

1 Bryan J. Freedman, Esq. (SBN 151990)
2 Summer E. Benson, Esq. (SBN 326398)
3 Jason H. Sunshine, Esq. (SBN 336062)
4 FREEDMAN TAITELMAN + COOLEY, LLP
5 1801 Century Park West, 5th Floor
6 Los Angeles, California 90067
7 Telephone: (310) 201-0005
8 Facsimile: (310) 201-0045
9 Email: bfreedman@ftllp.com
10 sbenenson@ftllp.com
11 jsunshine@ftllp.com

8 Mark J. Geragos, Esq. (SBN 108325)
9 Kimberly M. Casper, Esq. (SBN 333896)
10 GERAGOS & GERAGOS APC
11 644 South Figueroa Street
12 Los Angeles, CA 90017
13 Telephone: (213) 625-3900
14 Email: mark@geragos.com
15 kimberly@geragos.com

16 *Attorneys for Plaintiff Rachel Leviss*

17 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
18 **COUNTY OF LOS ANGELES**

19 RACHEL LEVISS, an individual,

20 Plaintiff,

21 v.

22 THOMAS SANDOVAL, an individual;
23 ARIANA MADIX, an individual; and DOES 1-
24 50, inclusive,

25 Defendants.

Case No.: **24STCV05072**

**COMPLAINT FOR DAMAGES AND
INJUNCTIVE RELIEF FOR:**

- 26 **(1) EAVESDROPPING (Cal. Penal
Code §§ 632, 637.2);**
- 27 **(2) REVENGE PORN (Cal. Civ. Code
§ 1708.85);**
- 28 **(3) INVASION OF PRIVACY; and**
- (4) INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS;**

JURY TRIAL DEMANDED

1 Plaintiff Rachel Leviss (“Leviss” or “Plaintiff”), by and through her counsel, complains
2 against Defendants Thomas Sandoval (“Sandoval”), Ariana Madix (“Madix”), and DOES 1-50,
3 inclusive (collectively, “Defendants”), hereby alleging as follows:

4 **PRELIMINARY STATEMENT**

5 1. Plaintiff Rachel Leviss is a former cast member on Vanderpump Rules, a reality
6 television show produced by Evolution Media (“Evolution”) and broadcast by Bravo Media
7 (“Bravo”), an asset of NBCUniversal (“NBC”) (together with Bravo, “Bravo”). This case arises
8 from a scandal of epic proportions starting in March 2023. Stemming from an affair between
9 Leviss and another cast member, Tom Sandoval, “Scandoval”—as it came to be known—went
10 instantly viral and was the subject of extraordinary press coverage, even in the mainstream
11 media. “Scandoval” injected new life into a previously faltering series, causing its viewership to
12 explode to unseen levels and making its cast members mega-celebrities. Due to a narrative
13 deliberately fomented by Bravo, Evolution, and the cast, Leviss became an object of public
14 scorn and ridicule.

15 2. To be clear, Leviss has repeatedly acknowledged that her actions were morally
16 objectionable and hurtful to Madix. She has offered numerous apologies. There is more to the
17 story, however. Lost in the mix was that Leviss was a victim of the predatory and dishonest
18 behavior of an older man, who recorded sexually explicit videos of her without her knowledge
19 or consent, which were then distributed, disseminated, and discussed publicly by a scorned
20 woman seeking vengeance, catalyzing the scandal. Leviss ultimately checked herself into a
21 mental health facility and remained there for three months while Bravo, Evolution, and the cast
22 milked the interest her excoriation had peaked.

23 3. To make matters worse, Leviss was misled by Bravo and Evolution into
24 believing that she was contractually barred from speaking out about her mistreatment. As a
25 result, she suffered in silence as Bravo and Evolution watched viewership explode, and the rest
26 of the cast enjoyed unseen levels of public recognition and professional opportunity.
27 Meanwhile, Leviss, who was humiliated and villainized for public consumption, remains a shell
28 of her former self, with her career prospects stunted and her reputation in tatters.

1 2021, Leviss ended their relationship and broke off their engagement. Kennedy’s history of
2 violent and dangerous behavior was well-known by Bravo, Evolution, and the cast. Kennedy
3 once physically assaulted then-cast member Kristin Doute *on camera*; the footage, however,
4 never aired. Nor has Kennedy faced any repercussions for his actions—which would otherwise
5 be fireable, at a minimum—due in part to the intervention of his powerful ally, Lisa
6 Vanderpump, who has served as his protector.

7 16. In 2021, after three seasons as a recurring character, Leviss was cast as a lead. At
8 the same time, however, Leviss was in a vulnerable state due to the breakdown of her
9 engagement with Kennedy, which was catalyzed by his chronic substance abuse, emotional
10 instability, and controlling behavior. While she had previously moderated her alcohol intake
11 because of Kennedy’s heavy drinking, Leviss began drinking much more heavily in the
12 aftermath of their breakup. Leviss was encouraged to do so by production and Sandoval, who
13 believed it would make for better television and readily provided alcohol for her consumption.

14 17. By Season 10, Kennedy had resumed drinking again and picked up a new
15 girlfriend weeks after his break-up with Leviss. All of this caused untold harm to Leviss’s
16 mental health, inducing her to drink more and leaving her vulnerable to what followed.

17 18. Leviss began confiding in Tom Sandoval, a (former) bartender at SUR and a cast
18 member since the show’s first season. Sandoval had been in a relationship with another cast
19 member, Ariana Madix, since 2014.

20 19. Imbibed and emotionally raw, Leviss began to rely heavily on Sandoval for
21 emotional support. Sandoval, in turn, began confiding in Leviss about the dire state of his
22 relationship, describing it as a business partnership and casting its end as foregone.
23 Notwithstanding, Madix and Sandoval had been living together in Valley Village, Los Angeles.

24 20. On or about August 10, 2022, Leviss and Sandoval began sleeping together. The
25 affair continued apace as Sandoval’s relationship with Madix further deteriorated.

26 21. Although purportedly secret, the affair was, in fact, well-known to many cast
27 members and suspected by others. Leviss and Sandoval were not particularly discrete. Leviss is
28 informed and believes, and on such information and belief alleges, that Madix knew about it as

1 early as the Fall of 2022. Indeed, in December of 2022, Madix scolded Leviss and Sandoval for
2 being handsy in public, admonishing them to save the story for Season 11.

3 22. At the time, Vanderpump Rules was facing an uncertain future. Interest among
4 the public had waned, and the plot had grown stale. Madix, in particular, was reportedly on the
5 chopping block.¹ In the absence of a sticky new storyline, there is every reason to believe
6 Vanderpump Rules would have been canceled. Madix was as aware of these pressures as
7 Sandoval, and both were heavily invested financially and reputationally in the show remaining
8 on the air. By extension, if their relationship was already on the rocks and if Sandoval was
9 intent on brazenly carrying out an illicit affair with another cast member, they had every
10 incentive to leverage these salacious threads into the storyline Vanderpump Rules so
11 desperately needed. That is precisely what happened in a series of otherwise unlikely events.

12 **B. Sandoval and Madix Record and Distribute Illicit Videos of Leviss**

13 23. On or about March 1, 2023, Sandoval was performing with his cover band at
14 Tom Tom in West Hollywood when his phone purportedly fell from his pocket and slid,
15 unlocked or otherwise fully accessible, into the crowd. It was reportedly retrieved by an
16 attendee and handed over to Madix, who searched it and found sexually explicit videos of
17 Leviss.

18 24. Leviss is informed and believes, and on such information and belief alleges, that
19 the explicit videos were recorded by Sandoval without her knowledge or consent in or around
20 February 2023. The two videos Leviss has seen depict her in a state of undress and
21 masturbating. However, given Sandoval's apparent practice of secretly recording their video
22 calls, Leviss has every reason to assume there are additional illicit videos and/or photographs of
23 her that she has not yet seen.

24 25. Leviss is informed and believes, and on such information and belief alleges, that
25 Madix obtained at least two illicit videos of Leviss and distributed them and/or showed them to
26 others without Leviss's knowledge or consent. At a minimum, Madix circulated the illicit
27

28 ¹ <https://realityblurb.com/2024/02/03/report-ariana-madix-was-on-chopping-block-on-vanderpump-rules-before-scandoval-as-shes-forced-to-stay-in-home-with-sandoval-for-another-4-months-plus-why-they-live-together/>.

1 videos to herself and Levis. She also immediately informed production about what she had
2 found. In addition, many other individuals have demonstrated intimate familiarity with their
3 contents, leading Levis to believe the circle of recipients is wider.

4 **C. Levis Battered After Madix Steals and Sends Illicit Videos**

5 26. On the night of March 1st, Levis was in New York with another cast member,
6 Scheana Shay, taping *Watch What Happens Live With Andy Cohen*. Having finished filming,
7 Levis and Shay were at a bar when Levis received a text from Madix: “you are DEAD TO
8 ME[.]” Alongside the message were the two videos of Levis that Madix had purportedly
9 discovered on Sandoval’s phone. Levis experienced a swirl of emotions in response, including
10 shock and fear. Shock because she did not know Sandoval had recorded pornographic videos of
11 her. Fear because these videos were now in the hands of someone who hated her guts and was
12 out for blood. She was terrified Madix would leak them on the internet.

13 27. Reacting to the revelation in apparent shock and anger, Shay violently assaulted
14 Levis, shoving her aggressively into a brick wall, punching her in the face, and throwing her
15 phone into the street. The blow to Levis’s face caused a rupture above her left eyebrow and
16 severe swelling and bruising above her left eye. Levis was told by a treating physician that her
17 busted brow would permanently scar.

18 28. Shaken, Levis flew home the next day and informed her family of what was
19 happening.

20 **D. Bravo and Evolution Capitalize on “Scandoval” and Cover Up Defendants’ Illegal**
21 **Acts**

22 29. News of the affair and its aftermath—dubbed “Scandoval”—broke on March 3,
23 2023, when TMZ first reported on the affair. This initial reporting was quickly followed by a
24 torrent of follow-up stories. By March 4th, tabloids had already begun reporting on the
25 pornographic videos of Levis, citing unnamed sources.²

26 30. Although filming for Season 10 had already wrapped, Bravo and Evolution had a
27

28 ² <https://people.com/tv/how-ariana-madix-learned-tom-sandoval-was-cheating-on-her-with-raquel-levis/>.

1 camera crew ready to shoot the next day.

2 31. “Scandoval” captured the public’s attention in a massive way, went completely
3 viral, and injected new life into Vanderpump Rules. It also caused mayhem in Levis’s life,
4 culminating in months-long in-patient treatment at a mental health facility and her departure
5 from the show. Fomented by Bravo and Evolution in conjunction with the cast, Levis was
6 subjected to a public skewering with little precedent and became, without exaggeration, one of
7 the most hated women in America.

8 32. On March 4, 2023, the day after news of the affair had broken, production
9 directed Levis to film with Sandoval at her Los Angeles apartment. With cameras rolling,
10 Levis confronted Sandoval for secretly recording pornographic videos of her and storing them
11 unprotected on his phone. Sandoval had not only invaded her privacy and breached her trust but
12 had also left her enormously vulnerable to a nightmare scenario of the videos leaking on the
13 internet. Sandoval responded to Levis’s fury with cowardice and lies, claiming falsely that he
14 had obtained permission to record her. Seeing that Levis was having none of it, however,
15 Sandoval ultimately offered a reluctant admission and a sheepish apology.

16 33. Sandoval was clearly rattled. After filming ended, an erratic and unsettled
17 Sandoval refused to leave Levis’s apartment in spite of her requests. Levis was forced to have
18 her sister and brother-in-law pick her up and drive her to their home. That day, Levis retained
19 an attorney to mitigate the risk of the illicit videos leaking. Once at her sister’s home, Levis
20 turned off her phone for two days, hoping the heat would die down.

21 34. However, media reports suggest Sandoval was in a panic over the on-camera
22 confrontation with Levis. Specifically, he was concerned that being accused of recording
23 nonconsensual pornography would “paint him in a negative light.”³ Sandoval reportedly
24 threatened to cease all further filming for the show unless he was granted editing rights over the
25 scene. Shockingly, Bravo and Evolution obliged his demand. The scene was selectively edited
26 to omit any mention of Sandoval’s illicit recording or Levis’s lack of consent. This was part of

27
28 ³ <https://www.etonline.com/vanderpump-rules-star-tom-sandoval-threatens-to-stop-filming-after-scene-with-raquel-levis-200441>.

1 a pattern and practice of Bravo and Evolution throwing Levisss under the bus in favor of
2 Sandoval. Recording someone engaged in sex acts without their consent is a crime, and
3 Sandoval appears to have admitted to it on camera. Portraying the confrontation as it actually
4 occurred instead of protecting sleazy Sandoval would not only have been truthful, it would have
5 also been “good television.” But Bravo and Evolution had apparently decided that Levisss would
6 be their sacrificial lamb. Throughout the ordeal, they have sanitized the story to ensure Levisss
7 would be seen as the arch-villain.

8 35. On March 7th, Levisss’s attorneys sent out cease and desist letters to the cast
9 regarding the distribution of the nonconsensual illicit videos. The letters promptly leaked.⁴
10 Levisss also filed a police report and applied for a temporary restraining order against Shay, the
11 cast member who had assaulted her on March 1st.

12 36. Despite initially bragging about having punched Levisss, Shay began to
13 adamantly deny it in public. She accused Levisss of lying and abusing the court system. This was
14 in spite of Shay’s own private and televised admissions of guilt and Levisss’s visible facial
15 injuries.

16 37. By March 10th, Levisss had decided to check herself into a mental health facility.
17 Sandoval, for his part, tried to talk her out of it and begged her to participate in the reunion.
18 Levisss reluctantly agreed to wait on the condition that a mental health professional be on set in
19 case things got out of hand, given her fragile mental state and the fury brewing among the cast.
20 Bravo agreed, then changed its mind. Levisss then requested her publicist and confidante, Juliette
21 Harris, be permitted to attend. Bravo agreed, then again changed its mind. By that point, the
22 reunion was the next day—too soon for Levisss to pull out—and she had no reasonable
23 alternative but to participate. She also feared the legal implications of refusing to appear, given
24 the draconian terms of her contract. And so she did so, but without the support she felt she
25 needed and that Bravo had previously offered to provide.

26 38. At the same time, press coverage was slanted decidedly against Levisss, who
27

28 ⁴ <https://www.t TMZ.com/2023/03/07/raquel-levisss-tom-sandoval-arian-madix-facetime-sex-legal-letter-revenge-porn/>.

1 became an object of scorn and ridicule. Other cast members were vilifying her in interviews and
2 waging a public campaign against her on social media. They could not have done so without the
3 blessing of Bravo, which pre-approves all cast media appearances and exercises tight control
4 over public messaging. Bravo had clearly decided this feeding frenzy was good for ratings.
5 Various cast members and Bravo itself also released their own “Scandoval” merchandise to cash
6 in on the explosion of interest, including an “I SURVIVED SCANDOVAL” long-sleeve shirt
7 currently available for sale on Bravo’s website.⁵

8 39. It is clear that Bravo deliberately sacrificed Levis for the sake of its commercial
9 interests from its refusal to allow her the opportunity to tell her side of the story and defend
10 herself, which she repeatedly begged for permission to do. Without exception, her pleas fell on
11 deaf ears. As a result of this asymmetrical coverage, the public was not made aware of the
12 extent to which Levis was victimized by the ordeal or the toll it was taking on her mental state.
13 As the feeding frenzy reached a crescendo, Levis was subjected to a gag order prohibiting her
14 from discussing Sandoval’s gross invasion of her privacy, Madix’s vengeful response, Bravo’s
15 cover-up, or the veracity of her allegations of physical assault against Shay, who was publicly
16 calling her a liar, accusing her of playing the victim, and being falsely backed up by others. In
17 sum, while the rest of the cast savaged Levis’s reputation and lied about her in the press,
18 drumming up not only interest in Vanderpump Rules but also hatred of her, Levis herself was
19 involuntarily silent—muzzled by Bravo for the sake of its ratings. While all of this may have
20 been good for ratings, it was catastrophic for Levis, the human being, who was forced into
21 hiding and subjected to death threats directed at her and her family. Sandoval, on the other hand,
22 received a development deal from Bravo for a job well done, along with a pay raise.

23 **E. Andy Cohen Exploits Levis’s Fragile Mental State**

24 40. As expected, the reunion was a train wreck for Levis of epic proportions. With
25 full knowledge of her then-dire mental state, Bravo and Andy Cohen took no steps to mitigate
26 Levis’s abuse, even as Cohen himself expressed concern about her mental health going into the
27

28 ⁵ <https://shopbybravo.com/products/vanderpump-rules-i-survived-scandoval-long-sleeve-shirt>.

1 reunion.⁶ One fellow cast member, Katie Maloney, had been openly threatening to “light her on
2 fire”; another, Shay, had violently assaulted her. During the reunion itself, Levis was on the
3 receiving end of unrelenting missives: “diabolical, demented, subhuman”; a “poo poo head”;
4 “Fuck yourself with a fucking cheese grater. You fucking suck, you’re disgusting and I wish
5 nothing but the worst fucking shit that could ever happen to a person on you!” As she was
6 berated, abused, and dehumanized by the rest of the cast—above all Madix—Levis remained
7 largely silent and stoic in apparent shock. Later, Cohen later remarked glibly that he “did not
8 know how long [she] would last on set” and chalked up her apparent stoicism to being “really
9 medicated[.]”⁷ But Cohen and Bravo already knew that Levis was indeed medicated—
10 something neither surprising nor remotely funny in light of what was happening to her.

11 **F. Bravo and Evolution Sabotage Levis’s Recovery**

12 41. By the time of the reunion, Levis was utterly battered, physically and mentally;
13 and shortly thereafter, she checked into a mental health treatment facility and remained there for
14 three months. Even in treatment, however, Levis could not escape from the claws of Bravo and
15 Evolution. She was warned repeatedly by them not to breach her confidentiality obligations,
16 which contain no exceptions for medical treatment or therapy. As a result, Levis was fearful of
17 facing legal repercussions for her honesty and was forced to walk on eggshells. This caused her
18 extreme stress and severely stunted her progress in treatment.

19 42. Unfortunately, that did nothing to stop the vitriol. When Levis checked into
20 treatment, she gave her dog, Graham, to her parents for safekeeping. Graham was traumatized
21 by years of abuse at the hands of Kennedy and was not an easy dog to manage. After a number
22 of incidents, including one in which he bit Levis’s mom down to the bone and caused her
23 permanent nerve damage, keeping Graham became untenable. Levis’s family handed him over
24 to a no-kill rescue organization and requested its discretion, given the intense public scrutiny of
25 Levis. Instead of re-homing Graham as promised, the rescue organization, knowing full well
26

27 ⁶ <https://pagesix.com/2023/06/08/andy-cohen-thinks-raquel-levis-was-medicated-at-vanderpump-rules-reunion/>.

28 ⁷ <https://pagesix.com/2023/06/13/andy-cohen-was-wrong-to-say-raquel-levis-was-medicated-at-reunion/>.

1 that Kennedy had a history of animal abuse, contacted Lisa Vanderpump, who gave Graham
2 back to Kennedy.

3 43. All of them, with Bravo’s blessing, then seeded a false and malicious narrative
4 that Levis was had tried to get the dog ‘put down.’ At around this time, rumors were circulating—
5 also seeded by Bravo and the cast—that Levis was actually on vacation and had faked her
6 hospitalization. Illustrating the depths of its moral turpitude, Bravo refused to publicly
7 acknowledge that Levis was, in fact, in in-patient mental health treatment, presumably for fear
8 such disclosure would undermine the storyline. Not only would they not do so, they *prohibited*
9 Levis (through her publicist) from doing so. All of this caused even more public scorn of
10 Levis, further unjustified harm to her reputation, and increased threats to her and her family’s
11 physical safety.

12 44. In short, Levis has been battered and broken irrevocably in service of a
13 salacious storyline. Unsurprisingly, Bravo and Evolution badly wanted her to return for Season
14 11. However, it was abundantly clear that they completely failed to understand or appreciate the
15 toll “Scandoval” had taken her. They warned her (unironically) that she *must* return to avoid
16 having her story told by others and reaffirmed her prohibition against speaking to the press on
17 her own terms. But the depths of her mistreatment in Season 10 went far beyond what is
18 acceptable even in reality television, and Levis knew that returning to the show meant risking a
19 descent back into the depths of despair from which she had just emerged.

20 45. Meanwhile, everybody else got what they wanted. Vanderpump Rules remains
21 on the air, continuing to milk the storyline Levis catalyzed. Sandoval emerged with
22 significantly higher pay and a development deal with Bravo. Madix has become a bona fide
23 darling of pop culture, has a new boyfriend, and is starring on Broadway.

24 46. For Levis, the future is less rosy. She brings this suit to vindicate her legal rights
25 if not to restore her sullied reputation.

26 ///

27 ///

28 ///

1 **FIRST CAUSE OF ACTION**

2 **EAVESDROPPING (PENAL CODE § 630 *ET SEQ.*)**

3 **(Against Sandoval and DOES 1 through 50, inclusive)**

4 47. Plaintiff incorporates by reference each and every allegation set forth in
5 Paragraphs 1 through 46, inclusive, as if set forth fully herein.

6 48. Levis and Sandoval engaged in numerous private and confidential
7 videoconference communications from 2022 to 2023. Unbeknownst to Levis and without her
8 consent, Sandoval surreptitiously recorded their communications. Levis had an objectively
9 reasonable expectation that these communications were private and objectively believed that
10 they were not being recorded. At no point prior to the confidential communications was Levis
11 informed that Sandoval was recording their communications; nor did Sandoval obtain Levis's
12 consent to be recorded.

13 49. Levis is informed and believes, and on such information and belief alleges, that
14 some of the unlawfully obtained recordings depict her in a state of undress and engaged in sex
15 acts.

16 50. Accordingly, Sandoval has violated Cal. Pen. Code § 632 and the privacy rights
17 conferred upon Levis under California law. As a result of Sandoval's illegal actions, as herein
18 alleged, Levis has been injured, including, without limitation, by having her privacy invaded in
19 violation of Cal. Pen. Code §§ 630, 632, 637.1, and the California Constitution.

20 51. Levis seeks all available remedies under Cal. Pen. Code § 637.5, including
21 statutory damages, actual damages, injunctive relief, and equitable relief. Levis also seeks to
22 recover her attorneys' fees and costs pursuant to Code Civ. Proc § 1021.5.

23 52. Levis is informed and believes, and on such information and belief alleges, that
24 in performing the acts herein alleged, Sandoval acted with oppression, fraud, and malice; or,
25 alternatively, that Sandoval acted in such conscious disregard of Levis's right to privacy that,
26 as a direct and proximate result of his collective and individual acts, Levis is entitled to
27 punitive damages in an amount to be determined at trial to punish him and to deter such conduct
28 in the future.

1 **SECOND CAUSE OF ACTION**

2 **REVENGE PORN (CIV. CODE § 1708.85)**

3 **(Against Madix and DOES 1 through 50, inclusive)**

4 53. Plaintiff incorporates by reference each and every allegation set forth in
5 Paragraphs 1 through 52, inclusive, as if set forth fully herein.

6 54. On or about March 1, 2023, Madix discovered sexually explicit videos of Leviss
7 on the mobile phone of Sandoval.

8 55. The videos depict Leviss in a state of undress and engaged in a sexual act within
9 the meaning of the statute.

10 56. Sandoval recorded the videos without the knowledge or consent of Leviss, who
11 had a reasonable expectation of privacy that their private communications were not being
12 recorded and would stay private.

13 57. Leviss is informed and believes, and on such information and belief alleges, that
14 Madix obtained the videos of Leviss from Sandoval's mobile phone without Sandoval's
15 authorization.

16 58. Leviss is informed and believes, and on such information and belief alleges, that
17 Madix obtained the videos of Leviss from Sandoval's mobile phone and distributed and
18 disseminated them to others, including but not limited to Madix herself, Leviss, and other
19 individuals whose identities are not currently known to Leviss.

20 59. Leviss is informed and believes, and on such information and belief alleges, that
21 Madix displayed the videos or disclosed their contents to individuals who may not have
22 received them directly, including but not limited to Bravo, Evolution, members of the
23 Vanderpump Rules cast, and other individuals whose identities are not currently known to
24 Leviss.

25 60. Leviss was not aware that such illicit videos had been captured by Sandoval and
26 thus could not have consented to their distribution.

27 61. Madix distributed, disseminated, shared, and publicized the illicit videos
28 intentionally and knew or reasonably should have known that she did not have Leviss's consent

1 to do so.

2 62. Leviss has suffered grave emotional, psychological, financial, and reputational
3 harm as a result of Madix's distribution, dissemination, and publicization of the illicit videos.

4 63. The illicit videos were recorded when Leviss was in a private residence where
5 Leviss's reasonable expectation of privacy was at its zenith.

6 64. As a direct and proximate result of Madix's actions, Leviss has suffered and will
7 continue to suffer general and special damages alleged herein in an amount to be proven at trial.

8 65. Leviss is informed and believes, and on such information and belief alleges, that
9 in performing the acts herein alleged, Madix acted with oppression, fraud, and malice; or,
10 alternatively, that Madix acted in such conscious disregard of Leviss's right to privacy that, as a
11 direct and proximate result of her collective and individual acts, Leviss is entitled to punitive
12 damages in an amount to be determined at trial to punish her and to deter such conduct in the
13 future.

14 **THIRD CAUSE OF ACTION**

15 **INVASION OF PRIVACY**

16 **(Against Sandoval, Madix, and DOES 1 through 50, inclusive)**

17 66. Plaintiff incorporates by reference each and every allegation set forth in
18 Paragraphs 1 through 65, inclusive, as if set forth fully herein.

19 67. As alleged above, Sandoval invaded Leviss's privacy by, among other things, (a)
20 secretly recording their private communications and (b) capturing sexually explicit footage of
21 Leviss without her knowledge or consent in a manner highly offensive to a reasonable person.

22 68. Sandoval knew or should have known that Leviss had a reasonable expectation
23 of privacy such that their private conversations would remain private and that she was not being
24 secretly recorded.

25 69. Leviss could not have consented to Sandoval recording sexually explicit footage
26 of her because she did not know he was doing so; the footage was captured during private,
27 intimate communications that Leviss had every reason to believe would remain private.

28 70. The invasion of Leviss's privacy by Sandoval was offensive and objectionable to

1 Levis and to a reasonable person of ordinary sensibilities.

2 71. As alleged above, Madix invaded Levis's privacy by, among other things, (a)
3 obtaining the illegally recorded, sexually explicit footage of her without authorization and (b)
4 distributing, disseminating, and publicizing it in a manner highly offensive to a reasonable
5 person.

6 72. Madix knew or should have known that Levis had a reasonable expectation of
7 privacy such that sexually explicit footage of her recorded without her knowledge or consent
8 would not be obtained without authorization by a third party and distributed, disseminated, and
9 publicized.

10 73. Levis never consented to Madix obtaining illegally recorded, sexually explicit
11 footage of her and distributing, disseminating, and publicizing it.

12 74. The invasion of privacy by Madix was offensive and objectionable to Levis and
13 to a reasonable person of ordinary sensibilities.

14 75. As a direct and proximate result of said wrongful conduct by Sandoval and
15 Madix, Levis has suffered damages in an amount to be proven at trial.

16 76. Levis is informed and believes, and on such information and belief alleges, that
17 in performing the acts herein alleged, Sandoval, Madix, and each of them, acted with
18 oppression, fraud, and malice; or, alternatively, that Sandoval, Madix, and each of them, acted
19 in such conscious disregard of Levis's right to privacy that, as a direct and proximate result of
20 their collective and individual acts, Levis is entitled to punitive damages in an amount to be
21 determined at trial to punish them and to deter such conduct in the future.

22 **FOURTH CAUSE OF ACTION**

23 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

24 **(Against Sandoval, Madix, and DOES 1 through 50, inclusive)**

25 77. Plaintiff incorporates by reference each and every allegation set forth in
26 Paragraphs 1 through 76, inclusive, as if set forth fully herein.

27 78. In doing the things and acts described herein, Sandoval and Madix engaged in
28 extreme and outrageous conduct that transcended the bounds of human decency.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- 4. For an award of punitive or exemplary damages according to proof;
- 5. For costs of suit, attorneys’ fees, and expert fees pursuant to statute, including Cal. Civ. Code § 1708.85(e);
- 6. For pre- and post-judgment interest at the maximum legal rate;
- 7. For such other and further relief as the Court may deem just and proper.

Dated: February 29, 2024

Respectfully submitted,
FREEDMAN TAITELMAN + COOLEY, LLP

/s/ Bryan J. Freedman
Bryan J. Freedman
Summer E. Benson
Jason H. Sunshine

GERAGOS & GERAGOS APC

/s/ Mark J. Geragos
Mark J. Geragos
Kimberly M. Casper

Attorneys for Plaintiff Rachel Leviss

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JURY DEMAND

Plaintiff hereby demands a trial by jury on all issues so triable.

Dated: February 29, 2024

Respectfully submitted,

FREEDMAN TAITELMAN + COOLEY, LLP

/s/ Bryan J. Freedman
Bryan J. Freedman
Summer E. Benson
Jason H. Sunshine

GERAGOS & GERAGOS APC

/s/ Mark J. Geragos
Mark J. Geragos
Kimberly M. Casper

Attorneys for Plaintiff Rachel Leviss