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(ENDORSED)
FILED
MAY 18 1969
GEORGE E. FOWLES, Clerk
By ARTHUR DAMRAU
DEPUTY

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6
7 IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
8 IN AND FOR THE COUNTY OF SANTA CLARA
9

10 STANFORD RESEARCH INSTITUTE,
a non-profit corporation,

11 Plaintiff

12 vs.

13 DAVID PUGH, MARC HELLER, ERIC
14 MILLER, ALLAN CRISTELOW, JR.,
15 YALE BRAUNSTEIN, MARY HANSON,
16 H. BRUCE FRANKLIN, BARBARA LEVIN,
17 STEVE WEISSMAN, RICHARD ZDARKO,
18 PAUL RUPERT, VICTOR VON SCHLEGEL,
19 JOHN SHOCH, LAUREN BECHTEL, JOHN
20 GOSTOVICH, PAUL WITT, JAMES SHOCH,
21 HARRY CLEAVER, FRED COHEN, SCOTT
22 JOHNSON, JEANNE FRIEDMAN, ANNE
23 BAUER, LEONARD SIEGEL, DORON
24 WEINBERG, LARRY PRIESTLY, PAUL
25 BERNSTEIN, HALLAM HAMILTON,
26 RODNEY PAGE, APRIL 3rd MOVEMENT,
27 an unincorporated association, STUDENTS
28 FOR A DEMOCRATIC SOCIETY, an un-
29 incorporated association, THE RESISTANCE,
an unincorporated association, PENINSULA
OBSERVER, an unincorporated association,
STANFORD UCM STAFF, an unincorporated
association, PENINSULA RED GUARD, an
unincorporated association, UNITED
STUDENT MOVEMENT, an unincorporated
association, COMMITTEE FOR NEW
POLITICS, an unincorporated association,
PALO ALTO CONCERNED CITIZENS, an
unincorporated association, MID-PENINSULA
FREE UNIVERSITY, an unincorporated
association, NORTH SANTA CLARA PEACE
AND FREEDOM MOVEMENT, an unincorporated
association, AMERICAN FEDERATION OF
TEACHERS LOCAL NO. 1816, an unincorporated
association, and DOE ONE through DOE FIVE
HUNDRED, inclusive,

30 Defendants
31
32

NO.

P16192

COMPLAINT FOR
TEMPORARY RESTRAINING
ORDER, PRELIMINARY
INJUNCTION AND
PERMANENT INJUNCTION
AGAINST REPEATED
TRESPASS AND UNLAWFUL
INTERFERENCE WITH A
LAWFUL BUSINESS

1 PLAINTIFF COMPLAINS OF DEFENDANTS AND FOR A FIRST CAUSE OF
2 ACTION ALLEGES:

3 I

4 At all times herein mentioned, plaintiff, STANFORD RESEARCH
5 INSTITUTE, has been and now is duly organized and existing as a non-profit
6 corporation under the laws of the State of California.

7 II

8 Plaintiff is informed and believes and on such information and belief
9 alleges that defendants, APRIL 3rd MOVEMENT, STUDENTS FOR A
10 DEMOCRATIC SOCIETY, THE RESISTANCE, PENINSULA OBSERVER,
11 STANFORD UCM STAFF, PENINSULA RED GUARD, UNITED STUDENT
12 MOVEMENT, COMMITTEE FOR NEW POLITICS, PALO ALTO CONCERNED
13 CITIZENS, MID-PENINSULA FREE UNIVERSITY, NORTH SANTA CLARA
14 PEACE AND FREEDOM MOVEMENT, and AMERICAN FEDERATION OF
15 TEACHERS LOCAL NO. 1816 are, and each of them is, an unincorporated
16 association; that each such association is composed of a great number of
17 persons, their exact names and numbers being unknown to plaintiff, and
18 plaintiff, therefore, sues the members of said associations, by their common
19 names, and individually. Plaintiff prays leave to amend this complaint to
20 insert the names of the members of said associations when and if they become
21 known.

22 III

23 Defendants DOE ONE through DOE FIVE HUNDRED are sued herein
24 under their fictitious names, their true names being presently unknown to
25 plaintiff, and at such times as the correct names of said defendants have been
26 ascertained, plaintiff will ask leave of court to amend this complaint
27 accordingly.

28 IV

29 At all times herein mentioned, plaintiff was and now is the lessee of
30 those premises located at 2690 Hanover Street, Palo Alto, California (herein-
31 after referred to as the "Hanover facility") and, as such, was and is in rightful
32 and actual possession thereof and at all said times plaintiff was and is using

1 and occupying said premises as an office building and research laboratory in
2 connection with its business of undertaking scientific research projects for
3 industrial and governmental clients.

4 V

5 At all times herein mentioned, plaintiff's principal offices for the
6 conduct of its business were and are located at 333 Ravenswood Avenue in the
7 City of Menlo Park, County of San Mateo, State of California.

8 VI

9 On or about May 14, 1969, at Stanford University in the County of Santa
10 Clara, State of California, defendants held a meeting at which they conspired
11 together and maliciously and willfully entered into a plan to have large groups
12 of defendants go to the Hanover facility of STANFORD RESEARCH INSTITUTE
13 for the purpose of disrupting the normal operations of plaintiff and to have
14 said defendants engage in acts of harrassment and guerilla activity in order to
15 make plaintiff inoperable.

16 VII

17 In pursuance of said conspiracy and plan, defendants did the acts and
18 things herein alleged and all of such acts and things were participated in and
19 done by said defendants or by one or more of them as steps in said conspiracy
20 and for the unlawful purpose of disrupting the normal business operations of
21 plaintiff and making it inoperable.

22 VIII

23 On May 14, 1969, and again on May 16, 1969, defendants or one or more
24 of them wrongfully and unlawfully entered upon the Hanover facility without
25 plaintiff's consent and against its will and, specifically, on May 16, 1969, said
26 defendants broke numerous windows, defaced the exterior walls with paint and
27 threw objects into the building occupied by plaintiff at the Hanover facility.

28 IX

29 At the meeting held by defendant on May 14, 1969, referred to above,
30 and subsequently, defendants have threatened to continue to engage in similar
31 acts of trespass and violence at the Hanover facility.

1 X

2 As a proximate result of the wrongful conduct of the defendants and
3 each of them, plaintiff's rights and interests have been invaded, infringed
4 upon and interfered with and plaintiff will continue to suffer damages from the
5 destruction of its property and from repeated trespasses unless and until
6 defendants' threatened wrongful conduct is forthwith enjoined by this Court.

7 XI

8 Plaintiff has no adequate remedy at law for said injuries in that the
9 probable injuries resulting from defendants' threatened repeated acts of
10 trespass will be beyond any method of pecuniary estimation.

11 WHEREFORE, plaintiff prays as hereinafter set forth.

12 PLAINTIFF COMPLAINS OF DEFENDANTS AND FOR A SECOND CAUSE OF
13 ACTION ALLEGES:

14 I

15 Plaintiff refers to and by this reference incorporates herein as fully
16 as if set out at length the allegations of its FIRST CAUSE OF ACTION.

17 II

18 Plaintiff is informed and believes and on such information and belief
19 alleges that RICHARD ZDARKO is a resident of the City of Palo Alto, County
20 of Santa Clara, State of California.

21 III

22 On or about May 16, 1969, in furtherance of said unlawful conspiracy
23 and plan, defendants by massing together many persons attempted to prevent
24 plaintiff's employees from entering the parking area and buildings at the
25 Hanover facility and said defendants, by throwing rocks and other objects
26 through the windows at said buildings, generally disrupted and interfered with
27 plaintiff's conduct of its business.

28 IV

29 Said conduct of defendants and each of them was deliberately committed
30 for the announced purpose of disrupting plaintiff's business and rendering it
31 unable to carry out its contractual obligations to its clients.

1 V

2 Defendants have threatened to continue to engage in similar acts and to
3 continue to disrupt plaintiff's business at the Hanover facility and at its
4 headquarters in Menlo Park, California.

5 VI

6 As a proximate result of the wrongful conduct of defendants and each
7 of them, plaintiff's rights and interests have been invaded, infringed upon and
8 interfered with, in that its normal business operations cannot be carried on
9 while the aforesaid acts of trespass and violence are being perpetrated by
10 defendants and, unless and until defendants' threatened wrongful conduct is
11 forthwith enjoined by this Court, plaintiff will continue to suffer great and
12 irreparable injury in that it will be unable to conduct its business operations.

13 VII

14 No injury will result to defendants, or any of them, by the granting of
15 the injunction sought herein as plaintiff does not ask that defendants be
16 enjoined from any lawful or constitutionally protected activity.

17 VIII

18 Plaintiff has no adequate remedy at law for said injuries in that it is
19 impossible to ascertain the damage that will result to plaintiff if, as a result
20 of defendants' actual and threatened conduct, it is prevented from, delayed or
21 unlawfully interfered with in conducting its business.

22 WHEREFORE, plaintiff prays judgment as follows:

23 1. For a temporary restraining order, a preliminary injunction,
24 and a permanent injunction enjoining and restraining the defendants, the
25 members of defendant unincorporated associations, and all persons aiding and
26 abetting the named defendants from doing or causing to be done, directly or
27 indirectly, any of the following acts or things:

28 A. Entering any property or building at the Hanover facility of
29 STANFORD RESEARCH INSTITUTE located at 2690 Hanover
30 Street, Palo Alto, California, or at the principal office of
31 STANFORD RESEARCH INSTITUTE located at 333 Ravenswood
32 Avenue in the City of Menlo Park, County of San Mateo, State

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of California.

B. Obstructing the free movement of any employee of STANFORD RESEARCH INSTITUTE or of any other person in entering and leaving the buildings and properties owned or occupied by STANFORD RESEARCH INSTITUTE.

C. Throwing or causing any object to be hurled at or struck against, or marking, defacing or injuring, by paint or any other means, any property owned or occupied by plaintiff.

2. For an order of this Court directing that defendants and each of them show cause, if any they have, at a time and place to be fixed by the Court, why a preliminary injunction should not be issued as prayed for hereinabove.

3. For its costs of suit herein.

4. For such other and further relief as may be deemed just and proper.

Dated: May 18, 1969.

THOITS, LEHMAN & HANNA
By *Phil Lehman*
Attorneys for Plaintiff

I, CHARLES A. ANDERSON, say:

I am the President of the above-named corporation and am authorized to verify pleadings on its behalf; I have read the foregoing Complaint and know its contents; I am informed and believe that the matters stated therein are true and on that ground I allege that they are true.

Executed this 18th day of May, 1969, at Palo Alto, California.

I declare under penalty of perjury that the foregoing is true and correct.

Charles Anderson
CHARLES A. ANDERSON