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IN THE CIRCUIT COURT OF OREGON
COUNTY OF MULTNOMAH COUNTY

ANDY NGO, an individual,

Plaintiff,

v.

ROSE CITY ANTIFA, an unincorporated
association; BENJAMIN BOLEN, an
individual; JOHN HACKER, an individual;
CORBYN (KATHERINE) BELYEA, an
individual; JOSEPH CHRISTIAN EVANS,
an individual; MADISON LEE ALLEN,
an individual; DOES 1-50.

Defendants.

Case No.

COMPLAINT (Assault; Battery;
Intentional Infliction of Emotional
Distress; ORICO, ORS § 166.720,
et seq.);

Claim over \$50,000; amount
pleaded: \$900,000

NOT SUBJECT TO
MANDATORY ARBITRATION

JURY TRIAL DEMANDED

Filing fee per ORS 21.160(1)(c)

1 Plaintiff Andy Ngo (“Plaintiff” or “Ngo”), by and through his undersigned
2 counsel, states the following for his Complaint:

3 **INTRODUCTION**

4 1. Defendants have sought to suppress independent journalist Ngo’s
5 activities through a coordinated pattern of violent, harassing, and stalking behavior.
6 Defendant Rose City Antifa is an offshoot of Antifa, a group deemed a “domestic
7 terrorist group” by the U.S. government, and widely known for its organized
8 violence and riotous behavior. Ngo, with his persistent reporting, has brought to
9 light many misdeeds of this terrorist organization and is perhaps more responsible
10 than any other American journalist for increasing public awareness of the threat
11 Antifa and its followers pose to public safety. In retaliation for Ngo’s unfavorable
12 coverage, and in an effort to intimidate Ngo from further exposing Antifa’s illegal
13 acts, Defendants have targeted Ngo, including by assaulting and threatening Ngo to
14 the point of causing lasting and significant physical injuries; publicizing private
15 and personal information about the whereabouts of Ngo and his family; and even
16 attempting to break into his family’s home, among a multitude of other threats and
17 acts of violence.

18 2. Ngo brings this action seeking compensation from Defendants for the
19 severe harm Defendants have caused, and for preliminary and permanent
20 injunctive relief enjoining Defendants from further assaulting, threatening,
21 stalking, or otherwise harassing Ngo.

22 **JURISDICTION AND VENUE**

23 3. The Circuit Court of the State of Oregon has jurisdiction over this
24 action pursuant to ORS 14.030, and because Defendants have purposefully availed
25 themselves of the benefits and protections of the State of Oregon. On information
26 and belief Defendants reside in Oregon, and the causes of action complained of
27 herein arise under Oregon law.

1 **FACTUAL ALLEGATIONS**

2 13. Andy Ngo is an independent journalist, who is best known for his
3 news coverage of “Antifa,” an extremist movement and organization of far-left
4 violent individuals who are renowned for their militant opposition to the
5 government, law enforcement and people perceived as “right-wing.” In the U.S.,
6 Antifa calls for insurrectionary anarchy to overthrow the American government.¹
7 Antifa groups in Europe similarly resort to violence in pursuit of political change.

8 14. Antifa members engage in rioting, property destruction, and armed
9 brawls with political opponents and bystanders or journalists perceived to be allies
10 of their opponents. According to Antifa, any violence against public
11 demonstrations by groups they view as fascist, racist, xenophobic, homophobic,
12 conservative, or right-wing is inherently “self-defense”—irrespective of whether
13 such groups actually subscribe to such views— because such public
14 demonstrations purportedly lead to violence against marginalized groups.

15 15. Despite Antifa’s self-indulgent proclamations of protecting minority
16 groups, Defendants, who upon information and belief are members of or are
17 closely affiliated with Antifa, have targeted Ngo, a journalist who is of Asian
18 descent and gay, for his unfavorable news coverage of them.

19 16. Defendants and their fellow Antifa members or supporters and
20 “allies” have physically accosted and viciously assaulted Ngo at protests that he
21 was covering, stolen his photographic equipment, publicized the addresses of his
22 family home and mother’s business, tried to force entry into his house, and stalked
23
24

25 ¹ [https://thehill.com/opinion/criminal-justice/500764-why-its-likely-to-be-antifa-](https://thehill.com/opinion/criminal-justice/500764-why-its-likely-to-be-antifa-not-neo-nazis-behind-the-anarchy-in-americas-streets)
26 [not-neo-nazis-behind-the-anarchy-in-americas-streets;](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)
27 [https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)
28 [terrorists-they-always-were.](https://www.washingtonexaminer.com/opinion/editorials/trump-is-right-antifa-are-terrorists-they-always-were)

1 him in his personal life, including by attacking and stealing his phone while at a
2 gym.

3 17. Rose City Antifa is the Portland chapter of Antifa.

4 18. Defendant Rose City Antifa constitutes a racketeering enterprise
5 within the meaning of ORS § 166.715.

6 19. “Popular Mobilization” (also called “PopMob”) was established
7 Alisha Berry, a member of Rose City Antifa. PopMob is purportedly not as violent
8 as Rose City Antifa, but still engages in activities to counter perceived fascist and
9 racist protests. PopMob and Rose City Antifa share leadership and members, and
10 the two groups often collaborate.

11 **The May Day Rabbit-Punch and Bear-Macing**

12 20. On May 1, 2019, Ngo was covering demonstrations that
13 commemorated the pro-labor holiday “May Day” in Portland, Oregon.

14 21. While video-recording the events, Ngo was set upon by mask-clad
15 Rose City Antifa members and others.

16 22. Among them was Defendant Bolen, a heavy-set white man sporting a
17 brimmed, black beanie, white-framed sunglasses, dark bandanna with white
18 patterning, and black gloves with hard extensions near the knuckle area. He
19 carried a distinctive skateboard.



1 23. Bolen struck Ngo in the abdomen with his fist, causing Ngo
2 significant pain and severe emotional distress. Ngo reasonably feared for his safety
3 following the incident. After the attack, Bolen melted into the crowd outside the
4 Immigration and Customs Enforcement facility at 4310 S. Macadam Ave.

5 24. Based on his attire, Bolen is, on information and belief, a member of
6 Rose City Antifa.

7 25. Ngo then left the area of the attack, and went to cover a demonstration
8 by a group called Patriot Prayer, against Antifa near a northeast Portland bar called
9 “Cider Riot,” which, at the time, was frequented Rose City Antifa members and
10 their supporters.²

11 26. During a verbal confrontation that ensued between members of the
12 Patriot Prayer and Rose City Antifa, several Antifa members began throwing
13 punches and spraying bear mace at their opponents, and a brawl broke out.

14 27. While Ngo was recording these events, Doe 1, a heavy-set, sunglass-
15 wearing white woman sporting a black hoodie, light-colored bandanna with black



26 ² Cider Riot has since closed, permanently, following the death of a 23-year-old
27 Antifa member, Sean Kealiher, in a shooting involved hit-and-run on October 12,
28 2019 near the Cider Riot. <https://www.opb.org/news/article/antifa-killed-homicide-cider-riot-sean-kealiher/>.

1 stripes, and a hammer and sickle tattoo on her inner right forearm, depicted in the
2 image below, sprayed Ngo in the face and eyes with bear mace.³ Doe 1 is believed
3 to be a member of Rose City Antifa.

4 28. The attack left Ngo temporarily blinded and caused Ngo to fear for his
5 safety and that he might be further threatened or attacked. The incident caused Ngo
6 severe pain, humiliation, and emotional distress.

7 **May 7 2019 Assault by Antifa Member at Andy Ngo's Gym**

8 29. On May 7, 2019, Defendant John Hacker threw an unknown liquid
9 onto Ngo's head while Ngo was at his local gym.

10 30. On information and belief, Hacker intended to frighten and intimidate
11 Ngo in retaliation for his journalistic coverage of Rose City Antifa and other
12 counter-protesters.

13 31. When Ngo began to record Hacker with his phone, Hacker forcibly
14 took the phone from Ngo, without Ngo's consent.

15 32. Hacker refused to return the phone to Ngo, causing gym staff to
16 intervene and return the phone to Ngo.



Source: Twitter/@mrandyngo

27
28 ³ See 23:10-13 at:

<https://www.youtube.com/watch?v=tb4KREvKYBA&feature=youtu.be>.

1 33. Hacker’s membership to the gym was later revoked by management.

2 34. Ngo reasonably fears that Hacker may commit further acts of violence
3 against Ngo should he encounter Hacker again.

4 **June 29, 2019 Attacks**

5 35. On June 29, 2019, more protests arose, and Rose City Antifa faced-
6 off against conservative protesters.

7 36. Ngo was in the midst of these protests in his capacity as a journalist,
8 recording events on his GoPro video camera and phone for later analysis and
9 commentary

10 37. Ngo was attacked on two separate occasions on this day.

11 38. In the first event, Rose City Antifa members and others, including
12 Does 2-20, lobbed containers full of liquid, purportedly “milkshakes” they had
13 acquired from PopMob, and other unknown liquids, at Ngo. Portland Police issued
14 a warning on social media that day that the “milkshakes” may have contained
15 quick-drying concrete.

16 39. One such “milkshake”-tossing assailant was Defendant Katherine
17 (Corbyn) Belyea, depicted in the following image:



1
2 40. Portland police officers took a crime report from Ngo regarding the
3 assault, but refused to confront Belyea, who was still in nearby in the park.

4 41. Later, at the same protest, without warning, Ngo was suddenly
5 mobbed and bloodied by a group of Rose City Antifa members and others,
6 including Does 21-43, who threw projectiles, including milkshakes, eggs, and
7 containers; punched; and kicked him. Members also hit him in the head with
8 plywood hard-edged sign placards, and carbon-hardened tactical gloves.

9 42. One of the attackers, referred herein as Doe 21, was a red-haired,
10 white woman who arrived as a passenger in a white Subaru Outback with the
11 Oregon license plate “456 LJK.”

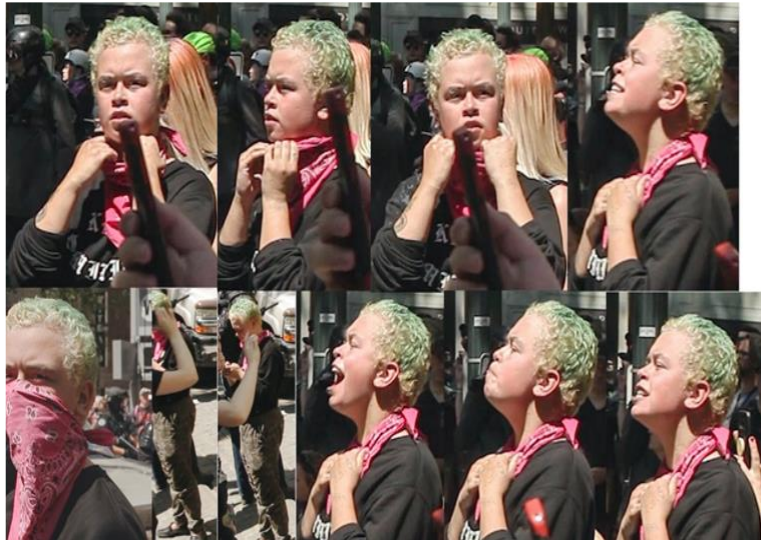
12 43. Defendant Joseph Christian Evans was among the group of assailants
13 who attacked Ngo. Evans was one of the first to strike Ngo, his actions inciting
14 further violence against Ngo.⁴

15 44. Defendant Madison Lee Allen was among the group of assailants
16 who attacked Ngo. Lee struck Ngo over the head with placard, while sporting
17 green hair and a light, red-colored bandanna, as depicted below. Defendant Evans
18 can be seen in the same photograph, just to the right of Allen.



27 ⁴ Evans is wanted by the police for an attack on another person on the same day.
28 See <https://www.oregonlive.com/portland/2019/08/portland-police-ask-for-help-finding-assault-suspect-from-june-29-protest.html>.

1 45. Allen showed her face at one time during the protests which was
2 captured on camera, as depicted below:



13 46. During the mobbing, Ngo lost grip of his GoPro camera, which a Rose
14 City Antifa member, Doe 44, immediately stole.

15 47. The mob then dispersed and blended into the surrounding crowd.

16 48. Ngo was able to break away and requested assistance from the medic
17 team associated with the Portland Police. The police medics directed Ngo to the
18 central police precinct, the same area in which he was just beaten.

19 49. Ngo then walked himself to the police precinct, where he taken by
20 ambulance to Oregon Health & Science University and, after testing, was
21 diagnosed with a subarachnoid brain hemorrhage and hospitalized overnight.

22 50. As a result of the attacks, Ngo suffered severe pain, humiliation, and
23 emotional distress, for which he continues to receive treatment.

24 **“I Know Where You Live”**

25 51. On October 31, 2019, at least six masked Antifa members, including
26 Does 45-50, inclusive, approached Ngo’s family home and stood outside the door.
27 Each of their masks bore a printout of Ngo’s face.

1 52. They banged on Ngo's windows, rang the doorbell, and tried to gain
2 entry into Ngo's family home by trying the door handle to see if the door was
3 locked or not. They were not carrying trick or treat bags, and, on information and
4 belief, intended to harass, intimidate, and harm Ngo.

5 53. Ngo was present in the home at the time. He called the police and
6 recorded the trespassers on his home security system. The individuals left before
7 police arrived.



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20 54. Soon after this incident, Ngo realized that personal information about
21 him, his family, and his mother's small business had been released publicly. Upon
22 information and belief, the six masked individuals were Antifa members who used
23 the publicized information to track Andy to his house and intimidate him.

24 55. As part of Rose City Antifa's campaign of terror and harassment
25 against Ngo, Twitter accounts controlled by Antifa members released, in two
26 separate events, private information about donors to Andy Ngo's medical expenses
27 from the mob attack and private information about his family (such as the address
28 of his mother's small business).

1 **CLAIMS**

2 **FIRST CLAIM FOR RELIEF**

3 **Assault – Common Law**

4 (By Plaintiff against all Defendants)

5 56. Plaintiff incorporates herein by reference each and every allegation
6 contained in the preceding paragraphs of this Complaint as though fully set forth
7 herein.

8 57. Defendants intended offensive or harmful contact with Andy Ngo
9 and/or put him in apprehension of such offensive or harmful contact with his
10 person.

11 58. Defendants placed Andy Ngo in apprehension of immediate physical
12 contact that appeared to be and that was harmful and/or offensive.

13 59. The acts or omission of the Defendants were the legal and proximate
14 cause of Andy Ngo’s damages.

15 60. As a result of Defendants’ actions, Ngo has suffered harm to his
16 person, causing injuries to his head and body, including bruising. Ngo has suffered
17 severe pain, discomfort, and emotional distress, as well as inconvenience and
18 interference with everyday activities. As a result of his injuries, Ngo required
19 medical care and ongoing medical treatment.

20 61. Defendants (1) committed these tortious acts in concert with each
21 other and pursuant to a common design to target Andy Ngo and forcibly dissuade
22 him from covering Antifa protests; (2) knew that each other’s conduct constituted a
23 breach of duty to not commit violence against Andy Ngo and gave substantial
24 assistance or encouragement to the other Antifa members to engage in such
25 conduct; and/or (3) gave substantial assistance to each other in accomplishing the
26 tortious result and each member’s own conduct, separately considered, constituted
27 a breach of duty to the third person.

1 conduct, and/or (3) gave substantial assistance to each other in accomplishing the
2 tortious result and each member's own conduct, separately considered, constituted
3 a breach of duty to the third person.

4 77. Ngo reasonably fears for his safety, and the safety of his family, and
5 there exists a serious risk that Defendants will engage in further acts of violence
6 against Ngo in retaliation for Ngo's continued journalistic coverage of Antifa
7 activities, absent permanent injunctive relief.

8 **FOURTH CLAIM FOR RELIEF**

9 **Racketeer Influenced and Corrupt Organization Act - ORS § 166.720, et seq.**

10 (By Plaintiff Against Rose City Antifa)

11 78. Plaintiff incorporates herein by reference each and every allegation
12 contained in the preceding paragraphs of this Complaint as though fully set forth
13 herein.

14 79. Ngo was injured by Defendant Rose City Antifa's violations of the
15 provisions of ORS §166.720 (1) and (4).

16 80. Rose City Antifa knowingly received proceeds derived directly and/or
17 indirectly from a pattern of racketeering activity in connection with its
18 establishment and operation of an enterprise consisting of Defendants and others,
19 in violation of ORS 166.720(1), and conspired or endeavored to do the same, in
20 violation of ORS § 166.720(4).

21 81. Rose City Antifa has directed its members, including the many Doe
22 Defendants clad in Rose City Antifa attire (black clothing and masks), to attack
23 Ngo and others to gain notoriety, and to thereafter obtain financial support in the
24 form of donations. Rose City Antifa uses these funds to further their racketeering
25 activities, including, to purchase materials, and to secure the release of Rose City
26 Antifa members arrested by law enforcement. According to its online fundraising
27 campaign, Rose City Antifa has raised over \$8,000 for these and other purposes.
28

1 C. Pre-judgment interest;

2 D. Temporary, preliminary, and permanent injunctive relief
3 prohibiting Defendants from harassing, threatening, harming, or attempt to do the
4 same, to Ngo, and prohibiting Defendants from further engaging in acts in
5 violation of ORS § 166.720, *et seq.*;

6 E. All other relief as this court may deem just and proper.

7 Date: June 4, 2020

/s/ James L. Buchal _____

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**Pro Hac Vice Application Forthcoming*

23 *Attorneys for Plaintiff Andy Ngo*