



suffer both physical and psychological harm, as well as permanent harm to her professional and personal reputations, and severe mental anguish and emotional distress, from which she may never fully recover.

**PRELIMINARY STATEMENT**

3. On Saturday, May 14, 2011, in the Presidential Suite at the Sofitel in Room 2806, Defendant Strauss-Kahn, the former Managing Director of the International Monetary Fund ("IMF"), a man who had aspirations to become the next President of France, violently attacked and sexually assaulted an innocent hardworking immigrant woman from Africa whom he had never met before and who had entered his hotel room merely to do her job and clean it, like she had cleaned other hotel rooms at the Sofitel that day.

4. As Defendant Strauss-Kahn sexually assaulted Ms. Diallo, he inflicted physical injuries on her. Specifically, he injured her shoulder and bruised her vagina. Defendant Strauss-Kahn also tore Ms. Diallo's pantyhose as he pulled them down during the assault. Moreover, in an act of sheer depravity, Defendant Strauss-Kahn completely humiliated and degraded Ms. Diallo by forcing Ms. Diallo to her knees at the end of a corridor and outside of a bathroom in the back of the hotel suite, violently grabbing the back of her head with his hands and shoving and thrusting his penis back and forth into her mouth against her will until he ejaculated.

5. Ms. Diallo immediately spit out Defendant Strauss-Kahn's semen from her mouth onto the carpet and fled Room 2806. Shortly thereafter she complained about the attack, and demonstrated parts of that attack, to her supervisor and other hotel employees, including several members of the security department at the Sofitel.

Consistent with being a victim of a sexual crime, these other hotel employees who saw and spoke with Ms. Diallo following the sexual assault observed that she was shaking, kept spitting, repeatedly made gestures as if she wanted to throw up and/or was emotionally distraught. They also believed that she had been sexually assaulted inside of Room 2806.

6. Acting like a common criminal and knowing he had just committed a horrendous crime, Defendant Strauss-Kahn immediately fled the Sofitel and jumped into a cab before he could be detained by security.

7. Like many victims of rape or sexual assault, it was not easy for Ms. Diallo to let others know that she had been violated and sexually assaulted all while she was simply trying to do her job and clean a hotel room that she had been assigned to clean. However, she did muster up the courage to tell others about how Defendant Strauss-Kahn had sexually attacked her in Room 2806, including the police and prosecutors.

8. Afterwards, Ms. Diallo's sexual assault captured worldwide attention because of Defendant Strauss-Kahn's stature, influence and power throughout the world. As a result, the high-profile nature of this case has brought an enormous amount of unwanted attention to Ms. Diallo and her young daughter, whose lives have been thrown into complete disarray because of Ms. Diallo's courageous decision to report the violent attack that Mr. Strauss-Kahn committed against her.

9. Sadly, following Ms. Diallo's decision to stand up for her rights, there have been leaks to the news media of false information about Ms. Diallo, apparently by members of the Manhattan District Attorney's Office, that have severely damaged Ms. Diallo's credibility, reputation and character. As a result of these repeated leaks, some

people now believe, albeit incorrectly, that Ms. Diallo made up the sexual assault in order to shake down Defendant Strauss-Kahn for money, which has caused Ms. Diallo to be vilified in news accounts here in New York and around the world and called a “professional con artist” by a law enforcement official, a “scam artist,” a “pathological liar,” the “disgraced . . . maid” and someone who had hatched “a plan to entrap a rich guy.”

10. To make matters worse, after Ms. Diallo was sexually assaulted by Defendant Strauss-Kahn, the New York Post, a Rupert Murdoch-owned tabloid, assaulted her reputation by running a series of purported articles that falsely stated that she is a “prostitute” and “the infamous Sofitel maid/hooker” and was “turning tricks” while in the protective custody of prosecutors. Defendant Strauss-Kahn’s attack on Ms. Diallo and the defamatory news articles about her that were published in the New York Post, that were no doubt instigated by Strauss-Kahn’s defense team, have subjected Ms. Diallo to public humiliation, shame, scorn and disdain throughout the world and caused great pain in her family.

11. Ms Diallo, however, refuses to be covered into silence by Defendant Strauss-Kahn, his multitude of criminal defense lawyers, investigators, public relations experts and powerful friends who have smeared Ms. Diallo’s character by, among other things, falsely claiming that the violent sex acts Defendant Strauss-Kahn committed against her were consensual, as well as by some members of the media who have further denigrated her character and even called her a prostitute.

12. Ms. Diallo now brings this lawsuit to vindicate her rights, to assert her dignity as a woman, to hold Dominique Strauss-Kahn accountable for the violent and

deplorable acts that he committed against her in Room 2806, to teach her young daughter that no man – regardless of how much money, power and influence he has – should ever be allowed to violate her body, and to stand up for all women who have been raped, sexually assaulted and/or abused throughout the world but who are too afraid to speak out.

**JURISDICTION AND VENUE**

13. This Court has personal jurisdiction over Defendant Strauss-Kahn pursuant to Civil Practice Law and Rules (“CPLR”) §302(a)(2) because he committed tortious acts against Plaintiff in New York.

14. Venue is proper in this county pursuant to CPLR § 503 because Plaintiff is a resident of Bronx County.

**PARTIES**

15. Plaintiff Nafissatou Diallo, a female resident of the Bronx, New York, is a hardworking immigrant from Africa and a single parent who is raising her young daughter by herself and who has worked as a Housekeeper at the Sofitel for years without incident – until she was violently attacked and sexually assaulted by Defendant Strauss-Kahn on May 14, 2011.

16. Defendant Dominique Strauss-Kahn is a citizen of France and has homes in Washington, D.C., Paris and Morocco, and as of the commencement of this action, resided at 153 Franklin Street, New York, New York. On the day that he sexually assaulted Ms. Diallo, he was the Managing Director of the IMF. Defendant Strauss-Kahn had also served as Minister of Economics, Finance and Industry in France, which made him one of the most powerful and influential government officials in that country. In the

days leading up to his sexual assault of Ms. Diallo, Defendant Strauss-Kahn was considered by some to become the next President of France.

**FACTUAL ALLEGATIONS**

17. On Saturday, May 14, 2011, Ms. Diallo began her shift at the Sofitel like any other day. She was assigned to clean a number of hotel rooms, including Room 2806, which Defendant Strauss-Kahn was scheduled to check out of that day, and she began to clean those rooms.

18. Room 2806 – where Defendant Strauss-Kahn attacked Ms. Diallo – is a spacious and luxurious hotel suite and contains a bedroom, a living room, an office, multiple bathrooms and corridor that leads from the front of the suite to the back of it. Hotel guests pay up to \$3,000 per night to stay in that room yet Defendant Strauss-Kahn was charged only \$560 for that room by the Sofitel.

**A. Defendant Strauss-Kahn's Violent Attack and Attempted Rape of Ms. Diallo**

19. Before Ms. Diallo went into Room 2806 on the day of the attack, she believed, based on what one of her colleagues told her, that no one was in the hotel room and that the prior guest had checked out.

20. However, after she walked into the room to ensure that it was vacant and that the guest had indeed checked out, Defendant Strauss-Kahn suddenly appeared – stark naked from head to toe – and charged at Ms. Diallo, who was startled that anyone was in the room and tried to leave. Defendant Strauss-Kahn, however, began to sexually attack Ms. Diallo, and he grabbed her breasts against her will and closed the door of the hotel room completely to prevent Ms. Diallo from being able to get out of the room. He also made certain comments to Ms. Diallo and pushed her into a bedroom, where he attempted

to forcibly make Ms. Diallo perform oral sex on him by trying to put his penis into her mouth against her will.

21. Ms. Diallo struggled to get out of that hotel room and free herself of Defendant Strauss-Kahn and pleaded with him to stop. Undeterred by her refusal to comply, Defendant Strauss-Kahn continued to use physical force against Ms. Diallo, blocked her from being able to get out of the room and pushed her down the corridor towards the back of the suite and away from the door that led out into the hallway.

22. Defendant Strauss-Kahn also pulled up Ms. Diallo's dress, which was part of her Housekeeper uniform, forcefully pulled down her pantyhose causing it to tear and grabbed her vagina with so much force that he hurt Ms. Diallo as he sexually assaulted her. In fact, for several days after his sexual assault upon her, Ms. Diallo felt pain in her vagina whenever she urinated.

23. During his attack on Ms. Diallo, Defendant Strauss-Kahn also used so much force against Ms. Diallo that he caused a tear to her shoulder.

24. With violence and depravity in his heart, and having the confidence of sexually assaulting other women in the past who did not immediately come forward, Defendant Strauss-Kahn forced Ms. Diallo all the way to the back of the suite and down on her knees outside of a bathroom at the end of the corridor.

25. In that remote part of the hotel suite, Defendant Strauss-Kahn violently grabbed the back of Ms. Diallo's head, shoved his penis into her mouth against her will and then forcibly held the back of her head with his hands as he thrust his penis back and forth in her mouth, demanded "Suck my dick" and moaned until he ejaculated inside her mouth.

26. After Defendant Strauss-Kahn finished violating, humiliating and degrading Ms. Diallo, he finally released her head, which allowed Ms. Diallo to spit out his semen onto the carpet, get to her feet and flee the room.

27. Shortly after Ms. Diallo was able to get out of the room, she reported the sexual assault to Housekeeping supervisors, hotel security staff, and later to detectives with the New York City Police Department (“NYPD”). Contrary to some reports, at no point and time did Ms. Diallo go back and clean either Room 2820 – as she had already cleaned Room 2820 prior to the sexual assault committed by Strauss-Kahn – or any other hotel room. The electronic records of the hotel rooms at the Sofitel bear this out.

**B. Defendant Strauss-Kahn Fled the Sofitel**

28. Knowing that he had just sexually assaulted Ms. Diallo, Defendant Strauss-Kahn got dressed quickly, leaving behind traces of his semen, as well as bloody tissues, and fled the hotel like a common criminal. In his haste to flee the scene of a crime, he rushed out of the hotel with toothpaste smeared on the outside of his mouth and was looking over his shoulders. Defendant Strauss-Kahn then jumped in a cab with his luggage and departed the scene before he could be apprehended.

29. After Defendant Strauss-Kahn got into a cab, he appeared agitated and nervous and met his daughter for a short lunch that he hoped would provide him some sort of alibi. On his way to the airport, after believing that he misplaced his IMF issued cell phone in his frantic rush to flee the scene of a crime, he called his wife Anne Sinclair in France and said in substance, “I have a serious problem in New York.” This statement by Defendant Strauss Kahn was an acknowledgement of his consciousness of guilt.

30. Hours later after he had boarded an Air France flight to Paris at John F. Kennedy International Airport and was waiting for take off, Defendant Strauss-Kahn, according to a report in a French magazine, disrespected a female flight attendant by uttering a lewd statement in French, "Quel beau cul!" which in substance in English means "What a beautiful ass," and did so apparently loud enough for other passengers on the plane to hear. Apparently, this was not the first time Mr. Strauss-Kahn disrespected a female Air France employee while on board a plane and/or in a VIP airport lounge.

**C. Ms. Diallo Was Taken To The Hospital To Be Treated and Examined**

31. Meanwhile, following the attack and shortly after being interviewed by the NYPD at the Sofitel, Ms. Diallo was taken to a local hospital in an ambulance to be treated and examined. According to hospital records, Ms. Diallo told EMS workers that she was sexually assaulted by the occupant of a hotel room, who "pushed her down and stuck his penis in her mouth." Ms. Diallo also complained to EMS about pain in her shoulder:

32. While at the hospital, Ms. Diallo told doctors and nurses that prior to the attack, she went into a hotel room at the Sofitel to clean it and that a naked man with "white hair" sexually assaulted her. She did not know that Defendant Strauss-Kahn was the head of the IMF or was likely going to be a leading candidate for the Presidency of France, which accounts for the description of him that she gave at the hospital.

33. Ms. Diallo also told the medical staff that her attacker "forced oral sex" on her and "penetrated her mouth with his penis" deep by holding her by the hair and forcing her head onto his penis.

34. Ms. Diallo further stated to the doctors and nurses that as Defendant Strauss-Kahn was making her perform oral sex on him, she felt “something wet and sour” come into her mouth and that she “spit it out onto the carpet” of the hotel room.

35. At the hospital, Ms. Diallo was given a sexual assault forensic examination. During that physical examination, the doctors and nurses noted that she was “tearful” as she described the sexual assault and “paused while she describ[ed] acts of fellatio.” They also noted “redness” on Ms. Diallo’s vagina, which was caused by Defendant Strauss-Kahn when he violently grabbed her vagina as he attacked her. To document the “redness,” the doctors and nurses took pictures of Ms. Diallo’s vaginal area, apparently to preserve evidence of her sexual assault.

36. The acts of violence and sexual depravity that Defendant Strauss-Kahn committed against Ms. Diallo has caused, and continues to cause, Ms. Diallo to suffer great emotional distress, humiliation, depression and physical pain and suffering. They have also left Ms. Diallo’s life and her young daughter’s life in shambles.

37. Defendant Strauss-Kahn, regarding his conduct towards Ms. Diallo, admitted, “I think it was a moral failing, and I am not proud of it. I regret it infinitely. I have regretted it every day for the past four months, and I think I’m not done regretting it.” Defendant Strauss-Kahn further admitted that Ms. Diallo, after seeing him in the hotel room, crossed the room to leave. Defendant Strauss-Kahn has also falsely claimed that this entire incident could have been either a “trap” or “conspiracy” and that Ms. Diallo entered his hotel room with the intention to steal his blackberry.

**D. Other Reported Victims of Defendant Strauss-Kahn**

38. Apparently, Ms. Diallo has not been the only victim of Defendant Strauss-Kahn. At trial, Ms. Diallo will introduce other crimes, wrongs or acts to demonstrate Defendant Strauss-Kahn's motive, opportunity, intent, preparation, plan, knowledge, identity or absence of mistake or accident. These individuals include, but are not limited to other women: (i) who were sexually attacked by Defendant Strauss-Kahn in hotel rooms around the world; (ii) who were sexually assaulted in apartment/flats used by Defendant Strauss-Kahn for the purpose of covering up his crimes; (iii) who were held down by other people while Defendant Strauss-Kahn committed sexual assault, (iv) who worked with Defendant Strauss-Kahn and who were coerced to comply with his sexual demands because of his position of power; (v) who were victimized by Defendant Strauss-Kahn in connection with his involvement in a prostitution ring, (vi) who were hired as prostitutes by Defendant Strauss-Kahn and/or others to engage in orgies, and/or (vi) who were going about their normal day to day job but who were confronted by Defendant Strauss-Kahn's objectification of women and to whom he made inappropriate sexual remarks, coerced and/or attempted to coerce them to perform sexual acts with him.

39. In connection with his alleged participation in a prostitution ring, Defendant Strauss-Kahn referred to women in an offensive and derogatory manner as "luggage" and "gifts" among other object-based words. The use of these objectifying words further demonstrates that Defendant Strauss-Kahn's conduct towards women generally is, and more specifically his sexual assault of Ms. Diallo was, motivated by a gender-animus and a misogynistic attitude.

**AS AND FOR A FIRST CAUSE OF ACTION**  
**(Battery)**

40. Plaintiff incorporates herein by reference the allegations set forth in the preceding paragraphs.

41. Defendant's violent and sex acts committed against Plaintiff, including his sexual assault of Plaintiff, amounted to a series of harmful and offensive contacts to Plaintiff's person, all of which were done intentionally by Defendant without Plaintiff's consent.

42. As a direct and proximate result of the aforementioned batteries, Plaintiff has sustained in the past, and will sustain in the future, physical injury, pain and suffering, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

43. As a direct and proximate result of the aforementioned batteries, Plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering, emotional distress, mental anguish, embarrassment and humiliation. She was unable, and continues to be unable for some time to come, to pursue her usual activities and employment, all due to her physical, psychological, and emotional injuries and damage.

**AS AND FOR A SECOND CAUSE OF ACTION**  
**(Assault)**

44. Plaintiff incorporates herein by reference the allegations set forth in the preceding paragraphs.

45. Defendant's violent and sex acts committed against Plaintiff, including his sexual assault of Plaintiff, amounted to a series of events creating a reasonable apprehension in Plaintiff of immediate harmful or offensive contact to Plaintiff's person, all of which were done intentionally by Defendant and without Plaintiff's consent.

46. As a direct and proximate result of the aforementioned assaults, Plaintiff has sustained in the past, and will sustain in the future, physical injury, pain and suffering, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

47. As a direct and proximate result of the aforementioned assaults, Plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable, and continues to be unable for some time to come, to pursue her usual activities and employment, all due to her physical, psychological, and emotional injuries and damage.

**AS AND FOR A THIRD CAUSE OF ACTION**  
**(Intentional Infliction of Emotional Distress)**

48. Plaintiff incorporates herein by reference the allegations set forth in the preceding paragraphs.

49. Defendant engaged in conduct toward Plaintiff that is extreme and outrageous so as to exceed the bounds of decency in a civilized society, namely, he violently sexually attacked an innocent woman whom he did not know and who entered his hotel room to clean it as part of her job.

50. By his actions and conduct, Defendant intended to and did intentionally or recklessly cause Plaintiff to suffer severe emotional distress.

51. As a direct and proximate result of Defendant's conduct, Plaintiff has suffered, and continues to suffer, severe emotional distress, for which she is entitled to an award of damages.

52. Defendant's extreme and outrageous conduct was knowing, malicious, willful and wanton, entitling Plaintiff to an award of punitive damages.

**AS AND FOR A FOURTH CAUSE OF ACTION**  
**(False Imprisonment)**

53. Plaintiff incorporates herein by reference the allegations set forth in the preceding paragraphs.

54. Defendant committed the aforementioned actions, and thereby confined Plaintiff without consent or privilege.

55. The aforementioned confinement was without probable cause or privilege.

56. Defendant confined Plaintiff for the purpose of attempting to sexually assault her.

57. Defendant confined Plaintiff to Room 2806 at the Sofitel which constituted a bounded or closed area.

58. Plaintiff did not have a reasonable means of escape based on Defendant's conduct and the aforementioned circumstances.

59. As a direct and proximate result of the aforementioned false imprisonment, Plaintiff has sustained in the past, and will sustain in the future, physical injury, serious psychological and emotional distress, mental anguish, embarrassment and humiliation.

60. As a direct and proximate result of the aforementioned false imprisonment, Plaintiff has incurred medical expenses and other economic damages, and continues to be in physical pain and will now be obligated to expend sums of money for medical care and attention in an effort to cure herself of her injuries and to alleviate her pain and suffering. She was unable, and continues to be unable for some time to come, to pursue her usual activities and employment, all due to her physical, psychological, and emotional injuries and damage.

**AS AND FOR A FIFTH CAUSE OF ACTION**  
**(Gender-Motivated Violence pursuant to NYC Admin. Code § 8-901, et. seq.)**

61. Plaintiff incorporates herein by reference the allegations set forth in the preceding paragraphs.

62. The above-described conduct of Defendant constitutes a “crime of violence” and a “crime of violence motivated by gender” against Plaintiff as defined by NYC Admin. Code § 8-903.

63. The above-described conduct of Defendant constitutes a “crime of violence” against Plaintiff motivated (i) by her gender, (ii) on the basis of her gender, and/or (iii) due, at least in part, to an animus based on her gender.

64. Defendant committed a “crime of violence” against Plaintiff because she is a woman and, at least in part, because he has an animus towards women. Defendant Strauss-Kahn’s gender-motivation and animus towards women is demonstrated by, among other things (i) his repeated sexually violent conduct towards of women, (ii) his repeated misogynistic conduct towards women, (iii) his repeated use of prostitutes to engage in sexually devious conduct, and/or (iv) his repeated objectification of women.

65. As a direct and proximate result of the aforementioned gender-motivated violence, Plaintiff has sustained in the past, and will sustain in the future, physical injury, pain and suffering, serious psychological and emotional distress, mental anguish, embarrassment and humiliation, entitling her to an award of compensatory damages.

66. Defendant's gender-motivated violence against Plaintiff entitles her to punitive damages and an award of attorneys' fees and costs.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff prays that the Court enter judgment in her favor and against Defendant, containing the following relief:

- A. A declaratory judgment that the actions, conduct and practices of Defendant complained of herein violate the laws of the State of New York;
- B. An injunction and order permanently restraining Defendant from engaging in such unlawful conduct;
- C. An award of damages in an amount to be determined at trial, plus prejudgment interest, to compensate Plaintiff for all monetary and/or economic harm; for harm to her professional and personal reputations and loss of career fulfillment; for all non-monetary and/or compensatory harm, including, but not limited to, compensation for mental anguish; all other monetary and/or non-monetary losses suffered by Plaintiff; and that by reason of the foregoing, Plaintiff sustained damages in a sum, pursuant to CPLR § 3017, which exceeds the jurisdictional limits of all lower courts and exceeds the minimum necessary for diversity jurisdiction in all Federal Courts which would otherwise have jurisdiction.
- D. An award of punitive damages;

- E. An award of costs that Plaintiff has incurred in this action, as well as Plaintiff's reasonable attorneys' fees to the fullest extent permitted by law; and
- F. Such other and further relief as the Court may deem just and proper.

**JURY DEMAND**

Plaintiff hereby demands a trial by jury on all issues of fact and damages stated herein.

Dated: New York, New York  
May 22, 2012

Respectfully submitted,

THOMPSON WIGDOR LLP

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



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