

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO**

[REDACTED]

Plaintiff,

vs.

Civil Case No.

Jean Lopez,

Defendant.

COMPLAINT AND JURY DEMAND

1. This is a civil action for injuries sustained by Plaintiff relating to sexual assault, abuse, molestation, and nonconsensual sexual touching and harassment by her coach, Defendant Jean Lopez.

PARTIES, JURISDICTION and VENUE

2. Plaintiff [REDACTED] is a citizen of California.

3. [REDACTED] was born in 1982.

4. Defendant Jean Lopez is a citizen of Texas.

5. Jean was born in 1973.

6. The value of the case exceeds the jurisdictional threshold value of \$75,000.00, exclusive of interest and costs, taking into account the nature and extent of the injuries and damages sustained by Plaintiff, and the reasonable economic and non-economic injuries and damages sustained by Plaintiff.

7. This Court has diversity jurisdiction over this action pursuant to 28 U.S.C. § 1332(a)(1).

8. This Court has personal jurisdiction over the Defendant because the negligent acts occurred in Colorado.
9. Venue is appropriate in this District because negligent acts alleged herein occurred in this District.

FACTS

10. Defendant Jean Lopez has been the United States Olympic Committee's ("USOC") Taekwondo coach at the USOC Training facility in Colorado Springs, Colorado and at competitions around the world.

11. At all times, Defendant owed duty of care to athletes under his supervision.

12. In 2002, [REDACTED] was a member of the USOC's Taekwondo team in the Pan American Championships in Ecuador.

13. Jean Lopez was the USOC's Taekwondo coach at the 2002 Pan American Championships.

14. After winning gold in the 2002 Pan-Am Games, [REDACTED] was flexing in front of a mirror with Diana Lopez.

15. Diana Lopez is Jean and Steven Lopez's sister;¹ she also competed as a member of the USOC's Taekwondo team at the 2002 Pan-Am Games.

16. Jean Lopez entered the room where [REDACTED] and Diana were flexing in front of the mirror to celebrate their performances in the Pan Am Games.

17. Diana left the room shortly after Jean entered.

¹ Like her brothers, Mark, Jean, and Steven, Diana has received compensation from the USOC and USA TKD.

18. Jean wrestled [REDACTED] to the ground.

19. [REDACTED] initially believed Jean was “wrestling” with her and wanted to show Jean how strong she was. Jean instead began “dry humping” [REDACTED] on the hotel room floor. Jean ejaculated in his pants and exited the room.

20. In 2003, to further her Taekwondo career and to achieve her dream of being an Olympian, [REDACTED] moved to Texas to train with Jean Lopez.

21. While in Texas, [REDACTED] lived at a house owned by the Lopez brothers.

22. [REDACTED] again was part of the United States Taekwondo national team.

23. [REDACTED] competed on a USA Taekwondo team at a competition in Germany in 2003.²

24. After the 2003 competition in Germany, Jean, [REDACTED] Peter Lopez,³ and others attended a party in Germany.

25. At the party, Jean was sexually aggressive with [REDACTED] by grabbing her, grinding his body into hers, and making inappropriate sexual comments to her.

26. At same point, Jean gave [REDACTED] a drink.

27. After consuming the drink Jean gave her, [REDACTED] almost passed out.

28. [REDACTED] and Jean ended up in a taxi.

² Upon information and belief, this 2003 competition was not a competition protected by the Sports Act and thus the team that represented the United States was sent by USA Taekwondo and not the USOC.

³ Peter Lopez is a Taekwondo coach and known rapist, but he is not related by blood or marriage to defendants Steven and Jean Lopez. Peter Lopez was banned from USA Taekwondo in 2014 for sexually assaulting various athletes; however, the USOC gave Peter Lopez credentials allowing him to enter the Olympic Village during the 2016 Rio Olympics. See <https://www.usatoday.com/story/sports/olympics/2017/09/05/executive-director-out-usa-taekwondo-after-handling-misconduct-cases/634989001/>; <https://www.usatoday.com/story/sports/2017/08/17/olympics-usa-taekwondo-rio-did-not-notify-usoc-world-group-athlete-suspended-sexual-misconduct/577339001/>.

29. In the backseat of the taxi, Jean began to touch [REDACTED]'s breasts and vagina.

30. When they reached the hotel, Jean took [REDACTED] inside and began to slap her face and choke her.

31. [REDACTED] was unable to respond physically.

32. [REDACTED] remembers Jean pulling down her pants and digitally penetrating her vagina.

33. [REDACTED] remembers Jean performing cunnilingus on her.

34. [REDACTED] passed out and woke up on the floor of a common area of the hotel.

35. On the plane ride back to the United States, Jean told [REDACTED] that he regretted marrying his wife and wanted to have children with [REDACTED].

36. After returning to Texas from Germany, Peter Lopez came into [REDACTED]'s room at the home owned by Jean and Steven Lopez where she was living in Texas.

37. Peter took his pants off and asked [REDACTED] to fellate him.

38. [REDACTED] immediately started to cry and told Peter that he and the other male athletes at the Lopez' training center in Sugarland were crazy and that she was leaving Texas.

39. Similar events between Jean Lopez and [REDACTED] took place in Colorado.

40. On April 3, 2018, the USOC's U.S. Center for SafeSport's Response & Resolution Office issued a decision finding "a decades long pattern of sexual misconduct by an older athlete/coach abusing his power to groom, manipulate, and ultimately, sexually abuse younger female athletes" and recommending Jean Lopez be permanently ineligible to participate in sport.⁴

⁴ See, e.g., *Houston Chronicle*, April 4, 2018, *Former U.S. Taekwondo coach Jean Lopez banned from Olympic sports in U.S.*, David Barron, available at <https://www.usatoday.com/story/sports/olympics/2018/04/17/olympic-champ-steve-lopez-still->

CLAIM FOR RELIEF

NEGLIGENCE (COUNT I)

41. Plaintiff realleges and incorporate by reference the allegations contained in the previous paragraphs.

42. As her coach, Defendant owed Plaintiff a duty to exercise reasonable care to ensure her safety and freedom from sexual assault, abuse, and molestation while interacting with him.

43. As her coach, Defendant breached the duties owed to Plaintiff by sexually assaulting her.

44. Defendant's nonconsensual sexual touching and assaults and rape were so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiff.

45. Defendant's conduct in sexually assaulting, abusing, and molesting Plaintiff in the course of his employment, agency, and/or representation of the USOC and under the guise of serving as her "coach" was so reckless as to demonstrate a substantial lack of concern for whether an injury would result to Plaintiff.

46. Defendant demonstrated a willful disregard for precautions to ensure Plaintiff's safety.

47. Defendant demonstrated a willful disregard for substantial risks to Plaintiffs.

48. Defendant breached duties owed to Plaintiff and was negligent when he conducted himself by the actions described above, said acts having been committed with reckless disregard for Plaintiffs' health, safety, Constitutional and/or statutory rights, and with a substantial lack of concern as to whether an injury would result.

[under-investigation-u-s-olympic-champion-sexual-misconduct-drugs-int/525406002/](https://www.washingtonpost.com/news/sex-misconduct/wp/2018/04/19/olympic-champion-sexual-misconduct-drugs-int/525406002/) (last visited April 19, 2018).

49. As a direct and/or proximate result of Defendants' actions and/or inactions, Plaintiff has suffered injuries.

50. [REDACTED] requests a jury trial on this count to determine the extent of her damages. She requests, economic damages, non-economic damages, and physical impairment damages.

WHEREFORE, Plaintiff [REDACTED] requests that this Court and the finder of fact to enter a Judgment in her favor against Defendant Jean Lopez in an amount consistent with the proofs of trial, and seeks against Defendant all appropriate damages arising out of law, equity, and fact, including but not limited to:

a) Compensatory damages in an amount to be determined as fair and just under the circumstances, by the trier of fact including, but not limited to economic damages, non-economic damages, and physical impairment damages, medical expenses, loss of earnings, mental anguish, anxiety, humiliation, and embarrassment, and other damages to be proved;

b) Reasonable attorney fees, pre-judgment interest, pre-filing interest, and post-judgment interest. and costs including expert fees.

Dated: April 25, 2018

PARKER LIPMAN LLP

/s/ Daniel A. Lipman
Daniel A. Lipman, #35046
2300 15th Street, Suite 200
Denver, CO 80202
dan@parkerlipman.com
Attorney for the Plaintiff

JS 44 (Rev. 06/17) District of Colorado Form

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

<p>I. (a) PLAINTIFFS</p> <p>[REDACTED]</p> <p>(b) County of Residence of First Listed Plaintiff <u>Orange County, California</u> <i>(EXCEPT IN U.S. PLAINTIFF CASES)</i></p> <p>(c) Attorneys (Firm Name, Address, and Telephone Number) PARKER LIPMAN LLP, Dan Lipman, 2300 15th Street, Suite 200, Denver, CO 80202. Tel: 720-638-9424</p>	<p>DEFENDANTS</p> <p>Jean Lopez</p> <p>County of Residence of First Listed Defendant <u>Harris County, Texas</u> <i>(IN U.S. PLAINTIFF CASES ONLY)</i></p> <p>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.</p> <p>Attorneys (If Known)</p>
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<p>II. BASIS OF JURISDICTION <i>(Place an "X" in One Box Only)</i></p> <p><input type="checkbox"/> 1 U.S. Government Plaintiff <input type="checkbox"/> 3 Federal Question <i>(U.S. Government Not a Party)</i></p> <p><input type="checkbox"/> 2 U.S. Government Defendant <input checked="" type="checkbox"/> 4 Diversity <i>(Indicate Citizenship of Parties in Item III)</i></p>	<p>III. CITIZENSHIP OF PRINCIPAL PARTIES <i>(Place an "X" in One Box for Plaintiff) and One Box for Defendant)</i></p> <p><i>(For Diversity Cases Only)</i></p> <table style="width:100%;"> <tr> <td>Citizen of This State</td> <td><input type="checkbox"/> 1</td> <td><input type="checkbox"/> 1</td> <td>Incorporated or Principal Place of Business in This State</td> <td><input type="checkbox"/> 4</td> <td><input type="checkbox"/> 4</td> </tr> <tr> <td>Citizen of Another State</td> <td><input checked="" type="checkbox"/> 2</td> <td><input checked="" type="checkbox"/> 2</td> <td>Incorporated and Principal Place of Business in Another State</td> <td><input type="checkbox"/> 5</td> <td><input type="checkbox"/> 5</td> </tr> <tr> <td>Citizen or Subject of a Foreign Country</td> <td><input type="checkbox"/> 3</td> <td><input type="checkbox"/> 3</td> <td>Foreign Nation</td> <td><input type="checkbox"/> 6</td> <td><input type="checkbox"/> 6</td> </tr> </table>	Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business in This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4	Citizen of Another State	<input checked="" type="checkbox"/> 2	<input checked="" type="checkbox"/> 2	Incorporated and Principal Place of Business in Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5	Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6
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Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6														

<p>IV. NATURE OF SUIT <i>(Place an "X" in One Box Only)</i> Click here for Nature of Suite Code Descriptions</p>				
<p>CONTRACT</p> <p><input type="checkbox"/> 110 Insurance</p> <p><input type="checkbox"/> 120 Marine</p> <p><input type="checkbox"/> 130 Miller Act</p> <p><input type="checkbox"/> 140 Negotiable Instrument</p> <p><input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment</p> <p><input type="checkbox"/> 151 Medicare Act</p> <p><input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans)</p> <p><input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits</p> <p><input type="checkbox"/> 160 Stockholders' Suits</p> <p><input type="checkbox"/> 190 Other Contract</p> <p><input type="checkbox"/> 195 Contract Product Liability</p> <p><input type="checkbox"/> 196 Franchise</p>	<p>TORTS</p> <p>PERSONAL INJURY</p> <p><input type="checkbox"/> 310 Airplane</p> <p><input type="checkbox"/> 315 Airplane Product Liability</p> <p><input type="checkbox"/> 320 Assault, Libel & Slander</p> <p><input type="checkbox"/> 330 Federal Employers' Liability</p> <p><input type="checkbox"/> 340 Marine</p> <p><input type="checkbox"/> 345 Marine Product Liability</p> <p><input type="checkbox"/> 350 Motor Vehicle</p> <p><input type="checkbox"/> 355 Motor Vehicle Product Liability</p> <p><input checked="" type="checkbox"/> 360 Other Personal Injury</p> <p><input type="checkbox"/> 362 Personal Injury - Med. Malpractice</p>	<p>PERSONAL INJURY</p> <p><input type="checkbox"/> 365 Personal Injury - Product Liability</p> <p><input type="checkbox"/> 367 Health Care/ Pharmaceutical Personal Injury Product Liability</p> <p><input type="checkbox"/> 368 Asbestos Personal Injury Product Liability</p>	<p>FORFEITURE/PENALTY</p> <p><input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881</p> <p><input type="checkbox"/> 690 Other</p>	<p>BANKRUPTCY</p> <p><input type="checkbox"/> 422 Appeal 28 USC 158</p> <p><input type="checkbox"/> 423 Withdrawal 28 USC 157</p> <p>PROPERTY RIGHTS</p> <p><input type="checkbox"/> 820 Copyrights</p> <p><input type="checkbox"/> 830 Patent</p> <p><input type="checkbox"/> 835 Patent - Abbreviated New Drug Application</p> <p><input type="checkbox"/> 840 Trademark</p> <p>LABOR</p> <p><input type="checkbox"/> 710 Fair Labor Standards Act</p> <p><input type="checkbox"/> 720 Labor/Mgmt. Relations</p> <p><input type="checkbox"/> 740 Railway Labor Act</p> <p><input type="checkbox"/> 751 Family and Medical Leave Act</p> <p><input type="checkbox"/> 790 Other Labor Litigation</p> <p><input type="checkbox"/> 791 Employee Retirement Income Security Act</p> <p>IMMIGRATION</p> <p><input type="checkbox"/> 462 Naturalization</p> <p><input type="checkbox"/> 465 Other Immigration Actions</p>
<p>REAL PROPERTY</p> <p><input type="checkbox"/> 210 Land Condemnation</p> <p><input type="checkbox"/> 220 Foreclosure</p> <p><input type="checkbox"/> 230 Rent Lease & Ejectment</p> <p><input type="checkbox"/> 240 Torts to Land</p> <p><input type="checkbox"/> 245 Tort Product Liability</p> <p><input type="checkbox"/> 290 All Other Real Property</p>	<p>CIVIL RIGHTS</p> <p><input type="checkbox"/> 440 Other Civil Rights</p> <p><input type="checkbox"/> 441 Voting</p> <p><input type="checkbox"/> 442 Employment</p> <p><input type="checkbox"/> 443 Housing/ Accommodations</p> <p><input type="checkbox"/> 445 Amer. w/Disabilities - Employment</p> <p><input type="checkbox"/> 446 Amer. w/Disabilities - Other</p> <p><input type="checkbox"/> 448 Education</p>	<p>PRISONER PETITIONS</p> <p>Habeas Corpus:</p> <p><input type="checkbox"/> 463 Alien Detainee</p> <p><input type="checkbox"/> 510 Motions to Vacate Sentence</p> <p><input type="checkbox"/> 530 General</p> <p><input type="checkbox"/> 535 Death Penalty</p> <p>Other:</p> <p><input type="checkbox"/> 540 Mandamus & Other</p> <p><input type="checkbox"/> 550 Civil Rights</p> <p><input type="checkbox"/> 555 Prison Condition</p> <p><input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement</p>	<p>SOCIAL SECURITY</p> <p><input type="checkbox"/> 861 HIA (1395ff)</p> <p><input type="checkbox"/> 862 Black Lung (923)</p> <p><input type="checkbox"/> 863 DIWC/DIWW (405(g))</p> <p><input type="checkbox"/> 864 SSID Title XVI</p> <p><input type="checkbox"/> 865 RSI (405(g))</p> <p>FEDERAL TAX SUITS</p> <p><input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant)</p> <p><input type="checkbox"/> 871 IRS—Third Party 26 USC 7609</p>	<p>OTHER STATUTES</p> <p><input type="checkbox"/> 375 False Claims Act</p> <p><input type="checkbox"/> 376 Qui Tam (31 USC 3729(a))</p> <p><input type="checkbox"/> 400 State Reapportionment</p> <p><input type="checkbox"/> 410 Antitrust</p> <p><input type="checkbox"/> 430 Banks and Banking</p> <p><input type="checkbox"/> 450 Commerce</p> <p><input type="checkbox"/> 460 Deportation</p> <p><input type="checkbox"/> 470 Racketeer Influenced & Corrupt Organizations</p> <p><input type="checkbox"/> 480 Consumer Credit</p> <p><input type="checkbox"/> 490 Cable/Sat TV</p> <p><input type="checkbox"/> 850 Securities/Commodities/ Exchange</p> <p><input type="checkbox"/> 890 Other Statutory Actions</p> <p><input type="checkbox"/> 891 Agricultural Acts</p> <p><input type="checkbox"/> 893 Environmental Matters</p> <p><input type="checkbox"/> 895 Freedom of Information Act</p> <p><input type="checkbox"/> 896 Arbitration</p> <p><input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision</p> <p><input type="checkbox"/> 950 Constitutionality of State Statutes</p>

V. ORIGIN *(Place an "X" in One Box Only)*

1 Original Proceeding 2. Removed from State Court 3. Remanded from Appellate Court 4. Reinstated or Reopened 5. Transferred from another district *(specify)* 6. Multidistrict Litigation 8. Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION Cite the U.S. Civil Statute under which you are filing. *(Do not cite jurisdictional statutes unless diversity.)*

28 USC 1332(a)(1)

Brief description of cause: Negligence AP Docket

VII. REQUESTED IN COMPLAINT: CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$ \$ 76000.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY *(See instructions)* JUDGE _____ DOCKET NUMBER _____

DATE 4/25/18 /s/ Daniel A. Lipman, Esq. SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #	AMOUNT	APPLYING IFP	JUDGE	MAG. JUDGE
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