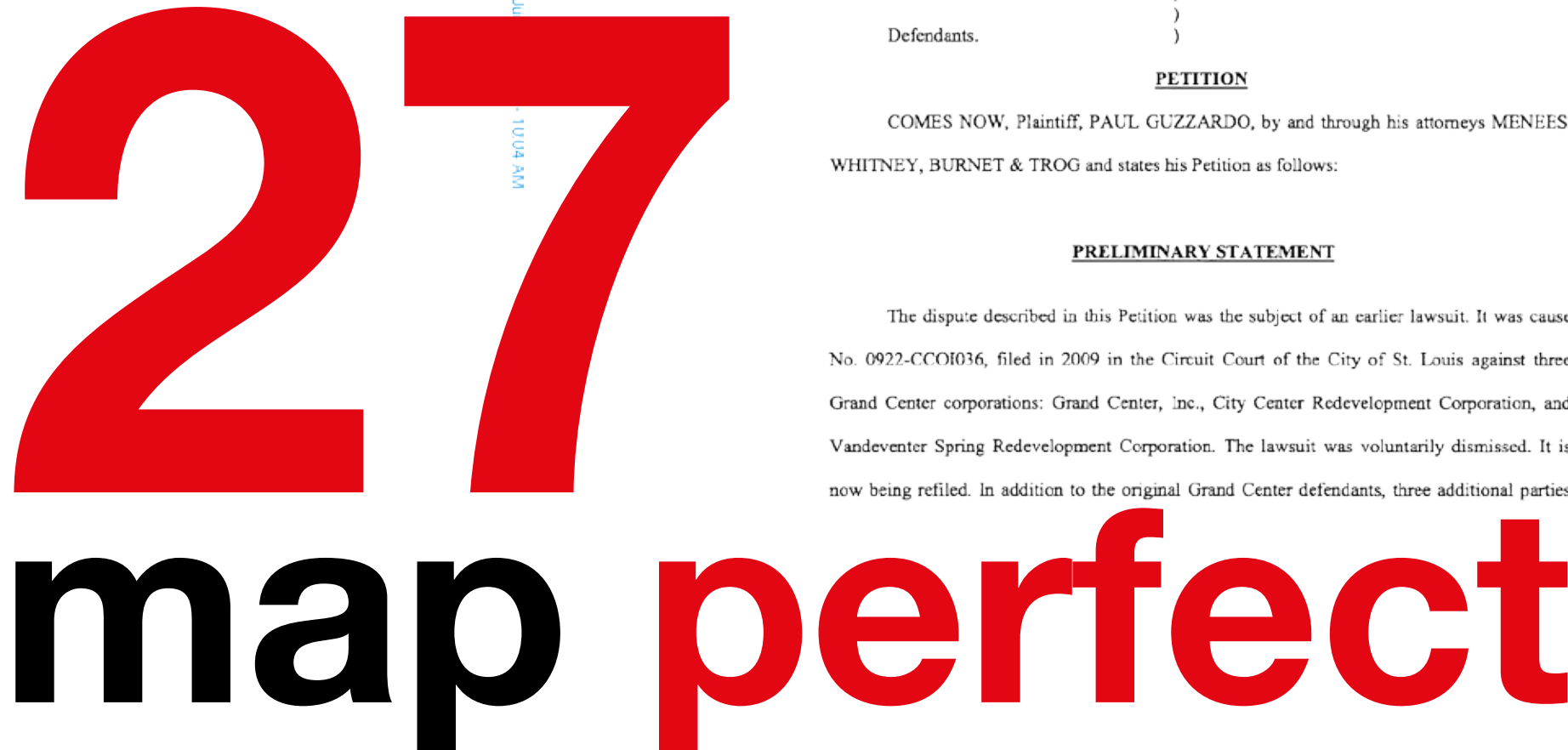


1422-CC08992

IN THE CIRCUIT COURT OF THE CITY OF ST. LOUIS
STATE OF MISSOURI

PAUL GUZZARDO,)
 Plaintiff)
 v.)
 GRAND CENTER, INC.,)
 a Missouri corporation,)
 SERVE: Vincent C. Schoemehl)
 3526 Washington Avenue,)
 2 Floor)
 St. Louis Mo, 63103)
 and)
 VANDEVENTER SPRING)
 REDEVELOPMENT CORP.,)
 a Missouri corporation,)
 SERVE: Vincent C. Schoemehl)
 3526 Washington Avenue,)
 2 Floor)
 St. Louis Mo, 63103)
 and)
 CITY CENTER REDEVELOPMENT)
 CORP. a Missouri corporation,)
 SERVE: Vincent C. Schoemehl)
 3526 Washington Avenue,)
 2 Floor)
 St. Louis Mo, 63103)
 and)
 WASHINGTON UNIVERSITY)
 ST. LOUIS, a Missouri corporation,)

Cause No:
Division:



SERVE: 1 Brookings Dr,
St Louis, MO 63130

EMILY PULITZER, an individual,
SERVE: 4903 Pershing Place
St Louis, MO 63108

and
THE LAW OFFICE OF CALLIS PAPA
HALE & SZEWCZYK & . PC,
an Illinois Corporation,

SERVE: 1326 Niedringhaus Ave,
Granite City, IL 62040

Defendants.

PETITION

COMES NOW, Plaintiff, PAUL GUZZARDO, by and through his attorneys MENEES,
WHITNEY, BURNET & TROG and states his Petition as follows:

PRELIMINARY STATEMENT

The dispute described in this Petition was the subject of an earlier lawsuit. It was cause
No. 0922-CCOI036, filed in 2009 in the Circuit Court of the City of St. Louis against three
Grand Center corporations: Grand Center, Inc., City Center Redevelopment Corporation, and
Vandeventer Spring Redevelopment Corporation. The lawsuit was voluntarily dismissed. It is
now being refiled. In addition to the original Grand Center defendants, three additional parties

7. GRAND CENTER owns all of the issued and outstanding stock of CCRC.
 8. WASHINGTON UNIVERSITY ST. LOUIS is a Missouri corporation operating
under the fictitious name of Washington University in St. Louis
 9. EMILY PULITZER is an Individual and a resident of the City of St. Louis,
Missouri.
 10. The LAW OFFICE OF CALLIS, PAPA, HALE, & SZEWCZYK, PC is a
professional corporation, duly organized and existing under the laws of the State of
Illinois.
 11. At all times herein mentioned, John Papa was a partner and agent of The LAW
OFFICE OF CALLIS, PAPA, HALE, & SZEWCZYK, PC and was acting within the
scope of such employment and agency in doing the things herein alleged.
- JURISDICTION
12. Jurisdiction is proper in the Circuit Court for the City of St. Louis, because the
events in this matter occurred in the City of St. Louis and the Defendants have their
principal place of business and residences in the City of St. Louis.
- ALLEGATIONS COMMON TO ALL COUNTS
- THE GRAND CENTER DISTRICT
13. An area of midtown St. Louis located due north of the campus of St. Louis
University, in which various entertainment and cultural venues have existed from time to
time, has been commonly known as the Grand Center District.
 14. In 1974, the City of St. Louis declared the Grand Center District blighted. In
1981 the City of St. Louis approved CITY CENTER REDEVELOPMENT

CORPORATION's plan to redevelop the district. The CITY CENTER

are now being named as defendants in this Petition. They are Emily Pulitzer, Washington
University St. Louis, and the law office of Callis Papa Hale & Szewczyk, PC. Callis Papa Hale
& Szewczyk, PC represented the Plaintiff in the original action. Five discovery depositions were
taken in the first lawsuit. In addition to the Plaintiff, Vincent Schoemehl, Eric Friedman, Sung
Ho Kim and Emily Pulitzer were deposed. Testimony from those depositions will be referenced
in the allegations that follow.

PARTIES

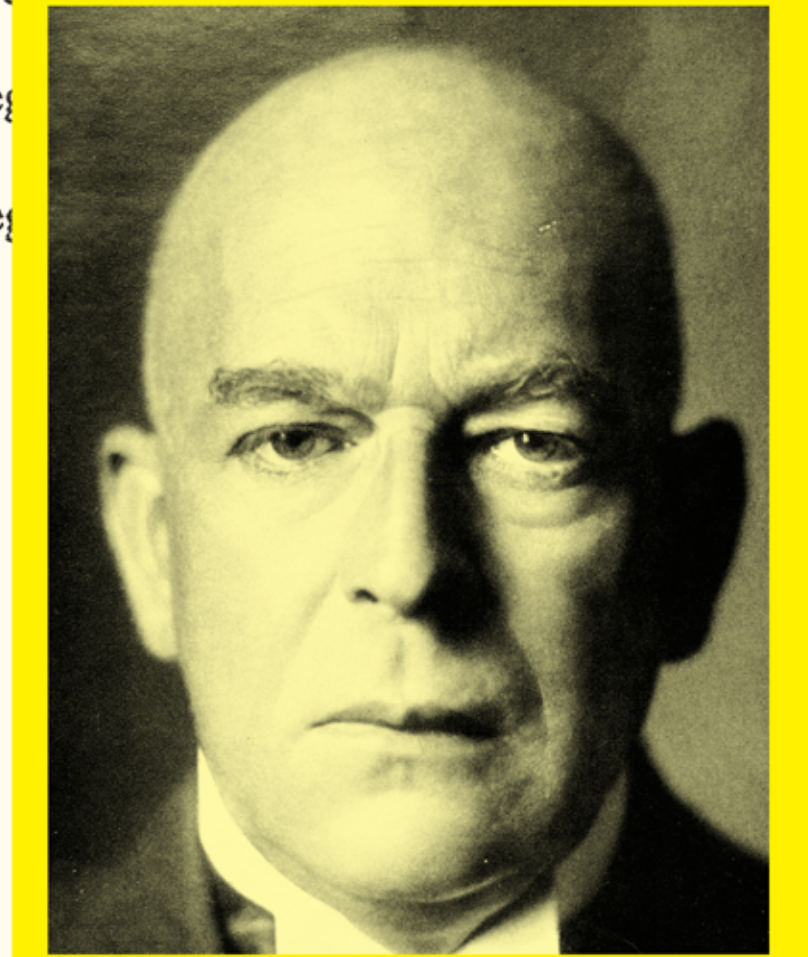
1. Plaintiff, PAUL GUZZARDO, is an individual and a resident of Illinois. He was
a resident of Missouri at the time of entering into the contract and during many of the
events described in these pleadings.
2. Defendant, GRAND CENTER, INC. ("GRAND CENTER"), is a Missouri not-
for-profit corporation, with its principal place of business located at 3526 Washington
Avenue, 2 Floor in the City of St. Louis, State of Missouri.
3. Defendant, VANDEVENTER SPRING REDEVELOPMENT CORP. ("VSRC"),
is a Missouri corporation, with its principal place of business located at 3526 Washington
Avenue, 2 Floor in the City of St. Louis, State of Missouri.
4. Defendant, CITY CENTER REDEVELOPMENT CORP. ("CCRC"), is a
Missouri corporation with its principal place of business located at 3526 Washington
Avenue, 2 Floor in the City of St. Louis, State of Missouri.
5. CCRC is a Missouri Corporation and was established pursuant to the Missouri
Urban Redevelopment Law, RSMo. Sec. 353.01 0 et seq.
6. VSRC is a Missouri Corporation and a wholly owned subsidiary of GRAND
CENTER.

Shortly after the downtown Media Lab closed arrangements were made to install the **lab protocol** in the nearby Grand Center Arts District. It is where McLuhan's posse set off. The move did not happen, and that lead to a lawsuit. Pleadings and exhibits follow.

3. Defendants admit the allegations contained in paragraph 3 of Plaintiff's Petition.

Defendants admit the allegations contained in paragraph 4 of Plaintiff's Petition.

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installation of lamps into the shell of the above described burned out church and made use of

Plaintiff's proprietary and confidential designs.



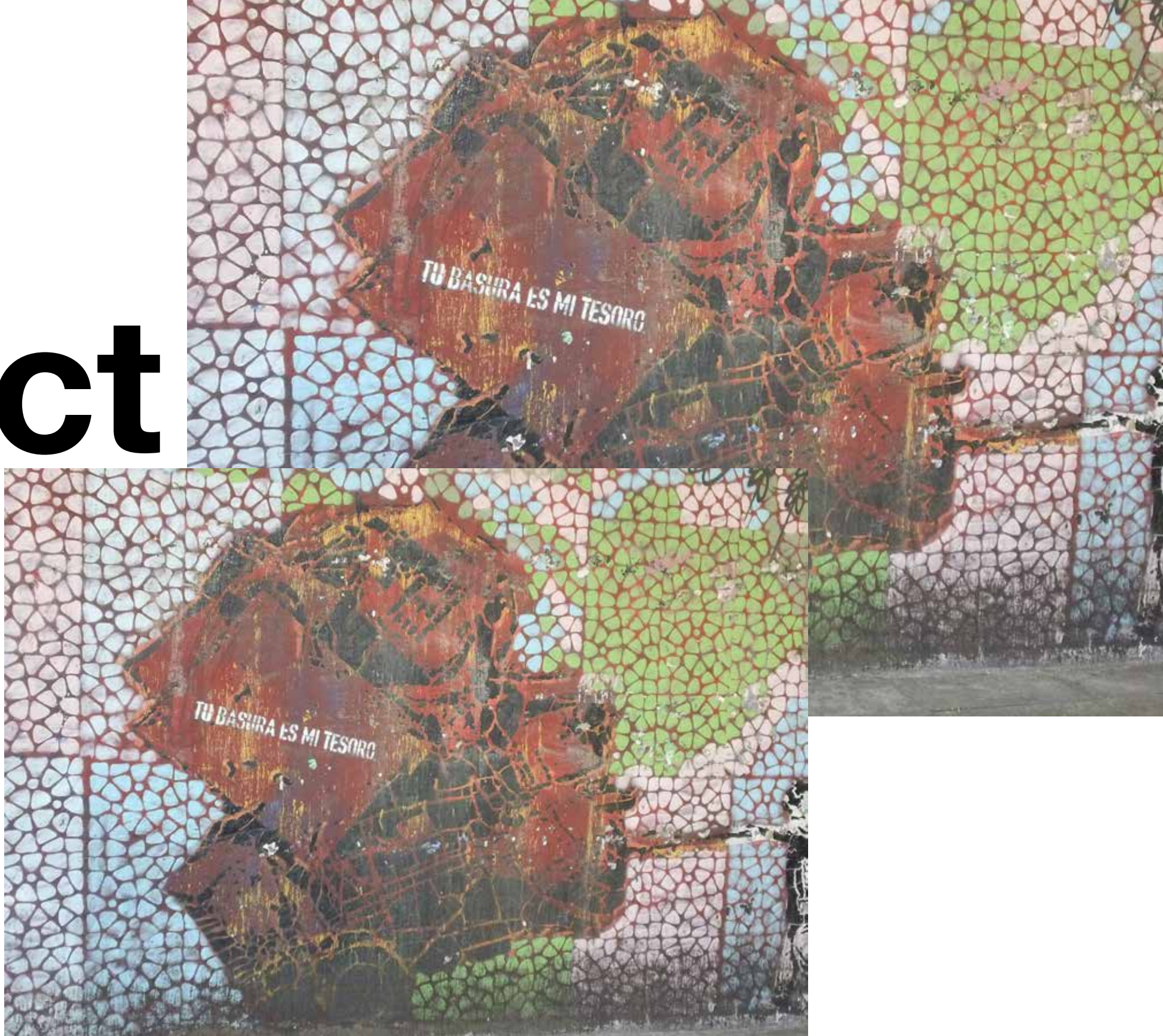
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out church and elsewhere in

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PAUL GUZZARDO,

Plaintiff's... should be transformed into a glowing new media

abstract



The Mediated City Conference: Los Angeles 01 – 04 October, 2014

Title: Posses | Protocol | Perp°Walks

Name: Paul Guzzardo

Abstract: The presenter is a Plaintiff. The Defendant is a mixed arts/real estate development district in St. Louis, Missouri. The lawsuit involves platform design. The platforms are viewing stations, mirrors of a sort. The big idea behind these mirrors were to use them to glimpse ourselves sloshing about and around in Big Data. The Plaintiff began working on a brief to build them in the mid-1990s. In 2003, the Plaintiff pitched the brief to an arts district by linking brief and platforms to Marshall McLuhan. McLuhan taught at Saint Louis University from 1937-1944. Since the art district includes the University, the district developers had acquired a new media heritage site whether they wanted one or not. There is dialectic (in) play here. In 2003, the person who effectively ran the district was Emily Pulitzer, widow of Pulitzer Media Company chairman Joseph Pulitzer Jr. Pulitzer Jr. was also known for his collection of contemporary art, regarded as one of the largest and finest in the world. At the time of his death in 1993 he was a director in the arts district. His widow stepped in after he died, bringing the modernist Tadao Ando with her. Together they built a private museum in the district. This background information is a frame for three overlapping stories. Each story will be outlined via excerpted documents: emails, legal pleadings, blog posts, and press releases. The stories:

1. How a big data platform brief is traced to Understanding Media, specifically the role of artist as cartographer;
2. How a code smell contagion in the form of a sycophantic sinkhole blocked platform construction;
3. How traditional media and prosecutors have failed to respond to a vandalized American heritage site.

The hoped-for endgame is viral agitprop, and what more appropriate way to celebrate Understanding Media's 50th anniversary than that.

Biography: I am a lawyer/media activist/artist, and a current fellow at the Geddes Institute for Urban-Research -University of Dundee, Scotland. I was a former legal counsel for District 34 of the United Steelworkers of America. My design praxis includes nightclubs, outdoor projections, street-front media labs, street theater, remix concerts, gallery installations, documentary film and litigation. St. Louis, Missouri is a stage for my praxis. Three other players were prelude tableau. Marshall McLuhan was there from 1937-1944. According to his biographer Douglas Coupland, McLuhan put together a "proto-Warhol factory" in St. Louis. It's where it all began. Player number two is Monsanto. Monsanto was founded in St. Louis. First there was the father, John Queeny, then the son Edgar Monsanto Queeny. Extensions were the family business, and what McLuhan predicted was on the way, but some things you can't see because of all the dust. And the dust leads to number three, Pruitt-Igoe. March 3, 1972 marks a tumble into a postmodern looking glass. Minoru Yamasaki's first fall down was a few blocks from where McLuhan once taught. I use this mythic stew for my praxis. I am currently completing a book that blends praxis and myth: "Hackerspace for Myth Making -The Manual."

PETITION COMES NOW, Plaintiff, PAUL GUZZARDO, by and through his attorneys MENEES, WHITNEY, BURNET & TROG and states his Petition as follows: PRELIMINARY STATEMENT The dispute described in this Petition was the subject of an earlier lawsuit. It was cause No. 0922-CCOI036, filed in 2009 in the Circuit Court of the City of St. Louis against three Grand Center corporations: Grand Center, Inc., City Center Redevelopment Corporation, and Vandeventer Spring Redevelopment Corporation. The lawsuit was voluntarily dismissed. It is now being refiled. In addition to the original Grand Center defendants, three additional parties are now being named as defendants in this Petition. They are Emily Pulitzer, Washington University St. Louis, and the law office of Callis Papa Hale & Sze-wczyk, PC. Callis Papa Hale & Sze-wczyk, PC represented the Plaintiff in the original action. Five discovery depositions were taken in the first lawsuit. In addition to the Plaintiff, Vincent Schoemehl, Eric Friedman, Sung Ho Kim and Emily Pulitzer were deposed. Testimony from those depositions will be referenced in the allegations that follow. PARTIES 1. Plaintiff, PAUL GUZZARDO, is an individual and a resident of Illinois. He was a resident of Missouri at the time of entering into the contract and during many of the events described in these pleadings. 2. Defendant, GRAND CENTER, INC. ("GRAND CENTER"), is a Missouri not for-profit corporation, with its principal place of business located at 3526 Washington Avenue, 2 Floor in the City of St. Louis, State of Missouri. 3. Defendant, VANDEVENTER SPRING REDEVELOPMENT CORP. ("VSRC"), is a Missouri corporation, with its principal place of business located at 3526 Washington Avenue, 2 Floor in the City of St. Louis, State of Missouri. 4. Defendant, CITY CENTER REDEVELOPMENT CORP. ("CCRC"), is a Missouri corporation with its principal place of business located at 3526 Washington Avenue, 2 Floor in the City of St. Louis, State of Missouri. 5. CCRC is a Missouri Corporation and was established pursuant to the Missouri Urban Redevelopment Law, RSMo. Sec. 353.010 et seq. 6. VSRC is a Missouri Corporation and a wholly owned subsidiary of GRAND CENTER. 7. GRAND CENTER owns all of the issued and outstanding stock of CCRC. 8. WASHINGTON UNIVERSITY ST. LOUIS is a Missouri corporation operating under the fictitious name of Washington University in St. Louis 9. EMILY PULITZER is an Individual and a resident of the City of St. Louis, Missouri. 10. The LAW OFFICE OF CALLIS, PAPA, HALE, & SZEWCZ'YK, PC is a professional corporation, duly organized and existing under the laws of the State of Illinois. 11. At all times herein mentioned, John Papa was a partner and agent of The LAW OFFICE OF CALLIS, PAPA, HALE, & SZEWCZ'YK, PC and was acting within the scope of such employment and agency in doing the things herein alleged. JURISDICTION 12. Jurisdiction is proper in the Circuit Court for the City of St. Louis, because the events in this matter occurred in the City of St. Louis and the Defendants have their principal place of business and residences in the City of St. Louis. ALLE-GATIONS COMMON TO ALL COUNTS THE GRAND CENTER DISTRICT 13. An area of midtown St. Louis located due north of the campus of St. Louis University, in which various entertainment and cultural venues have existed from time to time, has been commonly known as the Grand Center District. 14. In 1974, the City of St. Louis declared the Grand Center District blighted. In 1981 the City of St. Louis approved CITY CENTER REDEVELOPMENT CORPORATION's plan to redevelop the district. The CITY CENTER REDEVELOPMENT CORPORATION (CCRC) was established pursuant to the Missouri Urban Redevelopment Law, RSMo.Sec. 353.010 et seq. The City of St. Louis further granted CCRC the power of eminent domain over property that could not be acquired through good faith negotiations. 15. GRAND CENTER Corporation was organized as an RSMo.Sec. 355 not-for profit corporation in 1987. GRAND CENTER's mission was to promote and foster the performing arts in the St. Louis area; and to finance, develop, build, own, operate and endow a performing arts center, GRAND CENTER, in the City of St. Louis. GRAND CENTER acquired CCRC's stock. 16. In 1998 VANDEVENTER SPRING REDEVELOPMENT CORPORATION (VSRC) was established, pursuant to the Missouri Urban Redevelopment Law, RSMo.Sec. 353.010 et seq. 17. All three entities have a stated goal to "revitalize this neighborhood with the performing arts as the organizing theme of the redevelopment and really to establish it as a national tourist destination, cultural tourist destination." 18. Despite this target, decay continued, and midtown development stalled. Given this chronic slump, in 2002 the City of St. Louis initiated study of a "GRAND CENTER Tax Increment Financing Plan." Referred to herein as the GRAND CENTER TIF, the TIF envisioned a resurgent GRAND CENTER that would be a vibrant, economically self sufficient theater and cultural district encompassing historic and contemporary artistic works. The proposed TIF would provide up to \$80 million to support some \$150 million in development projects. 19. Vincent C. Schoemehl Jr. was appointed executive director of GRAND CENTER in 2002. He is a three-term former mayor of the City of St. Louis. In a March 15, 2002 interview with the St. Louis Business Journal, Schoemehl said that GRAND CENTER would need to update its master plan prior to launching a proposal for a District TIF, and he stated that "a land use board committee co-chaired by Donald Suggs and Emily Pulitzer has been formed to do that." 20. On February 7, 2003 the City of St. Louis enacted the Tax Increment Blighting Analysis and Redevelopment Plan for the GRAND CENTER Redevelopment Area in St. Louis, Missouri. The enabling legislation granted the developer, VANDEVENTER SPRING REDEVELOPMENT CORPORATION, the power of eminent domain to acquire properties within the Redevelopment Area. It authorized the Industrial Development Authority of the City of St. Louis to issue Tax Increment Improvement Revenue bonds. Bryan Cave LLP, St. Louis, Missouri is listed as "Bond Counsel." The legislation further states that 1) the GRAND CENTER TIF would be administered by VANDEVENTER SPRING REDEVELOPMENT CORPORATION; 2) there shall be eight (8) members of the Board of Directors. Cardinal Ritter College Prep shall appoint four (4) members of the Board and Grand Center, Inc., or its affiliate, shall appoint four (4) members of the Board. 21. Vincent C. Schoemehl Jr. in his deposition succinctly laid out the Defendants' corporate structure and mission. "So, Grand Center, Inc., as a not-for-profit is-is an urban redevelopment corporation and its subsidiaries, CCRC and VANDEVENTER SPRING REDEVELOPMENT CORPORATION, both 353 corporations, and in our capacity, as the TIF developer for about a 300-acre TIF district that was established in I think 2003, so our mission is to revitalize this neighborhood with the performing arts as the organizing theme of the redevelopment and really to establish it as a national tourist destination, cultural tourist destination." 6 THE PLAINTIFF AND THE HERITAGE SITE 22. In July 2003, Grand Center President Vincent C. Schoemehl Jr. and Grand Center director Emily Pulitzer approached the Plaintiff about becoming a sub developer in the redevelop-ment district. Emily Pulitzer was on the Defendant's master planning committee. She was also the founder and board chairman of the Pulitzer Foundation for the Arts (PFA) a Missouri not-for-profit corporation. The PFA operates a private museum in GRAND CENTER that opened in 2001. The museum displays Emily Pulitzer's private collection of contemporary art and curated exhibitions of other work. The PFA owns other property in the Grand Center Art District in addition to the museum. 23. The Plaintiff was contacted because of 1) his research in public space design and emerging information technology, 2) his operation of a downtown St. Louis media arts lab, 3) his leadership of MediaArts Alliance, the premier media arts organization in St. Louis, 4) his partnerships and collaborations in new media and community with the City of St. Louis and the Missouri Attorney General, 5) his international reputation as a designer of lofts and public accommodation projects on Washington Avenue in St. Louis. 24. In an initial August 15, 2003 meeting with Schoemehl and Pulitzer, the Plaintiff described his protocol and provided them with a "work- praxis portfolio" detailing work that the Plaintiff had done with three St. Louis mayors. The portfolio chronicled protocol development and included images from a series of the Plaintiffs projects. The Plaintiff testified that at this introductory meeting, Schoemehl said "now with this TIF; this is the type of project which would be welcomed and could be done at GRAND CENTER." 25. In that first meeting, the Plaintiff discussed how his protocol and creative practice extended the work of communication scholars Marshall McLuhan and Fr. Walter Ong. Marshall McLuhan and Fr. Ong were faculty members at Saint Louis University, which is a part of the GRAND CENTER TIP District. McLuhan, who has been called the "Oracle of the Electronic Age" and the "Patron Saint of Wired Magazine," taught at the school from 1937 until 1944. The Plaintiff explained there was a growing recognition that much of McLuhan's foundational media scholarship is rooted in St. Louis, and that GRAND CENTER's recognition and celebration of McLuhan and Ong could anchor the development as a new media destination. 26. Schoemehl said that he wanted something more than a traditional arts and entertainment district - more than super sized outdoor video. He understood that a McLuhan - Ong link might mark the district "as that something more." A heritage brand would be a significant District asset, a step in transforming GRAND CENTER into a "midwest silicone alley." Schoemehl requested that the plaintiff provide him with a "Marshall McLuhan-Walter Ong reading list." As Schoemehl stated in his earlier deposition: "What Paul explained to me that I had never realized was that Marshall McLuhan had done all of his work at St. Louis University. I had never heard of Father Walter Hong (Ong) before meeting with Paul. I went out and bought all their books. And I thought the Media Box would be a great connector between GRAND CENTER and ST. LOUIS UNIVERSITY, and that was really in my mind a very key component of ... this idea that, you know, there are lots of lighting technologies and sound technologies, but the idea that he was going to organize it around the teachings and the-philosophies of Walter Ong and Marshall McLuhan, I found that very intriguing and compelling." Schoemehl latter arranged for Craig Kaminer of Kaminer & Co. Brand & Reputation Management to meet with the Plaintiff. Schoemehl wanted Kaminer to draft a "Mar-shall McLuhan Branding Campaign" for the district. Kaminer had recently completed an earlier campaign for the Defendant. The tag line was "GRAND CENTER I the Intersection of Art + Life." THE PROPERTY - THE TIRE SHOP 27. In their first meeting with the Plaintiff, Vincent C. Schoemehl and Emily Pulitzer proposed 3699 Olive Boulevard as the site for the Plaintiff to develop a project. 3699 Olive Boulevard is at the intersection of Spring and Olive, one of the most visible intersections in the district. It is diagonal to the Contemporary Museum of Art, and directly across the street from a landscaped park owned by the PFA and designed by Emily Pulitzer. The following exchange is from the Plaintiffs depositions. It is about the introductory call the Plaintiff received from Schoemehl setting up the initial meeting. Q. Sure. That first contact from Vince Schoemehl in 2003, what did he communicate to you? A. He said he was aware of my work and he thought I would be a good fit for GRAND CENTER. And there was a specific piece of property that he wished to discuss with me, and he indicated that he would like to set up a meeting with me which would include Emily Pulitzer. 28. The Vandeventer-Spring Redevelopment Plan includes Seven Project Areas. Each Project Area list multiple sites and properties, followed by a recommendation of whether the existing structures should be removed or kept. the building now was being used as a tire shop, and the land around the building for parking. The Redevelopment Plan recommended that the building be removed. Gentle Day owned 3699 Olive Boulevard, and Vincent Schoemehl, in his deposition, explained why they wanted to buy the Day property: "you know, having an automotive repair shop in the middle of an arts district was not deemed to be ideal and it's, basically requested that the Plaintiff submit a proposal to become a sub-developer at 3699 Olive Boulevard. The GRAND CENTER in-house counsel, Alan Pratzel, represented the GRAND CENTER in drafting the contract. work-aside from the Media Box, do you have any experience through your work with condemnation actions? A. Yeah. We sold property under the threat of condemnation for clients, and on a regular basis we have filed a Petition for Condemnation against Gentle Day, the owner of 3699 Olive Boulevard, in the Circuit Court of the City of St. Louis. It was Cause No. 042-00630, and it was the first and only instance that the D represented to the Plaintiff that the Defendant would exercise the utmost caution and attentiveness in exercising its the power of eminent domain. Vincent Schoemehl testified in his deposition: "I think -- Well, first required, then, you know, we demonstrated we were quite ready to do that. But, you know, it is something that has to be done with, you know, with some degree of caution. Most recently and just prior to this, n growing sensitivity about the use of eminent domain in the city at the time. Yes, I mean, my Board is pretty informed board and, you know, there had been some press, as I said, about St. Louis University. At the time GRAND CENTER's Board of Directors approved the Option Contract. The Contract is attached hereto and incorporated herein, marked as Exhibit A. 33. The Option Contract provided that the Plaintiff would improve emphasize the scholarly media and communications heritage of St. Louis University's theorists Marshall McLuhan and Father Walter Ong. 34. The Option Contract further stated that "The parties hereto acknowledged end, Buyer and Seller agree to cooperate with each other to carry out each party's respective obligations hereunder." 35. A Memorandum describing the Media Box accompanied the Option Contract. The Media Box is described as follows. Digital imaging technology systems will be incorporated and configured into the facade of the building. These technologies will allow information and images to be viewed on multiple sectors of the building, and will allow large outdoor displays with long viewing distances. The imaging technologies to be used may include the following: - rear projection systems - flat display panel systems, including modular systems designed and configured to suit specific applications - alternative imaging technologies, such as electronic paper technologies (The Media Box is a "prototype information age structure.") - As a public stage for the interplay of complex communication systems, the Media Box has the potential to become another signature piece for GRAND CENTER, by: - Offering multimedia artists a venue to display work - Expanding the audience and constituency for multimedia art - Engaging the public with a provocative and intriguing presentation of visuals that focus on the arts and community - Creating a new social space by injecting information networks and their virtual communities into a rich dimensional public realm - Creating an interactive context to forge group experience and engage the public - Encouraging partnerships between the



Encouraging partnerships between the arts community, entertainment communities, and the telecommunications/information technology industry - Encouraging people to critically investigate the role of technology in our culture - Serving as an ever-changing “bulletin board” for the array of arts and cultural organizations that serve our community - The design also envisions a public plaza fronting the Media Box, linking the building to the surrounding museums and to the GRAND CENTER community. 36. The Option Contract required the Plaintiff to deliver to the Defendant “architectural concepts, a financial feasibility study, and a prospective program and content summary” for the Media Box project during the Option Period. The Plaintiff 12 submitted program and content summaries, architectural development plans, and architectural concepts to GRAND CENTER for approval. The Option Contract required that the Defendant treat all referenced documents as proprietary and confidential, and all such documents and plans were to remain the property of the Plaintiff. Eric Friedman, who participated in drafting the contract, testified that the proprietary and confidential provision was there because “we thought that it (the Media Box) was something unusual, different, propriety and we didn’t want anyone else doing it, stealing the idea, replicating it.” 37. In deposition, the Plaintiff was asked to state the purpose of the Option Contract. Q. What, in your words, was the purpose of the Option Contract? A. Obviously this is highly complex, but the purpose of the Option Contract was to allow the process to begin; to develop a Media Box in GRAND CENTER and for GRAND CENTER to be able to claim St. Louis’s heritage as a site for the development of critical media study.” OPTION CONTRACT EXECUTION 38. Vincent C. Schoemehl Jr. represented to the Plaintiff that all reasonable, good faith efforts would be made by Schoemehl, GRAND CENTER, VSCR, and their representatives to acquire the property at 3699 Olive Boulevard; and Plaintiff relied upon these representations and performed services, as hereinafter alleged, which satisfied the terms and conditions of the Option Contract. 39. Throughout said Option Period, and with the knowledge and consent of Vincent C. Schoemehl Jr., Director Pulitzer, and other representatives of GRAND CENTER and VSCR, the Plaintiff developed content models and architectural concepts for the Media Box. 13 40. During said Option Period, the Plaintiff delivered the required documents, which describe the Media Box and detail its main features. Excerpts follow: The building - Digital imaging technology systems will be incorporated and configured into the building’s facade.



and audio systems will display and amplify the building’s content and programming on the Media Box’s facade. A public plaza fronting the building will link the building to the surrounding museums and to the data banks. It has the potential of serving as a prototype, and as it is promotes creative interactions among citizens, artists, communication scholars, and the entertainment industry [will be] a platform to exchange and serve as a public stage for the interplay of complex communication systems [will] serve as a public venue to view media art, with large outdoor projections of video displays [will be] a public stage for the Media Box in GRAND CENTER and the St. Louis Metropolitan area. It will promote collaborations and partnerships with other institutions whose mission is also to critically investigate the role of technology in our culture. The Media Box is designed to activate the sidewalk in a revitalizing neighborhood, and further establish GRAND CENTER as an innovative, technology and arts-friendly environment. a mixed use digital media project, bridges arts, parks and urban spaces try to bridge the gap between information and communication a public stage for the interplay of complex communication systems 14 a digital arts atelier in generating and showcasing a dynamic interactive configuration to a building, to a street and to the community an extraordinary and unique opportunity for collaboration Foundational media art, however, which provides the context for locating the Media Box in GRAND CENTER as well as an opportunity for partnering with other nationally- and internationally-recognized academic institutions to examine digital communication systems 41. Wraparound image-projection screens were incorporated into the Media Box designs. Asked in his deposition if these projection surfaces would serve as a medium in a very kind of public radio, public television kind of way, was my vision, as a business model as opposed to a very commercial kind of way; that it would advertise the arts, it would advertise, you know, the best of GRAND CENTER the Plaintiff met with GRAND CENTER stake holders, described his protocol, presented samples of earlier work, and explained how the District, “with a McLuhan and Ong connection,”

could make the case to be the nation’s new media heritage site. 15 43. The Plaintiff promoted the Media Box, not only in St. Louis, but nationally and internationally. The Plaintiffs promotional activity included lectures and interviews in Australia, and a joint paper with Media Box consultant Sung Ho Kim. This paper was presented at the Media Ecology Association convention at the Rochester Institute of Technology. The Plaintiff and Kim traced how the Media Box grew out of a downtown St. Louis Media Arts lab, which had served as a research and development tool. 44. The GRAND CENTER brand manager Craig Kaminer prepared a Preliminary Public Media Relations Strategy for the GRAND CENTER Media Box Project. The strategy’s intent was to establish the Media Box as a prototype information-age structure, and St. Louis as the nation’s new media heritage site. 45. A Media Box quarterly update was given on September 15, 2004 at the Pulitzer Foundation for the Arts. Present were Vincent Schoemehl, Jr., Emily Pulitzer, PFA executive director Matthias Waschek, Eric Friedman, Sung Ho Kim, and other GRAND CENTER district sub-developers. Asked about the meeting in his deposition, Plaintiff testified: “A. Well, at that meeting -- the meeting was set up for me to, you know, fill in some of the issues regarding the design of the project, the international connections that the project could open up and discuss the local players in St. Louis who were interested in participating in the project. ---Multimedia reviewed first ---- reviewed my praxis involving Media Arts and urban design ---projects which could then be extrapolated and further developed and explored at GRAND CENTER. So that was part of it. We then discussed at length the history of the GRAND CENTER as it relates to the broader picture of digital cultural and digital design throughout the world. -- would have discussed my presentations elsewhere which would have included my presentations in New York at Rochester in June, my various presentations at St. Louis University regarding these issues. I think I also included presentations regarding my meetings at the law school at St. Louis U and then in detail the presentations in Australia. --- you had my attempt to bring in a national and international audience in design and then the third part would have been Sung Ho reviewing the model which was present at the meeting. And we would have shown some of these development drawings as part of the Power Point.” 16 46. The Plaintiff produced a Media Box demonstration: “a preview installation” intended to explain the Media Box to the St. Louis community, and to demonstrate its potential for activating GRAND CENTER as a nighttime public arts venue. The installation, Marshall McLuhan meets Josephine Baker, was presented on December 31, 2004, New Year’s Eve at the Pulitzer Foundation of the Arts. Its content was selected to support St. Louis’s claim to a Marshall McLuhan legacy, and to demonstrate how and why the city could mark itself as a new media heritage site. The installation drew upon images and text from Marshall McLuhan’s groundbreaking work The Mechanical Bride. The Mechanical Bride, partially assembled and drafted in St. Louis in the early 1940s, is now recognized as a seminal work that prefigured the cultural and social dislocation of the information age. The installation combined McLuhan’s content with visual animations constructed from the FBI files of Josephine Baker, J. Edgar Hoover and Walter Winchell. 47. Marshall McLuhan meets Josephine Baker was produced in collaboration with The Pulitzer Foundation of the Arts. PFA executive director Matthias Waschek worked closely with the Plaintiff on the installation. The concrete exterior walls of the museum were used for the projections. This required approval from the building’s architect, Tado Ando, since the museum’s exterior had never been used as a surface for a multimedia projection and because of certain contract design restrictions. The Plaintiff’s installation, because of certain contract design-alteration restrictions. Marshall McLuhan meets Josephine Baker was well attended and received. 48. Communications between the Defendant and Gentle Day were at a standstill during this period of contract execution. The Plaintiff had retained Eric Friedman to 17 manage property relocation issues relating to the Media Box development, but the Defendant would not allow Friedman to participate in property relocation. In his deposition Friedman was asked what discussions he had with Mr. Schoemehl about relocating Day: “A. We talked about this on a number of occasions because I came up with a location to relocate him that was for sale. It was six blocks north. And Vince said “I’ve got it covered” or something to that effect. And, you know, I said do you want me to pursue it. He said no, and then I think he called me back and said do you think that’s still available, I said yeah, do you want me to pursue it. He said, let me think about it or I’ll get back to you, and nothing ever happened.” THE POLITICAL FIRESTORM 49. One January 31, 2005, the St. Louis Post Dispatch published an article by Jake Wagman headlined Eminent Domain Takes Aim at Life’s Work. It highlighted the situation between GRAND CENTER and Gentle Day, the proprietor of Royal Auto Repair, Inc. The article mentioned the Plaintiff and the Media Box as “the project-building” that would be located at 3699 Olive Boulevard following the exercise of eminent domain. The article casts the Plaintiff and the Media Box as predatory entities, and anoints Gentle Day. Excerpts follow. “Every month for 20 years, Gentle “Jim” Day mailed his \$1,222.22 mortgage payment on his business, Royal Auto Repair. He finally paid it off last year. But now Day, the son of Arkansas sharecroppers, faces losing his land and business. An agency backed by the city is preparing to take Day’s business by eminent domain to make way for something called a “Media Box.” “Day developed a knack for engine repair while working on farms in Crawfordsville, Ark., where he grew up. He came to St. Louis as a young man for formal training as a mechanic. Before he bought Royal Auto Repair, Day worked jobs including on an assembly line at an envelope factory and in the kitchen of Uncle Bill’s diner.” “GRAND CENTER can approve or reject building designs, dispense up to \$80 million in tax incentives and acquire land by eminent domain. GRAND CENTER’s vision has the area becoming the “cultural soul” of the city, a residential and commercial district that will rival the Delmar Loop and Central West End. The vision does not include an auto repair shop.” 18 “The ‘Media Box’ is really the working title for the design studio piece of it,” Cohen said. Friedman is working with the city’s postmodern standard-bearer, an asbestos lawyer turned multimedia artist named Paul Guzzardo.” “After Day rejected the second offer, an arm of GRAND CENTER filed a lawsuit to have the property condemned. It is pending in St. Louis Circuit Court. Other property owners have sued Schoemehl and GRAND CENTER over tactics they consider heavy-handed and bullying.” “Day is waiting for his day in court. A hearing set for Jan. 18 was postponed to March 7. If Day and GRAND CENTER don’t settle, the court could condemn the land and set compensation for Day. “I sleep at night so I can defend myself from it,” Day says. “I try to have a nice sleep and a clear mind because every day I have to defend myself from this..” 50. Before publication of Wagman’s article, Vincent C. Schoemehl Jr. and other representatives of Grand Center and VSRC had directed media representatives to the Plaintiff for information about the Media Box project itself and about the legal actions being used to secure the property at 3699 Olive Boulevard. This created a false public impression that the Plaintiff was responsible for attempts to secure the property. 51. Schoemehl testified that he referred the press to Eric Friedman .” ..because I had talked to him (Jake Wagman) about relocation benefits and Eric is a -- an accomplished professional realtor and I was you know, I was hoping he could explain the process to Jake in -- in more precise terms than maybe I could.” This testimony was inconsistent with events that preceded. Schoemehl had excluded the Plaintiff and Friedman in negotiations with Gentle Day, and he rejected Friedman’s offer to provide relocation services for Day’s auto tire business. Eric Friedman testified in his deposition that he was completely shut out of the process. “Q. Earlier you mentioned some discussions with Vince Schoemehl about relocating Day’s business. What do you recall about relocating Day’s business? A. I suggested he allow me to help him In relocating Day because I grew up working at my father’s salvage yard on Cass and Jefferson which was, oh, I don’t know, maybe 12 blocks away. And I knew that area very well and I had some ideas about where he might be able to be 19 relocated to. And even more important than the location was the idea of how to structure the deal with Mr. Day to get him some additional business to make this a very attractive deal for Mr. Day, And I suggested that the first contact with Mr. Day, that I go to my father and we find somebody who is in the community who knows Mr. Day well who is an African American and we use that team to pursue this property in a way that will hopefully get the results we want and we’ll have somebody who can talk to him who comes from his community. Q. Okay. And what was the response you received from Mr. Schoemehl? A. “I’ve got somebody who does that work for us, a contractor who is hired to do this work, and he’ll take care of it.” Q. Okay. Do you know the name of the contractor? A. I don’t. I think it was some initials. Q. Do you recall any other details of discussions you had with Mr. Schoemehl about relocating Day? A. We talked about this on a number of occasions because I came up with a location to relocate him that was for sale. It was six blocks north. And Vince said “I’ve got it covered” or something to that effect. And, you know, I said do you want me to pursue it. He said no, And then I think he called me back and said do you think that’s still available, I said yeah, do you want me to pursue it. He said, let me think about it or I’ll get back to you, And nothing ever happened.” 52. Following publication of the Wagman article, Gentle Day became a local and national symbol for an alleged abuse of eminent domain by VSRC, its contractors and consultants, including Plaintiff. Mr. Day

appeared at a St. Louis City Hall rally, and met with local and regional government officials, including state legislators in Jefferson City, and Congressman Lacy Clay's Chief of Staff. Yard signs reading "no to eminent domain" appeared throughout the St. Louis metropolitan region. The outcry was further provoked by a national campaign centered on an eminent domain case before the United States Supreme Court. This case, *Kelo v. City of New London*, 545 U.S. 469 (2005), was the first major eminent domain case heard by the Supreme Court since 1984. It involved the use of eminent domain to transfer land from one private owner to another private owner for furtherance of economic development. 53. Alderman Michael Milkman, who sponsored the Tax Increment Blighting Analysis and Redevelopment Plan for the GRAND CENTER Redevelopment Area, was quoted in the newspaper as saying he was surprised to learn about Day's situation. "Had I 20 been aware of it," McMillan said, "I would not have supported the way it was done." In addition to the Alderman, Eric Friedman testified that Congressman Clay's office was also "very unhappy" about what was happening. 54. A series of emails between Vincent Schoemehl and Eric Friedman addressed the racial and the political fallout that was resulting from Mr. Day's and the press's condemnation of the Defendant Grand Center. The Plaintiff and Director Pulitzer were copied on some of these emails. 55. Plaintiff was labeled a "racist" and an "elitist" on multiple online blogs and articles following publication of the Wagman article. 56. The State of Missouri revised its eminent domain laws following a wave of public outcry over *Kelo v. New London*, the Defendant's mismanagement of the Gentle Day condemnation, and the imprudent use of eminent domain in the city of Sunset Hills. As part of this revision the state legislature created "The Office of the Ombudsman for Property Rights." This Office is officially charged with documenting the use of eminent domain within in Missouri and any issues associated with its abuse. CONTRACT TERMINATION AND THE BURNT CHURCH 57. On May 17, 2005 the Executive Board of GRAND CENTER met and voted to withdraw the Petition for Condemnation. When asked about this meeting in his earlier deposition Vincent Schoemehl testified: A. There was a national organization that came to town over the over the Day case that wanted to have demonstrations in GRAND CENTER. I mean, there was -- there was a lot of-- there was a lot of concern about this from a public relations standpoint. A...we made the decision to drop it. Q. Who was involved in that decision and when did that decision - I don't know the exact

- 21 Q. take place? A.date. I don't know the exact date, but it went ---1 did take that to the full Grand Center Board. Q. And was that after the publication of this -A.Yes. Q. Wagman article? A. It was after and we need to --you know, we need to just dismiss this case with prejudice. Q. Was a primary concern on behalf of the Vandeventer Redevelopment Board and the Grand Center Board adverse reputation, to the public. 58. Fifteen minutes after the May 17, 2005 meeting in which the Grand Center Executive Board voted to withdraw the Petition for Condemnation Schoemehl received a call from the St. Louis Post D also indicated that an alternative site for the Media Box needed to be found. Shortly after leaving the phone message Schoemehl sent the Plaintiff two emails regarding alternative -replacement Media Box pr was suggested by Vincent C. Schoemehl Jr. to Plaintiff, as an alternative location for the Media Box. The Defendant owned this property. The property is listed in Municipal Bond prospective as "The Spring Ch fire in April 2001, reduced the wooden interior and roof to ash. ----This ruin and the vacant plot sit directly across Spring Avenue from the new Cardinal 22 Ritter College Prep High School. In their current con rounding properties and provide an important greenspace in the District. It is anticipated that Grand Center, Inc. will retain ownership of the property and be responsible for its maintenance. It is anticipated that that the allowable amount of TIF Obligations: Urban Garden was \$ 280,000. Elsewhere in the enabling Ordinance the property is listed as a Series C Notes. Later ordinances show it as a Series D Note and s provided Plaintiff with site plans and architectural drawings of the burnt Church, and the adjoining lot. He asked his assistant, JoAnne LaSala, to work with Plaintiff to relocate the Media Box into this church. I testified that he was "willing to try to be cooperative with them to try to sustain the development of these ideas which I had been working on which I consider part of our national patrimony and put them in G



Media Box would need to be moved elsewhere in the district. APPROPRIATION OF THE PLAINTIFF'S PROPRIETARY DESIGNS 62. Immediately after dismissing the condemnation action the Defendant GRAND CENTER corporations engaged Sung Ho Kim and Heather Woofter of Axi: Ome llc as the "de facto in-house designers" for the district. They were charged with exploring how digital media might be applied to different locations in GRAND CENTER. Both individuals had worked as consultants for the Plaintiff on the Media Box. "The Urban Media Complex GRAND CENTER" was the first project they did for the District. The Urban Media Complex GRAND CENTER" was based on the Media Box and the Plaintiff's protocol. There was nothing new here, except the name. 63. Neither the GRAND CENTER Defendants nor their agents contacted the Plaintiff again until late December 2006, when Vincent Schoemehl sent the Plaintiff an email. Schoemehl sought the Plaintiff's assistance in designing a media-projection infrastructure for the GRAND CENTER district. Vince Schoemehl <vince@grandcenter.org> wrote: Paul: I would like to speak with you about a lighting/projection project in Grand Center. We've been given a fairly nice gift for new arts projects and this is one of the projects we'd like to propose to our committee. I'm looking for some help with technology specifications and some ideas on how to program this. We're looking at starting with projections onto several walls/surfaces in Grand Center and then as a second phase placing "art walls" on the superstructures on top of the Club Riviera Building and possibly the Fox and other buildings in the district. My office number is (314) 289-1502 and my cell is (314) 369-6630. Give me a call if you get a chance. Thanks and happy New Year!!! Vincent C. Schoemehl 64. The Plaintiff was asked about this email from Schoemehl in his deposition. Q. And was he contacting you about the Media Box in December 2006? 24A. He was contacting me about the media installations in Grand Center. He indicated that they were going to be moving in a two-stage process, all series of district projections, which would then lead to, you know, inserting projection infrastructures at multiple locations in the district. Q. In December of 2006 was there any discussion of potential locations for the original Media Box concept? A. No. No. It dealt with, in some respect, blowing up the Media Box into a series of fragments and forms which would then be, you know, snapped into place in Grand Center. 65. In response to Schoemehl's request the Plaintiff prepared an updated resume and a memorandum for the Defendants GRAND CENTER. In the resume he attached exhibits of additional projects and recent work. In his memorandum, the Plaintiff again detailed how digital media could be used and incorporated into the GRAND CENTER district. In a reply email VincentC.SchoemehlJr.wrote ..Paul:Thanks.this is perfect." After "this email message, the Defendant terminated all communication with the Plaintiff. 66. Subsequently and without the Plaintiffs authorization, the Defendant took the proprietary and confidential Media Box architectural concepts, program and content summaries from the planned Media Box project, and used these to design and program a series of GRAND CENTER projects - one temporary, the others permanent. The temporary project was installed in the burnt church. The permanent, built projects are located half a block from the original Media Box site, at 3651 - 3655 Olive Street. All of these projects have made use of the Plaintiffs proprietary and confidential designs. The Plaintiff received no compensation or acknowledgment for the plans he proposed to the Defendants in confidence. The projects with estimated budgets follow: 1) The Burnt Church Lamp Project: \$750,000 + dollars 2) The Nine Network for Public Media: 1 million dollars 3) The UMSL at GRAND CENTER: 14 million dollars 254) The Public Media Commons: 5 million dollars 5) The Art Walk : unknown 67. The GRAND CENTER Defendants have actively supported and encouraged its agents and stakeholders to incorporate proprietary Media Box protocols in these temporary and permanent projects. The GRAND CENTER Defendants have promoted, and continues to promote these projects as the frontline - the vanguard - of new media and public design. In none of the projects do the GRAND CENTER Defendant's acknowledge the Plaintiff, the use of his original Media Box protocol, or St. Louis's new media heritage. Descriptions of the hijacked projects follow, beginning with the burnt church. 68. The Community Light Project was sponsored by Pulitzer Foundation of the Arts, in collaboration with the GRAND CENTER Defendants. It was organized and presented in conjunction with the Pulitzer Foundation's exhibition Dan Flavin: Constructed Light, which ran from February 1, 2008 through October 4, 2008 inside the museum. Outside the building four GRAND CENTER installations comprised the Community Light Project. One of these, a multimedia projection titled Crystal World, was installed directly across the street from the original site planned for the Media Box. "The Lamp Project at Spring Church" involved the installation of lamps into a shell roof attached to the burnt church - the alternative site that the GRAND CENTER Defendants had offered the Plaintiff. 69. "The Lamp Project at Spring Church" ran from September 4, 2008 through October 17 of 2008. Two German light artists, Rainer Kehres and Sebastian Hungerer, installed several hundred donated lamps in a temporary shell ceiling to create a light 26"roof' for the church. Earlier in 2005 Kehres and Hungerer had exhibited a somewhat similar lamp installation at ZKM Museum of Contemporary Art in Karlsruhe, Germany - considered one of the foremost media arts exhibition venues in the world. The 2005 installation, Space Invaders drew international attention. It was exhibited in the same venue for a second time, from December 12, 2007 to February 24, 2008. ZKM announced the second Karlsruhe lamp installation on its website, and included hyperlinks to The Community Light Project. The success of previous installation during the ZKM special exhibition "Light Art from Artificial Light" in 2005/06 reached up abroad: the record number of visitors and especially the internationally publicized for light art exhibition catalog effected for the Karlsruhe artist an invitation to the "Pulitzer Foundation for the Arts "to St. Louis [U.S.] to a light art exhibition in September 2008, along with artists such as Dan Flavin, Spencer Finch and Kim Sooja. The Light Project, the participation of the artists in the exhibition Dan Flavin. Constructed Light, 01.02.04.10.2008, Pulitzer Museum, St. Louis [USA] Rainer Kehres, Sebastian Hungerer: 70. The Community Light Project was also heavily promoted in the United States. PFA Director Matthias Waschek wrote the forward to the Light Project's promotional brochure, which did not mention either the Plaintiff or St. Louis's new media heritage mentioned. This following excerpt is from the brochure: With The Light Project the Pulitzer Foundation for the Arts spills beyond it's walls for the first time. Grand Center is literally illuminated by four artworks, each of which is conceived by an artist (or artist team) with international visibility, curated under the auspices of an institution based in St. Louis and invested in this neighborhood. Conceptually, the Pulitzer's exhibition Dan Flavin: Constructed Light pointed the way. After sunset surreal beams of florescent color emanate from the Pulitzer's window and bounce off the water-court toward the south, creating between the Pulitzer and its neighborhood an immaterial but palpable bond. In a given setting one may perceive in light anything from basic safety to sublime spirituality. Its meaning lies very much in the context. Some of the artists invited to participate in The Light Project take light's site specific meanings as ancillary effects, others engage them directly, even playfully. The total effect of The Light Project is, like light itself, difficult to pin down. Though the project is ostensibly on view for only six weeks. If it is successful, it will be outlived by memories that generate a new sense of what Grand Center can be. For this reason it is my pleasure to thank a great many people: the artists Spencer Finch, Sebastian Hungerer, Rainer Kehres, Ann Lislegaard, and Jason Peters, for their willingness to set our neighborhood aglow; the curators Robin Clark, Laura Fried, and Matthew Strauss, for their efforts and expertise; our 27 partnering institutions the Contemporary Art Museum St. Louis, Saint Louis Art Museum, and White Flag Projects,for their involvement, and individuals and enterprises too numerous to be named here, for their generous support. 71. "The Lamp Project at Spring Church" required that extensive structural repairs be made to the church before any lamps could be installed. The Executive Committee of GRAND CENTER met on March 15, 2007, "to take care of the problem." The minutes state that Director Pulitzer made a motion to approve a resolution authorizing a loan from the Illinois Facilities Fund in the amount of \$750,000 to fund the stabilization and development of the burnt church property located at 620 North Spring. The burnt church was pledged as security for the loan. The motion passed unanimously. The chairman of the meeting was Don Lents, the chairman of Bryan Cave LLP. , the Defendants' Bond Counsel. 72. Upon the best of our knowledge information and belief, the GRAND CENTER directors at the March 15, 2007 discussed the Plaintiff, the Media Box, and the lighting/projection project which Schoemehl had recently sought the Plaintiffs design and programming assistance. This discussion, however, was not put into the minutes. The minutes of this meeting are attached hereto and incorporated herein, marked as Exhibit B. 73. The loan documents indicate that the church was to be used as the Phoenix Art Forum. In a May 31,2007 correspondence to GRAND CENTER, the lender, the Illinois Facilities Fund wrote, "Congratulations on the completion of your project, funded with a loan from IFF. It is a pleasure partnering with you as you seek to meet the needs of those less fortunate." The Church, however, has only been used once since the loan's disbursement and church stabilization, and that was for the PFA-sponsored "The Lamp Project at Spring Church." " 74. Construction began on the permanent infrastructure projects shortly after the completion of "The Lamp Project at Spring Church." Former

Media Box consultants Sung Ho Kim and Heather Woofter - principals in the architecture and design firm Axi:Ome - designed The Nine Network for Public Media and UMSL (University of Missouri St. Louis) at GRAND CENTER. They also did preliminary conceptual design studies for Public Media Commons. Axi:Ome is currently working on The Art Walk, a fourth project. Descriptions of the four permanent projects follow. Two are completed, one is in construction, and one is in the design phase. These descriptions and projects summaries are taken from press releases and promotional video created by the GRAND CENTER Defendants' and their agents. They demonstrate how far the Defendants have gone to appropriate not only Media Box content, but - in some instances - the actual language used by the Plaintiff to describe and promote the Media Box. BUILT: THE NINE NETWORK FOR PUBLIC MEDIA Excerpts from a transcript: Public Broadcasting System ceremony announcing the Nine Network for Public Media Paula Kurger. the President and CEO of National PBS: "It is very exciting to be here. I think what defines public broadcasting is their commitment to localism and engaging in local communities. As I travel around the country there are a handful of stations, the really do sit at the leading edge of what public broadcasting should be, and that is KETC. So it is exciting to see this new initiative move forward to create a physical space where the community can come together can embrace new technology and look at ways to serve St. Louis. And I will be looking at this as a model as we roll out our work across the country." Jack Galmiche President and CEO of the local St. Louis PBS - KETC TV: ". . .with us is Heather Woofter who is the architect and designer along with Sung Ho- they are a team of architects out of Washington University. And it was our hope that this space would appeal to the youth of our community. And because you works so closely with youth- it was partly your vision that allowed us to create a space will be welcoming to the youth of our community." Heather Woofter of Axi:Ome : "And I think that is what really motivated us in the work. We started to think about network and communication being one of the critical issues in the project. And we tried to carry that out spatially within the environment." "So I think we've tried to maintain some of the inspiring words that we heard from Jack regarding communication and network. And work that into an idea of how to build a community in a particular space." BUILT: UMSL at GRAND CENTER 29 A selection of press releases, and excerpts from a transcript of a St. Louis on the Air interview of June 18, 2012. Program Guests were Tim Eby, director and general manager at St. Louis Public Radio 190.7 KWMU - NPR in St. Louis, Vince Schoemehl executive director of GRAND CENTER, and Sung Ho Kim and Heather Woofter of Aix:Ome PRESS RELEASES On display will be the newly-equipped, high-tech studios and offices of St. Louis Public Radio with its monochromatic white walls and furnishings. UMSL's classrooms with the latest computers, projectors, editing rooms and offices focus on the study of new and digital media. The ground floor contains the Monsanto Community Education Center. It will feature the studios and offices of St. Louis Public Radio 90.7 KWMU and classrooms for the rapidly expanding field of new media: Design architects are Heather Woofter and Sung Ho Kim of Axi: Ome LLC. St. Louis Public Radio and the University of Missouri St. Louis broke ground on a three-story building will feature more studios, more space for additional staff. Heather Woofter is a partner at Axi: Ome, the company that designed the structure. She said one of the guiding design principals was to create an inviting structure which is open to the public. "The building is meant to be open and transparent," Woofter said. "Grand Center was typically 'closed' if you will. One of the directives was that the media component be open to the community and the environment," she said Digital Media Studies-The Creative Spark for Tomorrow's World- 1.1 billion Internet users. 2.5 billion cell phone users. 200 million social network users. Tomorrow's communication professionals will need to explain, interpret, and inspire their world using digital media with proficiency and flair. UMSL's nationally recognized Communication Department will offer courses designed to prepare students to identify, evaluate, select and design effective strategies and technologies for communicating in various contexts. The digital media program will take advantage of its proximity to public radio; television and digital news outlets to provide students with practical hands-on experience in their chosen major with media professional. June 18.2012 St. Louis on the Air Eby 3:25 UMSL at GRAND CENTER - The University of Missouri St. Louis at GRAND CENTER- that is one of the exciting features of this building is how it really does integrate the region's public radio station with the region's major public university. And we have thee classrooms in this building, we have a meeting space for the university to hold meetings and seminars and it is very closely intertwined with our space as well and I think that is going to create a true synergy. Eby 5:35 I think that Sung Ho and Heather described that so well when they came up with the vision of what this vision looks like. To take advantage of where we are located right here in the heart of GRAND CENTER. Woofer 8:00 We were also thinking about the building as a threshold into GRAND CENTER and connecting with Lindell and Saint Louis University, Channel Nine and also all the art institutions that are in this area. Woofer 12:50 (the newsroom) have wonderful views of the Media Commons so when there are events that start to happen adjacent to building that the newsroom will be front and center and be able to witness all the activities. Eby 15:20 The primary academic unit at USML that is involved is the College of Fine Arts and Communications. They are actually going to have a faculty person staying that is going to be teaching digital media and new media. Woofer 17:25 30...thinking about the events that would happen in the media plaza and how the dark skin of the building and the quality of glass could let the interior move out into the plaza area so that it feels like the public space is coming into the building. Woofer 20: 30 One of the beginnings of this project was working with an architect and friend of ours Aaron Novak. He asked us a question what lot do you think has the most potential in the city. That initiated a series of conversations with the leaders of GRAND CENTER. That was a few years before UMSL committed to coming to this site. So there are really phenomenal people in GRAND CENTER that lead the conversation on how this project might evolve. Eby 22:40 It is creating this hub of public media. And with the public university part of USML down here. There is now where else in the country. There is nothing like this anywhere in America. Schoemehl 29:00 Pound for pound we have a greater cultural offer than any community in this country, and I mean any community, including New York. Schoemehl 31:25 We think the opportunity to introduce a collaboration among the public media in this community with all of these arts organizations is really going to accelerate the success of not only the organizations themselves but of the community as a whole. Eby One of the things that we have been talking about is projected videos. They are going to re-skin the wall of the 9 Network Building so we can have project video that actually comes from our rooftop down on to the side of the Nine Network. and to commission films that could actually be played there, along with having an LED screen on the back of the Sheldon. 39:31 Schoemehl I cannot overstate the impact that this public media commons is going to have wait till you see that. 48:53 UNDER CONSTRUCTION: PUBLIC MEDIA COMMONS Excerpts from transcripts: Transcription 10-30-2012 Ground Breaking Ceremony Jack Galmiche President and CEO of St. Louis PBS - KETC TV : The public media commons that we break ground today will be a Grand Center destination. a St. Louis destination and a powerful expression of how we envision the future of public media. It will in fact be the only place in the country where the arts education and public media come together in an interactive outdoor space specifically designed to engage people in the cultural life of our community. We envision and energetic space that attracts and engages people of all ages and in this space will be performances stages, multiple seating areas, green spaces, interactive technology. large screen projections on the east wall of the Nine Network building and behind us on the south wall of the Sheldon. The possibilities of this space are boundless. We envision this space to the public media commons will entertain you. And will be entirely different each time that you come. Promotional Video - St. Louis PBS - KETC TV: What if in the very heart of St. Louis there were a world class urban space comparable to Chicago's Millennium Park. Rockefeller Center and Lincoln Center. What if it were possible to assemble a team of the world's greatest designers to create that space. It is possible. Today plans are underway to create a public space in the heart of Midtown St. Louis. Unlike any other in our region or the nation. A media commons bringing our community together through the power of public media. The commons design and construction is lead by an internationally acclaimed team of urban planners, architects, landscape specialist, designers and media consultants. 31 The Commons will serve as the focus of the districts creative energy as well as a showcase and incubator for artistic expression. For the past century Mid Town St. Louis has been the center of culture in St. Louis. The new age of digital technology offers pathways and platforms that enable us to connect with each other and our environment in ways we never dreamed of possible. The Commons will take the experience of community to new heights drawing us together and encouraging us to share our thoughts and experiences. Giant screens will cover the east wall of the Nine Network and the south wall of the Sheldon Concert Hall. Providing and ever changing array of immersive visual and aural experiences. Visitors will inter-



WALK Sung Ho Kim and Heather Woofter were interviewed by Liam Otten, Art News Director of the Washington University in St. Louis News Room. Q&A: Sung Ho Kim and Heather Woofter: Architects discuss - Well, it encapsulates ideas we've been talking about for years. We were asked to do the conceptual design, as part of a grant from the National Endowment for the Arts, but a lot of big logistical questions is the vision for Art Walk? What's the problem it solves? Sung Ho Kim - Connectivity. Right now, it's hard for pedestrians to move through the area - it has all these barriers. So, how do you cue people? How at Saint Louis University, cross Lindell Boulevard to the SLU Museum of Art, then come along the Scottish Rite Cathedral and into the media plaza between the UMSL and Channel Nine buildings. From there, proposing a series of interventions. Each would have a design distinction that would recognize the unique identity and perspective of each institution, but there'd also be some continuity between them. The Art Walk? A. Art Walk is GRAND CENTER is developing an Art Walk and we are designing the streetscapes. Q. With which agency are you working with from the Art Walk project? A. GRAND CENTER, Pulitzer ct? A. Design the public spaces. Q. And about how much money is that going to entail? A. Nobody knows. Q. In terms of fees? A. Oh, fees? It was a fixed fee of \$75,000. 32 Q. Has that been paid already? permanent projects described above do not acknowledge St. Louis as a new media heritage site. The press releases, interviews, video promotions, and the radio segments are silent. They never mention the her- a Complaint with the Office of The Chief Disciplinary Counsel on March 2, 2011. The Complaint was filed against Alan Pratzel, The Chief Disciplinary Counsel of the State of Missouri. Prior to assuming his po- Media Box contract, and attended the March 15, 2007 meeting of the GRAND CENTER Executive Committee. On receipt of the Plaintiff's Complaint, the Office of The Chief Disciplinary Counsel referred the

76. The TIF enabling ordinance required that VANDEVENTER SPRING REDEVELOPMENT CORPORATION have eight directors, and the State of Missouri, in 2011 required that Missouri corporations file an annual list of officers and directors. When the Plaintiff filed the Complaint with the Office of The Chief Disciplinary Counsel on March 2, 2011 there were eight directors listed for VANDEVENTER SPRING REDEVELOPMENT CORPORATION. The same eight individuals were also listed as 33 directors for CITY CENTER REDEVELOPMENT CORPORATION. On June 1, 2011, three month after the filing of the Complaint with the Office of The Chief Disciplinary Counsel, the Secretary of State sent Vincent C. Schoemehl Jr. in his capacity as a registered agent a notice advising that the officer and director list of VANDEVENTER SPRING REDEVELOPMENT CORPORATION and CITY CENTER REDEVELOPMENT CORPORATION had not been filed. The notice advised Schoemehl that the two corporations would be administratively dissolved if these documents were not filed by July 1, 2011. The officer and director lists were subsequently filed, and filed on the last possible day. The overdue 2011 filings list three directors for CCRC, and three for VSRC. With the exception of Vincent Schoemehl, all the CCRC and VSRC directors who served between 2005 and 2010 stepped down shortly after the filing of the Complaint with the Office of The Chief Disciplinary Counsel. At present, and in violation of the TIP enabling ordinance, five VSRC directorships remain vacant. COUNT 1 BREACH OF CONTRACT NOW COMES Plaintiff and for Count 1 of his Petition against Defendants' GRAND CENTER, INC., a Missouri corporation; VANDEVENTER SPRING REDEVELOPMENT CORP., a Missouri corporation; CITY CENTER REDEVELOPMENT CORP., a Missouri corporation; states as follows: 77. Plaintiff incorporates and re-alleges Paragraphs 1 through 76 of his Petition, as if fully set forth herein. 34 78. A valid Option Contract, marked Exhibit A, and attached hereto existed between Plaintiff and Defendant VSRC, signed by both the Plaintiff and Defendant VSRC's president, Vincent Schoemehl, Jr. 79. The Option Contract required Defendant VSRC to deliver marketable title to the Plaintiff. 80. The Option Contract granted the Plaintiff the right to purchase the said property and develop the Media Box, with plans subject to Defendant GRAND CENTER's approval. 81. VSRC and its representatives had a duty to exercise reasonable, good faith efforts to acquire 3699 Olive Boulevard, and to exercise good faith in using eminent domain to do so. 82. The Option Contract required both parties to cooperate with each other to carry out their respective obligations under the Option Contract. 83. Defendant failed to conduct good faith negotiations to acquire 3699 Olive Boulevard. 84. Defendant failed to exercise good faith in the use of its eminent domain powers by failing to offer Gentle Day a fair price for his land or a suitable alternative location, in violation of the provisions of the GRAND CENTER Tax Increment Blighting Analysis and Redevelopment Plan. 85. As a direct result of Defendant VSRC's failure to conduct competent and

good faith negotiations under the Option Contract, or effectively acquire 3699 Olive Boulevard, by eminent domain, Defendant was not able to deliver marketable title thereto 35 and breached the Option Contract. As a result of these failures, the Plaintiff was unable to build the Media Box as provided in said Option Contract. 86. The Plaintiff was damaged by the loss of fees, payments, and earnings to which he was entitled pursuant to the Option Contract. WHEREFORE, Plaintiff, Paul Guzzardo, prays that this Honorable Court enter judgment in his favor and against Defendants, GRAND CENTER, INC., VANDEVENTER SPRING REDEVELOPMENT CORP., and CITY CENTER REDEVELOPMENT CORP. for compensatory damages in the amount in excess of \$25,000.00 plus costs of suit, and for such other and further relief as may be just and proper. COUNT 2 BREACH OF CONTRACT NOW COMES Plaintiff and for Count 2 of his Petition against Defendants' GRAND CENTER, INC., a Missouri corporation; VANDEVENTER SPRING REDEVELOPMENT CORP., a Missouri corporation; CITY CENTER REDEVELOPMENT CORP., a Missouri corporation; states as follows: 87. The Plaintiff incorporates and re-alleges Paragraphs 1 through ___8___ of his Petition, as if fully set forth herein. 88. The Option Contract required Plaintiff to deliver to Defendant "architectural concepts, financial feasibility study, and prospective program and content summary" for the Media Box project during the Option Period. 89. The Plaintiff delivered the required documents during said Option Period. Documents delivered included a series of memoranda describing the Media Box and the Media Box protocol. At the Defendants' instruction and request, some of this content was 36 presented to the GRAND CENTER agent-stakeholders: Saint Louis University, the Pulitzer Foundation of the Arts, and the Contemporary Art Museum St. Louis. 90. The Option Contract required that Defendant treat all referenced documents as proprietary and confidential, and that the Plaintiffs Media Box protocol would be proprietary and confidential. 91. The Light Project installations in the burnt church, the Nine Network for Public Media, UMSL at GRAND CENTER, the Public Media Commons in GRAND CENTER, and the Art Walk have all made use of the Media Box protocol. This unauthorized use is in violation of the proprietary and confidential provisions of the Option Contract. 92. The Plaintiff received neither compensation nor acknowledgment for the plans he proposed to Defendants in confidence for use in the burned out church, The Nine Network for Public, UMSL at GRAND CENTER, the Public Media Commons in GRAND CENTER, and the Art Walk. 93. Appropriation of Plaintiffs proprietary and confidential designs, by Defendant GRAND CENTER and Defendant's agent's is a clear violation of the Plaintiffs proprietary and confidential interests and a willful breach of the Option Contract. WHEREFORE, Plaintiff, Paul Guzzardo, prays that this Honorable Court enter judgment in his favor and against Defendants, GRAND CENTER, INC., VANDEVENTER SPRING REDEVELOPMENT CORP., and CITY CENTER REDEVELOPMENT CORP. for compensatory damages in the amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) plus costs of suit, and for such other and further relief as may be just and proper. 37 COUNT 3 NEGLIGENCE NOW COMES Plaintiff and for Count 3 of his Petition against Defendants' GRAND CENTER, INC., a Missouri corporation; VANDEVENTER SPRING REDEVELOPMENT CORP., a Missouri corporation; CITY CENTER REDEVELOPMENT CORP., a Missouri corporation; states as follows: 94. The Plaintiff incorporates and re-alleges Paragraphs 1 through ___9-3___ of his Petition, as if fully set forth herein. 95. The Option Contract and Defendants' initiation of eminent domain proceedings as aforesaid on Plaintiffs behalf, created a duty that Defendants exercise reasonable care in their actions dealing with the Days. 96. Prior to the publication of Jake Wagman's article on January 31, 2005, in the St. Louis Post Dispatch, Mr. Wagman contacted Vincent C. Schoemehl Jr. to inquire about the eminent domain proceedings on the 3699 Olive Boulevard property. Vincent C. Schoemehl disclosed and provided the Plaintiff's name to Mr. Wagman and to the public at large. Schoemehl directed Wagman to contact Plaintiff about the Media Box and the methods being used to obtain the property, thereby creating a false impression that the Plaintiff was responsible for the attempts to secure the property from Gentle Day and Royal Auto Repair, Inc. 97. Schoemehl's actions in this regard violated his duty to exercise reasonable care in the performance of his obligations under the Option Contract. 98. Jake Wagman's "hit and run" article heavily criticized the Plaintiff and falsely identified him the party responsible for the eminent domain actions against Gentle Day. 38 99. After Vincent C. Schoemehl and representatives of GRAND CENTER and VSRC publicly disclosed the Plaintiff's identity and association with the Media Box project, no attempt was made to publicly clarify or correct misinformation that falsely identified the Plaintiff as a person who was responsible for the attempts to secure the property of Gentle Day and Royal Auto Repair, Inc. 100. Neither Schoemehl nor any other representative of the Defendants informed Mr. Wagman that the Plaintiff had no involvement with the actual eminent domain action against 3699 Olive Boulevard, was not involved with any negotiations to purchase the property from the Days and Royal Auto Repair, Inc., and that the Gentle Day - GRAND CENTER negotiations preceded the Plaintiff's option contract. 101. As a direct and proximate result of Defendants' failure to exercise reasonable care, Plaintiff was labeled a "racist" and an "elitist" in multiple online blogs and articles. 102. As a direct and proximate result of the GRAND CENTER Defendants' failure to exercise reasonable care which caused racial accusations and adverse publicity against the Plaintiff and the Media Box, Plaintiff was removed from the Board of Directors of the Humanities Instructional Television Educational Center. 103. As a direct and proximate result of the GRAND CENTER Defendants' failure to exercise reasonable care, which caused racial accusations and adverse publicity against the Plaintiff and the Media Box, the Plaintiff was excluded from participating in two downtown St. Louis public media projects: the St. Louis Old Post Office Plaza and the Gateway Mall Expansion. 104. As a result of Defendants failure to exercise reasonable, good faith efforts to acquire the property and failure to exercise good faith in its use of eminent domain, the 39 Plaintiff's reputation was damaged. He was the subjected to accusations of racism and adverse publicity. He was excluded from projects outside the GRAND CENTER district, and he missed creative, commercial and business opportunities. 105. As a direct and proximate result of the GRAND CENTER Defendants' failure to exercise reasonable care the Plaintiffs professional reputation has been irreparably damaged. The Plaintiff has suffered emotional distress and has missed commercial and business opportunities to advance his research in the fields of public media and urban design, all to his damage in an amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00). WHEREFORE, Plaintiff, Paul Guzzardo, prays that this Honorable Court enter judgment in his favor and against Defendants, GRAND CENTER, INC., VANDEVENTER SPRING REDEVELOPMENT CORP., and CITY CENTER REDEVELOPMENT CORP. for compensatory damages in the amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) plus costs of suit, and for such other and further relief as may be just and proper. COUNT 4 Tortious Inference with Contract and Business Relations NOW COMES Plaintiff and for Count 4 of his Petition against Defendant EMILY PULITZER states as follows: 106. Plaintiff incorporates and re-alleges Paragraphs 1 through ___10___ of his Petition, as if fully set forth herein. 107. Defendant Emily Pulitzer is the widow of Joseph Pulitzer Jr. Joseph Pulitzer Jr. was chairman of the Pulitzer Media Company, and chairman of the board responsible for awarding the Pulitzer Prize. He was also known for his contemporary art collection, 40 regarded as one of the largest and finest in the world. At the time of his death in 1993, Joseph Pulitzer Jr. was on the GRAND CENTER Inc. board of directors. 108. Defendant Emily Pulitzer became a director of GRAND CENTER Inc. in 1994. She has continued to serve as director up to the present. She became a director of CITY CENTER REDEVELOPMENT CORPORATION and VANDEVENTER SPRING REDEVELOPMENT CORPORATION in 2005. She served continuously as a director for those two GRAND CENTER Corporations until she stepped down in 2011. Since 1994 has served on various Defendant committees: these include nominating, land use master plan, and executive committees. 109. Plaintiff is an attorney licensed to practice law in the State of Missouri. On April 29, 2013, after repeatedly requesting his attorney to depose Emily Pulitzer in Cause No. 0922-CCOI036, the Plaintiff filed a notice to depose her. The Plaintiff took her deposition on June 21, 2013. She was represented in her deposition by the office of Bryan Cave LLP. 110. Defendant Emily Pulitzer was asked about the following in her deposition: the 3699 Olive Boulevard condemnation action, the installation that the Plaintiff projected onto her museum, her newspaper's publication of Eminent Domain Takes Aim at Life's Work, the political and racial upheaval that this article provoked, the termination of the Media Box contract, the \$750,000 church stabilization loan, the Lamp Project at Spring Church, her relationship with the Axi:Ome principals Sung Ho Kim and Heather Woofter, the GRAND CENTER district as a new media heritage site, her directorships on the boards of the Defendant GRAND CENTER corporations, the dates of her 41 resignations from these boards and the reason for her resignations. Her responses, which follow, are evasive, indifferent, riddled with memory gaps, and almost disdainful. 111. Defendant Emily Pulitzer was asked about her newspaper's publication of Eminent Domain Takes Aim at Life's Work. Q. After the publication were there any meetings at GRAND CENTER dealing with this Post Dispatch story regarding the Gentle Jim Day property? A. There may have been." 112. Pulitzer was asked about an email exchange between Vincent Schoemehl and Eric Friedman, which discussed the racial and political fallout that the Post Dispatch story on the Day condemnation provoked. Pulitzer was copied in this email thread. The emails mention that Gentle Day had been invited to the meet with members of the Missouri Legislature in Jefferson City. The email exchange reports that Day met with the Chief of Staff for Congressman Lacy Clay, the Congressman for the GRAND CENTER District. The emails note the Congressman expressed his concern, and asked to be kept informed of all developments. Q. "Were you aware of any contact that Michael McMillan or Lacy Clay had with GRAND CENTER regarding this matter?" A. "no." 113. Defendant Emily Pulitzer was asked about the May 17, 2005 GRAND CENTER Executive Board of meeting decision to terminate the Gentle Day condemnation suit, and about the recommendation to find an alternative site for the Media Box. Q. Let me direct your attention to two paragraphs, the paragraph where it states "A St. Louis auto mechanic whose repair shop was targeted for acquisition to make way for a "Media Box" will get to keep his land after all. The board of directors for Grand Center Development Agency that presides over the cultural district of the same name voted to drop its eminent domain suit against Gentle Jim Day, owner of Royal Auto Repair." Were you --did you participate in the meeting and the vote to drop the condemnation action? A. I don't remember. Again, it would be a matter of record that I followed his recommendation to drop the eminent domain suit against Day. Other Grand Center sites will be scouted for the proposed building, he said." Did you participate in any discussions with Vince Schoemehl and Sung Ho Kim and Heather Woofter, GRAND CENTER's "de facto in-house design firm." Q. How would you describe your relationship with Sing Ho Kim and Heather Woofter? A. When? Q. Currently. A. They're friends and either prior to or subsequent to that, Emily Pulitzer and -- and Sung Ho Kim and his wife, Heather Woofter (sic), have become -- Woofter have become pretty good friends." Sung Ho Kim in his deposition testified that the Plaintiff projected onto the exterior walls of the Pulitzer Foundation of the Arts museum building. She was presented with Group Exhibit 7: emails between the PFA executive director 43 Matthias Waschek and the Plaintiff. Q. Were you aware that there was a projection done on the Pulitzer Foundation of the Arts museum building? A I wasn't there. Q. Were you aware that there was a projection done on the Pulitzer Foundation of the Arts museum building? A. Yes. Q. Waschek might be contacted? A He's the director of the Worcester Art Museum in Worcester, Massachusetts. Q. Thank you. (plaintiff's Exhibit 7 was marked for identification.) (Guzzardo) Let me present you with either orally or written summaries regarding the nature of this projection project? A No. Q. Do you recall any discussions with Matthias or Vince Schoemehl regarding this installation? A I don't recall the installation. Q. Oh, it's been used frequently. In an email to the Plaintiff dated November 09, 2004, Waschek wrote, "I will give Emmy the complete dossier on your project. So will have to wait until 1 get the information." Q. Defendant Emily Pulitzer was asked about Marshall McLuhan and Father Walter Ong. She feigned disinterest in these men, and the new media heritage site where she built her museum. A. I'm specifically responsible for the media and communications heritage of St. Louis University's theorists Marshall McLuhan and Father Walter Ong. At the time of the contract were you familiar with Marshall McLuhan and Walter Ong? A. I never met either of them. 44 Q. Were you aware of their writings? A. I was aware that they had written. I have not read their writings. Q. Were you aware of the role of Marshall McLuhan and Father Walter Ong in the study of media art and communications? A. Yes. Q. Okay. Did you have any occasion to discuss the role of these individuals with Vincent Schoemehl and the impact they would have on Grand Center? A. I don't remember. Q. Did you have any conversations with Vincent Schoemehl about Marshall McLuhan and about the writings of Marshall McLuhan? A. I doubt it. Q. Did you have any conversations with your former, 1 believe it would have been executive director of PFA, Matthias Waschek --is that how you pronounce his last name? A. Yes, yes. Q. --regarding Marshall McLuhan or Father Walter Ong? A. I doubt it. 117. In her deposition, Pulitzer was presented with three exhibits that referenced the post condemnation! Media Box events. Deposition Exhibit 11 was the January 2007 email thread between the Plaintiff and Vincent Schoemehl, in which, at Schoemehl's request, Plaintiff updated his resume and provided a summary proposal for the all-district lighting program. Deposition Exhibit 12 consisted of the minutes of the March 15, 2007 GRAND CENTER



executive committee meeting. Deposition Exhibit 13 was an architectural proposal for stabilizing the burnt church from architects Skibbe Uhlig, Inc. When asked about Exhibit 11, Ms. Pulitzer said she had not seen it. When shown the March 15, 2007 executive committee meeting minutes, and asked who had made the motion to enter into the loan with lender to stabilize the church, she answered that she had. When asked if that meeting had included any discussion about the Plaintiff, the Media Box, and the burnt church as a potential and alternative site for the Media Box, she testified "I don't think so." When asked if the loan had been repaid in full, she said she did not know. She was then presented with Exhibit 13, which addressed the church 45 repair. It is captioned, "re: proposed transformation for: Phoenix Art Forum 620 Spring Avenue St. Louis Mo." She was asked if she was "familiar with the term the Phoenix Art Forum?" She answered no. 118. Defendant EMILY PULITZER was asked in her deposition to describe the mechanics of installing the "Burnt Church Lamp Project" and the other Community Light Projects that the PFA sponsored. She testified: "We went to three curators in St. Louis; Robin Clark who was the contemporary curator at the St. Louis Art Museum, Matt Strauss who heads White Flag, and the curator at the Contemporary Museum. Our feeling was that we were not familiar with young artists' work and they were, and we asked them each to nominate artists for this project. And Robin Clark of the St. Louis Art Museum suggested Ann Lislegaard who had a projection on our back wall of a video she had made and Sebastian Hungerer and Rainer Kehres from Germany who did the Burnt Church project." Asked when she decided to install the Community Light Projects, she testified that it was after the Dan Flavin Constructed Light exhibition was installed at the PFA. The Flavin exhibition opened February 1, 2008. Only after that did she decide to install the other light projects. A. The Flavin exhibition came first, and the idea for the Constructed Light project came because the natural light, which normally flows into our building, what was occurring at night was the light from the Flavin installation was flowing out. And that provided the idea that we would commission light projects in the Grand Center area from younger artists. Q. Just for clarity, so the Dan Flavin exhibition had been installed A. Correct. Q.--in the PFA? A. Correct." 119. The final line of deposition questions directed to the Defendant Pulitzer involved GRAND CENTER directorships. She was asked if she had been a director of CITY CENTER REDEVELOPMENT CORPORATION and VANDEVENTER SPRING



of State, which list her as a director of both corporations from 2005 through 2010, she acknowledged that she was a director. Asked why she was not listed in the filings for 2011 and thereafter, she indicated the board of Vandeventer-Spring Redevelopment Corporation at that time? A No. Q. Were you on the board of City Center Redevelopment Corporation at that time? A No. MR.. GUZZARDO: Let's do this as purports to be a series of filings with Secretary of State Robin Carnahan for 2006 and 2007 of Vandeventer-Spring Redevelopment Corporation and City Center Redevelopment Corporation. If you just take a er? A I didn't recall I was on it. Q. Do you have any recollection on your current status as it applies to City Center Corporation A I don't think I'm a member. Q. --or Vandeventer-Spring, okay. Do you have any ND CENTER to breach the contract, rendered the contract performance impossible, and blotted out the Plaintiff and his design protocol from GRAND CENTER, and elsewhere in the City of St. Louis, all to the as two powers. It can take your body or your property. Day's tire shop was across the street from her park, a little gem that she designed. But like any "sovereign" this collector needed a public use rationale. scrubbed his name off, and blotted out the Marshall McLuhan and Walter Ong heritage marker. It was easier to grab hold of Axial. And it was even easier to get a loan. 121. Defendant Director Pulitzer has vio benefit. WHEREFORE, Plaintiff, Paul Guzzardo, prays that this Honorable Court enter judgment in his favor and against the Defendant Emily Pulitzer, for compensatory damages in the amount in excess of Business Relations NOW COMES Plaintiff and for Count 5 of his Petition against Defendant WASHINGTON UNIVERSITY ST. LOUIS, a corporation, states as follows: 122. Plaintiff incorporates and re-alleges t is the recipient of hundreds of millions of 48 dollars in federal research and development funds. The University is made up of seven graduate and undergraduate schools, one of which is the Sam Fox School n Colangelo is the Dean of the Sam Fox School of Design and Visual Arts. 124. As professors in The Sam Fox School College of Architecture Sung Ho Kim and Heather Woofter are employees of Defendant Washington University St. Louis. Defendant WASHINGTON UNIVERSITY ST. LOUIS through its agents Kim and Woofter intentionally induced GRAND CENTER to breach the Plaintiffs contract, rendered the contract performance impossible, and further tortiously interfered with Plaintiffs business relations elsewhere in GRAND CENTER and the City of St. Louis all to the damages of the Plain-tiff. Sung Ho Kim and Heather Woofter were acting within the scope of their employment when they harmed the Plaintiff. They did this to benefit Defendant WASHINGTON UNIVERSITY ST. LOUIS, and Defendant WASHINGTON UNIVERSITY has benefited materially from Sung Ho Kim's and Heather Woofter's conduct. 125. In 2002 Sung Ho Kim was appointed an assistant professor at the Sam Fox College of Architecture, and in 2008 he became a tenured associate professor in that college. Heather Woofter became an assistant professor in Sam Fox The College of Architecture in 2004, and in 2008 she became a tenured associate professor of architecture in 2008. Currently, Woofter is the Chair of the Graduate School of Architecture & Urban Design at Defendant WASH-INGTON UNIVERSITY IN ST. LOUIS. Sung Ho Kim and Heather Woofter are the professional partners of Axi:Ome 49 LLC, a design studio located in St. Louis. Axi:Ome has been in operation since 2000. Kim and Woofter are husband and wife. 126. Defendant Washington University St. Louis actively aided Kim and Woofter in an ongoing campaign to erase any mention of the Media Box, to exclude the Plaintiff from GRAND CENTER development and programming, and to efface and expunge any acknowledgment of St. Louis as an American new media heritage site. Through its media public relations unit Defendant Washington University St. Louis has promoted Kim and Woofter's completed and ongoing work for GRAND CENTER. The Defendant University Washington Uni-versity St. Louis has done this to build "the Wash U Brand," and to bolster the Sam Fox School's reputation as a leading edge, vanguard architectural and urban design institution. The Defendant University has also done this in order to establish PXSTL. PXSTL is a collaborative project with the Pulitzer Foundation of the Arts. 127. PXSTL is a design-build competition collaboratively organized by the Pulitzer Foundation for the Arts and the Sam Fox School of Design & Visual Arts. PXSTL's venue is the GRAND CENTER lot across the street from the Pulitzer Museum, which is owned by the PFA. PXSTL was launched in March 2013, the same month that Sung Ho Kim was deposed in the earlier lawsuit. The Defendant Washington University St. Louis News Room issued the follow-ing press release about PXSTL. The Pulitzer Foundation for the Arts and the Sam Fox School of Design & Visual Arts at Washington University in St. Louis have launched a new collaborative project. "Our vision for PXSTL is to create a dialogue about urban life and how environment has a profound impact on our day today experience. Architecture, design, and art play an important role in our decisions-how we navigate, where we spend time, and our impressions of the spaces we inhabit," said Kristina Van Dyke, the Pulitzer's Director. 50"PXSTL represents the collaborative culture of our School and the arts in St. Louis, bringing together art, architecture, and design in a way that makes a meaningful contribution to the community," said Carmon Colangelo, Dean of the Sam Fox School and the E. Desmond Lee Professor for Collaboration in the Arts. "Washington University is committed to public art beyond our own Art on Campus program, and Leslie Markle, Curator for Public Art, has been instrumental in executing these efforts." Opportunities for innovative and interdisciplinary practice, offering Washington University students unique, and practical learning experi-ences. New and unexpected public access for visitors and stakeholders, increasing Grand Center's visibility as a destination neighborhood and urban arts hub National and international attention for the Grand Center neighborhood as a design forward example of urban opportunity and growth. The project site is an undeveloped and vacant lot owned by the Pulitzer Foundation located at 3713 and 3719 Washington Boulevard. Situated in the heart of Grand Center, it lies directly across the street from the Pulitzer Foundation's building, designed by Pritzker Prize winning architect Tadao Ando. 128. Sung Ho Kim was deposed on March 1,2013. In his deposition Kim engaged in a pattern of serial mendacity. The perjury was done to benefit Defendant Washington University St. Louis, to avoid anything that would discredit PXSTL, to advance the Sam Fox School's reputation, and to curry favor with Emily Pulitzer. Kim's deposition testimony demonstrates the great lengths Defendant University was willing to go to in order to tortiously interfere with the Plaintiffs business relations in GRAND CENTER and elsewhere. Selections from Kim's deposition follow. 129. Sung Ho Kim was asked in his deposition about the Plaintiff's qualifications and background in digital media. Q. What expertise did Mr. Guzzardo have that made him qualified to work on this Media Box development? A. Financial. And he was just, he had some interesting things to propose. Q. Are you aware of him having any training or work experience in digital media? A. No Kim's answer "no" was ludicrous. Plaintiff and Kim met in December of 2002. At that time the Plaintiff was under contract with St. Louis Arts and Transit to develop a conceptual model for the use of digital media in a half billion dollar St. Louis light rail extension. The Plaintiff introduced himself to Kim with that public transit portfolio. In his deposition the Plaintiff testified that he was hired " to come up with some of the new technologies that might be used to 51 create a new arts and transit model for the expansion, extension of that MetroLink." This Metro project is detailed in Displaced: Llonch + Vidalle Architecture, a book that the Plaintiff co-authored with internationally acclaimed architect/urbanist Michael Sorkin, and two other prominent architects. Following is an excerpt from Displaced : Llonch + Vidalle Architecture that describes the MetroLink project concept: The system proposed would be incorporated into an eight-station expansion of St. Louis's light rail system, which is scheduled to begin construction this fall. This prototype which is based upon a study of the transit experience begins to suggest a scalable, flexible system that can be adapted to various light rail station environments. It is designed to act as an accessory, and insertion, into an already advanced and evolved station design. Its use is not limited to platforms/ enclosures, though it can be installed there; it can also be applied to then surrounding environments. Content from many sources can be programmed on the installation's screens/panels. Through its scalable skeletal triangular design, it proposes how the visual variety and character of neighborhoods and communities served by the light rail system might be incorporated in to each station. In addition to this light-rail project material the Plaintiff showed Kim a mix of print and multimedia documentation relating to earlier work: his internationally published media night club Cabool, his street media lab, and his mixed-media theatre productions. 130. When he met Kim, the Plaintiff was also the president of MediaArts Alliance, a Missouri not-for-profit foundation that had been in existence for 20 years. MediaArts Alliance was well known throughout St. Louis and Missouri; representatives of the major educational institution in St. Louis served on its board of directors. The mission of MediaArts as stated on the or-ganization's web site follows: Media ARTS mission is the examination of the spatial implications of Digital Convergence. Digital Convergence, this interchangeability, interactivity, and interconnectedness of data, broadcasting, telephony, film, music, education and imaging will alter the places where we congregate. We will meet, share our stories, and build community in media saturated envi-ronments. Who will determine the nature of these environments? What criteria will they use to decide what these places will look and feel like? These are the issues MediaARTS is examining in the Media Lab. 52 Over the years the MediaARTS Alliance provided funds for the Plaintiffs projects and the research and development of his protocol. The MediaArts Alliance was behind the Media Box from the start. The MediaArts Alliance paid Sung Ho Kim to build a model of the Media Box, and it also helped fund Marshall McLuhan Meets Josephine Baker. When asked in his deposition about MediaArts Alliance backing of the Media Box, Kim gave this reply. I told him (plaintiff) there is an empty vial. We don't know what the program is, And he (guzzardo) said, oh, maybe I could start a foundation for media whatever group and I could fund that part, And that's how It became this unknown program. It's for the, you know, media foundation or research. However not only was there "a media foundation," Kim was elected to its board of the foundation. Kim was a director of Media Arts Alliance. His answer was contrived nonsense. 131. Shortly after they met, the Plaintiff sug-gested to Kim that they submit a joint proposal to the Regional Arts Commission., which was in the process of finishing a new building. RAC had recently issued an open call for submissions for, an east wall public art structure/ installation. Kim and the Plaintiff submitted a joint proposal to RAC on January 23, 2003. The following excerpt is from the Guzzardo - Kim proposal, for an interactive media wall. ...a media wall as an integrated, permanent work specifically designed for the eastern wall of the Regional Arts Commission's new Cultural Resource Center Building. This media wall installation will act as the direct delivery mechanism for works of digital art, such as interactive sound and video experiences and in other cases, it will deliver cultural/arts information about local arts projects, dance performances, symphony programs, etc." A line of jointly prepared exhibits accompanied the RAC proposal. The exhibits detailed Kim's and Plaintiff's respective work. Kim was asked about the submission in his deposition, and he was presented with the RAC submission documents. He testified that he didn't remember 53 any of it. It was all wiped out. It did not fit into Kim's resume, or Defendant Washington University's "brand management plan." An excerpt from Kim's deposition follows. Q. Okay. In this email from Paul to you he is referencing a Media Wall proposal that it looks like

submitted to the Regional Arts Commission? A. Um-hum. Q. Did you work with him on that proposal? A. To tell you the truth, I don't remember this one. If he has an image of it I will remember it, but at the time I was doing several projects. And this was like one of few, you know what I mean, so I don't really remember what it was. I could have given him something I was working on to say he could use it. This is what most designers do, they propose something. So they have a lot of projects, it's like in our archives and we send it out to people to, you know, try to get interest. Q. Okay. A. So I could have just done it, you know/not really knowing what I was doing. I could have just given anything that was in my file. Q. Sure, okay. (Defendant Exhibit C, 1/24/2003 Document, was then marked for identification.) Q. I'm handing you what I've marked Exhibit C. It looks like a letter dated January 24th, 2003. It says to East Wall Public Art, Regional Arts Commission. It says it's from Ax:Ome (sic) and it probably should be Axi:Ome? A. Urn-hum. Q. And Paul Guzzardo. I guess I want to know did you provide any of this information to Paul? A. No, I didn't provide any of the Q. Do you remember anything along those lines? A. Actually, I don't. To tell you the truth, I don't remember. I don't remember this. Q. Okay. In the second paragraph it says, "Axi:Ome and Paul Guzzardo have in the past examined ways in which digital media elements can be integrated with infrastructure and adapted to meet various physical and operational constraints." A. I didn't write that, so I don't know. 54 132. Shortly after meeting Kim, the Plaintiff introduced him to Sonya Pelli. Pelli was the manager of Internet Services and the Community Information Network for St. Louis. Pelli and the Plaintiff had worked together on public media installations in the Washington Avenue Loft District, and Pelli had assisted the Plaintiff in an effort to develop a media plaza at the intersection of Washington Avenue and Tucker Street. Together Pelli and Plaintiff created "stlvirtualpark," a new media installation with accompanying website, which received a Millennium Communities designation from the White House designated. Pelli in an introductory meeting, reviewed these projects with Kim. When asked in his deposition, however, if he had ever met the city administrator Sonya Pelli, Kim answered "No". 133. In the spring of 2003 the Plaintiff was invited to give a paper at an urban design and network technology conference, held at the University of Nottingham in the UK. In the paper, which was titled New Media Literacy in the Smart City, the Plaintiff described his media lab and protocol development, providing the following as context: All of this took place at a street comer. The comer is only a brisk walk from where Marshall McLuhan served as professor of Rhetoric and Interpretation at St. Louis University and where McLuhan's colleague Father Walter Ong wrote O... leaving for the conference, the Plaintiff sent this paper to Sung Ho Kim for comments, Kim's 3/26/2003 email response follows: "the paper was good.....i liked it alot it had english humor like the archigram gro... had been aware of McLuhan's work in St. Louis. 55 Q. Was that a revelation to you that Marshall McLuhan had been a professor at St. Louis University? A. No. Q. You knew that? A. Yeah. Kim chose not to id... TER promotional material, and the PFA never, ever mention the McLuhan - St. Louis connection because it's too dangerous. To mention this connection would risk others connecting dots, dots that lead to the... Box contract. The Media Box contract negotiations involved a lengthy email exchange. The Media Box contract, with its various revisions, was attached to a number of individual messages in this email excha... edu); Subject:-FW: 3699 Olive Option Contract-the tread Date: Thursday, March 11,2004 1:53:00 PM Attachments: 3699 Olive Opt Contract clean 03-04-04.doc Sungho Been out But have been dealing wi... answered as follows: Q. Are you aware that in March 2004 Paul entered an Option Contract with some of the Defendants in this case? A. I heard about it, but I didn't - 56 Q. Did you ever see a copy of the O... the Media Box?" Kim answers "No." When asked "Did Paul ever talk to you about something called the Media Lab, sort of a precursor to the Media Box.," Kim answered "No". In fact, Kim was in attendan... University, but in Axi:Ome's office. Presentations were given to Kim's own staff, and his staff participated in post-presentation Q & A. All of the individuals deposited in the earlier action testified that Sung Ho Kim... ening the Word and The Return of the Trickster, was presented at the Media Ecology Association Convention at the Rochester Institute of Technology in Rochester, New York. The following extended excerpt... from two modern architectural landmarks: The Pulitzer Foundation for the Arts and the Contemporary Art Museum St. Louis. It is also sited two blocks from St. Louis University where Walter Ong lived and w... systems will be integrated into the building's interior and exterior surfaces. Digital imaging technology systems will be incorporated and configured into the building's facades. These technologies will allow information and images to be viewed and heard from multiple sectors of the building. The site allows large outdoor displays with long viewing distances. Visual imaging and audio systems will display and amplify the building content and program on the Media Box's facades. 57 The Media Box will inject information networks and their virtual communities into a rich dimensional public realm. Mingling on line operators and communities with a streetscape audience will create a new urban social space. One of the co-presenters ran a St. Louis media arts lab from 1999 through 2001. The lab occupied a windowed first floor comer in a downtown building, where various applications and delivery systems were showcased 24/7. Housed in the lab was a changing inventory of fat data pipes, computers, photo imaging and editing equipment, projectors, screens and monitor walls. The artists who manned the lab, or virtual ambient jockeys as they were called, offered passers-by a chance to watch digital media types at work. They used digital collage techniques as they sampled the riches of data banks and networks. Their work - the evening's digital amalgam - was projected on screens and monitor walls facing the street Cameras inside, looking out on the street, added an interactive face. The topical subject matter included meditations on film and digital editing; digital representation of art-science practice; the effect of IT on social organization; 9/11; the millennium, comic books; and Orwellian media culture. The lab was a stage for an ongoing "info age" critique. It played out over and over, night after night. It was also a viewing station into a networked city. It was an ocular device offering a line of sight into tangled virtual information infrastructures and street comers. The goal is to resume and to move the critique and "the watch" to new quarters. 136. The political and racial firestorm provoked by the Post Dispatch article on Gentle Day and the Media Box effectively blew up a project that Kim had been working on for a year and a half. However, when Kim was asked about the article he said he had never bothered to read it. His testimony follows: A...the article about Grand Center and Paul. a. Well, let's establish this. Is your memory about particular events regarding this particular project somewhat foggy today? A. No. Some details are foggy, but I believe, personally I believe it ended when the article came out between Paul and Eric Friedman. a. So you believe there was some connection between the end of this project and the publication of that article? A. Yes. a. But you don't particularly remember the information conveyed in that article; right? A. No. I never read the article. a. Never read the article? A. Yeah. a. Even though there was some issue that developed with this project being affected by the publication of that article you didn't choose to go back and look at it yourself? A. No, because for me it was always a speculative project. it wasn't a big deal that it would end. 137. It serves Defendant Washington University's agenda to advance the fiction that the Media Box was a "speculative project," and Kim repeatedly employs this pretense in 58 his deposition. Kim continued to stick to this fictitious script when he was questioned about project cost estimates for the Media Box. When asked if he had "any knowledge about the costs associated with developing the Media Box project to completion?," Kim answered "No", adding that he never calculated square footage, or what construction costs would be. But there are emails and exhibits in the earlier pre-trial depositions detailing Media Box project square-footage calculations. Kim participated in these calculations. Schoemehl testified that Plaintiff provided GRAND CENTER with Media Box square-footage calculations, and that after Schoemehl reviewed these calculation documents /figures: ...we started talking about trying to maybe vacate the street to give it more square footage without any real incremental cost and perhaps add some additional units so that there - you know, so there could be some additional revenue. 138. In 2009 Kim and Woofter published the architectural monograph Axi:Ome- Specular between Practice and Education. Bruce Lindsey, Dean of the School of Architecture at Sam Fox, wrote an introductory essay. Twenty pages of the book - images and text - are devoted to the Media Box-but there's been a name change: the book refers to the project as the Media Arcade. The Media Box is erased. Kim was asked about this. Q. And did you rename it to Media Arcade? A. Yeah. Q. Is that the same thing A. Exactly. Q. -- as the Media Box? A. Yes. Q. Okay. But Media Arcade is based upon Media Box? A. Yes. Q. Okay. What was Heather's involvement, if any, in the Media Box project? A. She designed the architecture part. That's hard to explain. And it was her idea about becoming a Media Arcade. The reason is - should I go into detail? Q. Yeah, go ahead and tell me, 59 A. Okay. Before, Media Box was just projection around. Media Arcade is that when you cantilever a building you get the dark spots on the ground so we Imagined that you could project onto the ground and kids could come and play video games, projec-tions going up to the ceiling and the ground It became an arcade, a public space to play games and other media events. The problem is that the model pictured in Axi:Ome' book - the model labeled the Media Arcade - is the model that the Media Arts foundation paid Kim to build. It's the same model that the Plaintiff and Kim presented to a roomful of people in 2004 at the PFA. Defendant Pulitzer was shown a three-page photocopied excerpt from the Axi:Ome monograph. She testified as follows: Q. (By Mr. Guzzardo) If you'd please take a look at Exhibit Number 6 which is a series of images of an architectural project. A. Yes. Q. There's a model in those images. Is that the model in which you were presented at the meeting we've discussed of the PFA? A. I suppose so. 139. Kim attempted every which way to explain the name change. He testified, "Actually, what I did with Paul has never been published. I only published things that was done after Paul." The problem is the date stamped on the Media Arcade model in his book, which says 2004 - the same year the Media Box was designed and the contract was entered into. Kim justified the name change by claiming that Axi:Ome had come up with "a new idea." Kim says the new idea was about, ". . .a public space to play games and other media events." This, however, was an "old idea": the gaming arcade component was explicitly proposed by the Plaintiff in a number of 2004 and 2005 memorandums and meetings. This excerpt from the July 2004 Media Box Quarterly Report was submitted by the Plaintiff to Defendant GRAND CENTER Corporations, pursuant to Paragraph 5 of the Option Contract: INTERNET MULTI - USER GAMING MODEL The Media Box needs to mingle on line "video game" operators and on line communities with streetscape audiences and players. This mix will permit the Media Box to become both a destination and a jumping off point for legions of ganners and their virtual counterparts. By injecting information networks and their 60 virtual communities into a rich dimensional public realm, we believe the Media Box can begin to create a new social space in Grand Center. People want to be with their friends in public spaces. Video gaming is a social experience. It is also becoming the primary economic engine for entertainment and interactive technologies. Housing a media arts lab and a multi-user gaming facility in the same building permits a dynamic and creative conversation. It is a conversation that is particularly appropriate to a public art and entertainment district and its constituency. Combining both digital artists and gaming communities in the Media Box will provoke a dialogue between critical thinking artists and all that digital razzmatazz. It will offer a dynamic interactive configuration to a building, to a street and to the community. 140. Axi:Ome-Specular Between Practice and Education continues with a "Stalinesque flair" by altering the original graphic content displayed in the Media Box's presentation drawings. The initial presentation drawings included graphics from SECRET: The Josephine Baker FBI Files. SECRET was one of the Plaintiffs protocol research and development projects: a multimedia project cycle that critiqued big data and the national security state. Eric Friedman testified that the Plaintiffs Secret Multimedia cycle and the Media Box and were "intertwined." Kim and Woofter ditched all that in their Media Box-Media Arcade shell game. They scrubbed the SECRET presentation facades from their book, replacing theses with anodyne corporate cutouts and paste-ons. Particularly galling is the chapter on SECRET in Axi:Ome-Specular Between Practice and Education. The chapter, called "secret stage, bastian center_st. louis_mo_usa," is in the book because Kim and Woofter worked on SECRET, along with a couple dozen others. They were hired by the St. Louis Community College District to design the stage sets for the Plaintiff's multimedia play. That play was a part - one piece of the SECRET cycle - a cycle that ran for more than two years. Kim and Woofter included SECRET set designs and photographs in their book, but they erected a wall between their SECRET chapter, and their Media Arcade fantasy chapter. To acknowledge the relationship would complicate things, and mess up the Defendant Washington University's branding plan. Some SECRET web-copy follows. It offers a glimpse into an essence of the Media Box, 61 and just what got gutted in the book, and sacked by Defendant Washington University of St. Louis. SECRET is a cycle of multimedia productions. Cycle of productions are culled from the FBI files of Josephine Baker, Walter Winchell, and J. Edgar Hoover. Fashioned out of "net accessible" documents, this multimedia mosaic makes theater and public art out of a 1950's surveillance data bank. The faded and scratched up documents with their numbing bureaucratic entries and crudely blotted out paragraphs are the residue of government surveillance files. Each iteration tells a little-known story of art, politics, race, and media power that reverberates with some of the most important themes of 20th-century America. These files contain haunting microfiche memos,



telegrams, newspaper clippings and photos, that tell how Josephine Baker, the famous expatriate African American performer was pursued by the FBI. DataBank - Agit Prop is a storytelling strategy. It propels this cycle of SECRET multimedia productions. As a visual and narrative grammar it does not ignore the incomprehensibility of exploding data systems. Fifty years ago surveillance meant “Big Brother,” and a “Dramatist/Artist” might well have used these surveillance files to fashion the “Script” and be done with it. But fifty years ago when Baker, Hoover and Winchell tangoed, the ceaseless accretion of digital information and imagery were not part of the scene. Now they are. [141](#). To better track the web of lies, understand how Defendant Washington University of St. Louis made use of those lies, and pinpoint what the University knew, and when they knew it, it’s necessary to reference two other individuals. One is Angela Miller, the other is Jasmin Aber. Angela Miller introduced the Plaintiff and Sung Ho Kim in 2002. Miller is an art historian and a professor in the Defendant’s Department of Art History & Archaeology. Professor Miller was familiar with the Plaintiffs work, and his collaborations, over the years with a number of Washington University students and faculty. Miller thought Kim and the Plaintiff shared a common sensibility, and were a good fit. [142](#). The Plaintiff met Jasmin Aber shortly after GRAND CENTER dismissed the Gentle Day condemnation action. Jasmin Aber, a licensed architect, was associated with The Shrinking Cities International Research Network, out of UC Berkeley’s Center for Global Metropolitan Studies. She was in St. Louis working on “creative communities and 62 urban design strategies.” From June of 2005 through June of 2006, the Plaintiff and Aber engaged in on an going and lively conversation. Plaintiff reviewed his new media urban design projects, shared copies of his papers with Aber, and kept her abreast of his activities at the Geddes Institute for Urban Research, at the University of Dundee Scotland. In response to this continuing exchange, Ms. Aber indicated that she wanted to work with the Plaintiff to organize an interactive media urban design competition in St. Louis, which would allow Aber and the Plaintiff to further developed their research. The competition would be set downtown St. Louis, near where the Plaintiff’s media lab had operated. The competition would be arranged around the architectural conceit “The Folly.” “The Folly” is a very old architectural tool, a visual trick of sorts. [143](#). Out of nowhere, Jasmin Aber suddenly told the Plaintiff that he could not participate, or be associated with the Folly competition. She said the decision was not hers, and that she had no choice in the matter. She told him that if the competition was going to happen, it could not in any way be linked or identified with the Plaintiff in anyway. Leslie Laskey, professor emeritus in Defendant Washington University’s architectural school, helped raise money for the Folly competition. To the best knowledge, information and belief Leslie Laskey vetoed the Plaintiff’s involvement in the St. Louis Follies Idea Competition. [144](#). The St. Louis Follies Idea Competition took place in December 2006. The Director of Planning & Urban Design Agency for St. Louis, Rollin Stanley, said this about the competition. “The Follies Competition would be part of the information supplied to the Master Plan team from the Gateway Arch and that once the Plan is complete, we hope to then start attracting sponsors to fund 63 designs.” Jasmin Aber ran the Competition in partnership with Sung Ho Kim and Heather Woofter. Defendant Washington University St. Louis was a sponsor, and promoted the competition. The competition brief was widely distributed, and included language almost word for word used earlier to describe the Media Box and the Plaintiffs downtown media lab. Excerpted text follows: The St. Louis Follies sought to generate ideas for the Gateway Mall, a large open space located downtown along Market Street, immediately west of the Gateway Arch. Projects would serve as “visual anchors” for the area, highlighting the interplay between the physical and the virtual, while also facilitating public movement between the Arch and the downtown business district promote St. Louis as a cutting-edge place, inviting the creative multimedia industries to the area and region -an interplay between the physical and the virtual -incorporate emerging technologies -encompass the role that innovation and technology play in shaping our living spaces and working lives; [145](#). Prior to the commencement of the Follies competition the Defendant Washington University was advised that the Plaintiff had initiated the competition, and that he was forced out against his will. On December of 5, 2006 Professor Angela Miller delivered a package to Carmon Colangelo, Dean of the Sam Fox School. The package contained documents referencing the Follies competition, the Plaintiffs role in setting up the competition, and the Plaintiff’s praxis. A cover letter from Professor Miller to Dean Colangelo accompanied the package. It follows in its entirety: December 5,2006 Carmon Colangelo Dean, Sam Fox School of Design and Visual Arts Dear Carmon: I’m writing to you, informally, on behalf of a friend of mine, someone I have known for twenty years. 64 Paul Guzzardo is a retired lawyer who has been very active internationally and nationally in the design field, both as a theorist and as a designer, in collaboration with a number of architects. Over the past decade he has been actively theorizing new ways of using interactive digital media as a form of critical engagement with urban space. I write because an event that is cosponsored by the Sam Fox School-the Saint Louis Follies competition, organized by Jasmin Aber-involves issues of intellectual property pertaining to Paul’s published ideas and collaborations with other institutions. Paul has been cut out of the jury for this event, which includes two School of Architecture faculty (Eric Mumford and Sungho Kim). I am not privy to the politics behind this decision, but I do think you should be aware of the possible infringements of his intellectual property that this exclusion involves. Paul moved to Buenos Aires recently, a move in part inspired by his sense of discouragement with the collaborative environment in St. Louis. I’m not at all sure of the appropriate response on the part of the School. I’m doing this for an old friend who feels, justifiably, that his theoretical engagements and formative ideas have not been properly acknowledged by those who are currently building upon them, most notably his Grand Center Media Box project. Though unrealized, this project is well known to the various parties involved with Grand Center, from Emily Pulitzer to Vincent Schoemehl and others. Intellectual property rights is a notoriously difficult thing to establish; it would be nice if the final event would in some way acknowledge Paul’s efforts to push St. Louis in new directions urbanistically over the past decade. I am also forwarding the following from Professor Lorens Holm, who taught at the School in the 1980s, and who now lives and works in Dundee, Scotland, after receiving a Ph.D. in Architectural theory from the Architectural Association in London. Lorens and Paul are longtime collaborators: It appears to me that Paul’s name has been removed from association with a competition that has been based to a large extent upon his creative works in St. Louis and abroad. These concern the exploration, in words, images, and multi-media installations, of new possible forms of engagement with the city based on the construction of agit prop-like digital media platforms. I quote, for example, from the competition poster, “to energize Market Street using flexible multimedia open space exhibition infrastructures’ (sic). He has been involved with Grand Centre for a number of years now in studying possible ways to implement these media platforms in downtown St. Louis. I am concerned both for Paul, for the fair use and acknowledgement of his intellectual property; and because Paul has been involved in a number of collaborative projects with the Geddes Institute for Urban Research at the University of Dundee, of which I am director. These projects are original interactions with, or are original developments from, his ideas; and their integrity as creative practice led research, depends to a certain extent, upon the originality of his ideas. I know you will be meeting with (or have already met with) the jury members of the Architectural Follies competition. Because of the personal politics, I would appreciate not becoming directly involved; also because I am admittedly only an observer in this situation. But I am fairly certain that an injustice has been done here, and would like to do my small part to make sure that the School, as a cosponsor of this event, knows the longer history of these ideas. Thank you Carmon. All the best, Angela 65 Angela Miller Art History and Archaeology Department [146](#). Dean Carmon Colangelo did no responded to Professor Miller’s letter. Nor did any representative of Defendant contact Lorens Holm, or any representative of the University of Dundee, Scotland. The much publicized competition took place. The winners received cash stipends. The Defendant Washington University issued a press announcement on Jan. 26, 2007. It was headlined: Three teams from the Sam Fox School of Design & Visual Arts took top honors in the recent St. Louis Gateway Mall Follies Ideas Competition. The press announcement was written by Liam Otten, Art News Director for the University News Room. An excerpt follows: Three teams from the Sam Fox School of Design & Visual Arts took top honors in the recent St. Louis Gateway Mall Follies Ideas Competition. The St. Louis Follies Competition was conceived by Jasmin Aber, an architect and visiting scholar at the University of California Berkeley, as an outgrowth of the Market Street Charrette, an intensive, weekend long design session sponsored last October by the St. Louis Chapter of the American Institute of Architects (AIA). Aber organized the follies competition with Heather Woofter and Sung Ho Kim - both assistant professors of architecture as well as principals of the firm Axi:Ome llc. All three served on the competition jury, which Aber chaired. [147](#). On September 9, 2013 Liam Otten, Art News Director of the Washington University News Room, wrote Q&A: Sung Ho Kim and Heather Woofter Architects discuss technology, building a practice and designing new facilities for St. Louis Public Radio. The article was distributed by the Defendant’s multiple media outlets. There’s a



GUZZARDO, prays that this Honorable Court enter judgment in his favor and against the Defendant WASHINGTON UNIVERSITY ST. LOUIS, 66 for compensatory damages in the amount in excess of TWENTY-FIVE DOLLARS Plaintiff and for Count 6 of his Petition against Defendant CALLIS PAPA HALE & SZEWCZYK & , PC, a corporation, and states as follows: [148](#). The Plaintiff incorporates and re-alleges Paragraphs 1 through 6 of his Petition in connection with an option contract that the Plaintiff earlier entered into with the GRAND CENTER Corporations. At all time Defendant CALLIS held itself out as competent in the area of law and undertook to represent the Plaintiff. [151](#). Defendant CALLIS was required to exercise the same legal skill as a reasonably competent attorney, and to use reasonable care in determining and implementing a strategy that was confidential and to zealously 67 represent the Plaintiffs interests, including disclosure of any conflicts of interest that might impair the Defendant CALLIS’s ability to represent the Plaintiff. [153](#). In the course of handling the case, during the course of Defendants’ representation of the Plaintiff, there were several instances wherein the conduct of the Defendants fell below the applicable standard of care, as set forth herein. The chronology of events is as follows: On October 10, 2009, Defendant GRAND CENTER Corporation, CITY CENTER REDEVELOPMENT CORPORATION, and VANDEVENTER SPRING REDEVELOPMENT CORPORATION in the Circuit Court of the City of St. Louis, Cause No. 0922-CC01036. The Plaintiff’s house counsel filed an Answer on April 10,2009. In June 2010 Defendant CALLIS sent Interrogatories and Requests for Production to Defendant GRAND CENTER Corporations. On August 27,2010 the Plaintiff and Defendant CALLIS met and said, “Here’s what you asked for. Give me a week and I’ll copy, scan and get it all to off to you.” 68 [156](#). At the time of the August 27,2010 meeting the Plaintiff was scheduled to leave the country, and be away for a number of days and prepare a summary memo. Papa asked Plaintiff to return for Vincent Schoemehl and Emily Pulitzer’ depositions, should their depositions be set before Plaintiff’s planned return. Plaintiff agreed. [157](#). On October 25, 2010, Plaintiff and Papa met at that month, and met with John Papa at his office on October 25, 2010. While the Plaintiff was still away he and Papa exchanged a series of emails. The emails and the events surrounding their transmission follow: From: Paul Guzzardo [mailto:paulguzzardol@yahoo.com] Sent: Tuesday, September 07,2010 10:22 AM To: John Papa Subject: any discovery show? From: John Papa <john@callislaw.com> To: Paul Guzzardo <paulguzzardol@yahoo.com> Sent: Tue, September 7, 2010 5:14:07 PM Subject: RE: any discovery show? Paul: No show on the discovery to date. No surprise either I suppose. I’ll keep you posted. John Re: any discovery show? From:Paul Guzzardo ->:paulguzzardol@yahoo.com> To: John Papa ->:john@callislaw.com> Wed, September 8, 2010 12:03:53 PM john who knows as you said i think you’ll have to go into your dentist mode. but I’m almost certain that there’s a smoking E. Pulitzer gun out there in response to that memo of mine and VS PG exchanges. and all of this would have to have moved electronically through emails a thought maybe while we sit waiting there should be one supplementary production request sent something 69 to this effect Copies of any and all emails from July 2003 to (the date of service) from the Defendants staff, officers and board member that refer to The Media Box, Plaintiff, Eric Friedman, Sung Ho Kim and Heather Woofter. what do you think? paul Attorney Zorn sent additional discovery to John Papa on September 10, 2010, but the material is not emailed to the Plaintiff. On October 4,2010 the Plaintiff sends this email to John Papa. checking From: Paul Guzzardo <paulguzzardol@yahoo.com> To:John Papa <John@callislaw.com> Mon, October 4,2010 7:49:22 AM john que pasa? it’s been about 5 weeks since our visit with Zorn nothing showed up? John Papa’s secretary Veronica Pyatt later that day emailed scanned additional production to Plaintiff. The Plaintiff responded the next day. the discovery Tue, October 5,2010 4:02:34 PM From: Paul Guzzardo <paulguzzardol@yahoo.com> To:John Papa <John@callislaw.com> Mon, October 4,2010 7:49:22 AM john I checked it out the material sheds some light on the church and the auto garage but all the guzzardo docs must be under Vince Schoemhl’s bed or behind one Pulitzer’s Water Lilies let me put together a memo tomorrow, and get it off to you. paul Plaintiff sends John Papa two emails in the days that follow, each one with an accompanying memo. He tells Papa that while there’s little here that we asked for, there are documents indicating director self dealing. [158](#). The Plaintiff and John Papa meet at the Defendant’s law office on October 25, 2010. The plaintiff tells John Papa that it’s time to schedule Schoemehl’s and Pulitzer’s 70 depositions. Papa tells the Plaintiff he will not be taking their depositions. No explanation is offered. The Plaintiff hears nothing more from Papa, then on November 26 he sends an email to John Papa advising that he is scheduled to present a series of lectures titled, The Cartographer’s Guide to Bad Code. Papa does respond to this email. [159](#). The next email from the

Plainti to John Papa is sent on February 18, 2011. It begins with, "John where are you? What's going on? I'm concerned. But anyway, here's an update." The Plainti tells Papa he's leaving for the United Kingdom to lecture. The Plainti sends two attachments in the email: one is a press release on the GRAND CENTER Public Media Commons, the second is a "draft complaint" against Alan Pratzel, the former in-house counsel for the Defendant GRAND CENTER corporations. In his email the Plainti asks Papa to contact him, Papa does not respond. On March 9, 2011 Plainti emails John Papa a copy of the Complaint led with the Oce of The Chief Disciplinary Counsel against Alan Pratzel. John Papa does not reply to this email. 160. On June 27, 2012 Plainti advises John Papa that with the exception Vincent Schoemehl, all the CITY CENTER REDEVELOPMENT CORPORATION and VANDEVENTER SPRING REDEVELOPMENT CORPORATION directors who served between 2005 and 2010 stepped down shortly after the Complaint was led with the Oce of The Chief Disciplinary Counsel against Alan Pratzel. 161. In preparation for the lawsuit the Plainti provided the John Papa with over 500 pages of digital les, detailing the Plainti's protocol and contract negotiations with Defendants. The work production material was organized in four pdf le groups: MB 2003-4, MB 2005 +, pre MB 1, pre MB 2. The le groups include emails, memos, 71 professional papers, photographs, video grabs, and news articles. The Plainti used Adobe Acrobat professional software to insert supplementary comments on nearly a hundred pdfs. The comments were intended to provide the Callis Oce with additional document background, as well as review litigation strategy. In response to the GRAND CENTER Defendants' "Motion to Compel and for Sanctions and for Failure to Comply with the Court's Prior Order Related to Discovery," the Callis Oce sent the Defendants all four bulk pdf les. The Callis Oce did not delete any of the Plaintis comments. It was all shipped o to the Defendants, every single page, every line highlighted remained, all of it, and in utter disregard of the Plainti's privilege and work product. 162. Three depositions were taken in the earlier led case: Vincent Schoemehl on September 18, 2012, Eric Friedman on January 10, 2013, Sung Ho Kim on March 7, 2013. The Plainti was not advised of any of the depositions, and was not present for any of them. 163. During the Schoemehl deposition John Papa does not ask the former mayor about the executive committee meeting of March 7, 2010, the \$750,000 loan for the stabilization of the Burnt Church, or the departure of the seven directors from CITY CENTER REDEVELOPMENT CORPORATION and VANDEVENTER SPRING REDEVELOPMENT CORPORATION. 164. A few weeks after the deposition of Eric Friedman, the Plainti through a chance conversation with a third party became aware that Friedman was deposed. The Plainti directs an email-inquiry to John Papa. Papa's secretary Veronica Pyatt replies. She tells the Plainti that the law oce has not been able to contact him to let him know about the deposition, or anything else for awhile. She said that the law oce was sending all the 72 emails to a "zio11" email address. There's a problem here. The "sign" email address had been closed, inoperative, for over six years. The Plainti and Defendant CALLIS LAW OFFICE during the last six years have used paulguzzardo@yahoo.com as his email address of record. Pyatt does not indicate that any of "the recent email sent to zio11" were returned to sender as undeliverable. The email exchange between Plainti and Veronica Pyatt follows: From: Paul Guzzardo [mailto:paulguzzardo@yahoo.com] Sent: Tuesday, March 12, 2013 8: 26 AM To: Veronica Pyatt Subject: back Hi John I'm back in macomb been here two weeks now mom is ill send update thanks paul From: Veronica Pyatt <veronica@callislaw.com> To: Paul Guzzardo <paulguzzardo@yahoo.com> Sent: Tue, March 12, 2013 8:51:14 AM Subject: BUE:back Paul: Sorry to hear your mother is ill. I have been sending emails to the zio11 email. Is that not a good e-mail for you anymore. If not please let me know so that I can resend the e-mails and materials. One of the emails John had me inform you that we have until March 22 to disclose our experts. John wanted you to give him a call to discuss this and I forwarded transcripts of Friedman and Schemel to you and he wanted to discuss those depositions with you. If you are unable to get those from the zio11 e-mail let me know and I will forward them to this address. Thank you and have a great day! Veronica L Pyatt Re: back From Paul Guzzardo <paulguzzardo@yahoo.com> To: Veronica Pyatt <veronica@callislaw.com> Sent Tue. March 12, 2013 veronica this is the email i have not had that zio11 email for six years?? send back emails, depositions and all material to this yahoo address paul 165. On March 12, 2013 Plainti is advised that there's a March 22, 2013 deadline to disclose expert witnesses in the case. Plainti hurriedly contacts potential expert 73 witnesses. He sends a line of emails with expert names and resumes to John Papa. Papa does not respond to any of these emails. 166. On April 9, 2013 co-counsel Stephanie H. To of The Simon Law Firm sends the the following letter to John Papa. It also sent as an email. Dear John: We were served with Defendant's Motion for Summary Judgment on April 5th. This letter conrms that your oce will be handling all deadlines associated with this Motion. If you need our assistance in any way, please let us know as soon as possible. According to the above-referenced matter's docket sheet, trial in this matter is scheduled to begin on August 26, 2013. It is my understanding that your oce will be handling the trial of this matter, including all deadlines in the March 2013 Amended Scheduling Order. If you would like someone from our oce to appear at trial, assist with pre-trial preparation, or assist in any other way, please let us know as soon as possible. Sincerely, Stephanie H. To Stephanie H. To John Papa responds to Attorney Stephanie H. To on April 25, 2013. Dear Stephanie: This acknowledges your April 9, 2013 letter concerning the above referenced matter. Your letter accurately sets forth that my oce will be responsible for responding to the Motion for Summary Judgment and conducting the trial scheduled to begin on August 26, 2013. 167. John Papa does not le a response to the Defendants' Motion for Summary Judgment. 168. On May 14, 2013 the Plainti notified Defendant CALLIS LAW OFFICE and The Simon Law Firm that he was terminating their services and the rms as counsel of record eective that day. 169. The events surrounding the Media Box and Defendant CALLIS Oce representation of the Plainti have been the subject of press and investigative web-blogs. Paul Guzzardo And The Lost Heritage of St. Louis was posted on the "PeoriaStory" on September 18, 2013. The St. Louis blogger Steve Patterson published Dirty Laundry: GRAND CENTER, EMILY PULITZER, Etc on January 6, 2014 on Urban Review STL. 74 "PeoriaStory" a

crats in the 13th Congressional District of Illinois: one has "issues on January 20, 2014. In Paul Guzzardo And The Lost Heritage of St. Louis, Elaine Hopkins, a former investigative journalist with the Peoria J that there was a conict of interest involving the Defendant CALLIS and Bryan Cave LLP. Bryan Cave is the GRAND CENTER bond counsel, and the law rm that represented Defendant PULITZER at her depos Hopkins writes: The chair of Bryan Cave is Don Lents, a specialist in securities law. He ran the Grand Center executive meeting of March 15, 2007, the church loan meeting. And he was one the directors who down." One of the nation's largest law rms, Bryan Cave LLP is a Monsanto outside counsel. Lents replaced Walter Metcalfe as rm chair. Metcalfe is on Pulitzer's board. Metcalfe is also the chairman of the h St. Louis, Arch - 2015, the organization in charge of a billion dollar Arch expansion development. But it was dependent on voter approval of a sales tax referendum. The other Arch player was the Metro East P District, across the river in Illinois. Their attorney was John Papa. After favorable stories and an endorsement by the St. Louis Post Dispatch, the former Pulitzer newspaper, the referendum passed in April 2 170. The conict of interest is glaring. If Plainti had been present during Vincent Schoemehl's deposition Attorney Papa would have had to have asked Schoemehl about the executive committee meeting of \$750,000 loan for the stabilization of the Burnt Church, and the departure of the seven directors. This line of inquiry could have led to a political re storm. It would have made voter approval of the St. Louis impossible, and the timing could not have been worse. The three depositions, the ones where the Plainti was a "no show," took place during an all-out campaign to pass the Gateway Arch sales tax referer asking these question under oath, to a former three term mayor of St. Louis, would likely have derailed the sales tax. Voter approval of that tax was of critical importance to the Callis Law Oce's other client, t and Recreation District. So it was no accident that Plainti was not told about the depositions, that Papa refused to schedule PULITZER's Deposition, or that Papa failed to le a response to the Defendants' Motion 75 for Summary Judgment. A calculated decision was made to sell out the Plainti and forfeit the case. It was done for a reason, and no one, would get in the way of getting the voters to approve a sales tax for the renovation of the St. Louis Gateway Arch. WHEREFORE, Plainti, PAUL GUZZARDO, prays that this Honorable Court enter judgment in his favor and against the Defendant CALLIS PAPA HALE & SZEWCZYK &, PC, for actual and punitive damages in the amount in excess of TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) plus costs of suit, and for such other and further relief as may be just and proper.





Preliminary Public/Media Relations Strategy for Grand Center Media Box Project
 presented August 24, 2004

Phase I: Building Interest in St. Louis as the Midwest Media Lab (September)

- Feature story about Marshall McLuhan work in St. Louis, and how Sung Ho Kim and Paul Guzzardo are collaborating to make Media the Message Again some XX years later.
- Budget: Approximately 20 hours plus expenses.

Phase II: Media Box Project Announcement (October – November)

- Pre-announcement media teaser created by erecting video billboard on-site, and promoting the "prototype information age structure" via Paul Guzzardo (and others) art on this public canvas.
- Press conference at which Media Box Project is announced by Grand Center in partnership with Axi:Ome, Paul Guzzardo and Freidman Group. Presentation of Media Box concept/prototype, site location, financing commitments, academic partnerships, and development timetable.
- Budget: Approximately 45 hours plus materials and expenses.

Phase III: Sustaining Interest Throughout Building Development (2005)

- National story placement about Media Box
- Announcements of investors, tenants/owners, featured artists to local and national media.
- Original groundbreaking event featuring mixed media
- Grand opening events
- Budget: Approximately 165 hours plus materials and expenses

Future: Media Ecology Midwest Conference (2006)

- In partnership with MIT Media Lab and RIT, develop the first annual Midwest conference.
- Budget: To be determined based on scope

Other Things for Consideration

- Sales/marketing materials (brochure, website, sales kit, video, etc.)
- Corporate and media partners/sponsors

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great white way historical center



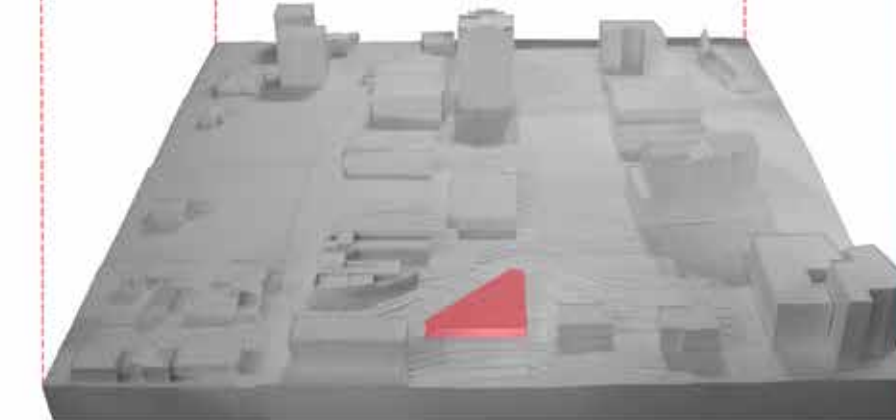
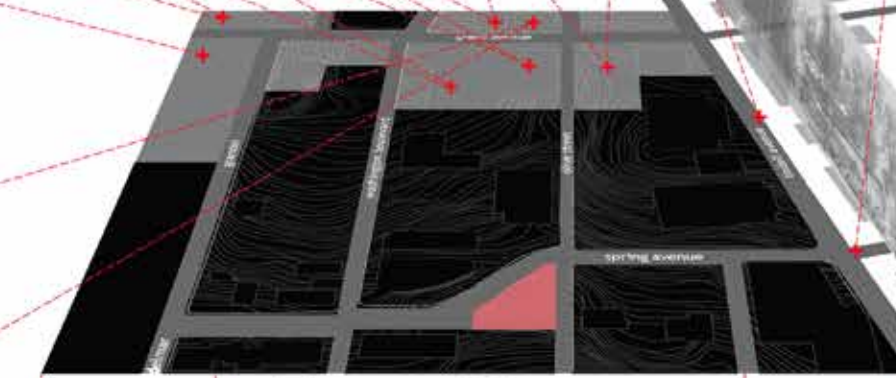
symphony hall fox theater continental rialto theater empress theater



metropolitan



beers hotel

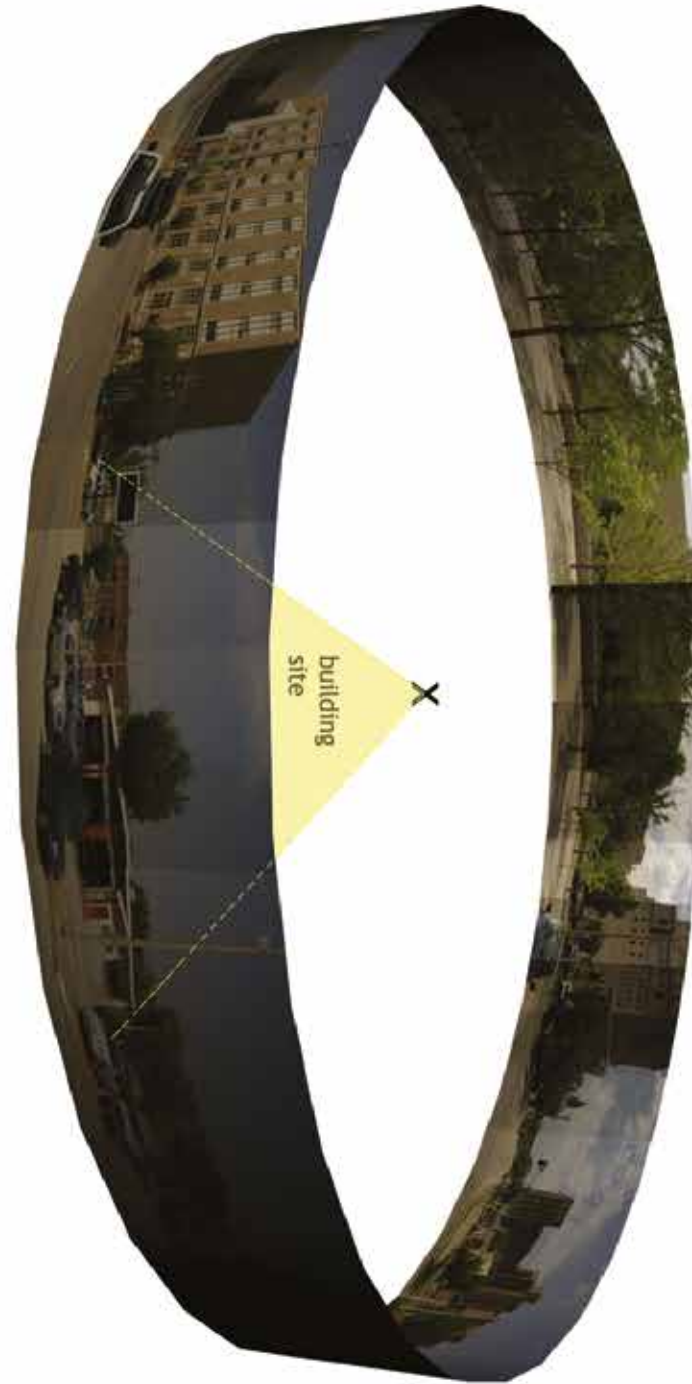


saint louis university territory

building site

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16 align="center">
17 </div></td>
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21 <LI><A href="secret-overview.html">SECRET OVERVIEW</a> <br>
22 <LI><A href="data-bank.html">DATA BANK AGIT PROP</a><br>
23 <LI>PRODUCTIONS AND INSTALLATIONS
24 <LI><A href="pulitzer.html">- The Pulitzer Foundation for the
25 Arts</a>
26 <LI><A href="secret-stloc.html">- St. Louis Community College</a>
27 <LI><A href="wiu.html">- Western Illinois University</a>
28 <LI><A href="centrespace.html">- Centrespace - University of
29 Dundee</a>
30 <LI><A href="samclemens.html">- Sam Clemens Remix</a>
31 <LI><A href="djs-vjs.html">- DJs/VJs and Agoras</a><br>
32 <LI>DOCUMENTARY
33 <LI><A href="secret-film.html">- Secret</a>
34 <LI><A href="buildbetterbarrel.html">- buildbetterbarrel</a><br>
35 <LI><A href="recursive-urbanism.html">GUZZARDO - RECURSIVE
36 URBANISM</a>
37 <LI><A href="cabool.html">- Cabool</a>
38 <LI><A href="mediarts-lab.html">- MediaArts Lab</a>
39 <LI><A href="light-rail.html">- Light Rail</a>
40 <LI><A href="themediabox.html">- The Media Box</a><br>
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49 align="justify">
50 <p align="justify"> <strong><br>
51 The Media Box</strong><br>
52 <br>
53 The Media Box was a place where stories were to be told, saved
54 and sent on so they could be retold. The name &#8220;media
55 box&#8221; was
56 a moniker, a tag, a brand describing a place intended to face
57 off with the very idea of &#8220;brand&#8221;. </p>
58 <p align="justify">The Media Box was going to be located in the <a
59 href="http://www.grandcenter.or" target="_blank">St.
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60 Louis Grand Center</a> arts district, across from two museums -
61 the <a href="http://www.pulitzerarts.org" target="_blank">Pulitzer
62 Foundation for the Arts</a> and the <a
63 href="http://www.contemporaryatl.org" target="_blank">Contemporary
64 Art Museum</a>. Next
65 door was <a href="http://www.slu.edu/index.xml"
66 target="_blank">Saint
67 Louis University</a>. This is where seventy years
68 earlier Marshall McLuhan and Father Walter Ong began to rethink
69 how we tell, save and send on stories. And where these two men
70 wrote how monikers, tags and brands stand in the way of the stories
71 we need to tell if we want to continue to tell stories. </p>
72 <p align="justify">The Media Box grew out of everything that makes up
73 this web
74 site; the Josephine Baker archive cycle - the MediaARTS&#8217;s
75 lab - the night club Cabool - a Sam Clemens remix. But it was
76 more.
77 It was not built. Ironically a building about storytelling was
78 a victim of a &#8220;bad brand; a casualty of misunderstandings
79 and skewed press regarding public space and private property
80 rights. And it happened very quickly, right before the United
81 States Supreme Court decision on eminent domain - <a
82 href="http://www.supremecourtus.gov/opinions/04pdf/04-108.pdf"
83 target="_blank">Kelso
84 vs. City of New London Connecticut., 545 U.S. 469</a>.</p>
85 <p align="justify">But before it failed much work was done. Below are
86 links; links
87 to maps, maps that mark where the Media Box was going to be built,
88 and to a series of video interviews describing where the Media
89 Box came from, and where it hoped to go. The maps were drawn
90 in the studio Axiome. They show the Media Box site at the
91 intersection
92 of the bawdy and the bookish. It&#8217;s where a theatrical Great
93 White Way once intersected with a learned place, Saint Louis
94 University. The interviews were held with the <a
95 href="http://www.acro.edu.au/" target="_blank">Australian
96 Creative Resources Online</a> ARCO) at the University of
97 Queensland.&#8221; <br>
98 <br>
99 The Australian Creative Resources Online is not the only web
100 site about the Media Box. There are others, sites which are biting
101 and unfairly mean, and where the misunderstandings and skewed
102 press continue. Like everything in today&#8217;s digital playing
103 field nothing ever goes away. It never dissolves. Never quite
104 fades. Just sits there, odd since the actual site for the Media
105 Box was contaminated. It was an ecological brown-field.</p>
106 <p><strong><em>MAPS</em></strong><br>
107 </strong><br>
108 <a href="graphics/mediabox/MAP%201%20Studio%20Axiome%20-%20MB.pdf"
109 target="_blank">Studio Axiome - Map 1 </a><br>
110 <a href="graphics/mediabox/MAP%202%20Studio%20Axiome%20-%20MB.pdf"
111 target="_blank">Studio Axiome - Map 2 </a><br>
112 <a href="graphics/mediabox/MAP%203%20Studio%20Axiome%20-%20MB.pdf"
113 target="_blank">Studio Axiome - Map 3</a><br>
114 <br>
115 <strong>INTERVIEWS</strong><br>
116 <br>
117 <a href="http://www.acro.edu.au/public/display.jsp?
118 moid=4639&ptype=Video" target="_blank">ARCO Guzzardo - Interview 1 </a><br>
119 <a href="http://www.acro.edu.au/public/display.jsp?
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PLAINTIFF'S EXHIBIT 10 KR 10-21-13

