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IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR THE COUNTY OF MULTNOMAH

CIDER RIOT, LLC; and ABRAM GOLDMAN-ARMSTRONG,)	Case No.
Plaintiffs)	COMPLAINT
v.)	(Negligence; Trespass; and Intentional Infliction of Emotional Distress)
PATRIOT PRAYER USA, LLC; JOSEPH "JOEY" GIBSON; IAN KRAMER; and JOHN DOES 1-25.)	Damages: \$1,000,000 Filing Fee Subject to ORS 21.160(1)(c) (Not Subject to Mandatory Arbitration)
Defendants)	Jury Trial Demanded

Plaintiffs alleges:

INTRODUCTION

1.

Following the election of Donald Trump far-right extremists have rallied across the country for the causes of white supremacy, white nationalism, and general xenophobia. Since its formation in 2016, the right-wing extremist group Defendant Patriot Prayer USA, LLC marked Portland as a target for violent intimidation. This intimidation serves to shutdown public democratic spaces through incitements of violence. Defendant Joseph Gibson then uses these self-initiated conflicts to fundraise. With their terror-campaign, Defendant Gibson and his acolytes, including Defendant Ian Kramer, have demonstrated a pattern and practice of flouting local, state, and federal law to injure their perceived political enemies. This behavior inevitably lead to the repeated, unwanted violence inflicted upon Plaintiffs.

PARTIES

2.

Plaintiff Cider Riot, LLC is an Oregon business located in Portland, Multnomah County, Oregon, with the capacity to sue.

3.

Plaintiff Abram Goldman-Armstrong owns and operates Cider Riot, LLC.

4.

Defendant Patriot Prayer USA, LLC is incorporated in Washington State, with the capacity to be sued. Their principal agent is Joseph “Joey” Gibson.

5.

Defendant Joseph “Joey” Gibson is a resident of Washington State who runs, operates, and fundraises for Patriot Prayer USA, LLC. Defendant Gibson has operated Patriot Prayer activities prior to Patriot Prayer USA, LLC’s incorporation.

6.

Defendant Ian Kramer is a resident of Coos County, Oregon. He has participated in Patriot Prayer activities since its inception.

7.

Plaintiffs do not know the legal names of Defendants John Does 1-25, and will sue them under fictitious names. John Does 1-25 are any persons who directed, conspired, neglected to prevent, or engaged in the tortious conduct described below.

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COUNT 1: NEGLIGENCE

8.

Plaintiff Cider Riot is an Oregon business that specializes in making craft ciders from Northwest apples, and in providing a safe space for people to enjoy them. Their business operates on NE Couch St., in Portland, OR. Their business features a bar, brewery, and indoor or outdoor drinking areas for patrons.

9.

As described below, Patriot Prayer and Gibson’s tactics vary from convening protesters to intimidate minorities, immigrants and/or leftists, to direct violence, to campaigns of terror under cover of night. Patriot Prayer exists as a cipher for other violent groups to conduct paramilitary actions in the Portland metro area. Their activities have culminated in a number of protests marked by state and right-wing violence. Patriot Prayer’s strategy and intent for doing so is to a) force a confrontation with leftist groups, b) utilize police departments and city governments into imposing harsh crowd control measures on leftists, and c) intimidate groups into not showing up.

10.

Patriot Prayer’s tactics pivoted after October 2018, when their followers were photographed committing assaults on antifascists. On January 19, 2019, Defendant Gibson attempted to violently trespass on the International Workers of the World Union Hall. The night prior, on January 18, 2019, Patriot Prayer attempted to disrupt a meeting of the Democratic Socialists of America at the same IWW Union Hall.

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11.

While Gibson had always advocated for the direct removal of masks worn by antifascists,¹ his zeal heightened during this period, and Gibson launched a campaign on Facebook calling for such batteries. On January 19, 2019, Gibson and his followers violently battered people on East Burnside. Gibson and Hayley Adams, a frequent fixture at Patriot Prayer events, directed Patriot Prayer members to cross East Burnside and attack onlookers. After a worker at a shop across the street pulled the battery victims into their business, Patriot Prayer members began banging on the business's windows, trespassing in an attempt to menace. Later that day, Gibson was seen doing the same exact thing to an anarchist affinity group at a "March For Life" anti-abortion rally.

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Shortly after these incidents, on January 24, 2019, three locations in Portland, including Plaintiff Cider Riot, were vandalized with graffiti. At Cider Riot, Defendants had either participated in, directed, conspired, or engaged in conduct that foreseeably lead to the spray-painting of "Fuck Antifa" on its walls. Additionally, X's were placed on the business's windows and a mural. The IWW Union Hall was also vandalized with graffiti and one of the front-windows was smashed. The graffiti read "ANTIFA HOUSE" and "SMASH COMMUNISM" on it. Lastly, the Democratic Party of Oregon's building was vandalized.

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Later that night, Gibson showed up at the IWW Union Hall once again, this time to denounce the vadalism as a "false-flag" aimed at discrediting his organization. Gibson then announced his intention to show up at any antifascist event in Portland with Patriot Prayer.

¹ A recent example of this tactic can be found here:
<https://twitter.com/Kherman112/status/1102342852959297536>

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14.

Leading up to May 1, 2019, Gibson coordinated with Patriot Prayer members to arrive at Cider Riot in the afternoon to “Take the fight to Antifa.” Cider Riot was hosting a May Day/International Worker’s Day celebration.

15.

Gibson spent the earlier portion of May 1, 2019 attempting to bait confrontations with demonstrators attending rallies and marches throughout Portland.

16.

Defendant Gibson arrived at Cider Riot at approximately 7:30 pm on May 1, 2019. Upon arrival, Gibson began harassing and menacing patrons at Cider Riot.

17.

Gibson livestreamed this encounter on his Facebook page. Often, when Gibson livestreams his activities, he appends a link to a personal donations page. On his livestream from this particular event, he introduced Cider Riot as “Antifa central,” then asked his followers to look into the business, its owners, and its landlord. He then told his audience that “If they cared about Portland... take care of this establishment.”

18.

After individually harassing the patrons of Cider Riot, Gibson’s crew of approximately 20 people, most clad in armor and visibly carrying weapons, join him in the harassment. One Patriot Prayer member began pepper-spraying Cider Riot’s patrons. In self-defense, the patrons used pepper-spray to repel the Patriot Prayer members.

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19.

Gibson then facilitated and refereed a street fight between two persons outside of Cider Riot. He dictated the rules, and kept others from intervening while livestreaming to his followers.

20.

Gibson continued to antagonize the patrons at Cider Riot, whom were trying to force his retreat. Defendant Ian Kramer, a frequenter of Patriot Prayer rallies and associate of Gibson, used a baton to crack a Cider Riot patron on the head, knocking her unconscious. Upon information and belief, she suffered a serious vertebrae fracture.

21.

Gibson directed his group to back up, but continued to livestream and harass Cider Riot patrons while acknowledging the battery.

22.

Despite the violence they had wrought, on multiple Facebook posts, Patriot Prayer and Gibson haved vowed to return to Cider Riot.

23.

Plaintiffs have been harmed by Patriot Prayers repeated, unwanted, alarming, and violent contacts with their business. Citing threats of violence, Cider Riot has had to increase security, give staff additional training on safety in case of another Patriot Prayer attack, and has lost business.

24.

Given the repeated extreme incitements of violence against perceived political enemies, it was foreseeable that Defendants' actions would lead to harm to Cider Riot. Defendants

1 engaged in conduct, including but not limited to directing, conspiring, neglecting to prevent,
2 or engaging in conduct that foreseeably lead to the injuries described above. This conduct
3 directly and proximately caused these injuries. Despite knowledge of the risk of harm to
4 Plaintiffs, and the foreseeability of this injury, Defendant breached their duty owed to
5 Plaintiffs, damaging them.

6 25.

7 Plaintiffs now seeks damages not to exceed \$1,000,000 for compensatory damages,
8 including but not limited to economic losses for additional security, clean-up, and lost profits,
9 and non-economic losses for emotional distress, and punitive damages where needed to deter
10 this tortious conduct. Plaintiffs also seek an order enjoining Defendants from entering within
11 a reasonable distance from their establishment. Plaintiffs should be awarded their costs,
12 including expert fees, against defendants.

13
14 **COUNT 2: TRESPASS**

15 26.

16 Plaintiff realleges and incorporates paragraphs 1-25.

17 27.

18 Plaintiffs lawfully possessed and retained control of the property where Cider Riot
19 resides.

20 28.

21 On May 1, 2019, Defendants did unlawfully interfere with this right of possession by
22 pepper-spraying into the crowd, onto Cider Riot's property, by holding street brawls outside,
23 and by engaging in harmful batteries against its patrons immediately adjacent to the property.

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29.

Plaintiffs now seeks damages not to exceed \$1,000,000 for compensatory damages, including but not limited to economic losses for additional security, clean-up, and lost profits, and non-economic losses for emotional distress, and punitive damages where needed to deter this tortious conduct. Plaintiffs also seek an order enjoining Defendants from entering within a reasonable distance from their establishment. Plaintiffs should be awarded their costs, including expert fees, against defendants.

COUNT 3: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS

30.

Plaintiff realleges and incorporates paragraphs 1-29.

31.

As described above, Defendants and their agents intentionally and/or with reckless disregard inflicted severe emotional distress on Plaintiffs.

32.

As described above, Defendants and their agents' acts constituted an extraordinary transgression of the bounds of socially tolerable conduct.

33.

Plaintiffs now seeks damages not to exceed \$1,000,000 for compensatory damages, including but not limited to economic losses for additional security, clean-up, and lost profits, and non-economic losses for emotional distress, and punitive damages where needed to deter this tortious conduct. Plaintiffs also seek an order enjoining Defendants from entering within a reasonable distance from their establishment. Plaintiffs should be awarded their costs, including expert fees, against defendants.

1 WHEREFORE, Plaintiffs prays for their costs and disbursements incurred herein and for the
2 following in accordance with the proof at trial:

- 3 1. Economic damages;
- 4 2. Non-economic damages;
- 5 5. Injunctive relief;
- 6 6. Any other relief the court deems proper.

7 DATED: May 3, 2019.

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9
10 /s/ Juan C. Chavez
11 Juan C. Chavez, OSB #136428
12 Of Attorneys for Plaintiff
13 jchavez@ojrc.info

14 *LEAD ATTORNEY*

15 /s/ Alex Meggitt
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19 Oregon Justice Resource Center
20 (503) 944-2270