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Complaint
Davenport v Nicolai
Case No. 3AN-10-
CI

1. Emily Davenport, plaintiff in the above-captioned matter, brings this claim against the defendant based on violations of AS 18.80.220 et seq.

2. Emily Davenport is a resident of Anchorage, Alaska in the Third Judicial District of Alaska.


The Plaintiff

COMPLAINT

EMILY DAVENPORT,
Plaintiff,
vs.
MATTHEW NICOLAI,
Defendant.

3AN-10-9812 CI

IN THE SUPERIOR COURT FOR THE STATE OF ALASKA
THIRD JUDICIAL DISTRICT AT ANCHORAGE

BY:  CLERK, IN AND FOR THE COURT
10 AUG 11 PM 4:22
ANCHORAGE, ALASKA

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The Defendant

3. Matthew Nicolai is the President of the Calista Native Corporation and has been for many years. His work address is 301 Calista Court, Suite A, Anchorage, Alaska 99518-3028
4. Mr. Nicolai's residence address is 8739 Sahlee Drive, Anchorage, Alaska 99507.
5. Matthew Nicolai is a resident of Anchorage, Alaska in the Third Judicial District

Factual Allegations

6. Plaintiff Emily Davenport has been employed by Calista Native Corporation since January 2008.
7. In August 2008, the Calista Native Corporation made Emily Davenport the President of an advertising agency -- "Solstice" -- that is wholly owned by the Calista Native Corporation.
8. In about September 2008, Emily Davenport and Matthew Nicolai began an intimate relationship with one another.
9. In about May 2009 Emily Davenport discontinued the relationship because of the growing possessiveness of Matthew Nicolai.
10. Mr. Nicolai, however, wanted to continue the relationship.
11. Mr. Nicolai began carrying out conduct similar to that of a stalker.
12. The conduct included following Emily when she went about Anchorage on her personal matters, making numerous telephone calls, sending numerous e-mails that he "loved

her", and surreptitiously taking pictures of her.

13. In addition, Mr. Nicolai used the device of claiming that he had received an anonymous letter concerning Emily in which the "sender" "warned" him about Emily and her other relationships. He also sent three anonymous letters to friends of Emily's that claimed that the writer was concerned about them being involved with Emily.

14. He continued to engage in physically touching her in an office environment in front of others.

15. He would discuss Emily's personal life in front of others and, in front of Emily, would embarrass Emily by asking other professional women if they would like to engage in a threesome or if they had ever considered having sex with a woman.

16. Mr. Nicolai used his position and influence in the Calista Native Corporation to do various things to handicap Emily Davenport in her work.

17. For example, he hired away a key Solstice employee that Emily had just hired, he canceled planned acquisitions of other advertising firms that Emily Davenport had arranged, he falsely accused her of lying to Calista attorneys, took away Emily's ability to hire fire employees of her own company, took away Emily's ability to independently schedule her own trips, and abruptly canceled an open house event that she had prepared as a business opportunity for Solstice.

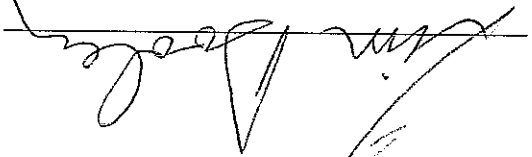
18. Another time, Calista had purchased a large table for a public event and Calista employees were encouraged to bring guests. Emily invited a man who was a potential business client as her guest, but when Mr. Nicolai learned of this, he issued an order that no one could bring any guests to the event.

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19. Most importantly, Matthew Nicolai caused delays stretching over several months that prevented Emily from obtaining a written employment contract with Solstice or the Calista Native Corporation.
20. For the foregoing reasons, Emily Davenport requests damages, interest, costs, and attorney fees.
21. Emily Davenport requests a trial by jury.

DATED this 11th day of August, 2010 at Anchorage, Alaska.

LAW OFFICE OF TIM DOOLEY



Timothy D. Dooley
Alaska Bar No. 8310114
Attorney for Emily Davenport