

Assigned for all purposes to: Stanley Mosk Courthouse, Judicial Officer: Gregory Keosian

1 ADAM B. WOLF (Cal. Bar No. 215914)
2 PEIFFER WOLF CARR KANE & CONWAY, LLP
3 5042 Wilshire Blvd., No. 304
4 Los Angeles, CA 90036
5 Telephone: (415) 766-3545
6 Facsimile: (415) 402-0058
7 awolf@peifferwolf.com

8 TRACEY B. COWAN (Cal. Bar No. 250053)
9 PEIFFER WOLF CARR KANE & CONWAY, LLP
10 4 Embarcadero Center, Suite 1400
11 San Francisco, CA 94111
12 Telephone: (415) 426-5641
13 Facsimile: (415) 402-0058
14 tcowan@peifferwolf.com

15 *Attorneys for Plaintiff*

16 [additional counsel on signature page]

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

19 JANE DOE,

20 Plaintiff,

21 v.

22 BRIAN WARNER, a.k.a. MARILYN
23 MANSON

24 Defendant.

Case No.: **21STCV20202**

COMPLAINT FOR DAMAGES

- 1. Sexual Assault in Violation of Cal. Civ. Code § 340.16
- 2. Interference with the Exercise of Civil Rights in Violation of the Bane Act, Cal. Civ. Code § 52.1
- 3. Sexual Battery in Violation of California Civil Code § 1708.5
- 4. Intentional Infliction of Emotional Distress

JURY TRIAL DEMANDED

25 1. Plaintiff Jane Doe (“Doe” or “Plaintiff”) brings this action against Brian Warner
26 a.k.a. Marilyn Manson (“Warner”).*

27 _____
28 * Ms. Doe respectfully requests that the Court permit her to keep her identity private. She will file a motion to proceed pseudonymously, if required, because she has very reasonable fears

1 her that his assistant Ms. Ashley Walters, would be present to act as a “chaperone.”

2 9. Plaintiff went to his residence, located above a liquor store, in Los Angeles,
3 California. Ms. Walters was there as promised, but it was clear to Plaintiff that Warner was
4 aggressively pursuing her, despite the presence of his assistant. He showered her with
5 compliments and bizarrely spray painted a phrase in his bedroom regarding Plaintiff’s
6 nationality.

7 10. After the first meeting at his apartment, Warner started e-mailing, texting, and
8 calling Plaintiff even more frequently. He invited Plaintiff to go on a date with him to the
9 Arclight movie theater. Ms. Walters drove Plaintiff and Warner there in his car.

10 11. After the date at the Arclight, the relationship between Plaintiff and Warner
11 became romantic and physical. They did not have intercourse for the first couple weeks because
12 Plaintiff was not on birth control and Warner refused to use a condom.

13 12. Approximately two weeks after meeting Plaintiff, Warner told Plaintiff that he
14 loved her. He claimed to want a serious, monogamous relationship and asked Plaintiff to move in
15 with him.

16 13. During the first weekend of March, Warner went on a trip to Japan for a fashion
17 show. When he returned, he brought with him numerous gifts for Plaintiff, including expensive
18 jewelry and a pink kimono that he expected Plaintiff to wear at his apartment. He also gave
19 Plaintiff a key to his apartment. From this point on Warner made clear to Plaintiff that she was
20 required to be with him quite often—unless he had “band practice” or another engagement, at
21 which time he allowed her to go to the duplex she rented with her aunt. Though Plaintiff did not
22 give up her duplex, she acquiesced to Warner’s demands and effectively moved in with him.

23 14. Warner became increasingly controlling of Plaintiff. When he permitted Plaintiff
24 to leave or go to her own residence, Warner would text and call her incessantly, and he would
25 chastise and/or punish her if she did not return quickly enough. If Plaintiff did not respond to
26 Warner’s texts immediately, he would call her angrily, demanding to know where she was and
27 who she was with. Warner would make such texts and calls at any time of day or night, and he
28 expected Plaintiff to respond or answer immediately.

1 15. Warner slept much of the day, was often awake only at night and morning, and
2 kept his apartment extremely dark (sometimes pitch black) and very cold. Plaintiff was often
3 disoriented and unable to keep track of time because the windows were covered or blacked-out.
4 She regularly had to use a flashlight inside the apartment. Despite the frigid temperature, Warner
5 refused to allow Plaintiff to wear clothing—demanding that she be nude—much of the time. He
6 also would become furious with her if she attempted to touch the thermostat.

7 16. In addition to the darkness and being cold virtually all of the time, Plaintiff was
8 often hungry at Warner’s apartment. Initially, when Plaintiff moved in, Warner would allow her
9 to eat. But over time he started to deny her food. Warner kept food for himself, but he forbade
10 Plaintiff from eating. Warner told Plaintiff that because she was his girlfriend, she needed to lose
11 weight because her weight embarrassed him.

12 17. Plaintiff was frightened of Warner’s fans. Warner told her frequently that his fans
13 were extreme in their devotion and likely would hate her. They were frighteningly loyal to him
14 and fanatically obsessed. Warner warned Plaintiff that his fans had bullied and harassed previous
15 girlfriends of his, and she was nervous about them finding out who she was.

16 18. Plaintiff often felt frightened of Warner, but he went to great lengths to gain her
17 trust and reassure her whenever she expressed a concern. Warner was decades older and a self-
18 proclaimed genius. He often spoke about his extremely high IQ, his accomplishments, and his
19 famous friends. The fact that he had such famous friends and beautiful ex-girlfriends made
20 Plaintiff feel as though she should put aside her doubts and fears. Plaintiff was made to feel
21 inferior to Warner due to the age difference (he is much older) and his status and power, and
22 everyone around him also seemed to treat him with extreme reverence and adulation.

23 19. Warner told Plaintiff about his relationship with Evan Rachel Wood and that he
24 had wanted to kill her. He told Plaintiff about a time he had tied Ms. Wood to a chair and pointed
25 a gun at her. He said he considered killing Ms. Wood, but then decided to be merciful. Warner
26 recounted a story about the previous Christmas Day, when he had called Ms. Wood 158 times
27 and cut himself every time she did not answer the phone.

28 20. There were a few key moments or milestones in the relationship where Warner

1 implied to Plaintiff that he was “honoring” her, such as when he first gave her the key to his
2 apartment. The biggest of these “honors,” or benchmarks in the relationship, came when he told
3 Plaintiff he had decided that he wanted to show her a videotape he called “Groupie,” which he
4 claimed to have made in the 1990s. He kept the videotape locked in a safe and told Plaintiff that
5 that only three people in the world besides him had ever seen the video. He told Plaintiff that if
6 he showed this to her, it was because he trusted her completely and that it was incredibly
7 meaningful.

8 21. When it came time to show the videotape, Warner sent Ms. Walters home so he
9 and Plaintiff could be alone. He explained to Plaintiff that he had filmed the video in 1996, after
10 his band had played a show at the Hollywood Bowl. He said he was staying at a house located
11 near the Cahuenga Cross in the Hollywood Hills.

12 22. Warner turned the volume of the sound system to a very high setting and pressed
13 play. The film started with the band partying together. It was very rowdy. Warner put a condom
14 on the penis of bandmate Twiggy Ramirez (Jeordie White) and performed oral sex on him. There
15 was a knock or ring at the door. Someone answered it. The door opened, and a seemingly young
16 teenage fan was holding something she brought for Warner. She was wearing a Marilyn Manson
17 band t-shirt and dark eye makeup. Warner ordered she be let in. He then tied the young fan to a
18 chair, and lectured and interrogated her. He humiliated and berated her. She cried and pled. The
19 girl’s t-shirt was removed, and Warner forced her to drink a glass of one of the band member’s
20 urine. Later, a gun is introduced, and Warner threatened her with it and possibly pistol-whipped
21 her.

22 23. Plaintiff was repulsed by, and scared of, the film. As Warner increased his abuse
23 and violence in the film, Plaintiff began thinking that he was showing this to her because he was
24 going to kill her. Plaintiff began glancing at the front door and trying to figure out if she could
25 run to it before he could grab her. However, Warner had placed himself between Plaintiff and the
26 door. He spent a lot of the time watching Plaintiff’s face and reactions. As Warner’s screaming
27 and abuse got worse, Plaintiff was no longer able to hold back her tears. Warner saw that she was
28 crying, but he told her that she needed to keep watching until the end.

1 24. When the video was over, Plaintiff remembers crying and asking repeatedly if the
2 girl in the video was dead. Warner would not answer. Plaintiff thought Warner murdered her.

3 25. Warner claimed the girl was actually his girlfriend at the time. Plaintiff was
4 confused because the girl looked like a young teenager.

5 26. Warner told Plaintiff that when he first showed the movie to Tony Ciulla, his
6 manager, Ciulla told him that he needed to lock the tape in a safe and never show it to anyone, or
7 else Warner would be sent to prison. Plaintiff had never seen anything so disturbing, and was
8 traumatized. She did not understand why he would be sent to prison if what transpired was all
9 just "acting."

10 27. Plaintiff spent a lot of time questioning Warner to figure out who the girl was and
11 confirm she was ok. But Warner gave only vague and evasive answers. He claimed it was a
12 woman in his "Long Road Out of Hell" music video, even though the young girl in "Groupie"
13 did not resemble the woman in the video. Warner never told Plaintiff what became of the girl in
14 the film.

15 28. One night toward the end of March, Plaintiff was meant to meet up with Warner
16 and his entourage, but due to a miscommunication between Plaintiff and Ms. Walters, Plaintiff
17 did not know where to meet him. When she arrived, Warner was furious at her for being late and
18 behaved very angrily toward her all evening. When they returned to his apartment, he became
19 more and more erratic and angry. Warner commanded Plaintiff and Ms. Walters to dance and
20 sing karaoke. Ms. Walters told Plaintiff that they had to comply with Warner's wishes and that
21 Plaintiff needed to act happy and smile in order to avoid conflict. Plaintiff felt degraded and
22 stripped of her free will.

23 29. Warner went on a drug- and alcohol-fueled bender for the next three days. During
24 this time Warner screamed and repeatedly threatened both Ms. Walters and her. He threw a glass
25 against the wall—shattering it—and when Plaintiff tried to clean it up, he screamed at her and
26 forced her to stop. At one point when Plaintiff was crying, Mr. Warner ordered Ms. Walters to
27 take photos of Plaintiff crying. Plaintiff wanted them to be deleted but Ms. Walters refused out of
28 fear of Warner.

1 **B. Warner Raped and Repeatedly Sexually Abused Plaintiff.**

2 30. The physical and sexual aspect of Plaintiff's relationship with Warner was
3 relatively gentle and romantic at first. However, that changed quickly.

4 31. Warner demanded extremely frequent sex, unless he was busy recording or
5 entertaining people. Plaintiff was not able to sleep through the night because that was the time
6 Warner was awake and most demanding of sex. When he finally allowed Plaintiff to sleep, he
7 interrupted her sleep approximately every hour or two to demand sex.

8 32. If Plaintiff did manage to briefly fall asleep during this time, Warner would come
9 into the bedroom—often making screaming noises for the purpose of waking her suddenly.
10 Warner was constantly angry at Plaintiff for being tired.

11 33. Warner often would fall asleep during intercourse after taking sleeping pills. He
12 would force Plaintiff to have sex with him, and to be on top of him during sex. She would pray
13 for Warner to pass out during intercourse. When this happened, Plaintiff would try to slip away
14 and get some sleep, but the moment she moved, Warner would wake up and demand to resume
15 the sexual activity.

16 34. Warner began demanding Plaintiff not move a muscle during sex. He ordered her
17 to lie on top of him and stay perfectly still, or else he would scream at her.

18 35. Warner's three-day drug binge (discussed above) was another turning point in the
19 relationship between Plaintiff and Warner. Warner became increasingly violent during sex. He
20 would grab her extremely forcefully. At one point, Warner bit Plaintiff on her neck exceedingly
21 hard. Plaintiff remembers being terrified during that timeframe that her aunt would come into the
22 bathroom while she was showering and see the bruises and other marks on her body from
23 Warner's physical abuse. One time after seeing Warner, Plaintiff remembers that the left side of
24 her chest and neck had turned completely black with bruises he had inflicted on her.

25 36. One day in early June 2011, Plaintiff visited Warner very early in the morning,
26 per his demand. Plaintiff and Warner sat on his apartment couch. Warner began insisting that
27 Plaintiff kiss him and engage in sexual acts with him. For once, Plaintiff refused. Plaintiff was
28 crying, but Warner was relentless. Warner ultimately forced Plaintiff to perform oral sex on him.

1 While she was crying, he held the back of her head and forced his penis into her mouth.

2 Afterward, Plaintiff cried herself to sleep.

3 37. Later, Plaintiff went to return Warner's apartment key. When he opened the door,
4 he was wearing the pink kimono he had given her. Plaintiff remembers being in the hallway by
5 his front door—about to leave—when Warner forcibly pushed her to the ground. With her face
6 down on the carpet, and his hands on top of her, Warner raped Ms. Doe.

7 38. Warner repeated Plaintiff's name as he raped her. He was saying that she had
8 driven him crazy, and she was making him do this to her. Warner was wearing black jeans under
9 the kimono, and Plaintiff remembers seeing them around his ankles as she looked back during
10 the rape. Afterward, while standing in the doorway, he said to her: "Don't you ever fucking
11 make me do that to you again."

12 39. Warner then threatened to kill Plaintiff. He also bragged that he would "get away
13 with it" if he indeed murdered her.

14 40. In the years after the rape, Plaintiff frequently had gynecological problems and
15 was diagnosed with vaginismus, which made it very painful to have intercourse. This was a
16 result of the rape. Plaintiff's doctors repeatedly asked her if she had been sexually assaulted.

17 THE DISCOVERY RULE

18 41. Plaintiff did not discover the circumstances sufficient to put her on notice of her
19 potential causes of action related to the rape (and subsequent death threat) until February 2021,
20 after reading an article that detailed other acts of sexual assault committed by Warner. She
21 previously had repressed those memories, as is common for sexual-assault victims.

22 42. To the extent that any of Plaintiff's causes of action otherwise may have expired
23 by the time this action was filed, the statute of limitations period for her causes of action were
24 tolled and are therefore timely.

25 CAUSES OF ACTION

26 **FIRST CAUSE OF ACTION**

27 **(Sexual Assault in Violation of Cal. Civ. Code § 340.16)**

28 43. Plaintiff re-alleges and incorporates by reference the allegations contained in this

1 complaint, as if fully set forth herein.

2 44. Warner committed a sexual assault, as defined in Civil Code Section 340.16(b)(1)
3 (referencing sections of the California Penal Code).

4 45. Warner committed assault with the intent to commit the crimes delineated in the
5 above-referenced sections of the California Penal Code.

6 46. Warner's actions complained of herein were his attempts to commit the crimes
7 delineated in the above-referenced sections of the California Penal Code.

8 47. The conduct of Defendant as described herein was done with oppression, fraud,
9 and/or malice.

10 **SECOND CAUSE OF ACTION**

11 **(Interference with the Exercise of Civil Rights in Violation of the Bane Act,
12 Cal. Civ. Code § 52.1)**

13 48. Plaintiff re-alleges and incorporates by reference the allegations contained in this
14 complaint, as if fully set forth herein.

15 49. California Civil Code Section 52.1, also known as the Bane Act, prohibits any
16 person or persons from interfering with the exercise or enjoyment of rights under the
17 Constitution and laws of this state and the United States, by use or attempted use of threats,
18 intimidation, or coercion.

19 50. Defendant used or attempted to use threats, intimidation, or coercion to
20 intentionally interfere with the civil rights of Plaintiff, including but not limited to her rights to
21 liberty, to bodily autonomy, and to be free from sexual assault. Defendant further engaged in the
22 conduct described herein because of Plaintiff's sex. Defendant intimidated and coerced Plaintiff
23 by engaging in the conduct described herein.

24 51. Because of Warner's powerful role in the industry in which Plaintiff worked and
25 aspired to be a part of, she felt pressured to acquiesce to Warner's demands, and Warner knew
26 that she felt this pressure.

27 52. By the conduct described herein, Defendant intended to deprive Plaintiff of
28 enjoyment or exercise of her civil rights.

53. As a result of Defendant's acts, Plaintiff suffered harm.

1 54. The conduct of Defendant as described herein was done with oppression, fraud,
2 and/or malice.

3 **THIRD CAUSE OF ACTION**

4 **(Sexual Battery in Violation of California Civil Code § 1708.5)**

5 55. Plaintiff re-alleges and incorporates by reference the allegations contained in this
6 complaint, as if fully set forth herein.

7 56. Defendant acted with the intent to cause a harmful or offensive contact with an
8 intimate part of Plaintiff's body, and a sexually offensive contact with Plaintiff resulted.

9 57. Defendant also acted with the intent to cause a harmful or offensive contact with
10 Plaintiff by use of his intimate part, and a sexually offensive contact resulted.

11 58. Defendant also acted to cause an imminent apprehension of the conduct described
12 herein, and a sexually offensive contact with Plaintiff resulted.

13 59. As a result of Defendant's acts, Plaintiff suffered harm.

14 60. The conduct of Defendant as described herein was done with oppression, fraud,
15 and/or malice.

16 **FOURTH CAUSE OF ACTION**

17 **(Intentional Infliction of Emotional Distress)**

18 61. Plaintiff re-alleges and incorporates by reference the allegations contained in this
19 complaint, as if fully set forth herein.

20 62. Defendant's conduct was extreme and outrageous with the intention of causing, or
21 reckless disregard of the probability of causing, emotional distress.

22 63. As a direct result of Defendant's acts, Plaintiff suffered severe and extreme
23 emotional distress.

24 64. The conduct of Defendant as described herein was done with oppression, fraud,
25 and/or malice.

26 **PRAYER FOR RELIEF**

27 Plaintiff respectfully requests the following relief:

28 (A) Declare that Defendant's acts and conduct violate California law;

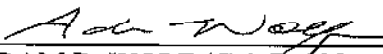
- 1 (B) Enter judgment in Plaintiff's favor on all claims for relief;
2 (C) Award Plaintiff full compensatory damages, including but not limited to, damages
3 for pain, suffering, mental anguish, emotional distress, humiliation, and inconvenience that
4 she has suffered and likely will suffer in the future;
5 (D) Award Plaintiff punitive damages;
6 (E) Award Plaintiff attorney fees;
7 (F) Award pre- and post-judgment interest at the highest lawful rate;
8 (G) Award all other relief in law or equity to which Plaintiff is entitled and that the
9 Court deems equitable, just, or proper.

10 **JURY DEMAND**

11 Plaintiff demands a trial by jury on all issues within this complaint.

12 Dated: May 28, 2021

Respectfully submitted,

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15 ADAM B. WOLF (Cal. Bar No. 215914)
16 PEIFFER WOLF CARR KANE & CONWAY, LLP
17 5042 Wilshire Blvd., No. 304
18 Los Angeles, CA 90036
Telephone: (415) 766-3545
Facsimile: (415) 402-0058
awolf@peifferwolf.com

19 Tracey B. Cowan (CA Bar No. 250053)
20 PEIFFER WOLF CARR KANE & CONWAY, LLP
21 4 Embarcadero Center, Suite 1400
22 San Francisco, CA 94111
Telephone: (415) 426-5641
Facsimile: (415) 402-0058
tcowan@peifferwolf.com

23 Gavin E. Rush (will seek admission *pro hac vice*)
24 PEIFFER WOLF CARR KANE & CONWAY, LLP
25 11801 Domain Boulevard, 3rd Floor
26 Austin, TX 78758
27 Telephone: (512) 535-6608
Facsimile: (504) 608-1465
grush@peifferwolf.com

28 *Attorneys for Plaintiff*



I certify that this is a true and correct copy of the original on file in this office consisting of 11 pages

SHERRI R. CARTER, Executive Officer / Clerk of the Superior Court of California, County of Los Angeles

Date: APR 25 2022 By: [Signature], Deputy

Katherine Cortez