

CAUSE NO. 493-01529-2024

RAYNE DAKOTA PRESCOTT, <i>Plaintiff</i>	§	IN THE DISTRICT COURT
	§	
	§	
vs.	§	_____ JUDICIAL DISTRICT
	§	
VICTORIA BAILEIGH SHORES, BETHEL T. ZEHAIE, AND YOEL T. ZEHAIE, <i>Defendantss</i>	§	
	§	
	§	COLLIN COUNTY, TEXAS

PLAINTIFF’S ORIGINAL PETITION

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW Plaintiff Rayne Dakota Prescott (“Prescott” or “Plaintiff”) and files this Original Petition complaining of Victoria Baileigh Shores (“Shores”) and her attorneys, Bethel T. Zehaie (“Bethel Zehaie”) and Yoel T. Zehaie (“Yoel Zehaie”) (together, “Defendants”), and in support thereof would respectfully show the Court as follows:

I.
INTRODUCTION

1. This case arises out of a blatant attempt by Victoria Shores and her legal team to extort Plaintiff Dak Prescott by weaponizing patently false, yet heinous sexual assault allegations with no basis in reality. Consider the following excerpt from Defendants’ *extortionary* letter, attached hereto as **Exhibit A**:¹ “[Ms. Shores] is willing to forego pursuing criminal charges, along with disclosing this information to the public, in exchange for compensating her for the mental anguish she has suffered. Ms. Shores’s damages are valued at the sum of \$100,000,000.00.”

¹ Sensitive and identifying information has been redacted.

2. Sexual assault is a despicable crime that no person should ever endure. Mr. Prescott—a new father to his baby girl—has great empathy for survivors of sexual assault and believes fervently that all perpetrators of such crimes should be punished to the fullest extent of the law. With that said, ***Mr. Prescott has never engaged in any nonconsensual sexual behavior with anyone.*** Indeed, Defendants’ false claims in this regard undermine the courage of actual sexual assault survivors everywhere as well as the legitimacy of the horrific traumas they have endured.

3. Mr. Prescott is the starting quarterback of the Dallas Cowboys in the National Football League. In addition to his storied career as an athlete, Mr. Prescott has established himself as a solid role model and pillar of the community through his continued philanthropic efforts and commitment to upholding a moral character to the highest degree. One such example is the establishment of Mr. Prescott’s Faith Fight Finish Foundation, which empowers resilience and fosters strength in adversity for individuals, families, and communities.²

4. Now, at the height of Mr. Prescott’s success, Defendants and her legal team have unleashed a campaign of extortion and defamation, threatening to go public with a completely fabricated story of sexual assault from nearly a decade ago and demanding that Mr. Prescott immediately pay \$100,000,000, in exchange for her silence. Defendants’ horrible lies not only threaten to destroy the legitimate legacy of a great man and cost him tens of millions of dollars, but Defendants’ conduct is criminal. As such, Mr. Prescott has reported Defendants’ criminal actions to the appropriate authorities and will continue to cooperate fully in their investigation. Further, Mr. Prescott is forced to file the instant case to bring the truth to light, defend his new family, and promote our society’s collective progress in support of legitimate survivors of sexual

² Faith Fight Finish Foundation by Dak Prescott, available at <https://faithfightfinish.org/>.

assault. As a show of support for legitimate survivors of sexual assault, Mr. Prescott has committed to donating any and all recovery obtained as a result of this lawsuit to the Joyful Heart Foundation, whose vision is a world free of sexual assault, domestic violence, and child abuse.

II. **PARTIES**

5. Plaintiff is a public figure and an individual residing in Collin County, Texas.

6. Defendants Shores is an individual residing in Texas. She may be served with process at 3305 Laurel Valley Lane, Fort Worth, Texas 76137 or wherever she may be found.

Issuance of citation is requested at this time.

7. Defendants Bethel Zehaie is an individual residing in Texas. She may be served with process at 2000 East Lamar Boulevard, Suite 600, Arlington, Texas 76006 or wherever she may be found. **Issuance of citation is requested at this time.**

8. Defendants Yoel Zehaie is an individual residing in Texas. He may be served with process at 2000 East Lamar Boulevard, Suite 600, Arlington, Texas 76006 or wherever he may be found. **Issuance of citation is requested at this time.**

III. **JURISDICTION & VENUE**

9. This Court has personal jurisdiction over all parties because all parties reside in Texas and the damages fall within the jurisdictional limits of this Court.

10. Venue is mandatory in Collin County, Texas because Plaintiff resided in Collin County, Texas at the time of the accrual of his causes of action. TEX. CIV. PRAC. & REM. CODE § 15.017.

IV.
DISCOVERY CONTROL PLAN & RULE 47 STATEMENT

11. Plaintiff intends to conduct discovery under Level 3 pursuant to TEX. R. CIV. P. 190.4.

12. Plaintiff is seeking monetary relief in excess of \$1,000,000, including damages of any kind, attorneys' fees, costs of court, pre- and post-judgment interest, and any other penalties pursuant to TEX. R. CIV. P. 47(c)(4).

V.
FACTUAL BACKGROUND

13. On or around February 13, 2024, Mr. Prescott's representatives received correspondence from Defendants via her counsel, which falsely accused Mr. Prescott of sexually assaulting her and demanding Mr. Prescott pay her \$100,000,000 in exchange for foregoing pressing criminal charges and disclosing the allegations to the public. *See **Exhibit A***. Bizarrely, the correspondence was addressed to a third party at Mississippi State University, where Mr. Prescott attended college.

14. The alleged assault occurred on or around February 2, 2017 following the end of Mr. Prescott's rookie season in the NFL as the quarterback for the Dallas Cowboys. At the time of the alleged assault, Mr. Prescott was single, and in fact, the timeline of events and Defendant Shores's actions in the *seven years* since the alleged assault are consistent with being involved with only consensual actions with Mr. Prescott. The fact that Mr. Prescott did not hear a single negative thing about this supposed interaction from nearly a decade ago is truly telling of Defendants' motives.

15. After receiving the aforementioned correspondence, counsel for Mr. Prescott reached out to confer with Defendant Shores's counsel to confer on the matter, as surely she would

not so blatantly attempt to extort a highly successful NFL quarterback at the height of his career. But Defendants Bethel Zehaie and Yoel Zehaie confirmed their motives when they confirmed on a phone call that (1) all civil causes of action have expired, and (2) the sole reason for their demand of *one hundred million* dollars from Mr. Prescott was to forego criminal charges and for not making the alleged “assault” public.

VI.
CAUSES OF ACTION

Defamation and Slander

16. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

17. Defendants published false statements purporting to be facts about Mr. Prescott to third persons at Mississippi State University by asserting Mr. Prescott engaged in sexual assault of Defendants Shores on or around February 2, 2017. Defendants’ statements referred to Mr. Prescott by name and referred to his status as a public plaintiff by discussing his “entourage.” No privilege, absolute or conditional, attaches to these false and malicious statements. Defendants’ false statements and omissions caused damage to Mr. Prescott’s reputation.

18. Each of the above-referenced acts and omissions, single or in combination, constituted defamation and caused the damages suffered by Mr. Prescott that are in excess of the minimum jurisdictional limits of this Court.

Defamation Per Se

19. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

20. Defendants’ false and malicious statements negatively affected Mr. Prescott in his business profession, occupation, and reputation.

21. Each of the above-referenced acts and omissions, singly or in combination with others, constituted defamation per se, which proximately caused the general and special damages suffered by Mr. Prescott which are in excess of the minimum jurisdictional limits of this Court.

Civil Extortion/Duress

22. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

23. The conduct of Defendants, as described above, amounts to civil extortion and duress, as Defendants seek to gain money through some type of force or threat of harm to reputation or unfavorable government action (*i.e.*, threat of pressing criminal charges). Through their actions, and in their communications with Mr. Prescott and his representatives, Defendants has threatened to act in an unlawful manner unless Mr. Prescott pays them \$100,000,000. As a result of this civil extortion and duress, Mr. Prescott has suffered damages and will continue to suffer damages.

24. Accordingly, Mr. Prescott requests that this Court enter a judgment against Defendants for the amount of actual damages suffered as a result of such civil extortion/duress, in an amount within the jurisdictional limits of this Court. As a result of Defendants' malicious and deceitful actions, Mr. Prescott also seeks recovery of exemplary damages.

Business Disparagement

25. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

26. Defendants made false and malicious statements against Mr. Prescott and his business as a quarterback for the Dallas Cowboys.

27. Defendants acted with malice and for the sole purpose of extorting Mr. Prescott for significant sums of money.

28. Defendants lack privilege to make such statements.

29. Defendants' statements proximately caused the general and special damages suffered by Mr. Prescott and his business as a quarterback for the Dallas Cowboys, which are in excess of the minimum jurisdictional limits of this Court.

Tortious Interference with Current and/or Prospective Business Relations

30. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

31. Mr. Prescott currently has numerous relationships comprised of current and future economic benefit in the form of profitable business contracts.

32. Defendants were aware of the existence of these economic relationships and intended to interfere with and disrupt them, particularly ahead of the NFL's free agency period opening on March 13, 2024.

33. Defendants' conduct was wrongful by a measure beyond the fact of the interference itself, and such conduct was taken without justification or excuse.

34. As a direct and proximate result of Defendants' actions, Mr. Prescott has and will continue to suffer economic harm, including but not loss of income, loss of profits, and loss of opportunities.

Civil Conspiracy

35. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

36. Defendants have engaged in a conspiracy to extort, defame, disparage, and tortiously interfere with Mr. Prescott's existing and prospective contracts. Defendants had a meeting of the minds with known and unknown third parties to extort, defame, disparage, and tortiously interfere with Mr. Prescott's existing and prospective contracts.

37. Defendants committed an unlawful, overt act to further the object or course of action, and Mr. Prescott has suffered injury as a proximate result of the wrongful act. Further, Defendants willfully, intentionally, and knowingly agreed and conspired with others to engage in the alleged wrongful conduct. Defendants did the acts alleged pursuant to and in furtherance of that agreement and/or furthered the conspiracy by cooperating, encouraging, ratifying, and/or adopting the acts of others.

38. As a direct and proximate result of the acts in furtherance of the conspiracy, Mr. Prescott has suffered injury, damage, loss, and harm.

39. Defendants' intentional agreement to commit and commission of these wrongful acts were willful, malicious, oppressive, and in conscious disregard of Mr. Prescott's rights, and he is therefore entitled to an award of punitive damages to punish their wrongful conduct and deter future wrongful conduct.

Intentional Infliction of Emotional Distress

40. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein and brings an additional and alternative cause of action for intentional infliction of emotional distress.

41. Defendants' conduct in demanding \$100,000,000 in exchange for foregoing criminal charges or disclosure of information was intentional, reckless, extreme, and outrageous.

42. Defendants' conduct proximately caused severe emotional distress to Mr. Prescott.

VII.
DAMAGES

Actual Damages

43. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

44. As a result of the actions described herein, Mr. Prescott has suffered and continues to suffer actual damages.

Exemplary Damages

45. Plaintiff incorporates by reference each and every allegation contained in the paragraphs above as if the same were set forth in full herein.

46. The acts of Defendants complained of herein were committed knowingly, willfully, intentionally, with actual awareness, or with actual malice. In order to hold Defendants responsible for such unconscionable overreaching acts and to deter such actions and/or omissions in the future, Mr. Prescott seeks recovery from Defendants as provided by Chapter 41 of the Texas Civil Practice and Remedies Code.

VIII.
JURY DEMAND

47. Plaintiff asserts his right to a jury trial on all claims.

IX.
RULE 166a(d) & 193.7 NOTICE

48. Pursuant to TEX. R. CIV. P. 166a(d) and 193.7, Plaintiff hereby gives notice that he intends to use all documents produced in response to written discovery and in any pre-trial matter and at trial.

PRAYER FOR RELIEF

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendants be cited to appear and that upon a trial of the merits:

- a) Render judgment in favor of Plaintiff against Defendants as to all claims;
- b) Award Plaintiff all damages to which he may be entitled to at law or in equity, whether actual, direct, consequential, general, special, or otherwise, in an amount to be proven at trial;
- c) Award Plaintiff his reasonable and necessary attorneys' fees, whether at law or in equity;
- d) Award exemplary damages;
- e) Award pre- and post-judgment interest at the maximum rates allowed by law;
- f) Award court costs; and
- g) All other relief, whether at law or in equity, to which Plaintiff may be justly entitled.

Respectfully submitted,

MCCATHERN, PLLC

/s/ Levi G. McCathern, II

Levi G. McCathern, II

State Bar No. 00787990

lmccathern@mccathernlaw.com

Jennifer L. Falk

State Bar No. 24055465

jfalk@mccathernlaw.com

Shane Eghbal

State Bar No. 24101723

seghbal@mccathernlaw.com

Kristin M. Hecker

State Bar No. 24116499

khecker@mccathernlaw.com

3710 Rawlins, Suite 1600

Dallas, Texas 75219

Telephone: (214) 741-2662

Facsimile: (214) 741-4717

ATTORNEYS FOR PLAINTIFF

Exhibit A

LAW OFFICE OF BETHEL T. ZEHAIE, PLLC

2000 East Lamar Boulevard, Suite 600, Arlington, Texas 76006
Office: (817) 303-2161 | Fax: (817) 549-9013



Bethel T. Zehaie
Managing Attorney
[REDACTED]@zehaielaw.com

Laurinda Boldt
Paralegal
[REDACTED]@zehaielaw.com

January 16, 2024

Delivered Electronic Mail to: [REDACTED]@athletics.msstate.edu

Dak Prescott
[REDACTED]
Prosper, Texas 75078

Re: Victoria Baileigh Shores, Sexual Assault
Date of Incident: 2/2/2017

Dear Mr. Prescott:

Our law firm has been retained to represent Victoria Baileigh Shores (hereinafter referred to as Ms. Shores), for injuries she sustained as a result of a SEXUAL ASSAULT committed by you on or about February 2, 2017.

You and Ms. Shores became acquainted through her employment and exchanged information. Communication ensued between you both via snapchat and you invited her to hang out. Thereafter on or about February 2, 2017, you, and Ms. Shores along with two (2) members of your entourage and a couple additional female friends met at [REDACTED] in Plano. At some point, you, Ms. Shores along with the 2 members of your entourage entered your black SUV style vehicle. You directed Ms. Shores to the furthest back row so you could all head to [REDACTED]. On the ride to [REDACTED], you exposed your genitalia. Ms. Shores did not want to engage in sexual intercourse and made sure to verbalize her wishes. Afterwards, the car came to a stop at your destination. Once this occurred, everyone got out of the car except you, and you further signaled to one of your entourage members to leave

you and Ms. Shores alone. At this point, you used physical force and sexually assaulted Ms. Shores by penetrating her vagina against her consent.

Ms. Shores has had to live with this pain and trauma for 7 years. It affected her relationship with her fiancé and her everyday existence so much that she had to attend therapy and counseling and will require future therapy and counseling. She has suffered mental anguish that is unimaginable dealing with the trauma of being a sexual assault of victim.

Despite the tragic events, she is willing to forego pursuing criminal charges, along with disclosing this information to the public, in exchange for compensating her for the mental anguish she has suffered. Ms. Shores's damages are valued at the sum of \$100,000,000.00. You have until February 16, 2024, to respond to this demand letter. To discuss this matter, please have your attorneys reach out to us at [REDACTED]@zehaielaw.com or [REDACTED]@zehaielaw.com.

Please direct all communications exclusively to our office. We hope to resolve this matter privately and amicably and look forward to working with you.

Sincerely,

/s/ Bethel T. Zehaie

SBN No. 24073791

Attorney for Victoria Baileigh Shores

/s/ Yoel T. Zehaie

SBN No. 24127899

Attorney for Victoria Baileigh Shores

Automated Certificate of eService

This automated certificate of service was created by the eFiling system. The filer served this document via email generated by the eFiling system on the date and to the persons listed below. The rules governing certificates of service have not changed. Filers must still provide a certificate of service that complies with all applicable rules.

Tiffany Gonzalez on behalf of Levi McCathern
Bar No. 00787990
tgonzalez@mccathernlaw.com
Envelope ID: 85428169
Filing Code Description: Plaintiff's Original Petition (OCA)
Filing Description: Plaintiff's Original Petition
Status as of 3/12/2024 12:23 PM CST

Associated Case Party: RayneDakotaPrescott

Name	BarNumber	Email	TimestampSubmitted	Status
Elizabeth Criswell		ecriswell@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Shahin Eghbal		seghbal@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Tiffany Gonzalez		tgonzalez@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Kristin Hecker		khecker@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Jennifer L.Falk		jfalk@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Levi McCathern		lmccathern@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
McCathern Receptionist		receptionist@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT
Scott J.Becker		sbecker@mccathernlaw.com	3/11/2024 3:58:36 PM	SENT