

03/20/2007 12:07

R188848404

GARY:KUR12

PAGE 07/27

1st Amended
SUMMONS
(CITACION JUDICIAL)

NOTICE TO DEFENDANT:**(A VISO AL DEMANDADO):**

Harrison D. Gevirtz, Steven Gevirtz aka Steve Gevirtz, Valerie Gevirtz aka Valerie Camite and Valerie Adler, Andrew Kryvanis, aka Codeuber (Doe 1), Paul Trout aka Paul Tizze (Doe 2) and Does 3 to 50, inclusive

YOU ARE BEING SUED BY PLAINTIFF:**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

BLUE CHINA GROUP, LTD, a Hong Kong Corporation

SUM-100

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)

CONFORMED COPY
OF ORIGINAL FILED
 Los Angeles County Superior Court

FEB 15 2007

John A. Clarke, Executive Officer/Clerk

B. PALADIOS, Deputy

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tienes 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de los Cortes de California (www.courtinfo.ca.gov/selfhelp), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de solicitud de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que encuentre con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales de bajo costo. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de los Cortes de California (www.courtinfo.ca.gov/selfhelp) o contactando con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

LASC - 9425 Penfield Ave., Chatsworth, CA 91311

CASE NUMBER
 (Número de Caso)

PC040032

the name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, as

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado, es):

Gary Kurtz, SBN 128295 - Law Office of Gary Kurtz, A PLC, 20335 Ventura Boulevard, Suite 200,

Woodland Hills, CA - Telephone: 818-884-8400, Telefax 818-884-8404

DATE:

(Fecha)

Clerk by

(Secretario)

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons. (POS-010))

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify).

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify).

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

4. ☐ by personal delivery on (date)

Page 3 of 1

Form Adopted for Mandatory Use

APPROVE COURTESY OF COURT 1998

SUM 100 (Rev. January 1, 1997)

SUMMONS

Code of Civil Procedure § 416.20, 416

Copyright Lexipol, Inc. www.Lexipol.com

1 Gary Kurtz, SBN 128295
2 Law Office of Gary Kurtz
3 A Professional Law Corporation
4 20335 Ventura Boulevard
5 Suite 200
6 Woodland Hills, California 91364

7 Telephone: 818-884-8400
8 Telefax: 818-884-8404

9 Attorneys for Plaintiff
10 Blue China Group, Ltd.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

IN THE SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

12 BLUE CHINA GROUP, LTD, a Hong
13 Kong Corporation,
14
15 Plaintiff,

16 vs.

17 HARRISON D. GEVIRTZ, STEVEN
18 GEVIRTZ aka STEVE GEVIRTZ,
19 VALERIE GEVIRTZ aka VALERIE
COMTE and VALERIE ADLER,

) Case No.: PC040032

)
) FIRST AMENDED COMPLAINT FOR
) DAMAGES AND EQUITABLE RELIEF
) FOR:

-) 1. Misappropriation of Trade Secrets;
) 2. Unfair Business Practices;
) 3. Conversion;
) 4. Violation of the Computer Fraud Act;
) 5. Negligent Supervision;

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles County Superior Court

FEB 15 2007

John R. Clarke, Executive Officer/Clerk

By A. GALICIA, Deputy

19	ANDREW KRYVANIS, aka)	6. Breach of Contract and Breach of
20	CODEUBER (Doe 1), PAUL TROUT)	Covenant of Good Faith and Fair
21	aka PAUL TIZZEL (Doe 2) AND)	Dealing; and
22	DOES 3 to 50, inclusive,)	7. Unfair Competition.
23	Defendants.)	JURY TRIAL DEMANDED
24	<hr/>		

25

26 For its complaint for damages and equitable relief, Plaintiff Blue China Group, Ltd.

27 alleges the following:

28

First Amended Complaint for Damages and Equitable Relief
Blue China Group, Ltd. V. Gervitz, et al.

1 1. Plaintiff Blue China Group, Ltd. ("Blue China" or "Plaintiff") is and at all
2 relevant times has been a corporate entity organized and existing under the laws of Hong
3 Kong, which operates by and through Internet marketing but has no other presence in
4 California or the United States of America.
5

6 2. Defendant Harrison D. Gevirtz ("Harrison") is a 14 year old individual who
7 resides in the county of Santa Barbara, State of California.
8

9 3. Defendant Steven Gevirtz, also known as Steve Gevirtz ("Steven") is an
10 individual who resides in the county of Santa Barbara, State of California. Steven is the
11 father of Harrison.
12

13 4. Defendant Valerie Gevirtz, also known as Valerie Comte or Valerie Adler
14 ("Valerie") is an individual who resides in the county of Santa Barbara, State of California.
15 Valerie is the mother of Harrison.

16 5 Defendant Andrew Kryvanis, aka Codeuber ("Codeuber" or "Kryvanis"),
17 who was formerly designated as Doe 1, is an individual who resides in the State of New
18 York but who has had business contact related to the allegations in the instant action with a
19

20 person or persons in the State of California.

21 6. Defendant Paul Trout, aka Tizzel ("Trout"), who was formerly designated as
22 Doe 2, is an individual who resides in the State of Oklahoma but who has had business
23 contact related to the allegations in the instant action with a person or persons in the State
24 of California.
25

26 ///

27 ///

28

First Amended Complaint for Damages and Equitable Relief
Blue China Group, Ltd. V. Gevirtz, et al.

1 8. The true names and capacities, whether individual, corporate, associate or
2 otherwise, of defendants herein named as Does 3 through 50, inclusive, are unknown to
3 Plaintiff, which, therefore, sues said Defendants by such fictitious names. Plaintiff will
4 seek to amend this complaint to state the true names and capacities of these Doe defendants
5 when they have been ascertained. At the time of the wrongful acts described in this cross-
6 complaint, the named defendants and Does 1 through 50, participated in some or all of the
7 acts herein alleged, whether as principal, agent, alter ego, employer, employee, successor or
8 representative of some or all of the other Defendants, acting within the course and scope of
9 said agency and employment.
10

11 9. Venue lies in the County of Los Angeles because that is the county where
12 Harrison anticipates receiving the payment upon which this action is based. The last act to
13 confirm Harrison's plot, misdeeds, and in particular his extortion will take place in Los
14 Angeles County.
15

16 10. Plaintiff is the owner of all of the rights to computer software known as
17 "MyChanger", which is a multi-utility application for online blog communities.
18

19
20
21
22
23
24
25
26
27
28

MyChanger allows persons to manage multiple accounts at once, permitting users to send bulletins, sent comments, send comments, send friend requests, and change profile settings.

11. One of the additional features of MyChanger, which adds value to Plaintiff, is that it has a data mining function. This function operates to collect data from users of the software, encrypts that data, and transmits that valuable information to Plaintiff. This function is disclosed to purchasers and prospective purchasers of the MyChanger software.

03/20/2007 12:07

R188848404

GARY:KUR12

PAGE 07/27

1st Amended
SUMMONS
 (CITACION JUDICIAL)

NOTICE TO DEFENDANT:**(A VISO AL DEMANDADO):**

Harrison D. Gevirtz, Steven Gevirtz aka Steve Gevirtz, Valerie Gevirtz aka Valerie Camite and Valerie Adler, Andrew Kryvanis, aka Codeuber (Doe 1), Paul Trout aka Paul Tizzi (Doe 2) and Does 3 to 50, inclusive

YOU ARE BEING SUED BY PLAINTIFF:**(LO ESTÁ DEMANDANDO EL DEMANDANTE):**

BLUE CHINA GROUP, LTD, a Hong Kong Corporation

SUM-100

FOR COURT USE ONLY
 (SOLO PARA USO DE LA CORTE)

CONFORMED COPY
OF ORIGINAL FILED
 Los Angeles County Superior Court

FEB 15 2007

John A. Clarke, Executive Officer/Clerk

B. PALACIOS, Deputy

You have 30 CALENDAR DAYS after this summons and legal papers are served on you to file a written response at this court and have a copy served on the plaintiff. A letter or phone call will not protect you. Your written response must be in proper legal form if you want the court to hear your case. There may be a form that you can use for your response. You can find these court forms and more information at the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), your county law library, or the courthouse nearest you. If you cannot pay the filing fee, ask the court clerk for a fee waiver form. If you do not file your response on time, you may lose the case by default, and your wages, money, and property may be taken without further warning from the court.

There are other legal requirements. You may want to call an attorney right away. If you do not know an attorney, you may want to call an attorney referral service. If you cannot afford an attorney, you may be eligible for free legal services from a nonprofit legal services program. You can locate these nonprofit groups at the California Legal Services Web site (www.lawhelpcalifornia.org), the California Courts Online Self-Help Center (www.courtinfo.ca.gov/selfhelp), or by contacting your local court or county bar association.

Tienes 30 DÍAS DE CALENDARIO después de que le entreguen esta citación y papeles legales para presentar una respuesta por escrito en esta corte y hacer que se entregue una copia al demandante. Una carta o una llamada telefónica no lo protegen. Su respuesta por escrito tiene que estar en formato legal correcto si desea que procesen su caso en la corte. Es posible que haya un formulario que usted pueda usar para su respuesta. Puede encontrar estos formularios de la corte y más información en el Centro de Ayuda de los Cortes de California (www.courtinfo.ca.gov/selfhelp), en la biblioteca de leyes de su condado o en la corte que le quede más cerca. Si no puede pagar la cuota de presentación, pida al secretario de la corte que le dé un formulario de solicitud de pago de cuotas. Si no presenta su respuesta a tiempo, puede perder el caso por incumplimiento y la corte le podrá quitar su sueldo, dinero y bienes sin más advertencia.

Hay otros requisitos legales. Es recomendable que llame a un abogado inmediatamente. Si no conoce a un abogado, puede llamar a un servicio de remisión a abogados. Si no puede pagar a un abogado, es posible que encuentre con los requisitos para obtener servicios legales gratuitos de un programa de servicios legales de bajo costo. Puede encontrar estos grupos sin fines de lucro en el sitio web de California Legal Services (www.lawhelpcalifornia.org), en el Centro de Ayuda de los Cortes de California (www.courtinfo.ca.gov/selfhelp) o contactando con la corte o el colegio de abogados locales.

The name and address of the court is:

(El nombre y dirección de la corte es):

LASC - 9425 Penfield Ave., Chatsworth, CA 91311

CASE NUMBER
 (Número de Caso)

PC040032

no name, address, and telephone number of plaintiff's attorney, or plaintiff without an attorney, is:

(El nombre, la dirección y el número de teléfono del abogado del demandante, o del demandante que no tiene abogado es):

Gary Kurtz, SBN 128295 - Law Office of Gary Kurtz, A PLC, 20335 Ventura Boulevard, Suite 200,

Woodland Hills, CA - Telephone: 818-884-8400, Telefax: 818-884-8404

DATE:

(Fecha)

Clerk by

(Secretario)

Deputy

(Adjunto)

(For proof of service of this summons, use Proof of Service of Summons (form POS-010).)

(Para prueba de entrega de esta citación use el formulario Proof of Service of Summons. (POS-010))

NOTICE TO THE PERSON SERVED: You are served

1. ☐ as an individual defendant.

2. ☐ as the person sued under the fictitious name of (specify).

3. ☐ on behalf of (specify):

under: ☐ CCP 416.10 (corporation)

☐ CCP 416.20 (defunct corporation)

☐ CCP 416.40 (association or partnership)

☐ other (specify).

☐ CCP 416.60 (minor)

☐ CCP 416.70 (conservatee)

☐ CCP 416.90 (authorized person)

4. ☐ by personal delivery on (date)

Page 3 of 1

Form Adopted for Mandatory Use

APPROVE COURTESY OF COURT 1998

SUM 100 (Rev. January 1, 1997)

SUMMONS

Code of Civil Procedure §§ 413.20, 426

Copyright Lexipol, Inc. www.Lexipol.com

1 Gary Kurtz, SBN 128295
2 Law Office of Gary Kurtz
3 A Professional Law Corporation
4 20335 Ventura Boulevard
5 Suite 200
6 Woodland Hills, California 91364

7 Telephone: 818-884-8400
8 Telefax: 818-884-8404

9 Attorneys for Plaintiff
10 Blue China Group, Ltd.

11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37
38
39
40
41
42
43
44
45
46
47
48
49
50
51
52
53
54
55
56
57
58
59
60
61
62
63
64
65
66
67
68
69
70
71
72
73
74
75
76
77
78
79
80
81
82
83
84
85
86
87
88
89
90
91
92
93
94
95
96
97
98
99
100
101
102
103
104
105
106
107
108
109
110
111
112
113
114
115
116
117
118
119
120
121
122
123
124
125
126
127
128
129
130
131
132
133
134
135
136
137
138
139
140
141
142
143
144
145
146
147
148
149
150
151
152
153
154
155
156
157
158
159
160
161
162
163
164
165
166
167
168
169
170
171
172
173
174
175
176
177
178
179
180
181
182
183
184
185
186
187
188
189
190
191
192
193
194
195
196
197
198
199
200
201
202
203
204
205
206
207
208
209
210
211
212
213
214
215
216
217
218
219
220
221
222
223
224
225
226
227
228
229
230
231
232
233
234
235
236
237
238
239
240
241
242
243
244
245
246
247
248
249
250
251
252
253
254
255
256
257
258
259
260
261
262
263
264
265
266
267
268
269
270
271
272
273
274
275
276
277
278
279
280
281
282
283
284
285
286
287
288
289
290
291
292
293
294
295
296
297
298
299
300
301
302
303
304
305
306
307
308
309
310
311
312
313
314
315
316
317
318
319
320
321
322
323
324
325
326
327
328
329
330
331
332
333
334
335
336
337
338
339
340
341
342
343
344
345
346
347
348
349
350
351
352
353
354
355
356
357
358
359
360
361
362
363
364
365
366
367
368
369
370
371
372
373
374
375
376
377
378
379
380
381
382
383
384
385
386
387
388
389
390
391
392
393
394
395
396
397
398
399
400
401
402
403
404
405
406
407
408
409
410
411
412
413
414
415
416
417
418
419
420
421
422
423
424
425
426
427
428
429
430
431
432
433
434
435
436
437
438
439
440
441
442
443
444
445
446
447
448
449
450
451
452
453
454
455
456
457
458
459
460
461
462
463
464
465
466
467
468
469
470
471
472
473
474
475
476
477
478
479
480
481
482
483
484
485
486
487
488
489
490
491
492
493
494
495
496
497
498
499
500
501
502
503
504
505
506
507
508
509
510
511
512
513
514
515
516
517
518
519
520
521
522
523
524
525
526
527
528
529
530
531
532
533
534
535
536
537
538
539
540
541
542
543
544
545
546
547
548
549
550
551
552
553
554
555
556
557
558
559
560
561
562
563
564
565
566
567
568
569
570
571
572
573
574
575
576
577
578
579
580
581
582
583
584
585
586
587
588
589
590
591
592
593
594
595
596
597
598
599
600
601
602
603
604
605
606
607
608
609
610
611
612
613
614
615
616
617
618
619
620
621
622
623
624
625
626
627
628
629
630
631
632
633
634
635
636
637
638
639
640
641
642
643
644
645
646
647
648
649
650
651
652
653
654
655
656
657
658
659
660
661
662
663
664
665
666
667
668
669
670
671
672
673
674
675
676
677
678
679
680
681
682
683
684
685
686
687
688
689
690
691
692
693
694
695
696
697
698
699
700
701
702
703
704
705
706
707
708
709
710
711
712
713
714
715
716
717
718
719
720
721
722
723
724
725
726
727
728
729
730
731
732
733
734
735
736
737
738
739
740
741
742
743
744
745
746
747
748
749
750
751
752
753
754
755
756
757
758
759
760
761
762
763
764
765
766
767
768
769
770
771
772
773
774
775
776
777
778
779
780
781
782
783
784
785
786
787
788
789
790
791
792
793
794
795
796
797
798
799
800
801
802
803
804
805
806
807
808
809
810
811
812
813
814
815
816
817
818
819
820
821
822
823
824
825
826
827
828
829
830
831
832
833
834
835
836
837
838
839
840
841
842
843
844
845
846
847
848
849
850
851
852
853
854
855
856
857
858
859
860
861
862
863
864
865
866
867
868
869
870
871
872
873
874
875
876
877
878
879
880
881
882
883
884
885
886
887
888
889
890
891
892
893
894
895
896
897
898
899
900
901
902
903
904
905
906
907
908
909
910
911
912
913
914
915
916
917
918
919
920
921
922
923
924
925
926
927
928
929
930
931
932
933
934
935
936
937
938
939
940
941
942
943
944
945
946
947
948
949
950
951
952
953
954
955
956
957
958
959
960
961
962
963
964
965
966
967
968
969
970
971
972
973
974
975
976
977
978
979
980
981
982
983
984
985
986
987
988
989
990
991
992
993
994
995
996
997
998
999
1000

CONFORMED COPY
OF ORIGINAL FILED
Los Angeles County Superior Court

FEB 15 2007

John R. Clarke, Executive Officer/Clerk

By A. GALICIA, Deputy

13 BLUE CHINA GROUP, LTD, a Hong
14 Kong Corporation,

15 Plaintiff,

16 vs.

17 HARRISON D. GEVIRTZ, STEVEN
18 GEVIRTZ aka STEVE GEVIRTZ,
19 VALERIE GEVIRTZ aka VALERIE
COMTE and VALERIE ADLER,

) Case No.: PC040032

)
) FIRST AMENDED COMPLAINT FOR
) DAMAGES AND EQUITABLE RELIEF
) FOR:

-) 1. Misappropriation of Trade Secrets;
) 2. Unfair Business Practices;
) 3. Conversion;
) 4. Violation of the Computer Fraud Act;
) 5. Negligent Supervision;

19	ANDREW KRYVANIS, aka)	6. Breach of Contract and Breach of
20	CODEUBER (Doc 1), PAUL TROUT)	Covenant of Good Faith and Fair
21	aka PAUL TIZZEL (Doc 2) AND)	Dealing; and
22	DOES 3 to 50, inclusive,)	7. Unfair Competition.
23	Defendants.)	JURY TRIAL DEMANDED
24	<hr/>		

25

26 For its complaint for damages and equitable relief, Plaintiff Blue China Group, Ltd.

27 alleges the following:

28

First Amended Complaint for Damages and Equitable Relief
Blue China Group, Ltd. V. Gervitz, et al.

1 1. Plaintiff Blue China Group, Ltd. ("Blue China" or "Plaintiff") is and at all
2 relevant times has been a corporate entity organized and existing under the laws of Hong
3 Kong, which operates by and through Internet marketing but has no other presence in
4 California or the United States of America.
5

6 2. Defendant Harrison D. Gevirtz ("Harrison") is a 14 year old individual who
7 resides in the county of Santa Barbara, State of California.
8

9 3. Defendant Steven Gevirtz, also known as Steve Gevirtz ("Steven") is an
10 individual who resides in the county of Santa Barbara, State of California. Steven is the
11 father of Harrison.
12

13 4. Defendant Valerie Gevirtz, also known as Valerie Comte or Valerie Adler
14 ("Valerie") is an individual who resides in the county of Santa Barbara, State of California.
15 Valerie is the mother of Harrison.

16 5 Defendant Andrew Kryvanis, aka Codeuber ("Codeuber" or "Kryvanis"),
17 who was formerly designated as Doe 1, is an individual who resides in the State of New
18 York but who has had business contact related to the allegations in the instant action with a
19

20 person or persons in the State of California.

21 6. Defendant Paul Trout, aka Tizzel ("Trout"), who was formerly designated as
22 Doe 2, is an individual who resides in the State of Oklahoma but who has had business
23 contact related to the allegations in the instant action with a person or persons in the State
24 of California.
25

26 ///

27 ///

28

First Amended Complaint for Damages and Equitable Relief
Blue China Group, Ltd. V. Gevitz, et al.

1 8. The true names and capacities, whether individual, corporate, associate or
2 otherwise, of defendants herein named as Does 3 through 50, inclusive, are unknown to
3 Plaintiff, which, therefore, sues said Defendants by such fictitious names. Plaintiff will
4 seek to amend this complaint to state the true names and capacities of these Doe defendants
5 when they have been ascertained. At the time of the wrongful acts described in this cross-
6 complaint, the named defendants and Does 1 through 50, participated in some or all of the
7 acts herein alleged, whether as principal, agent, alter ego, employer, employee, successor or
8 representative of some or all of the other Defendants, acting within the course and scope of
9 said agency and employment.
10

11 9. Venue lies in the County of Los Angeles because that is the county where
12 Harrison anticipates receiving the payment upon which this action is based. The last act to
13 confirm Harrison's plot, misdeeds, and in particular his extortion will take place in Los
14 Angeles County.
15

16 10. Plaintiff is the owner of all of the rights to computer software known as
17 "MyChanger", which is a multi-utility application for online blog communities.
18

19
20
21
22
23
24
25
26
27
28

MyChanger allows persons to manage multiple accounts at once, permitting users to send bulletins, send comments, send comments, send friend requests, and change profile settings.

11. One of the additional features of MyChanger, which adds value to Plaintiff, is that it has a data mining function. This function operates to collect data from users of the software, encrypts that data, and transmits that valuable information to Plaintiff. This function is disclosed to purchasers and prospective purchasers of the MyChanger software.