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16
 17 **UNITED STATES DISTRICT COURT**
 18 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 19

20 TRENT ALLEN, individually; TERRYONN
 PUGH, individually; SHAGOOFA KHAN,
 21 individually; ADAM CARPENTER,
 22 individually; JOSHUA BUTLER,
 individually; DEJON RICHARDS,
 23 individually; DRESHAWN JACKSON,
 individually; KARDELL SMITH,
 24 individually; DANIEL MACKIN,
 individually; TERRY DWAYNE
 25 ROBINSON, JR., individually; MANDINGO
 26 CAIN, individually; AMADEO GARCIA, JR.,
 individually; ARON TYSON, individually;
 27 DAUNTE GELLINGTON, individually;
 ROBERT YOUNG, individually; TERRY
 28 THOMAS, individually; SHAQUILLE

CASE NO.: 3:23-cv-01895-VC
 Consolidated with case nos.
 23-cv-03773-VC, 3:23-cv-06573-VC, and
 4:24-cv-01774-KAW

**FOURTH AMENDED CONSOLIDATED
 COMPLAINT FOR DAMAGES**

DEMAND FOR JURY TRIAL

Consol. Complaint Filed: 02/02/2024
 Complaint Filed (Allen): 04/19/2023
 Complaint Filed (Robinson): 08/11/2023
 Deemed Related: 11/08/2023
 Complaint Filed (Pugh): 03/24/2024

1 HILLARD, individually; DANYEL EARL
2 LACY, individually; KAYCEE SUITTER,
3 individually; MARCELL LEWIS,
4 individually; GREGORIO YARBOROUGH,
5 individually; QUINCY MASON, individually;
6 TAHJAY MCCULLOUGH, individually;
7 JAMARI ALLEN; individually;

8 Plaintiffs,

9 v.

10 CITY OF ANTIOCH, a municipal
11 corporation; ROB BERNALL, individually
12 and in his official capacity as the City
13 Manager for the CITY OF ANTIOCH;
14 CORNELIUS JOHNSON, individually and in
15 his official capacity as the City Manager for
16 the CITY OF ANTIOCH; FORREST EBBS,
17 individually and in his official capacity as the
18 City Manager for the CITY OF ANTIOCH;
19 KWAME REED, individually and in his
20 official capacity as the City Manager for the
21 CITY OF ANTIOCH; TAMMANY
22 BROOKS, individually and in his official
23 capacity as police chief for the CITY OF
24 ANTIOCH; TONY MOREFIELD,
25 individually and in his official capacity as
26 interim police chief for the CITY OF
27 ANTIOCH; STEVEN FORD, individually and
28 in his official capacity as police chief for the
CITY OF ANTIOCH; MATTHEW NUTT,
individually and in his official capacity as a
police officer for the CITY OF ANTIOCH;
JOSH EVANS, individually and in his official
capacity as a police sergeant for the CITY OF
ANTIOCH; ERIC ROMBOUGH, individually
and in his official capacity as a police officer
for the CITY OF ANTIOCH; MORTEZA
AMIRI, individually and in his official
capacity as a police officer for the CITY OF
ANTIOCH; SCOTT DUGGAR, individually
and in his official capacity as a police officer
for the CITY OF ANTIOCH; JOHN
RAMIREZ, individually and in his official
capacity as a police officer for the CITY OF
ANTIOCH; TIMOTHY MANLY
WILLIAMS, individually and in his official

Deemed Consolidated:
Trial Date:

06/26/2024
None Yet Set

1 capacity as a police officer for the CITY OF
2 ANTIOCH; TOM LENDERMAN,
3 individually and in his official capacity as a
4 police officer for the CITY OF ANTIOCH;
5 LOREN BLEDSOE, individually and in his
6 official capacity as a police sergeant for the
7 CITY OF ANTIOCH; THOMAS SMITH,
8 individually and in his official capacity as a
9 police officer for the CITY OF ANTIOCH;
10 CALVIN PRIETO, individually and in his
11 official capacity as a police officer for the
12 CITY OF ANTIOCH; ANDREA
13 RODRIGUEZ, individually and in her official
14 capacity as a police officer for the CITY OF
15 ANTIOCH; JONATHAN ADAMS,
16 individually and in his official capacity as a
17 police officer for the CITY OF ANTIOCH;
18 DEVON WENGER, individually and in his
19 official capacity as a police officer for the
20 CITY OF ANTIOCH; DANIEL HARRIS,
21 individually and in his official capacity as a
22 police officer for the CITY OF ANTIOCH;
23 ROBERT GERBER, individually and in his
24 official capacity as a police officer for the
25 CITY OF ANTIOCH; KYLE HILL,
26 individually and in his official capacity as a
27 police officer for the CITY OF ANTIOCH;
28 Officer BROCK MARCOTTE, individually
and in his official capacity as a police officer
for the CITY OF ANTIOCH; AARON
HUGHES, individually and in his official
capacity as a police officer for the CITY OF
ANTIOCH; RYAN GEIS, individually and in
his official capacity as a police officer for the
CITY OF ANTIOCH; RICK HOFFMAN,
individually and in his official capacity as a
sergeant for the CITY OF ANTIOCH; JIMMY
WISECARVER, individually and in his
official capacity as a sergeant for the CITY OF
ANTIOCH; JOHN FORTNER, individually
and in his official capacity as a lieutenant for
the CITY OF ANTIOCH; BRAYTON
MILNER, individually and in his official
capacity as a police officer for the CITY OF
ANTIOCH; DEVIN EIGARD, individually
and in his official capacity as a police officer
for the CITY OF ANTIOCH;
CONSTANTINE KAWALYA, individually

1 and in his official capacity as a police officer
2 for the CITY OF ANTIOCH; RYAN DUFF,
3 individually and in his official capacity as a
4 police officer for the CITY OF ANTIOCH;
5 JACOB KING, individually and in his official
6 capacity as a police officer for the CITY OF
7 ANTIOCH; GUSTAVO JIMENEZ,
8 individually and in his official capacity as a
9 police officer for the CITY OF ANTIOCH;
10 ASHLEY LUNDIN, individually and in her
11 official capacity as a police officer for the
12 CITY OF ANTIOCH; GARY LOWTHER,
13 individually and in his official capacity as a
14 police sergeant for the CITY OF ANTIOCH;
15 DUSTIN DIBBLE, individually and in his
16 official capacity as a police officer for the
17 CITY OF ANTIOCH; KYLE SMITH,
18 individually and in his official capacity as a
19 police officer for the CITY OF ANTIOCH;
20 JAKE EWART, individually and in his official
21 capacity as a police officer for the CITY OF
22 ANTIOCH; JAMES BEDGOOD, individually
23 and in his official capacity as a police officer
24 for the CITY OF ANTIOCH; ROBERT
25 GREEN, individually and in his official
26 capacity as a sergeant for the CITY OF
27 ANTIOCH; JAMES STENGER, individually
28 and in his official capacity as a sergeant for the
CITY OF ANTIOCH; RANDALL GRAGG,
individually and in his official capacity as a
police officer for the CITY OF ANTIOCH;
KEVIN TJAHJADI, individually and in his
official capacity as a police officer for the
CITY OF ANTIOCH; RYAN MCDONALD,
individually and in his official capacity as a
police officer for the CITY OF ANTIOCH;
MATTHEW KOCH, individually and in his
official capacity as a sergeant for the CITY OF
ANTIOCH; DANIEL NAVARRETTE,
individually and in his official capacity as a
police officer for the CITY OF ANTIOCH;
CASEY BROGDON, individually and in his
official capacity as a police officer for the
CITY OF ANTIOCH; JONATHAN
DOWNIE, individually and in his official
capacity as a police officer for the CITY OF
ANTIOCH; STEVEN MILLER, individually
and in his official capacity as a police officer

1 for the CITY OF ANTIOCH; ANTIOCH
2 POLICE DEPARTMENT OFFICER
3 MOORE, individually and in his official
4 capacity as a police officer for the CITY OF
5 ANTIOCH; and DOES 26-100, inclusive,

Defendants.

6
7 **INTRODUCTION**

8 1. In the early 2000s, Black and brown people migrated away from east and west
9 Oakland's urban sprawl, blight and oppressive policing. They relocated east to cities such as Tracy,
10 Pittsburgh, and Antioch. They sought the imprimatur of authentic citizenship intrinsic in the
11 greenery and rolling hills of those East Bay communities. Instead, these people were subjected to a
12 systematic and intentional effort to repress their existence through discriminatory and violent
13 policing. The victims complained about the conspiracy, spoken or unspoken, of abuse over the
14 years. Their calls for justice and reform went unheard for years and years. On April 11, 2023, local
15 media published certified proof of the depth of many Antioch Police Department Officers' bigotry,
16 racism, willingness to falsify evidence, and their celebration of their own uses of unconstitutional
17 and unreasonable force.

18 2. On March 28, 2023, the Office of the District Attorney of Contra Costa County
19 published an investigative report detailing crimes of moral turpitude and criminal offenses
20 committed by sworn law enforcement officers within the CITY OF ANTIOCH Police Department.
21 From 2019-2022, Antioch police officers and sergeants exchanged hundreds of salacious text
22 messages riddled with vile and offensive language about community members. In those text threads,
23 officers bragged about using excessive force and beating arrest subjects so severely that the officers
24 themselves hurt their hands and feet. The District Attorney's report detailed "derogatory,
25 homophobic, and sexually explicit language and photographs shared by members of the Antioch
26 Police Department that demonstrates their racial bias and animus towards African Americans and
27 other people of color in the community." Over a period of at least four years, the Antioch Police
28 Department officers regularly referred to citizens as "niggers," "niggas," "monkeys," "gorillas,"

1 “faggots,” “water buffalos,” “cunts,” “pussies,” “fat bitches,” and more. Officers celebrated the
2 violent targeting of Black community members (“we just ran down a monkey”; “I’m only stopping
3 them cuz they black [sic]”; “I’ll bury that nigger in my fields”; “I can’t wait to forty all of them”).
4 Furthermore, officers admitted to serious acts of lying and falsification (“we’ll just say he refused to
5 comply”; “I sometimes just say people gave me a full confession when they didn’t. gets filed easier
6 [sic]”). Appallingly, at least 45 officers participated in or were aware of this misconduct and did
7 nothing.

8 3. The widespread abuse by large numbers of the Antioch Police Department
9 population, detailed in the investigative report, highlights a pattern and practice of discriminatory
10 law enforcement based on race and gender. Officers engaged in vile derogatory speech, physical
11 mistreatment of community members, and violations of individual civil rights. The abuses in
12 question were the product of a culture of intolerance within the CITY OF ANTIOCH Police
13 Department. This culture is rooted in the deliberate indifference of high-ranking City officials, who
14 have routinely acquiesced in the misconduct and otherwise failed to take necessary measures to
15 curtail and prevent it. Despite the repeated and frequent nature of the misconduct and civil rights
16 violations committed by its officers, high ranking CITY OF ANTIOCH officials failed to take any
17 or appropriate remedial action. As a result, officers engaged in repeated and serious acts of
18 misconduct and civil rights violations against citizens living, visiting, and/or traveling in Antioch.

19 4. Plaintiffs, all of whom experienced malicious treatment by Antioch Police
20 Department officers during the time frame in which officers exchanged these text
21 messages, recently discovered that the officers’ treatment of them was based in racial animus,
22 misogyny, homophobia, and other offensive conduct. Plaintiffs have reason to believe that each of
23 their interactions with Antioch Police Department officers constituted numerous civil rights
24 violations. Plaintiffs are informed and believe and thereon allege that said civil rights violations
25 and/or misconduct included, but was not limited to, assaults, beatings, false arrests, unreasonable
26 searches and seizures, intimidation, false imprisonment, malicious prosecution, denial of equal
27 protection, racial discrimination, conspiracy to violate civil rights and/or other misconduct.
28

1 conversations celebrating the violence ROMBOUGH inflicted on TRENT ALLEN during his
2 arrest. Concurrent to Defendant CITY OF ANTIOCH Police Department’s criminal investigation
3 into TRENT ALLEN, Defendant MANLY WILLIAMS did knowingly engage in illegal wiretap
4 and destruction of evidence. TRENT ALLEN remains in-custody, having been incarcerated since
5 his arrest on March 30, 2021.

6 8. Plaintiff **TERRYONN DESHANN PUGH** (“PUGH”) has been and is a resident of
7 California and a United States Citizen. He brings this action on his own behalf. PUGH was arrested
8 by Defendant Officers ERIC ROMBOUGH, BROCK MARCOTTE, TIMOTHY MANLY
9 WILLIAMS, SCOTT DUGGAR, and RYAN MCDONALD on March 31, 2021. ROMBOUGH
10 conspired with DEFENDANTS to shoot Plaintiff PUGH with 40 mm rubber bullets in the days
11 leading up to PUGH’s arrest. Defendant ROMBOUGH bragged about his conduct following
12 Plaintiff PUGH’s arrest, took pictures of PUGH’s injured buttocks while PUGH was in the hospital
13 following the shooting, and sent the photograph to civilians in violation of PUGH’s rights of
14 privacy. PUGH was also arrested, brutalized, and called racial slurs by Defendant Officers
15 CALVIN PRIETO, ANDREA RODRIGUEZ, and MATTHEW NUTT on November 10, 2020.

16 9. Plaintiff **SHAGOOFA KHAN** (“KHAN”) has been and is a resident of California
17 and a United States Citizen. She brings this action on her own behalf. Ms. KHAN was arrested and
18 prosecuted maliciously and without provocation or cause by Defendant CITY OF ANTIOCH Police
19 Officers on January 15, 2021. Ms. KHAN was charged with felony arson and battery on an officer.
20 KHAN completed diversion, however she never entered a plea agreement. The charges were
21 eventually dismissed. The arresting and investigating Defendant CITY OF ANTIOCH Officers,
22 included but not limited to Defendants EVANS, MANLY WILLIAMS, TOM LENDERMAN,
23 LOREN BLEDSOE, THOMAS SMITH, and CASEY BROGDON, are key participants in the
24 ongoing investigation by Federal Agencies into the discriminatory text messages sent among CITY
25 OF ANTIOCH Police Department officers and sergeants. Concurrent with Ms. KHAN’s arrest,
26 Defendant Officer EVANS sent racist and misogynistic text messages about her to multiple CITY
27 OF ANTIOCH officers, including but not limited to Defendant Officers ROMBOUGH, MANLY
28

1 WILLIAMS, BLEDSOE, T. SMITH, LENDERMAN, STENGER, HOFFMAN, WISECARVER,
2 and BROGDON, in which EVANS described Ms. Khan as an “[A]rabian nights cum dumpster.”

3 10. Plaintiff **ADAM CARPENTER** (“CARPENTER”) has been and is a resident of
4 California and a United States Citizen. He brings this action on his own behalf. CARPENTER was
5 arrested maliciously and without provocation or cause on November 3, 2020 by multiple CITY OF
6 ANTIOCH Police Officers, including Defendants MORTEZA AMIRI, ROMBOUGH, DUGGAR,
7 MARCOTTE, and MANLY WILLIAMS. From January 2020 up until the date of his arrest, these
8 and other CITY OF ANTIOCH Police Officers conducted nearly ten traffic stops on Mr.
9 CARPENTER. Concurrent with CARPENTER’s arrest and traffic stops, Defendant Officers
10 including ROMBOUGH, DUGGAR, MARCOTTE, AMIRI, and MANLY WILLIAMS, planned
11 via text message to arrest and tow people for “driving while black,” and referred to the subjects of
12 such stops as “monkeys,” “gorillas,” “niggers,” and “turds.”¹ Defendant AMIRI texted Defendant
13 Officers to “keep their cameras off,” and that the “game plan” was to “violate rights, forty people,
14 and catch turds.” Defendants MARCOTTE and ROMBOUGH similarly texted describing their on-
15 duty conduct near the time of CARPENTER’s arrest as “violating civil rights.” While Mr.
16 CARPENTER was subjected to multiple traffic stops, Defendant Officers RODRIGUEZ and
17 PRIETO agreed to write a large amount of traffic citations in and around Antioch, targeting a
18 specific group of people they referred to as “niggers.”

19 11. Plaintiff **JOSHUA BUTLER** (“BUTLER”) has been and is a resident of California
20 and a United States Citizen. He brings this action on his own behalf. Mr. BUTLER was arrested
21 maliciously and without provocation or cause by Defendant CITY OF ANTIOCH Police Officers
22 on February 3, 2022. Multiple Defendant officers, including JOSH EVANS, BRAYTON MILNER,
23 and KYLE HILL, arrested BUTLER for allegedly discharging a firearm, despite never finding a
24 weapon. Concurrent with Mr. BUTLER’s arrest, Defendant CITY OF ANTIOCH Police Officers,
25 including Defendant Officer EVANS, sent numerous text messages about Black people, calling
26 them “gorillas,” “niggers,” “monkeys,” and using other targeted slurs to refer to subjects (i.e.:

27 _____
28 ¹ Defendants use language describing feces such as “[number] 2’s”, “pieces of shit”, and “turds” throughout their text threads as a reference to Black and Brown people.

1 “faggot,” “pussies,” “cunt,” “fat bitch”). EVANS sent text messages to other CITY OF ANTIOCH
2 Officers in which he lamented that bruises “never look as good on black guys.” In these text
3 messages, Defendant EVANS regularly referred to Black people as “niggers.” Discussing an
4 unknown subject, EVANS texted Defendant AMIRI: “I’m going to bury that nigger in my fields”
5 and “yes, it was a hard R on purpose.” Since the date of the arrest, DEFENDANTS Officers of
6 Defendant CITY OF ANTIOCH have conducted nearly ten traffic stops on Mr. BUTLER, each
7 time verbally accosting him with racist slurs and obscenities. None of these traffic stops have
8 resulted in additional arrests. On May 26, 2023, BUTLER’s firearm case was dismissed.

9 12. Plaintiff **DEJON RICHARDS** (“RICHARDS”) has been and is a resident of
10 California and a United States Citizen. He brings this action on his own behalf. Mr. RICHARDS
11 was arrested and brutalized in 2020 by Defendant CITY OF ANTIOCH Police Department
12 Officers, including Defendant Officer DUGGAR. During the arrest, DUGGAR repeatedly called
13 RICHARDS a “bitch,” told him that he had no rights, and slammed RICHARDS’ head on the car—
14 causing a laceration to the left side of his face. Concurrent to Mr. RICHARDS’ arrest, DUGGAR
15 sent text messages to other Antioch officers in which he referred to Black people as “niggas.”
16 Around the time of RICHARDS’ arrest, Defendant DUGGAR also participated in text message
17 threads with Defendant CITY OF ANTIOCH Police Officers in which they discussed plans to
18 violate civil rights while on duty, and celebrated images of injuries inflicted by CITY OF
19 ANTIOCH Police Officers. One image was so offensive it caused a Defendant CITY OF
20 ANTIOCH Police Sergeant to respond: “we’re all going to prison.” Mr. RICHARDS was
21 incarcerated for one year prior to his case being dismissed.

22 13. Plaintiff **DRESHAWN JACKSON** (“JACKSON”) has been and is a resident of
23 California and a United States Citizen. He brings this action on his own behalf. JACKSON was
24 arrested on February 21, 2018 by CITY OF ANTIOCH Police Department Officers, including
25 Defendant CITY OF ANTIOCH Police Officer ROMBOUGH. During the arrest, ROMBOUGH
26 admitted to JACKSON that he had “a beer or two,” then demanded that JACKSON get out of the
27 car. JACKSON was charged with possession of a firearm and was incarcerated for 15 months. In
28 April 2022, JACKSON’s case was dismissed by the District Attorney. While employed as a

1 Defendant CITY OF ANTIOCH Police officer, Defendant ROMBOUGH along with Defendants
2 AMIRI and WENGER conspired and agreed together and with other CITY OF ANTIOCH Police
3 officers to injure, oppress, threaten, and intimidate residents of Antioch, California and the
4 surrounding districts. As a part of this scheme, ROMBOUGH, AMIRI, and WENGER used force as
5 punishment to subjects beyond any imposed by the criminal justice system, and repeatedly
6 referenced violating civil rights while acting in their official capacity for Defendant CITY OF
7 ANTIOCH. Defendant ROMBOUGH proudly admitted to brutalizing arrestees on multiple
8 occasions and often referred to arrestees with homophobic and racially-charged language.
9 Moreover, concurrent to the arrest of DRESHAWN JACKSON, Defendant ROMBOUGH was
10 collecting spent 40 mm ammunitions which he used to create a “trophy flag” to commemorate his
11 use of force on individuals in and around Antioch. ROMBOUGH bragged about this flag in
12 multiple text messages with Defendant CITY OF ANTIOCH Police Department officers and others.

13 14. Plaintiff **KARDELL SMITH** (“KARDELL SMITH”) has been and is a resident of
14 California and a United States Citizen. He brings this action on his own behalf. KARDELL SMITH
15 was arrested on state possession charges in 2019 by Defendant CITY OF ANTIOCH Police
16 Officers, including Defendant Officers AMIRI and ROMBOUGH. KARDELL SMITH served
17 parole and then later was picked up on the same charges by the federal government. On April 13,
18 2022, a federal judge dismissed KARDELL SMITH’s case, dropped every charge, and withdrew all
19 previous pleadings. Concurrent with SMITH’s arrest Defendant Officers including ROMBOUGH
20 and AMIRI exchanged text messages about Black people in and around Antioch, calling them
21 “gorillas,” “niggers,” “monkeys,” and using other targeted slurs to refer to subjects (i.e.: “faggot,”
22 “pussies,” “cunt,” “fat bitch”). AMIRI and ROMBOUGH proudly admitted to brutalizing arrestees
23 on multiple occasions within these threads. ROMBOUGH boasted about “violating civil rights” and
24 “only stopping [people] cuz they black [sic].” AMIRI admitted to serious offenses including
25 falsification, claiming: “I sometimes just say people gave me a full confession when they didn’t.
26 gets filed easier [sic].”

27 15. Plaintiff **DANIEL MACKIN** (“MACKIN”) has been and is a resident of California
28 and a United States Citizen. He brings this action on his own behalf. MACKIN was brutalized on

1 June 15, 2021, by CITY OF ANTIOCH Police Department Officers, including Defendant Officers
2 ROMBOUGH, MARCOTTE, and MILNER, in the presence of Defendant SERGEANT
3 MATTHEW KOCH, during the execution of a search warrant operation set up by Defendant
4 Officer ADAMS. As a result of this encounter, Mr. MACKIN was shot with a 40 mm less-lethal
5 launcher and beaten so severely that he sustained a metacarpal fracture in his foot, spent six months
6 in a wheelchair, and underwent multiple surgeries. About two weeks before the encounter,
7 ROMBOUGH and MILNER exchanged text messages planning in advance to deploy a 40 mm less-
8 lethal launcher against MACKIN. Two days before arresting MACKIN, Defendant CITY OF
9 ANTIOCH Officers ROMBOUGH and AMIRI made plans to “dog bite” and “40mm deployment”
10 when they would next be on duty together, i.e., the day Mr. MACKIN was subjected to the use of
11 extreme force by Defendants. In the days following Mr. MACKIN’s arrest, AMIRI and
12 ROMBOUGH exchanged texts about an email from Defendant CITY OF ANTIOCH Police
13 Department leadership, regarding “the new BWC and MVAR policies are effective immediately,
14 and the use of these devices should start at the beginning of the next scheduled shift.” AMIRI and
15 ROMBOUGH both agreed they were “over it,” and later strategized to avoid being caught on each
16 other’s cameras. Officers AMIRI and ROMBOUGH have since been federally indicted for violating
17 civil rights during the time frame in which Mr. MACKIN’s violent arrest occurred.

18 16. Plaintiff **TERRY DWAYNE ROBINSON, JR.** (“ROBINSON”) has been and is a
19 resident of California and a United States Citizen. He brings this action on his own behalf.
20 ROBINSON was arrested and brutalized on July 1, 2022, by Defendant CITY OF ANTIOCH police
21 officers, including Defendant Officers MATTHEW NUTT, DUSTIN DIBBLE, and JOSHUA
22 EVANS. NUTT is implicated in the District Attorney’s investigation into the discriminatory text
23 messages sent among Antioch Police Department officers and sergeants. NUTT was a member of
24 these group text changes and received all of the salacious text messages uncovered in this scandal.

25 17. Plaintiff **MANDINGO CAIN** (“CAIN”) has been and is a resident of California and
26 a United States Citizen. He brings this action on his own behalf. CAIN was searched and arrested
27 without provocation or cause by CITY OF ANTIOCH Defendant Officers DEVIN EIGARD,
28 CONSTANTINE KAWALYA, T. SMITH, JONATHAN DOWNIE, and STEVEN MILLER on

1 October 3, 2022. The officers accused CAIN of illegally transporting a firearm. Mr. CAIN was
2 charged, but the charges were eventually dismissed. At least one of the Defendant CITY OF
3 ANTIOCH officers is a key participant in the District Attorney’s investigation into the
4 discriminatory text messages sent among Antioch Police Department officers and sergeants.

5 18. Plaintiff **AMADEO GARCIA, JR.** (“GARCIA”) has been and is a resident of
6 California and a United States Citizen. He brings this action on his own behalf. GARCIA was
7 arrested and brutalized on December 19, 2022, by multiple Defendant CITY OF ANTIOCH Police
8 Officers who conducted an unlawful search of GARCIA’s vehicle. GARCIA was charged with
9 multiple counts of possession, but these charges were eventually dismissed.

10 19. Plaintiff **ARON TYSON** (“TYSON”) has been and is a resident of California and a
11 United States Citizen. He brings this action on his own behalf. On October 3, 2020, Mr. TYSON
12 was arrested and brutalized by Defendant CITY OF ANTIOCH Police Officers, including AMIRI,
13 when they conducted an unlawful search of TYSON’s vehicle. TYSON was charged with
14 possession, but the charges were eventually dismissed in August 2022.

15 20. Plaintiff **DAUNTE GELLINGTON** (“GELLINGTON”) has been and is a resident
16 of California and a United States Citizen. He brings this action on his own behalf. Mr.
17 GELLINGTON was brutalized on April 30, 2023, by several CITY OF ANTIOCH Police Officers
18 who falsely accused him of threatening his brother. Mr. GELLINGTON was beaten so severely by
19 CITY OF ANTIOCH Police Officers that he sustained a broken toe, bruised ribs, and scars on his
20 knees and shoulders.

21 21. Plaintiff **ROBERT YOUNG** (“YOUNG”) has been and is a resident of California
22 and a United States Citizen. He brings this action on his own behalf. YOUNG was harassed and
23 robbed on July 3, 2022 by Defendant CITY OF ANTIOCH Police Officer ERIC ROMBOUGH.
24 Officer ROMBOUGH is a key participant in the District Attorney’s investigation into the
25 discriminatory text messages sent among Antioch Police Department officers and sergeants.
26 ROMBOUGH boasted about “violating civil rights” and collecting trophies to commemorate the
27 violence he inflicted on his victims.
28

1 22. Plaintiff **TERRY THOMAS** (“THOMAS”) has been and is a resident of California
2 and a United States Citizen. He brings this action on his own behalf. THOMAS was slammed to the
3 ground and arrested during an illegal search of his mother’s home on July 12, 2022, by several
4 CITY OF ANTIOCH Police Officers, including Defendants ROMBOUGH, GERBER, HILL, and
5 DUGGAR. TERRY THOMAS was charged with murder and incarcerated, but the charges were
6 ultimately dismissed in August 2023. Officer ROMBOUGH is a key participant in the District
7 Attorney’s investigation into the discriminatory text messages sent among Antioch Police
8 Department officers and sergeants. ROMBOUGH boasted about “violating civil rights” and “only
9 stopping [people] cuz they black [sic].” Officer GERBER is also implicated in the District
10 Attorney’s investigation into the discriminatory text messages sent among Antioch Police
11 Department officers and sergeants. GERBER sent text messages containing photos of gorillas and
12 referring to Black people as “fag[s]” to other Antioch officers.

13 23. Plaintiff **SHAQUILLE HILLARD** (“HILLARD”) has been and is a resident of
14 California and a United States Citizen. He brings this action on his own behalf. HILLARD was
15 searched and arrested without provocation or cause in April, 2022, by CITY OF ANTIOCH Police
16 Department officers, including but not limited to Defendant Officers HUGHES and AMIRI. Mr.
17 HILLARD was illegally searched and charged with gun possession. HILLARD was also harassed
18 by CITY OF ANTIOCH Police Officers throughout multiple incidents occurring between January
19 of 2020 and September of 2022. Concurrently, Defendant CITY OF ANTIOCH Police Officers,
20 including AMIRI and HUGHES, planned and celebrated forcible civil rights violations within
21 discriminatory text messages among Antioch Police Department officers and sergeants. During this
22 time Defendant AMIRI also admitted to serious offenses of falsification, claiming: “I sometimes
23 just say people gave me a full confession when they didn’t. gets filed easier [sic].”

24 24. Plaintiff **DANYEL EARL LACY** (“LACY”) has been and is a resident of
25 California and a United States Citizen. He brings this action on his own behalf. Mr. LACY was
26 maliciously targeted, wrongfully searched, and wrongfully arrested by several CITY OF ANTIOCH
27 Police Officers including Defendant Officers ROMBOUGH, MANLY WILLIAMS, HUGHES, and
28 KYLE SMITH, on April 22, 2020 at 1600 Buchanan Road in Antioch, CA. The CITY OF

1 ANTIOCH police officers searched a car that did not belong to LACY, claimed to find a firearm,
2 and then arrested LACY. Mr. LACY was charged with illegal possession of a firearm and spent
3 three months in jail, but all charges were eventually dismissed in August 2023.

4 25. Plaintiff **KAYCEE SUITTER** (“SUITTER”) has been and is a resident of California
5 and a United States Citizen. She brings this action on her own behalf. On December 19, 2022, Ms.
6 SUITTER was unlawfully held, handcuffed, and searched in a parking garage while with her
7 boyfriend, Plaintiff AMADEO GARCIA, by Defendant CITY OF ANTIOCH Police Officers
8 including but not limited to Defendant Officers MARCOTTE, SMITH, and RODRIGUEZ. After
9 the search SUITTER was charged with possession of cocaine with intent to distribute; possession of
10 fentanyl and methamphetamine; and possession of a firearm, but all charges were dismissed on
11 December 27, 2022. Defendant Officers MARCOTTE, SMITH, and RODRIGUEZ are all key
12 participants in the District Attorney’s investigation into the discriminatory text messages sent
13 among Antioch Police Department officers and sergeants. Defendant Officer SMITH sent text
14 messages to other CITY OF ANTIOCH Police Officers in which he referred to Black people as
15 “niggas” and to women as “bitches.” Defendant Officer RODRIGUEZ sent texts agreeing to target
16 Black people for traffic citations, stating that it “will be easy” and “a good time.”

17 26. Plaintiff **MARCELL LEWIS** (“LEWIS”) has been and is a resident of California
18 and a United States Citizen. He brings this action on his own behalf. On November 15, 2020, Mr.
19 LEWIS was unlawfully held, handcuffed, and searched by CITY OF ANTIOCH police officers
20 including, but not limited to, Defendant Officers AMIRI and DANIEL NAVARRETTE.
21 Subsequent to Mr. LEWIS’s encounter with CITY OF ANTIOCH Police Officers, Defendant
22 AMIRI shared in a text message that the word “nigger” is commonly “commonly used around the
23 [CITY OF ANTIOCH Police Department] tbh. Every group messages with supervisors and IA sgt’s
24 matter of fact it was just said today in our group thread with multiple supervisors in it.”

25 27. Plaintiff **GREGORIO YARBOROUGH** (“YARBOROUGH”) has been and is a
26 resident of California and a United States Citizen. He brings this action on his own behalf. On
27 August 15, 2023, Defendant CITY OF ANTIOCH Police Officers RYAN GEIS, RYAN DUFF,
28 JACOB KING, GUSTAVO JIMENEZ, JONATHAN DOWNIE, ASHLEY LUNDIN, and GARY

1 LOWTHER used excessive force when they held YARBOROUGH at gunpoint and shot him with a
2 40 mm less-lethal launcher without justification.

3 28. Plaintiff **QUINCY MASON** (“MASON”) has been and is a resident of California
4 and a United States Citizen. He brings this action on his own behalf. In September of 2018, CITY
5 OF ANITIOCH Police Department officers, including Defendants EVANS, AMIRI, STENGER,
6 KYLE SMITH, TJAHHADI, and HUGHES, assaulted Mr. MASON without justification.

7 29. Plaintiff **TAHJAY MCCULLOUGH** (“MCCULLOUGH”) has been and is a
8 resident of California and a United States Citizen. He brings this action on his own behalf. On
9 November 10, 2020, CITY OF ANTIOCH Police Department officers, including Defendant
10 Officers PRIETO, RODRIQUEZ, AMIRI, and MOORE, physically assaulted Mr. MCCULLOUGH
11 without justification.

12 30. Plaintiff **JAMARI ALLEN** (“JAMARI ALLEN”) has been and is a resident of
13 California and a United States Citizen. He brings this action on his own behalf. On approximately
14 August 21, 2020, several CITY OF ANTIOCH Police Department officers, including Defendants
15 AMIRI, WENGER, and ROBERT GREEN, needlessly and repeatedly sicced an Antioch Police
16 Department canine on JAMARI ALLEN to cause him injury after he had already surrendered and
17 was in the custody of Defendant Officers.

18 31. Defendant **CITY OF ANTIOCH** (“CITY”) is an incorporated public entity duly
19 authorized and existing as such in and under the laws of the State of California; and at all times
20 herein mentioned, Defendant City has possessed the power and authority to adopt policies and
21 prescribe rules, regulations and practices affecting the operation of the CITY OF ANTIOCH Police
22 Department and its tactics, methods, practices, customs and usage. At all relevant times, Defendant
23 CITY was the employer of Defendant OFFICERS, individually and as peace officers.

24 32. Defendant **ROB BERNAL** (“BERNAL”), at all times mentioned herein, was
25 employed by Defendant CITY OF ANTIOCH as the City Manager from March 2017, through the
26 end of the year 2021. He is being sued individually and in his official capacity as the Manager for
27 the CITY OF ANTIOCH. Plaintiffs allege that as City Manager, BERNAL had final policy-making
28 authority over CITY OF ANTIOCH POLICE DEPARTMENT policies and procedures. At all

1 material times, BERNAL was responsible for supervising, enacting, and enforcing CITY OF
2 ANTIOCH POLICE DEPARTMENT conduct, policies, and practices including the absence of
3 needed policies and practices; and for the hiring, retention, supervision, and training of employees,
4 agents, and leadership of CITY Police Department.

5 33. Defendant **CORNELIUS JOHNSON** (“JOHNSON”), at all times mentioned herein,
6 was employed by Defendant CITY OF ANTIOCH as the City Manager from or around December
7 16, 2021, through approximately July 14, 2023. He is being sued individually and in his official
8 capacity as the Manager for the CITY OF ANTIOCH. Plaintiffs allege that as City Manager,
9 JOHNSON had final policy-making authority over CITY OF ANTIOCH POLICE DEPARTMENT
10 policies and procedures. At all material times, JOHNSON was responsible for supervising,
11 enacting, and enforcing CITY OF ANTIOCH POLICE DEPARTMENT conduct, policies, and
12 practices including the absence of needed policies and practices; and for the hiring, retention,
13 supervision, and training of employees, agents, and leadership of CITY Police Department.

14 34. Defendant **FOREST EBBS** (“EBBS”), at all times mentioned herein, was employed
15 by Defendant CITY OF ANTIOCH as the City Manager following the resignation of JOHNSON.
16 He is being sued individually and in his official capacity as the Manager for the CITY OF
17 ANTIOCH. Plaintiffs allege that as City Manager, EBBS had final policy-making authority over
18 CITY OF ANTIOCH POLICE DEPARTMENT policies and procedures. At all material times,
19 EBBS was responsible for supervising, enacting, and enforcing CITY OF ANTIOCH POLICE
20 DEPARTMENT conduct, policies, and practices including the absence of needed policies and
21 practices; and for the hiring, retention, supervision, and training of employees, agents, and
22 leadership of CITY Police Department.

23 35. Defendant **KWAME REED** (“REED”), at all times mentioned herein, was
24 employed by Defendant CITY OF ANTIOCH as the City Manager starting on or about June 26,
25 2023. He is being sued individually and in his official capacity as the Manager for the CITY OF
26 ANTIOCH. Plaintiffs allege that as City Manager, REED has final policy-making authority over
27 CITY OF ANTIOCH POLICE DEPARTMENT policies and procedures. At all material times,
28 REED was responsible for supervising, enacting, and enforcing CITY OF ANTIOCH POLICE

1 DEPARTMENT conduct, policies, and practices including the absence of needed policies and
2 practices; and for the hiring, retention, supervision, and training of employees, agents, and
3 leadership of CITY Police Department.

4 36. Defendant **CITY POLICE CHIEF TAMMANY BROOKS** (“BROOKS”), at all
5 times mentioned herein, was employed by Defendant CITY as the Chief of Police for the CITY,
6 from May 2017 through October 2021, and was acting within the course and scope of that
7 employment. He is being sued individually and in his official capacity as the Chief of Police for the
8 CITY. Plaintiffs allege Defendant BROOKS was aware of the openly racist conduct of the police
9 officers he employed, their use of excessive force as set forth herein, the widespread acceptance
10 within the Antioch Police Department of unconstitutional actions by Antioch police officers as set
11 forth in the instant Complaint. On January 13, 2021, at approximately 8:22 pm, Defendant AMIRI
12 sent text messages to Defendant CITY OF ANTIOCH Police officers and sergeants, including
13 Defendants EVANS, GERBER, MILNER, EWART, DUGGAR, RAMIREZ, MARCOTTEE,
14 LENDERMAN, ADAMS, MANLY WILLIAMS, FORTNER, HOFFMAN, WISECARVER,
15 STENGER, GRAGG, and multiple DOES. The texts constrained information from a recent news
16 article which accounted that cell phones were seized on large scale from City of Oakland Police
17 Officers as part of an investigation into sexist and racist comments made by Oakland Police
18 Officers. In response to this text from AMIRI, several CITY OF ANTIOCH Police Officers and
19 Sergeants replied, responded with texts which described plans to destroy similar evidence from their
20 own phones if they were to be confiscated. One CITY Police Sergeant stated that Chief
21 TAMMANY BROOKS “knew something we don’t when he sent that email about his new work
22 phone number and talking about PRA requests.”

23 37. Plaintiffs allege that Defendant BROOKS was aware of the misconduct by CITY OF
24 ANTIOCH Police Officers against Plaintiffs and CITY OF ANTIOCH residents, knowingly failed
25 to take any remedial measures, and furthermore tolerated, encouraged, and ratified the repeated and
26 widespread pattern and practice of unconstitutional actions by Defendant CITY OF ANTIOCH
27 Police Officers as set forth herein.
28

1 38. Defendant **CITY INTERIM POLICE CHIEF TONY MOREFIELD**
2 (“MOREFIELD”), at all times mentioned herein, was employed by Defendant CITY as the Interim
3 Chief of Police for the CITY, from October 2021 through May 2022, and was acting within the
4 course and scope of that employment. He is being sued individually and in his official capacity as
5 the Interim Chief of Police for the CITY. Plaintiffs allege Defendant MOREFIELD was aware of
6 the openly racist conduct of the police officers he employed, their use of excessive force as set forth
7 herein, the widespread acceptance within the Antioch Police Department of unconstitutional actions
8 by Antioch police officers as set forth in the instant Complaint, and failed to take any remedial
9 measures, and tolerated, encouraged and ratified the repeated and widespread pattern and practice of
10 Unconstitutional actions by Defendant CITY OF ANTIOCH police officers as set forth herein.

11 39. Defendant **CITY POLICE CHIEF STEVEN FORD** (“FORD”), at all times
12 mentioned herein, was employed by Defendant CITY as the Chief of Police for the CITY, from
13 May 2022 through present, and was acting within the course and scope of that employment. He is
14 being sued individually and in his official capacity as the Chief of Police for the CITY. Plaintiffs
15 allege Defendant FORD was aware of the openly racist conduct of the police officers he employed,
16 their use of excessive force as set forth herein, the widespread acceptance within the Antioch Police
17 Department of unconstitutional actions by CITY OF ANTIOCH Police Officers as set forth in the
18 instant Complaint, and failed to take any remedial measures, and tolerated, encouraged and ratified
19 the repeated and widespread pattern and practice of unconstitutional actions by Defendant CITY OF
20 ANTIOCH Police Officers as set forth herein.

21 40. Defendant **OFFICER MATTHEW NUTT** (“NUTT”), at all times mentioned
22 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
23 course and scope of that employment. He is being sued individually and in his official capacity as
24 an OFFICER of the CITY. NUTT participated in the unlawful conduct against Plaintiff
25 ROBINSON. Moreover, NUTT is implicated in the ongoing investigation by local and federal
26 agencies into the discriminatory text messages sent among Antioch Police Department officers and
27 sergeants. NUTT received numerous hateful text messages from his fellow CITY OF ANTIOCH
28 police officers about Black people, calling them “gorillas,” “niggers,” “monkeys,” and using other

1 targeted slurs to refer to subjects (i.e.: “faggot,” “pussies,” “cunt,” “fat bitch”). NUTT was a
2 recipient of texts in which Defendant Officers bragged about “violating civil rights,” “only stopping
3 [people] cuz they black [sic],” and “sometimes just say[ing] people gave me a full confession when
4 they didn’t.” Despite being a direct witness to this behavior, NUTT never intervened nor reported it
5 to supervisors. As a result, NUTT is implied to be a part of the conspiracy between the officers at
6 the CITY OF ANTIOCH Police Department to act in concert to promote racial discrimination and
7 unconstitutional conduct under the color of their position as sworn peace officers. This conspiracy
8 between the officers directly led to the damages suffered by the Plaintiffs named herein.

9 41. Defendant **OFFICER JOSH EVANS** (“EVANS”), at all times mentioned herein,
10 was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the course
11 and scope of that employment. He is being sued individually and in his official capacity as a
12 SERGEANT of the CITY OF ANTIOCH Police Department. EVANS sent text messages about an
13 unknown subject, detailing plans to “smash in and bite him, 40mm him, and call him a cunt.”
14 EVANS referred to Black people as “niggers” numerous times, and in discussing an unknown
15 subject, he once stated: “I’m going to bury that nigger in my fields.” In his role as a Sergeant
16 leadership for Defendant CITY OF ANTIOCH Police Department, EVANS was aware of the
17 openly racist conduct of the police officers he supervised, their use of excessive force as set forth
18 herein, the widespread acceptance within the Antioch Police Department of unconstitutional actions
19 by Defendant CITY OF ANTIOCH Police Officers as set forth in the instant Complaint, and failed
20 to take any remedial measures, and tolerated, encouraged and ratified the repeated and widespread
21 pattern and practice of unconstitutional actions by Defendant CITY OF ANTIOCH police officers
22 as set forth herein.

23 EVANS’ actions were a part of the Defendant Officers’ conspiracy to act in concert to
24 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
25 Department. These actions directly led to the damages of the Plaintiffs named herein.

26 42. Defendant **OFFICER ERIC ROMBOUGH** (“ROMBOUGH”), at all times
27 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
28 within the course and scope of that employment. He is being sued individually and in his official

1 capacity as an OFFICER of the CITY. ROMBOUGH robbed Plaintiff YOUNG and was involved in
2 the unlawful arrest and force used against Plaintiffs ALLEN, PUGH, CARPENTER, JACKSON,
3 MACKIN, THOMAS, LACY, YARBOROUGH, and MASON. Defendant ROMBOUGH has been
4 employed with the CITY OF ANTIOCH Police Department since 2017, and throughout that tenure
5 has been an active participant in the ongoing discriminatory text messages and conspiracy to violate
6 civil rights among Antioch Police Department officers and sergeants. Moreover, between at least
7 November 2020 to August 2021, Defendant ROMBOUGH deployed the 40mm lethal launcher to
8 shoot at least eleven (11) subjects in and around Antioch. As part of this scheme, he secured
9 photographs of the subjects' injuries and collected spent cartridges as trophies, as demonstrated by
10 the following August 24, 2021 text messages:

11 **ROMBOUGH:** Can u please get photos of him
12 **OFFICER-15:** Yup
13 [photograph] Black tip tattoo 📷
14 **ROMBOUGH:** Lmao

15 ROMBOUGH also sent text messages to other Antioch officers in which he referred to
16 Black people as “niggers,” “niggas,” “gorillas,” and “monkeys.” On other occasions, ROMBOUGH
17 boasted about “violating civil rights” and “only stopping [people] cuz they black [sic].”

18 43. ROMBOUGH has been federally indicted for civil rights violations against citizens
19 of Antioch in his capacity as a CITY OF ANTIOCH Police Officer. ROMBOUGH acted in concert
20 with named and DOE DEFENDANTS, to promote a culture of racial discrimination within the
21 CITY OF ANTIOCH Police Department and to promote unconstitutional conduct under the color of
22 their position as sworn peace officers. This conspiracy between the officers directly led to the
23 damages suffered by the Plaintiffs named herein.

24 44. Defendant **OFFICER MORTEZA AMIRI** (“AMIRI”), at all times mentioned
25 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
26 course and scope of that employment. He is being sued individually and in his official capacity as
27 an OFFICER of the CITY OF ANTIOCH. In 2018, Defendant AMIRI was partnered with CITY
28 Police Department service K-9 “Purcy” and assigned to the CITY Police Department’s Canine Unit.
As part of this assignment Defendant AMIRI received hundreds hours of training between 2018-

2021, which included topics such as when it is appropriate to deploy a police canine and other relevant legal standards. Between approximately March 2019, to November 2021, Defendant AMIRI deployed canine Purcy to bite at least twenty-eight (28) subjects in and around Antioch. After each bite, AMIRI also messaged multiple recipients from his personal cell phone. Included in these conversations were Defendant Officers ROMBOUGH and WENGER about the bites, and often AMIRI gave each bite victim a consecutive number memorializing the number of dog bites he had accumulated up until that point. Further, AMIRI sent with these messages photographs and/or videos of each subject’s injuries, contrary to CITY Police Department policy. These messages also included plans between ROMBOUGH, WENGER, and other Defendant CITY OF ANTIOCH Police Officers and Sergeants to deploy a canine without cause against individuals in and around Antioch, California. As part of the Contra Costa District Attorney’s investigation into race-based misconduct at ADP, Officer AMIRI self-reported that close to sixty-eight percent of his total reported and confirmed dog bites were suffered by African Americans.

AMIRI is a key participant in the ongoing investigation into the discriminatory text messages sent among CITY OF ANTIOCH Police Department officers and sergeants, during which AMIRI sent texts to other Antioch officers in which he referred to Black people as “gorillas” and “pussies.” He also admitted to serious offenses of falsification, claiming: “[i] sometimes just say people gave me a full confession when they didn’t. gets filed easier [sic].” On multiple occasions, text messages show that AMIRI encouraged other CITY OF ANTIOCH Police Officers to participate in excessive force against civilians in Antioch, California, and to cover it up through false reports:

AMIRI:	Let’s fuck some people up next work week
WENGER:	Bro Fuck the mother fucking yes
WENGER:	Bite some nerds and crush some dweebs bro!
AMIRI:	hell yeah bro. Ill find some shit. Ill write it. Just come over and crush some skulls alongside Purcy. Ill handle the rest lol.

AMIRI’s text messages also show that he has intentionally terrorized civilians:

OFFICER-9:	[...] “Officer [DOE-9] how long did you know Officer AMIRI and in the course of your friendship did you ever know him to act under color of authority”
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1 RAMIREZ also sent numerous text messages in which he called Black people “niggas” and
2 “niggers.” RAMIREZ’s actions are indicative of the conspiracy between the officers at the CITY
3 OF ANTIOCH Police Department to act in concert to promote racial discrimination and
4 unconstitutional conduct under the color of their position as sworn peace officers. This conspiracy
5 between the officers directly led to the damages suffered by the Plaintiffs named herein.

6 47. Defendant **OFFICER TIMOTHY MANLY WILLIAMS** (“MANLY
7 WILLIAMS”), at all times mentioned herein, was employed by Defendant CITY as an OFFICER of
8 the CITY and was acting within the course and scope of that employment. He is being sued
9 individually and in his official capacity as an OFFICER of the CITY. MANLY WILLIAMS is
10 implicated in the District Attorney’s investigation into the discriminatory text messages sent among
11 Antioch Police Department officers and sergeants. MANLY WILLIAMS received numerous hateful
12 text messages from his fellow CITY OF ANTIOCH police officers about Black people, calling
13 them “gorillas,” “niggers,” “monkeys,” and using other targeted slurs to refer to subjects (i.e.:
14 “faggot,” “pussies,” “cunt,” “fat bitch”). Furthermore, MANLY WILLIAMS was a recipient of
15 texts in which Defendant Officers bragged about “violating civil rights,” “only stopping [people]
16 cuz they black [sic],” and “sometimes just say[ing] people gave me a full confession when they
17 didn’t.” Despite being a direct participant in and witness to this behavior, MANLY WILLIAMS
18 never intervened nor reported it to supervisors. MANLY-WILLIAMS conduct is indicative of the
19 conspiracy between the officers at the CITY OF ANTIOCH Police Department to act in concert to
20 promote racial discrimination and unconstitutional conduct under the color of their position as
21 sworn peace officers. This conspiracy between the officers directly led to the damages suffered by
22 the Plaintiffs named herein.

23 48. Defendant **OFFICER TOM LENDERMAN** (“LENDERMAN”), at all times
24 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
25 within the course and scope of that employment. He is being sued individually and in his official
26 capacity as an OFFICER of the CITY. LENDERMAN is implicated in the District Attorney’s
27 investigation into the discriminatory text messages sent among Antioch Police Department officers
28 and sergeants. LENDERMAN received numerous hateful text messages from his fellow CITY OF

1 ANTIOCH police officers about Black people, calling them “gorillas,” “niggers,” “monkeys,” and
2 using other targeted slurs to refer to subjects (i.e.: “faggot,” “pussies,” “cunt,” “fat bitch”).
3 Furthermore, LENDERMAN was a recipient of texts in which Defendant Officers bragged about
4 “violating civil rights,” “only stopping [people] cuz they black [sic],” and “sometimes just say[ing]
5 people gave me a full confession when they didn’t.” Despite being a direct witness to this behavior,
6 LENDERMAN never intervened nor reported it to supervisors. Defendant’s actions are indicative
7 of the conspiracy between the officers at the Antioch Police Department. Antioch Police
8 Department officers acted in concert to promote racial discrimination by officers within the
9 ANTIOCH police department. This conspiracy between the officers directly led to the damages
10 suffered by the Plaintiffs named herein.

11 49. Defendant **OFFICER LOREN BLEDSOE** (“BLEDSOE”), at all times mentioned
12 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
13 course and scope of that employment. He is being sued individually and in his official capacity as a
14 SERGEANT of the CITY. BLEDSOE is implicated in the District Attorney’s investigation into the
15 discriminatory text messages sent among Antioch Police Department officers and sergeants.
16 BLEDSOE received numerous hateful text messages from his fellow CITY OF ANTIOCH police
17 officers about Black people, calling them “gorillas,” “niggers,” “monkeys,” and using other targeted
18 slurs to refer to subjects (i.e.: “faggot,” “pussies,” “cunt,” “fat bitch”). Furthermore, BLEDSOE was
19 a recipient of texts in which Defendant Officers bragged about “violating civil rights,” “only
20 stopping [people] cuz they black [sic],” and “sometimes just say[ing] people gave me a full
21 confession when they didn’t.” BLEDSOE was a member of these group text chats, and by refusing
22 to intervene and halt the heinous behavior of fellow officers, BLEDSOE failed to perform his
23 supervisory duties. Defendant’s actions are indicative of the conspiracy between the officers at the
24 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
25 discrimination by officers within the ANTIOCH police department. This conspiracy between the
26 officers directly led to the damages suffered by the Plaintiffs named herein.

27 50. Defendant **OFFICER THOMAS SMITH** (“T. SMITH”), at all times mentioned
28 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the

1 course and scope of that employment. He is being sued individually and in his official capacity as
2 an OFFICER of the CITY. THOMAS SMITH is a key participant in the District Attorney’s
3 investigation into the discriminatory text messages sent among Antioch Police Department officers
4 and sergeants. THOMAS SMITH sent text messages to other Antioch officers in which he referred
5 to Black people as “niggas” and to women as “bitches.” Defendant’s actions are indicative of the
6 conspiracy between the officers at the Antioch Police Department. Antioch Police Department
7 officers acted in concert to promote racial discrimination by officers within the ANTIOCH police
8 department. This conspiracy between the officers directly led to the damages suffered by the
9 Plaintiffs named herein.

10 51. Defendant **OFFICER CALVIN PRIETO** (“PRIETO”) at all times mentioned
11 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
12 course and scope of that employment. He is being sued individually and in his official capacity as
13 an OFFICER of the CITY. PRIETO is a key participant in the discriminatory text messages sent
14 among CITY OF ANTIOCH Police Department officers and sergeants. PRIETO sent text messages
15 to other Antioch officers in which he referred to Black people as “niggas” and to women as
16 “bitches.” He also agreed to act in concert with other DEFENDANTS to violate civil rights,
17 including but not limited to an agreement to take DNA samples off unconscious subjects and to
18 write a large amount of traffic citations by targeting a race-specific group in a specific area in and
19 around Antioch, California:

20	RODRIGUEZ:	I don’t know if I can do the DRE cuz he’s knocked out now.
21	PRIETO:	No we’ll just say he refused to comply and take the blood
	[...]	
22	PRIETO:	I wanna push tho. Like hit those 30 cities.
	RODRIGUEZ:	Okay we just hafta go to the areas where we can.
23	PRIETO:	Make these niggers eat shit. Yes of course.
	RODRIGUEZ:	Yes that will be easy. And it will be a good time. Lol start off quick with the numbers.
24	PRIETO:	yes of course. Get it in and fuck things up.
25	[...]	
26	PRIETO:	Well get busy and start towing niggers shit. Come with a stack of [Cal. Highway Patrol Vehicle Impound Forms]
27		
28		

1 Defendant's actions are emblematic of the conspiracy between the officers at the Antioch
2 Police Department. Antioch Police Department officers acted in concert to promote racial
3 discrimination by officers within the ANTIOCH police department. This conspiracy between the
4 officers directly lead to the damages suffered by the Plaintiffs named herein.

5 52. Defendant **OFFICER ANDREA RODRIGUEZ** ("RODRIGUEZ") at all times
6 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
7 within the course and scope of that employment. She is being sued individually and in her official
8 capacity as an OFFICER of the CITY. RODRIGUEZ is a key subject of the District Attorney's
9 investigation into the discriminatory text messages sent amongst Antioch Police Department
10 officers and sergeants. He also agreed to act in concert with other DEFENDANTS to violate civil
11 rights, including but not limited to an agreement to take DNA samples off unconscious subjects and
12 to write a large amount of traffic citations by targeting a race-specific group in a specific area in and
13 around Antioch, California. RODRIGUEZ sent text messages agreeing to target Black people for
14 traffic citations, stating that it "will be easy" and "a good time."

15 RODRIGUEZ's actions are emblematic of the conspiracy between the officers at the
16 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
17 discrimination by officers within the ANTIOCH police department. This conspiracy between the
18 officers directly lead to the damages suffered by the Plaintiffs named herein.

19 53. Defendant **OFFICER JONATHAN ADAMS** ("ADAMS"), at all times mentioned
20 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
21 course and scope of that employment. He is being sued individually and in his official capacity as
22 an OFFICER of the CITY. ADAMS is a key participant in the discriminatory text messages sent
23 among Antioch Police Department officers and sergeants. ADAMS sent text messages to other
24 Antioch officers in which he referred to individual subjects as "faggots" and "niggers," and joked
25 about all Black people looking the same. He also boasted about using cruel and excessive force,
26 including but not limited to a message in which he bragged to a CITY OF ANTIOCH Police
27 Sergeant and other Defendant Officers that he "got that faggot to agree to eat his own dick."
28

1 ADAMS’s actions are emblematic of the conspiracy between the officers at the Antioch
2 Police Department. Antioch Police Department officers acted in concert to promote racial
3 discrimination by officers within the ANTIOCH police department. This conspiracy between the
4 officers directly led to the damages suffered by the Plaintiffs named herein.

5 54. Defendant **OFFICER DEVON WENGER** (“WENGER”), at all times mentioned
6 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
7 course and scope of that employment. He is being sued individually and in his official capacity as
8 an OFFICER of the CITY. Since, July 2018, WENGER has been employed as a police officer with
9 the Defendant CITY OF ANTIOCH Police Department. On August 25, 2023, WENGER was
10 suspended by CITY OF ANTIOCH Police Department in relation to his misconduct that was
11 exposed in the ongoing Antioch and Federal investigations into the rampant discriminatory
12 misconduct within the CITY OF ANTIOCH Police Department. On August 16, 2023, a Grand Jury
13 handed down an indictment onto Defendants WENGER, AMIRI, and ROMBOUGH, for
14 Conspiracy Against Rights under 18 U.S.C. § 241 and Deprivation of Rights Under Color of Law
15 under 18 U.S.C. § 242. WENGER engaged in this conspiracy beginning at a time unknown, no later
16 than February 2019, and continued through at least 2022. Each of the Plaintiffs’ suffered injuries
17 resulting from contact with Defendant Officers, all of which occurred during the time WENGER
18 was employed by CITY OF ANTIOCH Police Department as an officer and while he was engaged
19 in a conspiracy to violate civil rights. Not just a passive recipient to the messages relaying those
20 plans, for over four years WENGER knowingly sought out and used unconstitutionally excessive
21 force against subjects in and around Antioch, California:

22	WENGER:	Please find this guy and fuck him in the ass
23	ROMBOUGH:	Deal
24	AMIRI:	ill [K9] bite em
25	[...]	
26	WENGER:	Pics of [suspect] please my dude!!! That bitch [suspect] has talked so much shit to me! Thank you for biting that piece of shit!
27	AMIRI:	[IMG_1072; IMG_1067; IMG_1070; IMG_1066; IMG_1069]
28	WENGER:	You’re my hero.
	[...]	

1 they didn't." Despite being a direct witness to this behavior, HARRIS never intervened nor reported
2 it to supervisors. Defendant's actions are indicative of the conspiracy between the officers at the
3 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
4 discrimination by officers within the ANTIOCH police department. This conspiracy between the
5 officers directly led to the damages suffered by the Plaintiffs named herein.

6 56. Defendant **OFFICER ROBERT GERBER** ("GERBER"), at all times mentioned
7 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
8 course and scope of that employment. He is being sued individually and in his official capacity as
9 an OFFICER of the CITY. GERBER is implicated in the District Attorney's investigation into the
10 discriminatory text messages sent among Antioch Police Department officers and sergeants.
11 GERBER sent text messages containing photos of gorillas and referring to Black people as "fag[s]"
12 to other Antioch officers. GERBER also received numerous hateful text messages from his fellow
13 CITY OF ANTIOCH police officers about Black people, calling them "gorillas," "niggers,"
14 "monkeys," and using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat
15 bitch"). Furthermore, GERBER was a recipient of texts in which Defendant Officers bragged about
16 "violating civil rights," "only stopping [people] cuz they black [sic]," and "sometimes just say[ing]
17 people gave me a full confession when they didn't." GERBER was also aware of the misconduct
18 but failed to intervene, as demonstrated by these January 2022 text messages:

19 **ADAMS:** ... I'm in a meeting with [CITY OF ANTIOCH Police Department
20 Leadership] and Gerber and Hoffman discussing black people.

21 Defendant's actions are indicative of the conspiracy between the officers at the Antioch
22 Police Department. Antioch Police Department officers acted in concert to promote racial
23 discrimination by officers within the ANTIOCH police department. This conspiracy between the
24 officers directly led to the damages suffered by the Plaintiffs named herein.

25 57. Defendant **OFFICER KYLE HILL** ("HILL"), at all times mentioned herein, was
26 employed by Defendant CITY as an OFFICER of the CITY and was acting within the course and
27 scope of that employment. He is being sued individually and in his official capacity as an OFFICER
28 of the CITY. HILL was involved in the arrest of Plaintiff TERRY THOMAS. Defendant's actions

1 are indicative of the conspiracy between the officers at the Antioch Police Department. Antioch
2 Police Department officers acted in concert to promote racial discrimination by officers within the
3 ANTIOCH police department. This conspiracy between the officers directly led to the damages
4 suffered by the Plaintiffs named herein.

5 58. Defendant **OFFICER BROCK MARCOTTE** (“**MARCOTTE**”), at all times
6 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
7 within the course and scope of that employment. He is being sued individually and in his official
8 capacity as an OFFICER of the CITY. MARCOTTE was involved in the arrest of Plaintiffs
9 ALLEN, PUGH, GARCIA, CARPENTER, MACKIN, MASON, and SUITTER. MARCOTTE is
10 implicated in the District Attorney’s investigation into the discriminatory text messages sent among
11 Antioch Police Department officers and sergeants. Defendant’s actions are indicative of the
12 conspiracy between the officers at the Antioch Police Department. Antioch Police Department
13 officers acted in concert to promote racial discrimination by officers within the ANTIOCH police
14 department. This conspiracy between the officers directly led to the damages suffered by the
15 Plaintiffs named herein.

16 59. Defendant **OFFICER AARON HUGHES** (“**HUGHES**”), at all times mentioned
17 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
18 course and scope of that employment. He is being sued individually and in his official capacity as
19 an OFFICER of the CITY. HUGHES was involved in the arrests of Plaintiffs HILLIARD, LACY,
20 and MASON. HUGHES is implicated in the District Attorney’s investigation into the
21 discriminatory text messages sent among Antioch Police Department officers and sergeants.
22 HUGHES sent text messages with racially derogatory language referencing Black people, as
23 demonstrated by the following May 4, 2020 text message to Defendant AMIRI:

24 **HUGHES:** Bro the circus is in town...but it seems they only brought monkeys

25 Defendant’s actions are indicative of the conspiracy between the officers at the Antioch
26 Police Department. Antioch Police Department officers acted in concert to promote racial
27
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1 discrimination by officers within the ANTIOCH police department. This conspiracy between the
2 officers directly led to the damages suffered by the Plaintiffs named herein.

3 60. Defendant **OFFICER RYAN GEIS** (“GEIS”), at all times mentioned herein, was
4 employed by Defendant CITY as an OFFICER of the CITY and was acting within the course and
5 scope of that employment. He is being sued individually and in his official capacity as an OFFICER
6 of the CITY. GEIS was involved in the arrest of Plaintiff YARBOROUGH. Defendant’s actions are
7 indicative of the conspiracy between the officers at the Antioch Police Department. Antioch Police
8 Department officers acted in concert to promote racial discrimination by officers within the
9 ANTIOCH police department. This conspiracy between the officers directly led to the damages
10 suffered by the Plaintiffs named herein.

11 61. Defendant **OFFICER MOORE** (“MOORE”) at all times mentioned herein, was
12 employed by Defendant CITY as an OFFICER of the CITY and was acting within the course and
13 scope of that employment. He is being sued individually and in his official capacity as an OFFICER
14 of the CITY. MOORE was involved in the arrest of Plaintiff MCCULLOUGH. Defendant’s actions
15 are indicative of the conspiracy between the officers at the Antioch Police Department. Antioch
16 Police Department officers acted in concert to promote racial discrimination by officers within the
17 ANTIOCH police department. This conspiracy between the officers directly lead to the damages
18 suffered by the Plaintiffs named herein.

19 62. Defendant **OFFICER RICK HOFFMAN** (“HOFFMAN”), at all times mentioned
20 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
21 course and scope of that employment. He is being sued individually and in his official capacity as a
22 SERGEANT of the CITY OF ANTIOCH Police Department. HOFFMAN was involved in the
23 arrest of Plaintiff MASON. HOFFMAN is implicated in the District Attorney’s investigation into
24 the discriminatory text messages sent among Antioch Police Department officers and sergeants.
25 HOFFMAN participated in text message threads with Defendant CITY OF ANTIOCH Police
26 Officers in which they discussed plans to violate civil rights on duty and used derogatory slurs
27 against civilians, including Plaintiffs. In his role as a Sergeant leadership for Defendant CITY OF
28 ANTIOCH Police Department, HOFFMAN was aware of the openly racist conduct of the police

1 officers he supervised, their use of excessive force as set forth herein, the widespread acceptance
2 within the Antioch Police Department of unconstitutional actions by Defendant CITY OF
3 ANTIOCH Police Officers as set forth in the instant Complaint, and failed to take any remedial
4 measures, and tolerated, encouraged and ratified the repeated and widespread pattern and practice of
5 unconstitutional actions by Defendant CITY OF ANTIOCH police officers as set forth herein.

6 HOFFMAN's actions were a part of the Defendant Officers' conspiracy to act in concert to
7 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
8 Department. These actions directly led to the damages of the Plaintiffs named herein.

9 63. Defendant **OFFICER JIMMY WISECARVER** ("WISECARVER"), at all times
10 mentioned herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting
11 within the course and scope of that employment. He is being sued individually and in his official
12 capacity as a SERGEANT of the CITY OF ANTIOCH Police Department. WISECARVER is
13 implicated in the District Attorney's investigation into the discriminatory text messages sent among
14 Antioch Police Department officers and sergeants. WISECARVER participated in text message
15 threads with Defendant CITY OF ANTIOCH Police Officers in which they discussed plans to
16 violate civil rights on duty and used derogatory slurs against civilians, including Plaintiffs. In his
17 role as a Sergeant leadership for Defendant CITY OF ANTIOCH Police Department,
18 WISECARVER was aware of the openly racist conduct of the police officers he supervised, their
19 use of excessive force as set forth herein, the widespread acceptance within the Antioch Police
20 Department of unconstitutional actions by Defendant CITY OF ANTIOCH Police Officers as set
21 forth in the instant Complaint, and failed to take any remedial measures, and tolerated, encouraged
22 and ratified the repeated and widespread pattern and practice of unconstitutional actions by
23 Defendant CITY OF ANTIOCH police officers as set forth herein.

24 WISECARVER's actions were a part of the Defendant Officers' conspiracy to act in concert
25 to promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
26 Department. These actions directly led to the damages of the Plaintiffs named herein.

27 64. Defendant **OFFICER JOHN FORTNER** ("FORTNER"), at all times mentioned
28 herein, was employed by Defendant CITY as a LIEUTENANT of the CITY and was acting within

1 the course and scope of that employment. He is being sued individually and in his official capacity
2 as a LIEUTENANT of the CITY OF ANTIOCH Police Department. Plaintiffs allege Defendant
3 FORTNER was aware of the openly racist conduct of the police officers he employed, their use of
4 excessive force as set forth herein, the widespread acceptance within the Antioch Police Department
5 of unconstitutional actions by CITY OF ANTIOCH Police Officers as set forth in the instant
6 Complaint, and failed to take any remedial measures, and tolerated, encouraged and ratified the
7 repeated and widespread pattern and practice of unconstitutional actions by Defendant CITY OF
8 ANTIOCH Police Officers as set forth herein.

9 FORTNER's actions were a part of the Defendant Officers' conspiracy to act in concert to
10 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
11 Department. These actions directly led to the damages of the Plaintiffs named herein.

12 65. Defendant **OFFICER BRAYTON MILNER** ("MILNER"), at all times mentioned
13 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
14 course and scope of that employment. He is being sued individually and in his official capacity as
15 an OFFICER of the CITY. MILNER is a key participant in the discriminatory text messages sent
16 among Antioch Police Department officers and sergeants. MILNER planned in advance to use
17 excessive force against individuals, including Plaintiff MACKIN, and admitted to violating civil
18 rights, as demonstrated by the following text messages:

19 **ROMBOUGH:** Hoffman wanted me to vet mackin and where he stashes his
20 **ROMBOUGH:** Can I forty dvance please?
21 **MILNER:** Read my mind. I was just going to nicely ask you to find a
22 [...] reason to 40 him
23 **MILNER:** I violate rights on the street but don't like in the courtroom.
24 Lie.

25 MILNER's actions are emblematic of the conspiracy between the officers at the Antioch
26 Police Department. Antioch Police Department officers acted in concert to promote racial
27 discrimination by officers within the ANTIOCH police department. This conspiracy between the
28 officers directly led to the damages suffered by the Plaintiffs named herein.

1 66. Defendant **OFFICER DEVIN EIGARD** (“EIGARD”), at all times mentioned
2 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
3 course and scope of that employment. He is being sued individually and in his official capacity as
4 an OFFICER of the CITY. EIGARD was involved in the arrest of Plaintiff CAIN. Defendant’s
5 actions are indicative of the conspiracy between the officers at the Antioch Police Department.
6 Antioch Police Department officers acted in concert to promote racial discrimination by officers
7 within the ANTIOCH police department. This conspiracy between the officers directly led to the
8 damages suffered by the Plaintiffs named herein.

9 67. Defendant **OFFICER CONSTANTINE KAWALYA** (“KAWALYA”), at all times
10 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
11 within the course and scope of that employment. He is being sued individually and in his official
12 capacity as an OFFICER of the CITY. KAWALYA was involved in the arrest of Plaintiff CAIN.
13 Defendant’s actions are indicative of the conspiracy between the officers at the Antioch Police
14 Department. Antioch Police Department officers acted in concert to promote racial discrimination
15 by officers within the ANTIOCH police department. This conspiracy between the officers directly
16 led to the damages suffered by the Plaintiffs named herein.

17 68. Defendant **OFFICER RYAN DUFF** (“DUFF”), at all times mentioned herein, was
18 employed by Defendant CITY as an OFFICER of the CITY and was acting within the course and
19 scope of that employment. He is being sued individually and in his official capacity as an OFFICER
20 of the CITY. DUFF was involved in the arrest of Plaintiff YARBOROUGH. Defendant’s actions
21 are indicative of the conspiracy between the officers at the Antioch Police Department. Antioch
22 Police Department officers acted in concert to promote racial discrimination by officers within the
23 ANTIOCH police department. This conspiracy between the officers directly led to the damages
24 suffered by the Plaintiffs named herein.

25 69. Defendant **OFFICER JACOB KING** (“KING”), at all times mentioned herein, was
26 employed by Defendant CITY as an OFFICER of the CITY and was acting within the course and
27 scope of that employment. He is being sued individually and in his official capacity as an OFFICER
28 of the CITY. KING was involved in the arrest of Plaintiff YARBOROUGH. Defendant’s actions

1 are indicative of the conspiracy between the officers at the Antioch Police Department. Antioch
2 Police Department officers acted in concert to promote racial discrimination by officers within the
3 ANTIOCH police department. This conspiracy between the officers directly led to the damages
4 suffered by the Plaintiffs named herein.

5 70. Defendant **OFFICER GUSTAVO JIMENEZ** (“JIMENEZ”), at all times
6 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
7 within the course and scope of that employment. He is being sued individually and in his official
8 capacity as an OFFICER of the CITY. JIMENEZ was involved in the arrest of Plaintiff
9 YARBOROUGH. Defendant’s actions are indicative of the conspiracy between the officers at the
10 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
11 discrimination by officers within the ANTIOCH police department. This conspiracy between the
12 officers directly led to the damages suffered by the Plaintiffs named herein.

13 71. Defendant **OFFICER ASHLEY LUNDIN** (“LUNDIN”), at all times mentioned
14 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
15 course and scope of that employment. She is being sued individually and in his official capacity as
16 an OFFICER of the CITY. LUNDIN was involved in the arrest of Plaintiff YARBOROUGH.
17 Defendant’s actions are indicative of the conspiracy between the officers at the Antioch Police
18 Department. Antioch Police Department officers acted in concert to promote racial discrimination
19 by officers within the ANTIOCH police department. This conspiracy between the officers directly
20 led to the damages suffered by the Plaintiffs named herein.

21 72. Defendant **OFFICER GARY LOWTHER** (“LOWTHER”), at all times mentioned
22 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
23 course and scope of that employment. He is being sued individually and in his official capacity as a
24 SERGEANT of the CITY OF ANTIOCH Police Department. LOWTHER was involved in the
25 arrest of Plaintiff YARBOROUGH. Plaintiffs allege Defendant LOWTHER was aware of the
26 openly racist conduct of the police officers he employed, their use of excessive force as set forth
27 herein, the widespread acceptance within the Antioch Police Department of unconstitutional actions
28 by CITY OF ANTIOCH Police Officers as set forth in the instant Complaint, and failed to take any

1 remedial measures, and tolerated, encouraged and ratified the repeated and widespread pattern and
2 practice of unconstitutional actions by Defendant CITY OF ANTIOCH Police Officers as set forth
3 herein.

4 LOWTHER's actions were a part of the Defendant Officers' conspiracy to act in concert to
5 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
6 Department. These actions directly led to the damages of the Plaintiffs named herein.

7 73. Defendant **OFFICER DUSTIN DIBBLE** ("DIBBLE"), at all times mentioned
8 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
9 course and scope of that employment. He is being sued individually and in his official capacity as
10 an OFFICER of the CITY. DIBBLE was involved in the arrest of Plaintiff ROBINSON.

11 Defendant's actions are indicative of the conspiracy between the officers at the Antioch Police
12 Department. Antioch Police Department officers acted in concert to promote racial discrimination
13 by officers within the ANTIOCH police department. This conspiracy between the officers directly
14 led to the damages suffered by the Plaintiffs named herein.

15 74. Defendant **OFFICER KYLE SMITH** ("K. SMITH"), at all times mentioned herein,
16 was employed by Defendant CITY as an OFFICER of the CITY and was acting within the course
17 and scope of that employment. He is being sued individually and in his official capacity as an
18 OFFICER of the CITY. KYLE SMITH was involved in the arrests of Plaintiffs MASON and
19 LACY. Defendant KYLE SMITH is a key participant in the District Attorney's investigation into
20 the discriminatory text messages sent among Antioch Police Department officers and sergeants.
21 KYLE SMITH exchanged numerous hateful text messages with his fellow CITY OF ANTIOCH
22 police officers about Black people, calling them "gorillas," "niggers," "monkeys," and using other
23 targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch"). KYLE SMITH also
24 celebrated his fellow CITY OF ANTIOCH police officers' uses of excessive force. Defendant's
25 actions are indicative of the conspiracy between the officers at the Antioch Police Department.
26 Antioch Police Department officers acted in concert to promote racial discrimination by officers
27 within the ANTIOCH police department. This conspiracy between the officers directly led to the
28 damages suffered by the Plaintiffs named herein.

1 75. Defendant **OFFICER JAKE EWART** (“EWART”), at all times mentioned herein,
2 was employed by Defendant CITY as an OFFICER of the CITY and was acting within the course
3 and scope of that employment. He is being sued individually and in his official capacity as an
4 OFFICER of the CITY. EWART was involved in the arrest of Plaintiff LACY. EWART is a
5 participant in the discriminatory text messages sent among Antioch Police Department officers and
6 sergeants. Defendant’s actions are indicative of the conspiracy between the officers at the Antioch
7 Police Department. Antioch Police Department officers acted in concert to promote racial
8 discrimination by officers within the ANTIOCH police department. This conspiracy between the
9 officers directly led to the damages suffered by the Plaintiffs named herein.

10 76. Defendant **OFFICER JAMES BEDGOOD** (“BEDGOOD”), at all times mentioned
11 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
12 course and scope of that employment. He is being sued individually and in his official capacity as
13 an OFFICER of the CITY. BEDGOOD was involved in the arrest of Plaintiff LACY. Defendant’s
14 actions are indicative of the conspiracy between the officers at the Antioch Police Department.
15 Antioch Police Department officers acted in concert to promote racial discrimination by officers
16 within the ANTIOCH police department. This conspiracy between the officers directly led to the
17 damages suffered by the Plaintiffs named herein.

18 77. Defendant **OFFICER ROBERT GREEN** (“GREEN”), at all times mentioned
19 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
20 course and scope of that employment. He is being sued individually and in his official capacity as
21 an SERGEANT of the CITY. GREEN was involved in the arrest of Plaintiff JAMARI ALLEN.
22 Plaintiffs allege Defendant GREEN was aware of the openly racist conduct of the police officers he
23 employed, their use of excessive force as set forth herein, the widespread acceptance within the
24 Antioch Police Department of unconstitutional actions by CITY OF ANTIOCH Police Officers as
25 set forth in the instant Complaint, and failed to take any remedial measures, and tolerated,
26 encouraged and ratified the repeated and widespread pattern and practice of unconstitutional actions
27 by Defendant CITY OF ANTIOCH Police Officers as set forth herein.

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1 GREEN's actions were a part of the Defendant Officers' conspiracy to act in concert to
2 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
3 Department. These actions directly led to the damages of the Plaintiffs named herein.

4 78. Defendant **OFFICER JAMES STENGER** ("STENGER"), at all times mentioned
5 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
6 course and scope of that employment. He is being sued individually and in his official capacity as
7 an SERGEANT of the CITY. STENGER was involved in the arrest of Plaintiff MASON.
8 STENGER is implicated in the District Attorney's investigation into the discriminatory text
9 messages sent among Antioch Police Department officers and sergeants. STENGER participated in
10 text message threads with Defendant CITY OF ANTIOCH Police Officers in which they created
11 justifications for excessive uses of force to include in police reports. Plaintiffs allege Defendant
12 STENGER was aware of the openly racist conduct of the police officers he employed, their use of
13 excessive force as set forth herein, the widespread acceptance within the Antioch Police Department
14 of unconstitutional actions by CITY OF ANTIOCH Police Officers as set forth in the instant
15 Complaint, and failed to take any remedial measures, and tolerated, encouraged and ratified the
16 repeated and widespread pattern and practice of unconstitutional actions by Defendant CITY OF
17 ANTIOCH Police Officers as set forth herein.

18 STENGER's actions were a part of the Defendant Officers' conspiracy to act in concert to
19 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
20 Department. These actions directly led to the damages of the Plaintiffs named herein.

21 79. Defendant **OFFICER KEVIN TJAHHADI** ("TJAHHADI"), at all times mentioned
22 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
23 course and scope of that employment. He is being sued individually and in his official capacity as
24 an OFFICER of the CITY. TJAHHADI was involved in the arrest of Plaintiff MASON. TJAHHADI
25 is a participant in the discriminatory text messages sent among Antioch Police Department officers
26 and sergeants. Defendant's actions are indicative of the conspiracy between the officers at the
27 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
28

1 discrimination by officers within the ANTIOCH police department. This conspiracy between the
2 officers directly led to the damages suffered by the Plaintiffs named herein.

3 80. Defendant **OFFICER RYAN MCDONALD** (“MCDONALD”), at all times
4 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
5 within the course and scope of that employment. He is being sued individually and in his official
6 capacity as an OFFICER of the CITY. MCDONALD was involved in the arrest of Plaintiff PUGH.
7 MCDONALD is a participant in the discriminatory text messages sent among Antioch Police
8 Department officers and sergeants. Defendant’s actions are indicative of the conspiracy between the
9 officers at the Antioch Police Department. Antioch Police Department officers acted in concert to
10 promote racial discrimination by officers within the ANTIOCH police department. This conspiracy
11 between the officers directly led to the damages suffered by the Plaintiffs named herein.

12 81. Defendant **OFFICER MATTHEW KOCH** (“KOCH”), at all times mentioned
13 herein, was employed by Defendant CITY as a SERGEANT of the CITY and was acting within the
14 course and scope of that employment. He is being sued individually and in his official capacity as
15 an SERGEANT of the CITY. KOCH approved of the excessive uses of force against Plaintiffs
16 TRENT ALLEN and TERRYONN PUGH. KOCH is a participant in the discriminatory text
17 messages sent among Antioch Police Department officers and sergeants. Plaintiffs allege Defendant
18 KOCH was aware of the openly racist conduct of the police officers he employed, their use of
19 excessive force as set forth herein, the widespread acceptance within the Antioch Police Department
20 of unconstitutional actions by CITY OF ANTIOCH Police Officers as set forth in the instant
21 Complaint, and failed to take any remedial measures, and tolerated, encouraged and ratified the
22 repeated and widespread pattern and practice of unconstitutional actions by Defendant CITY OF
23 ANTIOCH Police Officers as set forth herein.

24 KOCH’s actions were a part of the Defendant Officers’ conspiracy to act in concert to
25 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
26 Department. These actions directly led to the damages of the Plaintiffs named herein.

27 82. Defendant **OFFICER DANIEL NAVARRETTE** (“NAVARRETTE”), at all times
28 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting

1 within the course and scope of that employment. He is being sued individually and in his official
2 capacity as an OFFICER of the CITY. NAVARRETTE was involved in the arrest of Plaintiff
3 LEWIS. Defendant's actions are indicative of the conspiracy between the officers at the Antioch
4 Police Department. Antioch Police Department officers acted in concert to promote racial
5 discrimination by officers within the ANTIOCH police department. This conspiracy between the
6 officers directly led to the damages suffered by the Plaintiffs named herein.

7 83. Defendant **OFFICER CASEY BROGDON** ("BROGDON"), at all times mentioned
8 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
9 course and scope of that employment. He is being sued individually and in his official capacity as
10 an OFFICER of the CITY. BROGDON is implicated in the District Attorney's investigation into
11 the discriminatory text messages sent among Antioch Police Department officers and sergeants.
12 BROGDON participated in text message threads with Defendant CITY OF ANTIOCH Police
13 Officers in which they discussed plans to violate civil rights on duty and used derogatory slurs
14 against civilians, including Plaintiffs. In his role as a supervisor for Defendant CITY OF ANTIOCH
15 Police Department, BROGDON was aware of the openly racist conduct of the police officers he
16 supervised, their use of excessive force as set forth herein, the widespread acceptance within the
17 Antioch Police Department of unconstitutional actions by Defendant CITY OF ANTIOCH Police
18 Officers as set forth in the instant Complaint, and failed to take any remedial measures, and
19 tolerated, encouraged and ratified the repeated and widespread pattern and practice of
20 unconstitutional actions by Defendant CITY OF ANTIOCH police officers as set forth herein.

21 BROGDON's actions were a part of the Defendant Officers' conspiracy to act in concert to
22 promote racial animus, bias and discriminatory practices by the CITY OF ANTIOCH Police
23 Department. These actions directly led to the damages of the Plaintiffs named herein.

24 84. Defendant **OFFICER JONATHAN DOWNIE** ("DOWNIE"), at all times
25 mentioned herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting
26 within the course and scope of that employment. He is being sued individually and in his official
27 capacity as an OFFICER of the CITY. DOWNIE was involved in the arrests of Plaintiffs CAIN and
28 YARBOROUGH. Defendant's actions are indicative of the conspiracy between the officers at the

1 Antioch Police Department. Antioch Police Department officers acted in concert to promote racial
2 discrimination by officers within the ANTIOCH police department. This conspiracy between the
3 officers directly led to the damages suffered by the Plaintiffs named herein.

4 85. Defendant **OFFICER STEVEN MILLER** (“MILLER”), at all times mentioned
5 herein, was employed by Defendant CITY as an OFFICER of the CITY and was acting within the
6 course and scope of that employment. He is being sued individually and in his official capacity as
7 an OFFICER of the CITY. MILLER was involved in the arrest of Plaintiff CAIN. Defendant’s
8 actions are indicative of the conspiracy between the officers at the Antioch Police Department.
9 Antioch Police Department officers acted in concert to promote racial discrimination by officers
10 within the ANTIOCH police department. This conspiracy between the officers directly led to the
11 damages suffered by the Plaintiffs named herein.

12 86. Plaintiffs are ignorant of the true names and capacities of Defendants **DOES** 26
13 through 100 inclusive, and therefore sue these Defendants by such fictitious names, in their
14 individual capacities. Plaintiffs are informed and believe and thereon allege that each defendant so
15 named is responsible in some manner for the injuries and damages sustained by Plaintiffs as set
16 forth herein. Plaintiffs will amend this Complaint to state the names and capacities of DOES 26-
17 100, inclusive, once their identities have been ascertained.

18 **FACTUAL ALLEGATIONS**

19 87. Plaintiffs are informed and believe and thereon allege that DEFENDANTS NUTT,
20 EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS, LENDERMAN,
21 BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER, HARRIS,
22 GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE, HOFFMAN, MILNER, EIGARD,
23 KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE SMITH,
24 GREEN, STENGER, GRAGG, TJAHHADI, MCDONALD, KOCH, NAVARRETTE, EWART,
25 BEDGOOD, DOWNIE, MILLER, and each of them, individually and/or acting in concert with one
26 another, as well as other CITY OF ANTIOCH Police Officers, Sergeants, and leadership (DOES
27 26-100), engaged in a repeated pattern and practice of civil rights violations and other misconduct
28

1 against citizens living, traveling, or visiting the Antioch neighborhoods where they were assigned.
2 Each Plaintiff is likely to suffer a recurrence of the alleged violations of civil rights, or similar
3 violation of civil rights, committed by police officers employed by Defendant CITY OF ANTIOCH.

4 88. Plaintiffs are further informed and believe and thereon allege that said civil rights
5 violations and/or misconduct included, but was not limited to, assaults, beatings, false arrests,
6 unreasonable searches and seizures, intimidation, false imprisonment, falsifying reports, planting
7 evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights and/or
8 other misconduct.

9 89. Plaintiffs are further informed and believe and thereon allege that said misconduct
10 included, but was not limited to subjecting people living, visiting, and/or traveling in Antioch
11 neighborhoods to disparate treatment because of their race and/or gender. As a result, Plaintiffs and
12 persons similarly situated to them were subjected to unequal treatment, civil rights violations, and
13 other misconduct by DEFENDANTS NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR,
14 RAMIREZ, MANLY WILLIAMS, LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO,
15 RODRIGUEZ, ADAMS, WENGER, HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS,
16 MOORE, HOFFMAN, MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ, LUNDIN,
17 LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER, GRAGG, TJAHHADI, MCDONALD,
18 KOCH, NAVARRETTE, EWART, BEDGOOD, DOWNIE, MILLER, and/or CITY OF ANTIOCH
19 Police Officers (DOES 26-100). The above-named DEFENDANTS as well as other DOES
20 deployed excessive force beyond any punishment appropriately imposed by the criminal justice
21 system, and/or made repeated references to or suggestion of violating civil rights.

22 90. Plaintiffs are further informed and believe and thereon allege that despite the
23 repeated and frequent nature of the misconduct and civil rights violations committed by Defendants
24 NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS,
25 LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER,
26 HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE, HOFFMAN, MILNER,
27 EIGARD, KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE
28 SMITH, GREEN, STENGER, GRAGG, TJAHHADI, MCDONALD, KOCH, NAVARRETTE,

1 EWART, BEDGOOD, DOWNIE, MILLER, and DOES 26-100, high ranking CITY OF ANTIOCH
2 officials and/or police department supervisors, including but not limited to, BROOKS,
3 MOREFIELD, FORD, EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN,
4 WISECARVER, STENGER, BROGDON, LOWTHER, DOES 26-100, and each of them,
5 individually and/or acting in concert with one another, failed to take any or appropriate remedial
6 action prior to the subject incidents involving the Plaintiffs. As a result, DEFENDANTS engaged in
7 repeated and serious acts of misconduct and civil rights violations against citizens living, visiting,
8 and/or traveling in Antioch.

9 91. Plaintiffs are informed and believe and thereon allege that as a matter of official
10 policy—rooted in an entrenched posture of deliberate indifference to the constitutional rights of
11 black and brown people who live, visit, and/or travel within Antioch in particular—Defendant
12 CITY OF ANTIOCH, including CITY MANAGERS, has long allowed Plaintiffs and persons
13 similarly situated to them, to be abused by its police officers, including by DEFENDANTS NUTT,
14 EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS, LENDERMAN,
15 BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER, HARRIS,
16 GERBER, HILL, MARCOTTE, HUGHES, GEIS, HOFFMAN, MILNER, EIGARD, KAWALYA,
17 DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER,
18 GRAGG, TJAHJADI, MCDONALD, KOCH, NAVARRETTE, EWART, BEDGOOD, DOWNIE,
19 MILLER, and/or other CITY OF ANTIOCH Police Officers (DOES 26-100).

20 92. Plaintiffs are informed and believe and thereon allege that Plaintiffs, and each of
21 them, suffered the violation of their constitutional rights as a result of customs, policies, patterns
22 and/or practices of Defendant CITY OF ANTIOCH, Defendants BROOKS, MOREFIELD, FORD,
23 EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER,
24 BROGDON, LOWTHER, DOES 26-100, and each of them, including, but not limited to, deliberate
25 indifference in the hiring, supervision, training, and discipline of members of the Antioch Police
26 Department, including Defendant NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ,
27 MANLY WILLIAMS, LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ,
28 ADAMS, WENGER, HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE,

1 HOFFMAN, MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER,
2 DIBBLE, KYLE SMITH, GREEN, STENGER, GRAGG, TIAHJADI, MCDONALD, KOCH,
3 NAVARRETTE, EWART, BEDGOOD, DOWNIE, MILLER, and/or DOES 26-100, and/or each of
4 them.

5 **TRENT ALLEN**

6 93. In March 2021, multiple Defendant CITY OF ANTIOCH Police Department
7 Officers, including ROMBOUGH, MARCOTTE, and RAMIREZ, arrested Plaintiff TRENT
8 ALLEN on an attempted murder charge. During the arrest, ROMBOUGH brutally beat Mr.
9 ALLEN, kicking his head multiple times. DEFENDANTS used specific racial slurs while beating
10 Plaintiff ALLEN, including but not limited to “nigger.” Defendant MATTHEW KOCH, who was a
11 CITY OF ANTIOCH police sergeant at the time, witnessed the arrest.

12 94. On April 11, 2023, ALLEN discovered that DEFENDANT CITY Police Officers
13 had been texting about ALLEN concurrent with his interactions with CITY Officers. The texts,
14 included but are not limited to the following:

15	ROMBOUGH:	Bro I can’t wait to 40 all of them.
16	GERBER:	Hell yeah
17	ROMBOUGH:	Looks like terryon is using TRENT’s IG [...] Sooo many black people [sic].
18	ADAMS:	Bro. They all look the same.
19	ROMBOUGH:	Tell me about it. I feel like I'm at the zoo.
20	ROMBOUGH:	Theyre getting ice cream.
21		Swarming to it like Hennessy.
22		I bet it’s chicken
23	ADAMS:	Could be ribs
24	ROMBOUGH:	for sure watermelon and Kool aid
25		I hate these idiots
26	ADAMS:	the cops or the niggers?
27	ROMBOUGH:	All of them. It looks like TRENTs there too.
28	ADAMS:	[Photo depicts Plaintiff, TRENT ALLEN]

23 95. On March 31, 2021 DEFENDANTS ROMBOUGH, MARCOTTEE, and CITY OF
24 ANTIOCH DOE Officers exchanged the following text messages about taking down a suspect with
25 a 40mm, ROMBOUGH’s “Trophy flag”:

26	OFFICER-14:	☺ That 40 flag is coming!! Murica!!
27	ROMBOUGH:	[Liked above message] You take 40?
28	MARCOTTEE:	Yep heading back now tho

1 **ROMBOUGH:** Coo
2 **MARCOTTE:** I'm out front
3 **ROMBOUGH:** **I can believe he says he has no pain to his back lol**
4 **MARCOTTE:** **The nurse saw me smiling when he was making noises**
5 **in pain and she started laughing 🤔**
6 **ROMBOUGH:** **LMAO what a bitch**

96. Throughout the day, Defendant ROMBOUGH boastfully recounted administering violence on Mr. ALLEN, including his civilian loved ones:

7 **ROMBOUGH:** Yeah 40 deployment
8 Faggot got his ass whooped.
9 **[UNKNOWN]:** Nice babe, another one for the mantle

97. Officer ROMBOUGH also exchanged texts with multiple Defendant CITY Police Officers, including Defendants MANLY-WILLIAMS, DUGGAR, and ADAMS. exchanged the following text messages further celebrating the use of force in arresting TRENT ALLEN:

12 **ROMBOUGH:** **Lol I 40d him right next to his throat**
13 **MARCOTTE:** **Oh fuck cuz he ducked so fast**
14 **ROMBOUGH:** **Eh he deserved it made us fucking run**
15 **MANLY WILLIAMS:** **Is he dead**
16 **ROMBOUGH:** **Just his manliness**
17 **MANLY WILLIAMS:** 🤔🤔
18 **ROMBOUGH:** Think I can forty u as u go by?
19 **ADAMS:** Just saw your text. Asshole!
20 **ROMBOUGH:** Lol I was gonna try.
21 **Bro my foot hurts lol**
22 **ADAMS:** **Did you kick the guy?**
23 **ROMBOUGH:** **Yup like a fucking field goal**
24 **Gotta stop kicking niggas in their head**
25 **ADAMS:** **Oh shit!! And 40'd. Fuck yeah.**
26 **ROMBOUGH:** **And about 6 muzzle thumps**
27 **He's gonna be sore.**
28 **ADAMS:** **Fuck yeah. I didn't realize that.**
29 **ROMBOUGH:** **Bro he's gonna be hurting fuck that guy.**
30 **ADAMS:** **I like your last comment lol**
31 **Haha. I forgot that KOCH wanted us to stop sending dumb shit.**
32 **OOPS.**
33 **ROMBOUGH:** Laughed at [above message]
34 **ROMBOUGH:** **Bro my foot hurts.**
35 **TRENT [ALLEN]S head is like a bowling ball.**
36 **GERBER:** **Haha!**

98. From approximately 3:21 pm to 7:21 pm, Defendant ROMBOUGH separately texted Defendant EVANS to continue to gloat about injuring TRENT ALLEN:

37 **ROMBOUGH:** **Gotta stop kicking niggers in their head.**
38 **[photograph of TRENT ALLEN in hospital]**
39 **EVANS:** **You plugged him in the neck? Lol.**

1 took no action.

2 103. As a result of the culture of racism, homophobia, and unconstitutional violence
3 illustrated by the above text messages, DEFENDANTS maliciously and unfairly targeted,
4 brutalized, and prosecuted TRENT ALLEN. Defendant Officers' behavior both contributed to and
5 stemmed from the discriminatory and violent culture of the CITY OF ANTIOCH Police
6 Department. TRENT ALLEN withstood humiliation and associated emotional distress related to the
7 rampant unconstitutional conduct revealed in 2023 with the CITY OF ANTIOCH text message
8 scandal. Mr. ALLEN suffered severe physical injuries caused by Defendants ROMBOUGH,
9 MARCOTTE, RAMIREZ, and other DEFENDANTS in their use of excessive force against him.

10 104. Mr. ALLEN has been incarcerated since his arrest and the use of excessive force by
11 ROMBOUGH, tolling his statute of limitations.

12 **TERRYONN PUGH**

13 **MARCH 2021 INCIDENT**

14 105. In March 2021, multiple Defendant CITY OF ANTIOCH Police Department
15 Officers, including ROMBOUGH, MARCOTTE, MANLY WILLIAMS, DUGGAR, and
16 MCDONALD, arrested Plaintiff TERRYONN PUGH on an attempted murder charge. PUGH had
17 been the subject of a long-term investigation by CITY OF ANTIOCH Police Department Officer
18 John "Spencer" Cox. During the arrest, ERIC ROMBOUGH brutally shot Mr. PUGH with a 40mm
19 rubber bullet. On April 11, 2023, PUGH discovered that Officer ROMBOUGH texted about him
20 during the time of his arrest. DEFENDANTS used specific racial slurs while beating Plaintiff
21 PUGH, including but not limited to "nigger."

22 106. On April 11, 2023, PUGH discovered that DEFENDANT CITY Police Officers had
23 been texting about PUGH concurrent with his interactions with CITY Officers, planning to and
24 executing a plan to use excessive force on PUGH by shooting him with 40mm rubber bullets. The
25 texts, included but are not limited to the following:

26 On 3/20/2021, at 1: 20 p.m., APD Officer ROMBOUGH texted Detective GERBER, "Been
27 checking ig not sure if terryon found his phone yet."

28 At 1:27p.m., Detective GERBER responded, "For sure thx brah. I bet he did."

1 On 3/21/2021, at 9:14a.m., APD Officer ROMBOUGH text APD Detective GERBER, “I
2 haven’t seen Pugh with his phone or updates on his ig. He’s still posting.”

3 At 9:15a.m., APD Detective GERBER responded, “Pugh is so screwed.”

4 At 9:16 a.m., APD Detective GERBER added, “He better still have his phone, almost done
5 with his affidavit.”

6 At 9:16p.m., APD Officer ROMBOUGH responded, “Bro I can’t wait to forty all of them
7 (“forty” or “40” are references to the deployment of the 40mm less-lethal launcher).”

8 At 9:16 p.m., APD Detective GERBER texted, “Hell yeah.”

9 At 9:44 a.m., APD Officer ROMBOUGH texted, “Looks like terryon is using trents ig”.

10 At 9:50 a.m., APD Detective GERBER texted, “I saw that he posted a quick live He better
11 have his damn phone.”

12 At 9:54a.m., APD Officer ROMBOUGH text, “22 that I think he has it back I mix up all the
13 number 2s igs.”

14 On 3/29/2021, at 6:38 p.m., APD Officer ROMBOUGH and APD Detective GERBER
15 continue texting during the investigation of plaintiff:

16 On 3/29/2021, at 6:38 p.m., APD Officer ROMBOUGH text APD Detective GERBER,
17 “Not sure if this fag is with any of our targets or not but here u go.”

18 At 6:54 p.m., APD Detective GERBER responded, “That fag is one of our four targets heh,
19 he appears to be goin to la.”

20 At 6:55p.m., APD Officer ROMBOUGH text, “Yeah I can’t remember all their names just
21 another number 2”.

22 At 6:57p.m., APD Detective GERBER responded, “Hah facts.”

23 107. Defendant SERGEANT JOSH EVANS sent text messages about an unknown
24 subject, detailing plans to “smash in and bite him, 40mm him, and call him a cunt.” EVANS
25 referred to Black people as “niggers” numerous times, and in discussing an unknown subject, he
26 once stated: “I’m going to bury that nigger in my fields.” His actions are indicative of the defendant
27 officers acting in concert to promote racial bigotry and bias in the Antioch police department. These
28 actions directly led to the damages of the Plaintiffs named herein.

1 108. On March 31, 2021, Defendant ROMBOUGH carried out his plan, and shot Plaintiff
2 PUGH with a 40mm rubber bullet. ROMBOUGH and defendant EVANS exchanged text messages
3 reveling in the injuries inflicted on Plaintiffs Pugh and Trent Allen. After sending a picture of
4 Allen’s injuries, defendants ROMBOUGH and EVANS engaged in the following text messaging:

5 At 3:41 p.m., APD Sgt. Josh EVANS replied, “Lol all of my favorite things.” APD Officer
6 ROMBOUGH texted, “Me too Brock [MARCOTTE] salty and I in a backyard with no cameras
7 lol.”

8 At 6:22 p.m., APD Sgt. Josh EVANS texted, “40 pic?” APD Officer ROMBOUGH replied,
9 “I’ll send it in a few. I shot him in the ass bro” and “Fuck that guy.” APD Sgt. Josh EVANS
10 responded, “Lol, that’s funny”.

11 At 6:25p.m., APD Officer ROMBOUGH text, “Obviously wasn’t complying.”

12 At 7:21 p.m., APD Officer ROMBOUGH sent APD Sgt. Josh EVANS the following photo:
13 APD Officer ROMBOUGH also texted his wife XXXX after deploying the 40mm weapon for the
14 second time that day. APD Officer ROMBOUGH sent XXXX photos of both men (ALLEN and
15 PUGH) and their injuries.

16 At 4:38 p.m., XXXX responded, “You got him in the neck?!”

17 At 4:43 p.m., APD Officer ROMBOUGH replied, “Yup and another faggot in the butt” and
18 “2 for the day.”

19 At 4:49 p.m., XXXX responded, “Nice babe.”

20 At 7:21 p.m., APD Officer ROMBOUGH sent XXXX the following photo of Pugh:

21 At 7:25p.m., XXXX text, “Ouchie.”

22 109. APD officer ROMBOUGH kept the 40mm bullets as trophies. APD officer
23 MARCOTTE collected the 40mm ROMBOUGH used to shoot PUGH as a trophy for
24 ROMBOUGH. They engaged in the following text messaging:

25 On 3/31/2021, at 7:30 a.m., APD Officer ROMBOUGH text APD Officer Brock
26 MARCOTTE, “You take 40?”

27 At 7:31 a.m., APD Officer MARCOTTE responded, “Yep” and “Heading back now tho.”

28 At 7:32 p.m., APD Officer ROMBOUGH text, “Coo.”

1 At 7:59 a.m., APD Officer MARCOTTE text, "I'm out front". APD Officer ROMBOUGH
2 responded, "Copy."

3 At 9:11a.m., APD Officer ROMBOUGH text, "I can believe he says he has no pain to his
4 back lol."

5 110. As a result, the text messages discovered in April 2023 imply that Antioch Police
6 Department maliciously and unfairly targeted, brutalized, and prosecuted PUGH, and that
7 Defendant Officers' behavior stemmed from the discriminatory and violent culture of the Antioch
8 Police Department. Moreover, Mr. PUGH withstood humiliation and associated emotional distress
9 corresponding to the text message scandal. Mr. PUGH suffered severe physical injuries caused by
10 Defendant ROMBAUGH's use of excessive force.

11 111. Mr. PUGH has been incarcerated since his arrest and the use of excessive force by
12 Defendant ROMBOUGH, tolling his statute of limitations.

13 NOVEMBER 2020 INCIDENT

14 112. The incident took place on November 10, 2020. The time was approximately 11:00
15 A.M. The location was the Shell Gas Station located at 2838 Lone Tree Drive, Antioch, CA
16 94509. DEFENDANT CITY OF ANTIOCH police officers CALVIN PRIETO, ANDREA
17 RODRIGUEZ, MATTHEW NUTT and others were involved in the arrest of PUGH.

18 113. On the above-date, Mr. PUGH was a passenger in the backseat of a parked car at a
19 gas pump. Defendants PRIETO, RODRIGUEZ, and other DEFENDANT officers pulled PUGH out
20 of the backseat. Plaintiff PUGH was slammed face-first to the ground, his arms pulled behind him,
21 he was kned in the neck, tased, hog tied, and placed him in a full body wrap device. During the
22 incident involving plaintiffs Pugh and McCullough, Plaintiff PUGH is informed and believes that
23 officers PRIETO and RODRIGUEZ and others used racially derogatory terms, and that the racial
24 epithets included "the 'N' word".

25 114. Unbeknownst to plaintiff, Defendants NUTT, PRIETO, RODRIGUEZ and other
26 DOE officers were racially biased against and discriminated against plaintiff PUGH. The force used
27 during that arrest was designed to humiliate, embarrass, belittle, dehumanize and denigrate plaintiff
28 PUGH based on his race.

1 115. On March 27, 2023, the Contra Costa County District Attorney's office produced a
2 report regarding racist text messages exchanged between Antioch police officers. In one entry, on
3 June 10, 2020, PRIETO and RODRIGUEZ “blame[d] the blacks” for all the crime in the area. (Pg.
4 10 DA Report). In another entry, on September 9, 2020, PRIETO and RODRIGUEZ used text
5 messages their plans to target specific groups, implying blacks and Latinos, for traffic citations. The
6 last page of the report provides data regarding PRIETO and RODRIGUEZ’s arrest statistics
7 between September 2020 and October 2020. These statistics demonstrate that the DEFENDANT
8 CITY Officers targeted Black and Latino people. The largest percentage of their arrests were of
9 black people. The report was released to Plaintiff PUGH on or about April 11, 2023.

10 116. On March 28, 2023, the Contra Costa County District Attorney's office produced a
11 report regarding racist text messages exchanged between CITY OF ANTIOCH police officers
12 EVANS, ADAMS, DUGGAR, GERBER, T. SMITH, MARCOTTE, MANLY WILLIAMS,
13 ROMBOUGH, including those referenced the above, during the investigation and March 2021
14 arrest of PUGH. The report was released to defendant PUGH on or about April 11, 2023.

15 **SHAGOOFA KHAN**

16 117. Beginning in the Summer of 2020, SHAGOOFA KHAN organized police reform
17 protests throughout the CITY OF ANTIOCH. On January 15, 2021, Defendants, CITY OF
18 ANTIOCH Police Department Officers EVANS, MANLY WILLIAMS, LENDERMAN,
19 BLEDSOE, and THOMAS SMITH arrested Ms. KHAN for burning a “Blue Lives Matter” flag at a
20 protest. During the investigation of her case, Defendant Officer BROGDON authored a search
21 warrant for KHAN’s phone and performed a forensic extraction of her communications. KHAN
22 was charged with felony arson and battery of an officer. KHAN completed diversion, however she
23 never entered a plea agreement, and the charges were eventually dismissed. The arresting Defendant
24 Officers EVANS, MANLY WILLIAMS, LENDERMAN, BLEDSOE, and SMITH are key
25 participants in the discriminatory text messages sent among Antioch Police Department officers and
26 sergeants.

27 118. On April 11, 2023, KHAN discovered that she had been mentioned by name in the
28 salacious text threads, including in the following texts, which were sent to CITY OF ANTIOCH

1 Police supervisors and sergeants STENGER, HOFFMAN, WISECARVER, and BROGDON
2 amongst others:

3 **LENDERMAN:** They were in Martinez for the BLM shit.
4 **EVANS:** **SHAGOOFA looks like an arabian nights cum dumpster**
5 **LENDERMAN:** At least my shagoof is looking hot AF

6 119. Defendant Officer THOMAS SMITH similarly sent text messages to CITY OF
7 ANTIOCH Police Officers in which he referred to women as “bitches.” Following SHAGOOFA
8 KAHN’s arrest, Defendant Officers CALVIN PRIETO and ANDREA RODRIGUEZ exchanged
9 messages referring to a female Black Lives Matter activist as “that black bitch.” Defendant
10 ROMBOUGH also texted Defendant EVANS that he “should have 40d this black bitch today,” and
11 in a separate message to an unknown recipient, ROMBOUGH referred to Black women as “water
12 buffalo.” Defendant Officer MANLY WILLIAMS sent multiple texts messages in which he joked
13 about the brutalization of Black arrestees. Defendant BLEDSOE was a member of these group chats
14 and received all of the salacious text messages uncovered in this scandal, including the above and
15 the text thread in which RAMIREZ offered a steak dinner prize for a CITY OF ANTIOCH
16 Defendant Officer to “40 that gorilla Thorpe” in reference to then Mayor of the CITY OF
17 ANTIOCH during the BLM protests.

18 120. As a result, the text messages discovered in April 2023 demonstrate that Antioch
19 Police Department Defendant Officers EVANS, MANLY WILLIAMS, LENDERMAN,
20 BLEDSOE, and THOMAS SMITH maliciously and unfairly prosecuted SHAGOOFA KHAN and
21 that Defendant Officers’ behavior contributed to and stemmed from the discriminatory and violent
22 culture of the Antioch Police Department. Moreover, Ms. KHAN withstood humiliation and
23 associated emotional distress corresponding to the text message scandal.

24 **ADAM CARPENTER**

25 121. On November 3, 2020, multiple CITY OF ANTIOCH Police Department officers,
26 including ROMBOUGH, MARCOTTE, DUGGAR, AMIRI, and MANLY WILLIAMS, arrested
27 CARPENTER for possession of a firearm without probable cause and with malice. The charges
28 against CARPENTER were later dropped. From January 2020 up until the date of his arrest, these
and other CITY OF ANTIOCH Police Officers conducted nearly ten traffic stops on Mr.

1 CARPENTER. All of these Defendant Officers are implicated in the offensive text message
2 scandal. Concurrent with CARPENTER's arrest, Defendant Officers sent numerous text messages
3 about Black people, calling them "gorillas," "niggers," "monkeys," and using other targeted slurs to
4 refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch"). Concurrent to CARPENTER's arrest,
5 Defendant ROMBOUGH described his on-duty game plan and conduct as "violating civil rights,"
6 and "only stopping [people] cuz they black [sic]." Defendant DUGGAR also sent text messages to
7 other CITY OF ANTIOCH Police Officers in which he referred to Black people as "niggas."
8 Defendant AMIRI admitted to serious offenses of falsification of criminal confessions, claiming: "I
9 sometimes just say people gave me a full confession when they didn't. gets filed easier
10 [sic]." Defendant MANLY WILLIAMS sent text messages in which he joked about the
11 brutalization of an arrestee and asked, "is he dead?"

12 122. As a result, the text messages discovered in April 2023 imply that Antioch Police
13 Department maliciously and unfairly targeted and prosecuted CARPENTER and that Defendant
14 Officers' behavior stemmed from the discriminatory and violent culture of the Antioch Police
15 Department. Moreover, Mr. CARPENTER withstood humiliation and associated emotional distress
16 corresponding to the text message scandal.

17 **JOSHUA BUTLER**

18 123. On February 3, 2022, multiple CITY OF ANTIOCH Police Department officers,
19 including Defendants JOSH EVANS, BRAYTON MILNER, and KYLE HILL, arrested Plaintiff
20 JOSHUA BUTLER in Antioch, CA for allegedly discharging a firearm. Officers never found a
21 weapon. On May 26, 2023, BUTLER's case was dismissed. Since the date of the arrest, CITY OF
22 ANTIOCH Police Officers have conducted nearly ten traffic stops on Mr. BUTLER, each time
23 verbally accosting him with racist obscenities. None of these traffic stops have resulted in additional
24 arrests. Concurrent with BUTLER's arrest, officers, including JOSH EVANS and BRAYTON
25 MILNER, sent numerous text messages about Black people, calling them "gorillas," "niggers,"
26 "monkeys," and using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat
27 bitch"). On one occasion, EVANS sent text messages about an unknown subject, detailing plans to
28 "smash in and bite him, 40mm him, and call him a cunt." EVANS regularly referred to Black

1 people as “niggers,” and in discussing an unknown subject, he once stated: “I’m going to bury that
2 nigger in my fields.” Additionally, about a month before BUTLER’s arrest, MILNER sent a text
3 message stating: “I violate rights on the street but don’t [lie] in the courtroom.”

4 124. As a result, the text messages discovered in April 2023 imply that Antioch Police
5 Department maliciously and unfairly prosecuted BUTLER and that Defendant Officers’ behaviors
6 and actions stemmed from the discriminatory and violent culture of the Antioch Police Department.
7 Moreover, Mr. BUTLER withstood humiliation and associated emotional distress corresponding to
8 the text message scandal.

9 **DEJON RICHARDS**

10 In 2020, DEJON RICHARDS was arrested and brutalized by CITY OF ANTIOCH Police
11 Officers, including Defendant Officer DUGGAR. During the arrest, DUGGAR repeatedly called
12 RICHARDS a “bitch,” told him that he had no rights, and slammed RICHARDS’ head on the car
13 cutting the left side of his face. DUGGAR is a key participant in the discriminatory text messages
14 sent among Antioch Police Department officers and sergeants. DUGGAR sent text messages to
15 other Antioch officers in which he referred to Black people as “niggas.” RICHARDS was
16 incarcerated for one year prior to his case being dismissed. Concurrent to RICHARDS’ arrest,
17 multiple CITY OF ANTIOCH Police Officers, including DUGGAR and other named and DOE
18 DEFENDANTS, planned over text messages an operation to arrest wanted individuals in Antioch,
19 in which the Officers described plans to deploy excessive force. At least one CITY OF ANTIOCH
20 Police Sergeant was an active participant in encouraging this conduct and joked with other
21 DEFENDANTS about the fact that in 2020, CITY OF ANTIOCH Police Department was in the
22 eighty-fourth percentile (84%) for use of deadly force, which was acknowledged as “crimes
23 committed by the police.”

24 As a result, the text messages discovered in April 2023 imply that CITY OF ANTIOCH
25 Police Officer DUGGAR maliciously and unfairly targeted and arrested RICHARDS without
26 probable cause and that Defendant Officers’ behaviors and actions contributed to and stemmed from
27 the discriminatory and violent culture of the CITY OF ANTIOCH Police Department. Moreover,
28

1 Mr. RICHARDS withstood humiliation and associated emotional distress corresponding to the text
2 message scandal.

3 **DRESHAWN JACKSON**

4 125. DRESHAWN JACKSON was arrested on February 12, 2018 by CITY OF
5 ANTIOCH Police Department Officers, including Defendant Officer ROMBOUGH. During the
6 arrest, ROMBOUGH admitted to JACKSON that he had “a beer or two,” then demanded that
7 JACKSON get out of his car. JACKSON was charged with possession of a firearm and was
8 incarcerated for 15 months. In April 2022, his case was dismissed by the District Attorney.
9 Arresting officer Defendant ROMBOUGH is a key participant in the ongoing investigation into the
10 unconstitutional misconduct and discriminatory text messages sent among Antioch Police
11 Department officers and sergeants. Concurrent to JACKSONS’ arrest, ROMBOUGH and other
12 Defendant Officers deployed uses of force as punishment to subjects beyond any punishment
13 appropriately imposed by the criminal justice system, and made repeated references to or suggestion
14 of violating civil rights. (Indictment 4:23-cr-00269 AMO) ROMBOUGH proudly admitted to
15 brutalizing arrestees on multiple occasions. ROMBOUGH referred to arrestees as “faggots” and
16 “niggers” multiple times. On other occasions, ROMBOUGH boasted about “violating civil rights”
17 and “only stopping [people] cuz they black [sic].”

18 126. As a result, the text messages discovered in April 2023 demonstrate that CITY OF
19 ANTIOCH Police Officers maliciously and unfairly targeted and arrested JACKSON and that
20 Defendant Officers’ behaviors and actions contributed to and stemmed from the discriminatory and
21 violent culture of the CITY Police Department. Moreover, Mr. JACKSON withstood humiliation
22 and associated emotional distress corresponding to the text message scandal.

23 **KARDELL SMITH**

24 127. KARDELL SMITH was arrested on state possession charges in 2019 by multiple
25 CITY OF ANTIOCH Police Officers. Defendant Officer AMIRI and other CITY OF ANTIOCH
26 Police Officers prepared a false police report which was used to maliciously prosecute Mr. SMITH.
27 Specifically, Defendant Officer AMIRI claimed he saw, from outside the building where Mr.
28 SMITH was located, a bathroom window be broken and a handgun thrown out of the window into a

1 side yard. Defendant Officers entered the apartment and arrested Mr. SMITH, claiming SMITH had
2 thrown the gun out of the bathroom window. In reality, no weapon was possessed by Mr. SMITH,
3 and no weapon or any object was thrown by anyone through that window in Defendants’ presence
4 or within that timeframe. A picture purported to be taken by Defendants of the weapon at the scene
5 shows it was covered by leaves and dirt. The window had been broken for months. KARDELL
6 SMITH served a parole violation and then later got charged on the same false factual basis by the
7 Federal government on Federal charges. On April 13, 2022, a Federal judge dismissed KARDELL
8 SMITH’s case, dropped every charge, and withdrew all previous pleadings.

9 128. Defendant Officers AMIRI and ROMBOUGH were involved in the arrest of
10 KARDELL SMITH and each were integral participants in maliciously prosecuting him. Concurrent
11 with SMITH’s arrest, Defendants AMIRI and ROMBOUGH, along with DOE Officers of the CITY
12 OF ANTIOCH Police Department, discussed with another intentions to deploy force against, and
13 inflict harm upon, individuals in and around Antioch through excessive uses of force:

14	ROMBOUGH:	Yeah buddy we gonna fuck some people up... I’ll roll with u and Percy
15		Didn’t know if you were already there
16	AMIRI:	LOL No i was planning on enjoying the day off but fuck them for fucking with an officer.
17	ROMBOUGH:	Me too and exactly I’m gonna fuck someone up and hopefully get you a bite
18	AMIRI;	Exactly! Blood for blood!
19	WENGER:	Please find this guys and fuck him in the ass
20	ROMBOUGH:	Deal
21	WENGER:	[IMG_0897, a screenshot of identification records] He’s the fuck face that ran. Wants are 108 and 2800 ill bit em
22	AMIRI:	[...]
23	ROMBOUGH:	Fuck i just want to punch the shit out of someone lol
24	AMIRI:	do it bro
25	ROMBOUGH:	Don’t have my road dog out here
26	AMIRI:	the guy i bit today was proned out. No fucks given.

27 129. AMIRI, ROMBOUGH, and DOES, also concealed and hid, and caused to be
28 concealed and hidden, the acts done and the purpose of the acts done in furtherance of the scheme,
including to further perpetuate the scheme.

1 130. Concurrent to Mr. SMITH's arrest, Defendant CITY OF ANTIOCH Police Officers
2 sent numerous text messages about Black people, calling them "gorillas," "niggers," "monkeys,"
3 and using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch").
4 ROMBOUGH proudly admitted to brutalizing arrestees on multiple occasions. ROMBOUGH
5 boasted about "violating civil rights" and "only stopping [people] cuz they black [sic]." AMIRI
6 admitted to serious offenses of falsification, claiming: "I sometimes just say people gave me a full
7 confession when they didn't. gets filed easier [sic]." Consistent with this admission, Defendant
8 AMIRI prepared a false police report in which he fabricated an alleged confession by KARDELL
9 SMITH, that he claimed took place while they smoked a cigarette together outside the police
10 station. In reality, Defendant AMIRI acted friendly to Mr. SMITH, offered to smoke a cigarette
11 with him outside the police station, but Mr. SMITH never possessed and never confessed to having
12 any weapon, much less a gun. Defendant AMIRI lied in his police report and claimed that Mr.
13 SMITH confessed to possession of the gun. This false report was then used to fabricate the gun
14 charge against Mr. SMITH.

15 131. As a result, the text messages discovered in April 2023 demonstrate that Defendant
16 CITY OF ANTIOCH Police Officers maliciously and unfairly targeted and arrested KARDELL
17 SMITH and that Defendant Officers' behaviors and actions contributed to and stemmed from the
18 discriminatory and violent culture of the CITY Police Department. Moreover, Mr. KARDELL
19 SMITH withstood humiliation and associated emotional distress corresponding to the text message
20 scandal.

21 **DANIEL MACKIN**

22 132. DANIEL MACKIN was brutalized on Tuesday, June 15, 2021, by CITY OF
23 ANTIOCH Police Department Officers, including Defendant Officers ROMBOUGH,
24 MARCOTTE, and MILNER, in the presence of Defendant Sergeant KOCH, during the execution of
25 a search warrant operation set up by Defendant Officer ADAMS. During the interaction, Defendant
26 Officer ROMBOUGH deployed a 40 mm less-lethal launcher against Mr. MACKIN, who was
27 beaten so severely that he sustained a metacarpal fracture in his foot. He spent six months in a
28 wheelchair and underwent multiple surgeries. Defendants HOFFMAN and MOREFIELD reviewed

1 the use of force, found it to be within CITY OF ANTIOCH Police Department policy, and took no
2 action.

3 133. On June 2, 2021, about two weeks before Mr. MACKIN suffered this violent
4 encounter, Defendant Officers ROMBOUGH and MILNER exchanged text messages planning in
5 advance to deploy a 40 mm less-lethal launcher against Mr. MACKIN:

6 **ROMBOUGH:** Hoffman wanted me to vet mackin and where he stashes his
stuff before we do a search

7 **ROMBOUGH:** Can I forty dvance please?

8 **MILNER:** Read my mind. I was just going to nicely ask you to find a
reason to 40 him

9 134. On Sunday, June 13, 2021, two days before Mr. MACKIN suffered this violent
10 encounter, Defendant Officers ROMBOUGH and AMIRI exchanged the following plans to hurt
11 suspects they would encounter while next on together, which fell on the day ROMBOUGH
12 participated in the violence inflicted on Mr. MACKIN:

13 **ROMBOUGH:** You working?

14 **AMIRI:** yeah. 40 mins until the weekend.

15 **ROMBOUGH:** It's your friday right? Copy **until you come in on Tuesday**

16 **AMIRI:** lol yea

17 **ROMBOUGH:** **Yeah buddy dog bite and 40 deployment**

18 **AMIRI:** [loved above message]

19 135. As a result, the text messages discovered in April 2023 show that CITY OF
20 ANTIOCH Police Department Officers, including ADAMS, ROMBOUGH, AMIRI, MARCOTTE,
21 and MILNER intentionally, maliciously, and unfairly targeted and brutalized DANIEL MACKIN.
22 Theirs and other Defendant CITY OF ANTIOCH Police Officers' behavior contributed to and
23 stemmed from the discriminatory and violent culture of the CITY Police Department. Moreover,
24 Mr. MACKIN withstood humiliation and associated emotional distress corresponding to the text
message scandal. Mr. MACKIN suffered severe physical injuries caused by Defendant
ROMBAUGH's use of excessive force.

25 **TERRY ROBINSON, JR.**

26 136. On July 1, 2022, during a traffic stop where TERRY ROBINSON, JR. was a
27 passenger in his brother's car, multiple Antioch Police Department officers, including MATTHEW
28

1 NUTT, JOSHUA EVANS, and DUSTIN DIBBLE, arrested ROBINSON on the purported basis of
2 two allegedly outstanding arrest warrants. However, the arrest warrants had previously been
3 resolved by ROBINSON JR. at court. During the arrest, Defendants NUTT, EVANS, and DIBBLE
4 brutally beat Mr. ROBINSON while he was handcuffed. NUTT and EVANS threw ROBINSON to
5 the ground, after which NUTT AND DIBBLE repeatedly shoved, kicked, punched, and knee-struck
6 him in the legs, stomach, and ribs. Despite ROBINSON's pleas that he was having a panic attack
7 and needed medical attention, NUTT and DIBBLE continued to attack ROBINSON and failed to
8 call an ambulance while EVANS watched. ROBINSON spent six days in jail and was released with
9 no criminal charges. Concurrent with ROBINSON's arrest, Antioch Police Department officers,
10 including MATTHEW NUTT and JOSHUA EVANS, sent and/or received numerous text messages
11 about Black people, calling them "gorillas," "niggers," "monkeys," and using other targeted slurs to
12 refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch").

13 137. As a result, the text messages discovered in April 2023 imply that Antioch Police
14 Department maliciously and unfairly targeted, arrested, and brutalized ROBINSON and that
15 Defendant Officers' behavior contributed to and stemmed from the discriminatory and violent
16 culture of the Antioch Police Department. Moreover, Mr. ROBINSON withstood humiliation and
17 associated emotional distress corresponding to the text message scandal. Furthermore, Mr.
18 ROBINSON suffered severe physical injuries caused by Defendants NUTT, DIBBLE, and
19 EVANS's use of excessive force.

20 **MANDINGO CAIN**

21 138. On October 3, 2022, CITY OF ANTIOCH Police Department Officers DEVIN
22 EIGARD, CONSTANTINE KAWALYA, THOMAS SMITH, JONATHAN DOWNIE, and
23 STEVEN MILLER seized MANDINGO CAIN's registered firearm after conducting an unlawful
24 stop and search of Mr. CAIN's vehicle, then without cause, arrested Mr. CAIN. After briefly
25 entering the Quik Stop store at 1108 Sycamore Dr, Antioch, CA 94509, Mr. CAIN and his wife
26 drove out of the store parking lot when Defendants EIGARD and DOWNIE followed them in a
27 police car and turned on their sirens. EIGARD and DOWNIE ordered CAIN through a loudspeaker
28 to pull over in an area where there were no other people around. When CAIN asked why he was

1 being pulled over, EIGARD claimed that it was because his headlights and windows were tinted. As
2 CAIN provided EIGARD with his driver's license information, Defendants KAWALYA, T.
3 SMITH, serving as KAWALYA's Field Training Officer, and STEVEN MILLER arrived.
4 Defendants EIGARD and DOWNIE then told CAIN to get out of the car. CAIN initially refused
5 and told the officers that he was not on parole. EIGARD then yanked CAIN out of his car while T.
6 SMITH and KAWALYA made his wife exit the car. MILLER instructed KAWALYA to search
7 CAIN's wife, but the search did not yield anything. The officers proceeded to search CAIN's car
8 thoroughly. While searching the car, the officers found marijuana and a registered firearm. The
9 officers put back the marijuana after CAIN asked them to place it back, but they accused CAIN of
10 illegally transporting a firearm. The officers arrested CAIN and transported him to the Martinez
11 Detention Facility. CAIN posted bail and went to court three times, but the charges against him
12 were ultimately dropped. CAIN is still waiting to get his firearm back from the Antioch Police
13 Department. Concurrent with CAIN's arrest, multiple CITY OF ANTIOCH officers sent numerous
14 text messages about Black people, calling them "gorillas," "niggers," "monkeys," and using other
15 targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch"). At least one of the
16 officers involved in CAIN's arrest is a key participant in the District Attorney's investigation into
17 the discriminatory text messages sent among Antioch Police Department officers and sergeants.

18 139. As a result, the text messages discovered in April 2023 imply that Antioch Police
19 Department maliciously and unfairly targeted and prosecuted CAIN, and that Defendant CITY OF
20 ANTIOCH officers' behavior stemmed from the discriminatory and violent culture of the CITY OF
21 ANTIOCH Police Department. Moreover, Mr. CAIN withstood humiliation and associated
22 emotional distress corresponding to the text message scandal. Furthermore, Mr. CAIN lost his
23 lawfully possessed firearm and suffered physical and emotional distress from watching CITY OF
24 ANTIOCH Police Officers sexually harass his wife and from being yanked out of his car, arrested,
25 and jailed.

26 **AMADEO GARCIA, JR.**

27 On December 19, 2022, CITY OF ANTIOCH Police Department officers used excessive
28 force during an unlawful search of AMADEO GARCIA, JR.'s vehicle, resulting in the arrest of

1 GARCIA. CITY OF ANTIOCH police Officers (DOES) staked out a motel room rented by
2 GARCIA in Antioch, CA. The DOE officers pulled GARCIA over while he was driving his vehicle,
3 purportedly due to the absence of license plates. The automobile was newly purchased with dealer
4 tags in the window. The Officers confirmed that the vehicle was in legal standing. Multiple officer
5 DOES arrived on the scene, including a K-9 unit. The K-9 unit alerted officers to the vehicle. The
6 K-9 unit displayed unprofessional behavior, including jumping onto the hood of the vehicle. Officer
7 DOES then removed GARCIA from the vehicle by reaching into the car and unlocking the car door.
8 After removing GARCIA from the vehicle, they proceeded to deploy their taser on GARCIA for an
9 extended length of time. GARCIA was charged with multiple counts of possession. These charges
10 were later dismissed by the court under California Penal Code § 1385. Concurrent with GARCIA’s
11 arrest, multiple CITY OF ANTIOCH officers sent numerous racist text messages describing
12 subjects of arrest, and at various points discussed plans to “violate civil rights” and conduct racially-
13 targeted vehicular stops.

14 As a result, the text messages discovered in April 2023 imply that Antioch Police
15 Department maliciously and unfairly targeted, brutalized, and prosecuted GARCIA, and that
16 Defendant officers’ behavior stemmed from the discriminatory and violent culture of the Antioch
17 Police Department. Moreover, Mr. GARCIA withstood humiliation and associated emotional
18 distress corresponding to the text message scandal. Furthermore, due to the Antioch police officers’
19 use of excessive force, GARCIA suffered physical injury as well as incarceration.

20 **ARON TYSON**

21 140. On October 3, 2020, CITY OF ANTIOCH Police Department Officers AMIRI and
22 DOES pulled over ARON TYSON at the intersection of Sycamore Drive and Peppertree Way in
23 Antioch, CA for having tinted car windows, threw TYSON to the ground, searched his vehicle, and
24 arrested him. After TYSON provided the officers with his license and registration, the officers told
25 him to get out of the car, claiming that they could smell marijuana. Neither TYSON nor his
26 girlfriend had been smoking marijuana. The officers asked TYSON if they could search the car, but
27 when TYSON said no, the officers pushed him to the ground, painfully twisted his arms upwards
28 behind his back, and handcuffed him. TYSON had a metal plate in his arm, so he asked the officers

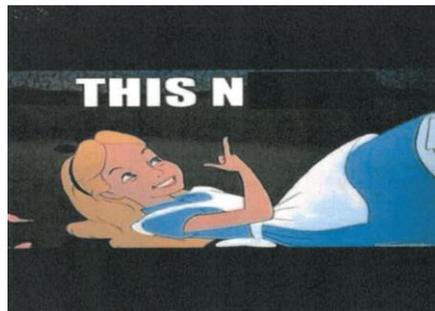
1 to not be rough with him. However, the officers continued to force TYSON to the ground and hurt
2 his arms. The officers then searched the car and found a firearm and some marijuana. The officers
3 also searched TYSON’s girlfriend and found drugs, which they falsely stated belonged to TYSON.
4 The officers arrested TYSON and took him to the station for booking. TYSON posted bail and was
5 later charged with possession of controlled substances. However, the charges were dropped in
6 August 2022.

7 141. Concurrent with TYSON’s arrest, Defendant CITY OF ANTIOCH Police Officers
8 sent numerous text messages about Black people, calling them “gorillas,” “niggers,” “monkeys,”
9 and using other targeted slurs to refer to subjects (i.e.: “faggot,” “pussies,” “cunt,” “fat bitch”). This
10 includes DOE Officers who requested videos of suspects’ injuries at the hands of Defendant
11 Officers, and promising to withhold that information:

12	DOE-6:	Looks so painful lol
13	AMIRI:	[Video file of a suspect’s injuries]
14		Don’t share the video...lol
15	DOE-6:	I don’t share anything lol not even the pics bro! It’s
		Good that even though the laws don’t keep them in jail they
		Still get fucked up [...]

16 142. In the days following Mr. TYSON’s arrest, Defendant RAMIREZ texted a group
17 thread of CITY OF ANTIOCH Police Officers and Sergeants, including Defendants AMIRI,
18 ROMBOUGH, HARRIS, GERBER, ADAMS, SMITH, EVANS, HUGHES, GONZALEZ, NUTT,
19 MARCOTTE, DUGGAR, MANLY WILLIAMS, and BLEDSOE, and non-defendant parties,
20 including, but not limited to, John “Spencer” Cox:

21 **RAMIREZ:**



27	RAMIREZ:	Bended knee nigger.
28	AMIRI:	Thirsty nigger,

1 Donkey nigger
 2 Ass nigger,
 3 **RAMIREZ:** Transient nigger,
 4 Panhandling nigger,
 5 Ungreatful nigger,
 6 **RAMIREZ:** Jackass nigger
 7 Jaywalking nigger
 8 11-25 nigger
 9 ACO nigger
 10 Bitch nigger
 11 **RAMIREZ:** Bitch nigger
 12 Slow nigger
 13 dead nigger
 14 body bag nigger
 15 n10-55 nigger
 16 187 nigger
 17 wild west nigger
 18 huckleberry nigger

19 143. As a result, the text messages discovered in April 2023 indicate that CITY OF
 20 ANTIOCH Police Department maliciously and unfairly targeted, brutalized, and prosecuted ARON
 21 TYSON, and that Defendant Officers’ behavior contributed to and stemmed from the discriminatory
 22 and violent culture of the Antioch Police Department. Moreover, Mr. TYSON withstood
 23 humiliation and associated emotional distress corresponding to the text message scandal.
 24 Furthermore, due to the Antioch police officers’ use of excessive force, TYSON suffered physical
 25 injuries in his arms and emotional distress. The items that the officers took while searching him and
 26 his vehicle have not yet been returned to him.

27 **DAUNTE GELLINGTON**

28 On April 30, 2023 at around 5:00 pm, Defendant CITY OF ANTIOCH Police Department
 Officer (DOES) falsely accused DAUNTE GELLINGTON of threatening his brother, slammed him
 to the ground, and attacked him while he was handcuffed. GELLINGTON went to the Antioch
 Police Department in Antioch, CA with his mother and siblings to file a report for an unrelated
 matter. After the family submitted the report and went outside, an Antioch Police Officer claimed
 that GELLINGTON had threatened his brother, even though nobody in the family heard him do so.
 Four Defendant Officers (DOES) threw GELLINGTON to the ground, handcuffed him, picked him
 up, slammed him against the ground again, dragged him through concrete, and kicked him while
 holding him face down. At least one officer DOE pushed their knees into GELLINGTON’s back.

1 When GELLINGTON's mother begged the officers to stop, they threatened to tase or handcuff her
2 if she did not back off. The officer DOES then detained GELLINGTON for an hour before
3 releasing him. GELLINGTON went to the Sutter Health hospital for medical attention afterwards.
4 Concurrent with the officers' beating of GELLINGTON, multiple CITY OF ANTIOCH officers
5 sent numerous text messages about Black people, calling them "gorillas," "niggers," "monkeys,"
6 and using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch").

7 As a result, the text messages discovered in April 2023 imply that Antioch Police
8 Department maliciously and unfairly targeted and brutalized GELLINGTON, and that Defendant
9 officers' behavior stemmed from the discriminatory and violent culture of the Antioch Police
10 Department. Moreover, Mr. GELLINGTON withstood humiliation and associated emotional
11 distress corresponding to the text message scandal. Furthermore, due to the Antioch police officers'
12 use of excessive force, GELLINGTON suffered severe physical injuries, including a broken toe,
13 bruised ribs, and scars on his knees and shoulders, as well as emotional distress.

14 **ROBERT YOUNG**

15 On July 3, 2022 at approximately 3 pm, Defendant Officer ERIC ROMBOUGH illegally
16 pulled over, harassed, and robbed ROBERT YOUNG. ROMBOUGH pulled over YOUNG near
17 1080 Sycamore Drive, Antioch, CA 94509. ROMBOUGH refused to tell YOUNG why he pulled
18 him over. ROMBOUGH then took \$900 from YOUNG, locked YOUNG in his patrol car, and stole
19 YOUNG's marijuana. ROMBOUGH then let YOUNG out of the patrol car and drove off without
20 filing a report. Concurrent with YOUNG's encounter with ROMBOUGH, multiple CITY OF
21 ANTIOCH officers sent numerous text messages about Black people, calling them "gorillas,"
22 "niggers," "monkeys," and using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies,"
23 "cunt," "fat bitch"). Additionally, ROMBOUGH boasted about "violating civil rights" and "only
24 stopping [people] cuz they black [sic]."

25 As a result, the text messages discovered in April 2023 imply that Antioch Police
26 Department maliciously and unfairly targeted YOUNG, and that Defendant Officer ROMBOUGH's
27 behavior stemmed from the discriminatory and violent culture of the Antioch Police Department.
28 Moreover, Mr. YOUNG withstood humiliation and associated emotional distress corresponding to

1 the text message scandal. Furthermore, due to ROMBOUGH's conduct in robbing YOUNG,
2 YOUNG lost \$900 and suffered emotional distress.

3 **TERRY THOMAS**

4 144. On July 12, 2022 at 2903 Campbell Lane, Tracy, CA 95377, CITY OF ANTIOCH
5 Police Department officers, including Defendant Officers ERIC ROMBOUGH, ROBERT
6 GERBER, KYLE HILL, and SCOTT DUGGAR, unlawfully raided the home of TERRY
7 THOMAS's mother without a search warrant, slammed TERRY THOMAS to the ground, and
8 arrested him. Several Antioch police officers and a SWAT team raided the home of Tiffany Turner,
9 TERRY THOMAS's mother. The officers did not present Ms. Turner with a warrant when she
10 asked for one. The officers then slammed TERRY THOMAS to the ground, claiming that he was
11 trying to escape through a window in the back of the home. The officers then arrested, handcuffed,
12 and transported TERRY THOMAS to the juvenile detention hall. While TERRY THOMAS was
13 being transported, the officers continued to search Ms. Turner's home. The officers searched the
14 home for five hours and seized TERRY THOMAS's ID and cell phone. TERRY THOMAS was
15 charged with murder and incarcerated, but his charges were ultimately dropped in August 2023.
16 Concurrent with TERRY THOMAS's arrest, multiple CITY OF ANTIOCH officers sent numerous
17 text messages about Black people, calling them "gorillas," "niggers," "monkeys," and using other
18 targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch"). In these texts,
19 ROMBOUGH boasted about "violating civil rights" and "only stopping [people] cuz they black
20 [sic]." GERBER also sent texts containing photos of gorillas and referring to Black people as
21 "fag[s]."

22 145. As a result, the text messages discovered in April 2023 imply that Antioch Police
23 Department maliciously and unfairly targeted, brutalized, and prosecuted TERRY THOMAS, and
24 that Defendant Officers' behavior stemmed from the discriminatory and violent culture of the
25 Antioch Police Department. Moreover, TERRY THOMAS withstood humiliation and associated
26 emotional distress corresponding to the text message scandal. Furthermore, due to the officers' use
27 of excessive force in slamming TERRY THOMAS to the ground, TERRY THOMAS suffered
28 physical pain and injuries as well as emotional distress.

1 **SHAQUILLE HILLARD**

2 146. In September 2022, Antioch PD officers including Officers ARRON HUGHES, and
3 MORTEZA AMIRI, stopped HILLARD on Pepper Tree and Sycamore in Antioch, and searched his
4 car. They found nothing, however, they illegally confiscated HILLARD’S phone. Concurrent with
5 this incident, CITY OF ANTIOCH officers sent numerous text messages about Black people,
6 calling them “gorillas,” “niggers,” “monkeys,” and using other targeted slurs to refer to subjects
7 (i.e.: “faggot,” “pussies,” “cunt,” “fat bitch”). Concurrent to the ongoing harassment of Mr.
8 HILLARD, Defendant Officers actively engaged in constitutional violations against suspects and to
9 inflict extrajudicial punishment.

10	OFFICER-9:	[...] “Officer [DOE-9] how long did you know Officer
11		AMIRI and in the course of your friendship did you ever
12	AMIRI:	lol putting a pistol in someone’s mouth and telling them to
13		stop stealing isn’t illegal... it’s an act of public service to
14		prevent further victims of crimes.
15		[...]
16	ROMBOUGH:	Can u please get photos of him
17	OFFICER-15:	Yup
18		[photograph] Black tip tattoo 📷
19	ROMBOUGH:	Lmao

20 147. These actions by officers show a conspiracy within the CITY OF ANTIOCH Police
21 Department in which Defendant Officers and Sergeants acted in concert to illegally detain, search,
22 assault, and wrongfully arrest people based on racial bias and discrimination.. This conspiracy to act
23 with discrimination within the ANTIOCH Police Department directly lead to officers wrongfully
24 detaining and searching Mr. HILLARD, and seizing his phone.

25 148. As a result, the text messages discovered in April 2023 imply that Antioch Police
26 Department maliciously and unfairly targeted and prosecuted Mr. HILLARD, and that Defendant
27 Officers’ behavior stemmed from the discriminatory and violent culture of the Antioch Police
28 Department. Moreover, Mr. HILLARD withstood ongoing humiliation, physical pain and suffering,
and associated emotional distress corresponding to the text message scandal. HILLARD was
previously searched by the same group of CITY officers in multiple incidents between January of
2020 and September of 2022, during which Antioch officers beat HILLARD (April, 2020), took

1 cash from HILLARD, and accused HILLARD of being part of a gang. Additionally, Antioch PD
2 turned HILLARD over to Oakland gang task force officers, who then interrogated HILLARD about
3 a shooting in 2021.

4 149. All charges were dropped against HILLARD in June 2023.

5 **DANYEL EARL LACY**

6 150. On April 22, 2020, at around 2:00 P.M. at 1600 Buchanan Road in Antioch, CA,
7 Antioch police officers wrongfully arrested DANYEL EARL LACY for a gun charge. Antioch
8 Officers, including officers ERIC ROMBOUGH, TIM MANLY WILLIAMS, AARON HUGHES,
9 KYLE SMITH, JAKE EWART, and JAMES BEDGOOD, began to search a car that did not belong
10 to LACY. The officers claimed they discovered a gun inside of the car. The officers then falsely
11 accused Mr. LACY of illegal possession of a firearm. LACY stated that the gun was not his. The
12 officers arrested Mr. LACY. These actions by officers show a conspiracy within the ANTIOCH
13 police department by ANTIOCH officers to act in concert to illegally detain, search, assault, and
14 wrongfully arrest people based on racial bias and discrimination. This conspiracy to act with
15 discrimination within the ANTIOCH Police Department directly led to Defendant Officers and
16 DOES wrongfully detaining, searching, and arresting Mr. LACY.

17 151. As a result, LACY was arrested. Mr. LACY was charged with illegal possession of a
18 firearm. He spent three months in jail. Mr. LACY was unaware of any gun being in the vehicle,
19 never possessed the gun, and made clear to defendants that neither the car, nor the gun, were his.
20 Though Defendants were able to confirm that the vehicle was not owned by Mr. LACY, they
21 arrested him anyway. Concurrent to Mr. LACY’s arrest, Defendant CITY OF ANTIOCH Police
22 Department Leadership, was aware of the ongoing racial animus and constitutional violations within
23 the CITY OF ANTIOCH Police Department:

24 **ADAMS:** I’m in a meeting with [ANTIOCH POLICE
25 DEPARTMENT LEADERSHIP] **GERBER** and
HOFFMAN discussing black people.
26 **ROMBOUGH:** I heard 101 bottom line it doesn’t matter some gorilla killed
27 another gorilla.
28

1 152. Plaintiffs allege Defendants arrested Mr. LACY either having fabricated that a gun
2 was found in the vehicle (without probable cause and with malice), or refusing to investigate Mr.
3 LACY's contentions of innocence with respect to being unaware of the alleged presence of the gun
4 in the vehicle. All the charges were dismissed in August 2023.

5 **KAYCEE SUITTER**

6 On December 19, 2022, several CITY OF ANTIOCH Police Department officers who were
7 motivated by racial bias (including but were not limited to Defendant Officers MARCOTTE,
8 SMITH and RODRIGUEZ encountered SUITTER in a parking garage. There, the officers
9 handcuffed and detained SUITTER, subjected her to a search of her person and the vehicle, and
10 arrested her. Concurrent with SUITTER's arrest, multiple CITY OF ANTIOCH officers sent
11 numerous text messages about Black people, calling them "gorillas," "niggers," "monkeys," and
12 using other targeted slurs to refer to subjects (i.e.: "faggot," "pussies," "cunt," "fat bitch"). These
13 actions by officers show a conspiracy within the ANTIOCH police department by ANTIOCH
14 officers to act in concert to illegally detain, search, assault, and wrongfully arrest people based on
15 racial bias and discrimination. This conspiracy to act with discrimination within the ANTIOCH
16 police department directly lead to officers wrongfully detaining, searching, and arresting Ms.
17 SUITTER.

18 The text messages discovered in April 2023 imply that the Antioch Police Department
19 maliciously and unfairly targeted and prosecuted Ms. SUITTER, and that Defendant Officers'
20 behavior stemmed from the discriminatory and violent culture of the Antioch Police Department.
21 Moreover, Ms. SUITTER withstood humiliation, physical injury, financial and property loss, and
22 associated emotional distress corresponding to the text message scandal. Ms. SUITTER spent eight
23 days in jail and missed her first day at a new job, resulting in the loss of employment and
24 opportunity. All charges against SUITTER were dismissed on December 27, 2022.

25 **MARCELL LEWIS**

26 153. On November 15, 2020, at approximately 8:00 A.M., at Sycamore Drive and L
27 Street Antioch, CA 94509, Defendants, CITY OF ANTIOCH Police Officers MORTEZA AMIRI,
28 DANIEL NAVARRETTE, and one unknown Officer (DOE), wrongfully arrested Mr. LEWIS as he

1 JIMENEZ, LUNDIN, and LOWTHER held YARBOROUGH at gunpoint and ordered him to raise
2 his hands and lie on his stomach. Mr. YARBOROUGH complied with the officers' instructions.
3 YARBOROUGH did not have any weapons. Mr. YARBOROUGH asked why the officers had
4 stopped him, but GEIS, DUFF, KING, DOWNIE, JIMENEZ, LUNDIN, and LOWTHER did not
5 respond. Instead, Defendant KING shot YARBOROUGH twice in the back using 40mm less lethal
6 rounds. GEIS, DUFF, KING, DOWNIE, JIMENEZ, LUNDIN, and LOWTHER then arrested Mr.
7 YARBOROUGH. LOWTHER and Defendant CITY OF ANTIOCH Lieutenant JOHN FORTNER
8 reviewed the use of force against Mr. YARBOROUGH and found that it was consistent with CITY
9 OF ANTIOCH Police Department training and policy.

10 156. As a result, Mr. YARBOROUGH suffered from gunshot wounds and bruised ribs.
11 Officers GEIS, DUFF, KING, DOWNIE, JIMENEZ, LUNDIN, and LOWTHER arrested
12 YARBOROUGH for criminal threats, obstruction of a police officer, and violation of a peaceful
13 contact order. The charges were dropped on September 29, 2023. While in custody, Mr.
14 YARBOROUGH was unable to financially provide for his family. YARBOROUGH spent
15 additional money on costs associated with his detention by CITY. Mr. YARBOROUGH sustained
16 emotional distress, physical pain and suffering, physical injuries, medical expenses, and impaired
17 earning capacity as a result of the forceful arrest.

18 **QUINCY MASON**

19 157. On approximately September 12, 2018, at 5:00 p.m., at 806 W. 7th Street, Antioch,
20 CA 94509, Defendant CITY OF ANTIOCH Police Officers EVANS, AMIRI, STENGER, KYLE
21 SMITH, TJAHHADI, HUGHES, and DOES assaulted and harassed Plaintiff, QUINCY MASON.
22 Mr. MASON was driving and had stopped at a stop sign when Defendant Officers approached Mr.
23 MASON's vehicle from behind. Mr. MASON drove a few more blocks and Defendant Officers
24 turned on their sirens. MASON pulled over and got out of the car with his hands up. While his
25 hands were raised, Defendant Officers, including AMIRI, tased Mr. MASON. Mr. MASON fell to
26 the ground, and Defendant Officers KYLE SMITH and KEVIN TJAHHADI deployed two CITY
27 Police K9s to attack Mr. MASON. While on the ground, Mr. MASON begged the officers to
28 remove the K9s, but Defendant Officers failed to stop the attack. The Defendant Officers placed

1 MASON in handcuffs and he was taken to the CITY OF ANTIOCH Police Department and was
2 subsequently released.

3 158. During another incident with CITY OF ANTIOCH Police Department which took
4 place on or about December 1, 2020, Defendant Officer ROMBOUGH shot MASON with 40 mm
5 rubber bullets without justification. After spotting MASON while patrolling at his residence,
6 ROMBOUGH and Defendant Officer MARCOTTE claimed that they saw MASON discard a
7 firearm, chased him, and shot him in the chest with a 40 mm less-lethal launcher. ROMBOUGH,
8 MARCOTTE, and Defendant Sergeant RICK HOFFMAN then arrested MASON. HOFFMAN later
9 reviewed the use of force and found it to be within Antioch Police Department policy. Shortly after
10 this incident, on December 7, 2020, ROMBOUGH sent Defendant Sgt. EVANS text messages
11 about Mr. Mason which stated, “Yeah buddy, I was bummed that beast [MASON] was so fat cuz he
12 didn’t bruise up very fast.” EVANS replied, “It never looks as good on black guys.” ROMBOUGH
13 responded: “Just like jobs and responsibilities.” In or around November 2021, Defendant Officer
14 ROMBOUGH sent another text admitting “I’m only stopping them cuz they black.” He then
15 followed by saying “Fuck them kill each other.” These actions by Defendant Officers show a
16 conspiracy within the CITY OF ANTIOCH Police Department by Defendant Officers to act in
17 concert to illegally detain, search, assault, and wrongfully arrest people based on racial bias and
18 discrimination. This conspiracy to act with discrimination within the ANTIOCH police department
19 directly led to officers wrongfully detaining, searching, and arresting Mr. MASON, and subjected
20 him to unreasonable force.

21 159. As a result, Mr. MASON suffered from racial profiling and harassment. MASON
22 also suffered unreasonable force from the dog bite wounds when he was arrested forcibly and
23 without probable cause.

24 **TAHJAY MCCULLOUGH**

25 On approximately November 10, 2020, at approximately 11:00 a.m., Defendants CITY OF
26 ANTIOCH Police Officers PRIETO, RODRIGUEZ and DOES assaulted TAHJAY
27 MCCULLOUGH at the Shell Gas Station located at 2838 Lone Tree Drive, Antioch, CA, 94509.
28 The arrest was motivated by racial animus. At the time, MCCULLOUGH was only a 16-year old

1 minor.

2 On the above date, Mr. MCCULLOUGH had been a passenger in the backseat of a vehicle
3 parked at a Shell gas pump. Defendants PRIETO, RODRIGUEZ, and other DOE Officers pulled
4 MCCULLOUGH out of the back seat and handcuffed him. Then, they slammed MCCULLOUGH
5 face-first to the ground and immediately kicked and punched MCCULLOUGH. During the beating,
6 officers PRIETO and RODRIGUEZ used racially derogatory terms at Mr. MCCULLOUGH. The
7 racial epithets included but are not limited to "nigger" and "black Gorilla".

8 As a result of the actions of PRIETO, RODRIGUEZ and DOE Officers, Mr.
9 MCCULLOUGH suffered from multiple wounds and bruises to his face and was subjected to
10 severe excessive force accompanied by vile, racist language. MCCULLOUGH remains in custody
11 at Martinez Juvenile Detention Facility for multiple criminal charges stemming from this arrest.

12 On March 27, 2023, the Contra Costa County District Attorney's Office produced a report
13 regarding racist text messages exchanged between Defendant CITY OF ANTIOCH Police
14 Department Officers and Leadership. In one entry, on June 10, 2020, Defendants PRIETO and
15 RODRIGUEZ "blame[d] the blacks" for all the crime in the area. In another entry, on September 9,
16 2020, PRIETO and RODRIGUEZ used text messages their plans to target specific groups, implying
17 Black and Latinx people, for traffic citations. The last page of the report provides data regarding
18 PRIETO and RODRIGUEZ's arrest statistics between September 2020 and October 2020. These
19 statistics demonstrate that the Defendants CITY OF ANTIOCH Police Officers and Sergeants,
20 disproportionately targeted Black and Latinx people. This discrimination directly led to the
21 wrongful and injurious arrest of MCCULLOUGH.

22 **JAMARI ALLEN**

23 160. On approximately August 21, 2020, Plaintiff JAMARI ALLEN was driving in
24 Antioch, CA when he encountered a vehicle checkpoint staffed by multiple DOE Officers of the
25 CITY OF ANTIOCH Police Department. JAMARI ALLEN admitted to one DOE Officer he did
26 not have a driver's license, so the officer directed JAMARI ALLEN to pull away from the
27 checkpoint and into an isolated parking lot nearby. JAMARI ALLEN became fearful by the isolated
28 location and exited the vehicle. A search ensued involving multiple CITY OF ANTIOCH Police

1 Officers, including Defendants AMIRI with his CITY OF ANTIOCH Canine Unit, WENGER, and
 2 GREEN. When JAMARI ALLEN noticed the K9 unit, he announced loudly to the Officers that he
 3 was currently hiding in the bushes, and told them: “You don’t need to release the dog, I give up. I’m
 4 coming out with my hands up. My hands are up!” However, before JAMARI ALLEN could even
 5 stand up, a CITY Officer yelled, falsely: “He’s got a gun!” JAMARI ALLEN did not have any
 6 weapon in his possession, and had clearly raised both hands without holding anything with them.
 7 Even so, another CITY Police Officer stated that they would shoot JAMARI ALLEN. While
 8 JAMARI ALLEN was already in the custody of CITY Police Officers, Defendant AMIRI
 9 repeatedly sicced his K9 onto JAMARI ALLEN. The K9 was not deployed to drag JAMARI
 10 ALLEN or get him under control by the CITY Police Officers, in fact, Defendant AMIRI never
 11 took the dog off the leash. AMIRI instead stood stationary while the K9 viciously attacked
 12 JAMARI ALLEN again and again, no less than six times. As a result of this unnecessary and
 13 excessive force, JAMARI ALLEN suffered severe injuries to his left leg and hip.

14 161. While JAMARI ALLEN was being treated for these injuries at an Antioch Hospital,
 15 Defendant AMIRI entered and took photographs of JAMARI ALLEN’s injuries. AMIRI laughed as
 16 he told JAMARI ALLEN that he was “lucky that he didn’t get it as bad as the others,” and that he
 17 “didn’t get it as bad as he deserved.” Defendant AMIRI then authored a false police report that
 18 differed from the description AMIRI privately provided to other Defendant Officers via text
 19 message. Just after JAMARI ALLEN’s encounter with Defendants, on the evening of August 22,
 20 2020, Defendants WENGER and AMIRI planned with each other via text message to use the K9 to
 21 bite subjects they were to encounter that night:

22 **WENGER:** We need to get into something tonight bro!! Lets go 3
 23 **AMIRI:** [emphasized above text]
 24 **WENGER:** Lets get faggot ass [a lieutenant] something to stress about lol

25 162. After Defendant AMIRI took photographs of JAMARI ALLEN in the hospital, AMIRI
 26 sent the photographs to Defendants WENGER and ROMBOUGH via text message, among other CITY
 27 OF ANTIOCH POLICE DEPARTMENT Officers. In these messages, the extent of JAMARI ALLEN’s
 28 injuries and AMIRI’s use of extreme force were celebrated by multiple Defendant Officers. Defendant

1 GREEN later reviewed the use of force and took no disciplinary or corrective action.

2 163. Criminal charges against JAMARI ALLEN were filed but dismissed subsequent to
3 this encounter with Defendants.

4
5 **CAUSES OF ACTION FOR PLAINTIFF TRENT ALLEN**

6 **TRENT ALLEN’S FIRST CAUSE OF ACTION**

7 **(42 U.S.C. § 1983 – Unreasonable Seizure)**

8 **(Plaintiff TRENT ALLEN against Defendants ROMBOUGH, AMIRI, GERBER, ADAMS,
9 SMITH, MARCOTTE, MANLY-WILLIAMS, DUGGAR, EVANS, RAMIREZ, and DOES 26
10 - 100)**

11 164. The foregoing allegations are realleged and incorporated herein.

12 165. In doing the acts complained of herein, Defendants ROMBOUGH, AMIRI,
13 GERBER, ADAMS, SMITH, MARCOTTE, MANLY WILLIAMS, DUGGAR, EVANS,
14 RAMIREZ, and/or DOES 26-100, individually and/or while acting in concert with one another, did
15 act under color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally
16 protected rights, including, but not limited to:

- 17 a. The right to be free from unreasonable police use of force in violation of the
18 Fourth Amendment;
- 19 b. The right to be free from unreasonable searches and seizures in violation of the
20 Fourth Amendment.

21 166. In doing the acts complained of herein, Defendants engaged in discriminatory
22 conduct towards minority communities by subjecting them to civil rights violations and more
23 frequent and aggressive policing than similarly situated individuals. These civil rights violations
24 and/or misconduct included, but was not limited to, assaults, beatings, false arrests, unreasonable
25 searches and seizures, intimidation, kidnapping, falsifying reports, planting evidence, denial of
26 equal protection, racial discrimination, conspiracy to violate civil rights and/or other misconduct
27 based on race and/or gender. Specifically as to Plaintiff TRENT ALLEN, the DEFENDANTS used
28 racial slurs including “nigger” as they beat ALLEN. As a result, Plaintiff, and persons similarly

1 situated to him, was subjected to unequal and discriminatory treatment, civil rights violations, and
2 other misconduct by Defendants.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

4 **TRENT ALLEN'S SECOND CAUSE OF ACTION**

5 **(42 U.S.C. § 1983 – Discriminatory Enforcement and Violation of Privacy)**

6 **(Plaintiff TRENT ALLEN against Defendants ROMBOUGH, AMIRI, GERBER, ADAMS,
SMITH, MARCOTTE, MANLY-WILLIAMS, DUGGAR, EVANS, RAMIREZ, and DOES 26
- 100)**

7 167. The foregoing allegations are realleged and incorporated herein.

8 168. In doing the acts complained of herein, Defendants ROMBOUGH, AMIRI,
9 GERBER, ADAMS, SMITH, MARCOTTE, MANLY-WILLIAMS, DUGGAR, EVANS,
10 RAMIREZ, and DOES 26 – 100, individually and/or while acting in concert with one another,
11 and/or while failing to intervene and/or obstructing justice, did act under color of state law to
12 deprive Plaintiff TRENT ALLEN as alleged heretofore of certain constitutionally protected rights,
13 including, but not limited to:

- 14 a. The right to be free from bias, including racial bias in the performance of the
15 defendant's duties.
- 16 b. The right to be free from actions designed to humiliate, embarrass, belittle,
17 dehumanize, humiliate and denigrate Plaintiff TRENT ALLEN based on his race
18 in violation of the Fourteenth Amendment.
- 19 c. The right to be free from invasions of privacy by public display of intimate
20 pictures of Plaintiff TRENT ALLEN without lawful purpose.

21 169. In doing the acts complained of herein, Defendants engaged in discriminatory
22 conduct towards minority communities by subjecting them to civil rights violations and more
23 frequent and aggressive policing than similarly situated individuals. Specifically as to TRENT
24 ALLEN, the DEFENDANTS used racial slurs including “nigger” as they beat TRENT ALLEN.
25 Defendants, including but not limited to ROMBOUGH, photographed TRENT ALLEN's likeness
26 including but not limited to images of the injuries DEFENDANTS inflicted onto Plaintiff's body,
27 and circulated these images of TRENT ALLEN via text messages shared by Defendants with
28

1 recipients both within the CITY OF ANTIOCH POLICE DEPARTMENT and externally. Said
2 messages included racially discriminatory language and epithets describing TRENT ALLEN,
3 including but not limited to “nigger,” as well as general exclamations celebrating the use of force to
4 injure ALLEN. The recipients of these images of TRENT ALLEN, including but not limited to the
5 above-named Defendants, responded in messages celebrating the infliction of medical injury to
6 Plaintiff’s person and/or failed to intervene.

7 170. As a result of the acts described above, Plaintiff TRENT ALLEN was subjected to
8 unequal and discriminatory treatment, civil rights violations, and deprived of his well-settled
9 constitutional rights to privacy and substantive due process under the Fourteenth Amendment of the
10 United States Constitution, which extends to pretrial detainees. The circulation of the photographic
11 images of TRENT ALLEN were pursuant to a longstanding practice or custom, policy, or
12 ratification wherein leadership, officials, employees, and agents of the CITY OF ANTIOCH Police
13 Department deliberately chose to invade TRENT ALLEN’s privacy, photographed his likeness and
14 body including injuries inflicted onto him by DEFENDANTS, and that CITY OF ANTIOCH final-
15 policy makers engaged with, ratified, and that DEFENDANTS knew or should have known were
16 unconstitutional.

17 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.

18
19 **CAUSES OF ACTION FOR PLAINTIFF TERRYONN PUGH**

20 **TERRYONN PUGH’S FIRST CAUSE OF ACTION**

21 **(42 U.S.C. § 1983 – Unreasonable Seizure)**

22 **(Plaintiff TERRYONN PUGH against Defendants EVANS, ADAMS, DUGGAR,
23 GERBER, T. SMITH, MARCOTTE, MANLY WILLIAMS, ROMBOUGH, NUTT,
24 MCDONALD, and
25 DOES 26 – 100**

26 171. The foregoing allegations are realleged and incorporated herein.

27 172. In doing the acts complained of herein, Defendants EVANS, ADAMS, DUGGAR,
28 GERBER, T. SMITH, MARCOTTE, MANLY WILLIAMS, ROMBOUGH, NUTT, MCDONALD,
and Does 26 – 100, individually and/or while acting in concert with one another, and/or when

1 failing to intervene when under a duty to do so, and/or obstructing justice, did act under color of
2 state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights,
3 including, but not limited to:

- 4 a. The right to be free from unreasonable police use of force in violation of the
5 Fourth Amendment;
- 6 b. The right to be free from unreasonable searches and seizures in violation of the
7 Fourth Amendment.

8 173. In doing the acts complained of herein, Defendants engaged in discriminatory
9 conduct towards minority communities by subjecting them to civil rights violations and more
10 frequent and aggressive policing than similarly situated individuals. These civil rights violations
11 and/or misconduct included, but was not limited to, assaults, beatings, false arrests, unreasonable
12 searches and seizures, intimidation, kidnapping, falsifying reports, planting evidence, denial of
13 equal protection, racial discrimination, conspiracy to violate civil rights and/or other misconduct
14 based on race and/or gender. Specifically as to TERRYONN DESHANN PUGH, the
15 DEFENDANTS used racial slurs including “nigger” before and after shooting Pugh with a 40mm
16 rubber bullet and slamming his face into the ground. As a result, Plaintiff, and persons similarly
17 situated to him, was subjected to unequal and discriminatory treatment, civil rights violations, and
18 other misconduct by Defendants.

19 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

20 **TERRYONN PUGH’S SECOND CAUSE OF ACTION**
21 **(42 U.S.C. § 1983 – Discriminatory Enforcement and Violation of Privacy)**
22 **(Plaintiff TERRYONN PUGH against Defendants EVANS, ADAMS, DUGGAR,**
GERBER, T. SMITH, MARCOTTE, MANLY WILLIAMS, ROMBOUGH, PRIETO,
RODRIGUEZ, NUTT, MCDONALD, and DOES 26 – 100

23 174. The foregoing allegations are realleged and incorporated herein.

24 175. In doing the acts complained of herein, Defendants EVANS, ADAMS, DUGGAR,
25 GERBER, T. SMITH, MARCOTTE, MANLY WILLIAMS, ROMBOUGH, PRIETO,
26 RODRIGUEZ, NUTT, MCDONALD, and DOES 26 - 100, individually and/or while acting in
27 concert with one another, and/or while failing to intervene and/or obstructing justice, did act under
28

1 color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected
2 rights, including, but not limited to:

- 3 a. The right to be free from bias, including racial bias in the performance of the
4 defendant's duties.
- 5 b. The right to be free from actions designed to humiliate, embarrass, belittle,
6 dehumanize, humiliate and denigrate Plaintiff PUGH based on his race in
7 violation of the Fourteenth Amendment.
- 8 c. The right to be free from invasions of privacy by public display of intimate
9 pictures of Plaintiff PUGH without lawful purpose.

10 176. In doing the acts complained of herein, Defendants engaged in discriminatory
11 conduct towards minority communities by subjecting them to civil rights violations and more
12 frequent and aggressive policing than similarly situated individuals. These civil rights violations
13 and/or misconduct included, but was not limited to, assaults, beatings, false arrests, unreasonable
14 searches and seizures, intimidation, kidnapping, falsifying reports, planting evidence, denial of
15 equal protection, racial discrimination, conspiracy to violate civil rights and/or other misconduct
16 based on race and/or gender. Specifically as to TERRYONN DESHANN PUGH, the
17 DEFENDANTS used racial slurs including "nigger" before and after shooting Pugh with a 40mm
18 rubber bullet and slamming his face into the ground, then photographed his bare buttocks to
19 publicly display his injuries for lurid purposes. As a result, Plaintiff, and persons similarly situated
20 to him, was subjected to unequal and discriminatory treatment, civil rights violations, and other
21 misconduct by Defendants. The recipients of these images of TERRYONN PUGH, including but
22 not limited to the above-named Defendants, responded in messages celebrating the infliction of
23 medical injury to Plaintiff's person and/or failed to intervene.

24 177. As a result of the acts described above, Plaintiff TERRYONN PUGH was subjected
25 to unequal and discriminatory treatment, civil rights violations, and deprived of his well-settled
26 constitutional rights to privacy and substantive due process under the Fourteenth Amendment of the
27 United States Constitution, which extends to pretrial detainees. The circulation of the photographic
28 images of TERRYONN PUGH were pursuant to a longstanding practice or custom, policy, or

1 ratification wherein leadership, officials, employees, and agents of the CITY OF ANTIOCH Police
2 Department deliberately chose to invade TERRYONN PUGH's privacy, photographed his likeness
3 and body including injuries inflicted onto him by DEFENDANTS, and that CITY OF ANTIOCH
4 final-policy makers engaged with, ratified, and that DEFENDANTS knew or should have known
5 were unconstitutional.

6 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.

7
8 **CAUSES OF ACTION FOR PLAINTIFF SHAGOOFA KHAN**

9 **SHAGOOFA KHAN'S FIRST CAUSE OF ACTION**

10 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

11 **(Plaintiff SHAGOOFA KHAN against Defendants EVANS, MANLY WILLIAMS,
12 LENDERMAN, BLEDSOE, THOMAS SMITH, and DOES 26 - 100)**

13 178. The foregoing allegations are realleged and incorporated herein.

14 179. In doing the acts complained of herein, Defendants EVANS, MANLY WILLIAMS,
15 LENDERMAN, BLEDSOE, SMITH, and/or DOES 26-100, individually and/or while acting in
16 concert with one another, did act under color of state law to deprive Plaintiffs as alleged heretofore
17 of certain constitutionally protected rights, including, but not limited to:

- 18 a. The right to be free from unreasonable police use of force in violation of the
19 Fourth Amendment;
20 b. The right to be free from unreasonable searches and seizures in violation of the
21 Fourth Amendment.

22 180. Said rights are substantive guarantees under the Fourth and/or Fourteenth
23 Amendments to the United States constitution.

24 181. In doing the acts complained of herein, Defendants engaged in discriminatory
25 conduct towards SHAGOOFA KHAN as a member of minority communities by subjecting them to
26 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
27 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
28 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,

1 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
2 and/or other misconduct based on race and/or gender. As a result, Plaintiff, and persons similarly
3 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
4 by Defendants.

5 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

6 **SHAGOOFA KHAN’S SECOND CAUSE OF ACTION**
7 **(42 U.S.C. § 1983 - Malicious Prosecution)**

8 **(Plaintiff SHAGOOFA KHAN against Defendants EVANS, MANLY WILLIAMS,**
9 **LENDERMAN, BLEDSOE, THOMAS SMITH, and DOES 26 - 100)**

10 182. The foregoing allegations are realleged and incorporated herein.

11 183. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
12 arrested SHAGOOFA KHAN without probable cause to arrest her.

13 184. The Defendants brought claims against Plaintiff SHAGOOFA KHAN with
14 subjective malice. Defendants used bias, including racial bias, gender bias, sexuality bias, bias
15 against body-types, and/or religious bias in determining their decisions to prosecute the named
16 Plaintiffs, and/or fabricated evidence used to falsely justify the arrest that was otherwise without
17 probable cause.

18 185. The criminal actions against SHAGOOFA KHAN were dismissed, and at no time
19 did Ms. KHAN enter a plea of guilty. Plaintiff suffered damages due to the malicious prosecution
20 brought on by the Defendants in this matter.

21 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

22 **CAUSES OF ACTION FOR PLAINTIFF ADAM CARPENTER**

23 **ADAM CARPENTER’S FIRST CAUSE OF ACTION**
24 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

25 **(Plaintiff ADAM CARPENTER against Defendants ROMBOUGH, MARCOTTE, DUGGAR,**
26 **AMIRI, MANLY WILLIAMS, and DOES 26 - 100)**

27 186. The foregoing allegations are realleged and incorporated herein.

1 187. In doing the acts complained of herein, Defendants ROMBOUGH, MARCOTTE,
2 DUGGAR, AMIRI, MANLY WILLIAMS, and/or DOES 26-100, individually and/or while acting
3 in concert with one another, did act under color of state law to deprive Plaintiffs as alleged
4 heretofore of certain constitutionally protected rights, including, but not limited to:

- 5 a. The right to be free from unreasonable police use of force in violation of the
6 Fourth Amendment;
- 7 b. The right to be free from unreasonable searches and seizures in violation of the
8 Fourth Amendment.

9 188. Said rights are substantive guarantees under the Fourth and/or Fourteenth
10 Amendments to the United States constitution.

11 189. In doing the acts complained of herein, Defendants engaged in discriminatory
12 conduct towards ADAM CARPENTER as a member of minority communities by subjecting them
13 to civil rights violations and more frequent and aggressive policing than similarly situated
14 individuals. These civil rights violations and/or misconduct included, but was not limited to,
15 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
16 falsifying reports, planting evidence, denial of equal protection, racial discrimination, conspiracy to
17 violate civil rights and/or other misconduct based on race and/or gender. As a result, Plaintiffs and
18 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
19 other misconduct by Defendants.

20 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

21 **ADAM CARPENTER'S SECOND CAUSE OF ACTION**
22 **(42 U.S.C. § 1983 - Malicious Prosecution)**
23 **(Plaintiff ADAM CARPENTER against Defendants ROMBOUGH, MARCOTTE, DUGGAR,**
24 **AMIRI, MANLY WILLIAMS, and DOES 26 - 100)**

25 190. The foregoing allegations are realleged and incorporated herein.

26 191. Defendants maliciously prosecuted Plaintiff as stated herein. Defendants arrested
27 ADAM CARPENTER without probable cause to arrest him.

28 192. The defendants brought claims against ADAM CARPENTER with subjective
malice. Defendants used bias, including racial bias, gender bias, sexuality bias, bias against body-

1 types, and/or religious bias in determining their decisions to prosecute the named Plaintiffs, and/or
2 fabricated evidence used to falsely justify the arrest that was otherwise without probable cause.

3 193. Plaintiff resolved the actions against him. Plaintiff ultimately resolved the actions in
4 his favor. Plaintiff suffered damages due to the malicious prosecution brought on by the Defendants
5 in this matter.

6 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

7
8 **CAUSES OF ACTION FOR PLAINTIFF JOSHUA BUTLER**

9 **JOSHUA BUTLER’S FIRST CAUSE OF ACTION**

10 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

11 **(Plaintiff JOSHUA BUTLER against Defendants EVANS, MILNER, HILL, and DOES 26 -
100)**

12 194. The foregoing allegations are realleged and incorporated herein.

13 195. In doing the acts complained of herein, Defendants EVANS, MILNER, HILL, and/or
14 DOES 26-100, individually and/or while acting in concert with one another, did act under color of
15 state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights,
16 including, but not limited to:

- 17 a. The right to be free from unreasonable police use of force in violation of the
18 Fourth Amendment;
19 b. The right to be free from unreasonable searches and seizures in violation of the
20 Fourth Amendment.

21 196. Said rights are substantive guarantees under the Fourth and/or Fourteenth
22 Amendments to the United States constitution.

23 197. In doing the acts complained of herein, Defendants engaged in discriminatory
24 conduct towards JOSHUA BUTLER as a member of minority communities by subjecting them to
25 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
26 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
27 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
28

1 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
2 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
3 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
4 by Defendants.

5 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

6 **JOSHUA BUTLER’S SECOND CAUSE OF ACTION**
7 **(42 U.S.C. § 1983 - Malicious Prosecution)**
8 **(Plaintiff JOSHUA BUTLER against Defendants EVANS, MILNER, HILL, and DOES 26 -**
9 **100)**

9 198. The foregoing allegations are realleged and incorporated herein.

10 199. Defendants maliciously prosecuted Plaintiff as stated herein. Defendants arrested
11 JOSHUA BUTLER without probable cause to arrest him.

12 200. The defendants brought claims against Plaintiff with subjective malice. Defendants
13 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
14 bias in determining their decisions to prosecute the named Plaintiff, and/or fabricated evidence used
15 to falsely justify the arrest that was otherwise without probable cause.

16 201. Plaintiff resolved the actions against him. Plaintiff ultimately resolved the actions in
17 his favors. Plaintiff suffered damages due to the malicious prosecution brought on by the
18 Defendants in this matter.

19 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

20
21 **CAUSES OF ACTION FOR PLAINTIFF DEJON RICHARDS**

22 **DEJON RICHARDS’ FIRST CAUSE OF ACTION**
23 **(42 U.S.C. § 1983 –Unreasonable Seizure)**
24 **(Plaintiff DEJON RICHARDS against Defendants DUGGAR, and DOES 1 - 100)**

24 202. The foregoing allegations are realleged and incorporated herein.

25 203. In doing the acts complained of herein, Defendants DUGGAR, and/or DOES 1-100,
26 individually and/or while acting in concert with one another, did act under color of state law to
27
28

1 deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights, including, but not
2 limited to:

- 3 a. The right to be free from unreasonable police use of force in violation of the
4 Fourth Amendment;
- 5 b. The right to be free from unreasonable searches and seizures in violation of
6 the Fourth Amendment.

7 204. Said rights are substantive guarantees under the Fourth and/or Fourteenth
8 Amendments to the United States constitution.

9 205. In doing the acts complained of herein, Defendants engaged in discriminatory
10 conduct towards DEJON RICHARDS as a member of minority communities by subjecting them to
11 civil rights violation and more frequent and aggressive policing than similarly situated individuals.
12 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
13 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports, denial
14 of equal protection, racial discrimination, conspiracy to violate civil rights and/or other misconduct
15 based on race and/or gender. As a result, Plaintiffs and persons similarly situated to them, were
16 subjected to unequal treatment, civil rights violations, and other misconduct by Defendants.

17 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

18 **DEJON RICHARDS' SECOND CAUSE OF ACTION**
19 **(42 U.S.C. § 1983 - Malicious Prosecution)**
20 **(Plaintiff DEJON RICHARDS against Defendants DUGGAR, and DOES 1 - 100)**

21 206. The foregoing allegations are realleged and incorporated herein.

22 207. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
23 DEJON RICHARDS without probable cause to arrest him.

24 208. Defendants brought claims against Plaintiff with subjective malice. Defendants used
25 bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious bias
26 in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence used to
27 falsely justify the arrest that was otherwise without probable cause.
28

1 209. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
2 to the malicious prosecution brought on by the Defendants in this matter.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.
4

5 **CAUSES OF ACTION FOR PLAINTIFF DRESHAWN JACKSON**

6 **DRESHAWN JACKSON'S FIRST CAUSE OF ACTION**

7 **(42 U.S.C. § 1983 – Unreasonable Seizure)**

8 **(Plaintiff DRESHAWN JACKSON against Defendants ROMBOUGH and DOES 26 - 100)**

9 210. The foregoing allegations are realleged and incorporated herein.

10 211. In doing the acts complained of herein, Defendants ROMBOUGH and/or DOES 26-
11 100, individually and/or while acting in concert with one another, did act under color of state law to
12 deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights, including, but not
13 limited to:

- 14 a. The right to be free from unreasonable police use of force in violation of the
15 Fourth Amendment;
16 b. The right to be free from unreasonable searches and seizures in violation of the
17 Fourth Amendment.

18 212. Said rights are substantive guarantees under the Fourth and/or Fourteenth
19 Amendments to the United States constitution.

20 213. In doing the acts complained of herein, Defendants engaged in discriminatory
21 conduct towards DRESHAWN JACKSON as a member of minority communities by subjecting
22 them to civil rights violations and more frequent and aggressive policing than similarly situated
23 individuals. These civil rights violations and/or misconduct included, but was not limited to,
24 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
25 falsifying reports, planting evidence, denial of equal protection, racial discrimination, conspiracy to
26 violate civil rights and/or other misconduct based on race and/or gender. As a result, Plaintiffs and
27 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
28 other misconduct by Defendants.

1 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

2 **DRESHAWN JACKSON’S SECOND CAUSE OF ACTION**
3 **(42 U.S.C. § 1983 - Malicious Prosecution)**
4 **(Plaintiffs DRESHAWN JACKSON against Defendants ROMBOUGH and DOES 26 - 100)**

5 214. The foregoing allegations are realleged and incorporated herein.

6 215. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
7 DRESHAWN JACKSON without probable cause to arrest him.

8 216. Defendants brought claims against Plaintiff with subjective malice. Defendants used
9 bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious bias
10 in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence used to
11 falsely justify the arrest that was otherwise without probable cause.

12 217. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
13 to the malicious prosecution brought on by the Defendants in this matter.

14 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

15 **CAUSES OF ACTION FOR PLAINTIFF KARDELL SMITH**

16 **KARDELL SMITH ’S FIRST CAUSE OF ACTION**
17 **(42 U.S.C. § 1983 – Unreasonable Seizure)**
18 **(Plaintiff KARDELL SMITH against Defendants AMIRI, ROMBOUGH, and DOES 26 - 100)**

19 218. The foregoing allegations are realleged and incorporated herein.

20 219. In doing the acts complained of herein, Defendants AMIRI, ROMBOUGH, and/or
21 DOES 26-100, individually and/or while acting in concert with one another, did act under color of
22 state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights,
23 including, but not limited to:

- 24 a. The right to be free from unreasonable police use of force in violation of the
25 Fourth Amendment;
- 26 b. The right to be free from unreasonable searches and seizures in violation of the
27 Fourth Amendment.

1 220. Said rights are substantive guarantees under the Fourth and/or Fourteenth
2 Amendments to the United States constitution.

3 221. In doing the acts complained of herein, Defendants engaged in discriminatory
4 conduct towards KARDELL SMITH as a member of minority communities by subjecting them to
5 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
6 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
7 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
8 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
9 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
10 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
11 by Defendants.

12 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

13 **KARDELL SMITH 'S SECOND CAUSE OF ACTION**
14 **(42 U.S.C. § 1983 - Malicious Prosecution)**
15 **(Plaintiff KARDELL SMITH Against Defendants AMIRI, ROMBOUGH, and DOES 26 -**
16 **100)**

16 222. The foregoing allegations are realleged and incorporated herein.

17 223. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
18 KARDELL SMITH without probable cause to arrest them.

19 224. The defendants brought claims against Plaintiff with subjective malice. Defendants
20 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
21 bias in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence
22 used to falsely justify the arrest that was otherwise without probable cause.

23 225. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
24 to the malicious prosecution brought on by the Defendants in this matter.

25 WHEREFORE, Plaintiff pray for relief as hereinafter set forth.

26 **CAUSES OF ACTION FOR PLAINTIFF DANIEL MACKIN**

27 **DANIEL MACKIN'S FIRST CAUSE OF ACTION**

1 (42 U.S.C. § 1983 –Unreasonable Seizure)
2 (Plaintiff DANIEL MACKIN Against Defendants ROMBOUGH, MARCOTTE, MILNER,
3 KOCH, ADAMS, and DOES 26 - 100)

4 226. The foregoing allegations are realleged and incorporated herein.

5 227. In doing the acts complained of herein, Defendants ROMBOUGH, MARCOTTE,
6 MILNER, KOCH, ADAMS, and/or DOES 26-100, individually and/or while acting in concert with
7 one another, did act under color of state law to deprive Plaintiffs as alleged heretofore of certain
8 constitutionally protected rights, including, but not limited to:

- 9 a. The right to be free from unreasonable police use of force in violation of the
10 Fourth Amendment;
11 b. The right to be free from unreasonable searches and seizures in violation of the
12 Fourth Amendment.

13 228. Said rights are substantive guarantees under the Fourth and/or Fourteenth
14 Amendments to the United States constitution.

15 229. In doing the acts complained of herein, Defendants engaged in discriminatory
16 conduct towards DANIEL MACKIN as a member of minority communities by subjecting them to
17 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
18 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
19 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
20 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
21 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
22 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
23 by Defendants.

24 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

25 **CAUSES OF ACTION FOR PLAINTIFF TERRY ROBINSON, JR.**

26 **TERRY ROBINSON, JR.'S FIRST CAUSE OF ACTION**

27 (42 U.S.C. § 1983 –Unreasonable Seizure)
28 (Plaintiff TERRY ROBINSON, JR. Against Defendants NUTT, DIBBLE, EVANS, and DOES
26 - 100)

1 230. The foregoing allegations are realleged and incorporated herein.

2 231. In doing the acts complained of herein, Defendants NUTT, DIBBLE, EVANS,
3 and/or DOES 26-100, individually and/or while acting in concert with one another, did act under
4 color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected
5 rights, including, but not limited to:

- 6 a. The right to be free from unreasonable police use of force in violation of the
7 Fourth Amendment;
- 8 b. The right to be free from unreasonable searches and seizures in violation of the
9 Fourth Amendment.

10 232. Said rights are substantive guarantees under the Fourth and/or Fourteenth
11 Amendments to the United States constitution.

12 233. In doing the acts complained of herein, Defendants engaged in discriminatory
13 conduct towards TERRY ROBINSON JR. as a member of minority communities by subjecting
14 them to civil rights violations and more frequent and aggressive policing than similarly situated
15 individuals. These civil rights violations and/or misconduct included, but was not limited to,
16 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
17 falsifying reports, planting evidence, denial of equal protection, racial discrimination, conspiracy to
18 violate civil rights and/or other misconduct based on race and/or gender. As a result, Plaintiffs and
19 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
20 other misconduct by Defendants.

21 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

22

23 **CAUSES OF ACTION FOR PLAINTIFF MANDINGO CAIN**

24 **MANDINGO CAIN'S FIRST CAUSE OF ACTION**

25 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

26 **(Plaintiff MANDINGO CAIN against Defendants EIGARD, KAWALYA, T. SMITH,
DOWNIE, MILLER, and DOES 26 - 100)**

27 234. The foregoing allegations are realleged and incorporated herein.

28

1 in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence used to
2 falsely justify the arrest that was otherwise without probable cause.

3 241. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
4 to the malicious prosecution brought on by the Defendants in this matter.

5 WHEREFORE, Plaintiff pray for relief as hereinafter set forth.

6
7 **CAUSES OF ACTION FOR PLAINTIFF AMADEO GARCIA, JR.**

8 **AMADEO GARCIA, JR.'S FIRST CAUSE OF ACTION**

9 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

10 **(Plaintiff AMADEO GARCIA, JR. against Defendants MARCOTT, SMITH, and DOES 1 -
11 100)**

12 242. The foregoing allegations are realleged and incorporated herein.

13 243. In doing the acts complained of herein, Defendants DOES 1-100, individually and/or
14 while acting in concert with one another, did act under color of state law to deprive Plaintiff as
15 alleged heretofore of certain constitutionally protected rights, including, but not limited to:

- 16 a. The right to be free from unreasonable police use of force in violation of the
17 Fourth Amendment;
18 b. The right to be free from unreasonable searches and seizures in violation of
19 the Fourth Amendment.

20 244. Said rights are substantive guarantees under the Fourth and/or Fourteenth
21 Amendments to the United States constitution.

22 245. In doing the acts complained of herein, Defendants engaged in discriminatory
23 conduct towards AMADEO GARCIA JR. as a member of minority communities by subjecting him
24 to civil rights violation and more frequent and aggressive policing than similarly situated
25 individuals. These civil rights violations and/or misconduct included, but was not limited to,
26 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
27 falsifying reports, denial of equal protection, racial discrimination, conspiracy to violate civil rights
28 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly

1 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
2 by Defendants.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

4 **AMADEO GARCIA, JR.'S SECOND CAUSE OF ACTION**
5 **(42 U.S.C. § 1983 - Malicious Prosecution)**
6 **(Plaintiff AMADEO GARCIA, JR. against Defendants MARCOTTE, SMITH, and DOES 1 -**
7 **100)**

8 246. The foregoing allegations are realleged and incorporated herein.

9 247. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
10 AMADEO GARCIA JR. without probable cause.

11 248. Defendants brought claims against Plaintiff with subjective malice. Defendants used
12 bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious bias
13 in determining their decisions to prosecute AMADEO GARCIA JR., and/or fabricated evidence
14 used to falsely justify the arrest.

15 249. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
16 to the malicious prosecution brought on by the Defendants in this matter.

17 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

18 **CAUSES OF ACTION FOR PLAINTIFF ARON TYSON**

19 **ARON TYSON'S FIRST CAUSE OF ACTION**
20 **(42 U.S.C. § 1983 –Unreasonable Seizure)**
21 **(Plaintiff ARON TYSON against Defendants AMIRI and DOES 26 - 100)**

22 250. The foregoing allegations are realleged and incorporated herein.

23 251. In doing the acts complained of herein, Defendants AMIRI and DOES 26-100,
24 individually and/or while acting in concert with one another, did act under color of state law to
25 deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights, including, but not
26 limited to:

- 27 a. The right to be free from unreasonable police use of force in violation of the
28 Fourth Amendment;

1 b. The right to be free from unreasonable searches and seizures in violation of the
2 Fourth Amendment.

3 252. Said rights are substantive guarantees under the Fourth and/or Fourteenth
4 Amendments to the United States constitution.

5 253. In doing the acts complained of herein, Defendants engaged in discriminatory
6 conduct towards ARON TYSON as a member of minority communities by subjecting them to civil
7 rights violations and more frequent and aggressive policing than similarly situated individuals.
8 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
9 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
10 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
11 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
12 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
13 by Defendants.

14 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

15 **ARON TYSON’S SECOND CAUSE OF ACTION**
16 **(42 U.S.C. § 1983 - Malicious Prosecution)**
17 **(Plaintiff ARON TYSON against Defendants AMIRI and DOES 26 - 100)**

18 254. The foregoing allegations are realleged and incorporated herein.

19 255. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
20 ARON TYSON without probable cause.

21 256. Defendants brought claims against Plaintiff with subjective malice. Defendants used
22 bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious bias
23 in determining their decisions to prosecute the named Plaintiff, and/or fabricated evidence used to
24 falsely justify the arrest that was otherwise without probable cause.

25 257. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
26 to the malicious prosecution brought on by the Defendants in this matter.

27 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

28 **CAUSES OF ACTION FOR PLAINTIFF DAUNTE GELLINGTON**

1 **DAUNTE GELLINGTON’S FIRST CAUSE OF ACTION**
2 **(42 U.S.C. § 1983 –Unreasonable Seizure)**
3 **(Plaintiff DAUNTE GELLINGTON against Defendants DOES 1 - 100)**

4 258. The foregoing allegations are realleged and incorporated herein.

5 259. In doing the acts complained of herein, Defendants DOES 1-100, individually and/or
6 while acting in concert with one another, did act under color of state law to deprive Plaintiffs as
7 alleged heretofore of certain constitutionally protected rights, including, but not limited to:

- 8 a. The right to be free from unreasonable police use of force in violation of the
9 Fourth Amendment;
10 b. The right to be free from unreasonable searches and seizures in violation of
11 the Fourth Amendment.

12 260. Said rights are substantive guarantees under the Fourth and/or Fourteenth
13 Amendments to the United States constitution.

14 261. In doing the acts complained of herein, Defendants engaged in discriminatory
15 conduct towards DAUNTE GELLINGTON as a member of minority communities by subjecting
16 them to civil rights violation and more frequent and aggressive policing than similarly situated
17 individuals. These civil rights violations and/or misconduct included, but was not limited to,
18 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
19 falsifying reports, denial of equal protection, racial discrimination, conspiracy to violate civil rights
20 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
21 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
22 by Defendants.

23 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

24 **CAUSES OF ACTION FOR PLAINTIFF ROBERT YOUNG**

25 **ROBERT YOUNG’S FIRST CAUSE OF ACTION**
26 **(42 U.S.C. § 1983 –Unreasonable Seizure)**
27 **(Plaintiff ROBERT YOUNG against Defendants ROMBOUGH, and DOES 1 - 100)**

28 262. The foregoing allegations are realleged and incorporated herein.

1 act under color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally
2 protected rights, including, but not limited to:

- 3 a. The right to be free from unreasonable police use of force in violation of the
4 Fourth Amendment;
- 5 b. The right to be free from unreasonable searches and seizures in violation of the
6 Fourth Amendment.

7 268. Said rights are substantive guarantees under the Fourth and/or Fourteenth
8 Amendments to the United States constitution.

9 269. In doing the acts complained of herein, Defendants engaged in discriminatory
10 conduct towards TERRY THOMAS as a member of minority communities by subjecting them to
11 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
12 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
13 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
14 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
15 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
16 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
17 by Defendants.

18 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

19 **TERRY THOMAS' SECOND CAUSE OF ACTION**

(42 U.S.C. § 1983 - Malicious Prosecution)

20 **(Plaintiff TERRY THOMAS against Defendants ROMBOUGH, GERBER, HILL, DUGGAR,
21 and DOES 26 - 100)**

22 270. The foregoing allegations are realleged and incorporated herein.

23 271. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
24 arrested TERRY THOMAS without probable cause.

25 272. The defendants brought claims against Plaintiffs with subjective malice. Defendants
26 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
27 bias in determining their decisions to prosecute TERRY THOMAS, and/or fabricated evidence used
28 to falsely justify the arrest.

1 273. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
2 to the malicious prosecution brought on by the Defendants in this matter.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.
4

5 **CAUSES OF ACTION FOR PLAINTIFF SHAQUILLE HILLARD**

6 **SHAQUILLE HILLARD'S FIRST CAUSE OF ACTION**

7 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

8 **(Plaintiff SHAQUILLE HILLARD against Defendants HUGHES, AMIRI, and DOES 1 - 100)**

9 274. The foregoing allegations are realleged and incorporated herein.

10 275. In doing the acts complained of herein, Defendants HUGHES, AMIRI, and/or DOES
11 1-100, individually and/or while acting in concert with one another, did act under color of state law
12 to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights, including, but
13 not limited to:

- 14 a. The right to be free from unreasonable police use of force in violation of the
15 Fourth Amendment;
16 b. The right to be free from unreasonable searches and seizures in violation of the
17 Fourth Amendment.

18 276. Said rights are substantive guarantees under the Fourth and/or Fourteenth
19 Amendments to the United States constitution.

20 277. In doing the acts complained of herein, Defendants engaged in discriminatory
21 conduct towards SHAQUILLE HILLIARD as a member of minority communities by subjecting
22 them to civil rights violation and more frequent and aggressive policing than similarly situated
23 individuals. These civil rights violations and/or misconduct included, but was not limited to,
24 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
25 falsifying reports, denial of equal protection, racial discrimination, conspiracy to violate civil rights
26 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
27 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
28 by Defendants.

1 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

2 **SHAQUILLE HILLARD'S SECOND CAUSE OF ACTION**
3 **(42 U.S.C. § 1983 - Malicious Prosecution)**

3 **(Plaintiff SHAQUILLE HILLARD against Defendants HUGHES, AMIRI, and DOES 1 - 100)**

4 278. The foregoing allegations are realleged and incorporated herein.

5 279. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
6 arrested each SHAQUILLE HILLARD without probable cause.

7 280. The defendants brought claims against Plaintiff with subjective malice. Defendants
8 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
9 bias in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence
10 used to falsely justify the arrest that was otherwise without probable cause.

11 281. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
12 to the malicious prosecution brought on by the Defendants in this matter.

13 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

14

15 **CAUSES OF ACTION FOR PLAINTIFF DANYEL EARL LACY**

16 **DANYEL EARL LACY'S FIRST CAUSE OF ACTION**
17 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

18 **(Plaintiff DANYEL EARL LACY against Defendants ROMBOUGH, MANLY WILLIAMS,
19 HUGHES, K. SMITH, EWART, BEDGOOD, and DOES 26 - 100)**

19 282. The foregoing allegations are realleged and incorporated herein.

20 283. In doing the acts complained of herein, Defendants ROMBOUGH, MANLY
21 WILLIAMS, HUGHES, K. SMITH, EWART, BEDGOOD, and/or DOES 26-100, individually
22 and/or while acting in concert with one another, did act under color of state law to deprive Plaintiffs
23 as alleged heretofore of certain constitutionally protected rights, including, but not limited to:

24 a. The right to be free from unreasonable police use of force in violation of the
25 Fourth Amendment;

26 b. The right to be free from unreasonable searches and seizures in violation of the
27 Fourth Amendment.

28

1 284. Said rights are substantive guarantees under the Fourth and/or Fourteenth
2 Amendments to the United States constitution.

3 285. In doing the acts complained of herein, Defendants engaged in discriminatory
4 conduct towards DANYEL EARL LACY as a member of minority communities by subjecting them
5 to civil rights violations and more frequent and aggressive policing than similarly situated
6 individuals. These civil rights violations and/or misconduct included, but was not limited to,
7 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
8 falsifying reports, planting evidence, denial of equal protection, racial discrimination, conspiracy to
9 violate civil rights and/or other misconduct based on race and/or gender. As a result, Plaintiffs and
10 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
11 other misconduct by Defendants.

12 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

13 **DANYEL EARL LACY'S SECOND CAUSE OF ACTION**

14 **(42 U.S.C. § 1983 - Malicious Prosecution)**

15 **(Plaintiff DANYEL EARL LACY against Defendants ROMBOUGH, MANLY WILLIAMS,
16 HUGHES, K. SMITH, EWART, BEDGOOD, and DOES 26 - 100)**

17 286. The foregoing allegations are realleged and incorporated herein.

18 287. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
19 arrested DANYEL EARL LACY without probable cause.

20 288. The Defendants brought claims against Plaintiff with subjective malice. Defendants
21 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
22 bias in determining their decisions to prosecute DANYEL EARL LACY, and/or fabricated evidence
23 used to falsely justify the arrest.

24 289. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
25 to the malicious prosecution brought on by the Defendants in this matter.

26 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

27 **CAUSES OF ACTION FOR PLAINTIFF KAYCEE SUITTER**

28 **KAYCEE SUITTER'S FIRST CAUSE OF ACTION**

1 (42 U.S.C. § 1983 –Unreasonable Seizure)
2 (Plaintiff KAYCEE SUITTER against Defendants MARCOTTE, SMITH, and DOES 1 - 100)

3 290. The foregoing allegations are realleged and incorporated herein.

4 291. In doing the acts complained of herein, Defendants MARCOTTE, SMITH,
5 RODRIGUEZ, and/or DOES 1-100, individually and/or while acting in concert with one another,
6 did act under color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally
7 protected rights, including, but not limited to:

- 8 a. The right to be free from unreasonable police use of force in violation of the
9 Fourth Amendment;
10 b. The right to be free from unreasonable searches and seizures in violation of
11 the Fourth Amendment.

12 292. Said rights are substantive guarantees under the Fourth and/or Fourteenth
13 Amendments to the United States constitution.

14 293. In doing the acts complained of herein, Defendants engaged in discriminatory
15 conduct towards KAYCEE SUITTER by subjecting her to civil rights violation and more frequent
16 and aggressive policing than similarly situated individuals. These civil rights violations and/or
17 misconduct included, but was not limited to, assaults, beatings, false arrests, unreasonable searches
18 and seizures, intimidation, kidnapping, falsifying reports, denial of equal protection, racial
19 discrimination, conspiracy to violate civil rights and/or other misconduct based on gender. As a
20 result, Plaintiffs and persons similarly situated to them, were subjected to unequal treatment, civil
21 rights violations, and other misconduct by Defendants.

22 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

23 **KAYCEE SUITTER’S SECOND CAUSE OF ACTION**
24 (42 U.S.C. § 1983 - Malicious Prosecution)
25 (Plaintiff KAYCEE SUITTER against Defendants MARCOTTE, SMITH, RODRIGUEZ, and
26 DOES 1 - 100)

27 294. The foregoing allegations are realleged and incorporated herein.

28 295. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
KAYCEE SUITTER without probable cause.

1 296. The defendants brought claims against Plaintiff with subjective malice. Defendants
2 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
3 bias in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence
4 used to falsely justify the arrest that was otherwise without probable cause.

5 297. Plaintiff ultimately resolved the actions in her favor. Plaintiff suffered damages due
6 to the malicious prosecution brought on by the Defendants in this matter.

7 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

8
9 **CAUSES OF ACTION FOR PLAINTIFF MARCELL LEWIS**

10 **MARCELL LEWIS' FIRST CAUSE OF ACTION**

11 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

12 **(Plaintiff MARCELL LEWIS against Defendants AMIRI, NAVARRETTE, and DOES 26 -
100)**

13 298. The foregoing allegations are realleged and incorporated herein.

14 299. In doing the acts complained of herein, Defendants AMIRI, NAVARRETTE, and/or
15 DOES 26-100, individually and/or while acting in concert with one another, did act under color of
16 state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights,
17 including, but not limited to:

- 18 a. The right to be free from unreasonable police use of force in violation of the
19 Fourth Amendment;
20 b. The right to be free from unreasonable searches and seizures in violation of the
21 Fourth Amendment.

22 300. Said rights are substantive guarantees under the Fourth and/or Fourteenth
23 Amendments to the United States constitution.

24 301. In doing the acts complained of herein, Defendants engaged in discriminatory
25 conduct towards MARCELL LEWIS as a member of minority communities by subjecting them to
26 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
27 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
28

1 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
2 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
3 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
4 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
5 by Defendants.

6 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

7 **MARCELL LEWIS' SECOND CAUSE OF ACTION**

8 **(42 U.S.C. § 1983 - Malicious Prosecution)**

9 **(Plaintiff MARCELL LEWIS against Defendants AMIRI, NAVARRETTE, and DOES 26 -**
10 **100)**

11 302. The foregoing allegations are realleged and incorporated herein.

12 303. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
13 arrested MARCELL LEWIS without probable cause.

14 304. The Defendants brought claims against Plaintiff with subjective malice. Defendants
15 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
16 bias in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence
17 used to falsely justify the arrest that was otherwise without probable cause.

18 305. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
19 to the malicious prosecution brought on by the Defendants in this matter.

20 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

21 **CAUSES OF ACTION FOR PLAINTIFF GREGORIO YARBOROUGH**

22 **GREGORIO YARBOROUGH'S FIRST CAUSE OF ACTION**

23 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

24 **(Plaintiff GREGORIO YARBOROUGH against Defendants GEIS, DUFF, KING, DOWNIE,**
25 **JIMENEZ, LUNDIN, LOWTHER, and DOES 26 - 100)**

26 306. The foregoing allegations are realleged and incorporated herein.

27 307. In doing the acts complained of herein, Defendants GEIS, DUFF, KING, DOWNIE,
28 JIMENEZ, LUNDIN, LOWTHER, and/or DOES 26-100, individually and/or while acting in

1 concert with one another, did act under color of state law to deprive Plaintiffs as alleged heretofore
2 of certain constitutionally protected rights, including, but not limited to:

- 3 a. The right to be free from unreasonable police use of force in violation of the
4 Fourth Amendment;
- 5 b. The right to be free from unreasonable searches and seizures in violation of the
6 Fourth Amendment.

7 308. Said rights are substantive guarantees under the Fourth and/or Fourteenth
8 Amendments to the United States constitution.

9 309. In doing the acts complained of herein, Defendants engaged in discriminatory
10 conduct towards GREGORIO YARBOROUGH as a member of minority communities by
11 subjecting them to civil rights violations and more frequent and aggressive policing than similarly
12 situated individuals. These civil rights violations and/or misconduct included, but was not limited
13 to, assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
14 falsifying reports, planting evidence, denial of equal protection, racial discrimination, conspiracy to
15 violate civil rights and/or other misconduct based on race and/or gender. As a result, Plaintiffs and
16 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
17 other misconduct by Defendants.

18 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

19 **GREGORIO YARBOROUGH'S SECOND CAUSE OF ACTION**

(42 U.S.C. § 1983 - Malicious Prosecution)

20 **(Plaintiff GREGORIO YARBOROUGH against Defendants GEIS, DUFF, KING, DOWNIE,
21 JIMENEZ, LUNDIN, LOWTHER, and DOES 26 - 100)**

22 310. The foregoing allegations are realleged and incorporated herein.

23 311. Defendants maliciously prosecuted the Plaintiff as stated herein. Defendants arrested
24 GREGORIO YARBOROUGH without probable cause.

25 312. Defendants brought claims against Plaintiff with subjective malice. Defendants used
26 bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious bias
27 in determining their decisions to prosecute the named Plaintiffs, and/or fabricated evidence used to
28 falsely justify the arrest.

1 313. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
2 to the malicious prosecution brought on by the Defendants in this matter.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.
4

5 **CAUSES OF ACTION FOR PLAINTIFF QUINCY MASON**

6 **QUINCY MASON’S FIRST CAUSE OF ACTION**

7 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

8 **(Plaintiff QUINCY MASON against Defendants ROMBOUGH, EVANS, AMIRI, STENGER,
9 K. SMITH, TJAHHADI, HUGHES, MARCOTTE, HOFFMAN, and DOES 26 - 100)**

9 314. The foregoing allegations are realleged and incorporated herein.

10 315. In doing the acts complained of herein, Defendants ROMBOUGH, EVANS, AMIRI,
11 STENGER, K. SMITH, TJAHHADI, HUGHES, MARCOTTE, HOFFMAN and/or DOES 26-100,
12 individually and/or while acting in concert with one another, did act under color of state law to
13 deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights, including, but not
14 limited to:

- 15 a. The right to be free from unreasonable police use of force in violation of the
16 Fourth Amendment;
17 b. The right to be free from unreasonable searches and seizures in violation of the
18 Fourth Amendment.

19 316. Said rights are substantive guarantees under the Fourth and/or Fourteenth
20 Amendments to the United States constitution.

21 317. In doing the acts complained of herein, Defendants engaged in discriminatory
22 conduct towards QUINCY MASON as a member of minority communities by subjecting them to
23 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
24 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
25 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
26 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
27 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
28

1 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
2 by Defendants.

3 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

4
5 **CAUSES OF ACTION FOR PLAINTIFF TEHJAY MCCULLOUGH**

6 **TEHJAY MCCULLOUGH'S FIRST CAUSE OF ACTION**

7 **(42 U.S.C. § 1983 –Unreasonable Seizure)**

8 **(Plaintiff TEHJAY MCCULLOUGH against Defendants PRIETO, RODRIGUEZ, MOORE,
9 AMIRI, and DOES 1 - 100)**

10 318. The foregoing allegations are realleged and incorporated herein.

11 319. In doing the acts complained of herein, Defendants PRIETO, RODRIGUEZ, and/or
12 DOES 1-100, individually and/or while acting in concert with one another, did act under color of
13 state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected rights,
14 including, but not limited to:

- 15 a. The right to be free from unreasonable police use of force in violation of the
16 Fourth Amendment;
- 17 b. The right to be free from unreasonable searches and seizures in violation of
18 the Fourth Amendment.

19 320. Said rights are substantive guarantees under the Fourth and/or Fourteenth
20 Amendments to the United States constitution.

21 321. In doing the acts complained of herein, Defendants engaged in discriminatory
22 conduct towards TEHJAY MCCULLOUGH as a member of minority communities by subjecting
23 them to civil rights violation and more frequent and aggressive policing than similarly situated
24 individuals. These civil rights violations and/or misconduct included, but was not limited to,
25 assaults, beatings, false arrests, unreasonable searches and seizures, intimidation, kidnapping,
26 falsifying reports, denial of equal protection, racial discrimination, conspiracy to violate civil rights
27 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
28 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
by Defendants.

1 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

2 **TEHJAY MCCULLOUGH’S SECOND CAUSE OF ACTION**

(42 U.S.C. § 1983 - Malicious Prosecution)

3 **(Plaintiff TEHJAY MCCULLOUGH against Defendants PRIETO, RODRIGUEZ, MOORE,**
4 **AMIRI, and DOES 1 - 100)**

5 322. The foregoing allegations are realleged and incorporated herein.

6 323. Defendants maliciously prosecuted the Plaintiffs as stated herein. Defendants
7 arrested TEHJAY MCCULLOUGH without probable cause.

8 324. The defendants brought claims against Plaintiff with subjective malice. Defendants
9 used bias, including racial bias, gender bias, sexuality bias, bias against body-types, and/or religious
10 bias in determining their decisions to prosecute Plaintiff, and/or fabricated evidence used to falsely
11 justify the arrest.

12 325. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
13 to the malicious prosecution brought on by the Defendants in this matter.

14 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

15
16 **CAUSES OF ACTION FOR PLAINTIFF JAMARI ALLEN**

17 **JAMARI ALLEN’S FIRST CAUSE OF ACTION**

(42 U.S.C. § 1983 –Unreasonable Seizure)

18 **(Plaintiff JAMARI ALLEN against Defendants AMIRI, WENGER, GREEN, and DOES 26 -**
19 **100)**

20 326. The foregoing allegations are realleged and incorporated herein.

21 327. In doing the acts complained of herein, Defendants AMIRI, WENGER, GREEN,
22 and/or DOES 26-100, individually and/or while acting in concert with one another, did act under
23 color of state law to deprive Plaintiffs as alleged heretofore of certain constitutionally protected
24 rights, including, but not limited to:

- 25 a. The right to be free from unreasonable police use of force in violation of the
- 26 Fourth Amendment;
- 27 b. The right to be free from unreasonable searches and seizures in violation of the
- 28 Fourth Amendment.

1 328. Said rights are substantive guarantees under the Fourth and/or Fourteenth
2 Amendments to the United States constitution.

3 329. In doing the acts complained of herein, Defendants engaged in discriminatory
4 conduct towards JAMARI ALLEN as a member of minority communities by subjecting them to
5 civil rights violations and more frequent and aggressive policing than similarly situated individuals.
6 These civil rights violations and/or misconduct included, but was not limited to, assaults, beatings,
7 false arrests, unreasonable searches and seizures, intimidation, kidnapping, falsifying reports,
8 planting evidence, denial of equal protection, racial discrimination, conspiracy to violate civil rights
9 and/or other misconduct based on race and/or gender. As a result, Plaintiffs and persons similarly
10 situated to them, were subjected to unequal treatment, civil rights violations, and other misconduct
11 by Defendants.

12 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

13 **JAMARI ALLEN'S SECOND CAUSE OF ACTION**

14 **(42 U.S.C. § 1983 - Malicious Prosecution)**

15 **(Plaintiff JAMARI ALLEN against Defendants AMIRI, and DOES 26 - 100)**

16 330. The foregoing allegations are realleged and incorporated herein.

17 331. Defendants maliciously prosecuted Plaintiff as stated herein. Defendants arrested
18 JAMARI ALLEN without probable cause. The Defendants brought claims against Plaintiff with
19 subjective malice. Defendants used bias, including racial bias, gender bias, sexuality bias, bias
20 against body-types, and/or religious bias in determining their decisions to prosecute Plaintiff, and/or
fabricated evidence used to falsely justify the arrest.

21 332. Plaintiff ultimately resolved the actions in his favor. Plaintiff suffered damages due
22 to the malicious prosecution brought on by the Defendants in this matter.

23 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

24 **JAMARI ALLEN'S THIRD CAUSE OF ACTION**

25 **(42 U.S.C. § 1983 – Discriminatory Enforcement and Violation of Privacy)**

26 **(Plaintiff JAMARI ALLEN against Defendants AMIRI, WENGER, GREEN, and DOES 26 -
100)**

27 333. The foregoing allegations are realleged and incorporated herein.

28

1 334. In doing the acts complained of herein, Defendants AMIRI, WENGER, GREEN, and
2 DOES 26 – 100, individually and/or while acting in concert with one another, and/or while failing
3 to intervene and/or obstructing justice, did act under color of state law to deprive Plaintiff JAMARI
4 ALLEN as alleged heretofore of certain constitutionally protected rights, including, but not limited
5 to:

- 6 a. The right to be free from bias, including racial bias in the performance of the
7 defendant’s duties.
- 8 b. The right to be free from actions designed to humiliate, embarrass, belittle,
9 dehumanize, humiliate and denigrate Plaintiff JAMARI ALLEN based on his
10 race in violation of the Fourteenth Amendment.
- 11 c. The right to be free from invasions of privacy by public display of intimate
12 pictures of Plaintiff JAMARI ALLEN without lawful purpose.

13 335. In doing the acts complained of herein, Defendants engaged in discriminatory
14 conduct towards minority communities by subjecting them to civil rights violations and more
15 frequent and aggressive policing than similarly situated individuals. Defendants, including but not
16 limited to AMIRI, photographed JAMARI ALLEN’s body while he was in the hospital being
17 treated for the injuries DEFENDANTS inflicted, and then Defendants circulated these images of
18 JAMARI ALLEN via text messages shared by Defendants with recipients both within the CITY OF
19 ANTIOCH POLICE DEPARTMENT and externally. Said messages included racially
20 discriminatory language and epithets describing JAMARI ALLEN, including but not limited to
21 “turd,” as well as general exclamations celebrating the use of force to injure ALLEN. The recipients
22 of these images of JAMARI ALLEN, including but not limited to the above-named Defendants,
23 responded in messages celebrating the infliction of medical injury to Plaintiff’s person and/or failed
24 to intervene.

25 336. As a result of the acts described above, Plaintiff JAMARI ALLEN was subjected to
26 unequal and discriminatory treatment, civil rights violations, and deprived of his well-settled
27 constitutional rights to privacy and substantive due process under the Fourteenth Amendment of the
28 United States Constitution, which extends to pretrial detainees. The circulation of the photographic

1 images of JAMARI ALLEN were pursuant to a longstanding practice or custom, policy, or
2 ratification wherein leadership, officials, employees, and agents of the CITY OF ANTIOCH Police
3 Department deliberately chose to invade JAMARI ALLEN's privacy, photographed his likeness
4 and body including injuries inflicted onto him by DEFENDANTS, and that CITY OF ANTIOCH
5 final-policy makers engaged with, ratified, and that DEFENDANTS knew or should have known
6 were unconstitutional.

7 WHEREFORE, Plaintiff prays for relief as hereinafter set forth.
8
9

10 **CAUSES OF ACTION FOR ALL PLAINTIFFS**

11 **FIRST COMMON CAUSE OF ACTION**

12 **Monell - 42 U.S.C. § 1983**

13 **(All Plaintiffs Against Defendants CITY OF ANTIOCH, BERNAL, JOHNSON, EBBS,
14 REED, BROOKS, MOREFIELD, FORD, EVANS, BLEDSOE, HOFFMAN, WISECARVER,
15 FORTNER, GREEN, STENGER, KOCH, LOWTHER, and DOES 26-100)**

16 337. The foregoing allegations are realleged and incorporated herein.

17 338. DEFENDANT Officers and Sergeants acted under color of state law at all times
18 relevant to this Complaint. DEFENDANT Officers' and Sergeants acts, as alleged herein, deprived
19 Plaintiffs of their Fourth and Fourteenth Amendment rights under the United States Constitution;

20 339. Defendants CITY OF ANTIOCH, CITY OF ANTIOCH CITY MANAGERS
21 BERNAL, JOHNSON, EBBS, and REED, and together with DOES 26-100 through their
22 employment by CITY OF ANTIOCH and ANTIOCH POLICE DEPARTMENT, were at all times
23 relevant hereto the final policy-makers for Defendant CITY OF ANTIOCH and the ANTIOCH
24 POLICE DEPARTMENT, and acted under color of state law;

25 340. Defendants BROOKS, MOREFIELD, FORD, EVANS, BLEDSOE, FORTNER,
26 KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, LOWTHER, and together with DOES
27 26-100 through their employment as leadership, supervisors, and command staff for the CITY OF
28 ANTIOCH POLICE DEPARTMENT had the duty to communicate the misconduct by
DEFENDANTS alleged herein and thus had actual or constructive notice and duty to investigate,

1 impose discipline, and report to CITY OF ANTIOCH Managers recommendations to change
2 policies and conduct to put a stop to the widespread misconduct.

3 341. As against Defendant CITY OF ANTIOCH, CITY OF ANTIOCH CITY
4 MANAGERS BERNAL, JOHNSON, EBBS, and REED, and/or DOES 26-100, in their capacity as
5 official policy-maker(s) for the CITY OF ANTIOCH, including the policies and practices or lack of
6 policies and practices of the ANTIOCH POLICE DEPARTMENT. Plaintiffs, and each of them,
7 further allege that the acts and/or omissions alleged in the Complaint herein are representative of a
8 repeated course of conduct by members of the CITY OF ANTIOCH Police Department tantamount
9 to a custom, policy, or repeated practice of condoning and tacitly encouraging the abuse of police
10 authority, and disregard for the constitutional rights of citizens.

11 342. Plaintiffs are informed and believe and thereon allege that Defendants were biased
12 toward the public. Defendants demonstrated bias, including, but not limited to, bias toward the race,
13 gender, and ethnicity of the Plaintiffs. In doing the acts complained of herein, Defendants, and/or
14 DOES 26-100, individually and/or while acting in concert with one another, engaged in a pattern
15 and practice of discriminatory conduct towards minority communities by subjecting them to more
16 frequent and aggressive policing than similarly situated individuals of a different race, gender, and
17 sexual orientation, by using racial slurs, excessive force, and harassment tactics, and by denying
18 them the same level of protection and services afforded to individuals of a different race. These civil
19 rights violations and/or misconduct included, but was not limited to, assaults, beatings, false arrests,
20 unreasonable searches and seizures, intimidation, kidnapping, falsifying reports, planting evidence,
21 denial of equal protection, racial discrimination, conspiracy to violate civil rights and/or other
22 misconduct based on race and/or gender.

23 343. Plaintiffs are further informed and believe and thereon allege that said misconduct
24 included, but was not limited to, subjecting people living, visiting, and/or traveling in Antioch
25 neighborhoods to disparate treatment because of their race and/or gender. As a result, Plaintiffs and
26 persons similarly situated to them, were subjected to unequal treatment, civil rights violations, and
27 other misconduct by Defendants.

28

1 344. Plaintiffs are informed and believe and thereon allege that as a matter of official
2 policy—rooted in an entrenched posture of deliberate indifference to the constitutional rights of
3 Black people who live, visit, and/or travel within Antioch in particular—Defendants CITY OF
4 ANTIOCH and BERNAL, JOHNSON, EBBS, REED, has long allowed Plaintiffs and persons
5 similarly situated to them, to be abused by its Police Officers, including by DEFENDANTS NUTT,
6 EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS, LENDERMAN,
7 BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER, HARRIS,
8 GERBER, HILL, MARCOTTE, HUGHES, GEIS, HOFFMAN, MILNER, EIGARD, KAWALYA,
9 DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER,
10 GRAGG, TJAHHADI, MCDONALD, KOCH, NAVARRETTE, EWART, BEDGOOD, DOWNIE,
11 MILLER, and/or other CITY OF ANTIOCH Police Officers (DOES 26-100).

12 345. Plaintiffs are further informed and believe and thereon allege that despite the
13 repeated and frequent nature of the misconduct and civil rights violations committed by Defendants
14 NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS,
15 LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER,
16 HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS, HOFFMAN, MILNER, EIGARD,
17 KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE SMITH,
18 GREEN, STENGER, GRAGG, TJAHHADI, MCDONALD, KOCH, NAVARRETTE, EWART,
19 BEDGOOD, DOWNIE, MILLER, and DOES 26-100, high ranking CITY OF ANTIOCH officials
20 and/or police department supervisors, including but not limited to Defendants BROOKS,
21 MOREFIELD, FORD, EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN,
22 WISECARVER, STENGER, LOWTHER, DOES 26-100, and each of them, individually and/or
23 acting in concert with one another, failed to take any or appropriate remedial action prior to the
24 subject incidents involving the Plaintiffs. As a result, Defendants engaged in repeated and serious
25 acts of misconduct and civil rights violations against citizens living, visiting, and/or traveling in
26 Antioch.

27 346. Plaintiffs are informed and believe and thereon allege that Plaintiffs, and each of
28 them, suffered the violation of their constitutional rights as a result of customs, policies, patterns

1 and/or practices of Defendants CITY OF ANTIOCH, BERNAL, JOHNSON, EBBS, REED,
2 Defendants BROOKS, MOREFIELD, FORD, EVANS, BLEDSOE, FORTNER, KOCH, GREEN,
3 HOFFMAN, WISECARVER, STENGER, LOWTHER, DOES 26-100, and each of them;
4 including, but not limited to, deliberate indifference in the hiring, supervision, training, and
5 discipline of members of the Antioch Police Department, including the named Defendant Officers
6 and Officers DOES 26-100, and/or each of them as set forth in this Complaint. Therefore, Plaintiffs
7 also seek relief against the Defendants for their failure to take reasonable steps to prevent and
8 remedy the discriminatory conduct of its officers.

9 347. Plaintiffs further allege that the actions/inactions of Defendants CITY OF
10 ANTIOCH, BERNAL, JOHNSON, EBBS, REED, Defendants BROOKS, MOREFIELD, FORD,
11 EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER,
12 LOWTHER, DOES 26-100, were so closely related to the deprivation of the Plaintiffs' rights as to
13 be the moving force that has caused Plaintiffs to suffer damages, including but not limited to
14 physical harm, emotional distress, and/or injury to reputation.

15 348. Upon information and belief, Plaintiffs further allege that numerous African
16 Americans were systematically physically and verbally harassed by members of the CITY OF
17 ANTIOCH Police Department when they were stopped for "walking while black" or "driving while
18 black" without probable cause or reasonable suspicion, searched without consent, and verbally
19 abused. Plaintiffs further allege that Defendant CITY OF ANTIOCH Police Department
20 encouraged, condoned, and ratified its police officers long-standing, deep-rooted racist,
21 homophobic, and misogynistic actions, statements, and conduct as illustrated by the vile and
22 despicable text messages described herein, which were circulated amongst nearly half of the Police
23 Department, including some supervising and command staff. In spite of legal obligations to report
24 the conduct admitted to in the text messages, and to also report the racist and misogynistic
25 statements themselves to command staff, Plaintiffs allege the text messages went unreported and
26 were only discovered by the F.B.I. secondary to an investigation of a steroid distribution ring in the
27 CITY OF ANTIOCH Police Department. The messaging was so widespread that CITY Police
28

1 Department command staff must have known of the actions and attitudes reflected in the widely-
2 shared text messages, but looked the other way.

3 349. Plaintiffs are further informed and believe and thereon allege that the acts alleged
4 herein are the direct and proximate result of the deliberate indifference of Defendants CITY OF
5 ANTIOCH, BERNAL, JOHNSON, EBBS, REED, Defendants BROOKS, MOREFIELD, FORD,
6 EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER,
7 LOWTHER, DOES 26-100, and each of them, to repeated acts of police misconduct which were
8 tacitly authorized, encouraged, or condoned by Defendants CITY OF ANTIOCH, BERNAL,
9 JOHNSON, EBBS, REED, BROOKS, MOREFIELD, FORD, BLEDSOE, EVANS, FORTNER,
10 KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, LOWTHER, DOES 26-100, and each
11 of them.

12 350. The injuries to the Plaintiffs, and each of them, were the foreseeable and proximate
13 result of said customs, policies, patterns, and/or practices of Defendants CITY OF ANTIOCH,
14 BERNAL, JOHNSON, EBBS, and REED. This conduct was condoned and ratified, by Antioch
15 Police Department Supervisors, including Defendants BROOKS, MOREFIELD, FORD, EVANS,
16 BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, LOWTHER,
17 DOES 26-100, and each of them. and there was no discipline against any of the named Defendant
18 Officers for their conduct.

19 351. Plaintiffs are further informed and believe and thereon allege that the damages
20 sustained as alleged herein were the direct and proximate result of Defendants, CITY OF
21 ANTIOCH, BERNAL, JOHNSON, EBBS, and REED's, municipal customs and/or policies of
22 deliberate indifference in the training, supervision, and/or discipline of members of the CITY OF
23 ANTIOCH Police Department.

24 352. Plaintiffs are further informed and believe and thereon allege that Plaintiffs' damages
25 and injuries were caused by the customs, policies, patterns, or practices of the CITY OF ANTIOCH,
26 BERNAL, JOHNSON, EBBS, REED, BROOKS, MOREFIELD, FORD, BLEDSOE, EVANS,
27 FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, LOWTHER, DOES 26-
28 100, and each of them, of deliberate indifference in the training, supervision, and/or discipline of

1 Antioch Police Officers including, but not limited to, NUTT, EVANS, ROMBOUGH, AMIRI,
2 DUGGAR, RAMIREZ, MANLY WILLIAMS, LENDERMAN, BLEDSOE, THOMAS SMITH,
3 PRIETO, RODRIGUEZ, ADAMS, WENGER, HARRIS, GERBER, HILL, MARCOTTE,
4 HUGHES, GEIS, HOFFMAN, MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ,
5 LUNDIN, LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER, GRAGG, TIAHJADI,
6 MCDONALD, KOCH, NAVARRETTE, EWART, BEDGOOD, DOWNIE, MILLER, DOES 26-
7 100, and/or each of them.

8 353. The aforementioned customs, policies, or practices of Defendants CITY OF
9 ANTIOCH, BERNAL, JOHNSON, EBBS, REED, BROOKS, MOREFIELD, FORD, EVANS,
10 BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, LOWTHER,
11 DOES 26-100, and each of them, resulted in the deprivation of Plaintiffs' connotational rights
12 including, but not limited to, the following:

- 13 a. The right to be free from excessive and unnecessary police use of force;
- 14 b. The right to a Familial Relationship.
- 15 c. The right to be free from unreasonable search and seizure including the use of
16 Racial Bias in the conduct of Antioch police officers in violation of 42. U.S.C.
17 section 1983.

18 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

19 **SECOND COMMON CAUSE OF ACTION**
20 **42 U.S.C. § 1985-86 – Conspiracy To Violate Civil Rights**
21 **(All Plaintiffs Against All Defendants, and DOES 26 - 100)**

22 354. The foregoing allegations are realleged and incorporated herein.

23 355. The collective actions by Defendant Officers named herein show a conspiracy within
24 the CITY OF ANTIOCH Police Department by CITY OF ANTIOCH Police Officers to violated
25 Plaintiffs' Civil Rights by acting in concert to illegally detain, search, assault, wrongfully arrest
26 people, subject people to malicious prosecution, and discriminate against the citizenry based on
27 their race, ethnicity, and gender. This conspiracy to deprive the Plaintiffs of their legal and
28 constitutional rights within the CITY OF ANTIOCH Police Department directly led officers within

1 the department to deprive people of the constitutional rights and to act with discrimination and
2 racial bias when interacting with people. This deprivation of constitutional rights, bias and
3 discrimination directly led to the Plaintiffs suffering from damages stemming from the wrongful
4 acts committed by the defendant officers against the Plaintiffs.

5 356. In doing the acts complained of herein, Defendants CITY, BROOKS, MOREFIELD,
6 FORD, NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS,
7 LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER,
8 HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE, HOFFMAN,
9 WISECARVER, FORTNER, MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ,
10 LUNDIN, LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER, GRAGG, TJAHJADI,
11 MCDONALD, KOCH, NAVARRETTE, EWART, BEDGOOD, BROGDON, DOWNIE, MILLER,
12 and/or DOES 26-100, individually and/or while acting in concert with one another, conspired for
13 the purpose of depriving Plaintiffs and/or persons similarly situated to Plaintiffs, either directly or
14 indirectly, of the equal protection of the laws or of equal privileges and immunities under the laws
15 as alleged in this complaint in violation of 42 U.S.C. § 1985.

16 357. Plaintiffs are further informed and believe and thereon allege that Defendants CITY
17 OF ANTIOCH, BERNAL, JOHNSON, EBBS, and REED, as well as Defendants BROOKS,
18 MOREFIELD, FORD, EVANS, BLEDSOE, FORTNER, KOCH, GREEN, HOFFMAN,
19 WISECARVER, STENGER, BROGDON, LOWTHER, DOES 26-100, and each of them, had the
20 power to stop and/or aid in preventing the conspiracy and/or conspiracies by Defendants NUTT,
21 EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY WILLIAMS, LENDERMAN,
22 BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS, WENGER, HARRIS,
23 GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE, HOFFMAN, MILNER, EIGARD,
24 KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE, KYLE SMITH,
25 GREEN, STENGER, GRAGG, TJAHJADI, MCDONALD, KOCH, NAVARRETTE, EWART,
26 BEDGOOD, DOWNIE, MILLER, DOES 26-100, and/or each of them, as alleged herein, but
27 instead maintained customs, policies, and/or practices which encouraged, authorized, condoned,
28 ratified, failed to prevent, and/or failed to aid in the prevention of the wrongs conspired to be done

1 by Defendants NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR, RAMIREZ, MANLY
2 WILLIAMS, LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO, RODRIGUEZ, ADAMS,
3 WENGER, HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS, MOORE, HOFFMAN,
4 MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ, LUNDIN, LOWTHER, DIBBLE,
5 KYLE SMITH, GREEN, STENGER, GRAGG, TJAHJADI, MCDONALD, KOCH,
6 NAVARRETTE, EWART, BEDGOOD, DOWNIE, MILLER, DOES 26-100, and/or each of them.

7 358. As a result of the failure and/or refusal of Defendants CITY OF ANTIOCH,
8 BERNAL, JOHNSON, EBBS, and REED, BROOKS, MOREFIELD, FORD, EVANS, BLEDSOE,
9 FORTNER, KOCH, GREEN, HOFFMAN, WISECARVER, STENGER, BROGDON, LOWTHER,
10 DOES 26-100, and each of them, to prevent or aid in preventing the commission of the conspiracy
11 and/or conspiracies by Defendants NUTT, EVANS, ROMBOUGH, AMIRI, DUGGAR,
12 RAMIREZ, MANLY WILLIAMS, LENDERMAN, BLEDSOE, THOMAS SMITH, PRIETO,
13 RODRIGUEZ, ADAMS, WENGER, HARRIS, GERBER, HILL, MARCOTTE, HUGHES, GEIS,
14 MOORE, HOFFMAN, MILNER, EIGARD, KAWALYA, DUFF, KING, JIMENEZ, LUNDIN,
15 LOWTHER, DIBBLE, KYLE SMITH, GREEN, STENGER, GRAGG, TJAHJADI, MCDONALD,
16 KOCH, NAVARRETTE, EWART, BEDGOOD, DOWNIE, MILLER, and DOES 26-100,
17 Plaintiffs and persons similarly situated to them are entitled to recover damages in amounts to be
18 determined according to proof.

19 WHEREFORE, Plaintiffs pray for relief as hereinafter set forth.

20
21 **JURY DEMAND**

22 Plaintiffs hereby demand a jury trial in this action.

23 **PRAYER**

24 WHEREFORE, Plaintiffs pray for relief, as follows:

- 25 1. For general damages according to proof;
26
27
28

