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CASE NO: A-23-879938-C
Department 28

Attorneys for Plaintiffs
Christopher Davin, Trevor Harder,
and Henderson Equality Center

**DISTRICT COURT
CLARK COUNTY, NEVADA**

CHRISTOPHER DAVIN, an individual;
TREVOR HARDER, an individual; and
HENDERSON EQUALITY CENTER, a
Nevada non-profit corporation,

Plaintiffs,

v.

**SOUTHERN NEVADA ASSOCIATION
OF PRIDE, INC. DBA LAS VEGAS
PRIDE**, a Nevada nonprofit corporation;
HUMAN RIGHTS CAMPAIGN, INC., a
District of Columbia nonprofit corporation;
**HOLY ORDER SIN SITY SISTERS OF
PERPETUAL INDULGENCE, INC.**, a
Nevada nonprofit corporation;
**INTERNATIONAL CULTURAL
MOVEMENT FOR EQUALITY**, a Nevada
non-profit corporation; **GENDER JUSTICE
NEVADA**, a Nevada non-profit corporation;
LAS VEGAS TRANSPRIDE, a Nevada
non-profit corporation; **SOCIAL
INFLUENCE FOUNDATION DBA
HOUSE OF VEGAS PRIDE**, a Nevada non-
profit corporation; and **JOHN PHOENIX,
APRN, PLLC DBA HUNTRIDGE
FAMILY CLINIC**, a Nevada professional
limited liability company, **GOLDEN
RAINBOW OF NEVADA, INC.**, a Nevada

Case No. _____

Dept. _____

**COMPLAINT AND DEMAND FOR
JURY TRIAL**

**ARBITRATION EXEMPTION:
AMOUNT IN EXCESS OF \$50,000;
EQUITABLE RELIEF SOUGHT**

nonprofit corporation, **BRADY MCGILL**, an individual, **NICOLE WILLIAMS**, an individual, **JOHN PHOENIX**, an individual, **GARY COSTA**, an individual, **ANTHONY CORTEZ**, an individual, and **SEAN VANGORDER**, an individual,
Defendants.

Plaintiffs Christopher Davin, Trevor Harder, and Henderson Equality Center hereby bring this Complaint against Defendants Southern Nevada Association of Pride, Inc. dba Las Vegas PRIDE; Human Rights Campaign; Holy Order Sin Sity Sisters of Perpetual Indulgence, Inc.; International Cultural Movement for Equality; Gender Justice Nevada; Las Vegas Transpride; Social Influence Foundation dba House of Vegas Pride; John Phoenix, APRN, PLLC dba Huntridge Family Clinic; Golden Rainbow of Nevada, Inc.; Brady McGill; Nicole Williams; John Phoenix; Gary Costa; Anthony Cortez; and Sean Vangorder, and allege as follows:

THE PARTIES

1. Plaintiff Christopher Davin is an individual residing in Nevada.
2. Plaintiff Trevor Harder is an individual residing in Nevada.
3. Plaintiff Henderson Equality Center (“HEC”) is a Nevada nonprofit corporation with its principal place of business in Henderson, Nevada.
4. Defendant Southern Nevada Association of Pride, Inc. dba Las Vegas PRIDE (“Vegas PRIDE”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.
5. Defendant Human Rights Campaign (“HRC”) is a District of Columbia nonprofit corporation registered to do business in Nevada and regularly conducts business in Las Vegas, Nevada.
6. Defendant Holy Order Sin Sity Sisters of Perpetual Indulgence, Inc. (“Sisters”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

7. Defendant International Cultural Movement for Equality (“ICME”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

8. Defendant Gender Justice Nevada (“Gender Justice”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

9. Defendant Las Vegas Transpride (“Transpride”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

10. Defendant Social Influence Foundation dba House of Vegas Pride (“House of Vegas”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

11. Defendant John Phoenix, APRN, PLLC dba Huntridge Family Clinic (“Huntridge”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

12. Defendant Golden Rainbow of Nevada, Inc. (“Golden Rainbow”) is a Nevada nonprofit corporation with its principal place of business in Las Vegas, Nevada.

13. Defendant Brady McGill at all relevant times was the President of Vegas PRIDE and is a resident of Las Vegas, Nevada.

14. Defendant Nicole Williams at all relevant times was the President of House of Vegas and is a resident of Las Vegas, Nevada.

15. Defendant John Phoenix at all relevant times was the Manager of Huntridge and a resident of Las Vegas, Nevada.

16. Defendant Gary Costa at all relevant times was the Executive Director of Golden Rainbow and a resident of Las Vegas, Nevada.

17. Anthony Cortez at all relevant times was the Co-Founder and Executive Director of ICME and a resident of Las Vegas, Nevada.

18. Sean Vangorder is a former Vice Chair of HRC’s National Board of Governors and Member of its Las Vegas Steering Committee, still volunteers for HRC in Las Vegas, and is a resident of Las Vegas, Nevada.

JURISDICTION AND VENUE

19. This Court has jurisdiction over this matter because all Defendants reside or regularly do business in Nevada and because the tortious statements made by Defendants, which are the basis of this action, were published in Nevada and caused harm to Plaintiffs in Nevada.

20. The amount in controversy, represented by actual and consequential damages to Plaintiff, and possible punitive damages, exceeds \$15,000.00. This Court thus has jurisdiction over this matter.

21. Venue is proper before this Court because the actions that form the basis of Plaintiff's claims took place in Clark County, Nevada.

FACTS RELEVANT TO ALL CLAIMS

22. Plaintiff Davin is the Executive Director of HEC.

23. HEC is a community-supported organization created to engage, empower, enrich, and advance, the LGBTQ+ community in Henderson, Nevada by providing a safe space that provides resources and assistance in various forms to at-risk, low-income LGBTQ+ youth and adults.

24. Davin's partner, Plaintiff Harder, is a Co-Founder, Youth Director, and PrEP Navigator at HEC and Henderson Wellness Clinic, and is employed as a public educator at a charter school.

25. For years, Davin has been actively engaged in LGBTQ+ organizations in Nevada to support the LGBTQ+ community.

26. As of 2020, Davin was a volunteer with Defendant Human Rights Campaign.

27. As of 2021, Davin was a Board Member of Vegas PRIDE.

28. Similarly, as of 2021, Plaintiff Harder was a Board Member of Vegas PRIDE.

29. On April 20, 2023, Vegas PRIDE published a press release (the "Press Release") on its website containing numerous false and defamatory statements about Plaintiffs.¹

¹ Available at: <https://lasvegaspride.org/2023/04/25/christopher-chris-davin-trevor-harder/>. A true and correct copy of the Press Release is attached to this Complaint as **Exhibit 1**.

30. The Press Release primarily consists of 5 distinct categories of actionable statements:

- A. *"In April 2023, Mr. Davin threatened Las Vegas PRIDE Officers and took intentional action to cause harm to our organization and our work by making frivolous trademark claims. These actions resulted in harm to Las Vegas PRIDE and other community-serving organizations."*
- B. *"In August of 2021, it was determined that Mr. Davin accessed sensitive information and stole data from the Las Vegas PRIDE, which he used without permission to benefit his organization. In a unanimous vote, Mr. Davin was removed from his position on the Board ["Minutes of the Las Vegas PRIDE Board – Closed Session."](#) [August 11, 2021](#).² At that time, Mr. Harder also resigned from his position on our Board."*
- C. *"In a similar incident in the spring of 2020, Mr. Davin was removed from his involvement with Human Rights Campaign of Las Vegas for accessing sensitive information and using it without permission for personal gain."*
- D. *"Las Vegas PRIDE Officers have been made aware of multiple reports of bullying, threats, and unethical business activities Mr. Davin has taken against individuals, charities, and businesses in Southern Nevada."*
- E. *"Las Vegas PRIDE Officers have been made aware of reports made to various authorities regarding Mr. Davin directly for unethical, unprofessional, and illegal financial practices and behavior."*

31. The Press Release then states that *"Las Vegas PRIDE takes direct threats to our Board Members and attacks on our organization by Mr. Davin and Mr. Harder seriously. Bullying actions of these individuals will not be tolerated . . . "*

32. The Press Release also encourages readers to file complaints with various governmental agencies, both real and non-existent, regarding Davin and Harder and "the many organizations with which they are associated."

² The hyperlink to this document is in the Press Release. The August 11, 2021, closed meeting minutes linked in the Press Release are attached to this Complaint as **Exhibit 2**.

33. The Press Release contains the logos of Defendants Vegas PRIDE, HRC, Sisters, ICME, Gender Justice, Transpride, and House of Vegas (the “PR Defendants”).

34. The Press Release also includes links to the PR Defendants’ respective websites.

35. The inclusion of the PR Defendants’ website links and logos shows that these Defendants endorse the actionable statements in the Press Release.

36. Defendant HRC had actual knowledge that it was listed as a signatory to the Press Release no later than May 2023. It contacted Plaintiffs in May 2023 regarding the Press Release, and Plaintiffs’ then-counsel informed HRC that same month that it contained false and defamatory statements. Despite having this actual knowledge, HRC did nothing to distance or dissociate itself from the Press Release until approximately October 2023, after it received a demand letter from Plaintiffs.

37. Shortly after the Press Release was published, Defendant Phoenix published a verbatim copy of the Press Release on Defendant Huntridge’s website.

38. Shortly after the Press Release was published, Phoenix also contacted at least one of HEC’s doctors and encouraged them to stop working for HEC based on the false allegations contained in the Press Release.

39. On information and belief, Vegas PRIDE, or one of its agents, sent a message to several supporters and donors of HEC (the “Direct Message”).

40. The Direct Message linked to the defamatory Press Release and stated that these other organizations endorsed the statements in the release (the “Direct Message”). A true and correct copy of the Direct Message is attached to this Complaint as **Exhibit 3**.

41. The Direct Message includes the following statement:

“For the safety and well-being of the LGBTQ+ community, Please [sic] reconsider your sponsorship of this organization as your support perpetuates Mr. Davin’s and Mr. Harder’s ability to cause harm to individuals, charitable organizations and business in the Las Vegas LGBTQ+ Community.

This information has been sent to you anonymously, for fear of continued retaliation from Mr. Davin and Mr. Harder.”

42. On May 2, 2023, the Press Release was updated to include two additional defamatory statements.

43. The Press Release was amended to claim that Vegas PRIDE had received reports from unnamed third parties accusing Plaintiffs of “Harassment of community members, and former board members,” and “Failure to submit payment for goods/services rendered.”

44. Each of these statements in the Press Release is false and defamatory, as discussed below.

Allegation of Davin Harming Vegas PRIDE With Frivolous Trademark Claims

45. HEC owns multiple trademark registrations for the mark HENDERSON PRIDE FEST.

46. HEC owns a federal registration for this mark, which was registered on the Supplemental Register on February 7, 2023, with an effective registration date of December 10, 2021 (Reg. No. 6,976,120).

47. HEC also owns three Nevada state registrations for the mark, which were registered on January 11, 2022 (Mark No. 202200035766-22 (trademark), 202200035760-40 (trade name), and 202200035764-28 (service mark)).

48. In April 2023, Davin submitted a complaint to Facebook on HEC’s behalf alleging trademark infringement on Vegas PRIDE’s Facebook page.

49. Davin alleged that this page contained several images used in a commercial context for the confusingly similar trademark HENDERSON PRIDE FESTIVAL.

50. Davin also alleged that the HENDERSON PRIDE FESTIVAL mark was used in connection with the same goods and services as HEC’s HENDERSON PRIDE FEST mark.

51. On or about April 17, 2023, Facebook found Davin’s complaint meritorious and suspended Vegas PRIDE’s Facebook page for approximately two months.

52. On information and belief, Facebook’s suspension of Vegas PRIDE’s page was not due solely to Davin’s complaint, but rather was the cumulative consequence of numerous

trademark infringement complaints filed against Vegas PRIDE by third parties, combined with Davin's complaint.

53. There are multiple reasons this allegation in the Press Release is false.

54. First, Davin did not threaten anyone by sending a takedown request to Facebook, nor did he do so to "cause harm" to Vegas PRIDE.

55. HEC owns multiple trademark registrations for HENDERSON PRIDE FEST, and Vegas PRIDE was using the confusingly similar HENDERSON PRIDE FESTIVAL mark on Facebook.

56. Nor did Plaintiffs request that Facebook remove Vegas PRIDE's Facebook account.

57. It appears that Vegas PRIDE had already been the subject of so many trademark complaints that Facebook felt a suspension was appropriate instead of simply removing the infringing content.

58. Furthermore, Facebook found Davin's takedown request to be meritorious and acted on it.

59. The allegation that Davin made "frivolous trademark claims" is thus not merely a statement of opinion, but a demonstrably false statement of fact.

60. Crucially, Vegas PRIDE published the Press Release on April 20, 2023, a mere *three days* after Facebook suspended its Facebook page.

61. It could not be more apparent that PR Defendants and Phoenix's motive in publishing and endorsing the Press Release was not to inform the LGBTQ+ community about a bad actor, but rather to retaliate against Plaintiffs for asserting their legal rights.

Allegations Regarding August 2021 Departure from Vegas PRIDE

62. On August 11, 2021, Vegas PRIDE held a closed meeting to discuss allegations of Davin taking Vegas PRIDE assets.

63. Specifically, the allegation that Davin logged into Vegas PRIDE's mail program and extracted email files for the purpose of soliciting donations from Vegas PRIDE donors for the benefit of HEC.

64. This claim is categorically false.

65. As Davin explained during this meeting, if he had engaged in this alleged conduct, then Vegas PRIDE's email software, Mailchimp, would have had a log of it.

66. There was no log of such activity.

67. To prove this claim, Davin provided an example of logging into HEC's mail system, which also uses MailChimp, resulting in a log of him doing so.

68. Vegas PRIDE's board ignored evidence conclusively showing the allegations against Davin were false.

69. Instead, Vegas PRIDE's President, Brady McGill, proposed the absurd hypothetical that Davin could have copied all 22,000 allegedly extracted emails word by word.

70. Without conducting any investigation and ignoring the conclusive proof Davin provided during the meeting, the Vegas PRIDE Board found that Davin had engaged in this alleged misconduct.

71. The same day this meeting occurred; Davin voluntarily retired from the Board due to him being subjected to a disrespectful kangaroo court with no interest in determining the truth of allegations against him.

72. The claim that Davin was removed from the Vegas PRIDE Board is also false.

73. In reality, the allegation of Davin committing data theft was fabricated out of whole cloth and used as a pretext to get Davin off the Vegas PRIDE Board.

74. The Press Release also falsely implies Harder was somehow involved in this non-existent data theft by mentioning that Davin left the Vegas PRIDE Board at the same time in the same paragraph as the false allegations about Davin.

75. If an actual data breach had happened and Davin had stolen the information of thousands of donors, then Vegas PRIDE would have taken action in response, such as informing these donors that a data breach had happened.

76. Vegas PRIDE took no such action.

77. Further, Vegas PRIDE did not even acknowledge the existence of an alleged data breach until after it published the defamatory Press Release, two years later.

78. The fact that Vegas PRIDE did not even mention the alleged theft of thousands of supporters' information until it defamed Plaintiffs shows that PR Defendants and Phoenix knew this allegation was false when they published or endorsed the Press Release and published it for the specific purpose of harming Plaintiffs.

Allegations Regarding Davin's Departure from HRC

79. In 2020, Davin volunteered his time to HRC and served as a co-chair for the HRC Gala silent auction.

80. Davin did approximately 90% of the work in finding donors and items for the auction at the 2020 Gala in Caesar's Palace in Las Vegas, Nevada.

81. At the Gala, HRC's poor training of its volunteers led to a great deal of confusion in the checkout process for successful bidders.

82. HRC volunteers allowed bidders to pick up items simply upon showing a phone message notifying the bidder of being the highest bidder.

83. This was problematic because some of the persons who received phone messages indicating they were the highest bidder, were later outbid by others.

84. This resulted in some of the wrong people getting items presented during the auction.

85. Because his co-chair was not doing their share of the work, Davin was left to sort out this mess by himself, which involved contacting various bidders to make arrangements for them to acquire or transfer auction items.

86. As a necessary part of this work, Davin had access to HRC donor information.

87. Davin did not use HRC donor information for any purpose other than fixing the issues which arose during the checkout process.

88. It is categorically false to say that Davin was involved “in a similar incident in the Spring of 2020,” as he did not misappropriate any donor information or use it for his or HEC’s benefit.

89. Similar to the above false allegations regarding Davin’s departure from the Vegas PRIDE Board, if HRC actually did experience a data breach in 2020, it presumably would have told its donors about this.

90. HRC did no such thing, and has made no public statement about an alleged data breach resulting from this incident.

91. The Press Release is also wrong about its claim that Davin was removed from HRC.

92. After 4 to 6 months of trying to fix HRC’s mistakes, which took up a significant amount of his unpaid time, Davin informed HRC he could no longer do this work on a volunteer basis.

93. Davin did not hold any office or title with HRC; he was an unpaid volunteer.

94. HRC did not “remove” Davin.

95. Davin simply stopped volunteering for the organization.

Allegations of Harassment, Bullying, Threats, Unethical Business Activities, and Unethical and Illegal Financial Practices and Behavior

96. In a classic example of reckless defamation, the Press Release refers to numerous unspecified complaints of various incidents of unprofessional or illegal conduct.

97. Neither Vegas PRIDE nor any of the signatories of the Press Release have received such reports. They are fabrications.

98. Even if some people attempting to harm Plaintiffs’ reputation have made “complaints” to Vegas PRIDE, the Press Release clearly endorses the veracity of such complaints by publishing about them alongside unambiguous factual assertions of Plaintiffs’ wrongdoing.

99. The reference to these “complaints” implies the existence of undisclosed facts which are false and defamatory, meaning these claims in the Press Release are also defamatory.

100. The Press Release also clearly imputes this alleged misconduct to Plaintiffs collectively, as it refers to “attacks on our organization by Mr. Davin and Mr. Harder,” and asks readers to report “information regarding issues with Chris Davin, Trevor Harder, or any of the many organizations with which they are associated.”

Allegations of Failure to Submit Payment for Goods/Services Rendered

101. Finally, the Press Release alleges that Plaintiffs have engaged in “[f]ailure to submit payment for goods/services rendered.”

102. This statement, endorsed as true in the Press Release, is false.

103. The only incident it could possibly be referring to is a dispute between HEC and a company called Excellence LLC d/b/a Smithman Productions (“Smithman”).

104. HEC had a commercial relationship with Smithman in 2022 to produce HEC-branded merchandise.

105. HEC quickly learned that Smithman had provided incorrect inventory counts, despite agreeing to provide correct ones.

106. Further, despite promising to provide custom original designs, Smithman instead used images it took from the internet without permission or attribution to create the merchandise.

107. Both of these issues were a breach of the agreement between Smithman and HEC.

108. Upon learning of these breaches, HEC refused payment, as it was entitled to do.

109. Smithman threatened to sue HEC for this alleged breach, but never did.

110. The claim that HEC failed to submit payment for goods/services rendered is thus grossly misleading and falsely implies that HEC does not honor its contractual obligations.

Sean Vangorder’s Facebook Post

111. In or around June 2023, Sean Vangorder published a post on Facebook of and concerning Plaintiffs.

112. This post claimed that Davin and Harder:

are the greatest scam artists to the LGBTQ+ community in Las Vegas. They have stolen donor lists, bashed dedicated and caring volunteer leaders, attacked valuable queer-supported Vegas organizations, and have continued on a journey of full destruction of non-profit and political orgs that fight for our freedoms and help gain us access to valuable services every day. As of now, they have attacked Las Vegas Pride to the point of having their social media access removed – just before June Pride month – one of their most important months for engagement and exposure. It's time for the Vegas queer community to be transparent about the toxic attacks these two humans have participated in. It's time for them to go and for the rest of us to unite. Take it from me – I know personally about the toxicity of these two.

113. This post contains numerous false statements and implications, namely that Davin and Harder are “scam artists,” that they have “stolen donor lists,” and that they have undermined the Nevada LGBTQ+ community.³

114. As alleged above, the allegation that Davin and Harder stole donor lists is categorically false.

115. Vangorder knew this allegation was false when he published it or did so with significant subjective doubt as to its truth, given that there was no factual basis for this allegation.

116. As alleged above, the allegation that Davin and Harder “attacked” Vegas PRIDE by shutting down its Facebook page is false.

117. Rather, Davin sent Facebook a meritorious trademark takedown request that Facebook acted upon.

118. Vangorder’s broader claim that Davin and Harder are trying to undermine the Vegas LGBTQ+ community is thus false, as it rests on this false premise.

119. The statement Davin and Harder are “scam artists” is false, as neither Plaintiff has scammed anyone.

³ The entirety of the post is false and was published with the specific intent of harming Plaintiffs, but not every statement in it is actionable.

120. This is not a statement of protected opinion because it implies the existence of undisclosed false facts, namely that there are underlying facts which support the asserted conclusion of Davin and Harder being “scam artists.”

The LGBTQIA2 Connect Emails

121. On April 18, 2023, an employee of the LGBTQ Center of Southern Nevada sent an email to members of several Nevada LGBTQ+ communities, including Davin and Defendants Costa and Cortez, inviting them to attend an upcoming meeting in July 2023.

122. In response to this email, on May 3, 2023, a recipient wrote “Why is this person a part of this group?” and posted a link to the Press Release.

123. In response to that email, Defendant Cortez wrote an email claiming that the City of Henderson, Nevada called him to tell him that it would deploy armed officers to an upcoming ICME festival “because of continuous emails/threats by this idiot” and that the Mayor would be attending the festival “but with FULL SECURITY DETAIL. . . WHAT DOES THAT TELL YOU??”

124. Cortez concluded by asking everyone in the email chain to “report” Davin to law enforcement if they saw him at ICME’s upcoming festival.

125. Cortez wrote this email in the course and scope of his employment with ICME and for the benefit of ICME, as ICME was an active participant in an ongoing campaign to defame and harm Plaintiffs.

126. Cortez’s email was false.

127. The City of Henderson never contacted him regarding any security concerns regarding Plaintiffs, nor did the Mayor have or express any such security concerns.

128. Cortez’s email is also false in that Plaintiffs never sent any “emails/threats” that could possibly have caused any government organization to believe he was a security threat.

129. Furthermore, the implication that Davin is a violent individual and a security threat is categorically false.

130. In response to Cortez’s email, Defendant Costa wrote an email thanking Cortez for “sharing this [false] information widely to other LGBTQ organizations and community leaders” and falsely claiming that Davin and Harder “have been terrorizing the LGBTQ community for the past 3 years,” and called them “bad actors” and “bullies.”

131. Costa published this email in the course and scope of his employment with Defendant Golden Rainbow and for the benefit of Golden Rainbow.

132. Indeed, he published it explicitly on behalf of Golden Rainbow.

133. Costa’s email endorsed Cortez’s email in its entirety, thus making him and Golden Rainbow equally liable for the statements in it.

134. Costa’s email also falsely implied the existence of undisclosed facts to support his assertion that Davin and Harder “have been terrorizing the LGBTQ community for the past 3 years.”

135. Neither Davin nor Harder have “terrorized” the LGBTQ community at any point and have not engaged in any conduct that any reasonable person apprised of the facts could possibly interpret as “terrorizing” the community.

False Statements to Interpride

136. In or about October 2023, Defendants Brady McGill and Nicole Williams spoke to a representative of InterPride, an international LGBTQ+ organization that organizes PRIDE events.

137. McGill and Williams told the InterPride representative that Plaintiffs were engaged in racism and elder abuse.

138. On information and belief, McGill and Williams made several false factual representations to the InterPride representative underlying their allegations of racism and elder abuse, which statements will be uncovered during the course of discovery.

139. The allegations of racism and elder abuse are false and defamatory. None of the Plaintiffs have ever engaged in such conduct, nor have they engaged in any conduct that a reasonable person could describe as racism or elder abuse.

140. McGill and Williams had actual knowledge that their allegations of racism and elder abuse were false when they made them, as they knew Plaintiffs have never engaged in such conduct, and that they have never engaged in any conduct that a reasonable person could describe as racism or elder abuse.

141. Even if McGill and Williams did not have actual knowledge of the falsity of these statements, they published them with significant subjective doubt as to their truth, given that there was no factual basis for these allegations.

142. Plaintiff Davin is an Alternate Gag Board Member of InterPride.

143. On information and belief McGill and Williams made their false allegations of racism and elder abuse for the specific purpose of causing Davin to be removed from the Board of InterPride.

144. It is inherently implausible that McGill or Williams were simply passing on complaints about Plaintiffs of racism or elder abuse, as Vegas PRIDE and House of Vegas are not associated with Plaintiffs and no such complaints were sent to Plaintiffs or any organization that is actually involved with Plaintiffs.

145. McGill and Williams are the President of Vegas PRIDE and House of Vegas, respectively, and made these false statements to InterPride in the course and scope of their employment with these organizations.

FIRST CLAIM FOR RELIEF

(Defamation *Per Se*)

146. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

147. Defendants published false and defamatory statements of and concerning Plaintiffs by publishing them online and transmitting them directly to HEC supporters.

148. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post, Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa

published his defamatory email in his capacity as a Golden Rainbow officer (thus making Golden Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

149. Defendants made their false and defamatory statements to third parties without privilege.

150. Defendants' statements falsely accuse Plaintiffs of various forms of misconduct, including theft and misappropriation of donor information; deliberately trying to harm LGBTQ organizations by making false claims; bullying, harassing, and threatening behavior; engaging in unethical business activities and unethical and illegal financial practices and behavior; not honoring contractual obligations; engaging in threatening conduct so severe as to be determined a security threat by the City of Henderson; racism; and elder abuse.

151. All of these allegations are literally false or grossly misleading, thus implying a false and defamatory meaning.

152. Defendants published the false and defamatory statements with knowledge they were false, or with reckless disregard for their truth or falsity, as they had actual knowledge Plaintiffs did not engage in any of the above alleged conduct.

153. To the extent any Defendant did not publish or endorse the Press Release with knowledge of falsity, such Defendants published with reckless disregard for the truth, as they performed no investigation prior to publishing and had significant subjective doubt as to the truth of the statements in the Press Release.

154. Plaintiffs are not public figures, and thus must prove merely negligence.

155. Defendants' false and defamatory statements constitute defamation *per se* in that they tend to injure Plaintiffs in their trade, business, or profession.

156. Defendants' statements were no more than an issue of curiosity and gossip and had no bearing on any matter of public concern.

157. Defendants' statements were of concern only to them and a small, specific audience.

158. Defendants did not make their statements to further any kind of public interest.

159. Defendants made their statements solely as part of a private controversy with Plaintiffs.

160. Damages to Plaintiffs are presumed by law since the defamation is *per se*.

161. Even without this presumption, as a direct and proximate result of Defendants' actions, Plaintiffs' reputations have been severely harmed and Plaintiffs have suffered actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients.

162. Defendants' conduct was willful and intentional.

163. Plaintiffs are entitled to an award of punitive damages to punish Defendants for their unlawful conduct and to deter them from repeating such misconduct in the future.

164. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of their interests.

165. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

SECOND CLAIM FOR RELIEF

(False Light) (By Davin and Harder)

166. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

167. Defendants published false and defamatory statements of and concerning Plaintiffs by publishing them online and transmitting them directly to HEC supporters.

168. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post in his capacity as an HRC Member (thus making HRC liable for this conduct), Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa published his defamatory

email in his capacity as a Golden Rainbow officer (thus making Golden Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

169. Defendants made their false and defamatory statements to third parties without privilege.

170. Defendants' statements falsely accuse Davin and Harder of various forms of misconduct, including theft and misappropriation of donor information; deliberately trying to harm LGBTQ+ organizations by making false claims; bullying, harassing, and threatening behavior; engaging in unethical business activities and unethical and illegal financial practices and behavior; not honoring contractual obligations; engaging in threatening conduct so severe as to be determined a security threat by the City of Henderson; racism; and elder abuse.

171. All of these allegations are literally false or grossly misleading, thus implying a false and defamatory meaning.

172. Due to the falsity of these statements and their implications, Defendants cast Davin and Harder in a false light by publishing and endorsing them.

173. The false light in which the statements portrayed Davin and Harder is highly offensive to any reasonable person.

174. Defendants made the false statements with knowledge that the statements, and the light in which they placed Davin and Harder were false, or with reckless disregard for their truth or falsity.

175. To the extent any Defendant did not publish or endorse the Press Release with knowledge of falsity, such Defendants published with reckless disregard for the truth, as they performed no investigation prior to publishing and had significant subjective doubt as to the truth of the statements in the Press Release.

176. Defendants' conduct was willful and intentional.

177. Plaintiffs Davin and Harder are entitled to an award of punitive damages to punish Defendants for their unlawful conduct and to deter them from repeating such misconduct in the future.

178. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have suffered mental anguish. Defendants' actions, and the mental harm they caused Plaintiffs Davin and Harder, have adversely affected the quantity and quality of Plaintiffs Davin and Harder's time with friends and family.

179. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have incurred attorneys' fees and costs for the protection of their interests.

180. As a direct and proximate result of Defendants' actions, Plaintiffs Davin and Harder have been injured in an amount exceeding \$15,000.00.

THIRD CLAIM FOR RELIEF

(Tortious Interference with Prospective Economic Advantage)

181. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth fully herein.

182. HEC and Davin, as its President, had a number of promising economic relationships with third parties at the time Defendants made their false and defamatory statements.

183. Harder, as a public school educator, had prospects for career advancement as an educator when Defendants made their false and defamatory statements.

184. Defendants had actual knowledge of these relationships and opportunities when they made their statements.

185. Defendants made false statements of fact of and concerning Plaintiffs to third parties without any privilege.

186. Specifically, the PR Defendants and Phoenix published or endorsed the Press Release, Vangorder published his defamatory Facebook post, Cortez published his defamatory email in his capacity as an ICME officer (thus making ICME liable for this conduct), Costa published his defamatory email in his capacity as a Golden Rainbow officer (thus making Golden

Rainbow liable for this conduct), and McGill and Williams published their defamatory statements to InterPride in their capacity as officers of Vegas PRIDE and House of Vegas, respectively (thus making Vegas PRIDE and House of Vegas liable for this conduct).

187. Defendants, in the Direct Message, even specifically encouraged supporters of HEC to sever all ties with Plaintiffs due to the false and defamatory statements in the Press Release.

188. In making false, negative, and defamatory statements concerning Plaintiffs, Defendants acted intentionally to disrupt the economic and contractual relationships, both current and potential, between Plaintiffs and third parties.

189. As a direct and proximate result of Defendants' actions, Plaintiffs' ability to engage in these economic relationships has been harmed, causing actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients

190. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of their interests.

191. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

FOURTH CLAIM FOR RELIEF (Conspiracy)

192. Plaintiffs hereby incorporate the allegations of each of the preceding paragraphs as if fully set forth herein.

193. Prior to publication of the Press Release, Defendants entered into an agreement to publish the Press Release, endorse its contents, and further defame Plaintiffs in separate communications after the Press Release was published.

194. The purpose of this agreement was to harm Plaintiffs' reputation, business, and current and prospective economic and employment opportunities.

195. There was no legitimate purpose to this agreement; Defendants' sole objective was to harm Plaintiffs by publishing false and defamatory statements.

196. Each of the Defendants acted in concert and took material steps in carrying out this agreement by either publishing the Press Release, endorsing its contents, or publishing subsequent communications to third parties defaming Plaintiffs.

197. As a direct and proximate result of Defendants' actions and their conspiracy, Plaintiffs have suffered reputational harm, emotional harm and distress, and actual economic loss, including but not limited to loss of income, loss of sponsorship opportunities, loss of employment opportunities, and loss of clients.

198. As a direct and proximate result of Defendants' actions, Plaintiffs have incurred attorneys' fees and costs for the protection of his interests.

199. As a direct and proximate result of Defendants' actions, Plaintiffs have been injured in an amount exceeding \$15,000.00.

JURY DEMAND

Plaintiffs demand a trial by jury on all claims asserted herein.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs hereby pray for relief as follows:

A. That Plaintiffs be awarded general, exemplary, compensatory, and punitive damages in an amount to be determined at trial;

B. A determination that the complained-of statements are false and defamatory;

C. A determination that the complained-of statements place Plaintiffs Davin and Harder in a false light that is highly offensive to a reasonable person;

D. Injunctive relief compelling a retraction of the false and defamatory statements; and,

E. Such other relief as this Court deems proper.

Dated: October 19, 2023.

Respectfully submitted,

/s/ Alex J. Shepard

Marc J. Randazza (NV Bar No. 12265)

Alex J. Shepard (NV Bar No. 13582)

RANDAZZA LEGAL GROUP, PLLC

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Las Vegas, NV 89118

Attorneys for Plaintiffs

Christopher Davin, Trevor Harder,

and Henderson Equality Center

EXHIBIT 1

Press Release



CHRISTOPHER "CHRIS" DAVIN & TREVOR HARDER

Las Vegas PRIDE Board of Directors Adopt a Vote of No Confidence in Christopher "Chris" Davin & Trevor Harder

Las Vegas, NV, April 20, 2023: It is with great consideration and patience that Las Vegas PRIDE has come to the decision to speak out on a long-running issue facing our community. The Las Vegas PRIDE Board of Directors unanimously adopted a vote of no confidence in Christopher "Chris" Davin and Trevor Harder at the April 2023 meeting of the Board.

This decision is not taken lightly and comes from years of ongoing issues that Las Vegas PRIDE has encountered with these individuals. The following are representative of the reasons why Las Vegas PRIDE will not communicate, associate, or engage with Mr. Davin or Mr. Harder. For the health, safety, and well-being of our members, Las Vegas PRIDE will not participate in events that these individuals are known to support or attend.

- In April 2023, Mr. Davin threatened Las Vegas PRIDE Officers and took intentional action to cause harm to our organization and our work by making frivolous trademark claims. These actions resulted in harm to Las Vegas PRIDE and other community-serving organizations.
- In August of 2021, it was determined that Mr. Davin accessed sensitive information and stole data from the Las Vegas PRIDE, which he used without permission to benefit his organization. In a unanimous vote, Mr. Davin was removed from his position on the Board "[Minutes of the Las Vegas PRIDE Board – Closed Session.](#)" [August 11, 2021](#). At that time, Mr. Harder also resigned from his position on our Board.
- In a similar incident in the spring of 2020, Mr. Davin was removed from his involvement with Human Rights Campaign of Las Vegas for accessing sensitive information and using it without permission for personal gain.
- Las Vegas PRIDE Officers have been made aware of multiple reports of bullying, threats, and unethical business activities Mr. Davin has taken against individuals, charities, and businesses in Southern Nevada.
- Las Vegas PRIDE Officers have been made aware of reports made to various authorities regarding Mr. Davin directly for unethical, unprofessional, and illegal financial practices and behavior.

If you have information regarding issues with Chris Davin, Trevor Harder, or any of the many organizations with which they are associated, we encourage you to file complaints with the appropriate governing body, e.g. Nevada Secretary of State, Clark County Nevada, City of Henderson, HIPAA, Internal Revenue Service, etc.

For 40 years, Las Vegas PRIDE has fostered strong working relationships with local and national community-serving organizations. Las Vegas PRIDE takes direct threats to our Board Members and attacks on our organization by Mr. Davin and Mr. Harder seriously.

Bullying actions of these individuals will not be tolerated, and we encourage the community and our allies to assess their relationships and partnerships through the lens of integrity and professionalism. These are the criteria by which our current and future partnerships will be evaluated. We encourage our community to adopt a zero-tolerance for bullying and violence, no matter the source.

Las Vegas PRIDE exists to uplift our community and celebrate our achievements. This Board feels strongly that we must offer our help, love, and support to others who work within the organization(s) represented by both Mr. Davin and Mr. Harder. While we have no direct knowledge or contact with others within these organization(s), Las Vegas PRIDE maintains an open line for communication and resolution for others who wish to discuss this topic.

The Las Vegas PRIDE Board will continue to seek opportunities to build and uplift the LGBTQ+ community and actively seek mutually beneficial relationships to do so. The Board strongly encourages our partners in the nonprofit and business communities to consider these individuals' inappropriate, unethical bullying behavior and evaluate your investment in the LGBTQIA+ community accordingly.



May 2, 2023, Las Vegas, NV: After our initial release, we have received additional reports and information from members of the community who also wanted to have their voices heard. These reports include:

- Harassment of community members, and former board members.
- Failure to submit payment for goods/services rendered.

#

For inquiries or to speak with a representative of Las Vegas PRIDE regarding these issues, please email info@lasvegaspride.org

The United States Patent & Trademark Office operates the [Trademark Electronic Search System \(TESS\)](#), which was used to verify and validate the Henderson Pride trademark ownership by International Cultural Movement for Equality.

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> [Parade Entry Application](#)

> Photo Galleries

> Festival Vendor
Application

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EXHIBIT 2

August 11, 2021
closed meeting minutes



8/11/21 –Emergency Meeting – Disciplinary Action + Google Meets

Call to Order 8:01pm

Attendance	Lucas		
Present	Absent	Associate	Additional
Brady Lucas Lyndon Joslyn Steve Clair Freddy JC Lopez Trevor Brock Chris			

Explanation of Procedure & Order of Business	Brock	5 min
<ul style="list-style-type: none"> - Brock - Explanation of Procedure & Order of Business <ul style="list-style-type: none"> o IAW SOP 2, Disciplinary sessions may be called in the manner prescribed in the Southern Nevada Association of Pride, Inc. By-Laws and the Order of Business shall be as follows: <ol style="list-style-type: none"> 1. Call To Order (Chair) 2. Announcement of Closed, Special Session & Obligations of Secretary (Chair) 3. Explanation of Procedure & Order of Business (parliamentarian) 4. Reading of Citation from Minutes (secretary) 5. Presentation of Citation Letter & Receipt to Chair (secretary) 6. Appointment of Managers (Chair) 7. Inquiry As To Council for Accused - Appoint if Needed (Chair) 8. Reading of Charges & Specifications (Secretary) 9. Plea for Each Specification & Charge (Accused) 10. If Guilty Plea, Skip to #14, Otherwise <ol style="list-style-type: none"> a. Statement from SNAPI Chair b. Statement from Accused c. SNAPI Manager Questions Accused & Witnesses & Presents Case d. Accused Manager Questions Witnesses & Presents Defense 11. Debate (Board of Directors) 12. Chair Puts Forth the Question, "Is Mr./Mrs/Ms XXXXX guilty of the specifications and charges brought against them?" 13. Vote (each charge separately) 		



- 14. Penalty Request (SNAPI Manager)
- 15. Penalty Debate (Board of Directors) & Vote
- 16. Verdict (Chair)
- 17. Adjourn

Plea for Each Specification & Charge	Chris	2 min
- Chris plead Not Guilty on all charges.		

Statement from Accused	Accused	5 min
Chris does not present a statement on his behalf, he only wishes to present evidence to show that he did not do a breach of our email system.		
Statement from Chair	Brady	10 min
- Freddy - review of reporting o		
	Questions	10 min
- Freddy, If Chris can please review what you we're presenting since he was driving. Asking for more clarification.		
Debate	Board Member	10 min
<ul style="list-style-type: none"> - Josyln, to clarify PR & Marketing firms must follow the same guidelines. But firms don't just send out mass emails. - Lucas, If I was on their email list why wouldn't I have received an email campaign before 8/4. I only received an email after he did a manual input entry after an event. - Brock, Chris just showed the whole board that the email in question were actually in his database. - JC, he never answered clearly how the emails were sent them out. - Freddy, 		
Presentes the Question	Brady	5min
<ul style="list-style-type: none"> - Brady - <ul style="list-style-type: none"> o Misfeasance (Bylaws – Section 7.1) – Chris Davin accessed proprietary PRIDE information and without any authorization or permission, repurposed PRIDE data and assets for use at Henderson Equality Center. o Conflict of Interest (Bylaws – Section 7.2) – Chris Davin breached conflict of interest by his actions in taking PRIDE assets and using them for Henderson Equality Center without authorization or permission. 		



<ul style="list-style-type: none"> o Code of Conduct (Bylaws – Section 7.5) – Chris Davin’s actions in misuse of system access and sharing of proprietary data violated Code of Conduct items 1, 2, 3, 4, 5, 6, 8, and 10. o Vote of No Confidence (Bylaws – Section 7.4) – The Board of Directors voted on 8/13/21, no confidence in Chris Davin’s ability to represent the organization with integrity or to serve as a Director on the Board of Directors. 		
Voting	Brady	5 min
<ul style="list-style-type: none"> - Chair Puts Forth the Questions, Is Mr.Davin guilty of the specifications and charges brought against them; <ul style="list-style-type: none"> o 1- Mifseasance (Bylaws – Section 7.1), Guilty o 2- Conflict of Interest (Bylaws – Section 7.2), Guilty o 3- Code of Conduct (Bylaws – Section 7.5), Guilty o 4- Vote of No Confidence (Bylaws – Section 7.4), Guilty 		
Penalty Request	Brady	10 min
<ul style="list-style-type: none"> - Steve, we should offer up to Chris the option of resigning rather than be removed from the Board. - Josyln, also agrees with this method - Brady, - Brock, does anyone else have any recommendations to offer. - Brock, would like to motion for Chris to be given the opportunity to resign, if he does not follow through with that then he will be removed from the Board. Clair 2nds, Motion passes unanimously. 		
Verdict and Penalty	Brady	5 min
<ul style="list-style-type: none"> - Brady, reads the verdicts of the 4 charges to Chris and to the board. - Brady, the board has offered the option of a resignation in lieu of a removal. 		

EXHIBIT 3

Direct Message

On April 20, Las Vegas PRIDE posted the following message on their website.

<https://lasvegaspride.org/2023/04/25/christopher-chris-davin-trevor-harder>

This is a very unusual but necessary action for a community-based organization to take, but the malicious actions of these individuals can no longer be tolerated.

Multiple community organizations have stepped forward as a result, endorsing the message with their logo attached to the bottom of the message. Other charitable organizations, businesses, and individuals have also been affected by the actions of Mr. Davin and Mr. Harder. These actions are not isolated, nor recent, and the harm that they have done to the Las Vegas LGBTQ+ community can no longer be tolerated.

Your organization is or has been listed as a supporter or sponsor of Henderson Equality Center, the organization run by these individuals.

For the safety and well-being of the LGBTQ+ community, Please reconsider your sponsorship of this organization as your support perpetuates Mr. Davin's and Mr. Harder's ability to cause harm to individuals, charitable organizations and businesses in the Las Vegas LGBTQ+ Community.

This information has been sent to you anonymously, for fear of continued retaliation from Mr. Davin and Mr. Harder.