

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).

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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,

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111 Bo Shang (Pro Se or by Counsel)

112 10 McCafferty Way, Burlington MA 01803

113 781-999-4101

114 bo@shang.software

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**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\", \"statusCode\": 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.

PDFSage Inc.

All

Mail

Files

People

Has attachments

Unread

To me

Mentions me

Flagged

High importance

Microsoft Azure

Your Azure subscription...

Thu 2/20

Inbox

MA

Microsoft Azure

Your Azure subscription...

1/7/2025

Inbox

MA

Microsoft Azure

Your Azure subscription...

Thu 2/20

Inbox

All results

MS

Microsoft Support

Case 25021700400039...

Mon 3/3

Inbox

PN

Pandu N

[EXTERNAL] Re: Quota r...

Fri 2/28

Inbox

HM

Hari M

[EXTERNAL] Re: Quo...

Mon 2/24

Inbox

MS

Microsoft Support

Case 25021500400021...

Sun 2/23

Inbox

MA

Microsoft Azure

Your Azure data will be ...

Fri 2/21

Inbox

MA

Microsoft Azure

Your Azure data will be...

Fri 2/21

Inbox

MA

Microsoft Azure

Your Azure data will be...

Fri 2/21

Inbox

Your Azure subscription has been disabled

Summary by Copilot

Microsoft Azure <azure-noreply@microsoft.com>

To: You

Thu

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

f X y in

[Privacy Statement](#)

Microsoft Corporation, One Microsoft Way, Redmond, WA 98052

Microsoft

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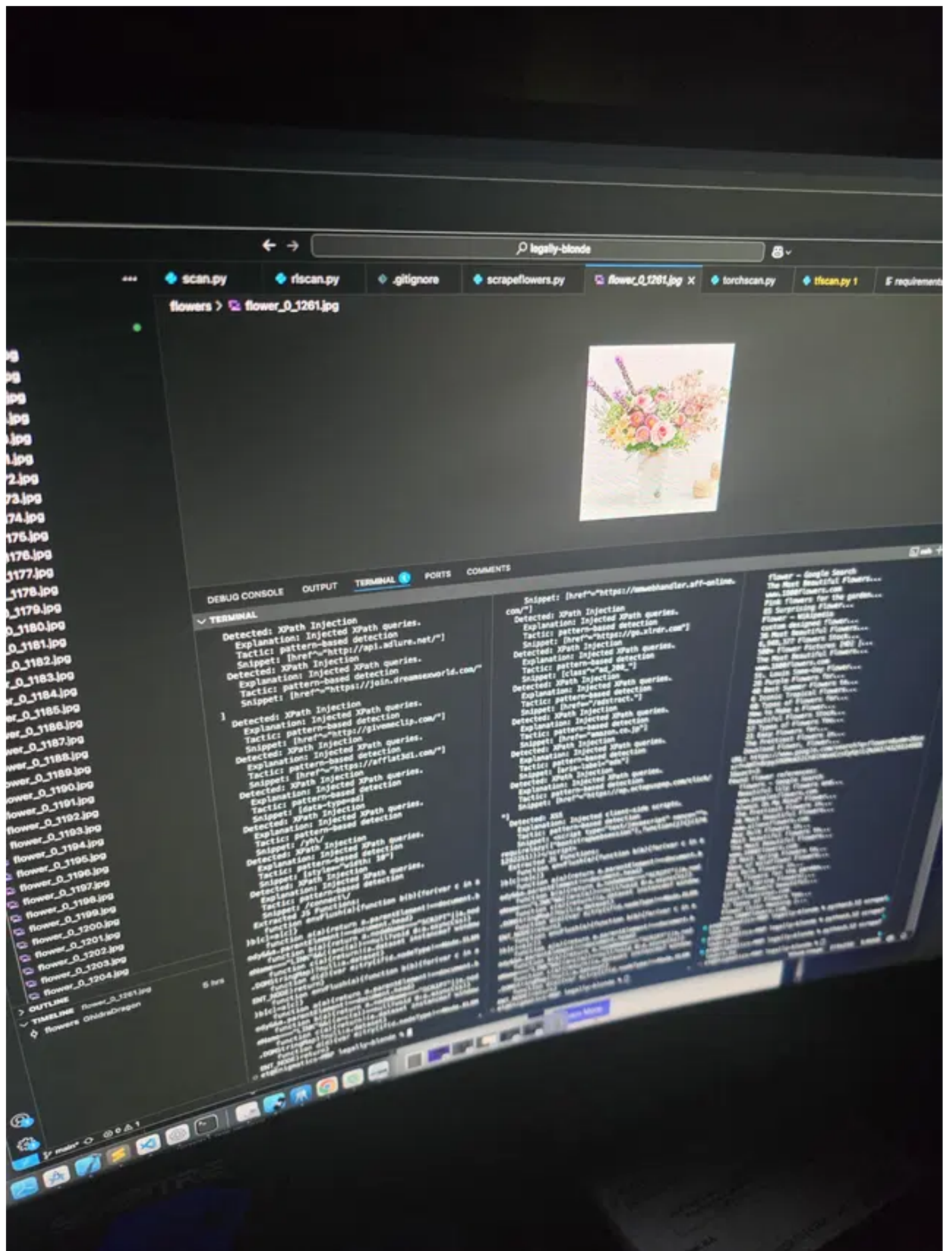
**EXHIBIT 3:**

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

```
bo@bo-ROG-Zephyrus-M16-GU604V1-GU604V1:~/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: 2.4002
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: 3.6062
Step 289500 - Loss: 4.2130
Step 289600 - Loss: 2.6170
Step 289700 - Loss: 4.2706
Step 289800 - Loss: 3.0070
```

**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!



**EXHIBIT 5:**

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

```

0.5MB/s] _Correia-jpv_fucking-static-analysis.zip'
0.1MB/s] [Firebase] Downloaded 'repos/github/https_github_con_vintagesucks_awesome-stars.zip' to './tmp_https_github_co
0.8MB/s] s_awesome-stars.zip'.
1.3MB/s] [Firebase] Folder https_github_con_vintagesucks_awesome-stars extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmati
29.3MB/s] oon/C2/workspace/github_repos/https_github_con_vintagesucks_awesome-stars
29.1MB/s] [GitHubCVE] Found 6 repos for CVE keywords ['CVE-2022-23652', 'CVE-2021-38952', 'CVE-2021-20621', 'CVE-2016-64
27.9MB/s] 4-54382', 'CVE-2005-2484', 'CVE-2022-42915', 'CVE-2024-26835', 'CVE-2015-9198', 'CVE-2018-21054'].
30.0MB/s] [Firebase] Downloaded 'repos/github/https_github_con_RhinoSecurityLabs_CVEs.zip' to './tmp_https_github_con_Rhi
31.0MB/s] bs_CVEs.zip'.
27.7MB/s] [Firebase] Folder https_github_con_RhinoSecurityLabs_CVEs extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmati
29.6MB/s] C2/workspace/github_repos/https_github_con_RhinoSecurityLabs_CVEs
28.6MB/s] [Firebase] Downloaded 'repos/github/https_github_con_huruji_awesome-github-star.zip' to './tmp_https_github_con_h
28.5MB/s] one-github-star.zip'.
31.2MB/s] [Firebase] Folder https_github_con_huruji_awesome-github-star extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmati
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0.22.3MB/s] [Firebase] Downloaded 'repos/github/https_github_con_khulnasoft-lab_awesome-security.zip' to './tmp_https_github_co
0.23.5MB/s] soft-lab_awesome-security.zip'.
0.26.8MB/s] [Firebase] Folder https_github_con_khulnasoft-lab_awesome-security extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmati
0.25.5MB/s] Typhoon/C2/workspace/github_repos/https_github_con_khulnasoft-lab_awesome-security
0.26.0MB/s] [Firebase] Downloaded 'repos/github/https_github_con_cometkin_awesome-list.zip' to './tmp_https_github_con_cometkin_a
0.22.7MB/s] -list.zip'.
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0.25.7MB/s] C2/workspace/github_repos/https_github_con_cometkin_awesome-list
0.17.5MB/s] [Firebase] Downloaded 'repos/github/https_github_con_maxgfr_awesome-stars.zip' to './tmp_https_github_con_maxgfr_awes
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0.19.5MB/s] [Firebase] Folder https_github_con_maxgfr_awesome-stars extracted to /home/bo/Enigmatictyphoon Dropbox/Enigmati
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0.19.6MB/s] [Firebase] Downloaded 'repos/github/https_github_con_vintagesucks_awesome-stars.zip' to './tmp_https_github_con_vintages
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0.16.9MB/s] n_Orange-Cyberdefense_awesome-Industrial-protocols/db/packages.json' -> Extra data: line 2 column 1 (char 215)
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0.16.4MB/s] n_Orange-Cyberdefense_awesome-Industrial-protocols/db/protocols.json' -> Extra data: line 2 column 1 (char 369)
0.18.6MB/s] [GitHub] Cloning https://github.com/0xblgshaq/php7-internals -> /home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/work
0.16.8MB/s] space/github_repos/https_github_con_0xblgshaq_php7-internals
0.17.2MB/s] Cloning into '/home/bo/Enigmatictyphoon Dropbox/Enigmatic Typhoon/C2/workspace/github_repos/https_github_con_0xblgshaq_php7
0.16.5MB/s] -internals'...
0.15.9MB/s] remote: Enumerating objects: 64, done.
0.20.6MB/s] remote: Counting objects: 100% (64/64), done.
0.26.9MB/s] remote: Compressing objects: 100% (61/61), done.
0.30.3MB/s] remote: Total 64 (delta 0), reused 59 (delta 0), pack-reused 0 (from 0)
0.27.9MB/s] Receiving objects: 100% (64/64), 3.64 MiB | 3.78 MiB/s, done.
0.30.9MB/s] [Firebase] Uploaded file './tmp_https_github_con_0xblgshaq_php7-internals.zip' to 'repos/github/https_github_con_0xblgshaq_
0.31.6MB/s] php7-internals.zip'
0.30.3MB/s] [Firebase] Downloaded 'repos/github/https_github_con_404notfound_CVE-Flow.zip' to './tmp_https_github_con_404notfound_CVE-F
0.28.3MB/s] low.zip'.
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0.29.3MB/s] /workspace/github_repos/https_github_con_404notfound_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!

```

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'):