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STEVE DUIN
COMMENTARY

Don't bring a magnum to a gunfight

Until Vanessa Sturgeon got involved, the confrontation was just another childish duel of egos that fit, barely, under the heading of no harm, no foul.

Two prima donnas, armed with an $8 bottle of champagne, collided with a Bulgarian-born building caretaker and his .357 magnum on a snowy night in downtown Portland.

Taunts were exchanged, magnums raised, cops summoned. Kostadin Naydenov and his .357 went one way -- to jail -- and Nicholas Moyer Kassab and Tony Peressini went the other, to the Rose Garden for a Trail Blazer game.

That's where it should have ended. It didn't. And it didn't, by and large, because Sturgeon decided to pull some strings.

Sturgeon is the president of TMT Development, a firm built by her grandfather, Tom Moyer. Kassab is her younger brother.

Two weeks after the December 2008 incident, Sturgeon e-mailed Mike Kuykendall, a former Multnomah County deputy DA, and Norm Sharp. A former Portland cop, Sharp runs the Portland Business Alliance's "Clean and Safe" program.

Noting that Naydenov held her brother at gunpoint because he thought Kassab was urinating on his building, Sturgeon said of Naydenov, "clearly the guy should not have a concealed weapons permit as he is not right in the head."

Actually, Naydenov, 49, is held in such esteem at the Benson Hotel, where he delivers room service, that he had clearance to serve Barack Obama when the president came to town.

Thirty-two minutes after receiving Sturgeon's email, Sharp contacted Laurie Abraham, who handles downtown neighborhood prosecution for the DA's office. Sharp asked Abraham to "give this a check for me."

The next morning, court records show, Abraham alerted senior deputy Fred Lenzser and prosecutor Amber Moser.

And two weeks later, lo and behold, Naydenov is charged with menacing, disorderly conduct and pointing a firearm. Moser eventually testifies in court that the e-mails initiated by Sturgeon "revived" a criminal case that wasn't on the DA's radar screen.

You can understand why Greg Kafoury, Naydenov's attorney, might think all this betrays a cozy relationship between the cops, downtown developers and the DA's office.

"It fits into a larger picture," Kafoury argues: "The privatization of the institution of justice."

But look what happened.

The criminal case goes nowhere. Acquitted of the charges that aren't thrown out, Naydenov gets annoyed.

"He wasn't interested in getting even. He was interested in getting on with his life," Kafoury said. "Then they came after him."

He files civil charges against Kassab and Peressini, alleging false arrest, malicious prosecution, assault (the champagne magnum) and intimidation. A new jury hears the two divas stumble over one another, trying to get their stories straight.

It hears Peressini admit he hid the champagne bottle before police arrived so he wouldn't be "discredited." It listens to Peressini, far from sounding threatened, laughing on the 9-1-1 call, even as he yells at Naydenov, "You're going to jail."

In the end, the jury orders Kassab and Peressini to pay Naydenov $360,000.

Justice prevails, just as Sturgeon requested. I trust her next e-mail will be a thank-you note.

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Steve Duin: 503-221-8597;
1320 S.W. Broadway, Portland, OR 97201
sduin@news.oregonian.com
oregonlive.com/duin