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10 Counsel for *Tia Oros Peters and Seventh Generation Fund*  
11

12 SUPERIOR COURT OF THE STATE OF CALIFORNIA  
13 FOR THE COUNTY OF SANTA CLARA  
14

15 TIA OROS PETERS

22CV400449

16 and

) Case No. \_\_\_\_\_  
)

17 THE SEVENTH GENERATION FUND  
18 FOR INDIGENOUS PEOPLES

) COMPLAINT FOR:  
)

19 Plaintiffs

) 1.) ONLINE HARASSMENT

) 2.) DEFAMATION

20 v.

) 3.) INTENTIONAL INFLECTION OF  
) EMOTIONAL DISTRESS  
)

22 DOES 1 through 5

) Limited Civil  
)

) Amount demanded

) does not exceed \$10,000  
)

25 Defendant(s).  
26  
27  
28

1 NOW COMES the Plaintiffs (“Plaintiff”), through undersigned counsel, and allege as  
2 follows:

3 **PARTIES**

- 4 1. Plaintiff, Tia Oros Peters, is an individual residing in California, USA.  
5 2. Plaintiff, Seventh Generation Fund For Indigenous Peoples (“SGF”), is a non-  
6 profit organization headquartered in California, USA.  
7 3. Tia Oros Peters is the Executive Director of SGF.  
8 4. Upon information and belief, Defendant/s Doe/s is/are unknown individual/s or  
9 entity/s residing in Santa Clara County, California, who engaged in repeated  
10 illegal acts directed towards Plaintiff.

11  
12 **JURISDICTION AND VENUE**

- 13 5. Jurisdiction and venue are proper in this Court because upon information and belief, the  
14 causes of action arose, in substantial part, in the County of Santa Clara.

15  
16 **FACTUAL BACKGROUND**

- 17 6. Beginning or around January 2022 and continuing as of the filing date, the Plaintiffs  
18 have been targeted by anonymous actor/s committing acts of persistent online  
19 harassment via electronic outlets and platforms, including via Instagram and Gmail.  
20  
21 7. The anonymous Defendant/s routinely send defamatory and harassing electronic  
22 communications to the Plaintiffs. *See* Exhibit A.  
23  
24 8. Plaintiffs have made concerted efforts to notify Defendant/s Doe/s that legal  
25 proceedings will be initiated if the harassment is not immediately ceased, however  
26 is unable to identify the Defendant/s.  
27  
28 9. Plaintiffs intend to seek immediate and expedited discovery in order to identify  
Doe/s and amend this Complaint to include Doe’s real name.

1 10. Plaintiffs have experienced severe emotional distress as a result of this ongoing  
2 situation.

3  
4 **FIRST CAUSE OF ACTION**  
5 **ONLINE HARASSMENT**

6 11. Plaintiffs incorporate by reference paragraphs 1 to 10 as if restated here and set  
7 forth in full.

8 12. Online Harassment is the repeated willful and malicious intent to harass Plaintiffs  
9 and making credible threats to place Plaintiffs in reasonable fear for their safety  
10 or the safety of family.

11 13. Doe's acts of harassment began in the year 2022 but continue to current day, and  
12 Plaintiff fears that the harassment will only continue to escalate.

13 14. Plaintiffs do not know why Doe/s has a malicious intent towards their  
14 organization, or what they could have done to prevent these unprovoked attacks.

15 15. WHEREFORE, Plaintiffs demand judgment against Doe/s for injunctive relief,  
16 compensatory damages, punitive damages, interest, attorney's fees, costs of suit  
17 and such other relief, as the Court deems equitable and just.

18  
19 **SECOND CAUSE OF ACTION**  
20 **DEFAMATION**

21 16. Plaintiffs incorporate by reference paragraphs 1 to 15 as if restated here and set  
22 forth in full.

23 17. Doe/s has committed defamation if she/he has made a statement to one or more  
24 people other than the Plaintiffs, those people were led to believe and understand  
25 that the statement was regarding Plaintiffs, those people reasonably understood  
26 the statement to disparage Plaintiffs, and that defendant failed to use reasonable  
27 care to determine the truth or falsity of the statement.  
28

- 1 18. As demonstrated by the Exhibits, Defendant/s post messages containing  
2 defamatory content regarding indigenous heritage with the intention it would be  
3 disclosed to other people viewing the content thereby severely harming Plaintiffs'  
4 reputation.
- 5 19. Plaintiff's non-profit organization SGF has suffered from this defamatory content.
- 6 20. The Plaintiff Tia Oros Peters has personally suffered from this defamatory content.
- 7 21. The Defendant/s perpetrator/s has never ascertained the truth or falsity of their  
8 published statements.
- 9 22. Defendant's conduct is resulting in irreparable damage to Plaintiffs with no adequate  
10 remedy at law.
- 11 23. WHEREFORE, Plaintiffs demand judgment against Defendants for injunctive  
12 relief, compensatory damages, punitive damages, interest, attorney's fees, costs  
13 of suit and such other relief, as the Court deems equitable and just.
- 14

15 **THIRD CAUSE OF ACTION**  
16 **INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

- 17 24. Plaintiffs incorporate by reference paragraphs 1 to 23 as if restated here and set  
18 forth in full.
- 19 25. Plaintiff Tio Oros Peters has suffered severe emotional distress as a result of  
20 Defendant's extreme and outrageous conduct.
- 21 26. To prove that Doe intentionally inflicted emotional distress on Plaintiff, Plaintiff  
22 will show that Doe's conduct was outrageous, that Doe's conduct was intended to  
23 cause emotional distress, that Plaintiff suffered emotional distress, and that Doe's  
24 conduct was a substantial factor in causing Plaintiff's severe emotional distress.
- 25 27. Plaintiffs are fearful that if not identified and enjoined, Defendants will continue  
26 to harass and defame Plaintiff via Instagram, Gmail and other platforms in an  
27 attempt to compromise Plaintiff's organization and professional reputation.
- 28

1 28. WHEREFORE, Plaintiff demands judgment against Defendants for injunctive  
2 relief, compensatory damages, punitive damages, interest, attorney's fees, costs  
3 of suit and such other relief as the Court deems equitable and just.  
4

5 **PRAYER FOR RELIEF**

6 WHEREFORE, Plaintiffs demand judgment against Defendant/s as set forth  
7 below:

- 8 A. For injunctive relief to prevent Defendants from harassing Plaintiffs;  
9 B. For compensatory and punitive damages for the emotional distress endured  
10 by Plaintiffs;  
11 C. For legal costs and fees incurred by Plaintiffs to attain the relief requested  
12 herein; and  
13 D. For such other and further relief as this Court deems just and proper.  
14

15 Respectfully submitted,

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17 \_\_\_\_\_  
Bradley Sparks, Esq. (SBN 222987)  
18 *Counsel for Plaintiffs*

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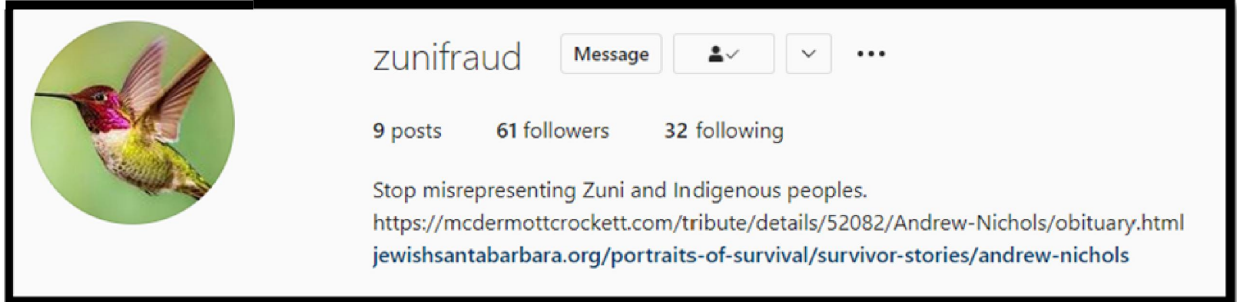
20 \_\_\_\_\_  
Salomon Zavala, Esq. (SBN 243424)  
21 *Counsel for Plaintiffs*  
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# Exhibit "A"

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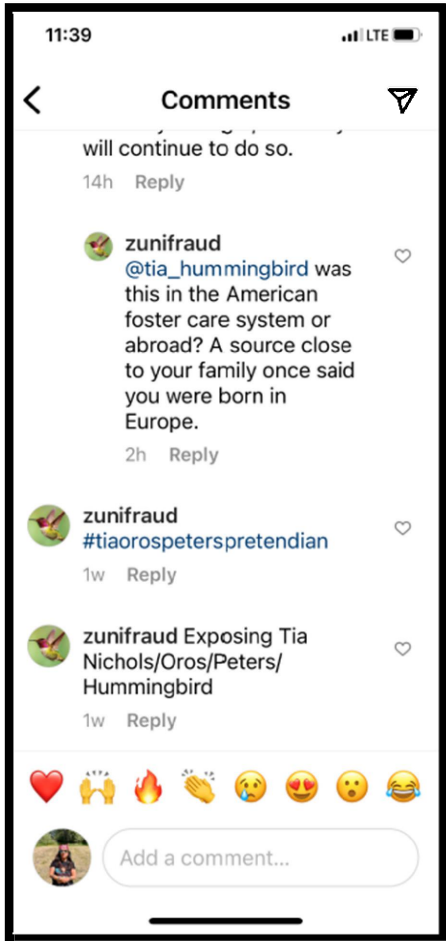
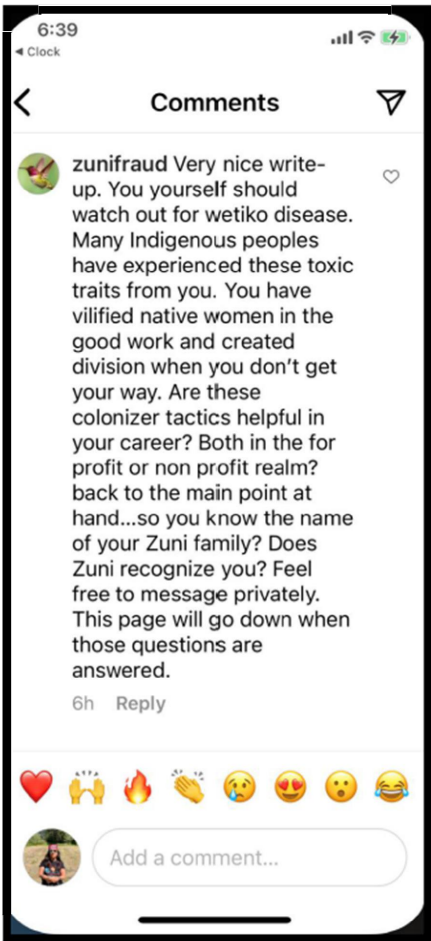
## HARASSING INSTAGRAM ACCOUNT

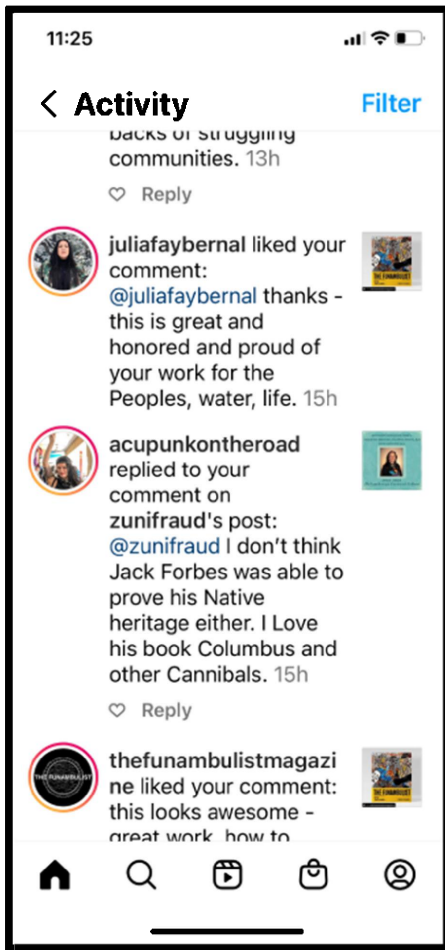
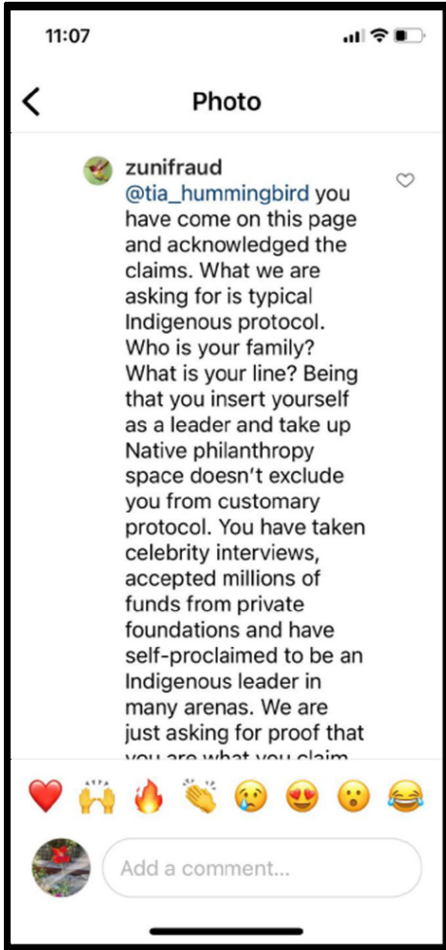
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instagram.com/zunifraud/

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# Exhibit "B"

Gmail account

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## EMAIL ACCOUNT

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**Email Address:**

zunifraud@gmail.com