

[Handwritten signature]
[Handwritten initials]

[Faint circular stamp]

[Handwritten letter 'a']

E-Filed

1 Name: KANAL V. GASTON
2 Address: P.O. BOX 9386
3 PHOENIX, AZ 85068
4 Phone Number: 480-455-0506
5 E-mail Address: GVK2222@YAHOO.COM

6 Pro Se

7
8 **UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

9 Kanal V. Gaston

Case Number:

CV11

**NC
6676**

10 Plaintiff(s),

11 vs.

- 12
- 13 (1) Harris County (Government) & Harris
- 14 County District Attorney's Office,
- 15 State of Texas
- 16 (2) Texas Office of the Attorney General
- 17 and/or State of Texas
- 18 (3) Maria Raquel Rivas
- 19 (4) Lexis-Nexis Group and/or Reed
- 20 Elsevier, Inc.
- 21 (5) Capitol Information Group, Inc.
- 22 And Business Management Daily
- 23 (6) Google, Inc.

COMPLAINT

JURY DEMAND ON ALL COUNTS

24 Defendant(s).

25 COMPLAINT

26 Plaintiff, Kanal V. Gaston, brings this complaint against the defendants and states the following:

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

JURISDICTION & VENUE

1. This Court enjoys subject matter jurisdiction over this action under 28 U.S.C. §1332(a)(1) because the Plaintiff and Defendants are citizens of different states and the amount in controversy exceeds \$75,000.
2. This Court enjoys personal jurisdiction over the Defendants because the false and defamatory statements made by Defendants were published in the State of California and throughout the United States of America (entire country), and one of the defendants' defamatory statements has had and continues to have its principal place of business in the State of California.
3. This Court enjoys venue under 28 U.S.C. § 1391(a)(2) because all and/or a substantial portion of the events that gave rise to Plaintiff's claims transpired in the State of California and throughout the United States of America (entire country), including the publication and/or republication of the defamatory falsehoods and the damage to Plaintiff's reputation.
4. This Court enjoys venue under 28 U.S.C. § 1331 because this case involves a federal question and/or federal laws or treaties under the fourth (4th) and the fourteenth (14th) amendments of the United States Constitution.

PARTIES

5. Plaintiff, Kanal V. Gaston, is a private individual and not a public figure, currently residing in Phoenix, Arizona. From October 29, 2007 to January 12, 2011, Plaintiff worked in the White-Collar Crimes Unit/Division of the Harris County District Attorney's Office in Houston, Texas as Fraud Examiner with the highest level of responsibilities of conducting white-collar (financial) criminal investigations from inception to final adjudication, and testifying as expert in such matters in judicial (court & grand jury) proceedings. In that capacity, because of Plaintiff oral and written fluency

1 in English, Spanish, and French, he also served as the sole foreign language translator in
2 these criminal investigations whenever necessary, with an annual salary of about \$72,
3 000. After spending more than 18 years in college/university, Plaintiff has managed to
4 obtain four (4) college degrees, which includes a master's degree in business and other
5 degrees or studies in criminal justice, accounting/finance, and computer engineering
6 technology. In an effort to enhance his professional reputation and standing in his
7 profession, plaintiff further sacrificed his own time and money to pursue and study for
8 additional professional certifications and/or recognitions. In 2006, plaintiff was granted
9 the Certified Fraud Examiner (CFE) status by the Association of Certified Fraud
10 Examiners (ACFE). In 2010, Plaintiff was granted the Certified Internal Auditor (CIA)
11 status by the Institute of Internal Auditor, and that same year also passed the exam to
12 become Certified Information Systems Auditor (CISA) to be granted by ISACA.

- 13 6. Defendant 1, Harris County and/or Harris County Government and/or Harris County
14 District Attorney's Office, State of Texas is located at 1001 Preston suite 911, Houston
15 TX 77002. The Harris County District Attorney's Office is located at 1201 Franklin,
16 Houston, TX 77002. The listed phone numbers are: 713-755-4099 or 713-755-4000.
- 17 7. Defendant 2, Texas Office of the Attorney General, 300 W. 15th Street, Austin, TX
18 78701. Defendant also has a mailing address: PO Box 12548, Austin, TX 78711-2548.
19 Email: greg.abbott@oag.state.tx.us. Its listed phone number: 512-463-2100 or 800-252-
20 8011 and Fax: 512-475-2994. This Defendant falsely reported and published that Plaintiff
21 was 120 days delinquent in child support payment and falsely published that Plaintiff's
22 Passport and Driver's license would be suspended or revoked for not paying child
23 support.
- 24 8. Defendant 3, Maria Raquel Rivas, is an individual and the mother of Plaintiff's child
25 against whom Plaintiff was forced to call the police and the Texas Child Protective
26 Services (CPS) in Houston several times because she had engaged in an abusive and
27 unlawful pattern of stalking and harassing Plaintiff at his home and his place of
employment (job), for calling and emailing Plaintiff's friends, girlfriend, family

1 members, colleagues and bosses and others to lie and make false or defamatory
2 statements against Plaintiff as retaliation or grudge or revenge. This Defendant's address
3 is: 1977 Western Village Ln., Houston, TX 77043 and place of business is 955 Cambell
4 Rd., Houston, TX 77024-2803. Her last known phone number is 713-251-3665.

5 9. Defendant 4, Lexis-Nexis Group, a division of Reed Elsevier, Inc. and/or Reed Elsevier
6 PLC and/or Reed Elsevier NV and/or Corporation Services Company (CSC) has
7 maintained its headquarters at 125 Park Avenue, Suite 2200, New York, NY 10017. Its
8 listed phone number is 212-309-8100 and 800-455-3947. Defendant claims to engage in
9 providing computer assisted legal research to the public at large and holds the largest
10 electronic database for legal and public records in the world. This Defendant conspired
11 with the other Defendants to retaliate against Plaintiff, and has published or republished
12 false & defamatory statements against him.

13 10. Defendant 5, Business Management Daily (BMD) and/or Capitol Information Group,
14 Inc., a for-profit corporation with principal place of business located at: 7600A Leesburg
15 Pike, West Building, Suite 300, Falls Church, VA 22043 and Mailing Address: P.O. Box
16 9070, McLean, VA 22102-0070. According to its stated purpose, this defendant engages
17 in giving business professionals the news, skills, and strategies they need to grow their
18 businesses, and help these businesses avoid legal pitfalls and advance careers with more
19 than a dozen HR-related newsletters, webinars, special reports, e-letters, podcasts and
20 books. These publications include: The HR-Specialist, Administrative Professional
21 Today, HR Specialist Employment Law, Executive Leadership, Office Technology
22 today, and Small Business Tax Services. Founded in 2009, this Defendant boasts to be
23 the solutions provider of choice for today's and tomorrow's professionals with a base of
24 130, 000 paid subscribers in 2010 with a mission to expand to one (1) million
25 subscribers. This Defendant's phone number is 703-905-8000 or 703-394-4931 and Fax
26 number is 703-905-8100 or 703-543-2055.

27 11. Defendant 6, Google, Inc., is a corporation with principal place of business located at:
1600 Amphitheatre Parkway, Mountain View, CA 94043. Its listed phone number there

1 is 650-253-0000 or 650-253-3425 and fax number is 650-253-0001 or 650-649-2939.
2 Google, Inc. also has headquarters office located at 76 ninth Ave, 4th Floor, New York,
3 NY 10001. Its listed phone number there is 212-565-0000 and fax number is 212-565-
4 0001. According to publicly available information, this defendant reaches more than one
5 billion online users (people) worldwide, with annual net income of more than 8 billion
6 dollars and net asset of more than 38 billion dollars as of December 31, 2010.

7
8 STATEMENT OF FACTS AND CLAIMS

9
10 12. In April of 2006 Plaintiff moved to Houston Texas in order to be closer to his son and
11 took a job as Senior Internal Auditor with Stanford Financial Group, now a defunct
12 company, where he worked until October of 2007 with an annual salary of about
13 \$70,000. While working at Stanford Financial Group, Plaintiff met and became friend
14 with Maria Raquel Rivas who also worked in the accounting department there. In
15 February of 2007, Rivas called and sent Plaintiff an email at work claiming that her
16 younger child had been kidnapped and was missing from school. As any good friend
17 would do, Plaintiff offered to drive to the school and help Rivas deal with this issue. As
18 Plaintiff arrived at the school that afternoon, Rivas claimed that the police had found her
19 son and he was safe and sound. Soon thereafter, Rivas came to Plaintiff's home and the
20 relationship briefly turned intimate.

21 13. One night while Plaintiff was sleeping at his home, he woke up at about 3:00 AM only to
22 find Rivas taking pictures and digging inside of his closet with all of Plaintiff's personal
23 documents on the floor. These documents included a letter and records Plaintiff had
24 obtained from the New Jersey State Police (NJSP) after a state trooper there had
25 fabricated or made false and defamatory statements against Plaintiff causing Plaintiff to
26 be rejected for a job as state trooper, after Plaintiff was already voted best qualified for
27 the job by the New Jersey State Police. Specifically, these false and defamatory
statements included the following: (1) that Plaintiff committed and was convicted of

1 insurance fraud in Florida and New York (2) that Plaintiff had committed and was
2 convicted of social security fraud (3) that Plaintiff committed and was convicted of
3 domestic spousal abuse, and (4) that Plaintiff was an illegal alien and trouble maker.
4 Immediately thereafter, Plaintiff asked Rivas to leave his home and never to return.
5 However, not more than a few hours later, Rivas returned and refused to leave. Facing no
6 other choice, Plaintiff was forced to call the police and had Rivas removed from his
7 home. Later that day, both the local police and the school where Rivas's son attended
8 informed Plaintiff that they had absolutely no records that Rivas's son was ever
9 kidnapped or missing from his school as Rivas had claimed earlier, and the whole
10 kidnapping claim was made up by Rivas against her own son as a hoax to gain sympathy.
11 Realizing how dangerous a person Rivas was, Plaintiff decided to end or ceased all
12 formed of communications or contacts with Rivas at that point.

13 14. Weeks later, Rivas was fired from Stanford Financial Group for making false allegations
14 against another co-worker in the accounting department, and later demanded that Plaintiff
15 give her \$3000 for an abortion because she was pregnant for Plaintiff. When Plaintiff
16 refused to give Rivas the money for the abortion, she then launched a massive campaign
17 of stalking, harassment, and defamation of plaintiff. These included several instances of
18 calling and emailing Plaintiff's boss and other co-workers at Stanford Financial Group to
19 tell them that Plaintiff was a criminal and a fugitive from New York, Florida, and New
20 Jersey. As a result, Plaintiff resigned from Stanford Financial Group and took a much
21 lower paying job with the Harris County District Attorney's Office (DA) in October of
22 2007, where he served as Fraud Examiner until January of 2011.

23 15. Before the child was born, Rivas contacted Plaintiff and asked him if he could help pay
24 the hospital delivery bill, and Plaintiff paid the entire bill in full. After the child was born,
25 Plaintiff himself decided to go to the Texas Office of the Attorney General's (OAG) to
26 start making child support payment towards the child. However, following the child
27 support agreement, Rivas began to deny Plaintiff his visitation rights and often
disappeared when it came time for Plaintiff to pick up the child. She used the child as a

1 tool to manipulate Plaintiff and keep Plaintiff's girlfriend away from the baby.
2 Meanwhile, the few times Plaintiff was able to reach Rivas and pick up the child, there
3 appeared noticeable signs of abuse or neglect on the child. In early of 2009, Plaintiff
4 received both a disturbing phone call and a text message from Rivas, in which she
5 (herself) claimed to be a danger to the child and needed professional help. Feeling
6 helpless and concerned, Plaintiff had no other choice at this point but to call the police
7 and CPS to have them go to Rivas's home and check on the child. After this incident,
8 Rivas threatened Plaintiff that she was once **again** going to Plaintiff's new job (DA's
9 Office) and to the Texas OAG to defame Plaintiff, and then travel to New Jersey, where
10 she knew Plaintiff was seeking justice in the Courts against the NJSP for defamation, in
11 order to teach Plaintiff a lesson. Not long after Rivas made this threat, all of Plaintiff's
12 co-workers at the District Attorney's Office began to scorn and ridicule him, and held
13 Plaintiff in complete contempt or categorically refused to associate with Plaintiff as if
14 Plaintiff had some sort of loathsome disease. In addition, every time Plaintiff would go to
15 the Child Support Office to obtain help in enforcing the visitation agreement, the workers
16 there began to ridicule and scorn Plaintiff, exclaiming among themselves that the
17 "criminal is here, the criminal is outside." Much worse, Plaintiff even hired a lawyer
18 (Sylvia Mintz) there to help him obtain custody of his child. After Rivas told the lawyer
19 that Plaintiff was a criminal and fugitive from New York who was convicted of fraud and
20 domestic abuse all over the place, the lawyer stole Plaintiff's \$1000 deposit and fled with
21 Plaintiff's money, refusing to represent Plaintiff. Although Plaintiff became emotionally
22 and mentally drained and distressed by these abusive and cruel treatments of his
23 colleagues and these other people towards him, Plaintiff continued to survive and
24 perform or produce quality work for the Harris County District Attorney's Office.

25 16. On January 4, 2011, Plaintiff was quietly sitting in his 5th Floor office at the Harris
26 County District Attorney's Office performing his work when First Assistant District
27 Attorney, Jim Leitner, sent Plaintiff an email asking Plaintiff to report to his (Leitner)
office in order to interview Plaintiff as part of an internal complaint or investigation

1 involving wicked, corrupt, prosecutorial bias or favoritism, and other pervasive acts
2 committed by his prosecutors and investigators while working for the Harris County
3 District Attorney's Office. During this interview, Mr. Leitner ordered Plaintiff to reveal
4 to him the names of the prosecutors and investigators who were present and gave Plaintiff
5 a "sex toy" (PENIS/DICK) at a prior office party in front of a multitude of other co-
6 workers, and forced Plaintiff to hold the PENIS/DICK in the air while they took pictures
7 and laughed. Facing no other choice, Plaintiff told Mr. Leitner the names of the
8 prosecutors and investigators who gave him the PENIS/DICK at that office party.

9 17. During this same interview, Mr. Leitner also became aware of another incident of sexual
10 harassment or misconduct, which occurred in September 2010, whereby his prosecutors
11 and investigators unlawfully intercepted one of Plaintiff's text messages and sent a
12 graphic sexual act (PENIS/VAGINA) to Plaintiff's girlfriend in Arizona, as retaliation or
13 punishment for Plaintiff's refusal to return the sex toy (PENIS/DICK) gift they had given
14 Plaintiff at the office party. These prosecutors and investigators had been asking Plaintiff
15 to return the DICK/PENIS since about May of 2009 or about the same time Rivas had
16 threatened Plaintiff she would go to his new job (DA's Office). But, each time they
17 asked, Plaintiff refused to return the DICK/PENIS. In the meantime, Plaintiff was being
18 scorned, ridiculed, and shown complete contempt by all of the prosecutors and
19 investigators in the office.

20 18. In addition to these pervasive acts or misconduct listed above, Mr. Leitner also became
21 aware of two other incidents whereby his prosecutors and investigators burglarized
22 Plaintiff's car and apartment to perform illegal searches for the sex toy (PENIS/DICK),
23 and left their DNA (hair) inside of Plaintiff's apartment while Plaintiff was travelling
24 away in Phoenix; and several other incidents whereby his prosecutors and investigators
25 threatened to make life impossible for Plaintiff in Houston because of Plaintiff's refusal
26 to return the DICK/PENIS and because Plaintiff had dissented or refused to participate in
27 other acts of prosecutorial bias or favoritism for their friends or against innocent people.
These incidents include: hacking Plaintiff's computer to steal Plaintiff's personal

1 information or private accounts and all of Plaintiff's audit work while he was working for
2 Stanford Financial Group to help them make their case against Stanford, and all of
3 Plaintiff's personal lawsuits, passport, medical, and citizenship files and documents. They
4 also used these important files & information to sabotage Plaintiff's personal or
5 professional life. Further, Mr. Leitner also became aware that his prosecutors and
6 investigators, with the help of other law enforcement agencies and private companies,
7 also placed a GPS device in Plaintiff's brakes system causing it to explode in the middle
8 of a Houston Highway costing about \$875 to repair, as well as placing another GPS
9 device in Plaintiff's key ring allowing them to monitor all of Plaintiff's movements in
10 hope to discover the location of the DICK/PENIS. Plaintiff was forced to call 911 twice
11 and file two POLICE complaints/reports (#10218363 & #160276010-A) with the
12 HOUSTON POLICE DEPARTMENT (HPD) in Harris County Texas against them and
13 Maria Raquel Rivas. However, the HPD officers claimed that the District Attorney's
14 Office was too big and they did not have the resources to investigate.

15 19. After this interview or upon providing Mr. Leitner with the information he ordered
16 Plaintiff to give him in the presence of Captain Don McWilliams, Mr. Leitner requested
17 that Plaintiff work from home until January 7, 2011, not only for Plaintiff's own safety or
18 fear of immediate retaliation by these prosecutors and investigators against Plaintiff, but
19 also to give Mr. Leitner more time to decide what to do with Plaintiff.

20 20. On January 7, 2011, Plaintiff reported to Mr. Leitner's office as requested or ordered. On
21 that day, Mr. Leitner and Captain Don McWilliams informed Plaintiff that as a result of
22 the information they ordered Plaintiff to provide them, it had now become impossible for
23 Plaintiff to continue to work at the District Attorney's Office. They gave Plaintiff until
24 January 12, 2011 to return the "Sex Toy" (PENIS/DICK) to them, and then to resign or
25 face termination. After this threat, they made it known to Plaintiff that they had become
26 aware of all of Plaintiff's past lawsuits, his application for residency in Canada, his
27 personal injury claim to Allstate, his job application to Valero and elsewhere, and his
investigators had already been working together with the United States Postal Service

1 (USPS) inspectors, the New Jersey State Police (NJSP) investigators, the IRS, and some
2 New York City (NYC) investigators during the past two years to follow plaintiff around
3 and intercept all of Plaintiff's emails, personal accounts, postal service mails, and phone
4 communications in order to develop a comprehensive profile on Plaintiff, his family, and
5 friends. In addition, Plaintiff was already surrounded by their spies or crawlers in his
6 apartment complex where he lived in Houston, and they were ready to send red flags to
7 these companies mentioned above to make sure that all of Plaintiff's applications and
8 claims are denied and that Plaintiff never works again in this country or anywhere else.

9 21. Further, they made it clear that they already had people working for them inside the
10 Texas Attorney General's Office (OAG) and the major banks around the country who
11 were ready to make sure that Plaintiff never gets custody of his children, and that Plaintiff
12 passport and driver's license would get revoked or suspended for being a deadbeat dad or
13 for not paying child support; and that they would use their internal database to send false
14 financial or credit information to the major Credit Bureaus in order to ruin Plaintiff's
15 credit. Therefore, if Plaintiff did not return the DICK/PENIS as requested, they would
16 unleash all of these investigators, bankers, and federal agents or inspectors to go after
17 Plaintiff to teach him a lesson and destroy him completely or finish him off.

18 22. On January 12, 2011, as Plaintiff returned to Mr. Leitner's office, they handed Plaintiff a
19 letter/document outlining if plaintiff did not return the "sex toy" (PENIS/DICK), they
20 would unleash the mother of Plaintiff's Child, Maria Raquel Rivas, so she could release a
21 NEWSPAPER article or Publication on Plaintiff along with all of Plaintiff's private
22 information on Google or the internet in order to paint or show all of Plaintiff's friends,
23 family members, colleagues and future employers that Plaintiff was crazy and a trouble
24 maker who was convicted of (1) Insurance and driver's license fraud in Florida and New
25 York (2) Social Security Fraud (3) domestic spousal abuse, (4) that Plaintiff was an
26 illegal alien, (5) that Plaintiff's never gets along with anyone, (6) that Plaintiff committed
27 fraud with the IRS, and (7) that Plaintiff was involved in a ponzi scheme and committed
fraud while he was working for Stanford Financial Group. Although Plaintiff was

1 absolutely unaware of what Newspaper article or Internet documents they were talking
2 about at that particular time, Plaintiff provided Mr. Leitner with a copy of the
3 DICK/PENIS and a copy of the SEX ACT that his prosecutors and investigators had sent
4 to Plaintiff's girlfriend earlier. However, Plaintiff refused to return the actual
5 DICK/PENIS, and was forced or coerced to resign from his \$72,000/year job as a result.

6 23. Soon thereafter, Plaintiff received an email from Maria Raquel Rivas accusing Plaintiff
7 again of being a criminal, with an attachment, which includes a Newspaper Article posted
8 on Google, Inc. and/or the Internet, indexed to the Lexis-Nexis Group, and Published by
9 the Business Management Daily and Titled "Insist on thorough documentation of
10 background check results." Here, this article clearly makes an example of Plaintiff as a
11 convicted criminal and served as a form of advertisement to generate memberships and
12 revenues for the Publisher's business by stating as example or support for its title "**recent**
13 **case: When Kanal Gaston was rejected after applying to join the New Jersey State Police,**
14 **he thought it had something to do with his ethnicity.**" However, **the letter** Gaston got
15 from the State Police made it clear he was rejected because of the totality of the
16 derogatory information collected during the background information, including two
17 incidents of insurance fraud and work history." This Article or publication or
18 republication also states "when Gaston sued, the State Police introduced a comprehensive
19 background investigation file. It showed the court exactly why it had concluded Gaston
20 was not trooper material-including extensive interviews that revealed spousal abuse." It
21 was at that point that Plaintiff finally realized **for the first time** that Maria Raquel Rivas
22 has been the original source and cause of all his misery during the past two years. She
23 was the only one in Texas who knew of that letter and had stolen it along with other
24 Plaintiff's documents from Plaintiff's home earlier when Plaintiff had called the police to
25 remove her from his home. At this point, it also became clear that Getting Plaintiff to lose
26 his job and have his co-workers, friends, and families turn against him, and by Getting
27 Business Management Daily and Google, Inc. to publish and republish the false and
defamatory statements both in print and on the internet is, in whole or in part, the lesson

1 that Maria Raquel Rivas and these investigators or prosecutors or agents had threatened
2 to teach Plaintiff.

3 24. Worse, this article also contains an automatic Link, which allows (Rivas & others) users
4 to share or send an email copy to another email user with just a simple click, therefore
5 facilitating its multiplication and the spreading of the falsehood against Plaintiff much
6 more quickly. As Rivas and her counterparts in Houston intensified their acts of stalking,
7 hacking, harassment, threats, intimidation, and other crimes against Plaintiff, Rivas also
8 revealed to Plaintiff **for the first time** that it is indeed the NJSP, the IRS, the NYC, and
9 the USPS investigators or inspectors or other federal agents who forced her to participate
10 in committing these crimes against Plaintiff to teach Plaintiff a lesson, simply because of
11 Plaintiff's past lawsuits or legal complaints against all of them or because Plaintiff dared
12 to sue them. As a result, Plaintiff finally decided to discretely evade and flee his
13 apartment in Houston at 4:00 AM, fearing for his personal safety. In addition, Plaintiff
14 has been forced to file for bankruptcy, quit law school after one year of studies, and spent
15 his last few days and weeks in Houston living in his car and sleeping in the streets.

16 25. Despite the fact that Plaintiff holds four college degrees, is fluent in three different
17 languages, and hold multiple professional certifications and recognitions, has shown to be
18 best qualified for any job in his profession, and has never committed or been convicted of
19 any crime anywhere during his entire life, Plaintiff has not been able to obtain
20 employment anywhere in the USA or the world because of these defendants false or
21 defamatory statements of facts against him. Every time Plaintiff has applied for a job or
22 apartment or anything else, these defendants continuously follow or monitor and intercept
23 Plaintiff's phone calls, credit reports, bank accounts information, friendships, and emails
24 or movements through Google or GPS devices, so they can call these companies
25 themselves and tell them to Google Plaintiff's name. They know full well that once these
26 companies or people see the false or defamatory statements online, which they
27 themselves placed on the internet against Plaintiff, he would be denied relationships and
anything he has applied for. Worse, they even used this same perverted practice every

1 time Plaintiff has tried to get a lawyer to represent him. Although Plaintiff has contacted
2 more that 100 lawyers in Texas for help with these matters, not a single one ever returned
3 Plaintiff's call or emails. All of Plaintiff's friends, colleagues, and family members have
4 deserted him and no one has helped him. In the meantime, Plaintiff is being chased,
5 defamed, harassed, intimidated, and followed by Rivas and these investigators or agents
6 everywhere he has gone. In a desperate search to recover the DICK/PENIS, they have
7 tried to entrap Plaintiff multiple times before the District Attorney's 2012 Re-election
8 campaign gets in full swing.

9 26. **In August of 2011**, after Plaintiff fled to Austin, Texas, fearing for his personal safety in
10 Houston, Rivas and an army of investigators or spies and agents or crawlers decided to
11 follow Plaintiff all the way to Austin to intensify their harassment, stalking, hacking,
12 defamation, and chase or follow Plaintiff everywhere he went, including at Plaintiff's
13 church or at the post office to intercept Plaintiff's mails out, again in a desperate search to
14 recover the DICK/PENIS and to entrap Plaintiff to some fabricated crime. Worse, when
15 these tactics failed to produce the DICK/PENIS, they decided to place a spy by the name
16 of Chad Heath and a camera inside Plaintiff's apartment/room in Austin in order to
17 monitor all of Plaintiff's personal activities, hack Plaintiff's computer again to steal more
18 of Plaintiff's documents and files, and then burglarize Plaintiff's room there. Again, they
19 stole Plaintiff's passport, citizenship document/certificate, Business Patent documents,
20 money, and other important documents. Because Plaintiff was poor and did not have too
21 much money, he was forced to share a two bedroom apartment in Austin with the only
22 apartment complex there, which was willing to accept Plaintiff or approve his rental
23 application. Little did Plaintiff know that this apartment was a set up used by these
24 Defendants as a **TORTURE CHAMBER** designed specifically for Plaintiff in order to
finish him off!

25 27. When Chad Heath realized that he was being paid to attack and help these investigators
26 or agents or prosecutors destroy or ruin the life of an innocent man (Plaintiff), he decided
27 to quit his so-called job, fled from the apartment, and left Texas altogether. However,

1 before Heath left, he revealed that Plaintiff was surrounded by other government spies or
2 crawlers who had set up shops in other apartments near, below, and next to Plaintiff's
3 apartment, as they had done in Houston, specifically designed to facilitate the
4 TORTURING of Plaintiff day and night. For 40 days and 40 nights, these defendants
5 conspired to TORTURE Plaintiff with sleep deprivation, intimidation, fear, harassment,
6 and isolation. Plaintiff was forced to call 911 each time and file two POLICE
7 complaints/reports (#11-2520854 & #11-2171508) with the AUSTIN POLICE
8 DEPARTMENT (APD) in Travis County Texas, against Maria Raquel Rivas, the USPS
9 or federal investigators, the NYC or NJ investigators, and those who work for the Harris
10 County District Attorney's Office. However, the APD officers claimed that because these
11 acts were committed against Plaintiff by people who were too big and powerful, they
12 were sorry they could not help Plaintiff or mess with the case. **THEY TREATED
13 PLAINTIFF AS A LAMB OR SHEEP READY TO BE BUTCHERED** by all.

14 28. On September 9, 2011, after Plaintiff was ambushed in front of his apartment complex by
15 two men with white pick-up trucks each, who attempted to murder Plaintiff, the police
16 advised Plaintiff to flee his apartment and move away, which Plaintiff did. As a result,
17 Plaintiff found himself, once again, living in his car and in the streets driving back and
18 forth from Texas to Canada, and from Canada through the deserts of Arizona to find a
19 place to stay temporarily. While traveling to Canada, the immigration officers there
20 informed Plaintiff that although they realized Plaintiff has never been charged and
21 convicted of any crime anywhere in the world, someone from the US government had
22 placed a red flag against Plaintiff, therefore Plaintiff and his vehicle was forced to be
23 interrogated and searched unnecessarily as a result. Worse, while in Canada, Plaintiff
24 decided to go to the Canadian Consulate/Embassy to get the status or an update on his
25 application for residency there, which was submitted and approved more than one year
26 ago. However, the officer at the Canadian Embassy informed Plaintiff that his application
27 was being put on hold indefinitely after someone from the US government had sent them
a red flag on Plaintiff.

1 29. In August of 2011, at APD's request, all EVIDENCE of acts of harassment, retaliation,
2 burglary, torture, illegal search and seizure, entrapment, hacking, stalking, defamation,
3 and attempted murder by these defendants against Plaintiff herein (from January 2007
4 through August 2011) were communicated & provided to the officers and/or investigators
5 of APD for proper investigations.

6
7 COUNT I-DEFAMATION & DEFAMATION PER SE

8
9 30. As clearly shown on Plaintiff's FBI criminal background and Texas Department of Public
10 Safety records, Plaintiff has never committed and never been charged and convicted of
11 any crime in the United States or anywhere else in his entire life. Specifically, when these
12 false or defamatory statements listed above were made, Plaintiff was and still remains a
13 United Citizen, Plaintiff has never been charged or convicted of social security fraud;
14 Plaintiff has never been charged and convicted of domestic spousal abuse, Plaintiff has
15 never been charged and convicted of insurance fraud in New York or Florida, Plaintiff
16 never committed and has never been convicted of Ponzi-scheme or fraud while he was
17 working at Stanford Financial Group as claimed or alleged by Rivas, and Plaintiff has
18 been an exemplary employee in every job he has held and never been fired for any cause,
19 but always serving with the highest level of integrity & ethics. Plaintiff has always paid
20 his child support and has never been charged or convicted of being a "deadbeat dad," and
21 Plaintiff has never been charged and convicted of fraud with IRS or anywhere else in his
22 entire life, as claimed or accused by Rivas and her counterparts. In fact, Plaintiff has
23 **never** even applied for or ever owned or held any insurance policy in Florida, Plaintiff
24 has a clean driver's license, and has never been charged or convicted of driver license
25 fraud in Florida or anywhere else during his entire life.

26 31. These published and republished Statements referenced above (hereinafter "Statements")
27 negligently, recklessly, and intentionally impute or assert or imply the following acts of
criminal and moral turpitude: (a) that Plaintiff is or has been found guilty of domestic

1 spousal abuse, (b) that Plaintiff is or has been found guilty of two counts of insurance
2 fraud (Florida & New York), (c) that Plaintiff is or has been found guilty of driver's
3 license fraud in Florida, (d) that Plaintiff is or has been found guilty of committing social
4 security fraud, (e) that Plaintiff is or has been found guilty of being an illegal alien, (f)
5 that Plaintiff is or has been found guilty of ponzi-scheme or fraud at Stanford Financial
6 Group, (g) that Plaintiff is or has been found guilty of not being "trooper material," (h)
7 that Plaintiff is or has been found guilty of fraud with the IRS and all over the place, and
8 (i) that Plaintiff is or has been found guilty of "not getting along with anyone."

9 32. These Statements, individually and taken as a whole in context of the article and the issue
10 of *Business Management Daily and Google, Inc.* in which they have appeared, are
11 defamatory because they falsely impute to Plaintiff corruption, fraud, deceit, as well as
12 the commission of a criminal offense, in a manner ruinous to the reputation and esteem of
13 Plaintiff professionally, locally, nationally, and globally. These defamatory Statements
14 directly and proximately caused Plaintiff general and special damages in the form of
15 injury to his reputation throughout the United States and internationally. These damages
16 include, but are not limited to, Plaintiff's scholarly credibility being compromised, loss of
17 prospective economic opportunities and relations, loss of contracts and speaking
18 invitations, loss of teaching and book publishing opportunities, loss of book sales, and
19 certainly emotional distress and psychological trauma and suffering.

20 33. These defamatory Statements, therefore, severely injured Plaintiff's reputation as a
21 scholar and expert in white-collar crimes, auditor, and forensic accounting, especially in
22 certain professional circles. By publishing these Statements in hard copy and on the
23 Internet in the *Business Management Daily and Google, Inc.*, Defendants knew they
24 would be republished and read by the general public throughout the United States and
25 elsewhere. These Statements were in fact republished and read by paid members of the
26 Defendants and the general public throughout the United States and elsewhere as a direct,
27 natural, probable, and foreseeable consequence of Defendants' publication and
subsequent republication.

1 34. Worse, Defendant 2 negligently, recklessly, and wantonly reported and published falsely
2 that Plaintiff was 120 days delinquent in child support payment and falsely published that
3 Plaintiff's Passport and Driver's license would be suspended or revoked for not paying
4 child support as a deadbeat father, causing Plaintiff to file for bankruptcy.

5 35. By publishing these Statements, Defendants intended to, and did charge Plaintiff with the
6 commission of a crime, and stigmatize Plaintiff as guilty of fraud, deadbeat, domestic
7 abuse, deceit, and injure his professional standing and reputation. The Statements
8 individually and collectively are false, and were false when made. The Statements are
9 defamatory falsehoods, which Defendants knew or should have known were false when
10 made.

11 COUNT II-DEFAMATION, DEFAMATION PER SE & PUNITIVE DAMAGES

12
13 36. Defendants made the Statements with actual malice and wrongful and willful intent to
14 injure Plaintiff. The Statements were made with reckless disregard for their truth or
15 falsity or with knowledge of their falsity and with wanton and willful disregard of the
16 reputation and rights of the Plaintiff. Defendants knew, anticipated, foresaw, and
17 intended that the Statements would be read by persons throughout the United States and
18 the world and would damage the reputation of Plaintiff. Defendants clearly lacked
19 reasonable grounds for making the Statements.

20 37. The Statements, individually and collectively, referred to herein have caused, are causing,
21 and will cause Plaintiff to suffer psychological and emotional trauma and suffering,
22 injury to his professional standing and reputation or good name; and they have held and
23 will continue to hold Plaintiff up to public scandal, contempt, and ridicule in his personal
24 or professional life. These published and republished Statements were calculated to cause
25 irreparable damages to Plaintiff and expose him to public scorn, hatred, contempt, and
26 ridicule.

1 COUNT III-RETALIATION & WRONGFUL TERMINATION OF EMPLOYMENT

2
3 38. Plaintiff was wrongfully forced or coerced to resign or constructively terminated by
4 Defendant 1 from his \$72,000 a year job as a result of Defendants planned conspiracy
5 against Plaintiff, harassment and sexual harassment complaints, Defendant's own internal
6 investigation of such complaints and/or interview of Plaintiff and/or plaintiff's
7 participation therein; Plaintiff's refusal to perform or participate in illegal or immoral or
8 unsafe acts, Defendants' violation of public policies and/or its own policies and/or laws;
9 and Plaintiff's prior participation in employment related discrimination actions. Plaintiff
10 has sustained irreparable economic, emotional, physical, and psychological injuries as a
11 result. Plaintiff worked for Defendant 1 for about 3½ years with exceptional performance
12 records.

13 39. These Defendants have sabotaged every job opportunity Plaintiff has had during, at least,
14 the past two years. Plaintiff has never been charged and convicted of any crime in the
15 United States or anywhere else in the world during his entire life. Defendants clearly lack
16 any reasonable reason for causing Plaintiff's employment termination, and the
17 subsequent harms or injuries to Plaintiff. More important, in direct response to these
18 crimes committed herein against Plaintiff, he formed a **REGISTERED** nonprofit
19 company under the name of WR2P.ORG or the RETALIATION PROTECTION
20 PLAN specifically designed to help workers who have been abused or retaliated against
21 at the work place. However, Because the evidence of all these crimes committed against
22 Plaintiff are posted at this company web site in direct response from Plaintiff outcry to
23 obtain some form of help from the outside world, these Defendants have conspired to
24 sabotage and censor the company by preventing Plaintiff from promoting or marketing or
25 obtaining funding or financing for the company.
26
27

1 PRAYER FOR RELIEF

2
3 33. Plaintiff demands jury judgment against Defendants, jointly and severally as follows: (1)
4 compensatory damages on Count I through Count V; (2) Special damages on Count I through
5 Count V; (3) punitive damages on Count I through Count V; (4) both pre-judgment and post-
6 judgment interest on Count I through Count V; (5) Plaintiff prays and demands an **immediate**
7 restraining order and injunction to keep Defendants away from plaintiff's residence, car,
8 computer and routers or networks, places of employment & enjoyment, friends, families,
9 colleagues, and anything associated with Plaintiff or his affairs and documents; and to
10 permanently bar or prevent Defendants from ever publishing or republishing any future
11 statements or records or items with Plaintiff's names and/or associated with Plaintiff, and to
12 permanently remove all such items or records from their databases or files or prints or the
13 internet altogether; and (6) such other and further relief as this Court finds just and equitable.

14 JURY TRIAL

15
16 Plaintiff demands a **jury trial** on all Counts or issues.

17 Respectfully submitted,

18 
19 Kanal V. Gaston, Pro Se