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9 Attorneys for Plaintiff
10 JANE DOE

11
12 **SUPERIOR COURT OF THE STATE OF CALIFORNIA**
13 **FOR THE COUNTY OF LOS ANGELES**
14

15 JANE DOE, an individual,
16 Plaintiff,

17 vs.

18 UNRULY AGENCY LLC, a California
19 Limited Liability Company; and DOES 1-10,

20 Defendant.
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**[ACTION FILED PURSUANT TO
CAL. CIV. CODE § 1708.85]**

CASE NO:

COMPLAINT FOR:

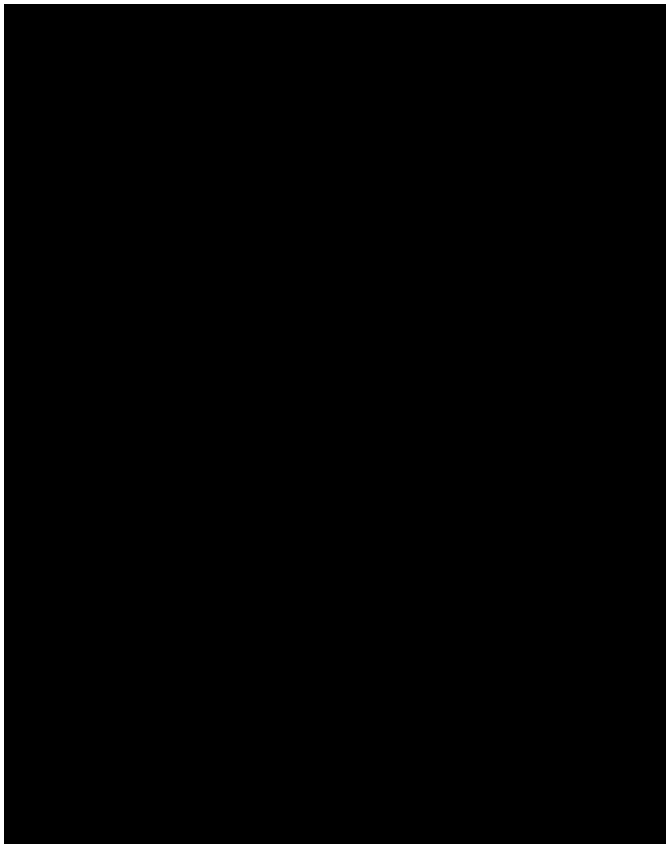
1. **VIOLATION OF CAL. CIV. CODE § 1708.85 (REVENGE PORN)**
2. **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**
3. **NEGLIGENCE**

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2 Plaintiff Jane Doe (“Plaintiff”), by and through her undersigned attorneys, submits this
3 Complaint against Defendant Unruly Agency LLC (“Unruly”) and in support thereof, avers as
4 follows:

5 **INTRODUCTION**

6 1. Plaintiff is a well-known swimsuit model who hired Unruly “Agency” for
7 growth and support on various social media platforms. As part of the “services” provided,
8 Unruly invited models to photo shoots in rented mansions in the Hollywood Hills under the
9 pretense of “creating content” for Plaintiff’s social media.

10 2. Although it was made clear to Unruly on multiple occasions that Plaintiff was
11 not comfortable with the publication of nude images due to her career plans after modeling,
12 Unruly covertly took nude photographs of Plaintiff while she was changing at one of the above
13 mentioned “photo shoots” without Plaintiff’s knowledge or consent, including the following
14 image (the “Illicit Photo”):



1 or distributed to her fans. Unruly ignored this, and virtually everything else Ms. Doe asked them
2 to do on her behalf.

3 14. In fact, Ms. Doe persistently informed a revolving door of Unruly employees that
4 they were not doing their job – on some occasions Unruly left hundreds of fan messages
5 unanswered for weeks. The reality is that Unruly did hardly any work at all for Ms. Doe, and
6 when they did do work, they did not do it competently or professionally. After several months,
7 Ms. Doe had had enough and no longer wanted Unruly’s services, and the parties’ agreement
8 was terminated.

9 15. It was only after this termination that Plaintiff discovered that Unruly had
10 published and distributed the Illicit Photo to third parties without her knowledge and consent.
11 Immediately upon discovering Unruly’s distribution of the Illicit Photo, Ms. Doe sent the
12 following messages to Unruly’s founder, Nicky Gathrite:

13 Tue, May 18, 8:41 PM

14 Someone sent out topless photo
15 while I was signed with you guys
16 without my approval!!!! I just
17 found the message and I’m
18 freaking out

19 Can you send me the message?

20 This was never approved by me
21 and now it’s up for people to put
22 on the internet

23 I can sue you guys for this

24 Read 5/18/21

25 Can you send me the whole
26 message and date

27 Screen record the whole convo
28 and date so we can match it up
with who was on and why

1
2 16. Unruly had published and distributed the Illicit Photo during its business
3 relationship with Ms. Doe, and did so when it had the power and control over Ms. Doe's
4 OnlyFans account. However, Unruly did not have the power to post content without Ms. Doe's
5 consent and knowledge. When Unruly posted the Illicit Photo without Ms. Doe's knowledge
6 and consent, Unruly abused its position of authority over Ms. Doe and its business relationship
7 with Ms. Doe.

8 17. Unruly knew that distribution of the Illicit Photo would likely result in mental
9 distress to Ms. Doe because Ms. Doe clearly told Unruly not to publish any content that shows
10 her nude, and told Unruly that she must consent and approve all content before it is published to
11 her OnlyFans account.

12 18. Adding insult to injury, at no point did Mr. Gathrite (or anyone else at Unruly)
13 apologize for Unruly's distribution of the Illicit Photo.

14 **CLAIMS FOR RELIEF**

15 **FIRST CLAIM FOR RELIEF**

16 **(Violation of California Civil Code Section 1708.85(a))**

17 19. Plaintiff incorporates the allegations contained in the foregoing paragraphs as
18 though fully set forth herein in their entirety.

19 20. Defendant intentionally distributed by electronic means, on an online platform,
20 an image Defendant secretly took of Plaintiff changing her clothes which exposed an intimate
21 body part.

22 21. Defendant knew that Plaintiff wanted no pictures of this nature to be taken – let
23 alone distributed publicly – by Unruly. Plaintiff did not know that the Illicit Photo was being
24 taken of her at the time, and did not know the Illicit Photo even existed until she discovered its
25 distribution. As such, Defendant knew that Plaintiff had a reasonable expectation that the
26 material would remain private.

1 face and intimate body parts, on the Internet to third parties without Plaintiff's consent or
2 knowledge.

3 32. As a result of the Defendant's negligence, Plaintiff suffered serious emotional
4 distress, including without limitation, suffering, worry, shock, horror, humiliation, shame, and
5 anxiety, and financial harm.

6 33. Defendant's negligence was a substantial factor in causing Plaintiff's serious
7 emotional distress and financial harm.

8 34. Plaintiff is entitled to damages, at an amount to be proven at trial.


9 **PRAYER**

10 Wherefore, Plaintiff prays for judgment against Defendant as follows:

- 11 1. For general and special damages in an amount to be proven at trial;
12 2. For punitive damages;
13 3. For attorneys' fees;
14 4. For a preliminary and permanent injunctive relief;
15 5. For pre-judgment interest and costs of suit; and
16 6. Any other relief the Court may deem appropriate.

17
18 Dated: August 23, 2021

TAULER SMITH LLP

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21 By: 
22 Robert Tauler, Esq.
23 Attorney for Plaintiff
24 Jane Doe
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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury.

Dated: August 23, 2021

TAULER SMITH LLP

By: 
Robert Tauler, Esq.
Attorney for Plaintiff
Jane Doe