’s demand, Bill

Cosby, in the presence of the production crew, loudly threatened to fire her and yelled sexual profanities at her.

38. In or around February 1992, while Ms. Bernard was on the set of *The Cosby Show* to meet with other cast members, Bill Cosby told Ms. Bernard in the presence of other actors and in a threatening manner that she is “done,” “over,” “dead” and that she does “not exist.”

39. Ms. Bernard was fearful for her life and career due to the verbal threats, drugging, and sexual assaults of Bill Cosby.

PLAINTIFF EDEN TIRL

40. In or around 1989, plaintiff Eden Tirl first met Bill Cosby at the facility where *The Cosby Show* was filmed in Queens, New York following a taping of *The Cosby Show*.

41. The next morning, Ms. Tirl was contacted by her agent and informed that she was given a role as a police officer on *The Cosby Show*, despite never auditioning for a role in that program.

42. Despite the relatively minor role to be played by Ms. Tirl on *The Cosby Show*, *The Cosby Show* provided her with a car service to and from the studio and a private dressing room.

43. While on set, on approximately four occasions, Frank Scotti, an employee working at *The Cosby Show*, insisted, in the presence of other employees of ASLP II, that Ms. Tirl have lunch with Bill Cosby alone in his private dressing room.

44. On the first such occasion, when Ms. Tirl resisted the invitation, Mr. Scotti grabbed her by the arm and physically escorted her to the dressing room in the presence of employees of ASLP II.

45. Once alone in Bill Cosby's dressing room, prior to Bill Cosby's arrival, Ms. Tirl exited and returned to the set.

46. On the second such occasion, when Frank Scotti demanded that Ms. Tirl have lunch with Bill Cosby alone in his dressing room, Ms. Tirl loudly and publicly screamed, "No," in the presence of employees of ASLP II.

47. In response to Ms. Tirl's public outcry, a woman believed to be an Assistant Director told Ms. Tirl, "It's okay. You can go," and "It happens all the time. Just go," before Ms. Tirl was once again physically escorted to Bill Cosby's private dressing room by Mr. Scotti while other employees working on *The Cosby Show* stood by.

48. Once again, when Ms. Tirl was alone in Bill Cosby's dressing room, Ms. Tirl escaped and returned to the set prior to Bill Cosby's arrival.

49. That evening, when Ms. Tirl attempted to leave the studio in the private car arranged by *The Cosby Show*, the driver delayed departure until Bill Cosby, without invitation, entered the vehicle and instructed the driver to leave the studio.

50. During the drive, Bill Cosby repeatedly propositioned and invited Ms. Tirl to join him at various locations, including a jazz club, dinner, a show, and his home for drinks; Ms. Tirl declined all invitations.

51. When Mr. Scotti demanded that Ms. Tirl have lunch alone with Bill Cosby on a third occasion, Ms. Tirl made eye contact with the director of *The Cosby Show* with the expectation that he, as an authority figure, would intercede; however, he did nothing.

52. Ms. Tirl then said in the presence of employees of ASLP II that she was uncomfortable and that she did not want to go, but those employees also did nothing.

53. Ms. Tirl then broke down and publicly cried because of the humiliation before being publicly and physically escorted to Bill Cosby's dressing room once again by Mr. Scotti.

54. Once again, finding herself alone in Bill Cosby's dressing room, Ms. Tirl escaped before Bill Cosby arrived.

55. On a fourth such occasion, while Ms. Tirl was speaking with other actors, Mr. Scotti once again demanded that she go to Bill Cosby's dressing room.

56. Embarrassed and humiliated by such a request in the presence of her peers and having experienced the previous lack of help and outright encouragement from the staff at *The Cosby Show* that she submit to Mr. Scotti's demand, Ms. Tirl was once again escorted to Bill Cosby's dressing room by Mr. Scotti.

57. Unlike the prior occasions, when Ms. Tirl entered Bill Cosby's dressing room on this last occasion, Bill Cosby entered the room behind her, closed the door, locked it, and took a seat by the door to the dressing room.

58. Once Bill Cosby had Ms. Tirl alone and in a locked room blocking the means of egress, Bill Cosby engaged in small talk with Ms. Tirl before offering that she could have anything she wanted.

59. Ms. Tirl responded that she only wanted to have a professional experience at *The Cosby Show* and only wanted to build her career in a professional manner.

60. Bill Cosby then turned the conversation to discussing Ms. Tirl's boyfriend.

61. Bill Cosby then asked Ms. Tirl to "come here."

62. He stood and Ms. Tirl stood in response, defensively.

63. Bill Cosby then asked Ms. Tirl to turn around.

64. Ms. Tirl felt threatened but turned around with the belief that Bill Cosby would not harm her, given that she was publicly escorted to his dressing room and was in proximity to the other staff members at *The Cosby Show* in the busy hallway outside.

65. Once Ms. Tirl turned around, Bill Cosby asked her to raise her arms up under the guise that it was part of an acting exercise, so that her arms were away from her body.

66. Suddenly, and without consent, Bill Cosby came behind her, pulled her arms down, wrapping them around the front of her chest and held them down so that Ms. Tirl could not move or escape his grasp.

67. As he held Ms. Tirl, Bill Cosby touched her breasts without her consent, forcibly pressed his penis into Ms. Tirl's back without her consent, and forcibly kissed her neck without her consent, and then whispered, "This is all we were going to do. Make love. This is making love."

68. Once done, he released her and told her that she could go back to *The Cosby Show* set.

69. Ms. Tirl then immediately escaped Bill Cosby's dressing room and returned to *The Cosby Show* set to complete the taping of the episode.

PLAINTIFF JEWEL GITTENS

70. In or around the late 1980s, Jewel Gittens first met Bill Cosby under the pretense that Bill Cosby wanted to meet her for a potential role on *The Cosby Show*.

71. Following that initial meeting, Bill Cosby invited and hosted Ms. Gittens at his home and the set of *The Cosby Show* on numerous occasions for the ostensible purpose of mentoring her and assisting her in obtaining a role on *The Cosby Show*.

72. On one occasion, when Jewel Gittens was visiting the set of *The Cosby Show* as Bill Cosby's invited guest, Frank Scotti was posted at or near Bill Cosby's dressing room.

73. While at *The Cosby Show* set, Frank Scotti approached Ms. Gittens and gave her a beverage, which he claimed was coffee.

74. When Mr. Scotti gave Ms. Gittens the beverage, Mr. Scotti stated that he brought her the beverage at Bill Cosby's instruction.

75. Upon smelling the coffee, Ms. Gittens noted that it smelled weird, as if it had alcohol or another unknown substance in it. Ms. Gittens then discarded the unknown beverage.

76. When Ms. Gittens confronted Bill Cosby in his dressing room about the unknown beverage, Frank Scotti stood outside of Bill Cosby's dressing room.

77. On another occasion, in or around 1989 or 1990, Bill Cosby invited Jewel Gittens to his house ostensibly to discuss working on *The Cosby Show* as they had done many times in the past.

78. When Ms. Gittens arrived at Bill Cosby's Manhattan home, Bill Cosby was the only other person present.

79. During this meeting, Bill Cosby offered Ms. Gittens a glass of wine, which he insisted was of high quality.

80. Ms. Gittens accepted Bill Cosby's offer of a glass of wine because of his insistence.

81. When Ms. Gittens tasted the wine, it tasted foul and bitter.

82. Bill Cosby insisted that Ms. Gittens finish the entire glass of wine.

83. Upon information and belief, unbeknownst to Ms. Gittens, Bill Cosby had drugged the glass of wine with an intoxicant intended to immobilize Ms. Gittens and leave her susceptible to sexual assault.

84. After ingesting some of the wine, Ms. Gittens felt its effect, including a lack of awareness of her surroundings, and sat on a couch.

85. Bill Cosby lifted Ms. Gittens from the couch via her armpits so that she was standing in front of a mirror with Bill Cosby behind her.

86. As she stood, disoriented and sluggish, Bill Cosby grabbed her hand and placed it behind her back and onto his penis without her consent.

87. Bill Cosby then reached under Ms. Gittens' skirt and anally penetrated her with his finger without her consent.

88. Bill Cosby ejaculated from the sexual encounter he forced upon Ms. Gittens.

89. Once done, Bill Cosby pulled the still-compromised Ms. Gittens outside of his home, where he placed her in a taxi and paid her fare.

90. While in the taxi, Ms. Gittens became violently ill, and vomited.

PLAINTIFF JENNIFER THOMPSON

91. In the Spring of 1988, when Jennifer Thompson was seventeen years old, she first met Bill Cosby at the studio where *The Cosby Show* was filmed.

92. At their first meeting, Bill Cosby offered himself as a mentor to Ms. Thompson, and provided her with his phone number.

93. As part of the purported mentoring offered by Bill Cosby to Ms. Thompson, Bill Cosby offered and arranged for Ms. Thompson to appear on *The Cosby Show*.

94. Prior to her eighteenth birthday, Ms. Thompson contacted Bill Cosby for mentoring after a difficult modeling job.

95. In response to Ms. Thompson's call, Bill Cosby invited her to his Manhattan home.

96. At his home, Ms. Cosby insisted that Ms. Thompson drink an alcoholic beverage that he had prepared for her, rubbed her shoulders without her consent, and invited Ms. Thompson to have dinner with him at a later date and stay at his house afterwards. Ms. Thompson declined his invitation and left his home.

97. Following Ms. Thompson's eighteenth birthday, Bill Cosby invited Ms. Thompson to a restaurant to meet with a renowned psychiatrist, under the pretense that Bill Cosby, as a mentor, was concerned for Ms. Thompson's mental health following her reaction to their interaction at his home.

98. After the dinner, Ms. Thompson went to Bill Cosby's Manhattan home with Bill Cosby.

99. At Bill Cosby's home, Bill Cosby grabbed Ms. Thompson's hand and forcefully placed it on his penis without her consent.

100. Bill Cosby then placed his hand atop Ms. Thompson's hand, and forcibly made Ms. Thompson masturbate him without her consent.

**AS AND FOR A FIRST CAUSE OF ACTION
FOR NEGLIGENCE**

101. Plaintiffs repeat, reiterate, and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

102. At all relevant times, ASLP II owed a duty of care to the plaintiffs and others to properly supervise, operate, and manage the facility where *The Cosby Show*

was produced, such that individuals working on or visiting *The Cosby Show* set were safe from sexual abuse.

103. At all relevant times, ASLP II owed a duty of care to properly supervise its employees, agents, and servants, and to ensure that its employees were not using the resources, facilities, power, and authority bestowed upon them by ASLP II to sexually assault, facilitate the sexual assault, and/or cover up the sexual assault of women.

104. At all relevant times, Bill Cosby openly and notoriously engaged in the mistreatment, abuse, and sexual assault of women associated with, employed by, and/or visiting *The Cosby Show*.

105. At all relevant times, Bill Cosby's propensity to mistreat and sexually abuse women was known by the employees, servants, and agents of ASLP II.

106. At all relevant times, ASLP II knew or should have known that Bill Cosby was a serial sexual assaulter of women and/or had a predilection towards sexually abusing women.

107. At all relevant times, ASLP II knew or should have known that Bill Cosby was sexually assaulting women.

108. At all relevant times, ASLP II knew or should have known that Bill Cosby was a danger to women.

109. At all relevant times, ASLP II bestowed upon Bill Cosby power or the appearance of power which Bill Cosby used to access and sexually abuse women.

110. At all relevant times, Bill Cosby used the power or appearance of power bestowed upon him by ASLP II to prey upon, groom, and sexually abuse women at ASLP II's facility and elsewhere.

111. At all relevant times, ASLP II knew or should have known that Bill Cosby was using the power and appearance of power bestowed upon him by ASLP II to prey upon, groom, and sexually assault women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

112. At all relevant times, ASLP II provided Bill Cosby with facilities so that he could gain access to, groom, isolate, and sexually abuse women.

113. At all relevant times, Bill Cosby used the facilities provided to him by ASLP II to prey upon, groom, isolate, and sexually abuse women at ASLP II's facility and elsewhere.

114. At all relevant times, ASLP II knew or should have known that Bill Cosby was using its facilities to prey upon, groom, isolate, and sexually abuse women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

115. At all relevant times, ASLP II provided Bill Cosby with authority or apparent authority so that he could gain access to, groom, isolate and sexually abuse women.

116. At all relevant times, Bill Cosby used the authority or apparent authority provided to him by ASLP II to prey upon, groom, isolate, and sexually abuse women at ASLP II's facility and elsewhere.

117. At all relevant times, ASLP II knew or should have known that Bill Cosby was using the authority or apparent authority they bestowed upon him to prey upon, groom, and sexually abuse women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

118. At all relevant times, ASLP II provided Bill Cosby with, or arranged Bill Cosby to be provided with, women, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced, so that he could mistreat, groom, and sexually abuse them.

119. At all relevant times, Bill Cosby mistreated, groom, and sexually abused the women provided to him by ASLP II.

120. At all relevant times, ASLP II knew or should have known that Bill Cosby was mistreating, grooming, and sexually abusing the women provided to him by ASLP II, including actresses seeking roles on *The Cosby Show*, actresses hired for roles on *The Cosby Show*, and visitors to the studio where *The Cosby Show* was produced.

121. ASLP II created, through its action and inaction, an environment in which the sexual assault of women by Bill Cosby was permitted, accepted, institutionalized, and encouraged.

122. At all relevant times, ASLP II provided and employed individuals to facilitate and cover up Bill Cosby's serial sexual abuse and rape of women.

123. At all relevant times, ASLP II, its employees, agents, and/or servants facilitated and covered up Bill Cosby's serial sexual abuse and rape of women.

124. At all relevant times, Frank Scotti was an agent, servant, and/or employee of ASLP II.

125. At all relevant times, Frank Scotti, in the course of his employment or in his role as agent for the Defendant, facilitated the sexual assault of women by Bill Cosby by, among other things, delivering women to Bill Cosby's private dressing room under false pretenses; arranging for Bill Cosby to isolate said women; guarding the dressing room of Bill Cosby to prevent interruption of Bill Cosby's sexual assault of women; guarding the dressing room of Bill Cosby to prevent the escape of women provided to Bill Cosby for sexual assault; arranging locations for Bill Cosby to sexually assault women; covering up the sexual assault of said women; and otherwise facilitating the sexual assault of women by Bill Cosby.

126. At all relevant times, employees, servants and/or agents of ASLP II knew or should have known that Bill Cosby was using the employees, agents, and/or servants of ASLP II to facilitate and cover up his sexual assault of women.

127. Even though ASLP II knew or should have known that Bill Cosby was using its facilities and employees to gain access to, groom, sexually assault, sexually batter, rape, and cover up the sexual assault, rape, and battery of women, ASLP II did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries and rape.

128. Even though ASLP II knew or should have known that Bill Cosby was using the authority or apparent authority bestowed upon him by said defendant to gain access to, groom, sexually assault, sexually batter, rape, and cover up the sexual assault and battery of women, ASLP II did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries and rape.

129. Even though ASLP II knew or should have known of Bill Cosby's propensity toward, history of, and ongoing serial sexual assault, battery, and rape of women, ASLP II did nothing to address, prevent, or discourage Bill Cosby's sexual assault, battery, and rape of women in a manner that implicitly permitted, approved, encouraged, and ratified such sexual assaults, batteries, and rape.

130. At all relevant times, ASLP II and/or its agents, servants, and/or employees failed to have, enact, and/or enforce rules, regulations, policies or procedures regarding sexual abuse, assault, battery, and/or harassment at the workplace.

131. At all relevant times, ASLP II and/or its agents, servants, and/or employees caused, created, or, despite actual or constructive notice, permitted the existence of a dangerous condition to exist within its premises.

132. At all relevant times, ASLP II and/or its agents, servants, and/or employees breached the above-stated duties in a negligent, reckless, willful, and wanton manner, and caused plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson to be sexually assaulted, sexually abused and molested.

133. As a result of the negligence of ASLP II, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson suffered serious personal injuries, emotional distress, mental pain and suffering, mental anguish, and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

134. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to compensatory damages from ASLP II in such sums as a jury would find fair, just, and adequate.

135. The conduct of ASLP II, as set forth above, was wanton, reckless, and/or malicious.

136. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to punitive damages from ASLP II in such sums as a jury would find fair, just, and adequate.

137. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

138. This action falls within exceptions to Article 16 of the CPLR.

**AS AND FOR A SECOND CAUSE OF ACTION FOR NEGLIGENT
HIRING, RETENTION AND SUPERVISION**

139. Plaintiffs repeat, reiterate and reallege every allegation contained in all preceding paragraphs with the same force and effect as if hereafter set forth at length.

140. ASLP II negligently hired, retained, and supervised Bill Cosby and others, who were careless, unskillful, negligent, reckless and acted in a willful and wanton manner in not possessing the requisite knowledge, skill and moral character to properly supervise the production and staff of *The Cosby Show*, create and enforce rules, and protect vulnerable persons employed by or visiting *The Cosby Show* from Bill Cosby or those agents, servants and/or employees of ASLP II who aided, facilitated, and/or covered up Bill Cosby's sexual assault of women.

141. As a result of such negligent hiring, supervising and/or retention, plaintiffs suffered serious personal injuries, emotional distress, conscious pain and suffering, mental anguish and/or physical manifestations thereof, and other losses, all of which have not as of yet been ascertained.

142. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to compensatory damages from ASLP II in such sums as a jury would find fair, just, and adequate.

143. The conduct of ASLP II, as set forth above, was wanton, reckless, and/or malicious.

144. By reason of the foregoing, plaintiffs Lili Bernard, Eden Tirl, Jewel Gittens, and Jennifer Thompson are entitled to punitive damages from ASLP II in such sums as a jury would find fair, just, and adequate.

145. The amount of damages sought exceeds the jurisdiction of all lower courts which would otherwise have jurisdiction.

146. This action falls within exceptions to Article 16 of the CPLR.

WHEREFORE, plaintiffs demands judgment against defendant in such sum as a jury would find fair, adequate, and just.

Dated: New York, New York
November 21, 2023

MERSON LAW, PLLC

By: /s/ Jordan Rutsky
Jordan Merson, Esq.
Jordan Rutsky, Esq.
Attorneys for Plaintiffs
950 Third Ave., 18th Floor
New York, New York 10022
(212) 603-9100
(347) 441-4171