

1 CHRISTINE H. LONG, CA STATE BAR NO. 199676  
2 BERLINER COHEN, LLP  
3 TEN ALMADEN BOULEVARD  
4 ELEVENTH FLOOR  
5 SAN JOSE, CALIFORNIA 95113-2233  
6 TELEPHONE: (408) 286-5800  
7 FACSIMILE: (408) 998-5388  
8 christine.long@berliner.com

**ELECTRONICALLY FILED**

Superior Court of California,  
County of Alameda

01/28/2022 at 09:33:04 AM

By: Cheryl Clark, Deputy Clerk

9 ATTORNEYS FOR PLAINTIFF FREMONT AUTOMOBILE  
10 DEALERSHIP, LLC, D/B/A FREMONT TOYOTA, AND  
11 HANK TORIAN

8 SUPERIOR COURT OF CALIFORNIA, COUNTY OF ALAMEDA

9 FREMONT AUTOMOBILE  
10 DEALERSHIP, LLC, D/B/A FREMONT  
11 TOYOTA, and HANK TORIAN  
12 Plaintiff,

12 v.

13 BRIAN MARTIN, ROBERT KIRALY, and  
14 DOES 1-50,

15 Defendants.

CASE NO. 22CV006171

PLAINTIFF'S COMPLAINT FOR  
DAMAGES AND INJUNCTIVE RELIEF

1. Injunctive Relief
2. Appropriate of Name and Likeness, Civil Code § 3344
3. Appropriate of Name and Likeness, Common Law
4. Defamation Per Se
5. Defamation Per Quod
6. Stalking, Civil Code § 1708.7
7. Invasion of Privacy, Physical Intrusion into Solitude or Private Affairs, and
8. Civil Conspiracy

17 Plaintiff Toyota Fremont alleges as follows:

18 1. Plaintiff Fremont Automobile Dealership, LLC, d/b/a Fremont Toyota ("Fremont  
19 Toyota") is, and at all times mentioned in this complaint was, a limited liability company existing  
20 under the laws of the State of California. Fremont Toyota conducts business in the County of  
21 Alameda.

22 2. Plaintiff is informed and believes that Defendant, BRIAN MARTIN, is an individual.  
23 Plaintiff is informed and believes Defendant Martin is a resident of the State of California and resides  
24 in the County of Contra Costa. The instant dispute arose in the County of Alameda.

25 3. Plaintiff is informed and believes that Defendant, ROBERT KIRALY (aka "Old  
26 Coder"), is an individual. Plaintiff is informed and believes Defendant Kiraly is a resident of the State  
27

28

1 of California and resides in the County of Santa Clara. The instant dispute arose in the County of  
2 Alameda.

3 4. The true names and capacities, whether individual, corporate, associate or otherwise,  
4 of the Defendants named and sued herein as DOES 1 through 50, inclusive, are unknown to Plaintiff,  
5 who therefore sues such Defendants by such fictitious names. Plaintiff will amend this Complaint to  
6 show their true names and capacities when the same have been ascertained. Plaintiff is informed and  
7 believes, and thereon alleges, that each fictitiously named Defendant is obligated in some manner to  
8 Plaintiff as alleged herein. Throughout this Complaint, references to "Defendant" or "Defendants"  
9 shall mean and refer to "Defendants, and each of them," unless the context specifies otherwise.

10 5. Plaintiff is informed and believes, and thereon allege, that at all times herein  
11 mentioned each of the Defendants, including fictitiously named Defendants, was the agent, servant or  
12 employee of each of the other Defendants, and in doing or failing to do the things hereafter alleged,  
13 was acting within the course and scope of its agency and with full knowledge and consent, either  
14 express or implied, of each of the other Defendants.

15 FACTS COMMON TO ALL CAUSES OF ACTION

16 6. On or around December 2020, Defendant Martin purchased a vehicle from Plaintiff  
17 and entered into a loan with Ally Bank regarding the same.

18 7. Plaintiff is informed and believes that on or around June 2021, Defendant Martin  
19 suddenly took the position that there was something wrong with his car loan.

20 8. Plaintiff is informed and believes shortly thereafter, Defendant Martin filed a claim  
21 with Ally Bank regarding the loan, and on or around October 5, 2021, Ally Bank confirmed to  
22 Fremont Toyota that there was nothing wrong or suspicious about the loan provided to Defendant  
23 Martin and Defendant Martin was informed of the same.

24 9. Plaintiff is informed and believes Defendant Martin is a licensed private investigator  
25 (license no. 21866).

26 10. Plaintiff is informed and believes Defendants met when Defendant Kiraly was hired  
27 by Defendant Martin for a smear campaign against another individual in an attempt to put him in  
28 prison, as Defendant Kiraly says as much in an email to Fremont Toyota. Plaintiff is informed and

1 believes Defendant Kiraly launched a cyberattack against this referenced individual because he boasts  
2 about it and his other cyberattacks.

3 11. Plaintiff is informed and believes Defendants agreed to work together to unlawfully  
4 investigate, stalk, cyberstalk, and electronically harass Plaintiff and its employees, including its  
5 general manager, Mark Hashimi, and agents including its attorney Christine H. Long and her law firm  
6 Berliner Cohen, LLP. Defendant Martin unlawfully using his PI license to investigate Plaintiff and  
7 Plaintiffs employees and agents, and Defendant Kiraly using said information to stalk and launch a  
8 cyberattack on Plaintiff and its employees and its attorney.

9 12. Plaintiff is informed and believes Defendants have created at least 19 websites using  
10 Plaintiff's name and likeness, its employees' names and likeness, its late owner's name and likeness,  
11 its late owner's family's name and likeness, and its attorney's name and likeness without permission:

- 12 • fremonttoyota.org
- 13 • annavierra.org
- 14 • kforcharity.org
- 15 • daphnekavich.com
- 16 • natashaazzam.com
- 17 • markhasimi.org
- 18 • odcoder.org
- 19 • boldcoder.org
- 20 • laclin.com
- 21 • dansu.org
- 22 • markhashimi.org
- 23 • abbyshokoor.com
- 24 • annavierra.com
- 25 • hugoalcantar.com
- 26 • johnalocozy.com
- 27 • rachelghiringhelli.com
- 28 • fremonttoyota.news
- krynet.pw
- <https://christinelong.attorney/>

25 ///

26 ///

27 ///

1           13. Plaintiff is informed and believes that Defendants have published the following  
2 defamatory statements on the abovementioned websites:

- 3           • “It should be noted that the fremonttoyota.org website host, OldCoder, has never  
4 done an involuntary takedown. He’s also fine with the idea of discussing threats  
5 of abuse of process with the State Bar.”
- 6           • “Advice received to the simplest way to put Hugo in prison will be welcome.”
- 7           • “To use a technical term, your [Mark Hashimi’s] decision to support the possibly  
8 prosecutable crimes that Hugo [Fremont Toyota employee] has committed  
9 means, legally, that you’re ‘hosed’.”
- 10          • “Google ‘RICO law’ and ‘conspiracy charges.’ Are you [Mark Hashimi] able to  
11 follow that this may be a criminal matter involving 20 years in prison and not  
12 simply a civil matter?”
- 13          • “I have the option of communicating with third parties, including associates of  
14 yours [Mark Hashimi] who may not be delighted about the possibility of facing  
15 criminal charges on your behalf. I’ll proceed to do so.”
- 16          • “Mark [Hashimi], a threat to commit a crime can be treated as a crime. How  
17 deep a legal hole would you like to dig for yourself?”
- 18          • “Regarding ‘posting’: Our correspondence will be distributed directly to third  
19 parties as well as posted online. So will other events, facts, or information that  
20 may come to light.”
- 21          • “It’ll [the emails and websites] all be in Google for the long term. So, it’ll work  
22 out best for you [Mark Hashimi] if you don’t dig that hole too deep.”
- 23          • “But your people – at least two people and most likely four of you counting you  
24 personally – stole thousands of dollars from me and my family. It appears that  
25 you may have done this to other before.”
- 26          • “‘Mark’, I’m not under representation yet nor have I filed a police report yet.  
27 This said, it’s advised that you and the other involved consider the matter  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

carefully before you test the waters again to see what types of games you might be able to get away with.”

- “The unambiguous and highly prosecutable forgery that has been committed need to be addressed and corrected promptly.”
- “So, the conspiracy part of a potential criminal prosecute is pretty much a lock.”
- “..it appears that Fremont-Toyota may have committed forgery in the past.”
- “This isn’t a situation where ‘Hank Torian’s’ heirs can throw a few dollars at attorneys, clink the wine glasses and reach for the brei, and felonies go away.”
- “The forger Hugo Alcantar [Fremont Toyota employee] and the other parties at Fremont-Toyota who have committed felonies...”
- “..a minimum of 4 people at the dealership engaged in a criminal conspiracy.”
- “There will be no confidentiality, no non-disparagement, no NDA, no takedown of Web pages, no surrender of internet domains, and no agreement that limits communication related to the current matter in any way, shape, or form.”
- “The Khachaturian Foundation is a grey-area enterprise that funnels stolen funds to charities and, it appears, to the Armenian Apostolic Church.”
- “Grey-area means that the terms “criminal enterprise” and “RICO” may or may not apply but the Khachaturian Foundation is funded in part regardless by felonies that those in charge support without signs of hesitation.”
- “‘Mark’, you’ve bet the farm – and possibly the future of the Khachaturian Foundation – on your estimate of the odds related to two of the situations that you and the Khachaturian’s face; i.e., civil litigation and criminal prosecution.”
- “..the Khachaturian Foundation is funded in part by the proceeds of prosecutable crimes.”

14. Plaintiff is informed and believes that Defendants have published pictures of employees on the above-mentioned websites.

1           15. Plaintiff is informed and believes that Defendant have published its employees',  
2 employees' family members, and late owner's family members' personal contact information on the  
3 above-mentioned websites, including phone numbers, home addresses, and email addresses.

4           16. Plaintiff is informed and believes that Defendants have published the following  
5 defamatory statements in emails to Plaintiff's employees, employees' family members, and persons  
6 other than Plaintiff:

- 7           • "We reserve the right to make use of Fremont-Toyota and/or Toyota intellectual  
8 property, as things proceed."
- 9           • "Plus do you know where "Mark" is located these days? We'd like to talk to  
10 some of his associates about a prosecutable crime that he's committed."
- 11           • "Mark, you personally are an accessory after the fact to two felonies."
- 12           • "...you're quite the smug Jihadi."
- 13           • "There are reasonable grounds to characterize [employee] as a Jihadi."
- 14           • "...he is embedded in a self-identified Muslim organization that employs means  
15 which are directed explicitly and specifically at non-Muslims and that are both  
16 immoderate and unlawful."
- 17           • "...is connected directly or indirectly, or is likely to be in possession of  
18 knowledge related to, a Muslim-run organized-crime operation that is arguably  
19 RICO-level."
- 20           • "Are you familiar with a likely Jihadi neighbor of yours...?"
- 21           • "Muslim terror cell."
- 22           • "We do anticipate that 'Mark' aka Kamal Sayed will be in Gitmo by the end."

23           17. This court issued Temporary Restraining Orders against Defendant Kiraly and  
24 Defendant Martin on December 23, 2021 (Case Nos. 21CV004608 and 21CV004610).

25           18. Plaintiff is informed and believes that both Defendants are aware and/or have been  
26 served with the restraining order and, despite such orders, continue to cyberstalk Plaintiff, its  
27 employees and legal counsel in violation of the orders.

28

1           19. Plaintiff is informed and believes that shortly after Defendant Martin was served with  
2 the abovementioned restraining order, Defendant Kiraly began stalking and launched a cyberattack  
3 against Plaintiff's legal counsel, Christine H. Long, and her law firm, Berliner Cohen, LLP.

4           20. Plaintiff is informed and believes that, in less than one week, Defendant Kiraly has  
5 sent over 65 harassing and threatening emails to Ms. Long, her family members, her colleagues, and  
6 her colleague's family members, and created a website unlawfully using Ms. Long's name and  
7 likeness to publish harassing and defamatory allegations: <https://christinelong.attorney/>.

8           21. Plaintiff is informed and believes that Defendant Kiraly has published the following  
9 defamatory statements about Plaintiff, its employees, and Ms. Long in the above-mentioned website  
10 and emails to Ms. Long, her family members, her colleagues, and her colleagues' family members:

- 11           • "The current matter is about the conduct of your Jihadi clients."
- 12           • "Subject: Addressing Jihadi 'Mark' Hashimi and attorney Christine Long."
- 13           • "[T]he attorney discussed here [Ms. Long] should face prosecution."
- 14           • "The perpetrators are literal Jihadi Muslim hatred types in a group that has allegedly  
15 stolen millions of dollars."
- 16           • "The term 'Jihadi' is used here with reflection and is quite accurate."
- 17           • "The Jihadis are backed by wealthy organized-crime figures, the Khachaturians."
- 18           • "The Jihadis steal millions of dollars through loan fraud and other practices."
- 19           • "Jihadi, false Muslim, terrorist."
- 20           • "[Y]our group's near-rape of somebody because his faith wasn't exactly the same as  
21 yours."
- 22           • "[A] reasonable person will agree, upon review of the facts, that 'Mark' Hashimi and  
23 his Afghan Muslim group at Fremont-Toyota should be described as 'Jihadis'."
- 24           • "A reasonable person will agree that 'Jihadi' is the term that fits."
- 25           • "When violent people or organized crime figures are sufficiently wealthy that they  
26 can try to use trolls such as you [Ms. Long] – sociopath compartmentalization types,  
27 the epitome of remorseless crime – to cover things up..."

- 1           • “The current matter involves organized crime and millions of dollars in stolen money
- 2           being funneled to a Church that isn’t going to be pleased by publicity; actual, literal,
- 3           Jihadis...”
- 4           • “Christine [Ms. Long] ... a rich, powerful, rapist of an attorney.”
- 5           • “The fact that she’s a rapist type...”
- 6           • “Abuse of process is fine with your type.”
- 7           • “It does seem egregious enough to be prosecutable as opposed to simply a civil tort.”
- 8           • “You \*have\* committed a prosecutable crime and, more importantly to your type,
- 9           you’re playing with the potential for publicity that would immediately end any
- 10          ‘rising star’ status that you still possess.”
- 11          • “Christine Long...belongs in prison.”
- 12          • “This is a well-defined external jihad group.”

13           22. Plaintiff is informed and believes that Defendants have created email addresses using  
14 Ms. Long’s name, to send emails to her family and colleagues, requesting they provide private  
15 information regarding Ms. Long’s life (her marriage, personal relationships, background, and so  
16 forth). For example, me@chrstinelong.attorney. Plaintiff is informed and believes that Defendants  
17 have created misleading email addresses to deceive recipients into to opening said emails to coax  
18 them into providing the requested information regarding Ms. Long.

19           23. Plaintiff is informed and believes that both Defendants are aware of the restraining  
20 orders and have not ceased their campaigns, in direct violation of this court’s orders.

21           24. Plaintiff is informed and believes that Defendants have been engaging in cyberattacks  
22 for over 10 years and have no intention of following the court’s orders – demonstrating the need for  
23 judicial intervention:

- 24           • “I’ve been doing this for 10 years.”
- 25           • “I personally have been doing this type of mailing ... for a decade as of 2022. I’ve
- 26           gotten it down to a science and, in fact, at Christmas 2020, I managed to reach 20%
- 27           of the households in one US city.”

28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- “I have just one skill, Ms. Long. A talent, actually. I didn’t earn it. It was nascent at age 4. It manifested in a memorable way at age 6. I should have run with it after that instead of burying it until the blackhat came for me in 2013.”
- “If you’d like to see more of an introduction, I could refer you to some of the attorneys that I’ve had the pleasure of dealing with in the past. Two of them left their jobs subsequent to reflection, but I’m sure that they’d be pleased to talk to you.”
- “I’ve had two attorneys, as I’ve implied, literally leave their firms out of fear of prosecution (in one case) and Federal investigation (in the other). Another who’d overreached to the point of pretty much unavoidable disbarment literally begging me not to go to the State Bar. ‘We can work this out! We can work this out!’ Chuckle.”
- “The police and FBI are comfortable with me.”
- “A police detective even told me once that I should go into police forensics.”
- “There certainly won’t be any takedown that doesn’t lead to more copies of the websites out there.”
- “OldCoder (aka Defendant Kiraly), has never done an involuntary takedown.”

25. This Court issued a second Temporary Restraining Order against Defendant Kiraly on January 24, 2022, regarding Plaintiff’s legal counsel (Case No. 22CV005860).

**FIRST CAUSE OF ACTION**  
(Injunctive Relief)

26. Plaintiff incorporates by reference the allegations of paragraphs 1-25, inclusive, as though set forth in full.

27. Defendants’ wrongful conduct, unless and until enjoined and restrained by order of this court, will cause great and irreparable injury to Plaintiff, as Plaintiff is informed and believes that it, its employees, its late owner, its late owner’s family members, and its legal counsel have ownership rights over their names and likeness and civil protections against defamation and hate incidents. Should an injunction not be issued, Plaintiff, its employees, its employees’ family members, its late owner, its late owner’s family members, and its legal counsel will continue to

1 suffer harm to their reputations and will continue to be in danger of being targets for race-based  
2 violence and other hate-crimes.

3 28. Plaintiff has no adequate remedy at law for the injuries as reputation and personal  
4 safety have no monetary value. While the economic damages resulting from the libelous websites  
5 may have a monetary value, it is impossible to quantify the total damages resulting from the same.  
6 If the websites are not removed, the unlawful investigation is not halted, and the hate speech emails  
7 and other defamatory communications continue, Plaintiff will have lost not only its ownership rights  
8 over its name and likeness, but its reputation will be irreparably tarnished which will directly impact  
9 its economic opportunities, and its employees, employees' family members, late owner's family  
10 members, and legal counsel will continue to be in danger.

11 Wherefore, judgment is prayed as hereinafter set forth.

12 **SECOND CAUSE OF ACTION**

13 (Appropriate of Name and Likeness Civ Code § 3344)

14 29. Plaintiff incorporates by reference the allegations of paragraphs 1-28, inclusive, as  
15 though set forth in full.

16 30. Defendants used the names and likeness of Plaintiff, its employees, its late owner, its  
17 late owner's family members, and its legal counsel.

18 31. Plaintiff is informed and believes Defendants did this to gain an advantage against  
19 Plaintiff in Defendant Martin's misguided and false fraud claim, dissuade Plaintiff from pursuing  
20 further legal action against them, and to deter the public from conducting business with Plaintiff.

21 32. Defendants used the names and likeness of Plaintiff, its employees, its late owner, its  
22 late owner's family members, and its legal counsel without consent and continues to use their name  
23 and likeness to defame them and deceive family members and colleagues into providing private  
24 information about their lives to Defendants. Further, Defendant Kiraly created new websites, new  
25 email addresses, and new images after he learned of the restraining order, and directly references the  
26 restraining order, which action violates the anti-SLAPP statutes.

27 33. Plaintiff has suffered irreparable harm to its reputation, resulting in an unquantifiable  
28 economic loss. Plaintiff's employees, employees' family members, late owner, late owner's family,

1 and its legal counsel have also suffered reputational and occupational damage, as well as have been  
2 made to be targets of hate speech which could reasonably incite violence against any one of them.

3 Wherefore, judgment is prayed as hereinafter set forth.

4 **THIRD CAUSE OF ACTION**

5 (Appropriate of Name and Likeness – Common Law)

6 34. Plaintiff incorporates by reference the allegations of paragraphs 1-28. inclusive, as  
7 though set forth in full.

8 35. Defendants used the names and likeness of Plaintiff, its employees, its late owner, its  
9 late owner's family members, and its legal counsel.

10 36. Defendants used the names and likeness of Plaintiff, its employees, its late owner, its  
11 late owner's family members, and its legal counsel without consent and continues to use their name  
12 and likeness to defame them. Further, he created new websites and created new images after he  
13 learned of the restraining order, and directly references the restraining order, which action violates  
14 the anti-SLAPP statutes.

15 37. Plaintiff has suffered irreparable harm to its reputation, resulting in an unquantifiable  
16 economic loss. Plaintiff's employees, employees' family members, late owner, late owner's family,  
17 and its legal counsel have also suffered reputational and occupational damage, as well as have been  
18 made to be targets of hate speech which could reasonably incite violence against any one of them.

19 Wherefore, judgment is prayed as hereinafter set forth.

20 **FOURTH CAUSE OF ACTION**

21 (Defamation Per Se)

22 38. Plaintiff incorporates by reference the allegations of paragraphs 1-37, inclusive, as  
23 though set forth in full.

24 39. Defendants intentionally published one or more false statements about Plaintiff, its  
25 employees, its late owner, its late owner's family members, and its legal counsel for persons other  
26 than Plaintiff to view (via email and websites).

27 40. Persons reading the publications reasonably understood that the statements were  
28 about Plaintiff, its employees, its late owner, its late owner's family members, and its legal counsel.



1 48. Defendants failed to use reasonable care to determine the truth or falsity of the  
2 statements.

3 49. Plaintiff suffered harm to its business.

4 50. The statements were a substantial factor in causing Plaintiff's harm.

5 Wherefore, judgment is prayed as hereinafter set forth.

6 **SIXTH CAUSE OF ACTION**

7 (Stalking Civil Code §1708.7)

8 51. Plaintiff incorporates by reference the allegations of paragraphs 1-50, inclusive, as  
9 though set forth in full

10 52. Defendants engaged in a pattern of conduct the intent of which was to follow, alarm,  
11 place under surveillance, or harass the Plaintiff. As a result of that pattern of conduct, Plaintiff  
12 reasonably feared for the safety of its employees, its owners, and its legal counsel. Plaintiff is  
13 informed and believes that in addition to the above, Plaintiff's employees and their family members  
14 suffered emotional distress, which was the intent of Defendants.

15 53. Defendants, as a part of the pattern of conduct specified in paragraph 52, made a  
16 credible threat with either (i) the intent to place the Plaintiff and its employees in reasonable fear for  
17 his or her safety, or the safety of an immediate family member, or (ii) reckless disregard for the  
18 safety of the employees and agents of Plaintiff or that of their immediate family member.

19 54. Defendants were asked what it was that they wanted, were asked to cease and desist,  
20 and further Defendants were notified of restraining orders and they only increased their intents to  
21 harass.

22 Wherefore, judgment is prayed as hereinafter set forth.

23 **SEVENTH CAUSE OF ACTION**

24 (Invasion of Privacy – Physical Intrusion into Solitude or Private Affairs)

25 55. Plaintiff incorporates by reference the allegations of paragraphs 1-37 and 51-54,  
26 inclusive, as though set forth in full.

27 56. Plaintiff is informed and believes Defendants intentionally intruded upon the private  
28 affairs or concerns of Plaintiff, its employees, its employees' family members, its late owners, its late

1 owner's family members, and its legal counsel. Defendants did not happen upon the information  
2 they have gather, rather, they have launched a calculated and unlawful investigation. Plaintiff is  
3 informed and believes that Defendant Martin has abused his Private Investigator license to conduct  
4 an unauthorized, unlawful, and unreasonably intrusive investigation into the private affairs or  
5 concerns of Plaintiff, its employees, its employees' family members, its late owners, its late owner's  
6 family members, and its legal counsel. Further, Plaintiff is informed and believes Defendant Kiraly  
7 has used deceptive tactics to conduct an unreasonably intrusive investigation into Plaintiff's legal  
8 counsel by unlawfully using her name to create an email address, from which he has emailed her  
9 colleagues and family members, requesting intimate and private details about her life, under the ruse  
10 that she has given Defendant Kiraly permission to make sure requests.

11 57. The information Defendants have sought to gather is private and intrusion upon  
12 which is an invasion of privacy. For examples, through the unreasonably intrusive investigation  
13 methods set forth in Paragraph 56, Defendants have sought to discovery Plaintiff's legal matters,  
14 personal contact information and home addresses of Plaintiff's employees, Plaintiff's employees'  
15 marital statuses and relationships to others, and Plaintiff's legal counsel's home address, marital  
16 status and relationships to others.

17 58. The information Defendants have sought would be considered highly offensive to the  
18 reasonable person and has been found to be highly offensive to those who are being unlawfully  
19 investigated.

20 Wherefore, judgment is prayed as hereinafter set forth.

21 **EIGHTH CAUSE OF ACTION**

22 (Civil Conspiracy)

23 59. Plaintiff incorporates by reference the allegations of paragraphs 1-58, inclusive, as  
24 though set forth in full.

25 60. Plaintiff is informed and believes that Defendants conspired to commit the unlawful  
26 acts as describe in the First through Seventh cause of action.

27 61. Plaintiff is informed and believes that Defendant Kiraly was aware that Defendant  
28 Martin was unlawfully investigating Plaintiff and its employees and intended to launch a cyber-

1 attack publishing defamatory statements about Plaintiff, its employees, its late owner, its late  
2 owner's family members, and its legal counsel by creating websites using Plaintiff, its employees, its  
3 late owner, its late owner's family member's, and its legal counsel's names and likeness, without  
4 consent, and sending harassing and defamatory communications to Plaintiff, its employees, its  
5 employees' family members, its legal counsel, and others.

6 62. Plaintiff is informed and believes that Defendant Kiraly agreed with Defendant  
7 Martin and intended that the wrongful acts be committed. This fact was corroborated by emails sent  
8 by Defendant Kiraly referencing the two defendants meeting and their decision to jointly assist one  
9 another for their attempts to stalk, harass and defame.

10 Wherefore, judgment is prayed as hereinafter set forth.

11 **PRAYER**

12 WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as to the  
13 First through Eighth Cause of Action, as follows:

- 14 1. For an order requiring Defendants to show cause, if any they have, why they should not  
15 be enjoined as set forth in this complaint, during the pendency of this action;
- 16 2. For a preliminary injunction and a permanent injunction both enjoining Defendants, and  
17 each of them, and their agents, servants, and employees, and all persons acting under, in  
18 concert with, or for them:

- 19 a. Takedown any and all websites and publications created relating to Plaintiff, its  
20 employees, its employees' family members, its late owner, its late owner's family  
21 members, and its legal counsel, including but not limited to the following:

- 22 • fremonttoyota.org
- 23 • annavierra.org
- 24 • kforcharity.org
- 25 • daphnekavich.com
- 26 • natashaazzam.com
- 27 • markhasimi.org
- 28 • odcoder.org

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

- boldcoder.org
- laclin.com
- dansu.org
- markhashimi.org
- abbyshokoor.com
- annavierra.com
- hugoalcantar.com
- johnalocozy.com
- rachelghiringhelli.com
- fremonttoyota.news
- krynet.pw
- christinelong.attorney

b. Cease creating any websites and publications using the name and likeness of Plaintiff, its employees, its employees' family members, its late owner, its late owner's family members, and its legal counsel.

c. Cease sending communications that in any manner related to Plaintiff, its employees, its employees' family members, its late owner, its late owner's family members, and its legal counsel.

3. For damages in a sum not yet known, but in excess of \$25,000, plus damages in such further sums as may be sustained and as are ascertained before final judgment in this action;
4. For statutory damages;
5. For costs of suit incurred in this action including attorney fees; and
6. For such other and further relief as the court deems proper.

WHEREFORE, Plaintiff prays for judgment against Defendants, and each of them, as to the First through Third and Sixth through Eighth cause of action, as follows:

1. For an order requiring Defendants to show cause, if any they have, why they should not be enjoined as set forth in this complaint, during the pendency of this action;

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

2. For a preliminary injunction and a permanent injunction both enjoining Defendants, and each of them, and their agents, servants, and employees, and all persons acting under, in concert with, or for them:
- a. Cease unlawful investigation into Plaintiff, its employees, its employees' family members, its late owner, its late owner's family members, and its legal counsel.
  - b. Cease communications requesting divulgence of personal information regarding Plaintiff, its employees, its employees' family members, its late owner, its late owner's family members, and its legal counsel from any third parties.
  - c. Cease use of, disable, and remove publication of any and all email addresses related to Plaintiff, its employees, its employees' family members, its late owner, its late owner's family members, and its legal counsel, including but not limited to:
    - brian@fremonttoyota.org
    - me@fremonttoyota.org
    - me@christinelong.attorney
    - Susan.bishop@markhashimi.org
3. For damages in a sum not yet known, but in excess of \$25,000, plus damages in such further sums as may be sustained and as are ascertained before final judgment in this action;
4. For statutory damages;
5. For costs of suit incurred in this action including attorney fees; and
6. For such other and further relief as the court deems proper.

DATED: JANUARY 26, 2022

BERLINER COHEN, LLP

BY: *Christine H. Long*  
CHRISTINE H. LONG  
ATTORNEY FOR PLAINTIFF