

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

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KATE WHITEMAN,

Plaintiff,

Index No. 952316/2023

-against-

VERIFIED COMPLAINT

ALON ALEXANDER, OREN ALEXANDER,
and IVAN WILZIG a/k/a "SIR IVAN",

Defendants.
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Plaintiff, by her attorneys, Torgan Cooper & Aaron, P.C., complaining of the defendants, alleges upon information and belief, as follows:

NATURE OF THE CASE

1. This action is timely commenced pursuant to the Adult Survivors Act ("ASA") of the State of New York (S.66A/A.648A), CPLR § 214-j, CPLR § 213-c and CPLR §§ 208(b).

2. This action seeks compensatory and punitive damages to redress the injuries Plaintiff Kate Whiteman ("Plaintiff") has suffered, and will continue to suffer, as a result of being sexually harassed, assaulted, abused and raped on May 26, 2012, and for other sexual offenses as set out in Article 130 of the New York Penal Law, by defendants Alon Alexander and Oren Alexander, at the premises owned by defendant Ivan Wilzig and known as "Sir Ivan's Castle."

PARTIES

3. Plaintiff is an individual female currently residing in Australia.

4. At all times relevant herein, defendant Alon Alexander (hereinafter referred to as "Alon") was a resident of the State and City of New York.

5. At all times relevant herein, defendant Oren Alexander (hereinafter referred to as "Oren") was a resident of the State and City of New York.

6. At all times relevant herein, Alon and Oren are identical twin brothers and are collectively also referred to herein as the “twins”.

7. At all times relevant herein, defendant Ivan Wilzig a/k/a “Sir Ivan” (hereinafter referred to as “Sir Ivan”) was, and is, a resident of the State of New York, County of Suffolk.

8. At all times relevant herein, defendant Sir Ivan was, and is, the owner of a property and premises located at 1874 Deerfield Road, Water Mill, New York a/k/a “Wilzig Castle” or “Sir Ivan’s Castle” (hereinafter referred to as the “Castle”).

9. At all times relevant herein, defendant Sir Ivan maintained the Castle.

10. At all times relevant herein, defendant Sir Ivan operated the Castle.

11. At all times relevant herein, defendant Sir Ivan controlled the Castle.

12. At all times relevant herein, defendant Sir Ivan managed the Castle.

13. At all times relevant herein, defendant Sir Ivan organized and hosted events and/or parties of a sexual and/or prurient nature at the Castle in large part to help his music career, networking, and contributing to his fame, status and recognition.

14. At all times relevant herein, defendants Alon and Oren attended these events and/or parties at the Castle, in part, in order to further their careers, gain status, fame, network, etc.

15. This case involves horrific and terrifying acts of sexual assault, abuse and rape, committed by defendants Alon and Oren against Plaintiff at Sir Ivan’s Castle, during one of Sir Ivan’s events, and directly enabled, facilitated and witnessed by Sir Ivan himself.

FACTUAL ALLEGATIONS OF DEFENDANTS’ SEXUAL MISCONDUCT AND NEGLIGENCE

16. In or around 2008, Plaintiff became acquainted with defendants Alon and Oren and would frequently see the twins out and about in New York City.

17. Defendant Oren would constantly text Plaintiff to try and entice her into meeting-up and going out with him. Plaintiff would always decline.

18. On many occasions, Alon would sometimes pretend to be his twin brother Oren, trying to help his brother and call or text Plaintiff on Oren's behalf.

19. In or around May 2012, Memorial Day weekend, Oren asked Plaintiff if she was going to the Hamptons for Memorial Day weekend. Plaintiff confirmed she would be going.

20. On or about Saturday, May 26, 2012, Plaintiff arrived at Dune Night Club (hereinafter referred to as "Dune") with her friends. As she was preparing to leave Dune, Alon recognized Plaintiff, forcefully grabbed her hand, and led Plaintiff outside to a black SUV where his brother Oren was waiting.

21. The twins forcefully pulled Plaintiff into the black SUV and quickly closed the doors before the driver sped off. Plaintiff repeatedly asked the twins where they were going but they refused to answer and instead smirked at one another.

22. After driving for quite some time, the SUV turned off the road, drove up a long driveway in a remote area. Plaintiff later found out she had been taken to "Sir Ivan's Castle."

23. The twins then opened the door and let Plaintiff out of the vehicle. The twins then grabbed Plaintiff's hand and led her to a room inside the garage. Once Plaintiff and the twins were inside the garage door, the door closed and locked immediately right behind them.

24. Plaintiff was then told that she must change to into a sarong. Plaintiff then proceeded to make a dash for the stairs that led up to the house, while fully dressed. As Plaintiff bolted for the stairs, there was a security bouncer who grabbed her arm and dragged her back into the garage.

25. At all times relevant herein, this bouncer was an agent, employee and/or servant of defendant Sir Ivan.

26. Plaintiff was ultimately forced to strip and change into a sarong. Her phone and other belongings were placed into a locker that was immediately locked by Oren, who then put the key around his wrist. The twins then led Plaintiff upstairs to what appeared to be a large bedroom.

27. Thereafter, Plaintiff was sexually assaulted, abused, raped, pinned, groped, harassed, battered, and fondled by defendants Alon and Oren.

28. Plaintiff is not, and was not, the only victim to fall prey to the twins' heinous acts. For years, defendants Alon and Oren have engaged in a similar pattern of schemes, acts, and conduct with different women.

29. At all times material, defendant Sir Ivan and/or his agents, servants, and/or employees, wrongfully allowed, facilitated, and condoned such conduct.

30. Plaintiff was, and continues to be so distraught after these incidents, that for months she had stayed in bed and very rarely left her home due to extreme depression, anxiety, and fear for her own safety. Plaintiff now continues to suffer from anxiety, depression, and nightmares. Plaintiff has had many issues in resuming everyday life.

31. As defendants' conduct was malicious, willful, outrageous, and conducted with full knowledge of the law, Plaintiff demands punitive damages as against defendants Alon, Oren and Sir Ivan. Plaintiff seeks lost earnings, punitive damages, damages for emotional distress, physical injuries, medical expenses, and loss of enjoyment of life.

ADULT SURVIVORS ACT "ASA"

32. Although the instant action is in any event timely pursuant to CPLR § 213-c, New York's "Adult Survivor's Act" under Senate Bill S66A (hereinafter referred to as "ASA"), signed by New York Governor Kathy Hochul on May 24, 2022, extends the statute of limitations for civil sexual assault cases in New York. The ASA allows survivors of sexual abuse to bring expired claims for one (1) year, beginning six (6) months after the effective date and ending one (1) year and six (6) months after the effective date.

33. § 214-j of the Civil Practice Law and Rules provides as follows: certain sexual offense actions. Every civil claim or cause of action brought against any party alleging intentional or negligent acts or omissions by a person for physical, psychological, or other injury or condition suffered as a result of conduct which would constitute a sexual offense as defined in article one hundred thirty of the penal law committed against such person who was eighteen years of age or older, [...] which is barred as of the effective date of this section because the applicable period of limitation has expired, [...] is hereby revived, and action thereon may be commenced not earlier than six months after, and not later than one year and six months after the effective date of this section. In any such claim or action, dismissal of a previous action, ordered before the effective date of this section, on grounds that such previous action was time barred, and/or for failure of a party to file a notice of claim or a notice of intention to file a claim, shall not be grounds for dismissal of a revival action pursuant to this section.

34. Defendants' sexual assaults and abuse of the Plaintiff are qualifying offenses under the ASA, and therefore, Plaintiff's claims are not subject to dismissal on the grounds that same are time-barred.

**FIRST CAUSE OF ACTION
AS AGAINST DEFENDANTS
ALON ALEXANDER AND OREN ALEXANDER
(Sexual Assault and Battery)**

35. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

36. The conduct by defendants Alon and Oren, constituted an assault upon Plaintiff, in that defendants placed Plaintiff in apprehension and fear of unwanted, unsolicited, physical touching of her person by defendants in a manner that was harmful and offensive to Plaintiff and would be harmful and offensive to any reasonable person.

37. Defendants Alon and Oren, in perpetrating the above-described non-consensual sexual assaults, including grabbing, pulling, and physical pinning Plaintiff, forcing Plaintiff to engage in sexual acts, and their repeated raping of Plaintiff, did, without consent, touch Plaintiff in a manner that was both harmful and offensive to Plaintiff and in a manner that any reasonable person would similarly find harmful and offensive.

38. The actions of Alon and Oren described above constituted a battery upon Plaintiff in that the bodily contact was intentional and grossly offensive in nature.

39. Defendants Alon and Oren intentionally attempted to injure Plaintiff and commit a battery upon her and their actions constituted a grievous affront to her.

40. The actions of defendants Alon and Oren were intentional, reckless, unwarranted and without any just cause and provocation, and said defendants knew, or should have known, that their actions were without the consent of the Plaintiff and that their actions were against her wishes.

41. As a result of the foregoing, Plaintiff sustained physical injury, severe psychological trauma, emotional injuries and has, and will continue to, suffer depression, anxiety, emotional distress, anguish, ridicule, embarrassment, humiliation and degradation, loss of enjoyment of life, and has been greatly injured in her reputation and character and her injuries will be permanent in nature and effect.

42. Defendants Alon and Oren were grossly, willfully and wantonly negligent and acted with reckless indifference to the health and safety of Plaintiff and Plaintiff therefore seeks compensatory and punitive damages.

**SECOND CAUSE OF ACTION
AS AGAINST DEFENDANTS
ALON ALEXANDER AND OREN ALEXANDER
(NYC Gender-Motivated Violence Protection Law)**

43. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

44. Defendants' sexual assault and battery of Plaintiff constitutes a "crime of violence motivated by gender" against Plaintiff as defined by the NYC Victims of Gender-Motivated Violence Protection Law, NYC § 10-1103. Defendants' actions were motivated by Plaintiff's gender, on the basis of her gender, and due, at least in part, to an animus based on her gender.

45. Defendants committed crimes of violence against Plaintiff because she is a female and, at least in part, because they had an animus toward women. Defendants' gender-motivated animus towards women is evinced by, among other things, their humiliating and degrading sexual assault and repeated raping of Plaintiff.

46. As a result of the foregoing, Plaintiff sustained physical injury, severe psychological trauma, emotional injuries and has, and will continue to, suffer depression, anxiety, emotional distress, anguish, ridicule, embarrassment, humiliation and degradation, loss

of enjoyment of life, and has been greatly injured in her reputation and character and her injuries will be permanent in nature and effect.

47. Defendants Alon and Oren were grossly, willfully and wantonly negligent and acted with reckless indifference to the health and safety of Plaintiff and Plaintiff therefore seeks compensatory and punitive damages, attorney's fees and costs, and any such other relief the Court deems appropriate.

**THIRD CAUSE OF ACTION
AS AGAINST ALL DEFENDANTS
(False Imprisonment)**

48. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

49. Defendants in perpetrating the above-described non-consensual sexual assaults, did by use of threat and/or physical force confine, imprison and/or restrain Plaintiff without lawful authority to do so and against her will.

50. As a consequence of defendants' false imprisonment of Plaintiff, Plaintiff sustained conscious pain and suffering, Plaintiff's health was impaired, Plaintiff suffered great mental distress, shock, fright and humiliation, and Plaintiff's reputation and character were injured.

51. As a consequence of defendants' conduct, Plaintiff has incurred physical and psychological trauma and damage, has suffered great humiliation, loss of esteem, mental anguish and suffering, and has sustained damages.

52. Defendants are liable to Plaintiff for compensatory and punitive damages.

**FOURTH CAUSE OF ACTION
AS AGAINST ALL DEFENDANTS
(Intentional Infliction of Emotional Distress)**

53. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

54. Defendants through a pattern of extreme and outrageous conduct, which was beyond all possible bounds of decency, and which may be regarded as atrocious and utterly intolerable within a civilized society, assaulted, battered, molested, harassed, humiliated, degraded and retaliated against Plaintiff.

55. Defendants' behavior was extreme and outrageous to such extent that the action was atrocious and intolerable in a civilized society.

56. Defendants' conduct was so outrageous in character and extreme in degree as to go beyond all possible bounds of decency.

57. Defendants caused Plaintiff to fear for her own safety.

58. Defendants' breach of their duties to Plaintiff caused Plaintiff to suffer numerous injuries as set forth herein.

59. As a consequence of defendants' wholly unlawful, intentional, reckless and negligent conduct, defendants intentionally inflicted emotional distress upon Plaintiff.

60. As a consequence of the conduct of defendants, Plaintiff has incurred physical and psychological trauma and damage, has suffered great humiliation, loss of esteem, mental anguish and suffering, and has sustained damages in an amount to be determined at the time of trial.

**FIFTH CAUSE OF ACTION AS AGAINST
DEFENDANT SIR IVAN
(Negligence)**

61. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

62. At all times mentioned herein, defendant Sir Ivan, as owner of the premises and as the organizer of the event on the date in question, owed a duty of care to Plaintiff, including, but not limited to, keeping Plaintiff safe from sexual assault and abuse.

63. At all times mentioned herein, defendant Sir Ivan, as owner of the premises and as the organizer of the event on the date in question, owed a duty of care to Plaintiff to, *inter alia*, properly supervise the guests at the event.

64. Defendant Sir Ivan, and/or his agents, servants and/or employees breached the above-stated duty in a negligent, reckless, willful and wanton manner, causing Plaintiff to be sexually assaulted and raped.

65. As a consequence of the conduct of defendants, Plaintiff has incurred physical and psychological trauma and damage, has suffered great humiliation, loss of esteem, mental anguish and suffering, and has sustained damages in an amount to be determined at the time of trial.

66. Defendant Sir Ivan is liable to plaintiff for compensatory and punitive damages.

**SIXTH CAUSE OF ACTION
AS AGAINST DEFENDANT SIR IVAN
(Negligent Infliction of Emotional Distress)**

67. Plaintiff repeats and realleges each and every allegation set forth above with the same force and effect as if fully set forth herein.

68. Defendant Sir Ivan and his agents, servants, and/or employees, knew or reasonably should have known that the failure to properly supervise the guests at the event on the date in question would result in the sexual assault and/or abuse of Plaintiff.

69. Defendant Sir Ivan and his agents, servants, and/or employees knew and/or reasonably should have known that the sexual abuse and other improper conduct by the twins being perpetrated upon the Plaintiff would result in physical and emotional distress to Plaintiff.

70. Defendant Sir Ivan and his agents, servants, and/or employees had the power, ability and duty to intervene and/or stop the improper conduct that resulted in Plaintiff being sexually assaulted and abused.

71. Despite having said knowledge, power and duty, defendant Sir Ivan and his agents, servants, and/or employees failed to act so as to stop, prevent and prohibit the improper conduct that resulted in Plaintiff being sexually assaulted and repeatedly raped.

72. As a consequence of the conduct of defendants, Plaintiff has incurred physical and psychological trauma and damage, has suffered great humiliation, loss of esteem, mental anguish and suffering, and has sustained damages in an amount to be determined at the time of trial.

73. Defendant Sir Ivan was willfully and wantonly negligent and acted with reckless indifference to the health and safety of Plaintiff and Plaintiff therefore seeks compensatory and punitive damages.


74. This action falls within one or more of the exceptions set forth in CPLR §1602.

WHEREFORE, Plaintiff demands judgment against the defendants on each cause of action in the complaint in an amount which exceeds the monetary jurisdiction of all other courts which would otherwise have jurisdiction, including punitive damages, together with interest, costs and

disbursements of this action.

Dated: New York, New York
March 8, 2024

Torgan Cooper & Aaron, P.C.

By: 

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