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11 OVERSTOCK.COM, INC., a Delaware corporation,
12 HUGH D. BARRON, an individual and MARY
13 HELBURN, an individual

FILED

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MARIN COUNTY SUPERIOR COURT
BY: K. MAIN, DEPUTY

14 SUPERIOR COURT OF CALIFORNIA

15 COUNTY OF MARIN

16 UNLIMITED CIVIL JURISDICTION

17 OVERSTOCK.COM, INC., a Delaware
18 corporation; HUGH D. BARRON, an
19 individual; MARY HELBURN, an individual,

20 Plaintiffs,

21 v.

22 GRADIENT ANALYTICS, INC., an Arizona
23 corporation; ROCKER PARTNERS, LP, a
24 New York limited partnership; ROCKER
25 MANAGEMENT, LLC, a New Jersey limited
26 liability company; ROCKER OFFSHORE
27 MANAGEMENT COMPANY, INC., a New
28 York corporation; DAVID ROCKER, an
individual; MARC COHODES, an individual;
JAMES CARR BETTIS, an individual; DONN
VICKREY, an individual; MATTHEW
KLIBER, an individual; and DOES 1 through
200,

Defendants.

Case No. CV053693

FIRST AMENDED COMPLAINT FOR:

- 1) **LIBEL PER SE;**
- 2) **LIBEL PER QUOD;**
- 3) **INTENTIONAL INTERFERENCE WITH PROSPECTIVE ECONOMIC ADVANTAGE;**
- 4) **UNFAIR BUSINESS PRACTICES (VIOLATION OF CAL. BUS. & PROF. CODE §§ 17200, ET SEQ. AND §§ 17500 ET SEQ.); AND**
- 5) **VIOLATIONS OF CALIFORNIA CORPORATIONS CODE §§ 25400, ET SEQ.**