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**FILED**  
Superior Court of California  
County of Los Angeles

JUN 27 2013

John A. Clarke, Executive Officer/Clerk  
By A. Watts, Deputy  
A. Watts

11 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**  
12 **COUNTY OF LOS ANGELES, CENTRAL DISTRICT**

13 Case No. BP 117321

14 Assigned to the Honorable Mitchell Beckloff,  
15 Dept. 5

16 ESTATE OF MICHAEL JOSEPH  
17 JACKSON,

18 Deceased.

19 **NOTICE OF PETITION AND PETITION**  
20 **FOR ORDER TO ALLOW FILING OF LATE**  
21 **CLAIM AGAINST ESTATE;**  
22 **MEMORANDUM OF POINTS AND**  
23 **AUTHORITIES IN SUPPORT THEREOF**  
24 **(Cal. Prob. Code § 9103)**

25 Hearing Date: June 6, 2013  
26 Time: 10:00 a.m.  
27 Department: 5

28 Filed concurrently herewith:

- (1) Declaration of Henry Gradstein in Support of Petition for Order to Allow Filing of Late Claim against Estate; and Attached Certificates of Merit by Mental Health Practitioner Dr. David Arredondo and Henry Gradstein pursuant to Code of Civil Procedure Section 340.1
- (2) [Proposed] Order Granting Petition for Order to Allow Filing of Late Claim against Estate
- (3) Creditor's Claim, DE-172 DE-172 with Unfiled Complaint for Childhood Sexual Abuse
- (4) Prob. Code § 9151 Declaration of Claimant Wade Robson in Support of Creditor's Claim and Petition for Order to Allow Filing of Late Claim Against Estate

REDACTED AND RE-FILED PURSUANT TO COURT

ORDER ENTERED JUNE 25, 2013

1 TO THE COURT AND ALL INTERESTED PARTIES:

2 PLEASE TAKE NOTICE that on June 6 2013, at 10:00 a.m., in the Courtroom of the  
3 Honorable Mitchell L. Beckloff of the Los Angeles Superior Court, Department 5, 111 North Hill  
4 Street, Los Angeles, California, Claimant Wade Robson, by and through his attorneys, will and  
5 does petition this Court pursuant to Prob. Code § 1220 for an order to allow filing of a claim  
6 against the Estate of Michael Joseph Jackson pursuant to Code Civ. Proc. ("CCP") § 340.1 on the  
7 grounds that equitable estoppel prevents the application of other claims presentation limitations  
8 or, in the alternative, that Claimant meets the timing requirements for late filing as set forth in  
9 Prob. Code § 9103. Claimant further requests that the Creditor's Claim, DE-172 filed  
10 concurrently filed with this Petition, should be deemed filed with this Court as a claim against the  
11 Estate from the date of the Order.

12 Claimant's Petition is based upon this Notice of Petition, the Memorandum of Points and  
13 Authorities in support thereof; Declaration of Henry Gradstein, Esq. in Support of the Petition for  
14 Order to Allow Filing of Late Claim against Estate; and Attached Certificates of Merit by Mental  
15 Health Practitioner Dr. David Arredondo and Henry Gradstein pursuant to Code of Civil  
16 Procedure Section 340.1, Prob. Code § 9151 Declaration of Claimant Wade Robson in Support of  
17 Creditor's Claim and Petition for Order to Allow Filing of Late Claim Against Estate, and  
18 Creditor's Claim, DE-172 with Unfiled Complaint for Childhood Sexual Abuse, filed  
19 concurrently herewith, and further pleadings and records filed with this action, any oral or  
20 documentary evidence that may be presented at the hearing, and any other materials properly  
21 before the Court.

22 DATED: April 30, 2013

Gradstein & Marzano, P.C.  
HENRY GRADSTEIN  
MARYANN R. MARZANO

23  
24  
25 By: 

HENRY GRADSTEIN  
Attorneys for Claimant WADE ROBSON

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1 **MEMORANDUM OF POINTS AND AUTHORITIES**

2 **I. INTRODUCTION**

3 Claimant Wade Robson ("Claimant"), as the survivor of unspeakable and despicable acts  
4 of childhood sexual abuse at the hands of Michael Joseph Jackson (the "Decedent"), respectfully  
5 brings this Petition to allow the filing of a late claim against the Estate of Michael Joseph Jackson  
6 for injuries resulting from years of childhood sexual abuse. It was only within the past year, as the  
7 result of a complete psychological collapse arising from the fulfillment of a "prophecy" made by  
8 the Decedent to Claimant that Claimant would one day direct films and a fear that what happened  
9 to him as a child could also happen to his own young son, that Claimant, with the assistance of  
10 insight-oriented therapy, has realized that his relationship with his god, his idol and his father  
11 figure, Michael Jackson, which began when Claimant was only five (5) years old, was built on  
12 sexual abuse and that Claimant was the victim of extensive psychological trauma.

13 Claimant's claim brought pursuant to Code Civ. Proc. ("CCP") Section 340.1 against the  
14 Decedent is timely on the grounds that equitable estoppel prevents the application of other claims  
15 presentation limitations or, in the alternative, that Claimant meets the criteria for late filing with  
16 the Probate Court under Prob. Code Section 9103.<sup>1</sup>

- 17 • Claimant lacked any understanding that his long-term childhood relationship with  
18 Decedent included ongoing sexual abuse over a seven-year period – the acts giving rise to  
19 this claim – prior to May 8, 2012. The delayed cognizance of his abuse is the very reason  
20 that California's childhood sexual abuse statute provides for claims by victims to be  
21 brought many years after the traumatic events occurred and well into adulthood. See

22  
23 <sup>1</sup> It is appropriate for Claimant to bring this Petition for filing of a late claim against the Estate in  
24 the Probate Court, prior to filing a civil complaint in Superior Court for childhood sexual abuse,  
25 because "[a]n action may not be commenced against Decedent's personal representative unless a  
26 claim is first timely filed and the claim is rejected in whole or in part." See Cal. Prob. Code §  
27 9351; see also *Burgos v. Tamulonis* (1994) 28 Cal. App. 4th 757, 763 ("failure to file a claim bars  
28 the claim and action") (emphasis added). Pursuant to Prob. Code Section 9352, the statute of  
limitations on Claimant's underlying childhood sexual abuse claims is tolled by filing of this  
petition under Prob. Code Section 9103. Section 9352 in its entirety reads as follows:

- (a) The filing of a claim or a petition under Section 9103 to file a claim tolls the statute of  
limitations otherwise applicable to the claim until allowance, approval, or rejection.  
(b) The allowance or approval of a claim in whole or in part further tolls the statute of  
limitations during the administration of the estate as to the part allowed or approved.

1 *Sellery v. Cressey* (1996) 48 Cal. App. 4th 538, 547 (quoting legislative history of Code of  
2 Civil Procedure Section 340.1 and recognizing that "*it is only when an adult survivor of*  
3 *sexual abuse enters therapy that any meaningful understanding of his or her injuries can*  
4 *be developed*" (emphasis in original));

- 5 • Claimant was unaware of the administration of Decedent's estate until March 4, 2013;
- 6 • This Court has not made an order for final distribution of the Estate;
- 7 • Any payments that the Court has made to general creditors will not be unfairly affected by  
8 the Court's election to allow Claimant to file or seek to establish a late claim;
- 9 • Notice of the hearing was properly given concurrent with the filing of this Petition; and
- 10 • The Estate is equitably estopped from asserting application of CCP Section 366.2 to this  
11 claim timely brought under CCP Section 340.1 for damages relating to childhood sexual  
12 abuse.

## 13 **II. FACTUAL BACKGROUND**

14 The following recitation of facts contains *graphic* sexual details.

15 Under any standard of measure, this claim is *just*. See Cal. Prob. Code § 9151 (a claim  
16 shall be supported by a statement that the claim is a "just claim."). The decision to pursue a claim  
17 against the Estate for the actions of Decedent was not one that Claimant arrived at without a  
18 careful and measured evaluation of its implications, as filing this very Petition would necessarily  
19 mean that he would have to disclose to others the shameful and loathsome nature of his childhood  
20 sexual relationship with Decedent, the effects of which he has buried for decades. See Declaration  
21 of Wade Robson ("Robson Decl."), ¶¶ 26, 27. From the outside, thirty (30) year old Claimant is  
22 the man that others can only dream to be – both as a child and as an adult, Claimant was an  
23 internationally acclaimed performer, director and choreographer of international music tours,  
24 television performances, music videos and commercials. *Id.*, ¶¶ 18, 28. However, Claimant has  
25 become incapable of pursuing his career as a result of the severe psychological, emotional and  
26 sexual trauma he suffers because of Decedent's sexual abuse of him as a child. In fact, following  
27 his complete psychological collapse in March 2012, Claimant permanently left the entertainment  
28 business. *Id.*, ¶ 25. The impact of Decedent's sexual exploitation of him broke Claimant down to

1 his very core and shattered his life as he knew it. Following a recent comprehensive evaluation of  
2 and interview with Claimant, a leading forensic psychiatrist specializing in childhood sexual  
3 abuse concluded that [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 **A. Decedent Targets a Child Who Idolized Him**

10 Claimant was an exceptional dancer even at a young age. He first met Decedent in 1987 at  
11 the age of five (5), when his prize for winning a dance competition in his home country of  
12 Australia – a competition in which he mimicked Decedent's clothing, style and dance moves –  
13 was a meet-and-greet with Decedent during the Australian leg of his "Bad" Tour. Robson Decl., ¶  
14 5. Claimant was then invited to dance onstage with Decedent a few days later at a concert. *Id.*

15 In 1990, Claimant and his Australian dance studio were invited to perform at Disneyland  
16 in California. *Id.*, ¶ 6. It was in this context, at the age of seven (7), that he made his first trip to  
17 the United States. *Id.* During this trip, Decedent invited Claimant to meet with him at Decedent's  
18 record studio. After spending time with Decedent at his studio, Decedent invited Claimant and his  
19 family, including his older sister Chantal, to stay the weekend at his ranch in Santa Barbara  
20 County known as "Neverland Valley Ranch." *Id.* On the first night at the ranch, Claimant and  
21 Chantal both slept in Decedent's two-floor bedroom in the same bed as Decedent. Then, on the  
22 following night, Chantal slept in a separate bed on a different floor of Decedent's bedroom, but  
23 seven-year-old Claimant slept in Decedent's bed. *Id.*

24 The sexual abuse began on or about the second night that Claimant spent with Decedent.  
25 It continued every night through the period Claimant spent at Neverland during that visit, as well  
26 as at Decedent's apartment in the Westwood section of Los Angeles, before Claimant and his  
27 family returned to Australia. *Id.* From the first instance of abuse, Decedent began telling Claimant  
28 that "we can never tell anyone what WE are doing. People are ignorant and they would never



1 understand that we love each other and this is how we show it. If anyone were to ever find out,  
2 OUR lives and careers would be over." *Id.*, ¶ 7. Claimant swore he would never tell a soul about  
3 what they did. *Id.*, ¶ 7.

4 Between 1990 and 1991, Claimant – a young child – remained in close contact with  
5 Decedent – a grown man of approximately thirty-two (32) years of age at that time – frequently  
6 spending hours talking on the phone together and sending faxes back and forth between America  
7 and Australia. *Id.*, ¶ 10. [REDACTED]

8 [REDACTED], arranged for a couple of additional trips for  
9 Claimant to visit Decedent in America. See Creditor's Claim DE-172 Exhibit 1, Complaint for  
10 Childhood Sexual Abuse pursuant to CCP Section 340.1 ("Complaint"), ¶ 17. During these trips  
11 Decedent also encouraged Claimant to call him "Dad" and Decedent would call Claimant "Son."  
12 *Id.*, ¶ 12.

13 **B. Decedent Facilitates Claimant's Move to America**

14 In or about September 1991, shortly before Claimant's ninth (9th) birthday, Claimant, his  
15 mother and sister all moved to California. [REDACTED]

16 [REDACTED]  
17 [REDACTED] It also enabled Decedent to have ready access to Claimant  
18 for sexual encounters. *Id.*

19 When Claimant was between the ages of 7 to 14, whenever Claimant was with Decedent  
20 they would sleep in the same bed and sexual abuse occurred. *Id.*, ¶ 15. It was during these years  
21 that [REDACTED]

22 [REDACTED] The  
23 continuous sexual abuse over a seven year period included [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Between late 1991 and late 1997, Claimant appeared in several of Decedent's music videos and spent time with Decedent at his various residences. *Id.*, ¶ 14. Claimant was part of a musical group by the age of eleven (11) and released an album on Decedent's record label. Creditor's Claim DE-172 Exhibit 1, Complaint, ¶ 11. By the age of fourteen (14), Claimant had landed his first job as a dance choreographer. Robson Decl., ¶ 18. It was only after the age of fourteen (14) – when Claimant began to show signs of puberty – that the sexual abuse by Decedent became less frequent. Creditor's Claim DE-172 Exhibit 1, Complaint, ¶ 23.

**C. Claimant's Testimony at Decedent's Legal Proceedings**

In September 1993, a sexual abuse lawsuit was brought against Decedent by a young boy named Jordan Chandler. Robson Decl., ¶ 17. In connection with the action, Claimant was subpoenaed to testify in front of a Grand Jury in Los Angeles on matters relating to his relationship with the Decedent. Decedent selected and paid for a lawyer to represent Claimant. *Id.* However, Claimant's mother counseled him not to testify at the Grand Jury proceeding and Claimant was subsequently charged with contempt by the Judge. *Id.* A compromise was reached whereby Claimant would testify in a private session. *Id.* Decedent called Claimant everyday to coach Claimant about what to say during his testimony and told Claimant THEY needed to fight this together *Id.* Claimant was told by Decedent at this time that if Claimant ever told anyone about what the two of them did together, both of them would be ruined and they would go to jail for the rest of their lives. *Id.* Such threats by an abuser effectively keep the abused quiet about the abuse for a lifetime and [REDACTED]

The threats by Decedent were [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

In 2005, Decedent was criminally tried in Santa Barbara for child sexual abuse. Just as in the 1993 hearing, Claimant was again subpoenaed to testify in the case. Robson Decl., ¶ 20. Just as in 1993, Decedent called Claimant to coach him about what to say and also told Claimant that

1 "they are just trying to take US down, take away my power and my money, take away our  
2 careers." *Id.* At this point in time, Claimant still did not consider his relationship with Decedent to  
3 have been abusive or consider himself to have been a victim of child abuse. *Id.* Further, Claimant  
4 had never told anyone about the abuse. *Id.*, ¶ 25.

5 **D. Claimant Begins to Unravel**

6 In early 2011, Claimant was hired to direct a large-budget dance film, something that  
7 Decedent had once "prophesized" Claimant would do. *Id.*, ¶ 23. But by April 2011, overwhelmed  
8 with stress and anxiety, Claimant was unable to work and quit the film. *Id.*, ¶ 24. Following the  
9 walk-away from the biggest opportunity of his life, Claimant met with a cognitive psychologist  
10 for about a month in an attempt to understand why his life was unraveling, but never discussed  
11 with him the childhood sexual activities with Decedent. *Id.* Claimant began working again in July  
12 2011 and continued to work until he had a final, complete breakdown in March 2012. He has  
13 been unable to work since. *Id.*, ¶ 25.

14 In mid-April 2012, Claimant began seeing a psychotherapist, but he did not tell the  
15 therapist – or even his family members and wife – about his sexual activities with Decedent until  
16 May 8, 2012. *Id.* That was the very first time Claimant began to recognize that Doe 1 had  
17 molested him. *Id.* Since that time, Claimant has become increasingly and acutely aware that his  
18 psychological injury and symptomatic breakdown arose from childhood sexual abuse and the  
19 relationship with Decedent that surrounded it. *Id.*, ¶ 26. It was not until after May 2012 that  
20 Claimant began to see himself as a victim of child abuse. *Id.*, ¶¶ 25-27.

21 **III. ARGUMENT**

22 **A. The Claim is Timely Because Equitable Estoppel Prevents the Application of**  
23 **Any Claims Presentation Limitations**

24 The circumstances giving rise to Claimant's action relating to childhood sexual abuse  
25 pursuant to Code of Civil Procedure Section 340.1 demand that equitable estoppel be applied to  
26 any potential claims presentation limitations, including Probate Code Section 9103 and Code of  
27 Civil Procedure Section 366.2.<sup>2</sup> As a doctrine grounded in principles of equity, equitable estoppel

28 <sup>2</sup> Generally, disputes regarding the timeliness of a creditor's underlying claims are litigated in a

has particular resonance here. Equity recognizes that “[n]o one can take advantage of his own wrong.” *McMackin v. Ehrheart* (2011) 194 Cal. App. 4th 128, 142 (quoting Civil Code § 3517). Where the defendant’s own wrongdoing is the cause of the delay in filing suit, equitable estoppel is appropriate. *See id.* (citing *Pashley v. Pacific Elec. Ry. Co.* (1944) 25 Cal.2d 226, 231-232). It is well established that perpetrators of sexual abuse can be equitably estopped from asserting claims-presentation statutes as a defense to actions in certain circumstances, in particular when – as here – defendants have threatened and directed sexually abused children not to tell anyone about the abuse.

**i. Equitable Estoppel Applies to Probate Code Section 9103**

Probate Code Section 9103 articulates certain criteria for seeking to file a “late claim” in a probate action including that the petition for late filing be filed within sixty (60) days of claimant’s actual knowledge of both “[t]he existence of the facts reasonably giving rise to the existence of the claim” and “[t]he administration of the estate.” *See* Cal. Prob. Code § 9103(a)(2). Equitable estoppel can be applied to the issue of timely filing in probate court and in some instances considers public policy. *Estate of Prindle* (2009) 173 Cal. App. 4th, 130 (finding estoppel applied to prevent assertion that claimant failed to file a timely claim against the estate). Here, not applying principles of equitable estoppel to a claim that is timely under Code of Civil Procedure Section 340.1 (“Section 340.1”) would be contrary to public policy because that Section codifies California’s recognition that victims of childhood sexual abuse may not even begin to understand what occurred during the course of a sexually abused childhood until years or even decades after the acts themselves occurred.

Section 340.1 provides that the filing of a civil claim for childhood sexual abuse “against any person” must be made within eight years of the age of majority (*i.e.*, by one’s 26th birthday) or “within three years of the date the plaintiff discovers or reasonably should have discovered that psychological injury or illness occurring after the age of majority was caused by the sexual abuse,” whichever is later. Cal. Code Civ. Proc. § 340.1(a). The lengthy time limits provided in civil suit to enforce the claims, not in the probate proceeding. *See, e.g., Burgos*, 28 Cal. App. 4th 757. This section is thus provided to demonstrate to the Court that accepting Claimant’s Petition for late filing would also not run afoul of Section 366.2’s time limitations.



1 Section 340.1 were specifically designed and intended to allow victims of child sexual abuse to  
2 bring claims many years after the traumatic events occurred. *See Sellery*, 48 Cal. App. 4th at 547  
3 (quoting legislative history recognizing that “it is only when an adult survivor of sexual abuse  
4 enters therapy that any meaningful understanding of his or her injuries can be developed” and  
5 noting that Section 340.1 would “provide childhood sexual abuse survivors with an opportunity to  
6 bring civil actions to recover damages for injuries resulting from the abuse”) (emphasis in  
7 original); *see also McVeigh v. Does 1 through 3* (2006) 138 Cal. App. 4th 898, 903-904; *Tietge v.*  
8 *Western Province of the Servites, Inc.* (1997) 55 Cal. App. 4th 382, 387.

9 Claimant, who was sexually abused by Decedent while he was a minor, has only recently  
10 come to the realization that the childhood abuse he suffered has caused him the shame, guilt and  
11 fear which [REDACTED]

12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED] Decedent's  
15 death in 2009 had nothing to do with Claimant's internal process that precipitated his two  
16 breakdowns in 2011 and 2012 that led him to address and understand that his childhood  
17 relationship with Decedent was sexually abusive. Robson Decl., ¶¶ 22-25. It was not until May 8,  
18 2012 that Claimant first recognized and admitted to himself and to his therapist that he had been  
19 the victim of childhood sexual abuse. *Id.*, ¶ 25. Thus, if Decedent was alive today, Claimant  
20 would be able to bring a claim against Decedent in his individual capacity pursuant to Section  
21 340.1 until May 7, 2015, because Claimant first reasonably recognized that he was the victim of  
22 childhood sexual abuse no earlier than May 8, 2012. *See* Cal. Code Civ. Proc. § 340.1(a).<sup>3</sup>

23 Accordingly, the policy considerations behind Section 340.1 militate a finding that  
24 Decedent's Estate is equitably estopped from asserting that Claimant's petition should not be  
25 accepted by the Court.

26 ///

27  
28 <sup>3</sup> Claimant also has claims against [REDACTED], which similarly would be timely  
if filed by May 7, 2015. *See* Cal. Code Civ. Proc. § 340.1(a)(1) and (b)(2).



1                   ii.       **Equitable Estoppel Applies to Code of Civil Procedure Section 366.2**

2           CCP Section 366.2 provides that actions brought on the liability of a person are to be  
3 commenced within one year after the decedent's date of death – in this case, by June 24, 2010 –  
4 when the cause of action survives. Cal. Code Civ. Proc. § 366.2(a). It also states that the  
5 limitations period “shall not be tolled or extended for any reason” except as set forth in a limited  
6 number of specific situations spelled out in the statute. Cal. Code Civ. Proc. § 366.2(b). However,  
7 the statute is silent with regard to equitable considerations such as the application of equitable  
8 estoppel.

9           Equitable estoppel is a “distinct” doctrine from tolling or extension of a statute of  
10 limitations. *Battuello v. Battuello* (1999) 64 Cal. App. 4th 842, 847. Unlike tolling, which affects  
11 the commencement of the limitations period and is governed by the language of the statute itself,  
12 equitable estoppel “comes into play only after the limitations period has run and addresses itself  
13 to the circumstances in which a party will be estopped from asserting the statute of limitations as  
14 a defense.” *Id.* Thus, “[i]ts application is wholly independent of the limitations period itself” and  
15 any tolling language contained in the statute. *Id.* For those reasons, the court in *Battuello* held that  
16 equitable estoppel can apply to claims that would otherwise have been time-barred by operation  
17 of the one-year limitations period from the date of the decedent's death as set forth in Section  
18 366.2(a). *Id.* at 848.

19           In *John R. v. Oakland School Dist.* (1989) 48 Cal. 3d 438, 447, a minor sued his school  
20 district for, *inter alia*, negligence in failing to investigate the background of a teacher that  
21 sexually molested the student during the course of a school-sanctioned extracurricular activity.  
22 *John R.*, 48 Cal. 3d at 447. The Supreme Court found that equitable estoppel “may certainly be  
23 invoked when there are acts of *violence* or *intimidation* that are *intended* to prevent the filing of a  
24 claim.” *Id.* at 445 (internal citations omitted) (emphasis in original). As a result of the threats, and  
25 plaintiff's embarrassment and shame at what had happened, he did not disclose the incidents to  
26 anyone until after the statute of limitations had run. *Id.* at 444. The court further opined that the  
27 facts could demonstrate the claim *was timely under the theory of equitable estoppel* because even  
28 though the teacher's threats to retaliate against the child if he reported the incidents were likely

1 motivated by his own self-interest, it would be inconsistent with the "equitable underpinnings of  
2 the estoppel doctrine to permit the district to benefit to plaintiffs' detriment by such threats" and  
3 escape liability. *Id.* at 445-446. In support of its conclusion, the court was most concerned about  
4 investigating: (1) whether any threats were made by the molester; (2) when the effect of any such  
5 threats ceased; and (3) whether the plaintiff acted within a reasonable time after the coercive  
6 effect of the threats ended. *Id.* at 446.<sup>4</sup>

7 The three factors set forth in *John R.* have been instructive in determining the timeliness  
8 of subsequent sexual abuse actions and have forced courts to examine, among other things, the  
9 effect of threats by abusers following the abuse and the fact that the very nature of the abuse  
10 deters children from ever reporting abuse when considering whether or not a claim is timely. In  
11 *Christopher P. v. Mojave Unified School Dist.* (1993) 19 Cal. App. 4th 165, the Court of Appeal  
12 applied the *John R.* factors to an action relating to the sexual molestation of an 11-year old by a  
13 school teacher on a field trip. The Court of Appeal viewed the *John R.* equitable estoppel holding  
14 through the prism of a previous Supreme Court decision which found estoppel available in all  
15 circumstances where the defendant "has acted in an unconscionable manner or attempted to take  
16 unfair advantage of the claimant. The issue is determined from the totality of the circumstances."  
17 *Id.* at 172 (relying on *Fredrichsen v. City of Lakewood* (1971) 6 Cal.3d 353, 359 (emphasis  
18 added)). It was in this context that the court found a "simple directive 'not to tell'" may support  
19 estoppel in light of the circumstances in which the statement was uttered. *Id.* at 172. In  
20 *Christopher P.*, the fact that the directive not to tell was made by an authority figure – a teacher –  
21 to a young student in conjunction with sexual molestation was enough to invoke estoppel,  
22 particularly because "the very nature of the underlying tort deters the molested child from  
23 reporting the abuse." *Id.* at 173 (collecting cases). In support of its estoppel analysis, the Court  
24 also acknowledged that "[a] common trait of 'child sexual abuse accommodation syndrome' is  
25 the child's failure to report, or delay in reporting abuse . . . [and] a molestation coupled with a  
26 directive not to report the incident may well deter a child from promptly reporting the abuse and  
27

28 <sup>4</sup> The determination of whether a defendant should be estopped from relying on claims-  
presentation statutes was a question of fact for the fact finder. *Id.* at 446.

1 protecting his or her right to redress." *Id.* at 172; *see also Doe v. Bakersfield City School Dist.*  
2 (2006) 136 Cal. App. 4th 556, 571 (plaintiff presented evidence that, even into adulthood, he  
3 continued to be deterred by the abuser's threats and that the "question of whether the plaintiff  
4 acted within a reasonable time is measured from the time the deterrent effect of unconscionable  
5 conduct . . . ceased"); *Ortega v. Pajaro Valley Unified School Dist.* (1998) 64 Cal. App. 4th 1023,  
6 1047 (approving application of equitable estoppel based upon the totality of the circumstances to  
7 allow claim for sexual molestation that occurred seven years before the action was brought, even  
8 though claimant first made and later recanted allegations of molestation right after the acts in  
9 question occurred).

10 While heartbreaking and distressing to have to admit to the world, Claimant's relationship  
11 and interaction with Decedent is strikingly similar to those relationships described in other  
12 childhood sexual abuse cases, including the threats Decedent made to Claimant to never tell  
13 anyone about the abuse or they would both "go to jail." Robson Decl., ¶ 17. Decedent met and  
14 befriended Claimant when he was just five (5) years old and the sexual abuse began at age seven  
15 (7) and continued over a seven year span until Claimant was fourteen (14). *Id.*, ¶¶ 14-15.  
16 Decedent was not only Claimant's hero, god and idol, but was an international superstar and the  
17 stimulus for Claimant's dramatic success as a dancer and choreographer from a startlingly young  
18 age. *Id.*, ¶¶ 13, 18. Decedent said he "loved" Claimant and Claimant believed it to be true. *Id.*, ¶  
19 7. Thus, the burden of shame and guilt, coupled with Decedent's portentous threat that divulging  
20 the nature of Claimant and Decedent's relationship to anyone would mean that both would go to  
21 jail for the rest of their lives, prevented Claimant from becoming aware of his psychological  
22 injury and damage until his unexpected breakdown necessitated that he seek professional help.  
23 *Id.*, ¶ 25. Decedent manipulated Claimant into believing from a young age that no one would  
24 understand their relationship. Just as in *Doe v. Bakersfield*, it was only once Claimant was able to  
25 realize with the help of a therapist that his symptoms and his breakdown arose from childhood  
26 sexual abuse and the relationship surrounding it, that he was finally able to begin to recognize that  
27 he was a victim of childhood sexual abuse. *Id.*; *see also* [REDACTED] ¶ [REDACTED] The still-recent  
28 recognition that he was a victim of childhood sexual abuse by Decedent also explains Claimant's

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[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] In short, based upon the totality of the circumstances, Claimant's [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

Accordingly, based upon the extent of the abuse, fear, uncertainty and threat of loss of everything important in his life that Decedent instilled in Claimant from a very young age, Decedent's Estate should be equitably estopped from relying on claims presentation limitations to bar Claimant's otherwise timely and meritorious action for childhood sexual abuse.

**B. Alternatively, Claimant's Petition for Late Filing Meets the Requirements of Probate Code Section 9103**

In the alternative, Claimant's Petition meets the requirements for late filing as set out in Probate Code Section 9103. Under Section 9103, the court may allow a claim to be filed after the expiration of the time for filing a claim provided in Section 9100. *See Burgos*, 28 Cal. App. 4th 757 (relying on Section 9103(a), claimant successfully petitioned the probate court for leave to file a late claim against an estate). Section 9103 in relevant part provides for late filing when:

- (a)(2) The creditor had no knowledge of the facts reasonably giving rise to the existence of the claim more than 30 days period to the time for filing a claim as provided in Section 9100, and the petition is filed within 60 days after the creditor has actual knowledge of both of the following:
  - (A) The existence of the facts reasonably giving rise to the existence of the claim.
  - (B) The administration of the estate.
- (b) Notwithstanding subdivision (a), the court shall not allow a claim to be filed under this section after the court makes an order for final distribution of the estate.
- (c) The court may condition the claim on terms that are just and equitable, and may require the appointment or reappointment of a personal representative if necessary. The court may deny the creditor's petition if a payment to general creditors has been made and it appears that the filing or establishment of the claim would cause or tend to cause unequal treatment among creditors.
- (e) Notice of hearing on the petition shall be given as provided in Section 1220.

FILED 11/27/11



1 Claimant unquestionably meets the Section 9103 criteria: his petition for late filing is  
2 timely, the court has not made final distribution of the estate, payment or adjudication of this  
3 claim would not cause unequal treatment amongst creditors, the hearing for this petition was  
4 properly noticed, and the claim is not barred by Code Civ. Proc. § 366.2.<sup>5</sup>

5 **i. The Petition for Late Filing is Timely**

6 The Court can allow Claimant to file his Creditor's Claim against the Estate because he  
7 had "[1] no knowledge of the facts reasonably giving rise to the existence of the claim more than  
8 30 days prior to the time for filing a claim as provided in Section 9100, and [2] the petition is  
9 filed within 60 days after the creditor has actual knowledge of both of the following: (A) The  
10 existence of the facts reasonably giving rise to the existence of the claim. (B) The administration  
11 of the estate." Cal. Prob. Code § 9103(a)(2).

12 First, Claimant had no knowledge of the facts reasonably giving rise to the existence of  
13 his claims for childhood sexual abuse more than 30 days prior to the time for filing a claim as  
14 provided in Section 9100. *See* Cal. Prob. Code § 9103(a)(2). Section 9100 requires that a creditor  
15 file his claim before the later of: (1) four (4) months after the date letters are first issued to a  
16 general personal representative, or (2) sixty (60) days after the date notice of administration is  
17 mailed or personally delivered to the creditor.<sup>6</sup> Cal. Prob. Code § 9100(a)(1)-(2). The date letters  
18 were issued on August 18, 2009. Declaration of Henry Gradstein ("Gradstein Decl."), ¶ 10.  
19 Section 9100 thus would have required Claimant to have been aware of facts reasonably giving  
20 rise to the existence of his claims by December 18, 2009. Thirty (30) days prior to December 18,  
21 2009, would have been November 18, 2009. However, as described in Section III.A.i *supra*, it is  
22 clear that Claimant did not have knowledge of the facts reasonably giving rise to his claim until at  
23 the very least May 8, 2012 – the very first date he admitted to anyone that he had been sexually

24 <sup>5</sup> There is a distinct dearth of legal precedent relating to the application of Section 9103, with  
25 fewer than ten (10) published California cases discussing or even mentioning the late filing  
26 statute. The lack of case law can be attributed to the fact that an order denying a petition for late  
27 filing of a claim under Section 9103 is not an appealable order. *See Gertner v. Sup. Ct. of Orange*  
28 *County* (1993) 20 Cal. App. 4th 927, 930.

<sup>6</sup> Subsection (2) of Section 9100 is inapplicable here because Claimant never received a notice of  
administration. Robson Decl., ¶ 27.



1 abused by Decedent.

2 Second, this petition is being filed within 60 days after Claimant had actual knowledge of  
3 "both of the following: (A) The existence of the facts reasonably giving rise to the existence of  
4 the claim. (B) The administration of the estate." See Cal. Prob. Code § 9103(a)(2). As discussed  
5 *supra*, Claimant did not have actual knowledge of the facts reasonably giving rise to the existence  
6 of his claims until at least May 8, 2012. Moreover, Claimant had no knowledge of the  
7 administration of Decedent's estate until March 4, 2013.

8 A creditor has "actual knowledge" of the estate administration if he has received notice  
9 given under Probate Code Section 9050, and "constructive knowledge" through publication of a  
10 notice of death or other information that does not come to the attention of the creditor is not  
11 sufficient for the purposes of meeting the actual knowledge threshold. See *Venturi v. Taylor*  
12 (1995) 35 Cal. App. 4th 16, 24 (discussing scope of "actual knowledge" language from previous  
13 version of Section 9103(a)(1)). Claimant was not aware that the Decedent's estate had been  
14 opened for administration until he met with counsel for the very first time on March 4, 2013.  
15 Robson Decl., ¶ 27. It was at this meeting that Claimant first learned that the Estate was open and  
16 that, based upon his recent understanding that he was the victim of childhood sexual abuse,  
17 Claimant could seek to make a claim against the Estate. *Id.*, ¶ 27; Gradstein Decl., ¶ 9. This was  
18 an enormous revelation for Claimant because up until this point in time, he was unaware that he  
19 could seek redress for the most egregious abuse that he had suffered.

20 Sixty (60) days after March 4, 2013 – the first date on which Claimant was reasonably  
21 aware of the facts giving rise to the existence of his claim and had actual knowledge of the  
22 administration of Decedent's estate – is May 3, 2013.

23 Thus, this Petition meets the requirements of Section 9103(a)(2) and is timely.

24 **ii. The Court Has Not Made an Order for Final Distribution of the Estate**

25 There has not yet been an order for final distribution of the estate. See Cal. Prob. Code §  
26 9103(b). The case summary from the Los Angeles Superior Court website reflects that the Court  
27 has not entered an order for final distribution of the Estate. Gradstein Decl., ¶ 11. In fact, there are  
28 a number of hearings scheduled for the month of May, 2013. *Id.*

1 Thus, the requirements of Section 9103(b) are met.

2 **iii. Payment or Adjudication of This Claim Would Not Cause Unequal**  
3 **Treatment Amongst Creditors**

4 There is no evidence that the filing or establishment of Claimant's claim would cause or  
5 tend to cause unequal treatment among creditors of the Estate. *See* Cal. Prob. Code § 9103(c). To  
6 the contrary, Claimant's claim is highly individualized and personal, and would not affect any  
7 other creditor. To the best of Claimant's knowledge from a review of the Case Summary  
8 available on the Court's website, there are no other claims against the Estate for childhood sexual  
9 abuse. Gradstein Decl., ¶ 12.

10 Therefore, Claimant has met the requirements of Section 9103(c).

11 **ix. Notice of Hearing was Given Pursuant to Probate Code Section 1220**

12 Lastly, Section 9301 requires that notice be given in accordance with the requirements of  
13 Section 1220. *See* Cal. Prob. Code § 9103(b). Pursuant to Section 1220, notice of hearing must be  
14 given by mail at least fifteen (15) days before the time set for hearing to the Estate's personal  
15 representative as well as all persons who have requested special notice in the estate proceeding  
16 pursuant to Section 1250. Concurrent with the filing of this Petition, notice of the hearing will be  
17 sent via U.S. mail in conformance with Section 1220.

18 Accordingly, this Petition satisfies all the requirements of Section 9103, and should be  
19 accepted by the Court.

20 **III. CONCLUSION**

21 For all of the foregoing reasons, Claimant's Petition for an order allowing the timely filing  
22 of a Code of Civil Procedure Section 340.1 claim against Decedent is timely on the grounds that  
23 equitable estoppel prevents the application of other claims presentation limitations or, in the  
24 alternative for an order allowing the filing of a late claim against the Estate should be granted and  
25 that Claimant's Creditor's Claim, DE-172 shall be filed as a claim against the Estate with this  
26 Court as of the date of this order.

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DATED: April 30, 2013

Gradstein & Marzano, P.C.  
HENRY GRADSTEIN  
MARYANN R. MARZANO

By: \_\_\_\_\_

HENRY GRADSTEIN  
Attorney for Claimant  
WADE ROBSON

ATTORNEY OR PARTY WITHOUT ATTORNEY (Print name and State Bar No. if applicable) <b>Henry Gradstein, Esq. (State Bar No. 89747)</b> <b>Maryann R. Marzano (State Bar No. 96967)</b> <b>GRADSTEIN &amp; MARZANO, P.C.</b> <b>6310 San Vicente Blvd, Suite 510 Los Angeles, CA 90048</b> ATTORNEY FOR: <b>Claimant-Creditor Wade Robson</b> <b>SUPERIOR COURT OF CALIFORNIA, COUNTY OF Los Angeles</b> STREET ADDRESS: <b>111 North Hill Street, Department 5</b> MAILING ADDRESS: CITY AND ZIP CODE: <b>Los Angeles, California 90012</b> BRANCH NAME: <b>Central</b>		TELEPHONE AND FAX NOS.: FOR COURT USE ONLY <b>FILED</b> <b>Superior Court of California</b> <b>County of Los Angeles</b> <b>JUN 27 2013</b> <b>John A. Clarke, Executive Officer/Clerk</b> By <u><b>A. Watts</b></u> , Deputy <b>A. Watts</b>
ESTATE OF (Name): <b>Michael Joseph Jackson</b>	DECEDENT <b>CREDITOR'S CLAIM</b>	
CASE NUMBER: <b>BP117321</b>		

You must file this claim with the court clerk at the court address above before the LATER of (a) four months after the date letters (authority to act for the estate) were first issued to the personal representative, or (b) sixty days after the date the Notice of Administration was given to the creditor, if notice was given as provided in Probate Code section 9051. You must also mail or deliver a copy of this claim to the personal representative and his or her attorney. A proof of service is on the reverse.

**WARNING:** Your claim will in most instances be invalid if you do not properly complete this form, file it on time with the court, and mail or deliver a copy to the personal representative and his or her attorney.

- Total amount of the claim: **\$ Not yet ascertainable**
  - Claimant (name): **Wade Robson**
    - ☒ an individual
    - ☐ an individual or entity doing business under the fictitious name of (specify):
    - ☐ a partnership. The person signing has authority to sign on behalf of the partnership.
    - ☐ a corporation. The person signing has authority to sign on behalf of the corporation.
    - ☐ other (specify):
  - Address of claimant (specify): **c/o Gradstein & Marzano, P.C.**  
**6310 San Vicente Boulevard, Suite 510 Los Angeles, California 90048**
  - Claimant is ☒ the creditor ☐ a person acting on behalf of creditor (state reason):
  - ☐ Claimant is ☐ the personal representative ☐ the attorney for the personal representative.
  - I am authorized to make this claim which is just and due or may become due. All payments on or offsets to the claim have been credited. Facts supporting the claim are ☐ on reverse ☒ attached.
- I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.
- Date: **April 30, 2013**

**Wade Robson, Claimant**  
 (TYPE OR PRINT NAME AND TITLE)

(SIGNATURE OF CLAIMANT)

#### INSTRUCTIONS TO CLAIMANT

- On the reverse, itemize the claim and show the date the service was rendered or the debt incurred. Describe the item or service in detail, and indicate the amount claimed for each item. Do not include debts incurred after the date of death, except funeral claims.
- If the claim is not due or contingent, or the amount is not yet ascertainable, state the facts supporting the claim.
- If the claim is secured by a note or other written instrument, the original or a copy must be attached (state why original is unavailable.) If secured by mortgage, deed of trust, or other lien on property that is of record, it is sufficient to describe the security and refer to the date or volume and page, and county where recorded. (See Prob. Code, § 9152.)
- Mail or take this original claim to the court clerk's office for filing. If mailed, use certified mail, with return receipt requested.
- Mail or deliver a copy to the personal representative and his or her attorney. Complete the *Proof of Mailing or Personal Delivery* on the reverse.
- The personal representative or his or her attorney will notify you when your claim is allowed or rejected.
- Claims against the estate by the personal representative and the attorney for the personal representative must be filed within the claim period allowed in Probate Code section 9100. See the notice box above.

(Continued on reverse)

**CREDITOR'S CLAIM**  
 (Probate)

Probate Code, §§ 9000 et seq., 9153

Form Approved by the  
 Judicial Council of California  
 DE-172 (Rev. January 1, 1995)

REDACTED AND RE-FILED PURSUANT TO COURT  
 ORDER ENTERED JUNE 25, 2013



ESTATE OF (Name): <b>Michael Joseph Jackson</b>	DECEDENT	CASE NUMBER: <b>BP117321</b>
--	----------	---------------------------------

FACTS SUPPORTING THE CREDITOR'S CLAIM		
Date of item	Item and supporting facts	Amount claimed
	<input checked="" type="checkbox"/> See attachment (if space is insufficient) <b>The Claim is for childhood sexual abuse as described in the unfiled Complaint for Childhood Sexual Abuse pursuant to Code Civ. Proc. ("CCP") § 340.1 attached hereto as Exhibit 1.</b>  <b>The facts supporting the Claim are contained in:</b> 1. Prob. Code Section 9151 Declaration by Claimant Wade Robson in Support of Creditor's Claim and Petition for Order to Allow Filing of Late Claim Against Estate filed concurrently herewith; 2. Declaration of Henry Gradstein in Support of Petition for Order to Allow Filing of Late Claim Against Estate; and Attached Certificates of Merit by Mental Health Practitioner Dr. David Arredondo and Henry Gradstein, filed concurrently herewith ("Gradstein Decl."); 3. Certificate of Merit by Mental Health Practitioner Dr. David Arredondo pursuant to CCP § 340.1(h) attached to Gradstein Decl. as Exhibit A; 4. Certificate of Merit by Henry Gradstein pursuant to CCP § 340.1(h) regarding DOE 1 attached to Gradstein Decl. as Exhibit B.	
<b>TOTAL:</b>		<b>\$</b>

**PROOF OF** ☐ **MAILING** ☐ **PERSONAL DELIVERY** **TO PERSONAL REPRESENTATIVE**  
*(Be sure to mail or take the original to the court clerk's office for filing)*

- I am the creditor or a person acting on behalf of the creditor. At the time of mailing or delivery I was at least 18 years of age.
- My residence or business address is (specify):
- I mailed or personally delivered a copy of this Creditor's Claim to the personal representative as follows (check either a or b below):
  - ☐ **Mail.** I am a resident of or employed in the county where the mailing occurred.
    - I enclosed a copy in an envelope AND
      - ☐ deposited the sealed envelope with the United States Postal Service with the postage fully prepaid.
      - ☐ placed the envelope for collection and mailing on the date and at the place shown in items below following our ordinary business practices. I am readily familiar with this business' practice for collecting and processing correspondence for mailing. On the same day that correspondence is placed for collection and mailing, it is deposited in the ordinary course of business with the United States Postal Service in a sealed envelope with postage fully prepaid.
    - The envelope was addressed and mailed first-class as follows:
      - Name of personal representative served:
      - Address on envelope:
      - Date of mailing:
      - Place of mailing (city and state):
  - ☐ **Personal delivery.** I personally delivered a copy of the claim to the personal representative as follows:
    - Name of personal representative served:
    - Address where delivered:
    - Date delivered:
    - Time delivered:

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Date:

**SEE PROOF OF SERVICE AT END OF DOCUMENT**

(TYPE OR PRINT NAME OF CLAIMANT)

(SIGNATURE OF CLAIMANT)





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Exhibit 1



**mjfacts.com**

1 GRADSTEIN & MARZANO, P.C.  
2 Henry Gradstein (State Bar No. 89747)  
hgradstein@gradstein.com  
3 Maryann R. Marzano (State Bar No. 96867)  
mmarzano@gradstein.com  
4 6310 San Vicente Boulevard, Suite 510  
Los Angeles, California 90048  
Telephone: (323) 302-9488  
5 Attorneys for Plaintiff Wade Robson

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7  
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10 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
11 COUNTY OF LOS ANGELES  
12

13  
14 WADE ROBSON, an individual,  
15 Plaintiff,  
16 vs.

17 DOE 1, an individual; DOE 2, a California  
18 corporation; DOE 3, a California corporation;  
and DOES 4-50, inclusive,  
19 Defendants.  
20

Case No.

**COMPLAINT FOR CHILDHOOD  
SEXUAL ABUSE**

(California Code of Civil Procedure  
Section 340.1)

*Jury Trial Demanded*

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COMPLAINT

1 Plaintiff WADE ROBSON hereby makes this claim for childhood sexual abuse and alleges  
2 as follows:

3 **CAUSE OF ACTION FOR CHILDHOOD SEXUAL ABUSE**

4 **(Against All Defendants Pursuant to Cal. Code Civ. Proc. § 340.1)**

5 **Parties**

6 I. Plaintiff WADE ROBSON ("Plaintiff") is a thirty (30) year old male individual and  
7 resident of the County of Los Angeles, State of California. Plaintiff was born in Australia and  
8 immigrated to Los Angeles, California at the age of eight (8) on or about September 1, 1991.  
9 Plaintiff has been dancing since at least the age of five (5) and is an internationally acclaimed  
10 director and choreographer of innumerable international music tours, television performances,  
11 music videos, and commercials, as well as a theatrical motion picture. He has also achieved  
12 substantial success as a musical producer and songwriter, whose songs are contained on albums  
13 that have sold in excess of 17 million copies worldwide, as well as having been signed as a  
14 recording artist to a major label record company, along with acting and hosting his own television  
15 show on MTV, as well as having been offered roles on other network television shows. He is the  
16 recipient of an Emmy award for outstanding choreography and has received numerous other  
17 professional accolades for his work since the age of 5. At all times relevant herein, Plaintiff was a  
18 minor child entrusted to Doe 1, Doe 2 and Doe 3's care within the State of California as described  
19 more fully below.

20 2. Defendant DOE 1, a male individual, was one of the most famous and successful  
21 entertainers in pop music history. Plaintiff is informed, believes, and thereupon alleges that, at all  
22 times relevant herein, Doe 1 was a resident of the State of California and maintained residences in  
23 the Counties of Los Angeles and Santa Barbara. Plaintiff is further informed and believes, and  
24 thereupon alleges, that Doe 1 died in Los Angeles, California on June 25, 2009, at the age of fifty  
25 (50). The estate of Doe 1 is currently in administration before the Probate Court of the County of  
26 Los Angeles.

27 3. Plaintiff is informed and believes, and thereupon alleges, that Defendant DOE 2 is

28 a

1 [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]  
5 [REDACTED]  
6 [REDACTED]

7 4. Plaintiff is informed and believes, and thereupon alleges, that Defendant DOE 3 is  
8 a California corporation, with a principal place of business located in the County of Los Angeles,  
9 [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]  
14 [REDACTED]

15 5. In doing the acts complained of herein, Doe 1 acted individually and through the  
16 instrumentalities of Defendants Doe 2 and Doe 3, who were his co-conspirators, alter egos, aiders,  
17 abettors and agents for the nefarious acts alleged herein. As a result thereof, Defendants Doe 2 and  
18 Doe 3 are liable for Doe 1's acts of childhood sexual abuse pursuant to Code of Civil Procedure  
19 Section 340.1(a)(2) and (3). Defendant Doe 1 is also personally liable for his acts of childhood  
20 sexual abuse pursuant to Code of Civil Procedure Section 340.1(a)(1).

21 6. Plaintiff is ignorant of the true names and capacities, whether individual, corporate,  
22 and associate or otherwise, of the remaining Doe Defendants sued herein, and sues each of them  
23 by such fictitious names. Plaintiff is informed and believes, and thereupon alleges, that each of  
24 the Defendants DOES 4 through 50, inclusive, is, and at all times relevant herein was, in some  
25 manner responsible for the wrongful acts as herein alleged and/or participated in or contributed to  
26 the matters and things of which Plaintiff complains herein, and in some fashion has legal  
27 responsibility. When Plaintiff ascertains the names and capacities of the fictitiously named

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1 Defendants DOES 4 through 50, inclusive, Plaintiff will seek leave to amend this Complaint to set  
2 forth such facts.

3 7. Plaintiff is informed and believes, and thereupon alleges, that each Defendant is,  
4 and at all times relevant herein was, the co-conspirator, alter ego, aider, abettor and agent of his,  
5 her or its co-Defendants, and in committing the acts alleged herein, was acting within the scope of  
6 his, her or its authority as such and with the knowledge, permission and consent of his, her or its  
7 co-Defendants. All actions of each Defendant were ratified and approved by every other  
8 Defendant.

9 General Allegations

10 8. Plaintiff was born in Australia on September 17, 1982. One of his earliest  
11 memories, from age two (2), is of his mother showing him her video cassette of Doe 1's "The  
12 Making of Thriller." Plaintiff was instantly fascinated with the video and watched it every day. He  
13 quickly began to emulate Doe 1's dance moves. Over the next few years, his fascination with Doe  
14 1 and dancing and being like him grew into an obsession. Doe 1 became "God" to Plaintiff.

15 9. In November 1987, when Plaintiff was five (5) years old, he entered a dance-a-like  
16 competition run by [REDACTED] in conjunction with Doe 1's music tour in Australia. Plaintiff won the  
17 competition, and the prize was a meet-and-greet with Doe 1 following one of his concerts. The  
18 meet-and-greet went well, and Doe 1 invited Plaintiff to dance on stage with him at a concert a  
19 few nights later. Plaintiff and his mother also spent a few hours visiting with Doe 1 in his hotel  
20 suite the next day.

21 10. Plaintiff's life became all about dance performances, imitating Doe 1. Two years  
22 later, in or about January 1990, when Plaintiff was 7 years old, Plaintiff and his family took a trip  
23 to California because Plaintiff's dance company, Johnny Young Talent School, was invited to  
24 perform at Disneyland. Plaintiff's mother, father, sister (not brother) and maternal grandparents  
25 accompanied Plaintiff as the idea was to also turn the trip into a family vacation. After the  
26 performance, Plaintiff's mother contacted Norma Staikos (Doe 1's personal assistant [REDACTED]) and  
27 a meeting was arranged for Plaintiff to meet with Doe 1 at a recording studio in Van Nuys,

28

1 California on the following day, February 2, 1990. Following that meeting Doe 1 invited the entire  
2 family to stay the weekend at his ranch in Santa Barbara County, "Neverland," which they did.

3 11. The first night of the weekend, on or about February 3, 1990, Plaintiff and his sister  
4 slept in Doe 1's bedroom (a two floor bedroom suite with beds both in the downstairs and upstairs  
5 areas), in the same bed with Doe 1 downstairs. The rest of the family slept in the separate guest  
6 quarters. Doe 1 employed an alarm system on his bedroom so as to prevent others from entering  
7 without his knowledge. Audible alarms would go off in his bedroom once anyone began to enter  
8 the approximately 30-foot hallway that led to his room. Doe 1 would also hang "do not disturb"  
9 signs on the bedroom door. It was an unspoken rule not to enter Doe 1's room while he was there.

10 12. The next night, Plaintiff's sister, who was 3 years older than Plaintiff, expressed  
11 concern about sleeping in the same bed with Doe 1, and suggested they both sleep upstairs.  
12 Plaintiff declined and again slept with Doe 1 downstairs. The sexual activities began on or about  
13 that night, February 4, 1990. [REDACTED]

[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED] That was the beginning of Doe 1's sexual abuse of Plaintiff which over the next 7

17 years would regularly include sexual acts as described in paragraph 23 below.

18 13. That first night, Doe 1 began telling Plaintiff, "We can never tell anyone what WE  
19 are doing. People are ignorant and they would never understand that we love each other and this is  
20 how we show it. If anyone were to ever find out, OUR lives and careers would be over." Plaintiff  
21 swore to Doe 1 that he would never tell a soul.

22 14. Plaintiff's family left the ranch on Monday to continue their road trip, but left  
23 Plaintiff behind to stay with Doe 1. Plaintiff slept in Doe 1's bed every night and sexual abuse  
24 took place every night. Plaintiff's family returned to stay with Plaintiff at the ranch the following  
25 weekend. Again, Plaintiff slept in bed with Doe 1 while the family slept elsewhere in the house.  
26 The sexual abuse continued on each of those nights. The following Monday, Plaintiff, his mother  
27 and sister went to stay with Doe 1 at his apartment in the Westwood section of Los Angeles on  
28 Wilshire Blvd, across the street from a Holiday Inn, while Plaintiff's father and grandparents

1 continued on their road trip for a few more days. Plaintiff slept with Doe 1 in his bed at the  
2 Westwood apartment; Plaintiff's mother and sister stayed across the street at the Holiday Inn  
3 hotel. The sexual abuse occurred on each of those nights as well. Later that week, the entire  
4 family returned to Australia.

5 15. It was during this first trip that Doe 1 gave Plaintiff the nickname "little one." Doe  
6 1 continued to call Plaintiff "little one" until his death in 2009.

7 16. It was also on this trip that Doe 1 began to fill Plaintiff with information such as,  
8 "Study the greats and become greater. Be the best or nothing at all. Rule the world. Be in the  
9 history books. Immortalize yourself," and prophesied that Plaintiff "will be a film director bigger  
10 than Steven Spielberg." As far as Plaintiff was concerned, his fate was written.

11 17. Over the next two years, until approximately September 1, 1991, when Plaintiff, his  
12 mother and sister moved to California, Plaintiff and his mother remained in constant contact with  
13 Doe 1. During this period, Plaintiff and Doe 1 would frequently speak on the telephone for hours  
14 each week. Plaintiff and Doe 1 would constantly send faxes back and forth to each other.  
15 Plaintiff's mother was also in regular contact with Norma Staikos [REDACTED] and  
16 arranged for Plaintiff and his mother to travel to California to be with Doe 1 on two occasions, one  
17 for one week and one for approximately six weeks. Whenever Plaintiff was with Doe 1 during this  
18 period, they slept together in the same bed and the sexual abuse continued every night they were  
19 together. On these visits, Doe 1 began to show Plaintiff explicit adult porn in the form of  
20 magazines, books and videos. Doe 1 encouraged Plaintiff to call him "Dad" and Doe 1 would call  
21 Plaintiff "son." Doe 1 told Plaintiff that he loved him.

22 18. Eventually, in order to arrange for their immigration to America, Doe 1 arranged  
23 for [REDACTED] to hire Plaintiff and his mother, and arranged for Plaintiff, his  
24 mother and sister to move permanently to California. [REDACTED] applied for an H1-B visa in  
25 September 1991 for Plaintiff to work with Doe 1 on various projects. According to the visa  
26 application, Plaintiff was [REDACTED] Doe 2 and Doe 3 also [REDACTED]

[REDACTED]  
[REDACTED] The visa applications and related

1 correspondence refer to [REDACTED]  
[REDACTED] submitted an application for an H-4 visa for Plaintiff's minor  
3 sister so that she could accompany Plaintiff and his mother.  
4 19. Plaintiff's father and brother, approximately 10 years older than Plaintiff, stayed in  
5 Australia. By then, Plaintiff's father had been diagnosed with bi-polar disorder and his relationship  
6 with Plaintiff's mother had deteriorated. Plaintiff recalls the date of their move to California  
7 because it was 2 weeks before he turned nine (9) on September 17, 1991.  
8 20. [REDACTED]  
9 Plaintiff's mother acted as his manager. She also acted as a "talent recruiter" with responsibility  
10 for recruiting Australian talent [REDACTED] However, Doe 1 was not concerned with  
11 her efforts to recruit Australian talent and focused more on Plaintiff, often asking Plaintiff's  
12 mother to drop Plaintiff off and pick him up for visits with Doe 1 at his condo in Century City  
13 which Doe 1 nicknamed "The Hideout." In or about 1993, Plaintiff's mother went to work for a  
14 hair studio and makeup company for which she was paid a salary [REDACTED] for  
15 several years. After Plaintiff's mother stopped working for the hair and makeup company [REDACTED]  
[REDACTED] Plaintiff's understanding of the need for  
17 this arrangement was to facilitate their immigration and continued stay in America. Plaintiff's  
18 mother stopped [REDACTED] in or about 1998, once she, Plaintiff and  
19 Plaintiff's sister received permanent resident status in the United States.  
20 21. Doe 1 arranged for Plaintiff to dance in some of his music videos, which helped  
21 Plaintiff get a dance agent and start his career in Los Angeles. By age eleven (11), Plaintiff was  
22 part of a musical group and released an album on Doe 1's record label. He also formed a troupe of  
23 dancing children which made appearances nationwide. By the age of 14, he received his first job  
24 as a stage choreographer for a musical group which led to many others for internationally renowned  
25 recording artists, choreographing and directing tours, television performances and choreographing  
26 commercials, all while he was still a teenager. Doe 1 was his father figure and mentor.  
27 22. The sexual activities between Doe 1 and Plaintiff continued regularly in total for a  
28 seven (7) year period from the time Plaintiff was seven (7) years old to the time until Plaintiff was





1 investigation of Doe 1. Plaintiff was subpoenaed to testify before a Grand Jury in Los Angeles. He  
2 was 11 years old. Doe 1 selected, hired and paid for counsel who represented Plaintiff in relation  
3 to his Grand Jury subpoena, to which Plaintiff's mother refused to let him testify. As a result of  
4 Plaintiff's refusal, Judge Lance Ito (the Judge in the O.J. Simpson 1994 criminal case) charged  
5 Plaintiff with contempt. A juvenile officer met with Plaintiff and his mother and told them he had  
6 to consider Plaintiff a child charged with a crime and possibly take Plaintiff to juvenile  
7 incarceration. A compromise was negotiated through Doe 1's attorneys whereby Plaintiff would  
8 testify in a private session, not before the full Grand Jury panel.

9         26. When the Jordan Chandler child sexual abuse allegations surfaced, Doe 1 would  
10 telephone Plaintiff nearly every day and speak with him for hours on the phone prior to Plaintiff's  
11 testimony. Doe 1 actively and consciously coached Plaintiff in the form of role playing and would  
12 say to Plaintiff on the phone, "You know they are listening right now. They are saying we did all  
13 of this disgusting sexual stuff. We never did any of that, right?" Plaintiff would play along and  
14 answer, "No way!"

15         27. Doe 1 told Plaintiff who was then 11 years old that if he ever told anyone about  
16 what they did, it would ruin both of them "and we [Plaintiff and Doe 1] would go to jail for the  
17 rest of our lives. Our lives and careers would be over. We've got to fight this. We've got to beat  
18 them together." In Plaintiff's words, Doe 1 "brain washed" him into being a "good soldier" for  
19 Doe 1. Moreover, Plaintiff, as most victims, loved Doe 1 unconditionally as a father and mentor  
20 and did not want anything harmful to happen to him. When finally brought in for questioning,  
21 Plaintiff denied any sexual abuse. The Chandler civil suit was settled on January 25, 1995 and the  
22 criminal charges were dropped. Thereafter, both as a child and as an adult, Plaintiff continued an  
23 internationally acclaimed career as a performer, musical songwriter and producer, director and  
24 choreographer of innumerable international music tours, television performances, music videos  
25 and commercials.

26         28. In 2002, when Plaintiff was twenty (20) years old, Plaintiff's father committed  
27 suicide by hanging himself. Plaintiff recently learned from his father's sister that the thought that  
28

1 Plaintiff might have been sexually abused by Doe 1 was a huge source of anxiety and depression  
2 for his father.

3 29. In 2005, Doe 1 was tried in Santa Barbara for child sexual abuse, among other  
4 counts. Plaintiff was subpoenaed to testify. Doe 1 continued to call him constantly and perform  
5 similar role playing as he did with Plaintiff during the Chandler investigation, telling Plaintiff  
6 "They are making up all these lies about you and I, saying that we did all this disgusting sexual  
7 stuff. They are just trying to take US down, take away my power and my money, take away OUR  
8 careers. We can't let them do this. We have to fight them together." Plaintiff's state of mind was  
9 the same as when he testified in connection with the criminal investigation in late 1993. Plaintiff  
10 had completely "compartmentalized" those events as separate from and unrelated to the rest of his  
11 life and did not believe or understand that he had been sexually abused. Plaintiff testified in that  
12 trial on May 5, 2005 and denied that sexual abuse had occurred.

13 30. On June 25, 2009, Doe 1 died.

14 31. In 2011, Plaintiff was hired to direct his first theatrical motion picture, Step Up 4, a  
15 dance film with an approximate \$30 million budget. It was the start of the culmination of  
16 everything he and Doe 1 had hoped that Plaintiff would accomplish - Plaintiff believed Doe 1's  
17 prophecy about Plaintiff was coming true. At the end of April 2011, for reasons unknown to him  
18 at the time, Plaintiff was overwhelmed with stress and anxiety and quit the film shortly before the  
19 start of principal photography. Plaintiff then suffered the first of his two (2) nervous breakdowns  
20 with the inability to function in everyday society. To help cope and find an answer as to what  
21 Plaintiff was going through, as he was unable to continue working whatsoever, he began seeing a  
22 cognitive psychologist on May 16, 2011, for approximately one (1) month. They discussed Doe 1,  
23 but Plaintiff did not tell [REDACTED] about their sexual activities.

24 32. Plaintiff began to work again a couple of months later in mid-July 2011 with his  
25 former sense of "invincibility." But then he had his second and final nervous breakdown in March  
26 2012. He has not worked since and no longer is able to work in his former professions in the  
27 entertainment industry at all. Plaintiff did not understand at the time of his second nervous  
28 breakdown the reasons he was unable to work and continue doing what he used to love.

1 33. In approximately mid-April 2012 Plaintiff began insight-oriented psychotherapy  
2 with a skilled psychotherapist [REDACTED] with whom he met twice a week in the  
3 beginning and subsequently saw once a week. It took until May 8, 2012 before Plaintiff began to  
4 tell [REDACTED] about his sexual activities with Doe. This was the first person on the planet that the  
5 Plaintiff shared this information with. Thereafter, he gradually came to understand and admit that  
6 he was sexually abused as a child and that this childhood sexual abuse caused psychological  
7 injury, illness and damage. Plaintiff did not discover or reasonably could have discovered that his  
8 psychological injury, illness and damage was caused by childhood sexual abuse until after his  
9 second breakdown led him to begin insight-oriented psychotherapy with [REDACTED]

10 **Charging Allegations**

11 34. As set forth more fully above, Doe 1, together with his co-conspirators, alter egos,  
12 aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against  
13 Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have  
14 been proscribed by Section 266j of the Penal Code or any prior laws of California of similar effect  
15 at the time the act was committed by intentionally giving, transporting, providing, or making  
16 available, or offering to give, transport, provide, or make available to another person, Plaintiff who  
17 was a child under the age of sixteen (16) for the purpose of any lewd or lascivious act as defined in  
18 Penal Code Section 288, or by causing, inducing, or persuading Plaintiff, a child under the age of  
19 sixteen (16), to engage in such an act with another person.

20 35. As set forth more fully above, Doe 1, together with his co-conspirators, alter egos,  
21 aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against  
22 Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have  
23 been proscribed by Section 286(b)(1) of the Penal Code or any prior laws of California of similar  
24 effect at the time the act was committed by participating in [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

28 36. As set forth more fully above, Doe 1, together with his co-conspirators, alter egos,



1 aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against  
2 Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have  
3 been proscribed by Section 286(b)(2) of the Penal Code or any prior laws of California of similar  
4 effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

8 37. As set forth more fully above, Doe 1, together with his co-conspirators, alter egos,  
9 aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against  
10 Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have  
11 been proscribed by Section 286(c)(2)(A) of the Penal Code or any prior laws of California of  
12 similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

16 38. As set forth more fully above, Doe 1, together with his co-conspirators, alter egos,  
17 aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against  
18 Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have  
19 been proscribed by Section 286(c)(2)(C) of the Penal Code or any prior laws of California of  
20 similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

25 39. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
26 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
27 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
28 and which would have been proscribed by Section 288(a) of the Penal Code or any prior laws of



1 California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

6 40. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
7 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
8 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
9 and which would have been proscribed by Section 288(b)(1) of the Penal Code or any prior laws  
10 of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

15 41. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
16 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
17 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
18 and which would have been proscribed by Section 288a(b)(1) of the Penal Code or any prior laws  
19 of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]

22 42. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
23 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
24 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
25 and which would have been proscribed by Section 288a(b)(2) of the Penal Code or any prior laws  
26 of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]

1 [REDACTED]  
2 43. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
3 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
4 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
5 and which would have been proscribed by Section 288a(c)(1) of the Penal Code or any prior laws  
6 of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

10 44. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
11 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
12 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
13 and which would have been proscribed by Section 288a(c)(2)(A) of the Penal Code or any prior  
14 laws of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]

17 45. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
18 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
19 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
20 and which would have been proscribed by Section 288a(c)(2)(B) of the Penal Code or any prior  
21 laws of California of similar effect at the time the act was committed by [REDACTED]  
[REDACTED]  
[REDACTED]

25 46. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
26 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
27 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
28 and which would have been proscribed by Section 288a(c)(2)(C) of the Penal Code or any prior

1 laws of California of similar effect at the time the act was committed by [REDACTED]  
2 [REDACTED]  
3 [REDACTED]  
4 [REDACTED]

5 47. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
6 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
7 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
8 and which would have been proscribed by Section 288a(c)(3) of the Penal Code or any prior laws  
9 of California of similar effect at the time the act was committed by [REDACTED]  
10 [REDACTED]  
11 [REDACTED]  
12 [REDACTED]  
13 [REDACTED]

14 48. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
15 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
16 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
17 and which would have been proscribed by Section 289(h) of the Penal Code or any prior laws of  
18 California of similar effect at the time the act was committed by [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]

24 49. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
25 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed  
26 the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18)  
27 and which would have been proscribed by Section 289(i) of the Penal Code or any prior laws of  
28 California of similar effect at the time the act was committed by [REDACTED]

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50. On multiple occasions, as set forth more fully above, Doe 1, together with his co-conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have been proscribed by Section 289(j) of the Penal Code or any prior laws of California of similar effect at the time the act was committed by [REDACTED]

[REDACTED]

51. On multiple occasions, as set forth more fully above, Doe 1, together with his co-conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3, intentionally committed the following act against Plaintiff that occurred when Plaintiff was under the age of eighteen (18) and which would have been proscribed by Section 647.6(a)(1) of the Penal Code or any prior laws of California of similar effect at the time the act was committed by [REDACTED]

[REDACTED]

52. On multiple occasions, as set forth more fully above, Doe 1, together with his co-conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3 [REDACTED]

[REDACTED]

06/27/2018

1 53. On multiple occasions, as set forth more fully above, Doe 1, together with his co-  
2 conspirators, alter egos, aiders and abettors and agents Doe 2 and Doe 3 [REDACTED]  
[REDACTED]  
[REDACTED]  
[REDACTED]

6 54. The physical contact alleged above, offends one's reasonable sense of personal  
7 dignity.

8 55. Doe 1's acts were performed in co-conspiracy and with the aid and abetment and  
9 full knowledge and approval of the other Defendants.

10 56. Defendants' conduct alleged above would cause a reasonable person to suffer  
11 severe mental and emotional distress.

12 57. But for the psychological injury, illness and damage caused by the childhood  
13 sexual abuse as alleged herein, Plaintiff would have continued on as one of the most successful  
14 talents in the entertainment industry. Virtually no other individual to date in the entertainment  
15 industry has achieved success in so many diverse areas. It is not a question of whether Plaintiff  
16 would have been successful; Plaintiff had already been successful in the following areas: (i) as a  
17 recording artist signed to a major label, as well as having been offered several other major label  
18 record deals; (ii) a multi-platinum selling songwriter and musical producer, whose songs are  
19 contained on albums which have sold in excess of 17 million copies worldwide; (iii) as a dancer  
20 and Emmy award winning choreographer, as well as having been a talent judge on a major  
21 network television program; (iv) director of live stage productions, major concert stadium tours,  
22 numerous television performances at the Grammys, MTV Music Video Awards, Billboard Awards  
23 and many others, directing music videos, and theatrical motion pictures; and (v) acting (having  
24 hosted his own MTV television series entitled the "Wade Robson Project") as well being offered  
25 leads in other network television series. Plaintiff directed major worldwide stadium concert  
26 productions for international superstar groups, in which he was responsible for production budgets  
27 of between \$8-9 million dollars; he also was director of choreography for various live stage  
28 shows, including Cirque du Soleil in Las Vegas; and was offered direction of the opening



1 sequence of the Oscars as well as the motion picture alleged above. [REDACTED] one of the most  
2 successful executives in the history of the music business, having sold his company, [REDACTED]  
3 and [REDACTED] for \$2.7 billion, personally identified Plaintiff as one of the three most  
4 talented songwriters with whom he has worked. Very few others have been able to achieve success  
5 in so many diverse areas, and all of which has now come to an end.

6 58. As a direct and proximate result of Defendants' childhood sexual abuse, rather than  
7 continue on his career path and become an international superstar, Plaintiff now only associates  
8 the entertainment industry with the psychological injury, illness and damage resulting from  
9 Defendants' despicable conduct. Plaintiff has been unable to work and has been forced to decline  
10 many prestigious and lucrative job offers, such as directing the opening number for the Academy  
11 Awards (Oscars), major worldwide tours for [REDACTED] and various stage  
12 and stadium concert productions for other superstars. In addition, Plaintiff is unable to continue  
13 writing songs or producing music, as well as being unable to continue performing and directing in  
14 any manner or capacity whatsoever.

15 59. As a direct and proximate result of Defendants' childhood sexual abuse as alleged  
16 above, Plaintiff has suffered and will continue to suffer (a) severe mental and emotional distress  
17 including, but not limited to, severe anxiety, stress, anger, fear, low self-esteem, shame,  
18 humiliation, depression and physical distress; (b) expenses for mental health professionals and  
19 other medical treatment; and (c) loss of past and future earnings and other economic benefits  
20 according to proof at the time of trial.

21 60. Defendants' conduct alleged above was intentional, outrageous, malicious,  
22 despicable and beyond the bounds of decent behavior. Defendants committed the foregoing  
23 despicable acts, intentionally, maliciously, wantonly, oppressively and with a conscious disregard  
24 for Plaintiff's rights as a child. Plaintiff is therefore entitled to punitive damages against all  
25 Defendants in an amount sufficient to punish, deter and make an example of them according to  
26 proof at trial.

27 ///

28 ///

**PRAYER FOR RELIEF**

Wherefore, Plaintiff prays for Judgment against Defendants and each of them as follows:

1. For compensatory damages according to proof;
2. For punitive damages according to proof;
3. For an award of interest, including prejudgment interest, at the legal rate;
4. For an award of attorneys' fees, to the extent permitted by law;
5. For costs of suit incurred herein; and
6. For such other and further relief as the Court deems just and appropriate.

Dated: April 30, 2013

GRADSTEIN & MARZANO, P.C.  
HENRY GRADSTEIN  
MARYANN R. MARZANO

By: \_\_\_\_\_

Henry Gradstein  
Attorneys for Plaintiff WADE ROBSON

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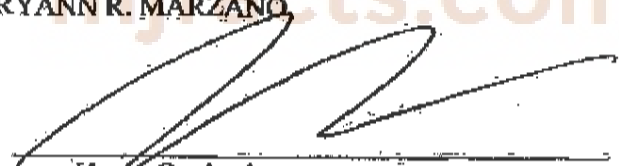
**DEMAND FOR JURY TRIAL**

A trial by Jury is hereby demanded by Plaintiff.

Dated: April 30, 2013

GRADSTEIN & MARZANO, P.C.  
HENRY GRADSTEIN  
MARYANN R. MARZANO

By:



Henry Gradstein  
Attorneys for Plaintiff WADE ROBSON

**PROOF OF SERVICE**

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 6310 San Vicente Boulevard, Suite 510, Los Angeles, California 90048-5418.

On May 1, 2013 I served the following documents described as:

- **CREDITOR'S CLAIM, DE-172 WITH UNFILED COMPLAINT FOR CHILDHOOD SEXUAL ABUSE**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as follows:

Howard Weitzman, Esq. Kinsella Weitzman Iser Kump & Aldisert LLP 808 Wilshire Boulevard, 3rd Floor Santa Monica, CA 90401 Telephone: (310) 566-9811 Facsimile: (310) 556-9871 <a href="mailto:hweitzman@kwikalaw.com">hweitzman@kwikalaw.com</a>  <b>Counsel for the Executors of the Estate of Michael Joseph Jackson</b>	John Branca, Esq. Ziffren Brittenham LLP 1801 Century Park West Los Angeles, CA 90067-6406 Telephone: (310) 552-3388 Facsimile: (310) 553-7068  <b>Co-Executor of the Estate of Michael Joseph Jackson</b>	John McLain Marvin's Room Recording Studio 6553 W Sunset Boulevard Los Angeles, CA 90028 Telephone: (310) 553-4494  <b>Co-Executor of the Estate of Michael Joseph Jackson</b>
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☒ **(BY MAIL)**

☒ I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

☒ I am readily familiar with the business practice of my place of employment in respect to the collection and processing of correspondence, pleadings and notices for mailing with United States Postal Service. The foregoing sealed envelope was placed for collection and mailing this date consistent with the ordinary business practice of my place of employment, so that it will be picked up this date with postage thereon fully prepaid at Beverly Hills, California, in the ordinary course of such business.

☒ (STATE)I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct.

Executed on May 1, 2013 at Los Angeles, California.



Catherine Alred

PROOF OF SERVICE

06/27/2013