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STATE OF MICHIGAN

CIRCUIT COURT FOR THE COUNTY OF OAKLAND

JANE DOE,

Plaintiff,

v

MICHAEL MORSE,

Defendant.

Case No.:2017-158939-CZ

Hon.

JUDGE CHABOT

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GEOFFREY N. FIEGER (P30441)  
DONALD H. DAWSON, JR. (P29692)  
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**PLAINTIFF'S COMPLAINT AND JURY DEMAND**

There is no other civil action between these parties arising out of the same transaction or occurrence as alleged in this complaint pending in this court, nor has any such action been previously filed and dismissed or transferred after having been assigned to a judge, nor do I know of any other civil action not between these parties arising out of the same transaction or occurrence as alleged in this complaint that is either pending, or was previously filed and dismissed, transferred, or otherwise disposed of after having been assigned to a judge in this court.

NOW COMES the Plaintiff, JANE DOE, by and through her attorneys, Fieger, Fieger, Kenney & Harrington, P.C., and for her complaint against Defendant, states as follows:

**COMMON ALLEGATIONS**

1. At all relevant times, Plaintiff, JANE DOE, resided in the City of Orchard Lake, County of Oakland, State of Michigan.
2. At all relevant times, Defendant, MICHAEL MORSE, resided in the City of Huntington Woods, County of Oakland, State of Michigan.
3. The events which are the subject matter of this Complaint occurred in the City of Miami, Florida.
4. Venue and jurisdiction are properly vested in this court.
5. The amount in controversy exceeds Seventeen Million Five Hundred Thousand (\$17,500,000.00) Dollars, exclusive of interest, costs and attorney's fees.

**FACTUAL ALLEGATIONS**

6. Plaintiff, JANE DOE, incorporates by reference the previous allegations, as if restated word for word and paragraph by paragraph.
7. On or about December 30, 2016, JANE DOE, traveled to Miami with a group of friends for a holiday vacation.
8. On her first night in Miami, JANE DOE and her friends went to a restaurant/bar.
9. Prior to arriving at the restaurant/bar, JANE DOE was informed that Defendant, MICHAEL MORSE, who was a friend with someone in JANE DOE's friend group, would be meeting them there.
10. Prior to this incident, JANE DOE had never met and/or encountered Defendant, MICHAEL MORSE.

11. During their time at the restaurant/bar, Defendant, MICHAEL MORSE, made various sexual remarks aimed at JANE DOE and others.

12. The group, including JANE DOE and Defendant, MICHAEL MORSE, left the restaurant/bar in one vehicle.

13. The plan was to drop off Defendant, MICHAEL MORSE, at his hotel and then proceed to their own hotel.

14. Upon leaving the restaurant/bar, Defendant, MICHAEL MORSE, followed JANE DOE into the back seat of the vehicle.

15. As they were en route to drop off Defendant, MICHAEL MORSE, at his hotel, MICHAEL MORSE suddenly and without any permission, inducement, or any other invitation whatsoever, stuck his hands into JANE DOE's shirt and grabbed both of her breasts.

16. JANE DOE immediately pulled away.

17. The sexual assault upon JANE DOE caused her to feel immediate shame. She tried to hide the assault from her friends who were occupants of the vehicle so that she could process the assault privately and not make a spectacle of herself.

18. All occupants witnessed the sexual assault committed by Defendant, MICHAEL MORSE, against JANE DOE.

19. After the sexual assault upon JANE DOE by Defendant, MICHAEL MORSE, MICHAEL MORSE, asked JANE DOE to go back to his hotel room with him.

20. JANE DOE unequivocally rejected the request and Defendant, MICHAEL MORSE, became visibly upset.

21. In March 2017, Defendant, MICHAEL MORSE, attempted to contact JANE DOE via the SnapChat application.

22. JANE DOE rejected Defendant, MICHAEL MORSE's request via SnapChat and proceeded to block him on the application so that he could not contact her again.

23. Defendant, MICHAEL MORSE, committed sexual assault and battery, negligence, and intentional and/or negligent infliction of emotional distress against JANE DOE who as a result has suffered injuries and damages set forth herein.

**COUNT I**  
**SEXUAL ASSAULT AND BATTERY**  
**AGAINST DEFENDANT, MICHAEL MORSE**

24. Plaintiff, JANE DOE, incorporates by reference the previous allegations, as if restated word for word and paragraph by paragraph.

25. At all times relevant, Defendant, MICHAEL MORSE, unlawfully and without consent touched Plaintiff, JANE DOE's, body in a sexual manner, when he stuck his hands up her shirt and grabbed both of her breasts.

26. At all times relevant, Defendant, MICHAEL MORSE, negligently and/or willfully or maliciously sexually assaulted Plaintiff, JANE DOE, on or about December 30, 2016.

27. At all times relevant, Defendant, MICHAEL MORSE, negligently, intentionally, and/or willfully or maliciously sexually assaulted Plaintiff, JANE DOE.

28. Defendant, MICHAEL MORSE, knew or should have known, that his conduct was illegal and malicious.

29. As a result of Defendant, MICHAEL MORSE's, illegal, negligent, grossly negligent, intentional, and/or malicious conduct, MICHAEL MORSE breached the duties owed to Plaintiff, JANE DOE, of not sexually assaulting a person, or touching, without consent.

30. As a direct and proximate result of Defendant, MICHAEL MORSE's, conduct, Plaintiff, JANE DOE, suffered a sexual assault and battery.

31. As a direct and proximate result of Defendant, MICHAEL MORSE's, negligent and/or intentional actions and/or omissions, Plaintiff, JANE DOE, has suffered and continues to suffer the following injuries and damages:

- a. Severe emotional and mental distress;
- b. Humiliation, grief, embarrassment;
- c. Loss of reputation and esteem in the community;
- d. Fright and shock;
- e. Inability to experience social pleasures and enjoyment;
- f. Physical manifestations including shaking of hands, nausea, increased anxiety, headaches, cold sweats, loss of appetite, sleeplessness and other physical manifestations;
- g. Exemplary damages; And
- h. All additional injuries and damages discovered throughout the course of this litigation;

**WHEREFORE**, Plaintiff, JANE DOE, demands judgment in excess of Seventeen Million Five Hundred Thousand (\$17,500,000.00) Dollars, or whatever amount the trier of fact finds the plaintiff to be entitled, along with an award of exemplary damages, including costs, interest and attorney's fees.

**COUNT II**  
**NEGLIGENT AND INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**  
**AGAINST DEFENDANT, MICHAEL MORSE**

32. Plaintiff, JANE DOE, incorporates by reference the previous allegations, as if restated word for word and paragraph by paragraph.

33. Defendant, MICHAEL MORSE, inflicted great emotional distress upon Plaintiff, JANE DOE, by way of his intentional and/or negligent facilitation of the aforementioned illegal and improper acts.

34. The aforementioned illegal and improper acts constitute extreme and outrageous conduct, which caused Plaintiff, JANE DOE, to suffer severe injuries, including humiliation, indignity and injury to her psyche including, but not limited to the following, all of which shock the conscience of the community:

- a. Actually and physically putting his hands into JANE DOE's shirt and groping her breasts while seated in a captive environment, i.e. the back seat of the vehicle, where JANE DOE had no ability to flee the situation and did so without permission, invitation, and/or any inducement whatsoever;
- b. Actually and physically touching the body of JANE DOE, in a sexual and offensive manner without invitation, permission, or inducement when he stuck his hands up her shirt and groped her breasts without permission, invitation, and/or any inducement whatsoever
- c. Requesting JANE DOE return to his hotel room with him subsequent to the sexual assault;
- d. All other breaches of duty identified by Defendant in deposition testimony and/or answers to interrogatories and/or all other discovery, all of which is hereby adopted by reference; and
- e. Any and all other breaches that become known through the course of litigation.

35. Defendant, MICHAEL MORSE, by and through his acts and/or omissions, inflicted emotional distress upon Plaintiff, JANE DOE, by his unconsented sexual assault and battery.

36. The conduct of Defendant, MICHAEL MORSE, was extreme, outrageous, and of a character not to be tolerated by a civilized society.

37. The conduct of Defendant, MICHAEL MORSE, would naturally and probably result in emotional distress.

38. As a direct and proximate result of the Defendant, MICHAEL MORSE's, actions, all of which constitute either negligent or intentional infliction of emotional distress, Plaintiff, JANE DOE, has suffered the following injuries and damages:

- a. Severe emotional and mental distress;
- b. Humiliation, grief, embarrassment;
- c. Loss of reputation and esteem in the community;
- d. Fright and shock;
- e. Inability to experience social pleasures and enjoyment;
- f. Physical manifestations including shaking of hands, nausea, increased anxiety, headaches, cold sweats, loss of appetite, sleeplessness and other physical manifestations;
- g. Exemplary damages; And
- h. All additional injuries and damages discovered throughout the course of this litigation;

**WHEREFORE**, Plaintiff, JANE DOE, demands judgment in excess of Seventeen Million Five Hundred Thousand (\$17,500,000.00) Dollars, or whatever amount the trier of fact finds the plaintiff to be entitled, along with an award of exemplary damages, including costs, interest and attorney's fees.

**COUNT III**  
**NEGLIGENCE, GROSS NEGLIGENCE, WANTON AND WILLFUL**  
**MISCONDUCT**  
**DEFENDANT, MICHAEL MORSE**

39. Plaintiff, JANE DOE incorporates by reference the previous allegations, as if restated word for word and paragraph by paragraph.

40. Defendant, MICHAEL MORSE, committed the acts of negligence, gross negligence, willful and wanton misconduct, as described previously, which include, but are not limited to, the following:

- a. Actually and physically putting his hands into JANE DOE's shirt and groping her breasts while seated in a captive environment, i.e. the back seat of the vehicle, where JANE DOE had no ability to flee the situation and did so without permission, invitation, and/or any inducement whatsoever;
- b. Actually and physically touching the body of JANE DOE, in a sexual and offensive manner without invitation, permission, or inducement when he stuck his hands up her shirt and groped her breasts without permission, invitation, and/or any inducement whatsoever;
- c. Requesting JANE DOE return to his hotel room with him subsequent to the sexual assault;
- d. All other breaches of duty identified by Defendant in deposition testimony and/or answers to interrogatories and/or all other discovery, all of which is hereby adopted by reference; and
- e. Any and all other breaches that become known through the course of litigation.

41. As a result of breaching each and every duty owed to JANE DOE by Defendant, MICHAEL MORSE, as described above, JANE DOE, suffered damages and injuries as described herein.

42. At all times relevant, the conduct by Defendant, MICHAEL MORSE, as identified herein amounted to conduct so reckless as to have a substantial disregard whether injury should occur.

43. Defendant, MICHAEL MORSE, committed acts of negligence, gross negligence, willful and wanton misconduct against Plaintiff, JANE DOE, as described



previously, which constituted conduct so reckless and egregious so as to amount to gross negligence.

44. As a direct and proximate result of the acts and conduct referenced above, by Defendant, MICHAEL MORSE, JANE DOE, suffered numerous injuries and damages, which include but are not limited to:

- a. Severe emotional and mental distress;
- b. Humiliation, grief, embarrassment;
- c. Loss of reputation and esteem in the community;
- d. Fright and shock;
- e. Inability to experience social pleasures and enjoyment;
- f. Physical manifestations including shaking of hands, nausea, increased anxiety, headaches, cold sweats, loss of appetite, sleeplessness and other physical manifestations;
- g. Exemplary damages; And
- h. All additional injuries and damages discovered throughout the course of this litigation;

**WHEREFORE**, Plaintiff, JANE DOE demands judgment in excess of Seventeen Million Five Hundred Thousand (\$17,500,000.00) Dollars, or whatever amount the trier of fact finds the plaintiff to be entitled, along with an award of exemplary damages, including costs, interest and attorney's fees.

Respectfully submitted,

/s/ Donald H. Dawson Jr.  
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Dated: May 25, 2017

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**DEMAND FOR JURY TRIAL**

NOW COMES the Plaintiff, JANE DOE, by and through her attorneys FIEGER, FIEGER, KENNEY, & HARRINGTON, P.C., and hereby demands a trial by jury in the above captioned matter.

Respectfully submitted,

*/s/ Donald H. Dawson Jr.* \_\_\_\_\_  
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Dated: May 25, 2017

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