

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA
FORT LAUDERDALE DIVISION

CASE NO: 10-CV-60103-Moreno-Torres

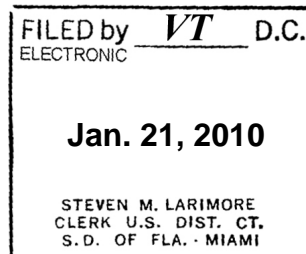
ANGELINA MAVILIA,

Plaintiff,

v.

ERIC GREEN,

Defendant.



COMPLAINT

Plaintiff ANGELINA MAVILIA, by and through her undersigned counsel, complaining of defendant ERIC GREEN, respectfully alleges as follows:

JURISDICTION

1. Jurisdiction is founded upon 28 U.S.C. § 1332(a)(1), in that this action is between citizens of different States and the amount in controversy exceeds the sum of \$75,000, exclusive of interest and costs.

VENUE

2. Venue is properly laid in the Southern District of Florida under 28 U.S.C. § 1391(a)(1), in that this is the District in which the defendant resides.

JURY DEMAND

3. Plaintiff respectfully demands a trial by jury of all issues in this matter pursuant to Fed. R. Civ. P. 38(b).

PARTIES

4. Plaintiff ANGELINA MAVILIA is a citizen of the United States, and currently and at all relevant times is a resident and citizen of the State of New York.

5. Defendant ERIC GREEN is a citizen of the United States, and currently and at all relevant times is a resident and citizen of the State of Florida.

FACTS

6. Plaintiff is a male-to-female post-operative transsexual.

7. At the time of the incident, Plaintiff weighed approximately 145 pounds.

8. At the time of the incident, Defendant was a cornerback for the Phoenix Cardinals professional football team and weighed approximately 195 pounds.

9. On or about January 24, 2009, Plaintiff met Defendant at an establishment called Casino Arizona, in Scottsdale, Arizona.

10. Defendant took Plaintiff to dinner at an establishment called The Keg, also in Scottsdale, Arizona.

11. Defendant told Plaintiff that he wanted to stop off at his condominium so that he could telephone his dealer, get some marijuana, and get high.

12. Defendant also told Plaintiff that he wanted to stop off at his condominium so that he could introduce her to his friend, the Prince of Bahrain.

13. Once inside Defendant's condominium, Defendant induced Plaintiff to engage in what began as consensual sexual activity.

14. Defendant attempted to have vaginal intercourse with Plaintiff but was not able to do so because her surgically-constructed vagina was too tight.

15. Defendant asked Plaintiff whether there was "anything she wanted to tell him."

16. Defendant then held Plaintiff down and penetrated her anally against her will.

17. Plaintiff did not invite, consent, or participate in Defendant's actions.

18. Plaintiff repeatedly told Defendant to cease his actions.

19. Defendant continued his physical and sexual attack on Plaintiff until he reached a climax.

20. Defendant then became extremely agitated and threatening, stating, "This never happened" and "You better not tell anyone about this."

21. As a result of the foregoing, Plaintiff ANGELINA MAVILIA sustained, *inter alia*, physical injuries, and extreme emotional distress, embarrassment, and humiliation.

COUNT I: ASSAULT AND BATTERY

22. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs "1" through "21" with the same force and effect as if fully set forth herein.

23. Defendant engaged in intentional conduct that created a well-founded fear in Plaintiff that Defendant, who at the time had the apparent ability to do so, would commit violence against Plaintiff.

24. Defendant actually and intentionally touched Plaintiff against her will and intentionally caused Plaintiff to suffer bodily and psychological harm.

25. As a direct and proximate result of Defendant's acts, Plaintiff suffered damages.

COUNT II: INTENTIONAL INFLECTION OF EMOTIONAL DISTRESS

26. Plaintiff repeats, reiterates and realleges each and every allegation contained in paragraphs numbered "1" through "25" with the same force and effect as if fully set forth herein.

27. On or about January 24, 2009, Defendant actually and intentionally subjected Plaintiff to an assault and battery.

28. The assault and battery committed by Defendant was of an outrageous sexual nature.

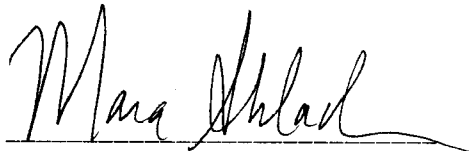
29. Defendant's intentional and outrageous conduct was deliberate and reckless and has caused Plaintiff severe emotional distress, mental pain, and suffering.

30. As a direct and proximate result of Defendant's acts, Plaintiff suffered damages.

31. As a result of the foregoing, Plaintiff ANGELINA MAVILIA is entitled to compensatory damages in the sum of five million dollars (\$5,000,000.00) and is further entitled to punitive damages in the sum of five million dollars (\$5,000,000.00).

WHEREFORE, Plaintiff ANGELINA MAVILIA demands judgment in the sum of five million dollars (\$5,000,000.00) in compensatory damages and five million dollars (\$5,000,000.00) in punitive damages, plus costs, and disbursements of this action, and any further relief the Court deems appropriate.

Dated: January 20, 2010



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