

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

MALEEHA AHMAD)	
)	
and)	
)	
ALISON DREITH,)	
)	
<i>on behalf of themselves and a class of</i>)	
<i>similarly situated individuals,</i>)	No. 4:17-cv-2455
)	
Plaintiffs,)	
)	
v.)	
)	
CITY OF ST. LOUIS, MISSOURI,)	
)	
Defendant.)	

COMPLAINT

Plaintiffs Maleeha Ahmad and Alison Dreith allege as follows:

INTRODUCTION

1. Plaintiffs bring this civil-rights class action against the City of St. Louis, Missouri for retaliating against persons engaging in First Amendment-protected activity; for interfering with the right to record police officers in public places; for unreasonably seizing them and applying excessive force; and for violating procedural due process rights by kettling and gassing and spraying them with chemical agents designed to cause pain and confusion without constitutionally adequate warning.

PARTIES

- 2. Plaintiff Maleeha Ahmad is a Missouri resident who lives in the City of St. Louis.
- 3. Plaintiff Alison Dreith is a Missouri resident who lives in the City of St. Louis.

4. Defendant City of St. Louis is a municipal corporation of the State of Missouri.

JURISDICTION AND VENUE

5. Plaintiffs bring this claim pursuant to 42 U.S.C. § 1983, the Fourteenth Amendment to the United States Constitution, and the First and Fourth Amendments, as incorporated as against States and their municipal divisions through the Fourteenth Amendment.
6. The jurisdiction of this Court is proper pursuant to 28 U.S.C. § 1331 because Plaintiffs' action arises under the Constitution of the United States and § 1343(a)(3) to redress the deprivation of rights secured by the Constitution of the United States.
7. Venue is proper in the United States District Court for the Eastern District of Missouri pursuant to 28 U.S.C. § 1391(b)(2) because a substantial part of the events giving rise to the claims occurred in the City of St. Louis.
8. Divisional venue is proper in the Eastern Division because the a substantial part of the events leading to the claims for relief arose in the City of St. Louis and Defendant resides in the Eastern Division. E.D. Mo. L.R. 2.07(A)(1), (B)(1).

FACTS

9. In December 2011, then-St. Louis police officer Jason Stockley (who is white) shot and killed St. Louis resident Anthony Lamar Smith (who was African American), whom Stockley and his partner had initially stopped on suspicion of involvement in a drug transaction.
10. In May 2016, Officer Stockley was charged with first-degree murder for Smith's death.
11. On Friday, September 15, 2017, after a four-day bench trial, Missouri Circuit Judge Timothy Wilson acquitted Officer Stockley of first-degree murder and its lesser included homicide offenses.

12. Many community members disagreed with the verdict.
13. Public protests began later that day at multiple locations in St. Louis and surrounding communities, some spontaneous and others more organized.
14. A common theme of the protests has been that, in the view of the protestors, the verdict reflected institutional racism and unwarranted bias in favor of law enforcement officers.
15. St. Louis Metropolitan police officers have amassed at several protests wearing tactical dress, including helmets, and carrying batons, full-body riot shields, and chemicals, such as tear gas, skunk, inert smoke, pepper gas, pepper pellets, xylol bromide, and/or similar substances (collectively, “chemical agents”).
16. On multiple occasions, police officers have without warning deployed chemical agents against protestors, including Plaintiffs, as well as bystanders, members of the press, and patrons of nearby businesses, including but not limited to the following occasions:
 - a. Friday afternoon near the intersection of Clark and Tucker Avenues
 - b. Friday evening near the intersection of McPherson and Euclid Avenues
 - c. Friday evening near the intersection of Waterman and Kingshighway Boulevards
 - d. Friday evening near the intersection of Euclid and Maryland Avenues
 - e. Friday evening near the intersection of Lindell and Kingshighway Boulevards
 - f. Friday evening near the intersection of Euclid Avenue and Pershing Place
 - g. Sunday evening near the intersection of Tucker Boulevard and Washington Avenue
17. On Sunday night, St. Louis Metropolitan police officers employed a tactic known as “kettling” at the intersection of Tucker Boulevard and Washington Avenue.

18. Police officers had—some 45 minutes earlier—ordered some protestors to “disperse” at a location some distance away.
19. However, police officers then permitted protestors, as well as other pedestrians not participating in or observing the protest, to enter and exit the area at will during the interim, including allowing people to move into intersection of Tucker and Washington.
20. Without further instruction of warning, or any instruction or warning at all at the intersection, police officers surrounded protestors, observers, and members of the press, cutting off all routes of egress—including via any sidewalk—and prohibiting the people trapped inside from leaving.
21. Police officers, who were wearing protective equipment, then without warning deployed chemical agents at the individuals caught in the kettle.
22. Some individuals caught in the kettle had been wearing goggles because they feared the deployment of chemical agents.
23. Police officers roughly removed the goggles and then sprayed those individuals directly in the face.
24. Police officers are authorized by St. Louis Code of Ords. 15.52.010 and 17.16.275 to declare protests “unlawful assemblies” and to order protestors “to disperse.”
25. On some occasions, the protests did not meet the ordinance definition of an unlawful assembly.
26. Dispersal orders, even when given, were too remote in time and distance for a person of ordinary intelligence, including Plaintiffs, to understand where and when they applied.

27. Throughout the weekend, on multiple occasions, police officers commanded protestors and observers to cease recording video and photographs and on some occasions deleted, or commanded to be deleted, video and photographs already recorded.
28. Police officers intentionally exposed Plaintiffs to chemical agents without notice or the opportunity to disperse.

MUNICIPAL ALLEGATIONS

29. The City of St. Louis has a custom or policy of deploying chemical agents against protestors without warning and has done so on occasions before these particular protests, including in November 2014 near the intersection of Arsenal Street and Grand Avenue and in August 2015 near the intersection of Walton Avenue and Page Boulevard.
30. The City of St. Louis has a custom or policy of commanding protestors to disperse without providing sufficient routes of egress and without instructions about where, how quickly, and how far away individuals must go to comply with that order, and has done so on occasions before these particular protests, including in 2014 near the intersection of Arsenal Street and Grand Avenue and in 2015 near the intersection of Walton Avenue and Page Boulevard.
31. The City of St. Louis has a custom or policy of enforcing Ord. 15.52.010, defining an unlawful assembly, in an unconstitutional way, and has done so on occasions before these particular protests, including in 2014 near the intersection of Arsenal Street and Grand Avenue and in 2015 near the intersection of Walton Avenue and Page Boulevard.
32. The City of St. Louis has a custom or policy of enforcing Ord. 17.16.275, describing the offense of failure to disperse, in an unconstitutional way, and has done so on occasions before these particular protests, including in 2014 near the intersection of Arsenal Street

and Grand Avenue and in 2015 near the intersection of Walton Avenue and Page Boulevard.

33. Both ordinances are unconstitutionally vague on their face and as applied to Plaintiffs and do not provide fair notice to a reasonable person as to how to comply with the law.
34. The City of St. Louis has a custom or policy of retaliating against protestors expressing disapproval of the actions of law enforcement officers, and has done so on occasions before these particular protests, including in 2014 near the intersection of Arsenal Street and Grand Avenue and in 2015 near the intersection of Walton Avenue and Page Boulevard.
35. The City of St. Louis has failed to supervise and train its officers to deploy chemical agents in a constitutional way, to enforce St. Louis Code of Ords. 15.52.010 and 17.16.275 in a constitutional way, to permit recording of police actions, and to avoid restricting freedom of movement unjustifiably, and has been on notice that the lack of training and supervision have resulted in the deprivation of constitutional rights since at least 2014.
36. Plaintiffs have not attended protests they otherwise would have participated in and/or observed because of their reasonable fear that they will be exposed to chemical agents without warning, be retaliated against for recording police officers, and/or have their freedom of movement unlawfully restricted, and because St. Louis Code of Ords. 15.52.010 and 17.16.275 have been enforced in an arbitrary, capricious, selective, and retaliatory way.

CLASS ALLEGATIONS

37. Under Rules 23(a) and 23(b)(2) of the Federal Rules of Civil Procedure, Plaintiffs bring this action for prospective relief on behalf of themselves and other similarly situated people who will in the future, protest within the City of St. Louis in a traditional or designated public forum (the “Plaintiff Class”).
38. The Plaintiff Class is so numerous that joinder of all members would be impracticable. Well over one thousand people have participated in and/or observed protests relating to the Officer Stockley verdict since it was issued on September 15.
39. As a result of the City of St. Louis’ customs or policies of kettling, deploying chemical agents without warning, unconstitutionally interfering with protestors’ right to record the police in a public space, and enforcing St. Louis Code of Ords. 15.52.010 and 17.16.275 in an unconstitutional manner, the Plaintiff Class has been and will continue to be deprived of their constitutional rights under the First, Fourth, and Fourteenth Amendments.
40. Plaintiffs’ claims for prospective relief are typical of the members of the Plaintiff Class because protests are ongoing and Plaintiffs and all Plaintiff Class members have a reasonable fear that the City of St. Louis will continue to enforce its unconstitutional customs or policies relating to kettling, the deployment of chemical agents without warning, the interference with protestors recording the police, and the enforcement of vague ordinances in an arbitrary, capricious, selective, and retaliatory way.
41. Plaintiffs will fairly and adequately protect the interests of the Plaintiff Class. Plaintiffs have no interests that are contrary to or in conflict with those of the class they seek to represent. Plaintiffs are represented by competent and skilled counsel whose interests are fully aligned with the interests of the class.

42. Questions common to the plaintiff class predominate over individual questions. These legal and factual questions include but are not limited to:
- a. Whether the City of St. Louis, through its police officers, must provide warning before deploying chemical agents and, if so, what kind of warning is constitutionally sufficient
 - b. Whether the City of St. Louis, through its police officers, may constitutionally block all routes of egress and then deploy chemical agents when protestors are nonresistant and unable to flee
 - c. Whether the City of St. Louis, through its police officers, may constitutionally command protestors to delete photographs and videos already recorded which depict officer actions in a public space
 - d. Whether the City of St. Louis, through its police officers, may command protestors to cease recording video when the recording does not interfere with officers' ability to perform their duties
 - e. Whether St. Louis Code of Ords. 15.52.010 and 17.16.275 are unconstitutionally vague on their face and/or as applied to the Plaintiff Class
 - f. What kind of dispersal order is required when ordering individuals to disperse, whether and how many and what type of routes of egress must be available, and how far in time and distance a warning may be before an individual may be arrested for the offenses of "failure to disperse" or "failure to obey"
43. Relief concerning Plaintiffs' rights under the laws herein alleged and with respect to the Plaintiff Class would be proper. The City of St. Louis has acted on grounds generally applicable to the Plaintiff Class, thereby making appropriate final injunctive relief or

corresponding declaratory relief with regard to the Plaintiff Class as a whole and certification of the Plaintiff Class under Rule 23(b)(2) proper.

COUNT I: FIRST AMENDMENT
First Amendment retaliation – 42 U.S.C. § 1983

44. Plaintiffs and the Plaintiff Class incorporate by reference the allegations in the foregoing paragraphs of this complaint as fully set forth herein.
45. Plaintiffs engaged in constitutionally protected expressive activity when they gathered together on public streets and sidewalks, and when they marched as a group, to express their disapproval of the acquittal of Officer Stockley.
46. The City of St. Louis retaliated against Plaintiffs for engaging in constitutionally protected expressive activity.
47. Plaintiffs and the Plaintiff Class reasonably fear deployment of chemical agents without warning, unlawful seizure and excessive force through kettling, interference with their right to record the police, and enforcement of St. Louis Code of Ords. 15.52.010 and 17.16.275 in an arbitrary and/or retaliatory manner if they participate in or observe a protest in the City of St. Louis.
48. These acts that would chill a person of ordinary firmness from continuing to engage in a constitutionally protected activity, and they did, in fact, chill Plaintiffs from continuing to peacefully observe, protest, and/or march to express their beliefs.
49. It was the custom or policy of the City of St. Louis, as well as the City's failure to train and supervise its officers, that caused the First Amendment retaliation.

WHEREFORE, Plaintiffs respectfully request this Court:

- A. Enter judgment in favor of Plaintiffs and against the City of St. Louis;

- B. Issue a temporary restraining order, preliminary injunction, and permanent injunction requiring the City of St. Louis to declare protests “unlawful assemblies” and to order protestors “to disperse” in a constitutional manner and otherwise limit police activities at protests as required by the Constitution;
- C. Award Plaintiffs reasonable attorneys’ fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law; and
- D. Allow such other and further relief as the Court deems just and proper.

COUNT II: FOURTH AMENDMENT

Unlawful Seizure and Excessive Force

- 50. Plaintiffs and the Plaintiff Class incorporate by reference the allegations in the foregoing paragraphs of this Complaint as fully set forth herein.
- 51. Plaintiffs and the Plaintiff Class were seized by the City of St. Louis when its officers intentionally, and by use of chemical agents and/or kettling, terminated their freedom of movement.
- 52. The use of chemical agents without warning and the employment of kettling without warning was objectively unreasonable and constituted an unlawful seizure and excessive force.
- 53. Plaintiffs had committed no crime.
- 54. Plaintiffs posed no threat to the safety of any police officer or any other person.
- 55. It was the custom or policy of the City of St. Louis, as well as the City’s failure to train and supervise its officers, that caused the unlawful seizures and use of excessive force.

WHEREFORE, Plaintiffs respectfully requests this Court:

- A. Enter judgment in favor of Plaintiffs and against the City of St. Louis;

- B. Issue a temporary restraining order, preliminary injunction, and permanent injunction requiring the City of St. Louis to declare protests “unlawful assemblies” and to order protestors “to disperse” in a constitutional manner and otherwise limit police activities at protests as required by the Constitution;
- C. Award Plaintiffs reasonable attorneys’ fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law; and
- D. Allow such other and further relief as the Court deems just and proper.

COUNT III: FOURTEENTH AMENDMENT

Procedural Due Process

- 56. Plaintiffs and the Plaintiff Class incorporate by reference the allegations in the foregoing paragraphs of this Complaint as fully set forth herein.
- 57. The due process rights of Plaintiffs and the Plaintiff Class were violated when the City of St. Louis, through its agent officers, failed to provide any warning about the deployment of chemical agents, to provide an opportunity to disperse, to leave open routes of egress, and to enforce St. Louis Code of Ords. 15.52.010 and 17.16.275 in a way that a person of ordinary intelligence could understand and comply with.
- 58. St. Louis Code of Ords. 15.52.010 and 17.16.275, and the City of St. Louis’ policies and customs related to their enforcement, permit arbitrary enforcement at the unbridled discretion of an individual police officer(s), without adequate notice or an adequate opportunity to comply, in a way that does not provide a person of ordinary intelligence with a reasonable opportunity to understand what conduct is permitted and prohibited, and in a way that authorizes and encourages discrimination based on the content of the message of a person engaged in expressive activity.

WHEREFORE, Plaintiffs respectfully requests this Court:

- A. Enter judgment in favor of Plaintiffs and against the City of St. Louis;
- B. Issue a temporary restraining order, preliminary injunction, and permanent injunction requiring the City of St. Louis to declare protests “unlawful assemblies” and to order protestors “to disperse” in a constitutional manner and otherwise limit police activities at protests as required by the Constitution;
- C. Award Plaintiffs reasonable attorneys’ fees and costs pursuant to 42 U.S.C. § 1988 and any other applicable provisions of law; and
- D. Allow such other and further relief as the Court deems just and proper.

Respectfully submitted,

/s/ Anthony E. Rothert

Anthony E. Rothert, #44827

Jessie Steffan, #64861

American Civil Liberties Union of Missouri
Foundation

906 Olive Street, Suite 1130

St. Louis, Missouri 63101

(314) 652-3114

(314) 652-3112 (facsimile)

arothert@aclu-mo.org

jsteffan@aclu-mo.org

Gillian R. Wilcox, #61278

406 West 34th Street, Suite 420

Kansas City, Missouri 64111

American Civil Liberties Union of Missouri
Foundation

(816) 470-9938

gwilcox@aclu-mo.org

Attorneys for Plaintiffs

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

AHMAD, Maleeha
DREITH, Alison

(b) County of Residence of First Listed Plaintiff St. Louis City
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Anthony E. Rothert, 906 Olive Street, # 1130, St. Louis, Missouri 63101
(314) 652-3114

DEFENDANTS

CITY OF ST. LOUIS, MISSOURI

County of Residence of First Listed Defendant City of St. Louis
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
2 U.S. Government Defendant
3 Federal Question (U.S. Government Not a Party)
4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

Table with columns for Plaintiff (PTF) and Defendant (DEF) citizenship: Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation.

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Large table with categories: CONTRACT, REAL PROPERTY, CIVIL RIGHTS, PRISONER PETITIONS, TORTS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District (specify), 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 USC 1983

Brief description of cause: constitutional challenge to police practices seeking prospective relief

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 0.00 CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE 09/22/2017 SIGNATURE OF ATTORNEY OF RECORD /s/ Anthony E. Rothert

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If there are multiple nature of suit codes associated with the case, pick the nature of suit code that is most applicable. Click here for: [Nature of Suit Code Descriptions](#).
- V. Origin.** Place an "X" in one of the seven boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation – Transfer. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407.
 Multidistrict Litigation – Direct File. (8) Check this box when a multidistrict case is filed in the same district as the Master MDL docket.
PLEASE NOTE THAT THERE IS NOT AN ORIGIN CODE 7. Origin Code 7 was used for historical records and is no longer relevant due to changes in statute.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI

Maleeha Ahmad	,)	
)	
	Plaintiff,)	
)	
v.)	Case No. 4:17-cv-2455
)	
City of St. Louis, Missouri	,)	
)	
	Defendant,)	
)	

ORIGINAL FILING FORM

THIS FORM MUST BE COMPLETED AND VERIFIED BY THE FILING PARTY WHEN INITIATING A NEW CASE.

THIS SAME CAUSE, OR A SUBSTANTIALLY EQUIVALENT COMPLAINT, WAS PREVIOUSLY FILED IN THIS COURT AS CASE NUMBER _____ AND ASSIGNED TO THE HONORABLE JUDGE _____.

THIS CAUSE IS RELATED, BUT IS NOT SUBSTANTIALLY EQUIVALENT TO ANY PREVIOUSLY FILED COMPLAINT. THE RELATED CASE NUMBER IS _____ AND THAT CASE WAS ASSIGNED TO THE HONORABLE _____. THIS CASE MAY, THEREFORE, BE OPENED AS AN ORIGINAL PROCEEDING.

NEITHER THIS SAME CAUSE, NOR A SUBSTANTIALLY EQUIVALENT COMPLAINT, HAS BEEN PREVIOUSLY FILED IN THIS COURT, AND THEREFORE MAY BE OPENED AS AN ORIGINAL PROCEEDING.

The undersigned affirms that the information provided above is true and correct.

Date: 09/22/2017

/s/ Anthony E. Rothert
Signature of Filing Party

Civil Action No. 4:17-cv-2455

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify):* _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [City of St. Louis Named in Civil Rights Class Action Over Alleged Police Misconduct](#)
