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Confrontation grows into civil suit

$600,000 | A pedestrian claims two men tried to get him convicted of a crime

By AIMEE GREEN
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A pedestrian who says he tried to stop a drunken man from urinating on a downtown Portland building is suing the man and his drinking pal for nearly $600,000, claiming the two tried to get him convicted of a crime out of spite.

Kostadin Naydenov claims he pulled out his revolver, but only after Nicholas Moyer Kassab and Anthony Colnon Peressini threatened to beat him with a champagne bottle and their fists on Dec. 23, 2008 for questioning Kassab's public urination. Naydenov had a concealed weapon permit, according to the suit filed in Multnomah County Circuit Court Wednesday by the firm of Kafoury & McDougal.

The suit claims that Kassab and Peressini lied to police and later during a criminal trial in an effort to humiliate Naydenov, "warn (him) that they were 'better' than him" and "teach him not to mess with the offspring of the Moyer economic empire."

Kassab, according to court papers filed in Washington, was the heir to part of Vancouver's Regal City Center Cinema 12, owned by his father, Elie Kassab. Elie Kassab also opened Kassab Bros. Jewelers in Portland in 1975, but his brother later took over the business. Nicholas Kassab's grandfather, Tom Moyer, at one time owned the ninth-largest movie-theater chain in the nation and later developed the Fox Tower in downtown Portland.

According to the lawsuit, Nicholas Kassab and Peressini had spent the afternoon drinking at The Nines bar above Macy's downtown. They left, bought a bottle of champagne and walked toward Peressini's car, which was parked at the Multnomah Athletic Club.

According to the suit, the two men stopped at The Professional Building at Southwest 11th Avenue and Yamhill Street. Kassab walked up some steps and began to relieve himself. and that's when Naydenov "asked defendant Kassab why he thought it was okay to urinate on someone else's door. Defendant Kassab, in a loud, angry voice, responded as follows:

" 'I'll (urinate) wherever the (expletive) I want. I pay taxes. I own this building. You don't own this building. My grandfather owns that building (pointing elsewhere). My father owns the Fox Tower...'"

The lawsuit states that neither Kassab or Peressini owned the building where Kassab was urinating. The suit claims that Peressini held the champagne bottle by the neck when both men asked Naydenov "Do you want to get knocked out?" Naydenov pulled out his gun and told Peressini to call police on his cell phone.

The suit claims that Peressini hid the champagne bottle in a snow bank, and when police arrived, told them no one had urinated on the door and that Naydenov had pointed the gun at them for no reason.

Naydenov was taken to jail and charged with menacing, disorderly conduct and pointing a firearm at another. He was cleared of all charges after a trial last July.

Kassab declined to comment in detail Thursday, but said the lawsuit was "factually inaccurate."

"Being held at gunpoint was one of the most traumatic experiences of my life, and now I'm being sued for it," he said. "It's unfortunate."

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