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IN THE THIRD JUDICIAL DISTRICT
TOOELE COUNTY, STATE OF UTAH

Skull Valley Health Care, LLC, a tribal
entity, and Skull Valley Health Clinic LLC, a
tribal entity d/b/a Warrior Spirit Recovery
Center

Plaintiff,

v.

NorStar Consultants LLC, a Utah Company,
Ashanti Moritz, an individual, and DOES I-
V.

Defendants.

COMPLAINT

Case No. _____

JUDGE: _____

TIER 2

JURY DEMAND

Plaintiffs Skull Valley Health Care LLC, and Skull Valley Health Clinic, LLC by and
through counsel, complains and alleges against Defendants NorStar Consultants LLC, Ashanti
Moritz, and DOES I-V as follows:

PARTIES

1. Skull Valley Health Care LLC is a is a tribal limited liability company organized
under the laws of the Skull Valley Band of Goshute Indians

2. Skull Valley Health Clinic LLC is a tribal limited liability company organized under the laws of the Skull Valley Band of Goshute Indians.

3. Skull Valley Health Clinic LLC operates an alcohol and drug recovery treatment program under the d/b/a of Warrior Spirit Recovery Center in Tooele, Tooele County, Utah.

4. Skull Valley Health Clinic LLC and Skull Valley Health Care LLC are sister corporations.

5. Skull Valley Health Clinic LLC and Skull Valley Health Care LLC both use the brand name of Warrior Spirit in the course and scope of its business.

6. NorStar Consultants LLC, is a Utah Company, organized on March 11, 2022, and registered its principal place of business location at 136 East South Temple, Suite 1050, Salt Lake City, Utah 84111.

7. NorStar Consultants LLC listed its principal place of business in Tooele, Tooele County, Utah, on its NorStar Consultants Facebook page.

8. NorStar Consultants LLC, identified Benjamin B. Grindstaff with a principal service address of 136 East South Temple, Suite 1050, Salt Lake City, Utah 84111 as its registered agent.

9. Ashanti Moritz, (herein after "Moritz") is on information and belief, a resident of Holiday, Salt Lake County, Utah.

10. DOES I-V are currently unknown and therefore are identified by the pseudonym of "DOE". DOES I-V may be individuals, corporations, or other entities which may have an ownership interest in NorStar Consultants LLC, acted in concert with NorStar Consultants LLC or Ashanti Moritz, or upon whose errand Ashanti Moritz, and or NorStar Consultants did work or act as an agent or representative in the furtherance of their interest which did deprive the

plaintiffs as more fully described in this complaint. Plaintiffs will seek leave to amend this complaint to include the true names of DOES, capacities, facts, and claims as they are ascertained.

JURISDICTION AND VENUE

11. This court has jurisdiction over the parties and subject matter of this action pursuant to Utah Code Ann. §§ 78A-5-102(2); and 78B-3-205;

12. Venue is proper in Tooele County, Utah under Utah Code Ann. §78B-3-307(2) because NorStar Consultants LLC is principally located in Tooele, Tooele County, Utah.

13. The acts of some of the defendants did occur in Tooele County, Utah.

TIER

14. Plaintiffs seek nonmonetary relief as well as damages which are more than \$50,000 but less than \$300,000.

ALLEGATIONS

15. In April 2019 Skull Valley Health Clinic LLC did engage the services of a management company called Team Recovery Stewards with the intention of developing a residential drug and alcohol rehabilitation center in Tooele, Tooele County, State of Utah.

16. On or about May 2019 Skull Valley Health Clinic LLC did start to use the tradename of “Warrior Spirit” for the residential drug and alcohol treatment facility.

17. On or about May 2019 Skull Valley Health Clinic, LLC did start to use the brand name Warrior Spirit for its residential drug and alcohol treatment facility.

18. On June 1, 2019 acting on behalf of Skull Valley Health Clinic LLC, Tyson Dixon of Team Recovery Stewards, did hire Moritz as Community Outreach for Warrior Spirit.

19. Moritz was employed to develop the brand name of Warrior Spirit in the

community.

20. Moritz was employed to assist in getting patients admitted to the Warrior Spirit rehabilitation program.

21. Moritz was employed to build relationships with community leaders and patients to further develop the brand of Warrior Spirit.

22. Moritz was employed to coordinate and foster relationships with other Native American tribal organizations.

23. Moritz was employed to establish and build the reputation of Warrior Spirit.

24. Moritz was employed to establish and maintain social media presence to further build the Warrior Spirit brand.

25. During the course of Moritz's employment with Skull Valley Health Clinic LLC Moritz was solely responsible for establishing and maintaining a Facebook page called "Warrior Spirit Recovery Community" on behalf of Skull Valley Health Clinic LLC.

26. On June 14, 2019, as an employee of Skull Valley Health Clinic, LLC, Moritz did establish the "Warrior Spirit Recovery Community" Facebook page.

27. On or about September 4, 2019, Skull Valley Health Clinic LLC, did register the d/b/a of "Warrior Spirit Recovery Center" with the Utah Secretary of State.

28. On or about September 4, 2019, Tyson Dixon as a representative of Team Recovery Stewards did register the d/b/a of "Warrior Spirit Recovery Community" with the Utah Secretary of State in furtherance of its contract to perform services management services for Skull Valley Health Clinic LLC.

29. From June 14, 2019 until February 15, 2020 Moritz did, on behalf of Skull Valley Health Clinic LLC, post on the "Warrior Spirit Recovery Community" Facebook page including

photos of Skull Valley Band of Goshute Indian members (herein after “Tribal Members”), Skull Valley Band of Goshute Indian tribal leaders (herein after “Tribal Leaders”), business associates, community members who partnered with Skull Valley Health Clinic, LLC, Warrior Spirit, did solicit and receive “likes” and “recommendations” from clients of and members of the community for the work of Warrior Spirit, photos of Skull Valley Health Clinic LLC business location, as well as reposting content of interest to those persons who followed the Warrior Spirit Recovery Community Facebook page on behalf of Skull Valley health Clinic LLC.

30. On February 15, 2020 Moritz was directed to and did change the name of the “Warrior Spirit Recovery Community” Facebook page to “Warrior Spirit”.

31. After February 15, 2020 and continuing until her employment with Skull Valley Health Care LLC was terminated, Moritz did post on the “Warrior Spirit” Facebook page: posts; photos of Tribal Members, Tribal Leaders, business associates, community members who partnered with Skull Valley Health Clinic, LLC, Skull Valley Health Care, LLC, posts about Warrior Spirit, did solicit and receive “likes” and “recommendations” from clients of and members of the community for the work of Warrior Spirit, photos of the Skull Valley Health Clinic, LLC and Skull Valley Health Care, LLC, office and clinic locations, as well as reposting content of interest to those persons who followed the Warrior Spirit Facebook page on behalf of Skull Valley health Care LLC.

32. From February 15, 2020, until Moritz was terminated from her employment, Moritz was responsible for managing the Warrior Spirit Facebook page on behalf of Skull Valley Health Clinic LLC and Skull Valley Health Care LLC.

33. On January 25, 2022, Moritz was terminated from employment with Skull Valley Health Care LLC.

34. Moritz was compensated for her work as an employee of Skull Valley Health Clinic LLC.

35. Moritz was compensated for her work as an employee of Skull Valley Health Care LLC.

36. The Warrior Spirit Facebook page is the intellectual property of Skull Valley Health Clinic LLC and Skull Valley Health Clinic, LLC.

37. On information and belief on or about March 11, 2022 NorStar Consultants LLC was organized as a Utah limited liability company.

38. On information and belief Moritz did organize NorStar Consultants LLC

39. On information and belief NorStar Consultants LLC, maintain a principal business location of 136 East South Temple, Suite 1050, Salt Lake City, Utah 84111.

40. NorStar Consultants LLC did identify Benjamin B. Grindstaff as its registered agent with the Utah Secretary of State.

41. Benjamin B. Grindstaff has a principal office location of 136 East South Temple, Suite 1050, Salt Lake City, Utah 84111.

42. On information and belief, Moritz did act in concert with certain DOES to organize and form NorStar Consultants LLC.

43. On March 18, 2022, Moritz did change the name of Warrior Spirit Facebook page to NorStar Consultants;

44. The following is a true screen shot of the Warrior Spirit Facebook page “page transparency” showing the page history as of March 25, 2022.

The screenshot shows a 'Page transparency' window for the Facebook page 'NorStar Consultants'. The window is titled 'Page transparency' and has a close button in the top right corner. It is divided into several sections: 1. 'Page information for NorStar Consultants' which includes a profile picture of a woman and the text 'NorStar Consultants Consulting agency'. 2. 'Page history' which lists three events: 'Changed name to NorStar Consultants' on March 18, 2022; 'Changed name to Warrior Spirit' on February 15, 2020; and 'Page created - Warrior Spirit Recovery Community' on June 14, 2019. 3. 'Ads from this Page' which states 'This Page is not currently running ads.' and includes a 'Go to Ad Library' button. 4. A footer section with an information icon and the text 'Find support or report Page', and a 'Close' button in the bottom right corner.

CLAIM NO. 1 - CONVERSION OF INTELLECTUAL PROPERTY

45. Plaintiffs incorporate by reference all allegations previously set forth herein.

46. Skull Valley Health Care LLC and Skull Valley Health Clinic LLC are sister companies which are owned by the Skull Valley Band of Goshute Indians.

47. Skull Valley Health Care LLC and Skull Valley Health Clinic LLC work together to advance the health and welfare of the Skull Valley Band of Goshute Indian General Counsel.

48. Skull Valley Health Care LLC and Skull Valley Health Clinic LLC have both used the tradename Warrior Spirit.

49. Skull Valley Health Care LLC and Skull Valley Health Clinic LLC have worked together to develop and build the brand name and trade name of Warrior Spirit.

50. Moritz was hired to develop the Warrior Spirit brand name for alcohol and drug rehabilitation services in the state of Utah and amongst other tribal organizations throughout the country.

51. Moritz did develop the Warrior Spirit Facebook page on behalf of Skull Valley Health Clinic LLC.

52. According to 17 U.S. Code §201 the employer is the owner of a copyright.

53. Facebook terms and conditions includes the ownership rights and interest in intellectual property which is posted to Facebook. <https://www.facebook.com/legal/terms>.

54. On June 14, 2019 when the Warrior Spirit Recovery Community Facebook page was created the page was the intellectual property of Skull Valley Health Clinic LLC.

55. From June 14, 2019 until the present time Skull Valley Health Clinic LLC has not relinquished its ownership interest in the Warrior Spirit Facebook page.

56. All posts to the Warrior Spirit Facebook page from June 14, 2019 until January 26, 2022 are the property of Skull Valley Health Clinic LLC.

57. Skull Valley Health Clinic LLC did not authorize any posts to its Facebook page after January 26, 2022.

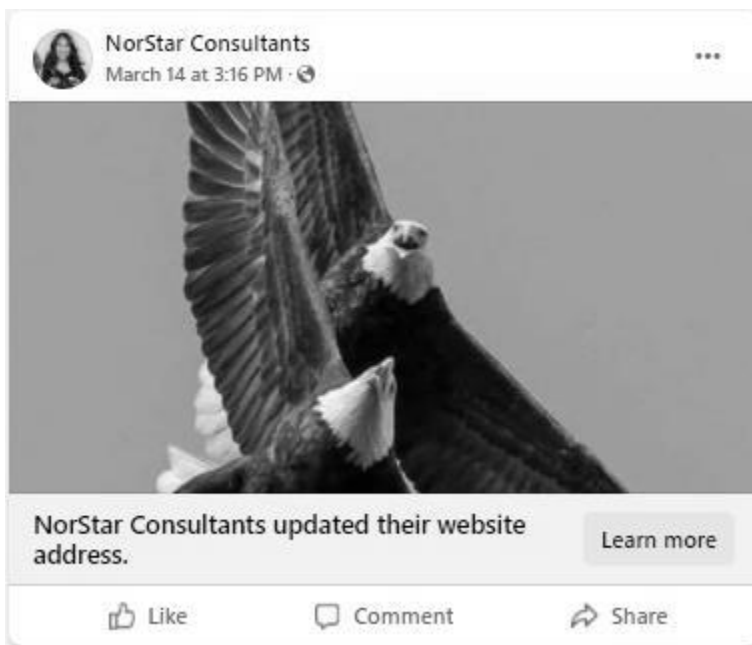
58. Skull Valley Health Clinic LLC did not authorize any changes or modifications to the posts on its Facebook page after January 26, 2022.

59. From March 11, 2022 until March 25, 2022 Moritz and NorStar Consultants LLC did change photos and add posts on the Warrior Spirit Facebook page.

60. On March 14, 2022 Moritz did change the Warrior Spirit background photo to

two eagles flying with a blue sky backdrop.

61. A true and correct copy background photo is included here:



62. On March 14, 2022 Moritz did update the profile photo of Warrior Spirit to her own image.

63. A true and correct copy of the image Moritz did upload on March 14, 2022 is included here:



64. On March 14, 2022, Moritz did update the Warrior Spirit website address to <http://Norstarconsultants.com/>.

65. On March 14, 2022 Moritz did update the Warrior Spirit telephone number to (385) 256-8750, which is the personal cell phone number of Moritz.

66. On March 14, 2022 Moritz did change the Warrior Spirit address to 201 E. 2000 N, Toole, Utah 84074.

67. Skull Valley Health Clinic LLC, d/b/a Warrior Spirit is located at 1959 North Arron Dr. A, Tooele, Utah, 84074.

68. The location of the new address which Moritz did change for Warrior Spirit is a neighboring property to the existing Warrior Spirit.

69. On March 18, 2022 Moritz did change the name of the Facebook page from Warrior Spirit to NorStar Consultants.

70. On March 19, 2022 NorStar Consultants did update their business hours.

71. On March 19, 2022 NorStar Consultants did repost to the former Warrior Spirit page addressing the “Wellbriety family” and did provide information about a zoom meeting presented by White Bison Inc.

72. White Bison Inc., is a business associate of Skull Valley Health Care LLC.

73. When Moritz changed the Warrior Spirit Facebook page name to NorStar Consultants the Facebook page including all posts and tags changed from Warrior Spirit to NorStar Consultants.

74. It is on information and belief that Moritz did delete posts, photos, and references to Warrior Spirit where she was able to.

75. Moritz retained photos or posts where she is included.

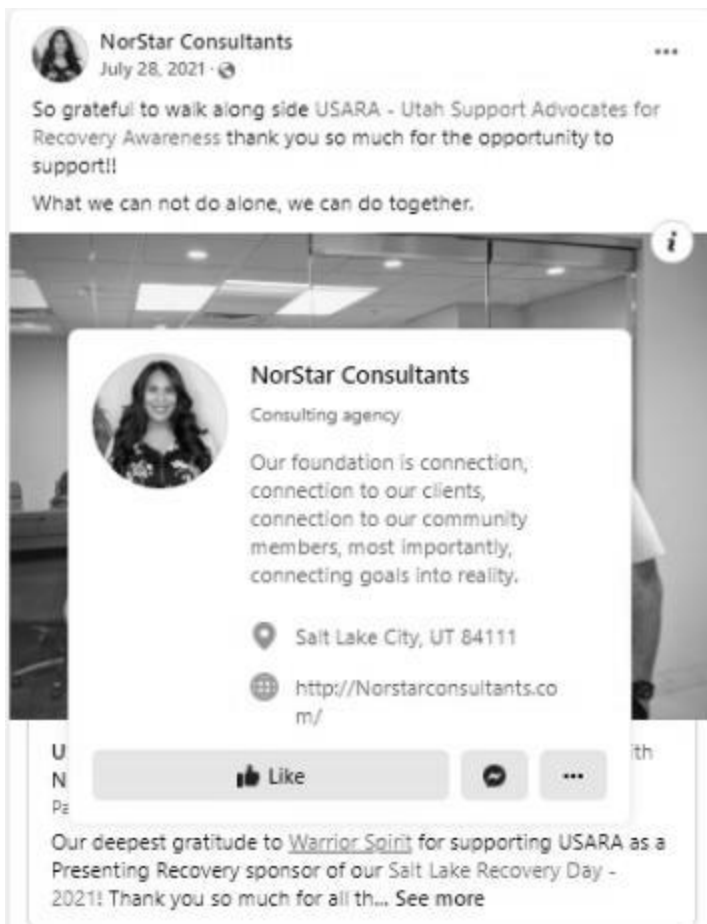
76. Moritz retained photos of events where Warrior Spirit was honored.

77. Moritz retained photos of herself, Benjamin Grindstaff, and local community leader of USARA in NorStar Consultants history as depicted here:

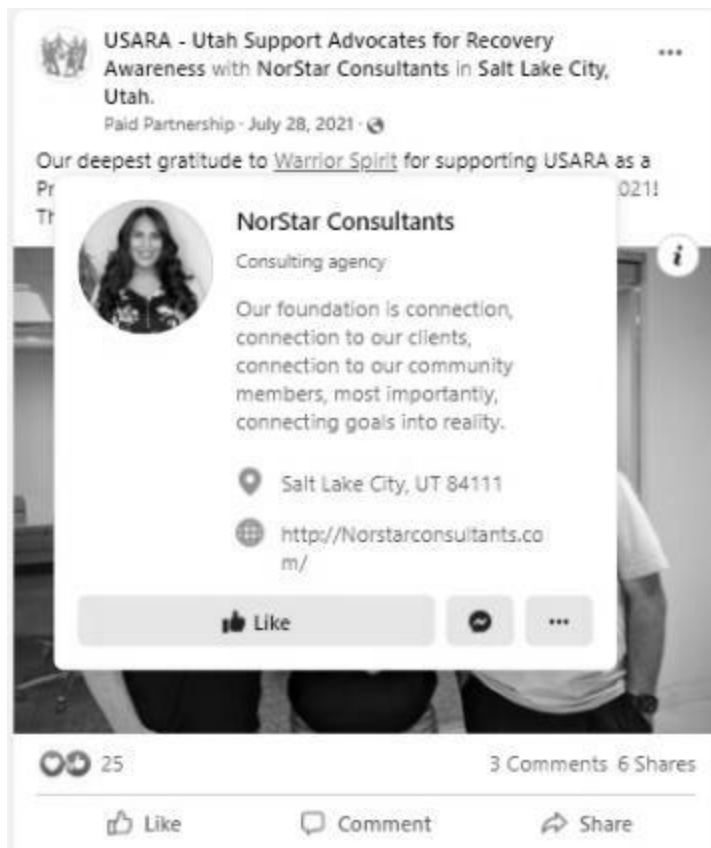


78. Hyperlinks that previously directed Facebook users to Warrior Spirit now lead to NorStar Consultants.

79. The following screen shot show the Warrior Spirit hyperlink tag direct Facebook users to NorStar Consultants.



80. NorStar Consultants LLC has effectively appropriated the name Warrior Spirit from all “Warrior Spirit” tags from other Facebook community members on their own pages as is evident in the following screen grab from the USARA Facebook page.



81. The two posts with a Warrior Spirit hyperlink tag now direct Facebook users to NorStar Consultants LLC.
82. Moritz did convert the intellectual property, the Warrior Spirit Facebook page for her own use.
83. NorStar Consultants LLC did convert the intellectual property, the Warrior Spirit Facebook page, to its own use.
84. Moritz did intentionally deprive Skull Valley Health Care LLC of the use of its property by converting Skull Valley Health Clinic intellectual property.
85. Moritz did intentionally deprive Skull Valley Health Clinic LLC of the use of its property by converting Skull Valley Health Clinic intellectual property.
86. NorStar Consultants LLC did intentionally deprive Skull Valley Health Care LLC

of the use of its property by converting Skull Valley Health Clinic intellectual property.

87. NorStar Consultants LLC did intentionally deprive Skull Valley Health Clinic LLC of the use of its property by converting Skull Valley Health Clinic intellectual property.

88. NorStar Consultation did damage Skull Valley Health Care LLC by converting Skull Valley Health Clinic intellectual property in an amount to be proven at trial.

89. NorStar Consultation did damage Skull Valley Health Care LLC by converting Skull Valley Health Clinic intellectual property in an amount to be proven at trial.

90. Moritz did damage Skull Valley Health Care LLC by converting Skull Valley Health Clinic intellectual property in an amount to be proven at trial.

91. Moritz did damage Skull Valley Health Care LLC by converting Skull Valley Health Clinic intellectual property in an amount to be proven at trial.

CLAIM NO. 2 – CONVERSION OF GOODWILL

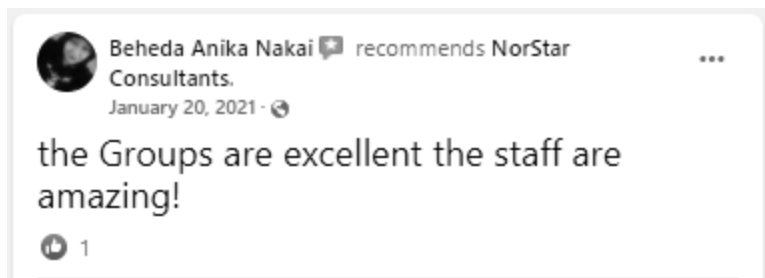
92. Plaintiffs incorporate by reference all allegations previously set forth herein.

93. NorStar Consultants LLC did appropriate the goodwill and reputation of Warrior Spirit.

94. Utah Code Ann. § 59-2-102(16)(b) defines “goodwill” to include reputation and customer relationships.

95. Warrior Spirit has twelve 5-Star reviews which are attached to the Warrior Spirit Facebook page.

96. The reviews which were given to Warrior Spirit now recommend NorStar Consultants as shown by this Beheda Anika Nakai review which was give on January 20, 2021.



97. Nearly all of the references to Warrior Spirit on Facebook have been deleted and removed and replaced by NorStar Consultants with the exception of some posts and the text of the client reviews.

98. A simple Facebook search for “Warrior Spirit” or “Warrior Spirit Recovery” leads to the NorStar Consultants Facebook page.

99. NorStar Consultants has appropriated all client and customer reviews.

100. Warrior Spirit client recommendations and reviews now recommend NorStar Consultants and not Warrior Spirit.

101. NorStar Consultants has created confusion in the community as to who customers are recommending.

102. Client reviews now recommend NorStar Consultants for services that was performed by Warrior Spirit.

103. The following screen shots from actual Warrior Spirit customers and their reviews are indicative of how NorStar Consultants seeks to capitalize on its appropriation of the Warrior Spirit Facebook page and its goodwill.

 **Ryn Yazzie** recommends NorStar Consultants. ...
August 28, 2020 · 

The best decision i made to come here for recovery . Great staff and very Native American base for all red, yellow , black, and white. awesome group therapy.



  2

 **Sophia Rave** recommends NorStar Consultants. ...
June 8, 2020 · 



I absolutely love my experience here. I have been learning so much. the staff are so supportive n are truly there for clients. they care. the way they teach w the medicine wheel n the directions is what I truly want to follow the rest of my recovery. thank u warrior spirit, being here is the best decision I ever made.




 1


 Like  Comment  Share



 **Nick Espinoza** recommends NorStar Consultants. ...
February 15, 2020 · 



iam a client and they have helped me change my life so yes 100 percent I recommend warrior spirit

  2 1 Comment



 Like  Comment  Share



 **Ashanti Aceveda**
Nick you are so amazing!! Keep doing great things

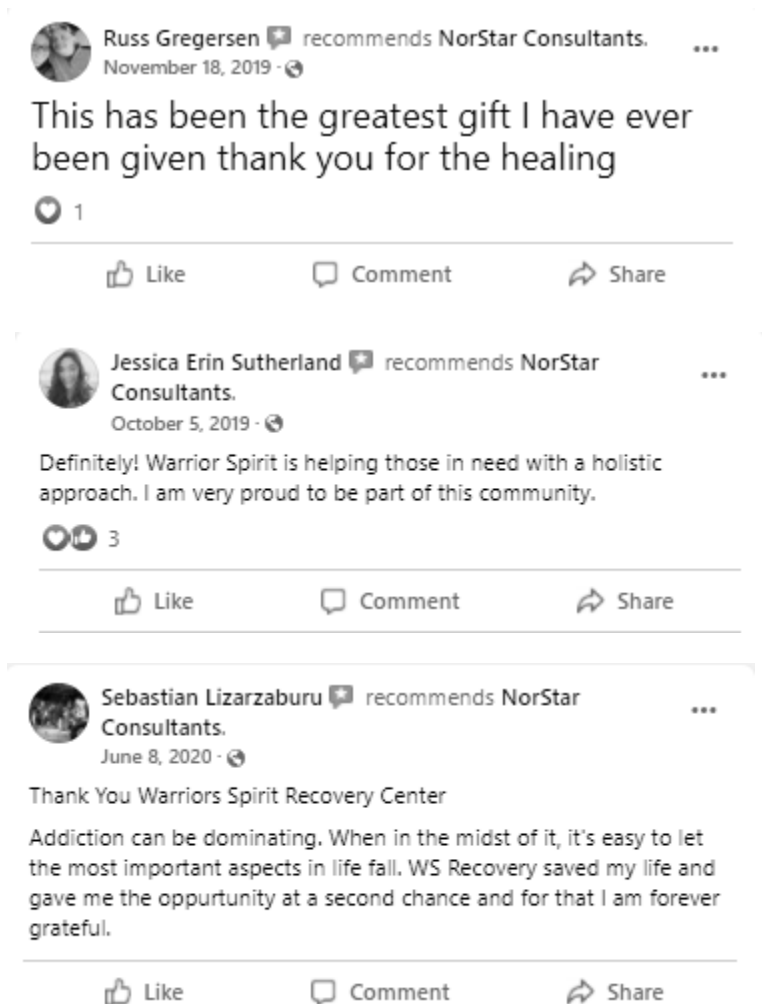
  Reply 2y

 **Monte Hauck** recommends NorStar Consultants. ...
October 5, 2019 · 

WSRC the best place to be. Love it that I am here. Come join in the love and compassion.

  3

 Like  Comment  Share



104. NorStar Consulting converted Warrior Spirit’s goodwill and reputation to its own.

105. NorStar Consulting did cause damage to Skull Valley Health Clinic LLC in an amount to be proven at trial when it converted Skull Valley Health Clinic LLC’s goodwill for its own benefit.

CLAIM NO. 3 – TORTIOUS INTERFERENCE WITH BUSIENSS RELATIONSHIP

106. Plaintiffs incorporate by reference all allegations previously set forth herein.

107. Facebook is an internet platform where businesses can interact with their customers.

108. Facebook is an internet platform where businesses can interact with other

businesses.

109. Facebook is an internet platform where Businesses can interact with potential clients.

110. Facebook in an internet platform where businesses can easily provide contact information for customers, business associates, and to run advertisements.

111. Moritz knew that Skull Valley Health Clinic, LLC did possess a Facebook page to interact with its customers under the brand name of Warrior Spirit.

112. Moritz knew that Skull Valley Health Care, LLC did possess a Facebook page to interact with its customers under the brand name of Warrior Spirit.

113. NorStar Consultants LLC knew that Skull Valley Health Clinic, LLC did possess a Facebook page to interact with its customers under the brand name of Warrior Spirit.

114. NorStar Consultants LLC knew that Skull Valley Health Care, LLC did possess a Facebook page to interact with its customers under the brand name of Warrior Spirit.

115. From March 14, 2022 until March 25, 2022 Moritz and NorStar Consultants LLC, collectively and individually, did intentionally interfere with the business relationship between Skull Valley Health Clinic LLC and Facebook.

116. From March 14, 2022 until March 25, 2022 Moritz and NorStar Consultants LLC, collectively and individually, did intentionally interfere with the business relationship between Skull Valley Health Care, LLC and Facebook.

117. Skull Valley Health Clinic LLC, maintains the website <https://warriorspirit-recovery.com/> with a Facebook link to <https://www.facebook.com/wsrecovery/>.

118. Moritz and NorStar Consultants LLC knew <https://warriorspirit-recovery.com/> included a link to the Warrior Spirit Facebook page.

119. Moritz and NorStar Consultants LLC changed the Warrior Spirit Facebook page.

120. Moritz and NorStar Consultants LLC destroyed the link between the Warrior Spirit website and the Warrior Spirit Facebook page.

121. Moritz and NorStar Consultants LLC intentionally changed the name of the Warrior Spirit Facebook page.

122. Moritz and NorStar Consultants LLC intentionally disassociated Warrior Spirit from Facebook thereby eliminating the relationship between Skull Valley Health Clinic LLC and Facebook.

123. By disassociating Warrior Spirit from Facebook Moritz did intentionally interfere with the business relationship between Facebook and Skull Valley Health Clinic LLC and Skull Valley Health Care LLC.

124. Moritz and NorStar Consultants, LLC did intend to disrupt the business relationship between Facebook and Skull Valley Health Clinic, LLC.

125. Moritz and NorStar Consultants, LLC did intend to disrupt the business relationship between Facebook and Skull Valley Health Care, LLC.

126. Facebook is owned by Meta Platforms Inc.

127. All Facebook users agree to the terms of service.

128. Facebook is established for the following purpose. "Meta builds technologies and services that enable people to connect with each other, build communities, and grow businesses."

<https://www.facebook.com/legal/terms>

129. By converting the Warrior Spirit Facebook page to its own, NorStar Consultants and Moritz did interfere with Skull Valley Health Clinic LLC and Skull Valley Health Care LLC's ability to use the Warrior Spirit Facebook page to grow its business using the Warrior

Spirit Facebook page.

130. It is a violation of the Facebook policies to use Facebook in a way “[t]hat infringes or violates someone else’s rights, including their intellectual property rights.”

131. Moritz and NorStar Consultants LLC did infringe on Skull Valley Health Clinic’s rights to use its own intellectual property which was being hosted by Facebook.

132. Moritz and NorStar Consultants, LLC did violate the terms and conditions of use of Facebook when it interfered with the business relationship between Facebook and Skull Valley Health Clinic, LLC.

133. Moritz and NorStar Consultants, LLC did harm the economic interests of Skull Valley Health Clinic, LLC in an amount to be proven at trial.

134. Moritz and NorStar Consultants, LLC did harm the economic interests of Skull Valley Health Care, LLC in an amount to be proven at trial.

CLAIM NO. 4 – TRESSPASS TO CHATTLE

135. Plaintiffs incorporate by reference all allegations previously set forth herein.

136. Moritz was terminated from her employment with Skull Valley Health Care LLC on or about January 26, 2022.

137. It is on information and belief that Moritz did access the Warrior Spirit Facebook page without permission following her termination.

138. It is on information and belief that Moritz did unfriend and unfollow accounts on the Warrior Spirit Facebook page following her termination.

139. It is on information and belief that Moritz did change, modify, or delete words from some of the Warrior Spirit Facebook posts following her termination.

140. It is on information and belief that Moritz did change, modify, or delete photos

from some of the Warrior Spirit Facebook posts following her termination.

141. The changes that NorStar Consultants LLC and/or Mortiz made to the Warrior Spirit Facebook page without permission did cause damage to Skull Valley Health Clinic LLC and Skull Valley Health Care LLC in an amount to be proven at trial.

CLAIM NO. 5 – CIVIL CONSPIRACY

142. Plaintiffs incorporate by reference all allegations previously set forth herein.

143. Upon information and belief, Moritz, NorStar Consultants LLC, and DOES I-V conspired together to dispossess Skull Valley Health Care LLC and Skull Valley Health Clinic LLC of its Warrior Spirit Facebook page.

144. Moritz, NorStar Consultants LLC, and DOES I-V objective was to harm Skull Valley Health Care LLC and Skull Valley Health Clinic LLC.

145. As a result of Moritz, NorStar Consultants LLC, and DOES I-V conspiracy, each defendant is jointly and severally liable for actions taken in furtherance of the conspiracy, and judgment should be entered against them jointly and severally in an amount to be proven at trial.

146. Moritz, NorStar Consultants LLC, and DOES I-V are liable to Plaintiffs in the amount of damages, punitive damages, and interest thereon, in an amount to be determined at trial.

PRAYER FOR RELIEF

WHEREFORE, Skull Valley Health Care LLC and Skull Valley Health Clinic LLC demands judgement in its favor and against Defendants on each of Skull Valley Health Care LLC and Skull Valley Health Clinic LLC's claims and requests that the court:

- A. Award Skull Valley Health Care LLC and Skull Valley Health Clinic LLC, preliminary and permanent injunctive relief against Moritz, NorStar Consultants LLC, and DOES I-

V, requiring each to:

- i. Cease directly or indirectly interfering with the Warrior Spirit Facebook page.
- ii. Revert the Warrior Spirit Facebook page to the state it was in on January 26, 2022.
- iii. Disable the Warrior Spirit Facebook page.
- iv. Turn over the Warrior Spirit Facebook page to Skull Valley Health Care LLC and Skull Valley Health Clinic LLC.

B. For all actual damages, plus interest, in an amount to be determined at trial.

C. For punitive damages;

D. For attorneys fees and costs; and

E. For such other relief as the Court deems just and proper.

Dated this the 28th Day of March 2022

BECKETT LAW FIRM

/s/ Kristian Beckett

Kristian Beckett

Attorney for Skull Valley Health Care LLC
and Skull Valley Health Clinic LLC