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CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

1 BINGHAM MCCUTCHEN LLP  
ALAN R. BERKOWITZ (SBN 50112)  
2 DONN P. PICKETT (SBN 72257)  
Three Embarcadero Center  
3 San Francisco, CA 94111-4067  
Telephone: (415) 393-2000  
4 Facsimile: (415) 393-2286

5 Attorneys for Plaintiff  
Trenton H. Norris

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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA

SI

10 SAN FRANCISCO DIVISION

11 **C 04 4375**

12 TRENTON H. NORRIS,

Case No.

13 Plaintiff,

COMPLAINT FOR:

14 v.

- (1) STALKING;
- (2) DEFAMATION;
- (3) FALSE LIGHT;
- (4) INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS;
- (5) TORTIOUS INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE

15 LOUIS E. VARELA NEVAER,

16 Defendant.

17 DEMAND FOR JURY TRIAL

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20 **INTRODUCTION**

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1. For over six years, Defendant Louis E. Varela Nevaer ("Nevaer") has engaged in a campaign to harass, intimidate, threaten, and otherwise harm Plaintiff Trenton H. Norris ("Mr. Norris") in response to Mr. Norris previously having represented a pro bono client adverse to Nevaer. Nevaer's unlawful campaign has included:

- 1 • Publishing false accusations of pedophilia, sexual harassment, molestation,  
2 and racism. Nevaer has sent Mr. Norris' clients, prospective clients,  
3 colleagues, and neighbors materials that falsely and maliciously accuse Mr.  
4 Norris of pedophilia, sexual harassment, molestation, and racism as well as  
5 falsely report that Mr. Norris is subject to disbarment proceedings by the State  
6 Bar of California and discipline by his law firm. In these communications  
7 Nevaer falsely has described in graphic detail Mr. Norris' participation in  
8 sexual acts and has referred to Mr. Norris by such terms as "white pussyboy  
9 pervert." Nevaer also has posted such materials on the internet.
- 10 • Directly harassing Mr. Norris and threatening physical violence. Nevaer  
11 repeatedly has sent threatening material directly to Mr. Norris. These  
12 communications include a typed card stating "[w]hen you fucked with Louis  
13 you fucked with the wrong spic!" that was addressed to "Pussy Boy Cock  
14 Sucker Trent Norris," numerous threats of and references to violence against  
15 Mr. Norris, and photographs of a man wielding a large knife in a threatening  
16 manner.
- 17 • Impersonating Mr. Norris on the internet in order to solicit strangers to  
18 perform violent sexual acts on Mr. Norris. On at least four separate occasions,  
19 Nevaer has represented himself as Mr. Norris, recruited people to engage in  
20 violent sexual acts with Mr. Norris, and given these people Mr. Norris' work  
21 and home address and phone numbers as well as the dial code to Mr. Norris'  
22 apartment, which can only be obtained by visiting Mr. Norris' residence. The  
23 solicited sexual acts include sadomasochism and a request to "PLEASE . . .  
24 FUCK ME WITH A DILDO . . . RAPE MY ASS." Respondents to these  
25 solicitations have contacted Mr. Norris.  
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- Demonstrating obsessive persistence in tracking down Mr. Norris’ personal information. Nevaer persistently has obtained Mr. Norris’ personal information, including Mr. Norris’ home address which has changed during the course of Nevaer’s campaign, despite efforts to make this information difficult to find. Nevaer uses this information to harass Mr. Norris, to make him aware of the stalking, and to place him in fear for his safety.

2. This conduct has been undertaken by Nevaer in violation of a settlement agreement entered into by Mr. Norris’ former pro bono client and Nevaer that precluded Nevaer from contacting any of that client’s attorneys. On two separate occasions Nevaer’s conduct has been in violation of injunctions issued by the Superior Court of the State of California. Some of the specific instances of this conduct are detailed below.

3. Mr. Norris brings this action for stalking, defamation, false light, intentional infliction of emotional distress, and tortious interference with prospective economic advantage in order to obtain further injunctive relief and to recover damages resulting from Nevaer’s unlawful conduct.

**PARTIES**

4. Mr. Norris is a partner in the San Francisco office of the law firm Bingham McCutchen LLP (“Bingham McCutchen”), formerly McCutchen, Doyle, Brown, & Enersen (“McCutchen”), and has been a member in good standing of the California State Bar since 1993. Mr. Norris has had an active pro bono practice throughout his legal career and has been recognized for that work by his firm and his clients. The only time Mr. Norris met Nevaer was in the course of handling a pro bono matter in 1998 in which Mr. Norris’ client was adverse to Nevaer. At all times relevant to the allegations in this complaint, Mr. Norris has been a resident of San Francisco County, California.

5. Nevaer purports to be a free-lance journalist and author holding a doctorate degree. He is associated with the Pacific News Service in San Francisco, California.

1 Upon information and belief, Nevaer owns or controls San Francisco-based Stevenson Press,  
2 Mesoamerica Foundation, and www.boycottsanfrancisco.com, while he uses the identity of  
3 legitimate entities such as Prevent Child Abuse America without permission in an attempt to add  
4 legitimacy to his communications. Also upon information and belief, Nevaer uses the following  
5 aliases and/or stolen identities, among others: James Balducci, J.B., Santiago Balducci, Salvador  
6 Barajas, Simon Brennan, Robert Brenner, Lupita Castro, Coltboy, Eva Destruction, Antonio  
7 Ferrelli, Mike Flora, Damian James, Juan Rodriguez, Raquel Romero, Mark Seeba, Ana Sofia,  
8 and David Stork. Nevaer was a resident of San Francisco, California at various times relevant to  
9 the allegations in this Complaint. Nevaer currently is domiciled in New York City and owns a  
10 condominium in Florida.

11 **JURISDICTION AND VENUE**

12 6. This Court has jurisdiction over this civil action pursuant to 28 U.S.C.  
13 §1332. Mr. Norris is a citizen of California, Nevaer is a citizen of New York, and the amount in  
14 controversy exceeds the sum of \$75,000.

15 7. Defendant has lived in San Francisco at various times relevant to this  
16 complaint and sent a series of communications described in this complaint to residents of San  
17 Francisco, and therefore is subject to personal jurisdiction.

18 8. Venue is proper pursuant to 28 U.S.C. §1391.

19 **GENERAL ALLEGATIONS**

20 **Background**

21 9. On or about April 15, 1998, Robert Brenner was granted a permanent  
22 restraining order against Nevaer, his former boyfriend, based upon evidence that Nevaer had  
23 violently assaulted and harassed Robert Brenner prior to that date. Community United Against  
24 Violence (“CUAV”), a San Francisco-based multicultural organization working to end violence  
25 in the gay, lesbian, bisexual, and transgender community, assisted Robert Brenner in obtaining  
26 this order.

1           10.     Subsequently, Nevaer began a campaign against CUAV, which included  
2 contacting its funders, writing dozens of letters of complaint, publishing purported “articles,”  
3 posting fliers, and coming to CUAV’s offices and refusing to leave. In addition, Nevaer  
4 infringed CUAV’s trademark by registering the internet domain name “cuav.org.” McCutchen  
5 represented CUAV pro bono in this trademark dispute with Nevaer, and Mr. Norris was one of  
6 the McCutchen attorneys working on this matter. *Community United Against Violence v.*  
7 *Nevaer*, No. C98-3348 (U.S. District Court for the Northern District of California, filed August  
8 28, 1998). Prior to that time, Mr. Norris -- who was active in local community affairs -- had  
9 accepted an appointment as a board member of CUAV. The law firm of Heller, Ehrman, White  
10 & McAuliffe LLP (“Heller”) represented CUAV in a lawsuit against Nevaer concerning his  
11 other harassing tactics. *Community United Against Violence v. Nevaer*, No. CGC-98-997530  
12 (San Francisco Superior Court, filed August 28, 1998).

13           11.     Nevaer’s campaign against CUAV used many of the tactics subsequently  
14 used against Mr. Norris, including false “press releases,” chapters of books to be published,  
15 notices of the recipient’s “right to respond” to bizarre and incoherent allegations, trumped-up  
16 “boycotts” and “picket lines,” allegations of racism, derogatory sexual comments and threats,  
17 and communications to the media, public officials, and others whom Nevaer believes may have  
18 influence over his target or to whom Nevaer believes disclosure would be embarrassing to his  
19 target.

20           12.     In his campaign against CUAV, Nevaer also threatened and attempted to  
21 intimidate CUAV’s attorneys at McCutchen and Heller. Using various aliases that Nevaer  
22 continues to use against Mr. Norris, Nevaer engaged in these same tactics against McCutchen  
23 and Heller as well as against individual attorneys at those two law firms. He also contacted  
24 individual attorneys for CUAV, including Mr. Norris, at home for the purpose of harassing and  
25 attempting to intimidate them. Nevaer and his attorney repeatedly were told that Nevaer must  
26 cease all such communications.

1                   13.     On or about October 29, 1998, following in-person settlement discussions  
 2 in which Nevaer was represented by counsel, Nevaer signed a Standstill and Settlement  
 3 Agreement, agreeing, *inter alia*, to stop using cuav.org, to transfer that domain name to CUAV,  
 4 and never to contact CUAV or its attorneys, including attorneys at McCutchen and Heller.  
 5 “Raquel Romero” purportedly signed the agreement on behalf of Fundacion Mesoamerica on  
 6 November 2, 1998. “James Balducci” purportedly signed the agreement on behalf of CUAV  
 7 Legal Defense Fund a/k/a Victims of Domestic Violence Fund a/k/a True Victims of Domestic  
 8 Violence Fund on November 7, 1998. “P. Simon Brennan” purportedly signed the agreement on  
 9 behalf of Perverts Against Perjury (PAP), “Eva Destruction” and Transvestites Against Trash  
 10 (TAT), Concepcion Guadalupe Castro and Lesbians Against Libel (LAL), and “Mary Jo ‘Vixen’  
 11 McConnahey” and Dykes Against Dishonesty (DAD) on November 7, 1998. Mary Jo  
 12 McConnahay was the Pacific News Service editor for Central America. “Dr. Louis E. Varela  
 13 Nevaer” purportedly signed the agreement on behalf of Spanish People Incensed at CUAV  
 14 Slander (SPICS) on November 7, 1998. On information and belief, all of these signatures except  
 15 that of Nevaer were forged or falsified by Nevaer because these other individuals either do not  
 16 exist or had their identities stolen by Nevaer.

17   **Pattern and Practice of Conduct by Nevaer**

18                   14.     Upon information and belief, all of the following conduct was undertaken  
 19 by Nevaer.  
 20                   15.     On or about February 8, 1999, Mr. Norris received a greeting card bearing  
 21 the typewritten statement: “Fag, oh fag! When you fucked with Louis you fucked with the  
 22 wrong spic!” The card was addressed to “Pussy Boy Cock Sucker Trent Norris.”  
 23                   16.     On or about February 8, 1999, the managing partner of McCutchen’s San  
 24 Francisco office received a typed postcard stating that “Hispanic people” will boycott  
 25 McCutchen for its pro bono work on behalf of CUAV and that “WE will expose you for the  
 26 racists sons-of-bitches that you are BY ANY MEANS NECESSARY.” It also stated that “You

1 have only that PUSSY BOY Trent Norris to blame!” and “We will have your MOTHER  
2 FUCKING IMPERIALIST PUSSY nailed to the wall.”

3 17. On or about February 16, 1999, McCutchen filed for a TRO for all  
4 employees, partners and agents of McCutchen against Louis E. Varela Nevaer a/k/a James  
5 Balducci a/k/a Jose Martinez a/k/a Juan Ponce. The TRO was endorsed and filed the next day,  
6 with a hearing set for March 5, 1999. On or about March 4, 1999, however, McCutchen  
7 determined that Nevaer had moved to Miami. As a result, McCutchen took the TRO hearing off  
8 calendar.

9 18. On or about March 22, 1999, Mr. Norris received a typed postcard that  
10 was addressed to “Radical Homosexual Trent Pussyboy Norris.” The postcard stated that if Mr.  
11 Norris had known that people would have denounced him then “maybe you would have been  
12 more reluctant to fuck with the wrong spics!” and “Hey, are you happy to get my postcard, or is  
13 that A DILDO UP YOUR ASS!” It was signed “J.B.” and postmarked from Miami.

14 19. On or about April 15, 1999, the managing partner of McCutchen’s San  
15 Francisco office received an invitation to a “Book Signing Party” for a new book called “Attack  
16 of the Radical Homosexuals: The Gay Agenda and the Assault on American Civil Rights.” It  
17 contained a “Book Summary” that discussed how McCutchen and Heller violated the civil rights  
18 of San Franciscans by promoting a “Radical Homosexual” agenda. It claimed to be a work about  
19 “speed freaks and pedophiles, who just happen to work in the Mayor’s Office in City Hall and  
20 prestigious law firms downtown.” It mentioned Mr. Norris by name.

21 20. Also on or about April 15, 1999, an excerpt from the purported preface of  
22 “Attack of the Radical Homosexuals: The Gay Agenda and the Assault on American Civil  
23 Rights” was sent to Mr. Norris. It was addressed to “Radical Homosexual Trent PUSSYBOY  
24 Norris.”

25 21. On or about April 22, 1999, the managing partner of McCutchen’s San  
26 Francisco office received a flyer from “Lupita Castro” regarding the “First Anniversary of your

1 Persecution of our Beloved Comrade Louis.” It also stated that “Lesbians Against Libel (LAL)  
2 is back!” and that McCutchen, CUAV, and Heller were anti-Latino racists. Finally, it stated that  
3 the author had “only two words for those Pathetic Pussyboys, Trent Mr. Norris, Jerry Grossman  
4 and Scott Weiner: LORENA BOBBIT! Off With their Dicks!” Messrs. Grossman and Weiner,  
5 like Mr. Norris, were attorneys for CUAV in its previous legal actions against Nevaer.

6           22.     On or about April 26, 1999, an e-mail from “David Stork” was sent to  
7 McCutchen asking for comment about an alleged subpoena purportedly sent to Mr. Norris  
8 regarding alleged witness tampering by Lester Olmstead-Rose and Greg Merrill, who worked for  
9 CUAV, in a possible hate crime murder alleging that CUAV has an agenda against Latinos. An  
10 “article” also was e-mailed by “David Stork” to the managing partner of McCutchen’s San  
11 Francisco office about the purported subpoena. “David Stork” had an article about Cuba posted  
12 on the Stevenson Press website. Readers were directed to contact Nevaer at  
13 stevenson@stevensonpress.com. There was no such subpoena and no witness-tampering  
14 investigation of anyone associated with CUAV.

15           23.     On or about April 29, 1999, Mr. Norris received a postcard addressed to  
16 “Pussyboy Trent Norris” that simply stated “MAKE WHOLE ASSHOLE!” The postcard was  
17 signed “J.B.”

18           24.     Also on or about April 29, 1999, Mr. Norris received the same “Lupita  
19 Castro” flyer that had been sent to the managing partner of McCutchen’s San Francisco office  
20 the week before. It was addressed to “Trent Pussyboy Norris.”

21           25.     On or about May 7, 1999, Mr. Norris received a letter from “James” with  
22 a copy of the first page of the purported interview with Lupita Castro. The letter referenced the  
23 supposed book “Attack of the Radical Homosexuals” and a book party claiming that Mr. Norris  
24 was in the preface and throughout the book.

25           26.     On or about May 12, 1999, Mr. Norris was sent a flyer at his home  
26 proclaiming: “Advance Praise for ‘Attack of the Radical Homosexuals.’”



1                   27.     On or about May 13, 1999, Mr. Norris was forwarded a postcard stating  
2 that a “Mrs. Romero” was having dinner with Gov. Davis and President Zedillo in California. It  
3 also stated “mariconos malvados = evil faggots” and “Norris, Grossman y Wiener son  
4 Chupapingas racistas!” These were defamatory statements in Spanish. The postcard was signed  
5 “J.B.”

6                   28.     Also on or about May 13, 1999, Mr. Norris received a note stating  
7 “Pussyboy, In May, President Zedillo will be in San Francisco. Guess which law firms will be  
8 denounced in his presence?” The letter is addressed to “Silly Silly Sissy Pussyboy T. Norris.”

9                   29.     On or about May 24, 1999, Mr. Norris was forwarded a typewritten note  
10 from “J. Balducci” to “Radical Homosexual Trent Norris” stating that a former CUAV client and  
11 a “Sephardic Jew” retained the Landmark Legal Foundation to challenge “your systematic  
12 violation of Latino civil rights.”

13                  30.     On or about May 27, 1999, McCutchen was forwarded a document from  
14 Mesoamerica implying that the New California Media, a collaboration between California Ethnic  
15 Media and Pacific News Service, questioned why McCutchen and Mr. Norris provided “*probono*  
16 work for the radical homosexual bigots at CUAV,” and further stated that McCutchen is a racist  
17 law firm. The e-mail address on this document was mesoamerica@stevensonpress.com.

18                  31.     Also on or about May 26, 1999, Mr. Norris was forwarded a “press  
19 release” claiming that Milton White of the National Charities Information Bureau was being  
20 harassed by Heller and McCutchen. The “release” quoted “James Balducci” and described Mr.  
21 Norris as a “Radical Homosexual pervert.” The release falsely implied that it was from the  
22 NAACP, the NCIB, the Landmark Legal Foundation, and The Christian Coalition.

23                  32.     On or about June 18, 1999, a manuscript for a “novel” was hand delivered  
24 to the McCutchen mailroom. Chapter Five of the novel references a “Trent Harris” of  
25 “McCutchen, Boyd, Greene & Ernest.” It contained sexual references about “Trent Harris.”  
26 Another character calls him a “stupid pussyboy” and stated that “McCutchen, Boyd excelled at

1 duplicity and sleaziness.” It also referred to a “Lester Holmes, the Executive Director of the  
2 Society for the Advancement of the Gay Agenda.” These were thinly veiled references to Mr.  
3 Norris and Mr. Olmstead-Rose.

4           33. On or about June 23, 1999, McCutchen was sent a “press release” falsely  
5 stating that Lupita Castro was sued by Heller and McCutchen. The release referred to Mr. Norris  
6 and others as “those Pathetic Pussyboys” and claimed Ms. Castro said “I’ll show them why my  
7 strap-on dildo should be a Registered Weapon.” It quoted James Balducci as saying “I suggested  
8 we sodomize in effigy those Anglo Pussyboy Bigots in front of the Castro Theater.” The e-mail  
9 address given for Ms. Castro was lupita@stevensonpress.com.

10           34. On or about July 20, 1999, Mr. Norris was forwarded an e-mail from  
11 “Lupita Castro” stating that she was exercising due diligence for a film treatment. The e-mail  
12 stated that “this is a GOOD FAITH effort to comply with DUE DILIGENCE and VERIFY  
13 FACTs.” The attached document, written by Nevaer, alleged how CUAU, Heller, and  
14 McCutchen, including Mr. Norris, conspired to deny Latinos civil rights. The document  
15 referenced the Standstill Agreement between CUAU and Nevaer and repeatedly referred to Mr.  
16 Norris and others as “radical homosexuals” and “perverts.”

17           35. On or about August 2, 1999, Mr. Norris received a postcard addressed to  
18 “Ms. Trent Norris” and stated: “Look out your window. What do you see? Is it California? A  
19 Standstill Agreement in California that doesn’t include ... screenplays!” The author claimed he  
20 would expose Mr. Norris as a “sick racist.” It ended: “As Louis once said: What can we expect  
21 from a man who mistook his rectum for a vagina?”

22           36. On or about August 9, 1999, McCutchen received a “press release” on  
23 Mesoamerica letterhead listing “Ten Most Wanted Racists.” The list of names included Mr.  
24 Norris.

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1                   37.     Also on or about August 9, 1999, Mr. Norris received a card from “Juan  
2 Rodriguez” that stated that he was constructing a web page about Mr. Norris. It referred to Mr.  
3 Norris and others as “pussyboys.”

4                   38.     On or about August 23, 1999, McCutchen received an e-mail from  
5 “Coltboy” describing, in sexually explicit detail, supposed sexual acts between him and Mr.  
6 Norris. It referenced the Folsom Street Fair and asked that Mr. Norris be informed that  
7 “Coltboy” will let him “serve me a [sic] my slave boy for the fair, and then I’ll plow his white-  
8 boy pussy-asshole at the Sons of Bacchus party on Natoma.” The e-mail also referred to Mr.  
9 Norris as a “shitty racist.” The e-mail address was coltboy@webtv.net.

10                  39.     On or about August 25, 1999, McCutchen received a flyer, purportedly  
11 from “Mike Flora” who also used the alias “Eva Destruction.” The flyer claimed that Mike Flora  
12 was HIV positive and that his health had deteriorated because his civil rights had been violated  
13 by CUAUV, Heller, and McCutchen. The flyer referred to Mr. Norris and others as “Gay White  
14 Cocksucker Pussyboy Limp-Dick Bigots.”

15                  40.     On or about September 1, 1999, the managing partner of McCutchen’s  
16 San Francisco office received another letter from “Salvador Barajas” attempting to confirm that  
17 McCutchen found no factual errors in Nevaer’s film treatment entitled “Attack of the Radical  
18 Homosexuals.” He stated that “[t]his letter represents a good faith effort to exercise due  
19 diligence and verify facts.”

20                  41.     On or about October 21, 1999, Mr. Norris filed a supplemental declaration  
21 to update the declaration he filed on February 16, 1999 in conjunction with the petition for  
22 restraining order filed on that day. A petition for restraining order also was filed and a hearing  
23 date set for November 10, 1999.

24                  42.     On or about November 5, 1999, the managing partner of McCutchen’s San  
25 Francisco office, received a letter from “Salvador Barajas” stating that the letter “represents a

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1 good faith effort to exercise due diligence and verify facts” about the supposed book “Attack of  
2 the Radical Homosexuals.”

3 43. On or about December 1, 1999, McCutchen refiled for a restraining order  
4 against Nevaer. A hearing date was set for December 15, 1999.

5 44. On or about December 10, 1999, the managing partner of McCutchen’s  
6 San Francisco office received an e-mail from “Coltboy” that began: “Get AIDS and die you sick  
7 fuck.” It also stated that “we will fight you sick fuck homosexual cocksucking faggots who  
8 shove enemams up their ass and have Miami policeman standing by seeing all these cocl suckibg  
9 aftercock sucker fags. ...So get AIDS and die you sick fucks.” The e-mail was signed  
10 “michael.” The e-mail address was coltboy@webtv.net.

11 45. Also on or about December 10, 1999, the managing partner of  
12 McCutchen’s San Francisco office received an e-mail from “Mike Flora aka Eva Destruction.”  
13 The e-mail address was coltboy@webtv.net. He claimed to be a “fuck-buddy of trent norris” and  
14 referred to the “bogus restraining order against nevar.” He claimed to “shove but plugs up that  
15 pussyboy’s ass. i piss on his face. i shit on his chest” and that he “likes to have my big fat cock  
16 up his pussy-asshole shoved with no mercy.” The e-mail address was coltboy@webtv.net.

17 46. On or about December 15, 1999, McCutchen and Mr. Norris each  
18 obtained restraining orders against Nevaer.

19 47. On or about January 13, 2000, a client of Mr. Norris and McCutchen  
20 received a letter from Nevaer. The letter sent to the client actually was a letter addressed to  
21 Edward Ilumin of the San Francisco Human Rights Commission decrying Mr. Norris’  
22 declaration in support of his petition for a restraining order against Nevaer. In the letter, Nevaer  
23 objected to the reference of “white pussyboy pervert” in Mr. Norris’ declaration and complained  
24 that Mr. Norris was sexually harassing him and that Mr. Norris was calling himself that  
25 derogatory term. All references to Nevaer in the letter were blacked out, but a copy of Mr.  
26 Norris’ declaration (also blacked out) was attached to the letter.

1           48.     In May 2000, McCutchen received a “press release” on the letterhead of  
2 Mesoamerica stating that an artist, “Enrique Salazar,” had been commissioned to create 12 works  
3 on paper documenting the violation of civil rights of Hispanics by “Aryan Homosexuals” at  
4 McCutchen and Heller. The artist compared the treatment of Nevaer and the Mesoamerica  
5 Foundation by Mr. Norris to lynching of blacks in the first half of the 20th century. The  
6 “release” contained graphic photographs of lynchings that are part of an exhibit by James Allen’s  
7 “Without Sanctuary: Lynching Photography in America.”

8           49.     On or about September 7, 2000, Mr. Norris discovered that flyers were  
9 being sent to his clients falsely describing Mr. Norris’ participation in sexual acts in graphic  
10 detail. The flyer, which contained a “press release” stating that a “Gay Sex Scandal” began  
11 when Mr. Norris was “accused of degenerate sexual misconduct before the State Bar.” The  
12 release also quoted “Santiago Balducci” as calling Mr. Norris and others “pussyboy-perverts”  
13 and stated that Mr. Norris “FILES COURT PAPERS in which he refers to himself as A WHITE  
14 PUSSYBOY PERVERT.”

15           50.     On or about November 8, 2000, the managing partner of McCutchen’s San  
16 Francisco office received a “press release” claiming that Antonio Ferrelli had agreed to pose for  
17 the cover of “Attack of the Radical Homosexuals.” Included in the “release” were photographs  
18 of a man wielding a large knife and holding it in a threatening manner. The release quoted  
19 Nevaer.

20           51.     On or about February 14, 2001, Mr. Norris received an e-mail from  
21 “Antonio Ferrelli” asking Mr. Norris which photograph he liked best for the cover of the book  
22 “Attack of the Radical Homosexuals.” The attachment to the e-mail showed four photographs of  
23 a man wielding a large knife in a threatening manner. The e-mail address was  
24 antonioferrelli@hotmail.com.

25           52.     On or about February 20, 2001, McCutchen received a “press release”  
26 discussing how Mr. Norris conspired to deprive Hispanics of civil rights and stated that Mr.

1 Norris “subsequently (and inexplicably) filed court papers in which he referred to himself as  
2 “white pussyboy pervert.” It also quoted “Santiago Balducci.”

3 53. On or about August 29, 2001, Mr. Norris received an e-mail from “Mark  
4 Seeba” that asked “you really file court papers calling yourself a ‘white pussyboy pervert?’” It  
5 also said “I’ll shove my 10” up your fucking ass” and “Love the way you sued those spics.” The  
6 e-mail address was seebaman@hotmail.com.

7 54. On or about September 4, 2001, Mr. Norris received an e-mail “press  
8 release” from “Antonio Ferrelli” discussing how CUAV had lost funding because of its “racist  
9 actions against Hispanics.” The release quoted “Raquel Romero” and “Santiago Balducci” and  
10 mentioned Mr. Norris by name. The e-mail address was antonioferrelli@hotmail.com.

11 55. On or about September 10, 2001, Mr. Norris was forwarded a “press  
12 release” stating that “Hispanic activists” were seeking the disbarment of attorneys at McCutchen  
13 including Mr. Norris due to the actions involving CUAV. The “release” quoted “Ana Sofia” and  
14 “Raquel Romero” and referenced the supposed book “The Perversion of Probono.” The  
15 “release” attached a letter from Ms. Sofia of the “Committee to Defend Hispanics from the  
16 Racists at Heller, Ehrman, White & McAuliffe and McCutchen, Doyle, Brown & Enersen” to the  
17 State Bar of California. The address given for Ms. Sofia was: Mesoamerica Foundation, P.O.  
18 Box 140681, Coral Gables, FL 33114-0681. This was the same address as the one given for  
19 Salvador Barajas.

20 56. On or about September 22, 2001, Mr. Norris received an e-mail from  
21 “Antonio Ferrelli” stating that the State Bar of California should “begin by ridding itself of these  
22 despicable racists who conspired to deprive Hispanics of their civil rights!” The e-mail address  
23 was antonioferrelli@hotmail.com.

24 57. On or about October 19, 2001, Mr. Norris received an e-mail from  
25 “Damian James” stating that Timothy Carroll had fabricated his testimony in the Brian Wilmes  
26 murder case. It stated that CUAV convinced him to do so and quoted “Santiago Balducci.”

1 CUAV assisted the family of Brian Wilmes, who was murdered in an anti-gay hate crime in San  
2 Francisco. On information and belief, Nevaer interfered in that investigation in order to attempt  
3 to discredit CUAV. The e-mail address was damiantop@hotmail.com.

4 58. On or about November 25, 2001, Mr. Norris received an e-mail from  
5 "Mark Seeba" that discussed how McCutchen conspired against Hispanics. The e-mail address  
6 was seebaman@hotmail.com.

7 59. Also on November 25, 2001, Mr. Norris received an e-mail from "Antonio  
8 Ferrelli" about how the author of the book entitled "Gap" -- Nevaer -- had been the victim of a  
9 hate crime by CUAV. It ended with "CUAV are gonna wish they had been having breakfast at  
10 Windows on the World on September 11th!" The e-mail address was  
11 antonioferrelli@hotmail.com.

12 60. On or about January 5, 2002, Mr. Norris received an e-mail from "Mark  
13 Seeba" stating that "racist homophiles like Trent Norris" will not stop the work of Mesoamerica  
14 "as they embark on a twenty-eight city, four nation tour." It began "Make whole, assholes" and  
15 is addressed to "Miss Trent." The e-mail appeared to refer to an art exhibit put together by  
16 Nevaer of flyers that were posted after 9/11. The e-mail address was seebaman@hotmail.com.

17 61. On or about January 23, 2002, Mr. Norris received an e-mail from "Mark  
18 Seeba" stating that a "current McCutchen Doyle partner" bought "butt plugs" and stated "I want  
19 to be a good pussyboy." The author of this statement supposedly was "Antonio Ferrelli of Mr.  
20 S Leather commenting on Trent Norris." On information and belief, Nevaer used to work for  
21 Mr. S Leather & Fetters USA, a store in San Francisco. The e-mail address was  
22 seebaman@hotmail.com.

23 62. On or about January 31, 2002, Mr. Norris received an e-mail from  
24 "Antonio Ferrelli" stating that he should stay away from the art exhibit "Missing: Last Seen at  
25 the World Trade Center on September 11, 2001." The e-mail referred to Mr. Norris and others  
26 as "Radical Homosexual[s]" and "Racist Evildoers." The art exhibit had been arranged by

1 Nevaer and funded by the Mesoamerica Foundation. It traveled to many cities, including San  
2 Francisco. The e-mail address was antonioferrelli@hotmail.com.

3 63. On or about February 6, 2002, Mr. Norris received an e-mail from “Mark  
4 Seeba” stating that consistent with the Standstill Agreement between Nevaer and CUAV,  
5 McCutchen and CUAV should stay away from the “Missing” art exhibit when it traveled to San  
6 Francisco. The e-mail refers to Mr. Norris and others as “Radical Homosexuals.” The e-mail  
7 address was seebaman@hotmail.com.

8 64. On or about February 15, 2002, Mr. Norris received an e-mail from  
9 “Antonio Ferrelli” in which he stated “I still can’t believe you filed papers in Superior Court that  
10 referred to you as ‘white pussyboy pervert!’” The e-mail address was  
11 antonioferrelli@hotmail.com.

12 65. On or about May 20, 2002, a letter was sent to Mr. Norris’ home address  
13 from “Ana Sofia” stating that it was “part of a good-faith effort to exercise due diligence and  
14 verify facts.” A portion of “her” book, “THE PERVERSION OF PROBONO” was included for  
15 review. The letter also referred to Nevaer’s book “THE DOT COM DEBACLE.” The portion  
16 referred to Mr. Norris as a racist, mocked him for being a “pussyboy,” and questioned whether  
17 he may be advocating for the sexual molestation of minors. It also questioned why he compared  
18 himself to Rosa Parks. The address for reply given was: P.O. Box 140681, Coral Gables, FL  
19 33114-0681. This was the same address previously given for Salvador Barajas.

20 66. On or about July 15, 2002, shortly after McCutchen had merged with  
21 Bingham Dana LLP to form Bingham McCutchen, the Chairman of Bingham McCutchen  
22 received an e-mail from “Raquel Romero” reiterating the boycott against Bingham McCutchen.  
23 It also compared Mr. Norris to Timothy McVeigh. The e-mail address was  
24 mesoamericafoundation@hotmail.com.

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1           67.     On or about October 18, 2002, Mr. Norris was forwarded an e-mail from  
2 “Robert Brenner.” The e-mail was an advertisement selling gay pornographic movies. The e-  
3 mail address was rabnyc@hotmail.com.

4           68.     On or about November 27, 2002, Mr. Norris received a voicemail at home  
5 from someone called “Jason.” After another call from this individual a couple of days later, left  
6 via the apartment’s internal front door intercom system, Mr. Norris called “Jason” back. “Jason”  
7 said he received an e-mail from trentwpp@hotmail.com and was responding to the e-mail. The  
8 e-mail evidently had Mr. Norris’ home and work phone numbers, his home address, and the dial  
9 code for his apartment.

10          69.     On or about December 12, 2002, Mr. Norris was forwarded an e-mail  
11 from a Mr. Lim asking if Mr. Norris had actually written a response to his e-mail sent to address  
12 trentwpp@hotmail.com. The original e-mail from trentwpp@hotmail.com to an unnamed  
13 address or listserv was “My ass is YOURS, SIR! White Pussyboy Pervert!” (The letters “wpp”  
14 apparently stand for “white pussyboy pervert.”) After an exchange with Mr. Lim, the owner of  
15 trentwpp@hotmail.com wrote “slave is available today SIR the 10th after 3 p.m..” The e-mail  
16 had Mr. Norris’ home address and home and work phone numbers. Mr. Lim responded “I will  
17 be coming over to your place tonight.” Mr. Norris was out of town that day, and when Mr. Lim  
18 tried to reach him at work, his voicemail stated that he was in Los Angeles. Mr. Lim then wrote:  
19 “I just called you boy. Your work number says you are in Los Angeles today. Where are you  
20 now? I am coming over soon.” The owner of trentwpp@hotmail.com replied “I was on business  
21 SIR! I am home now SIR! PLEASE ... FUCK ME WITH A DILDO ... RAPE MY ASS.” The  
22 e-mail address trentwpp@hotmail.com listed “T. Norris” as the sender. Mr. Norris, however, did  
23 not send any of these e-mails and never has owned or been affiliated with this e-mail address.

24          70.     On or about December 17, 2002, Mr. Norris received a phone call at work  
25 from someone calling himself “Master WDO.” The individual was under the impression that  
26 Mr. Norris was interested in participating in sadomasochistic activities. The individual said that

1 he had received an e-mail from trentwpp@hotmail.com stating that Mr. Norris was interested in  
2 sadomasochistic activities and giving out his work number.

3 71. On or about January 27, 2003, Mr. Norris received an e-mail from  
4 "Antonio Ferrelli" stating that it is "hard to believe that a Rosa Parks Wannabe like you was on  
5 the Board of an anti-Semitic hate group -- CUAV!" It also referred to the book "The Perversion  
6 of Probono." The e-mail address was antonioferrelli@hotmail.com.

7 72. On or about February 9, 2003, Mr. Norris received a call at home from an  
8 unidentified caller saying he was responding to Mr. Norris' "bareback city ad," supposedly  
9 posted on www.craigslist.org. He then hung up, but Mr. Norris' phone had recorded that this  
10 person had called twice earlier that day without leaving a message.

11 73. In April 2003, Mr. Norris discovered that Nevaer had posted an  
12 advertisement of a sexual nature on a website, falsely stating that it originated from Mr. Norris  
13 and providing Mr. Norris' home telephone number.

14 74. On or about July 12, 2003, Mr. Norris received an e-mail from "Antonio  
15 Ferrelli" containing the threat "Get cancer and die you racist fuck!" It goes on to refer to  
16 Nevaer's recently published book and says "Nevaer's tell-all tells all about your racial animus  
17 against Hispanics while at Bingham McCutchen." It attaches a link to the Amazon.com page  
18 displaying Nevaer's book "Into and Out of the Gap" along with positive reviews of the book by  
19 "Mark Seeba" and "Antonio Ferrelli."

20 75. On or about July 15, 2003, Mr. Norris received an e-mail from "Antonio  
21 Ferrelli" that called Mr. Norris a "racist rat" and referred to the "anti-Hispanic hate group  
22 CUAV."

23 76. On or about February 8, 2004, an "article" written under the name of  
24 "Damian James" appeared at sf.indymedia.org. The posted writing stated falsely, *inter alia*, that  
25 Bingham McCutchen "ordered Mr. Norris to resign from the Board of CUAV," that Bingham  
26 McCutchen "disavows all the probono work they performed on behalf of CUAV," and that "Mr.

1 Norris was disciplined by Bingham McCutchen.” It purported to quote “Raquel Romero of  
2 Mesoamerica Foundation.”

3 77. On or about February 13, 2004, an “article” written under the name of  
4 “Damian James” appeared at sf.indymedia.org. The posted article quoted Simon Brennan as  
5 saying that Mr. Norris conspired with others in a “savage attack against Latinos.” “Raquel  
6 Romero” also was quoted.

7 78. On or about March 14, 2004, Mr. Norris was forwarded an e-mail from  
8 “Mark Seeba” claiming that Mr. Norris and others had conspired to deny Hispanics their civil  
9 rights. The e-mail address was seebaman@hotmail.com.

10 79. On May 4, 2004, Mr. Norris became aware that flyers had been sent to his  
11 former neighbors bearing the banner “Save Our Children/Stop Child Abuse: Sexual Predator  
12 Alert.” The flyer falsely accused Mr. Norris of being a child molester and a “sexual predator.”  
13 It mentioned by name another member of the board of the homeowners association on which Mr.  
14 Norris had served and falsely cited him as the source of “evidence” of Mr. Norris’ purported  
15 possession of child pornography. The postmark was from New York City.

16 80. On June 14, 2004, Mr. Norris became aware that a similar flyer had been  
17 sent to a number of attorneys in different Bingham McCutchen offices, including Walnut Creek,  
18 Orange County, Silicon Valley, and New York. The flyer fraudulently used the name of a  
19 legitimate organization called “Prevent Child Abuse America” and falsely claimed that Mr.  
20 Norris is a “sexual predator with a history of molesting male juveniles.” The postmark on each  
21 was from New York City. The flier used Mr. Norris’ photograph, which could not have been  
22 obtained from the Bingham McCutchen website because, as a result of Nevaer’s ongoing  
23 harassment, Mr. Norris has not posted his photograph on his firm’s website for many years.

24 81. On or about June 23, 2004, Mr. Norris and Bingham McCutchen filed  
25 petitions for restraining orders against Nevaer.

26

1           82.     On or about July 1, 2004, a client of Bingham McCutchen and Mr. Norris  
2 was sent a flyer falsely depicting Mr. Norris as a “serial child molester” and a “sexual predator.”  
3 The postmark was from New York City.

4           83.     On or about July 8, 2004, Mr. Norris became aware that the organization  
5 that had sold him his house in October 2003 had received a similar flier labeling Mr. Norris a  
6 “sexual predator.” This flier included Mr. Norris’ photograph as well as a photograph of his  
7 home. When he purchased the home, as a result of Nevaer’s ongoing harassment, Mr. Norris  
8 arranged to have all documents recorded under names other than his own name. He further  
9 established accounts for utilities and other services under names other than his own name.  
10 Despite these and other efforts to prevent Nevaer from finding his home address, Nevaer did so  
11 in order to continue his long-standing campaign of harassment against Mr. Norris.

12           84.     On or about August 4, 2004, Bingham McCutchen and Mr. Norris  
13 obtained additional restraining orders against Nevaer.

14           85.     In August 2004, Mr. Norris became aware that Nevaer’s website,  
15 [www.boycottsanfrancisco.com](http://www.boycottsanfrancisco.com), which was formed by Nevaer to harass and intimidate Mr. Norris  
16 and other victims of Nevaer’s illegal campaigns, identified Mr. Norris as one of “San Francisco’s  
17 Top 10 Racists.” Nevaer’s website posted a photograph of Mr. Norris along with this allegation  
18 as well as other false allegations, fabricated quotations, and slanderous statements. When  
19 informed by the web hosting service Network Solutions, Inc. that the photograph of Mr. Norris  
20 was copyrighted and used without permission, Nevaer removed it from the website and within  
21 hours replaced it with the false and defamatory statement “Portrait by Police Artist Pending,”  
22 implying falsely and maliciously that Mr. Norris has been the subject of a police investigation.

23           86.     There are other instances of harassing, intimidating, threatening, and  
24 defamatory statements and conduct by Nevaer that are not detailed here. Furthermore, there may  
25 be other such instances of defamatory statements that are not yet known to Mr. Norris because  
26 the recipients of Nevaer’s communications have not brought them to Mr. Norris’ attention.

1           87.     Nevaer’s campaign has not been limited to Mr. Norris. His “press  
2 releases,” web postings, website (www.boycottsanfrancisco.com), letters, “articles,” etc., also  
3 target other former CUAU board members, CUAU staff, attorneys and others in much the same  
4 way that they target Mr. Norris.

5           88.     Indeed, Nevaer’s campaign of harassment and intimidation has not been  
6 limited to CUAU board members, CUAU staff, attorneys and others. On information and belief,  
7 Nevaer has used similar tactics against other individuals both before and after Nevaer began his  
8 campaign against Mr. Norris and others based on the CUAU matter. On information and belief,  
9 those campaigns are based on completely unrelated events against individuals who are  
10 completely unrelated to Mr. Norris or anyone else involved in the CUAU matter against Nevaer.  
11 They share many of the same characteristics, including use of the same aliases and a persistence  
12 over time that is in itself threatening.

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**FIRST CAUSE OF ACTION**  
**(Stalking: Cal. Civ. Code §1708.7)**

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3 89. Mr. Norris realleges and incorporates by reference, as if set forth in full,  
4 paragraphs 1 to 88 of this Complaint.

5 90. Upon information and belief, Nevaer has engaged in this pattern of  
6 conduct with the intent to follow, alarm, or harass Mr. Norris.

7 91. As a result of Nevaer's conduct, Mr. Norris reasonably has feared for his  
8 safety.

9 92. Nevaer has made credible threats with the intent to place Mr. Norris in  
10 reasonable fear for his safety. On numerous occasions, Mr. Norris clearly and definitively  
11 demanded that Nevaer cease and abate his pattern of conduct, but Nevaer's pattern of conduct  
12 persisted. Nevaer also has violated multiple restraining orders.

13 93. As a direct and proximate result of Nevaer's stalking of Mr. Norris, Mr.  
14 Norris has been damaged in an amount to be ascertained, but which is believed to be in excess of  
15 \$100,000. Mr. Norris also is entitled to punitive damages and further injunctive relief.

16  
17 **SECOND CAUSE OF ACTION**  
**(Defamation)**

18 94. Mr. Norris realleges and incorporates by reference, as if set forth in full,  
19 paragraphs 1 to 88 of this Complaint.

20 95. This pattern of conduct by Nevaer has included his publishing defamatory  
21 statements concerning Mr. Norris. Nevaer also has falsely ascribed statements to Mr. Norris that  
22 are damaging to Mr. Norris. These statements published by Nevaer are defamatory to Mr. Norris  
23 without the necessity of explanatory matter.

24 96. Upon information and belief, Nevaer published these defamatory  
25 statements with hatred and ill will towards Mr. Norris and either knew that they were false or  
26 acted in reckless disregard of the truth.

1 97. As a direct and proximate result of Nevaer's defamation of Mr. Norris,  
2 Mr. Norris has been damaged in an amount to be ascertained, but which is believed to be in  
3 excess of \$100,000. Mr. Norris also is entitled to punitive damages and further injunctive relief.

4  
5 **THIRD CAUSE OF ACTION**  
6 **(False Light)**

7 98. Mr. Norris realleges and incorporates by reference, as if set forth in full,  
8 paragraphs 1 to 88 of this Complaint.

9 99. This pattern of conduct by Nevaer has included his publishing statements  
10 that put Mr. Norris in false light. Nevaer also has falsely ascribed statements to Mr. Norris that  
11 are damaging to Mr. Norris and put him in false light. These statements published by Nevaer put  
12 Mr. Norris in false light without the necessity of explanatory matter, and in a manner that would  
13 be objectionable to a reasonable person.

14 100. Upon information and belief, Nevaer published these statements that put  
15 Mr. Norris in false light with hatred and ill will towards Mr. Norris and either knew that they  
16 were false or acted in reckless disregard of the truth.

17 101. As a direct and proximate result of Nevaer's publishing statements that put  
18 Mr. Norris in false light, Mr. Norris has been damaged in an amount to be ascertained, but which  
19 is believed to be in excess of \$100,000. Mr. Norris also is entitled to punitive damages and  
20 further injunctive relief.

21 **FOURTH CAUSE OF ACTION**  
22 **(Intentional Infliction of Emotional Distress)**

23 102. Mr. Norris realleges and incorporates by reference, as if set forth in full,  
24 paragraphs 1 to 100 of this Complaint.

25 103. Upon information and belief, this pattern of conduct by Nevaer has been  
26 intentional or reckless. Further, Nevaer's conduct has been outrageous and has caused Mr.  
Norris severe emotional distress.

1           104. As a direct and proximate result of Nevaer's intentional infliction of  
2 emotional distress on Mr. Norris, Mr. Norris has been damaged in an amount to be ascertained,  
3 but which is believed to be in excess of \$1,000,000. Mr. Norris also is entitled to punitive  
4 damages and further injunctive relief.

5

**FIFTH CAUSE OF ACTION**

6

**(Tortious Interference with Prospective Economic Advantage)**

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105. Mr. Norris realleges and incorporates by reference, as if set forth in full,  
8 paragraphs 1 to 88 of this Complaint.

9

106. The recipients of Nevaer's communications have included clients,  
10 prospective clients, and other third parties that had a relationship with Mr. Norris with the  
11 probability of future economic benefit to Mr. Norris. Nevaer's intentional, negligent, and  
12 wrongful conduct has actually disrupted these relationships. Upon information and belief,  
13 Nevaer knew of the existence of these economic relationships at the time he made these  
14 communications.

15

107. As a direct and proximate result of Nevaer's tortious interference with Mr.  
16 Norris' prospective economic advantage, Mr. Norris has been damaged in an amount to be  
17 ascertained, but which is believed to be in excess of \$100,000. Mr. Norris also is entitled to  
18 punitive damages and further injunctive relief.

19

**PRAYER FOR RELIEF**

20

WHEREFORE, plaintiff Trenton H. Mr. Norris prays for judgment against the  
21 defendant Louis E. Varela Nevaer, as follows:

22

1. A permanent order providing equitable and injunctive relief:

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(a) Mr. Nevaer shall not come within 100 yards of Mr. Norris or Mr. Norris' home or  
24 work address;

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(b) Mr. Nevaer shall not come within 100 yards of any person who Mr. Nevaer  
25 knows or should know is a relative, domestic partner, co-worker, client, or  
26 neighbor of Mr. Norris', or any such person's home or work address;

26



- 1 (c) Mr. Nevaer shall not contact (directly, indirectly, using an alias, or using an  
2 agent) Mr. Norris in any manner (including, but not limited to, by telephone, e-  
3 mail, letter, or in person) for any purpose;
- 4 (d) Mr. Nevaer shall not contact (directly, indirectly, using an alias, or using an  
5 agent) any relative, domestic partner, co-worker, client, or neighbor of Mr.  
6 Norris' in any manner (including, but not limited to, by telephone, e-mail, letter,  
7 or in person) for the purpose of stalking, defaming, or harassing them or Mr.  
8 Norris; and
- 9 (e) Mr. Nevaer shall not impersonate Mr. Norris or use his identity in any way;
- 10 (f) Mr. Nevaer shall not impersonate or use the identity of any person to in any way  
11 comment on Mr. Norris;
- 12 (g) Mr. Nevaer shall not transmit or cause to be transmitted to any person (including  
13 but not limited to e-mail messages, oral conversations, fliers, press releases, and  
14 letters) any personal information about Mr. Norris, including but not limited to  
15 any photograph, home or work address, general location, telephone number, or  
16 any other identifying or contact information;
- 17 (h) Mr. Nevaer shall not transmit or cause to be transmitted to any person (including  
18 but not limited to e-mail messages, oral conversations, fliers, press releases, and  
19 letters) any personal information about any relative, domestic partner, co-worker,  
20 client, or neighbor of Mr. Norris, including but not limited to any photograph,  
21 home or work address, general location, telephone number, or any other  
22 identifying or contact information;
- 23 (i) Mr. Nevaer shall not make or publish any false statements (including falsified  
24 quotations of third parties) or misleading or defamatory statements about Mr.  
25 Norris, including but not limited to publication on the internet;
- 26 (j) Mr. Nevaer shall not make or publish any false statements (including falsified  
quotations of third parties) or misleading or defamatory statements about any  
relative, domestic partner, co-worker, client, or neighbor of Mr. Norris', including  
but not limited to publication on the internet;
- (k) Mr. Nevaer shall permanently take down any existing postings regarding Mr.  
Norris on any website controlled by Mr. Nevaer; including but not limited to  
those on [www.boycottsanfrancisco.com](http://www.boycottsanfrancisco.com); and
- (l) Mr. Nevaer shall permanently take down any existing postings regarding any  
relative, domestic partner, co-worker, client, or neighbor of Mr. Norris' on any  
website controlled by Mr. Nevaer; including but not limited to those on  
[www.boycottsanfrancisco.com](http://www.boycottsanfrancisco.com).

2. For compensatory damages in an amount to be determined according to  
proof, plus any additional damages deemed just and proper;

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3. For punitive damages in an amount appropriate to punish Nevaer and deter him and others from engaging in similar misconduct.

4. For attorneys' fees and costs to the extent permitted by operation of law; and

5. For such other relief that may be deemed just and proper.

DATED: October 14, 2004

BINGHAM MCCUTCHEN LLP

By:   
Alan R. Berkowitz  
Attorneys for Plaintiff  
Trenton H. Norris

**DEMAND FOR JURY TRIAL**

Plaintiffs hereby demand trial by jury on all issues so triable.