SUPERIOR COURT OF THE STATE OF CALIFORNIA

COUNTY OF SANTA CLARA

BO SHANG, an individual, Case No.: [_____]
10 McCafferty Way, Burlington MA 01803
Plaintiff,
v.

NVIDIA CORPORATION;
2788 San Tomas Expy, Santa Clara, CA 95051
MICROSOFT CORPORATION d/b/a AZURE,
One Microsoft Way, Redmond, WA 98052
Defendants.

CIVIL COMPLAINT AND DEMAND FOR JURY TRIAL

Plaintiff, Bo Shang ("Plaintiff"), by and through the undersigned (pro se or counsel, if applicable), alleges as follows against Defendants NVIDIA Corporation ("NVIDIA") and Microsoft Corporation d/b/a Azure ("Azure," and collectively "Defendants"):

I INTRODUCTION

1

Compensatory Damages in an amount to be proven at trial for Plaintiff's economic losses and additional expenses incurred. See Brady v. Daly, 175 U.S. 148, 154 (1899); Cal. Civ. Code §§ 3333, 3281; In re Tobacco Cases II, 240 Cal. App. 4th 779, 792 (2015).

2

Injunctive Relief requiring Defendants to remove or modify unnecessary secure boot restrictions that block legitimate driver and Python updates, or to otherwise allow direct updates without the purchase of NVIDIA AI Enterprise. In the alternative, if Defendants refuse to cease these anticompetitive practices, Plaintiff

prays that they acknowledge and permit free transitions to other providers, such as Alibaba Cloud, without penalty. See eBay Inc. v. MercExchange, L.L.C., 547 U.S. 388, 391 (2006), 126 S. Ct. 1837, 164 L. Ed. 2d 641 (setting forth test for injunctive relief); Cal. Bus. & Prof. Code § 17203 (permitting injunctive relief against unfair business practices); ABC Int'l Traders, Inc. v. Matsushita Elec. Corp., 14 Cal. 4th 1247, 1259 (1997) (scope of injunctive relief under California UCL); 15 U.S.C. § 26 (Clayton Act provision granting injunctive relief for antitrust violations).

II PARTIES

3

Punitive Damages where applicable, to deter Defendants and others from engaging in similar wrongful conduct. See BMW of N. Am., Inc. v. Gore, 517 U.S. 559, 568 (1996), 116 S. Ct. 1589, 134 L. Ed. 2d 809 (discussing constitutional limits on punitive damages); Cal. Civ. Code § 3294 (authorizing punitive damages in cases of oppression, fraud, or malice); Simon v. San Paolo U.S. Holding Co., Inc., 35 Cal. 4th 1159, 1167 (2005).

III JURISDICTION AND VENUE

IV FACTUAL BACKGROUND

4

Costs and Attorneys' Fees (if represented by counsel or if pro se costs are awarded) incurred in bringing this action. See Marek v. Chesny, 473 U.S. 1, 7–8 (1985), 105 S. Ct. 3012, 87 L. Ed. 2d 1 (discussing cost-shifting under Rule 68); Cal. Code Civ. Proc. § 1032; Graham v. DaimlerChrysler Corp., 34 Cal. 4th 553, 565 (2004) (fee shifting in private attorney general actions if applicable).

5

Any Other Relief the Court deems just and proper.

6

Plaintiff contends that these restrictive measures are not technically necessary, citing his ability to update

and run the same models freely on older systems and on Alibaba Cloud. He alleges that the secure boot restriction was implemented, at least in part, to force users to adopt and pay for the costlier NVIDIA AI Enterprise license or image. See 15 U.S.C. § 2 (prohibiting monopolization or attempts to monopolize); Cal. Bus. & Prof. Code § 16727 (prohibiting certain tying arrangements under the Cartwright Act); Neal v. Honeywell Inc., 191 Cal. App. 3d 925, 933 (1987) (discussing anticompetitive conduct through tying schemes).

Plaintiff has suffered economic losses, including but not limited to lost time, productivity, and additional fees, as a direct result of these measures that block or impede driver and Python environment updates. Plaintiff underscores that these losses have motivated him and others to use or plan to use Alibaba Cloud's GPU solutions, which ironically remain more open and feasible despite U.S. sanctions. See Cal. Civ. Code § 3333 (general measure of compensatory damages in tort); Quidel Corp. v. Superior Court, 57 Cal. App. 5th 155, 163 (2020) (addressing economic harms stemming from anticompetitive activity).

V CAUSES OF ACTION

COUNT I: TORTIOUS INTERFERENCE WITH ECONOMIC ADVANTAGE

VI PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that the Court enter judgment against Defendants as follows:

VII DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all claims and issues so triable. See Cal. Code Civ. Proc. § 631; Martin v. County of L.A., 51 Cal. App. 4th 688, 698 (1996).

Dated: 3/7/25

Respectfully submitted,

Bo Shang (Pro Se or by Counsel)
10 McCafferty Way, Burlington MA 01803
781-999-4101
bo@shang.software

EXHIBIT 1:

Azure support engineers launch an XSS attack against the Plaintiff's Azure Entra SSH ID on 2/19/25, violating Title 18 Section 1030.

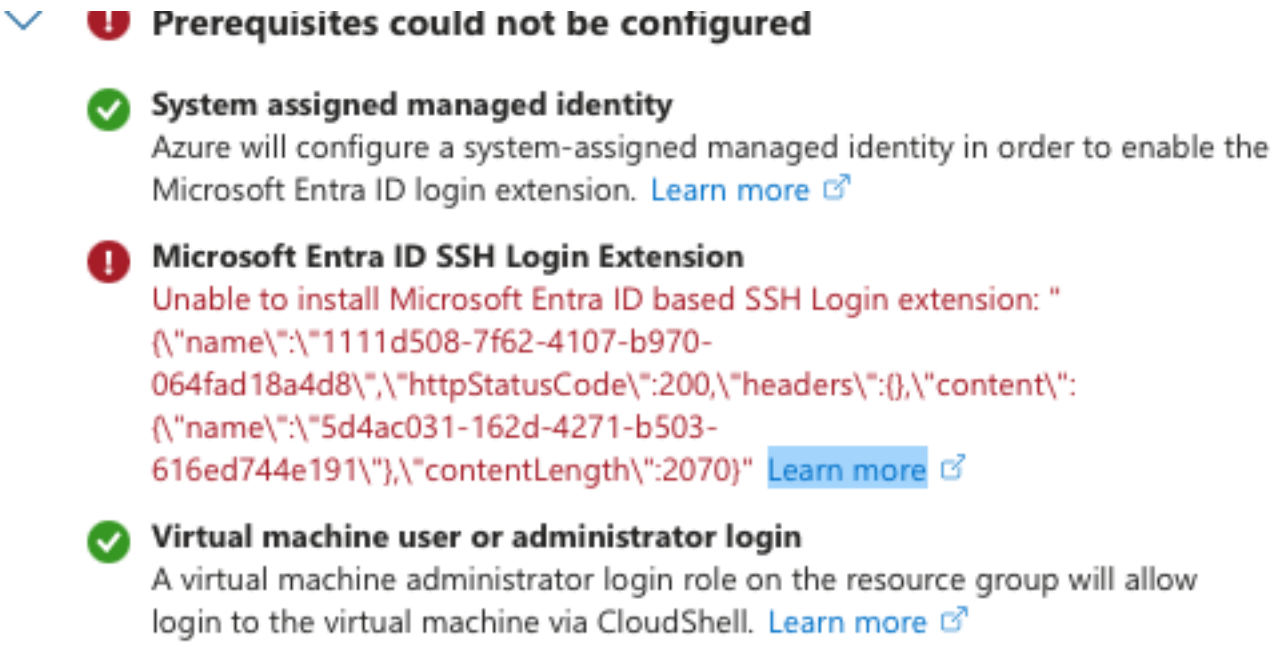

Prerequisites could not be configured
System assigned managed identity
Azure will configure a system-assigned managed identity in order to enable the Microsoft Entra ID login extension. Learn more
Microsoft Entra ID SSH Login Extension
Unable to install Microsoft Entra ID based SSH Login extension: "{\"name\":\"1111d508-7f62-4107-b970-064fad18a4d8\",\"httpStatusCode\":200,\"headers\":{},\"content\":{\"name\":\"5d4ac031-162d-4271-b503-616ed744e191\"},\"contentLength\":2070}" Learn more
Virtual machine user or administrator login
A virtual machine administrator login role on the resource group will allow login to the virtual machine via CloudShell. Learn more

EXHIBIT 2:

After the Plaintiff dumped on Azure for doing this on both Twitter and his websites, 2 days after launching the aforementioned illegal XSS attack unannounced, Microsoft Azure belatedly decides on 2/21/25 that the Plaintiff violated Azure ToS. The Plaintiff posted on social media draft lawsuits against Azure stating Azure support engineers were the ones who broke ToS and committed Title 18 Section 1030.

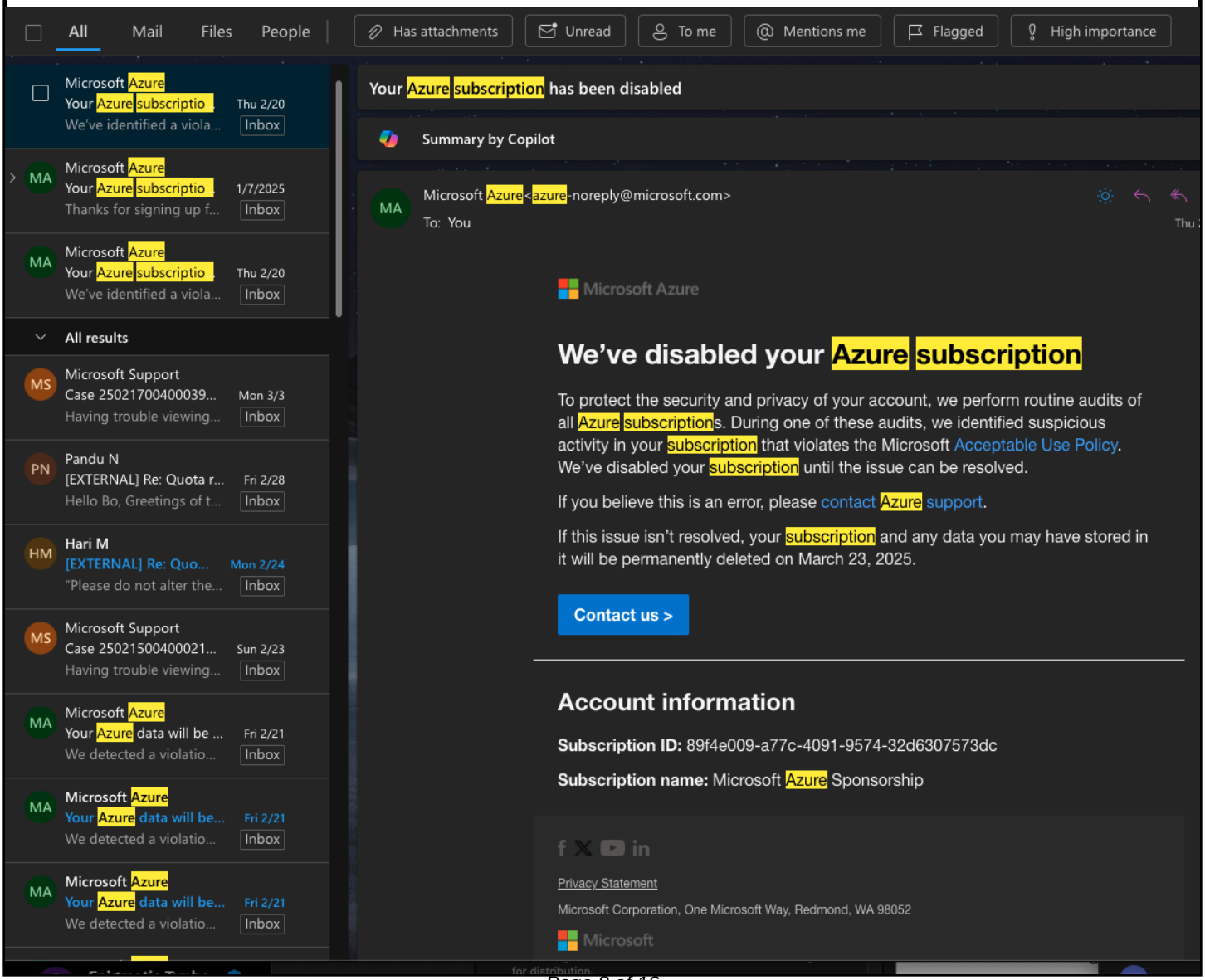

All
Mail
Files
People
Has attachments
Unread
To me
Mentions me
Flagged
High importance
Microsoft Azure
Your Azure subscriptio...
We've identified a viola...
Thu 2/20
Inbox
Microsoft Azure
Your Azure subscriptio...
Thanks for signing up f...
1/7/2025
Inbox
Microsoft Azure
Your Azure subscriptio...
We've identified a viola...
Thu 2/20
Inbox
All results
Microsoft Support
Case 25021700400039...
Having trouble viewing...
Mon 3/3
Inbox
Pandu N
[EXTERNAL] Re: Quota r...
Hello Bo, Greetings of t...
Fri 2/28
Inbox
Hari M
[EXTERNAL] Re: Quo...
"Please do not alter the...
Mon 2/24
Inbox
Microsoft Support
Case 25021500400021...
Having trouble viewing...
Sun 2/23
Inbox
Microsoft Azure
Your Azure data will be ...
We detected a violatio...
Fri 2/21
Inbox
Microsoft Azure
Your Azure data will be...
We detected a violatio...
Fri 2/21
Inbox
Microsoft Azure
Your Azure data will be...
We detected a violatio...
Fri 2/21
Inbox
Your Azure subscription has been disabled
Summary by Copilot
Microsoft Azure<azure-noreply@microsoft.com>
To: You
Microsoft Azure
We've disabled your Azure subscription
To protect the security and privacy of your account, we perform routine audits of all Azure subscriptions. During one of these audits, we identified suspicious activity in your subscription that violates the Microsoft Acceptable Use Policy. We've disabled your subscription until the issue can be resolved.
If you believe this is an error, please contact Azure support.
If this issue isn't resolved, your subscription and any data you may have stored in it will be permanently deleted on March 23, 2025.
Contact us >
Account information
Subscription ID: 89f4e009-a77c-4091-9574-32d6307573dc
Subscription name: Microsoft Azure Sponsorship
Privacy Statement
Microsoft Corporation, One Microsoft Way, Redmond, WA 98052
Microsoft

EXHIBIT 3:

The Plaintiff training Code LLM, an LLM specialized for coding only, on his model RTX 4070 mobile laptop!

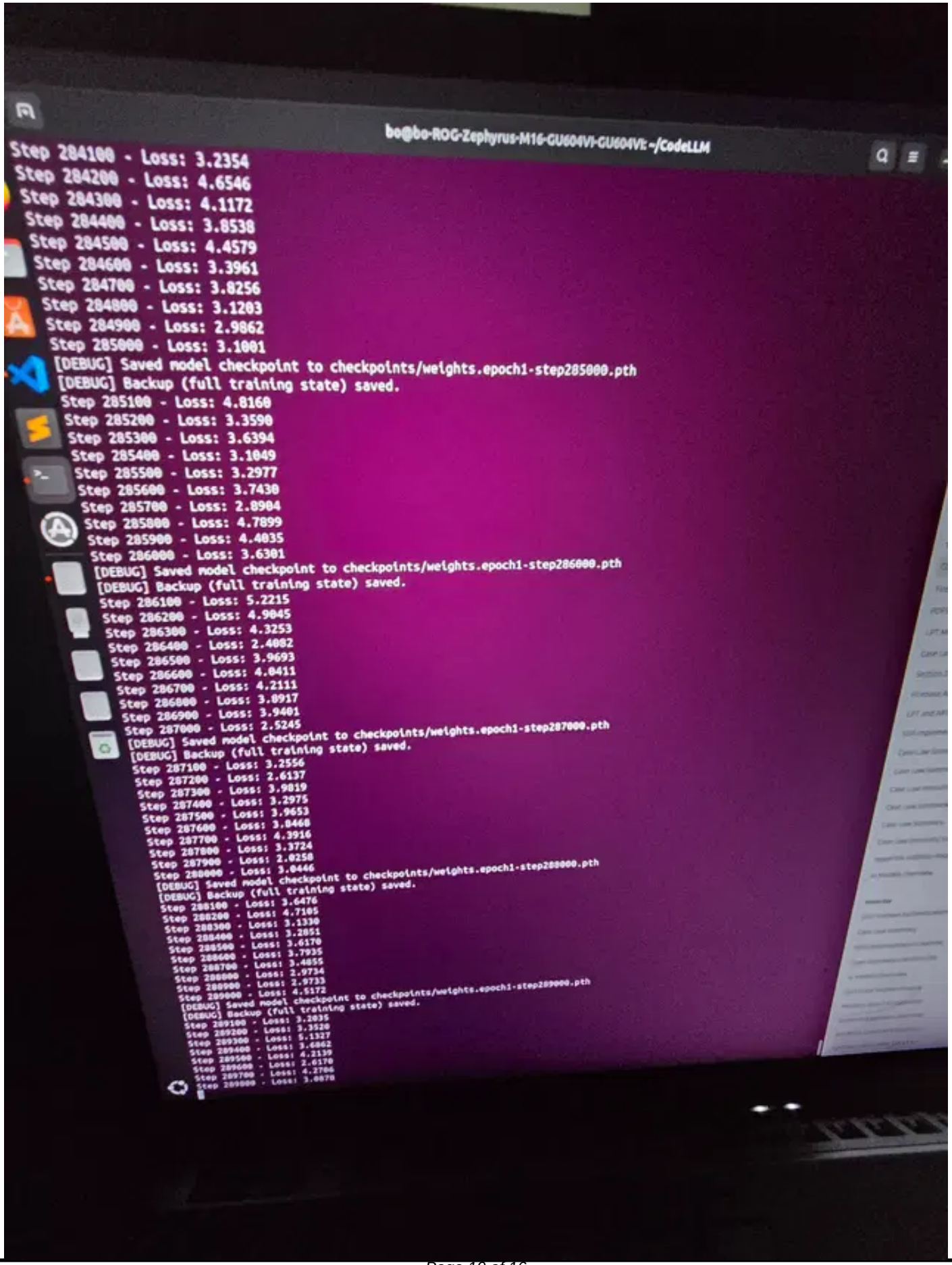

bo@bo-ROG-Zephyrus-M16-GU604VI-GU604VI: ~/CodeLLM
Step 284100 - Loss: 3.2354
Step 284200 - Loss: 4.6546
Step 284300 - Loss: 4.1172
Step 284400 - Loss: 3.8538
Step 284500 - Loss: 4.4579
Step 284600 - Loss: 3.3961
Step 284700 - Loss: 3.8256
Step 284800 - Loss: 3.1203
Step 284900 - Loss: 2.9862
Step 285000 - Loss: 3.1001
[DEBUG] Saved model checkpoint to checkpoints/weights.epoch1-step285000.pth
[DEBUG] Backup (full training state) saved.
Step 285100 - Loss: 4.8160
Step 285200 - Loss: 3.3590
Step 285300 - Loss: 3.6394
Step 285400 - Loss: 3.1049
Step 285500 - Loss: 3.2977
Step 285600 - Loss: 3.7430
Step 285700 - Loss: 2.8904
Step 285800 - Loss: 4.7899
Step 285900 - Loss: 4.4035
Step 286000 - Loss: 3.6301
[DEBUG] Saved model checkpoint to checkpoints/weights.epoch1-step286000.pth
[DEBUG] Backup (full training state) saved.
Step 286100 - Loss: 5.2215
Step 286200 - Loss: 4.9045
Step 286300 - Loss: 4.3253
Step 286400 - Loss: 2.4082
Step 286500 - Loss: 3.9693
Step 286600 - Loss: 4.0411
Step 286700 - Loss: 4.2111
Step 286800 - Loss: 3.0917
Step 286900 - Loss: 3.9401
Step 287000 - Loss: 2.5245
[DEBUG] Saved model checkpoint to checkpoints/weights.epoch1-step287000.pth
[DEBUG] Backup (full training state) saved.
Step 287100 - Loss: 3.2556
Step 287200 - Loss: 2.6137
Step 287300 - Loss: 3.9819
Step 287400 - Loss: 3.2975
Step 287500 - Loss: 3.9653
Step 287600 - Loss: 3.8468
Step 287700 - Loss: 4.3916
Step 287800 - Loss: 3.3724
Step 287900 - Loss: 2.0258
Step 288000 - Loss: 3.0446
[DEBUG] Saved model checkpoint to checkpoints/weights.epoch1-step288000.pth
[DEBUG] Backup (full training state) saved.
Step 288100 - Loss: 3.6476
Step 288200 - Loss: 4.7105
Step 288300 - Loss: 3.1330
Step 288400 - Loss: 3.2851
Step 288500 - Loss: 3.6170
Step 288600 - Loss: 3.7935
Step 288700 - Loss: 3.4855
Step 288800 - Loss: 2.9734
Step 288900 - Loss: 2.9733
Step 289000 - Loss: 4.5172
[DEBUG] Saved model checkpoint to checkpoints/weights.epoch1-step289000.pth
[DEBUG] Backup (full training state) saved.
Step 289100 - Loss: 3.2035
Step 289200 - Loss: 3.3520
Step 289300 - Loss: 5.1327
Step 289400 - Loss: 3.6862
Step 289500 - Loss: 4.2139
Step 289600 - Loss: 2.6170
Step 289700 - Loss: 4.2706
Step 289800 - Loss: 3.0870

EXHIBIT 4:

EXHIBIT 3: The Plaintiff training Exploit Googlebot, a gym-based PriorityBFS Googlebot that aims to go from zero to alpha in exploitation, on tensorflow-metal on a Macbook!

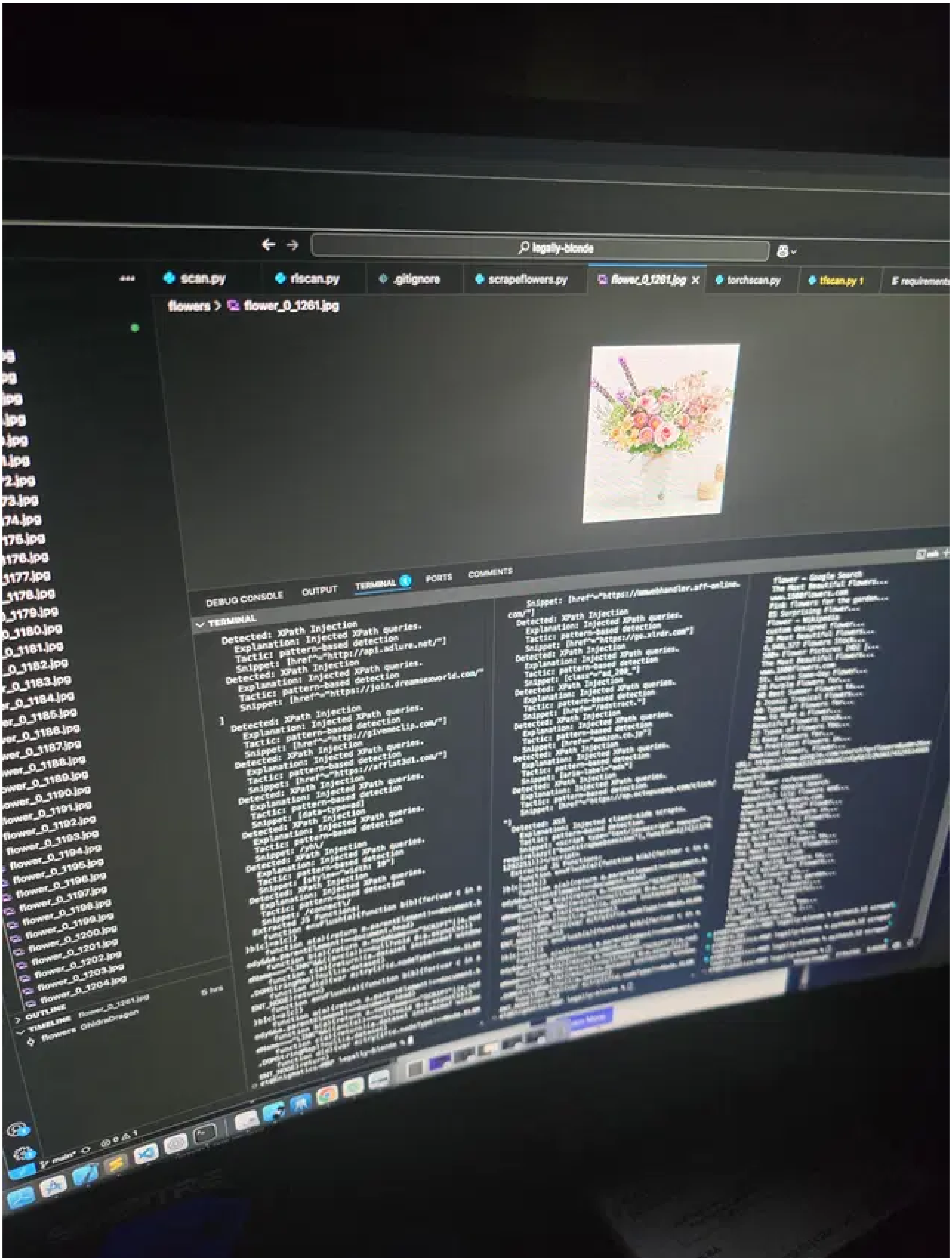

legally-blonde
scan.py
riscan.py
.gitignore
scrapeflowers.py
flower_0_1261.jpg
torchscan.py
flowers > flower_0_1261.jpg
DEBUG CONSOLE
OUTPUT
TERMINAL
PORTS
COMMENTS
Detected: XPath Injection
Explanation: Injected XPath queries.
Tactic: pattern-based detection

EXHIBIT 5:

The Plaintiff training Exploit LLM, an LLM specialized to generate exploit code and insights, on a modest RTX 4070 mobile laptop!

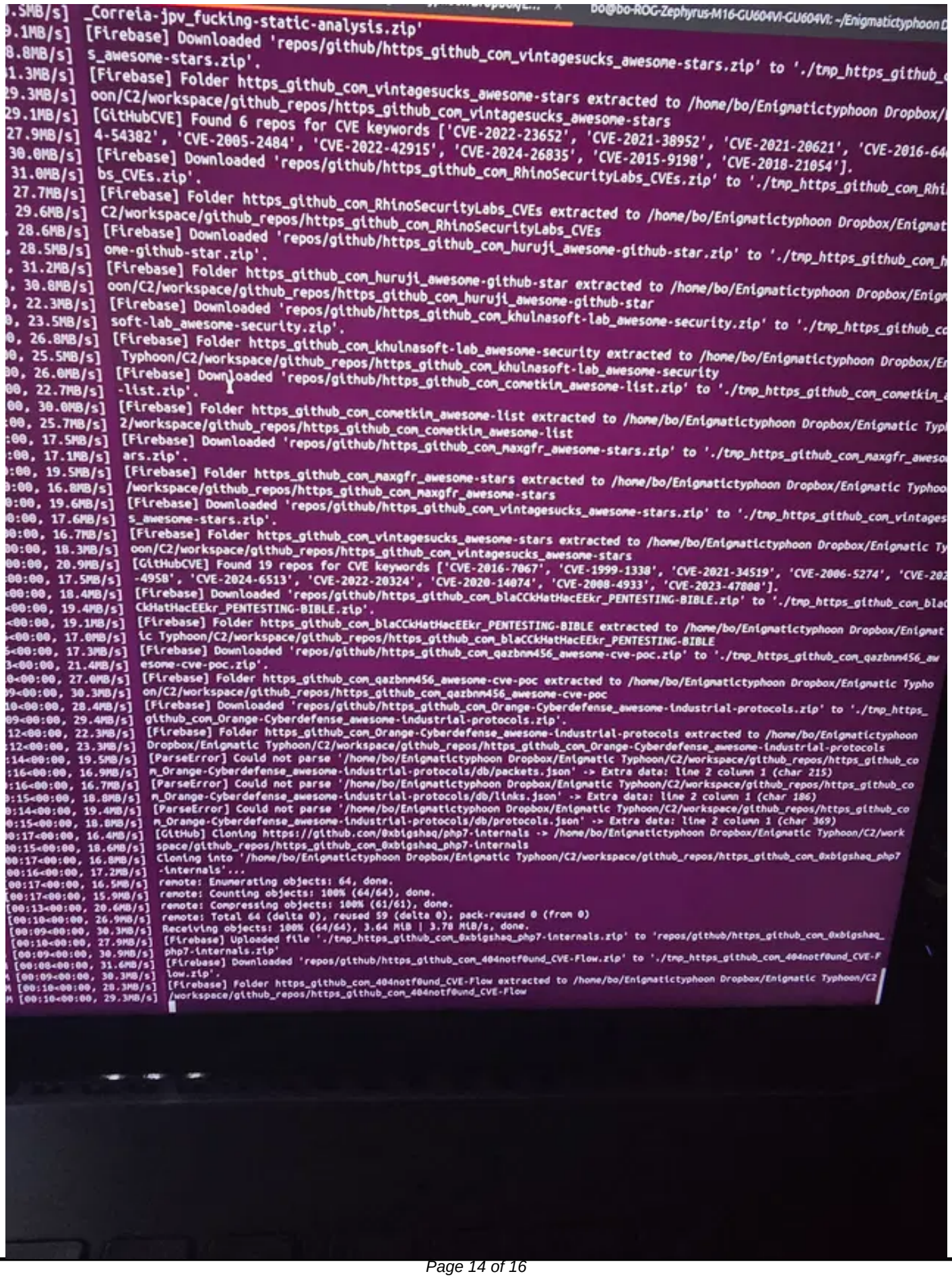
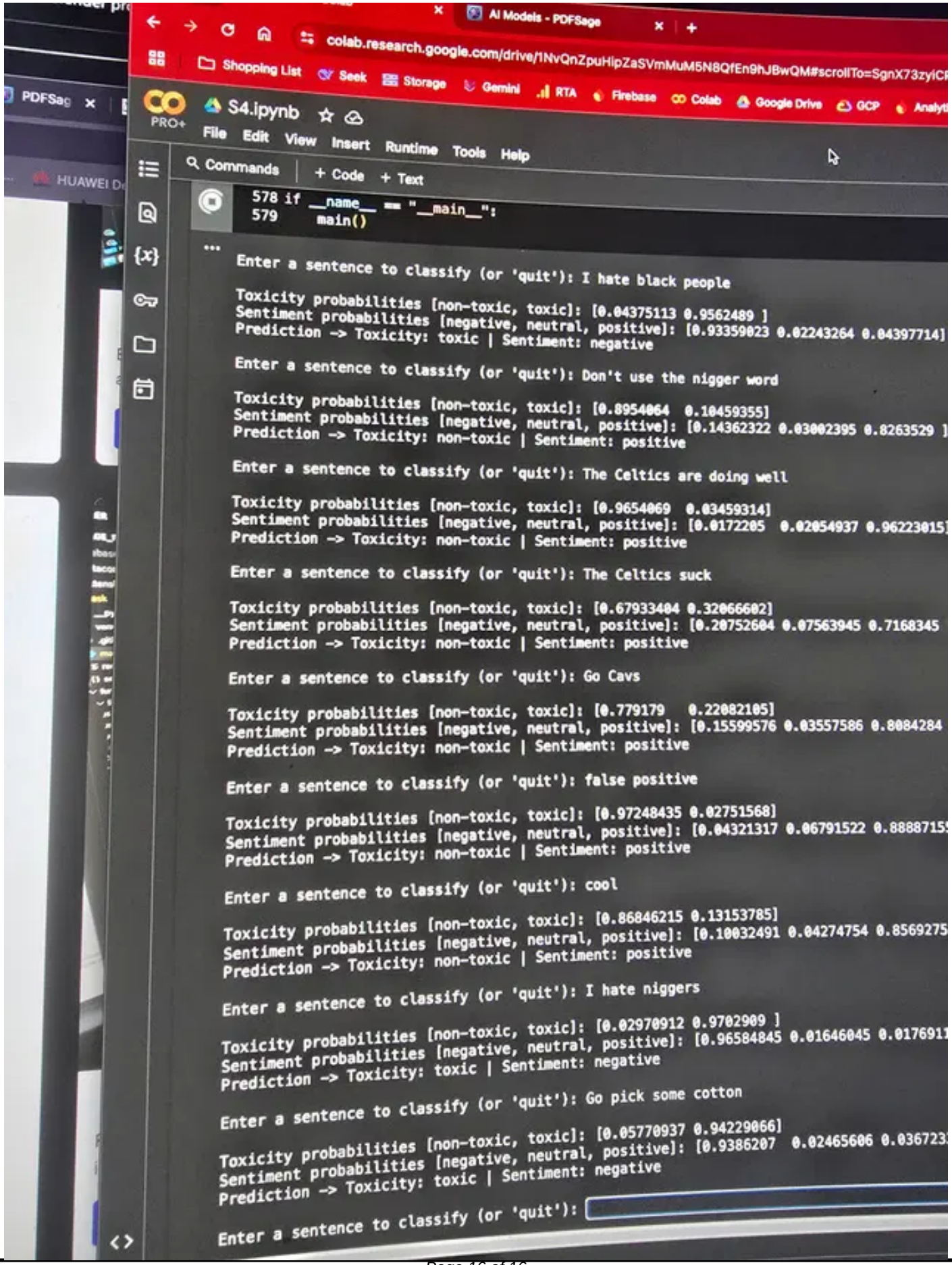

bo@bo-ROG-Zephyrus-M16-GU604VI-GU604VI: ~/Enigmatictyphoon D
_Correia-jpv_fucking-static-analysis.zip'
[Firebase] Downloaded 'repos/github/https_github_com_vintagesucks_awesome-stars.zip' to './tmp_https_github_
s_awesome-stars.zip'.
[Firebase] Folder https_github_com_vintagesucks_awesome-stars extracted to /home/bo/Enigmatictyphoon Dropbox/
oon/C2/workspace/github_repos/https_github_com_vintagesucks_awesome-stars
[GitHubCVE] Found 6 repos for CVE keywords ['CVE-2022-23652', 'CVE-2021-38952', 'CVE-2021-20621', 'CVE-2016-64
4-54382', 'CVE-2005-2484', 'CVE-2022-42915', 'CVE-2024-26835', 'CVE-2015-9198', 'CVE-2018-21054'].
[Firebase] Downloaded 'repos/github/https_github_com_RhinoSecurityLabs_CVEs.zip' to './tmp_https_github_com_Rhi
bs_CVEs.zip'.
[Firebase] Folder https_github_com_RhinoSecurityLabs_CVEs extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmat
C2/workspace/github_repos/https_github_com_RhinoSecurityLabs_CVEs
[Firebase] Downloaded 'repos/github/https_github_com_huruji_awesome-github-star.zip' to './tmp_https_github_com_h
one-github-star.zip'.
[Firebase] Folder https_github_com_huruji_awesome-github-star extracted to /home/bo/Enigmatictyphoon Dropbox/Enigm
oon/C2/workspace/github_repos/https_github_com_huruji_awesome-github-star
[Firebase] Downloaded 'repos/github/https_github_com_khulnasoft-lab_awesome-security.zip' to './tmp_https_github_co
soft-lab_awesome-security.zip'.
[Firebase] Folder https_github_com_khulnasoft-lab_awesome-security extracted to /home/bo/Enigmatictyphoon Dropbox/E
Typhoon/C2/workspace/github_repos/https_github_com_khulnasoft-lab_awesome-security
[Firebase] Downloaded 'repos/github/https_github_com_cometkim_awesome-list.zip' to './tmp_https_github_com_cometkin_a
-list.zip'.
[Firebase] Folder https_github_com_cometkim_awesome-list extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typ
2/workspace/github_repos/https_github_com_cometkim_awesome-list
[Firebase] Downloaded 'repos/github/https_github_com_maxgfr_awesome-stars.zip' to './tmp_https_github_com_maxgfr_awesom
ars.zip'.
[Firebase] Folder https_github_com_maxgfr_awesome-stars extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoo
/workspace/github_repos/https_github_com_maxgfr_awesome-stars
[Firebase] Downloaded 'repos/github/https_github_com_vintagesucks_awesome-stars.zip' to './tmp_https_github_com_vintages
s_awesome-stars.zip'.
[Firebase] Folder https_github_com_vintagesucks_awesome-stars extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmatic Ty
oon/C2/workspace/github_repos/https_github_com_vintagesucks_awesome-stars
[GitHubCVE] Found 19 repos for CVE keywords ['CVE-2016-7067', 'CVE-1999-1338', 'CVE-2021-34519', 'CVE-2006-5274', 'CVE-202
-4958', 'CVE-2024-6513', 'CVE-2022-20324', 'CVE-2020-14074', 'CVE-2008-4933', 'CVE-2023-47808'].
[Firebase] Downloaded 'repos/github/https_github_com_blaCCkHatHacEEkr_PENTESTING-BIBLE.zip' to './tmp_https_github_com_blaC
CkHatHacEEkr_PENTESTING-BIBLE.zip'.
[Firebase] Folder https_github_com_blaCCkHatHacEEkr_PENTESTING-BIBLE extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmat
ic Typhoon/C2/workspace/github_repos/https_github_com_blaCCkHatHacEEkr_PENTESTING-BIBLE
[Firebase] Downloaded 'repos/github/https_github_com_qazbnm456_awesome-cve-poc.zip' to './tmp_https_github_com_qazbnm456_aw
esome-cve-poc.zip'.
[Firebase] Folder https_github_com_qazbnm456_awesome-cve-poc extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typho
on/C2/workspace/github_repos/https_github_com_qazbnm456_awesome-cve-poc
[Firebase] Downloaded 'repos/github/https_github_com_Orange-Cyberdefense_awesome-industrial-protocols.zip' to './tmp_https_
github_com_Orange-Cyberdefense_awesome-industrial-protocols.zip'.
[Firebase] Folder https_github_com_Orange-Cyberdefense_awesome-industrial-protocols extracted to /home/bo/Enigmatictyphoon
Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_com_Orange-Cyberdefense_awesome-industrial-protocols
[ParseError] Could not parse '/home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_co
m_Orange-Cyberdefense_awesome-industrial-protocols/db/packets.json' -> Extra data: line 2 column 1 (char 215)
[ParseError] Could not parse '/home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_co
m_Orange-Cyberdefense_awesome-industrial-protocols/db/links.json' -> Extra data: line 2 column 1 (char 186)
[ParseError] Could not parse '/home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_co
m_Orange-Cyberdefense_awesome-industrial-protocols/db/protocols.json' -> Extra data: line 2 column 1 (char 369)
[GitHub] Cloning https://github.com/0xbigshaq/php7-internals -> /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/work
space/github_repos/https_github_com_0xbigshaq_php7-internals
Cloning into '/home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_com_0xbigshaq_php7
-internals'...
remote: Enumerating objects: 64, done.
remote: Counting objects: 100% (64/64), done.
remote: Compressing objects: 100% (61/61), done.
remote: Total 64 (delta 0), reused 59 (delta 0), pack-reused 0 (from 0)
Receiving objects: 100% (64/64), 3.64 MiB | 3.70 MiB/s, done.
[Firebase] Uploaded file './tmp_https_github_com_0xbigshaq_php7-internals.zip' to 'repos/github/https_github_com_0xbigshaq_
php7-internals.zip'
[Firebase] Downloaded 'repos/github/https_github_com_404notf0und_CVE-Flow.zip' to './tmp_https_github_com_404notf0und_CVE-F
low.zip'.
[Firebase] Folder https_github_com_404notf0und_CVE-Flow extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2
/workspace/github_repos/https_github_com_404notf0und_CVE-Flow

EXHIBIT 6:

The Plaintiff training, re-training, or fine tuning StupidityModel within only a few seconds on an NVIDIA T4 on Colab Pro+ (aka HateCrimePreventionModel) that's the first model in the world which is reliably capable at telling the difference between non-hate use of hate-crime words, far outpacing the models Twitter etc. deploy on live platforms today!


AI Models - PDFSage
colab.research.google.com/drive/1NvQnZpuHipZaSVmMuM5N8QfEn9hJBwQM#scrollTo=SgnX73zyiCR
Shopping List
Seek
Storage
Gemini
RTA
Firebase
Colab
Google Drive
GCP
S4.ipynb
File Edit View Insert Runtime Tools Help
Commands
+ Code
+ Text
578 if __name__ == "__main__":
579 main()
Enter a sentence to classify (or 'quit'): I hate black people
Toxicity probabilities [non-toxic, toxic]: [0.04375113 0.9562489]
Sentiment probabilities [negative, neutral, positive]: [0.93359023 0.02243264 0.04397714]
Prediction -> Toxicity: toxic | Sentiment: negative
Enter a sentence to classify (or 'quit'): Don't use the nigger word
Toxicity probabilities [non-toxic, toxic]: [0.8954064 0.10459355]
Sentiment probabilities [negative, neutral, positive]: [0.14362322 0.03002395 0.8263529]
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): The Celtics are doing well
Toxicity probabilities [non-toxic, toxic]: [0.9654069 0.03459314]
Sentiment probabilities [negative, neutral, positive]: [0.0172205 0.02054937 0.96223015]
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): The Celtics suck
Toxicity probabilities [non-toxic, toxic]: [0.67933404 0.32066602]
Sentiment probabilities [negative, neutral, positive]: [0.20752604 0.07563945 0.7168345
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): Go Cavs
Toxicity probabilities [non-toxic, toxic]: [0.779179 0.22082105]
Sentiment probabilities [negative, neutral, positive]: [0.15599576 0.03557586 0.8084284
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): false positive
Toxicity probabilities [non-toxic, toxic]: [0.97248435 0.02751568]
Sentiment probabilities [negative, neutral, positive]: [0.04321317 0.06791522 0.8888715
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): cool
Toxicity probabilities [non-toxic, toxic]: [0.86846215 0.13153785]
Sentiment probabilities [negative, neutral, positive]: [0.10032491 0.04274754 0.8569275
Prediction -> Toxicity: non-toxic | Sentiment: positive
Enter a sentence to classify (or 'quit'): I hate niggers
Toxicity probabilities [non-toxic, toxic]: [0.02970912 0.9702909]
Sentiment probabilities [negative, neutral, positive]: [0.96584845 0.01646045 0.017691
Prediction -> Toxicity: toxic | Sentiment: negative
Enter a sentence to classify (or 'quit'): Go pick some cotton
Toxicity probabilities [non-toxic, toxic]: [0.05770937 0.94229066]
Sentiment probabilities [negative, neutral, positive]: [0.9386207 0.02465606 0.036723
Prediction -> Toxicity: toxic | Sentiment: negative
Enter a sentence to classify (or 'quit'):