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CLERK OF SUPERIOR COURT
 COUNTY OF MARIANA

9 Attorneys for Plaintiff
 10 **OVERSTOCK.COM, INC.**, a Delaware corporation,
 11 **ROCHE D. BARBON**, an individual and **MARY**
HELBURN, an individual

SUPERIOR COURT OF CALIFORNIA
 COUNTY OF MARIANA
 UNLIMITED CIVIL JURISDICTION

16 **OVERSTOCK.COM, INC.**, a Delaware
 17 corporation, **ROCHE D. BARBON**, an
 individual, **MARY HELBURN**, an individual,

Case No. CV06069

FIRST AMENDED COMPLAINT FOR:

18 Plaintiff,

- 19 v.
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- 1) LARUL PER SE.
 - 2) LARUL PER QUOD.
 - 3) INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE.
 - 4) UNFAIR BUSINESS PRACTICES VIOLATION OF CAL. BUS. & PROF. CODE §§ 17200, 17201, 17202, AND 17203.
 - 5) VIOLATIONS OF CALIFORNIA CORPORATIONS CODE §§ 2980, 27 SEC.

20 **GRADIENT ANALYTICS, INC.**, an Arizona
 21 corporation, **ROCKEE PARTNERS, LP**, a
 22 New York limited partnership, **ROCKEE**
MANAGEMENT, L.L.C., a New Jersey limited
 23 liability company, **ROCKEE OVERSIGHT**
MANAGEMENT COMPANY, INC., a New
 24 York corporation, **DAVID ROCKEE**, an
 25 individual, **MARC COBEZINE**, an individual,
JAMES CARL BETTEL, an individual, **DONN**
VERBY, an individual, **MATTHEW**
KLINER, an individual, and **CONS 1** through
200,

26 Defendant.