

Assigned for all purposes to: Spring Street Courthouse, Judicial Officer:

Electronically FILED by Superior Court of California, County of Los Angeles on 11/07/2022 05:08 PM Sherri R. Carter, Executive Officer/Clerk of Court, by G. Carini, Deputy Clerk

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

Micha Star Liberty (SBN 215687)
Micha@LibertyLaw.com
LIBERTY LAW
1999 Harrison, Suite 1800
Oakland, California 94612
Telephone: (510) 645-1000
Fax: (888) 645-2008

Amanda M. Karl (SBN 301088)
amk@classlawgroup.com
Steve Lopez (SBN 300540)
sal@classlawgroup.com
GIBBS LAW GROUP LLP
1111 Broadway, Suite 2100
Oakland, California 94607
Telephone: (510) 350-9700
Fax: (510) 350-9701

Counsel for Plaintiff

**SUPERIOR COURT OF CALIFORNIA
COUNTY OF LOS ANGELES**

A.B.,

Plaintiff,

v.

ERIC WEINBERG and DOES 1-10,

Defendants.

Case No. **22STCV35374**

COMPLAINT

1. Sexual Assault
2. Sexual Battery
3. Gender Violence
4. Assault
5. Battery
6. Intentional Infliction of Emotional Distress
7. Negligence

Jury Trial Demanded

Eric Weinberg Sexual Assault Lawsuit

1 **INTRODUCTION**

2 1. In December 2019, Defendant Eric Weinberg lured Plaintiff A.B. to his
3 home where he sexually assaulted her. Weinberg forced A.B. to perform oral sex, forced
4 her to lick his anus as he physically restrained her, and forcibly penetrated her.

5 2. This was not an isolated incident for Weinberg, a Hollywood producer
6 who has been criminally charged for sexually assaulting multiple women after luring
7 them to his home. As Judge Victoria B. Wilson found at a recent bail revocation hearing,
8 the allegations against Weinberg indicate “that he cannot stop and will not stop his
9 sexual assaults on women; and, therefore, he poses a danger to the safety of women.”

10 3. Plaintiff A.B. suffered physical, emotional, and economic harm as a result
11 of Weinberg’s assault and brings this action for sexual assault, sexual battery, gender
12 violence, assault, battery, intentional infliction of emotional distress, and negligence.

13 **JURISDICTION AND VENUE**

14 4. This Court has jurisdiction over the subject matter of this action pursuant
15 to Article VI, section 10 of the California Constitution and section 410.10 of the
16 California Code of Civil Procedure.

17 5. Venue is proper in this Court under Code of Civil Procedure § 395
18 because Eric Weinberg resides in Los Angeles County. In addition, a substantial part of
19 the conduct and omissions giving rise to the violations of law alleged herein occurred in
20 Los Angeles County.

21 **PARTIES**

22 6. Plaintiff A.B. is a citizen and resident of the United States. Plaintiff is
23 using a pseudonym in this litigation to protect her privacy and if required by the Court,
24 will seek permission to proceed under this pseudonym.

25 7. Defendant Eric Weinberg is a citizen and resident of Los Angeles,
26 California. He was an executive producer and writer known for such hit TV shows as
27 *Scrubs*, *Californication*, *Veronica’s Closet*, and *Anger Management*, among others.

28 8. The true names and capacities, whether individual, corporate,

1 partnership, joint venture, or otherwise of Defendants DOES 1 through 10, inclusive, are
2 unknown to Plaintiff who thus sues them by such fictitious names. When the true
3 names and capacities of Does 1 through 10 are ascertained, Plaintiff will amend this
4 complaint by inserting their true names and capacities herein.

5 9. Plaintiff is informed and believes, and on that basis alleges, that the
6 named Defendant and each of the fictitiously named Defendants are legally responsible
7 in some manner for the occurrences alleged in this complaint, and that the injuries
8 alleged herein were proximately and legally caused by the acts and/or omissions of the
9 Defendants.

10 10. Plaintiff is further informed and believes, and on that basis alleges, that
11 each Defendant acted as an agent, servant, employee, co-conspirator, alter-ego and/or
12 joint venturer of the other Defendants, and in doing the things alleged herein acted
13 within the course and scope of such agency, employment, alter-ego and/or in
14 furtherance of the joint venture. Each of the Defendant's acts alleged herein was done
15 with the permission and consent of each of the other Defendants.

16 GENERAL ALLEGATIONS

17 **A. Weinberg sexually assaulted A.B. in December 2019 after luring her to his house**
18 **through a dating app.**

19 11. One of the ways Weinberg targets women to sexually assault is through
20 dating apps, where he represents himself as a younger man and builds trust and
21 rapport that he can later exploit.

22 12. Plaintiff A.B. was contacted by Weinberg through a dating app in
23 December 2019. They shared numerous text messages, where Weinberg came across as
24 charming, considerate, and respectful of sexual boundaries.

25 13. On December 21, 2019, Weinberg told A.B. that he was hanging out with
26 his kids all afternoon and asked if she would meet him for drinks at a nearby cocktail
27 bar later that evening.

28 14. A.B. agreed and after enjoying drinks and conversation together,

1 Weinberg invited A.B. to his home for a glass of wine. Weinberg appeared to be a
2 charming conversationalist, a doting father, and a respectful dating partner, and so A.B.
3 felt comfortable joining Weinberg at his home.

4 15. While the two were entering Weinberg’s Los Feliz home, Weinberg asked
5 A.B. about her career. As she started to answer, Weinberg shockingly unzipped his
6 pants and exposed his penis to A.B. Weinberg then asked A.B. if he could “jerk off”
7 while she talked about her work accomplishments. A.B. was stunned.

8 16. Weinberg’s sudden change in behavior made A.B. highly fearful and
9 triggered a trauma response. When a sexual assault victim experiences a trauma
10 response, an overload of stress chemicals alters brain functioning: survival reflexes and
11 passivity habits often take over and the victim avoids creating a scene or bruising the
12 sexual offender’s ego in order to ensure survival.¹

13 17. A.B. attempted to diffuse the situation without creating a scene. She
14 hoped that avoiding Weinberg's advances would make her boundaries clear while not
15 provoking an angry, hostile, or violent response.

16 18. A.B.’s survival instinct was temporarily successful. Weinberg pulled back
17 and returned to acting as a courteous date and gracious host. Weinberg brought A.B. a
18 glass of water and the two sat on Weinberg’s sofa and chatted amicably for several
19 minutes. A.B. began to relax and rationalize Weinberg’s prior conduct. She thought that
20 there must have been some misunderstanding and while still concerned about his
21 behavior hoped that the two could enjoy the rest of the evening.

22 19. After some more pleasant conversation, the two started to kiss. Suddenly,
23 Weinberg grabbed A.B.’s head and forced her to perform oral sex. A.B. had not agreed
24 to this contact, and Weinberg never asked. Alone in Weinberg's private home, and after

25
26 ¹ Jim Hopper, *Important Things to Get Right About the “Neurobiology of Trauma.” Part 2:*
27 *Victim Responses During Sexual Assault*, 2020 End Violence Against Women Int’l 6,
28 available at <https://evawintl.org/wp-content/uploads/TB-Trauma-Informed-Combined-1-3.pdf>.

1 the previous behavior, A.B. was even more fearful for her safety at this point and
2 survival instincts again kicked in; she felt she had no other choice but to do what
3 Weinberg wanted.

4 20. While Weinberg forced her to perform oral sex, A.B. noticed that he pulled
5 out his phone and pointed it toward her. At the time, A.B. didn't fully register what was
6 happening, but she now believes Weinberg filmed the encounter without her
7 knowledge or consent.

8 21. Weinberg next directed and led A.B. to an upstairs bedroom. He
9 instructed her to lie down. While A.B. was lying on the bed face up, Weinberg climbed
10 on top of her, pinned down her arms, and sat on her chest. Weinberg faced away from
11 A.B., so he couldn't see her face. Weinberg then told A.B. to "lick it," referring to his
12 anus. A.B. immediately told Weinberg no, tried to break free, and loudly asked him to
13 get off her. Weinberg ignored her. Instead, he sat directly on her face and told her to
14 "do it."

15 22. By this point A.B. was completely terrified. She struggled to breathe and
16 move under Weinberg's weight. She began to struggle and thrash around. She
17 screamed, but her protests were muffled. For approximately thirty seconds, A.B.
18 couldn't breathe. Scared that she would suffocate, she stuck out her tongue and did as
19 he commanded, hoping that he would let her go after. In short, A.B. did as Weinberg
20 demanded to protect her life, which she feared was in jeopardy.

21 23. A.B. was in complete shock. She felt as if her body shut down and all she
22 could do was lie in silence while Weinberg continued to pin her down and perform
23 other sexual acts without her consent. Weinberg performed oral sex on her for
24 approximately two minutes. Weinberg then put on a condom and penetrated her
25 vaginally for another two minutes. Throughout these few minutes, A.B. remained still,
26 scared for her life. She didn't want to enrage Weinberg in fear that he would seriously
27 injure or kill her.

28 24. After Weinberg finished, he abruptly left the room and told A.B. that he

1 was meeting his friends at a bar. A.B. then put on her clothes and left his home as
2 quickly as she could, relieved that she was still alive.

3 25. As a result of the assault, A.B. suffered, and continues to suffer, physical,
4 emotional, and economic injuries.

5 **B. Weinberg's sexual assault of A.B. was part of a pattern of predatory behavior.**

6 26. Weinberg's sexual assault of A.B. was not an isolated incident and was not
7 a misunderstanding. Weinberg has recently been publicly exposed as a sexual predator
8 who has repeatedly lured women to his home with the intent to sexually assault them.²

9 27. On July 14, 2022, authorities arrested Weinberg on multiple allegations of
10 sexual assault, including rape, between 2012 and 2019.³ And on October 4, 2022,
11 authorities arrested Weinberg again, this time for 18 felony counts related to sexual
12 crimes involving five different victims dating back to 2014.⁴ The charges include six
13 counts of sexual penetration by use of force, four counts of oral copulation, three counts
14 of forcible rape, two counts of sexual battery by restraint, and one count each of assault
15 by means of force likely to cause great bodily injury, attempted sexual penetration by
16 use of force, and false imprisonment by violence.⁵

17 28. Weinberg was previously arrested in 2014 as well, for having allegedly
18 raped a woman after luring her to his home for a photo shoot, but the L.A. District
19 Attorney's office declined to prosecute.⁶ Even after a second woman reported sexual
20 misconduct during a photo shoot with Weinberg later that same year, the District

21 _____
22 ² Richard Winton, *TV producer Eric Weinberg Arrested, Accused of Sexual Assault on*
23 *Multiple Women*, L.A. Times, (July 14, 2022, 6:08 PM),
[https://www.latimes.com/california/story/2022-07-14/hollywood-producer-eric-
weinberg-maker-of-scrubs-arrested-by-lapd-on-suspicion-of-serial-sexual-assault](https://www.latimes.com/california/story/2022-07-14/hollywood-producer-eric-weinberg-maker-of-scrubs-arrested-by-lapd-on-suspicion-of-serial-sexual-assault).

24 ³ *Id.*

25 ⁴ Press Release, L.A. Dist. Attorney's Office, TV Producer Eric Weinberg Charged with
26 Forcible Rape, Assault (Oct. 5, 2022), [https://da.lacounty.gov/media/news/tv-
producer-eric-weinberg-charged-forcible-rape-assault](https://da.lacounty.gov/media/news/tv-producer-eric-weinberg-charged-forcible-rape-assault).

27 ⁵ *Id.*

28 ⁶ Samuel Braslow, *Is Eric Weinberg Hollywood's Most Prolific Predator?*, Hollywood Rep.,
(Sept. 1, 2022), [https://www.hollywoodreporter.com/news/general-news/eric-
weinberg-alleged-victims-speak-out-sexual-assault-1235209912/](https://www.hollywoodreporter.com/news/general-news/eric-weinberg-alleged-victims-speak-out-sexual-assault-1235209912/).

1 Attorney's office still declined to prosecute.⁷

2 29. Since Weinberg's July 2022 arrest, however, prosecutors say dozens more
3 potential victims have come forward about their encounters with Weinberg.⁸ At last
4 report, the LAPD had received over 70 tips about Weinberg.⁹

5 30. Weinberg is now being held without bail after Judge Victoria B. Wilson
6 found that Weinberg "has engaged in a pattern of violence for over six years" and that
7 "his behavior is predatory."¹⁰ "[H]e targets women doing everyday things," lures them
8 to his home, and once "he gets them into his private nest of his home ... he commits the
9 sexual assaults."¹¹ The allegations against Weinberg indicate that he is a serial rapist,
10 "that he cannot stop and will not stop his sexual assaults on women; and, therefore, he
11 poses a danger to the safety of women."¹²

12 31. The criminal allegations against Weinberg and accounts from several of
13 Weinberg's victims indicate that Weinberg habitually pursued women in everyday
14 settings, used predatory techniques to gain their trust, and lured them to his property
15 with the intent to sexually assault them.

16 32. Plaintiff is informed and believes, and on that basis alleges, that Weinberg
17 regularly lured and attempted to lure victims using dating apps – as he did with A.B.
18 For example, according to an investigative report published in *The Hollywood Reporter*,
19 Weinberg invited a 17-year-old girl he met on a dating app to his home for breakfast in
20 2017, and then pulled her onto his couch and tried to unzip her sweater.¹³ The child's
21 mother discovered this encounter after seeing an "inordinate" number of calls from
22 Weinberg to her daughter.¹⁴

23 _____
⁷ *Id.*

24 ⁸ Press Release, *supra* note 4.

25 ⁹ Transcript of Record at 6, *People v. Weinberg*, No. BA509407 (Cal. Super. Ct., Los
Angeles Cnty. Oct. 25, 2022).

26 ¹⁰ *Id.* at 18-19, 22.

27 ¹¹ *Id.* at 19.

27 ¹² *Id.* at 19.

28 ¹³ Braslow, *supra* note 8.

¹⁴ *Id.*

1 commit the crimes delineated in the above-referenced sections of the California Penal
2 Code.

3 40. Weinberg's conduct as described in this complaint was done with
4 oppression, fraud, and/or malice.

5 SECOND CAUSE OF ACTION

6 Sexual Battery (Cal. Civ. Code § 1708.5)

7 41. Plaintiff incorporates the allegations contained in the preceding
8 paragraphs as though fully set forth herein.

9 42. Plaintiff brings this claim for sexual battery under California Civil Code
10 § 1708.5 against Weinberg in his individual capacity.

11 43. Weinberg violated Plaintiff's statutory right to be free from sexual battery
12 by forcing her to perform oral sex on him, forcing her to lick his anus as he physically
13 restrained her, performing oral sex on her, and penetrating her vaginally, all without
14 her consent.

15 44. Weinberg willfully disregarded Plaintiff's right to be free from sexual
16 battery by physically forcing her to perform oral sex on him and disregarding her
17 protestations and thrashing as he forced her to lick his anus, all after she had indicated
18 before and during their date that these sexual acts would violate her boundaries.

19 45. For these reasons, Weinberg's sexual assault of Plaintiff was deeply
20 offensive to her personal dignity and would offend a person of ordinary sensitivity.

21 46. Given the deeply offensive nature of the sexual assault, Plaintiff's explicit
22 assertions of her boundaries before and during their encounter, and Weinberg's
23 longstanding history of sexual assault and rape, Weinberg committed these acts with
24 intent to cause harmful or offensive contact with Plaintiff's person.

25 47. By intentionally subjecting Plaintiff to sexual assault, Weinberg acted
26 maliciously and in a manner that is deeply offensive to human dignity.

27 48. As a direct, proximate, and foreseeable result of Weinberg's unlawful
28 conduct, Plaintiff has suffered severe humiliation, mental anguish, emotional distress,

1 embarrassment, anger, loss of enjoyment of life, and has been injured in mind and
2 body, the precise amount of which will be proven at trial.

3 49. As a direct, proximate, and foreseeable result of Weinberg's unlawful
4 conduct, Plaintiff has incurred special and general damages, the precise amount of
5 which will be proven at trial.

6 50. Weinberg acted maliciously and oppressively, and his conduct constitutes
7 conscious disregard for Plaintiff's rights and safety, entitling her to punitive damages.

8 **THIRD CAUSE OF ACTION**

9 **Gender Violence (Cal. Civ. Code § 52.4)**

10 51. Plaintiff incorporates the allegations contained in the preceding
11 paragraphs as though fully set forth herein.

12 52. Plaintiff brings this claim for gender violence under California Civil Code
13 § 52.4 against Weinberg in his individual capacity.

14 53. Under California statute, any person subjected to gender violence may
15 bring a civil action for damages against a responsible party. Gender violence is a form
16 of sex discrimination that includes a physical intrusion or invasion of a sexual nature
17 under coercive conditions.

18 54. Weinberg discriminated against Plaintiff on the basis of her female gender
19 when he sexually assaulted her, by forcing her to perform oral sex on him, forcing her
20 to lick his anus as he physically restrained her, and penetrating her vaginally, all
21 without her consent.

22 55. By subjecting Plaintiff to sexual assault, Weinberg caused her to suffer
23 physical, mental, and emotional injuries as well as injuries to her personal dignity.

24 56. As a direct, proximate, and foreseeable result of Weinberg's unlawful
25 conduct, Plaintiff has suffered mental anguish, emotional distress, embarrassment,
26 anger, and loss of enjoyment of life, and has been injured in mind and body, the precise
27 amount of which will be proven at trial.

28 57. As a direct, proximate, and foreseeable result of Weinberg's unlawful

1 conduct, Plaintiff has incurred special and general damages, the precise amount of
2 which will be proven at trial.

3 58. Weinberg acted maliciously and oppressively. His conduct constitutes
4 conscious disregard for Plaintiff's rights and safety, entitling her to punitive damages.

5 59. Plaintiff seeks attorneys' fees and costs, as expressly authorized by statute.

6 **FOURTH CAUSE OF ACTION**

7 **Assault**

8 60. Plaintiff incorporates the allegations contained in the preceding
9 paragraphs as though fully set forth herein.

10 61. Weinberg intended to cause harmful or offensive contact.

11 62. Plaintiff reasonably believed she was about to be touched in a harmful or
12 offensive manner, or that Weinberg threatened to touch Plaintiff in a harmful or
13 offensive manner.

14 63. It reasonably appeared to Plaintiff that Weinberg was about to carry out
15 the threat.

16 64. Plaintiff did not consent to Weinberg's conduct.

17 65. Plaintiff was harmed.

18 66. Weinberg's conduct was a substantial factor in causing her harm.

19 67. As a direct and proximate result of Weinberg's conduct, Plaintiff has
20 suffered injuries, damages, and losses – including, without limitation, severe emotional
21 distress, humiliation, economic loss, and other consequential damages.

22 68. Weinberg's behavior as alleged herein was willful, wanton, and malicious,
23 and was intended to oppress and cause injury to Plaintiff, entitling Plaintiff to an award
24 of punitive damages.

25 **FIFTH CAUSE OF ACTION**

26 **Battery**

27 69. Plaintiff incorporates the allegations contained in the preceding
28 paragraphs as though fully set forth herein.

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

Amanda M. Karl (SBN 301088)
amk@classlawgroup.com
Steve Lopez (SBN 300540)
sal@classlawgroup.com
GIBBS LAW GROUP LLP
1111 Broadway, Suite 2100
Oakland, California 94607
Telephone: (510) 350-9700
Fax: (510) 350-9701

Attorneys for Plaintiff

