

Plaintiffs Julie Abbate, Christopher Downes, Joseph Mayer, Mindi Morgan, Tom Ulrich, Adam Eiding, and Alexis Baden-Mayer allege as follows:

After paragraph 11, insert the following as paragraphs 11.1 and 11.2

11.1 Plaintiff Adam Eiding is a resident of the District of Columbia. Mr. Eiding was arrested in Pershing Park on the morning of September 27, 2002. He was thereafter detained and held against his will until approximately 1 p.m. on September 28, 2002.

11.2 Plaintiff Alexis Baden-Mayer is a resident of the District of Columbia. Ms. Baden-Mayer was arrested in Pershing Park on the morning of September 27, 2002. She was thereafter detained and held against her will until approximately 3 p.m. on September 28, 2002.

After paragraph 32, insert the following as paragraphs 32.1 and 32.2

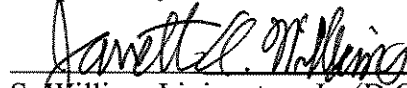
32.1 Plaintiff Adam Eiding went to Freedom Plaza by bicycle to participate in a rally against the invasion of Iraq. When he arrived at Freedom Plaza, he found that police in riot gear had surrounded the plaza and were telling people they could not enter. While walking his bicycle on the sidewalk on the east side of 14th Street, an MPD police officer forced him off the sidewalk into Pershing Park. Other police officers were ordering people to enter Pershing Park. Mr. Eiding obeyed that order. Over the next hour police surrounded him and hundreds of others, pushing them into a tight compacted group. Mr. Eiding locked his bicycle to a bench when he realized the police were arresting the crowd in the park. The police pushed him away from his bicycle and cut the lock off his bicycle before putting it into a truck. In the park he met his wife, plaintiff Alexis Baden-Mayer, and her father, plaintiff Joseph Mayer. All three of them repeatedly asked the police officers surrounding them if they could leave. At one point, Mr. Eiding yelled to Chief Ramsey, who was across the street, asking him to release them, but Chief Ramsey turned and looked away. Mr. Eiding was arrested even though he had done nothing illegal and had not disobeyed any police orders. At no time did he hear the police order the people in Pershing Park to disperse or give any warning that persons entering the park would

be subject to arrest. While Mr. Eidinger and his wife and father-in-law were being cuffed and loaded on busses, a police officer took his wife's engagement ring that he had given her and threw it into Pennsylvania Avenue. The ring was never recovered. The bus took all of them to the Police Academy. Mr. Eidinger sat in the bus from around 10:30 am until after dark. He was cuffed the whole time and his wrists were swollen. Police officers came on the bus during various times and announced that the arrestees would be released if they paid \$100. Mr. Eidinger asked about getting a court date but was told that "wasn't an option." Some time around midnight he was moved to the Police Academy gymnasium and was cuffed hand-to-foot and made to sit on a mat, as were hundreds of other people. He was released on September 28th around 1:00 p.m. He retrieved his bicycle from the police property warehouse a few days later. Both wheel rims were bent and had to be replaced. As a result of his arrest, he incurred out-of-pocket expenses of approximately \$293 for bicycle repairs, replacement of his bicycle lock and his wife's engagement ring, and Metro fare to travel to the police warehouse to recover his bicycle.

32.2 Plaintiff Alexis Baden-Mayer went to Freedom Plaza around 9 a.m. to participate in a rally against the invasion of Iraq. She found that the police had closed Freedom Plaza to demonstrators and was directed across the street to Pershing Park, where she displayed a banner. When she realized that the line of police officers surrounding the park made her invisible to passing traffic and that her demonstration was therefore ineffective, she asked the police for permission to leave but was met with a silent wall of riot police. The police closed in on the crowd in Pershing Park and forced the crowd with their batons into the center of the park until people were standing shoulder to shoulder. Ms. Baden-Mayer was arrested even though she had done nothing illegal and had not disobeyed any police orders. At no time did she hear the police

order the people in Pershing Park to disperse or give any warning that persons entering the park would be subject to arrest. She was handcuffed and put on a bus, where she remained in handcuffs until long after midnight. The police then transferred her to the Police Academy gymnasium, where she was handcuffed wrist to ankle. She was not released until about 3 p.m. the next day. As a result of her arrest and detention, she was unable to teach ballet lessons and suffered a loss of income. Her engagement ring was taken by the police during her arrest and never returned.

Respectfully submitted,



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