

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT COURT OF MASSACHUSETTS**

Ina Steiner,
David Steiner,
Steiner Associates, LLC,
(*Publisher of EcommerceBytes*)
Plaintiffs

vs.

eBay, Inc.,
Progressive F.O.R.C.E.Concepts, LLC
Devin Wenig,
Steve Wymer,
James Baugh,
David Harville,
Brian Gilbert,
Stephanie Popp,
Stephanie Stockwell,
Veronica Zea,
Philip Cooke,
John and Jane DOE,
Defendants

CASE NO: _____
COMPLAINT AND DEMAND
FOR A JURY TRIAL

INTRODUCTION

1. eBay, a multinational *Fortune 500* Company with a market value of over \$47 billion, engaged in a systematic campaign to emotionally and psychologically torture Ina and David Steiner, the two-person team behind a small ecommerce trade publication, EcommerceBytes. eBay, along with Progressive F.O.R.C.E Concepts, LLC, (hereinafter “PFC”) engaged in a coordinated effort to intimidate, threaten to kill, torture, terrorize, stalk and silence the Steiners, in order to stifle their reporting on eBay.

2. Ina and David Steiner, a married couple living in Natick, Massachusetts, operate EcommerceBytes, a trade publication where the Steiners report about various ecommerce companies, including eBay, in an effort to assist ecommerce sellers. The Steiners provide factually based reporting on the inner-workings of various ecommerce companies, to keep subscribers and readership for their trade publication – many of whom are eBay sellers – up to date and informed.
3. Defendant Devin Wenig, then Chief Executive Officer of eBay, and Defendant Steven Wymer, then Senior Vice President and Chief Communications Officer of eBay, consistently tracked EcommerceBytes’ reporting, and became increasingly enraged by what they perceived as the Steiners’ negative coverage of eBay and the upper echelons of the corporation.
4. eBay, through its Chief Executive leadership, sent a directive and enlisted at least seven members of the eBay security staff – Defendants James Baugh, David Harville, Brian Gilbert, Stephanie Popp, Stephanie Stockwell, Philip Cooke, and Veronica Zea, an eBay contractor employed by PFC, most of whom, on information and belief directly or indirectly reported to eBay’s Head of Security and Operations – to deal with the Steiners. Defendants Wenig and Wymer provided the other Defendants with carte blanche authority to terminate the reporting of the Steiners by whatever means necessary, with Defendant Wymer expressing “...I want to see ashes. As long as it takes. Whatever it takes.” Defendant Wymer promised the Defendants he would, “embrace managing any bad fallout” if the plan went south, further directing, “We need to STOP her.” All of the horrific, vicious and sickening conduct that followed was committed by employees of

eBay and PFC, while acting in the scope of their employment under the authority of and for the benefit of eBay and PFC.

5. The events that followed shock the conscience, and demonstrate the utter depths eBay would stoop to in order to take the Steiners down and end their reporting on eBay. Starting with an online intimidation campaign, the Defendants taunted Ina Steiner using a phony Twitter handle pretending to be an eBay seller, and directly threatened her to stop reporting on eBay. The online attacks continued to escalate into threatening and disturbing package deliveries, which included live spiders, cockroaches, a bloody pig mask, a funeral wreath, and a book entitled “Grief Diaries: Surviving Loss of a Spouse” sent directly to David Steiner. These messages and deliveries often were accompanied by ominous simultaneous Twitter messages such as “do I have your attention now, cunt?” Shockingly graphic and vulgar messages, such as “U are sick motha fuckers...and every one will kno! U fuckin cunt ass bitch!” paired with taunting emails and deliveries, including pornography and “Hustler: Barely Legal” magazines sent to the Steiner’s neighbors’ home in David Steiner’s name, to defame the Steiners and attempt to disgrace them and tarnish their reputation within their community.
6. After several days of around the clock threatening and vulgar emails, packages and online messages, Defendants Wenig and Wymer’s henchmen, including Defendants Baugh, Harville and Zea, traveled over 3,000 miles from California to Natick, Massachusetts to continue the conspiracy to intimidate, threaten, torture, terrorize, stalk and silence the Steiners.
7. The Defendants, including but not limited to Defendants Zea and Harville, carrying out the orders of eBay senior executives, menacingly stalked and tailed the Steiners in a

black van and other rental vehicles, repeatedly circling the block, tracking their every move, and following David Steiner when he left the residence. The Defendants even went as far as to attempt to break into the Steiner garage in order to install a GPS tracking device on their vehicle. The Defendants, including but not limited to Baugh, Harville and Zea, had practiced installing a tracking device on a similar vehicle in California, in an eBay parking lot, for this specific purpose. Simultaneously, the Defendants who remained in California, including but not limited to Defendants Popp, Stockwell, Cooke and Gilbert, continued with the online threats and stalking, and their menacing skull avatar Twitter handle began publicly posting the Steiners' home address on Twitter along with threats to kill the Steiners. The Defendants also posted the Steiner's address on Craigslist and other websites, inviting strangers to the Steiners' home for sex parties, and advertising yard sales, announcing that would-be visitors should knock on the door at all hours because "Everything must go!"

8. Fearing for their lives, the Steiners installed surveillance cameras to monitor anyone approaching their home. The Steiners manned the surveillance footage at all hours of the day and night, and stayed in separate bedrooms so that if any of the Defendants broke into their home or attacked one of the Steiners, the other could escape and call for help.
9. The Steiners were paralyzed with fear. Their calls to the local police grew more frequent, which Defendants Zea and Popp, at the direction of Defendant Baugh, monitored with a police scanner in an attempt to stay one step ahead of both the Steiners and any law enforcement. The Defendants knew the panic and fear they were inflicting on the Steiners by carrying out Defendants Wenig and Wymer's plan, which only fueled their fire: they praised one another that their "work" was accomplishing their goal of intimidating,

threatening, torturing, terrorizing, stalking and silencing the Steiners. The Defendants callously joked that the Steiners were “seeing ghosts, think everyone is following them and they call the police every 10 minutes,” and “We know the targets have been impacted by this op.” Despite recognizing the mental and emotional anguish the Defendants were inflicting, the Defendants continued to persist with the conspiracy to intimidate, threaten, torture, terrorize, stalk and silence the Steiners.

10. Once the Defendants realized that the Natick Police Department (“NPD”) was investigating the conspiracy, the Defendants plotted to destroy evidence, mislead the investigation, and divert attention away from eBay. Defendant Baugh called a meeting and directed the others to delete all communications and evidence relating to the scheme, and the Defendants persistently lied to investigators and fabricated evidence. Their cover-up attempts included efforts to create a fake dossier, and a phony “persons of interest” file on the Steiners to make them appear crazy, and ensure the Defendants could deflect their own blame when interacting with law enforcement.
11. Ultimately, Defendants Cooke, Gilbert, Popp, Stockwell and Zea pled guilty to an Information in Federal District Court, District of Massachusetts, and Defendants Baugh and Harville were indicted, as a result of Defendants’ conspiracy to intimidate, threaten, torture, terrorize, stalk and silence the Steiners, and for misleading and tampering with the investigation.
12. Defendant Wymer’s employment was terminated by eBay, and Chief Executive Officer Defendant Wenig departed eBay with a \$57 million severance package.
13. At all times relevant to this Complaint, the individually named Defendants were acting in concert with one another, as agents and employees of eBay and/or PFC, within the scope

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