

**DOCKET NO. DBD-CV20-6036690-S** : **SUPERIOR COURT**  
:  
**CAROLINE DRANOW** : **J.D. OF DANBURY**  
:  
**V.** : **AT DANBURY**  
:  
**LEIGH DIFFEY** : **NOVEMBER 25, 2020**

**REVISED COMPLAINT**

**COUNT ONE: (NEGLIGENCE AS TO LEIGH DIFFEY)**

1. At all times mentioned herein defendant, Leigh Diffey owned and controlled the premises located at 58 Lewis Drive, Ridgefield, Connecticut (hereinafter referred to as “the premises”).
2. At all times mentioned herein, it was the duty of the defendant, Leigh Diffey, to exercise reasonable care to maintain the premises in a reasonably safe condition for persons lawfully on said premises, such as the plaintiff.
3. On or about July 24, 2018 and into the early morning hours of July 25, 2018, and sometime prior thereto, the defendant, Leigh Diffey permitted one houseguest (hereinafter referred to by initials “W.P.”) to be an overnight guest on the above referenced premises.
4. On or about July 24, 2018 and into the early morning hours of July 25, 2018, the defendant, Leigh Diffey and W.P. interacted socially with the Plaintiff. During these social interactions the defendant, Leigh Diffey observed W.P. making unwanted sexual advances on the Plaintiff, including, but not limited to grabbing the plaintiff’s thigh and attempting to kiss the Plaintiff against her wishes as she operated a motor vehicle in which the defendant, Leigh Diffey and W.P. were passengers.

5. The behavior of W.P. was so extreme and outrageous that his unwanted sexual advances caused the Plaintiff to crash her vehicle, in which the defendant, Leigh Diffey was a passenger, into a ditch causing significant property damage.
6. Despite the extreme, outrageous, dangerous, and sexually aggressive behavior exhibited by W.P. toward the plaintiff throughout the evening of July 24, 2018, the defendant, Leigh Diffey, invited W.P. back into his home, and permitted him to be a guest upon the premises.
7. Despite knowing of the extreme, outrageous, dangerous, and sexually aggressive behavior of W.P. prior to their arrival back at the defendants home the evening of July 24, 2018 and into the early morning hours of July 25, 2018, the Defendant served W.P. additional intoxicating beverages.
8. Despite knowing of the extreme, outrageous, dangerous, and sexually aggressive behavior of W.P. on his premises, the defendant, Leigh Diffey invited the Plaintiff, who was underage, into his home and served her intoxicating beverages, insisting that it would calm her down after the trauma of the automobile collision.
9. Despite knowing of the extreme, outrageous, dangerous, and sexually aggressive behavior of W.P., and the knowledge that the Plaintiff was under the influence of alcohol, the defendant, Leigh Diffey put the Plaintiff in a closed bedroom with W.P.
10. Upon placing the Plaintiff into the closed room with W.P., the defendant, Leigh Diffey informed the Plaintiff that his wife and children were sleeping in the home and he was required to locate her in this room to avoid her being undetected by the other household members.

11. At some point thereafter, the Plaintiff was sexually assaulted and forced to engage in sexual intercourse without her consent with W.P despite the Plaintiff saying no multiple times and struggling during the interaction.
12. During the non-consensual sexual intercourse, the Plaintiff was subjected to further sexual abuse when the intercourse was filmed by W.P. utilizing a cellular phone.
13. During the non-consensual sexual intercourse, the Plaintiff was subjected to further trauma by W.P.'s refusal to wear any kind of sexual protection.
14. On said date, the premises was in a dangerous condition in that it was occupied by a known dangerous and sexually aggressive person, W.P. whom the defendant homeowner, Leigh Diffey, had previously observed grabbing the plaintiff's thigh and attempting to kiss her against her wishes.
15. On said date and for some time prior thereto, the defendant knew or, in the exercise of reasonable care, should have known of the dangerous and/or defective condition of the premises and despite having that knowledge brought the Plaintiff to the premises and put her into a room with a known dangerous houseguest W.P. whom the defendant homeowner, Leigh Diffey, had previously observed grabbing the plaintiff's thigh and attempting to kiss her against her wishes.
16. On said date and place, the plaintiff was subjected to non-consensual sexual intercourse, non-consensual videotaping of said intercourse, and non-consensual insemination.
17. The plaintiff's sexual assault and the injuries, losses, and damages were caused by the negligence and carelessness of the defendant, Leigh Diffey, acting individually or through agents, servants, and/or employees in one or more of the following ways:

- a. In that the defendant failed to maintain the premises in which he owned in a reasonably safe condition in that he permitted the premises to be inhabited by an intoxicated, dangerous and sexually aggressive person and brought the Plaintiff onto the property, served her alcoholic beverages, and put her in a closed room with said dangerous individual W.P.;
- b. In that the defendant failed to warn persons, including the Plaintiff, of the dangerous condition of the property due to the presence of an intoxicated, dangerous and sexually aggressive person and brought the Plaintiff onto the property, served her alcoholic beverages, and put her in a closed room with said dangerous individual W.P.;
- c. In that although the defendant knew or should have known that the premises was in a dangerous condition, the defendant failed to remedy said dangerous condition by failing to remove the intoxicated, dangerous and sexually aggressive person from the premises and instead brought the Plaintiff onto the property, served her alcoholic beverages, and put her in a closed room with said dangerous individual W.P.;
- d. In that although the defendant knew or should have known that the premises was in a dangerous condition, the defendant failed to remedy said dangerous condition by failing to provide a safe place within his home for the plaintiff to stay despite inviting her to do same and serving her alcoholic beverages when underage which prevented her from being able to leave willingly;
- e. In that the dangerous condition of W.P.'s presence existed for a sufficient period of time so that the Defendant knew, or should have known of it, and should have taken measures to remedy and correct it, but failed to do so and instead brought the Plaintiff onto the property, served her alcoholic beverages, and put her in a closed room with said dangerous individual W.P.;
- f. In that the defendant, Leigh Diffey created the dangerous condition in that he served W.P. and the underage Plaintiff alcoholic beverages and facilitated for the Plaintiff to be placed in a room behind closed doors with W.P. following his direct observation of W.P. being dangerous and assaulting the Plaintiff the entire evening preceding the arrival at the defendant, Leigh Diffey's premises;
- g. In that the defendant, Leigh Diffey failed to exercise the duty of care owed to the invitee Plaintiff to keep her safe from known dangerous conditions while on his property; and
- h. In that the defendant, Leigh Diffey failed to warn persons on his property, including the Plaintiff, that it was unsafe to be in the presence of the intoxicated, dangerous, and sexually aggressive person, W.P. despite

knowing of his inappropriate dangerous behavior toward the Plaintiff preceding the arrival at his premises.

18. As a direct result of the aforesaid negligence and/or carelessness of the defendant, Leigh Diffey, the plaintiff sustained the following painful, severe and/or permanent injuries: vaginal trauma and severe emotional trauma.
19. As a further result of the negligence and/or carelessness of the defendant, Leigh Diffey, the plaintiff has been required to expend and/or may be required to expend considerable sums of money for medical care and treatment, mental health care and treatment, and medication all to her financial loss.
20. As a further result of the negligence and/or carelessness of the defendant, Leigh Diffey, the plaintiff has and will continue to suffer great physical, mental and emotional pain and anguish and has been and will be sick, sore and disabled for a long period of time.
21. As a further result of the negligence and/or carelessness of the defendant, Leigh Diffey, the plaintiff has sustained a permanent impairment of her ability to engage in and/or enjoy life's activities.

**WHEREFORE**, the Plaintiff claims:

1. Monetary damages;
2. Interest and Costs; and
3. Such other and further relief as the Court may deem fair and equitable.

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THE PLAINTIFF,

BY



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**STATEMENT OF AMOUNT IN DEMAND**

The amount of demand, exclusive of interest and costs is in excess of Fifteen Thousand Dollars (\$15,000).

THE PLAINTIFF,

BY




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**CERTIFICATION**

I hereby certify that a copy of the above was mailed or electronically delivered on the above date to all counsel and self-represented parties of record and that written consent for electronic delivery was received from all counsel and self-represented parties of record who were electronically served.

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