

United States District Court
Northern District of California

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

RENÉ QUIÑONEZ and
MOVEMENT INK LLC,

Plaintiffs,

v.

DOES 1 through 5, United States Postal
Service and United States Postal Inspection
Service officials in their individual capacities,

Defendants.

Case No. _____

COMPLAINT

DEMAND FOR JURY TRIAL

INTRODUCTION

1. The Fourth Amendment guarantees us the right to be secure in our papers and effects. That promise is illusory if postal officials can seize or search personal property without an individualized, articulable basis to believe that the property contains contraband or evidence of a crime. Worse yet would be if postal officials could seize or search personal property because of its political message. That is why the Constitution requires postal officials—like other government officials—to get a judicial warrant based on probable cause before seizing or searching personal property. It is also why the Constitution, federal statutes, and state statutory and common law

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1 decade of building community trust based on their activism and their quality products—costing
2 them the opportunity to do substantial business not only with the recipients of the masks, but other
3 existing and potential partners too. And all those partners lost a trusted supplier because of the
4 uncertainty and air of suspicion created by Defendants’ baseless seizures and searches of René’s
5 and Movement Ink’s political mask shipments.

6 6. For all these reasons, René and Movement Ink seek to hold personally accountable
7 the postal and law enforcement officials responsible for their injuries under the Constitution, *Bivens*,
8 the Westfall Act (28 U.S.C. § 2679(b)(2)(A)), and California law, as well as the federal government
9 as those officials’ employer under the Federal Tort Claims Act.

10 **JURISDICTION AND VENUE**

11 7. This Court has jurisdiction under 28 U.S.C. §§ 1331, 1346, 1356, 1357, 1367, 2201,
12 2202, 2674, and 2679 and the United States Constitution.

13 8. Venue is proper in the Northern District of California under 28 U.S.C. § 1391.

14 **PARTIES**

15 9. Plaintiff René Quiñonez is an adult resident of California. He is the majority owner
16 and manager of Plaintiff Movement Ink LLC.

17 10. Plaintiff Movement Ink LLC is a California limited liability company. Its majority
18 owner and manager is Plaintiff René Quiñonez.

19 11. Defendants Does 1 through 5 are officials of the United States Postal Service and the
20 United States Postal Inspection Service who are responsible for the acts, violations, and injuries
21 alleged in this action. Their identities and their number are currently unknown to Plaintiffs. They
22 will be added as named Defendants when their identities are determined. They are sued in their
23 individual capacities under the Constitution, *Bivens*, the Westfall Act (28 U.S.C. § 2679(b)(2)(A)),
24 and California law. The acts, violations, and injuries for which they are responsible in this action
25 also form the basis for liability of the United States of America under the Federal Tort Claims Act.

26 **STATEMENT OF FACTS**

27 12. René Quiñonez is a family man, entrepreneur, organizer, businessperson, activist,

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1 and former youth gang prevention nonprofit director. All those aspects of his personality find
2 expression in Movement Ink LLC, the small screen-printing business he and his family have spent
3 the last decade building into a community presence, known for its brand of activism-inspired
4 business practices and relationships.

5 13. From its inception, as the company’s name indicates, Movement Ink has been
6 publicly allied and involved with social justice and activism movements, organizations, nonprofits,
7 and individual organizers.

8 14. René and Movement Ink have spent years cultivating their brand, their image, and
9 their reputation in these spaces, including community involvement and social media presence.

10 15. As a result of years of commitment to causes, trust-building, and high-quality screen-
11 printing, René and Movement Ink successfully developed business relationships with activist
12 movements, organizations, nonprofits, and individual organizers, who relied on René and
13 Movement Ink for various screen-printing needs for years leading up to and into 2020, regularly
14 ordering products ranging from t-shirts, to hoodies, to onesies for toddlers.

15 16. René and Movement Ink methodically built and carved out this niche, making René
16 very proud of what he and his family have built.

17 17. The business of screen-printing is hard, labor-intensive work. So is the work of
18 community building and activism. But both, especially together, are a labor of love for René and his
19 family.

20 18. From 2016 to 2019, Movement Ink’s gross annual sales grew steadily.

21 19. So did its reputation—until that long-earned reputation was dashed one day by
22 Defendants’ baseless seizures and searches of Movement Ink’s most high-profile, lucrative, and
23 promising shipments.

24 20. Defendants’ seizures and searches of those shipments impeded Movement Ink’s
25 opportunities for business and activism expansion.

26 21. Defendants’ seizures and searches of those shipments also dashed René’s newfound
27 dream that he might actually be able to retire someday.

1 searches at issue in this case, their friendly relationship ended; the postal officials became
2 standoffish and quiet whenever René entered.

3 30. René’s and Movement Ink’s regular practice was to write on each box that it came
4 from Movement Ink and what it contained, such as “masks.”

5 31. This was done to avoid confusion because Movement Ink shares a workspace with
6 another company, and also so that after boxes were taped up it would be obvious what was in them
7 and where René or another Movement Ink employee should deliver or ship them.

8 32. The initial three political mask shipments to Atlanta, Los Angeles, and Oakland,
9 which René sent about a week before the four at issue in this case, were packaged no differently or
10 sent in any manner different than the subsequent four whose seizures and searches are at issue in
11 this case.

12 33. Like the initial three political mask shipments, René and Movement Ink shipped the
13 four packages at issue in this case in nondescript, securely packaged, cleanly taped boxes. The boxes
14 were full; one or more of them may have had a bulge where masks were squeezed in tightly.

15 34. As usual, all of the political mask shipments were marked or identified with
16 Movement Ink as the sender, and likely had their contents handwritten on the side, in accordance
17 with René’s and Movement Ink’s regular practice.

18 35. Like the initial three political mask shipments, René and Movement Ink shipped the
19 four packages at issue in this case using priority mail express overnight shipping—paying a
20 premium to get the masks delivered as quickly as possible because the protests and Covid were both
21 raging every day.

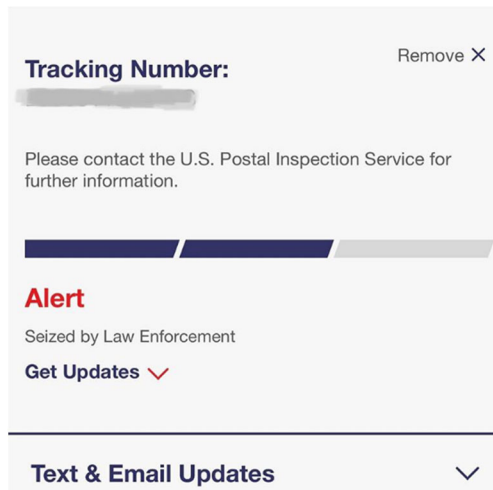
22 36. But unlike so many Movement Ink shipments before—including the initial three
23 political mask shipments—the four that René and Movement Ink shipped on June 3, 2020 did not
24 arrive on time.

25 37. This was no snafu in mail processing or an unavoidable or mistaken delay.

26 38. Rather, all four political mask shipments were, as indicated by the Postal Service’s
27 online tracking system, “Seized by Law Enforcement” (i.e., by Defendants) in Oakland on June 3

1 or June 4—the day the political mask shipments were already supposed to be arriving to organizers
2 in Brooklyn, DC, Minneapolis, and St. Louis.

3 39. René and the shipments’ intended recipients were greeted by this cryptic “Alert” on
4 the Postal Service’s online tracking system, which said only that René’s and Movement Ink’s
5 political mask shipments were “Seized by Law Enforcement”:



15 40. The four political mask shipments would not end up arriving at their destinations
16 until June 6 (two days and several protests late), having been held by Defendants without reasonable
17 suspicion, probable cause, or a warrant for more than 24 hours.

18 41. René and the mask recipients were all confused, dismayed, and disrupted in their
19 critical work. Instead of focusing on printing and shipping political Covid-protective masks and
20 other apparel, René and Movement Ink had to waste time figuring out why their innocuous packages
21 were in the hands of law enforcement, and how to get them released, while also fielding questions,
22 concerns, and even accusations from partners, community members, and social media commenters.

23 42. Similarly, the recipient organizers had to divert attention and resources to the seizure
24 issue, having to consult legal counsel and field calls about this distraction, and having to post on
25 social media about this latest disruption to their organizing efforts and their health and safety efforts.

26 43. René, Movement Ink, and their partners were left wondering why these Covid-
27 protective political masks were in the hands of law enforcement officials instead of on the faces of
28 political protestors.

1 53. All of the harms described in paragraphs 35 through 52 and 99 are the direct and sole
2 result and effect of Defendants’ baseless, suspicionless, unconstitutional, and tortious seizures and
3 searches of René’s and Movement Ink’s political mask shipments.

4 54. Feeling targeted, surveilled, despondent, and desperate to find out what happened,
5 René worked with the office of his Congressperson, Rep. Barbara Lee, who submitted an official
6 inquiry to the Postal Service.

7 55. The Postal Service responded in a letter that:

8 *On June 3, 2020, the parcels in question were detained solely*
9 *because the external physical characteristics of the parcels were*
10 *consistent with parcels in other non-related instances that were*
11 *confirmed to contain nonmailable matter, specifically controlled*
12 *substances. The parcels in question were not detained based on the*
13 *sender or recipient, because they were associated with organizations*
14 *involved in protests or any other First Amendment protected activity,*
15 *or because it was known the parcels contained masks or any articles*
16 *containing statements supporting any group or position.*
17 *Furthermore, there were no external characteristics of the parcels*
18 *that indicated they contained masks or were associated with any*
19 *specific organization.*

20 *The customer in this matter did not contact the Inspection*
21 *Service, but instead contacted the news media. On the morning of*
22 *June 5, when the Inspection Service became aware of the media*
23 *stories on the matter and what the contents of the parcels were, we*
24 *immediately took action to rectify the situation. At 7:07 AM the*
25 *parcels were placed back in the mail stream. The parcels were*
26 *delivered on the following day to the intended destinations.*
27 *Additionally, the USPIS assisted Mr. Quinonez with obtaining a full*

1 *refund for the cost of the mailings.*

2 56. The Postal Service’s letter to Rep. Lee’s office asserts that USPIS became aware of
3 the contents of the parcels on June 5. But as described in paragraph 75, Defendants’ own seizure
4 notes explain that they knew the packages contained—in their words—“BLM MASKS.”

5 57. The Postal Service’s letter to Rep. Lee’s office asserts that USPIS assisted René in
6 obtaining a refund for the cost of the mailings. That is not true. René and Movement Ink did not
7 receive refunds.

8 58. On information and belief, the recipients of the packages may have received refunds
9 of the shipping costs from USPIS.

10 59. In any event, a refund could and would do nothing to account for any of the harms
11 described in paragraphs 35 through 52 and 99, which remain and will remain entirely unremedied.

12 60. René’s and Movement Ink’s political mask shipments resembled lawful packages
13 that legitimate businesses, including Movement Ink, ship on a regular basis.

14 61. The four political mask shipments were in neatly taped, nondescript brown boxes
15 with the identities and locations of the sender and the recipients clearly labeled.

16 62. René remains at a loss to understand how that could give rise to a federal law
17 enforcement seizure of his and Movement Ink’s personal property.

18 63. According to the Postal Service’s letter to Rep. Lee’s office, the federal postal official
19 Defendants asserted that they could seize, search, and hold for over 24 hours René’s and Movement
20 Ink’s property because of the packages’ “external physical characteristics”.

21 64. According to the Postal Service’s letter to Rep. Lee’s office, the federal postal official
22 Defendants asserted that they could seize, search, and hold for over 24 hours René’s and Movement
23 Ink’s property based on “external physical characteristics” that apply to millions of packages
24 shipped around the country every day, and to packages shipped by René and Movement Ink on a
25 regular basis.

26 65. The “external physical characteristics” that the federal postal official Defendants
27 relied on apply to millions of packages shipped around the country every day, and to packages

1 shipped by René and Movement Ink on a regular basis.

2 66. René also remains shocked that the federal postal official Defendants would do
3 nothing for more than 24 hours to confirm or dispel any concerns or suspicions, namely by either
4 confirming the identity of the sender and/or seeking a judicial warrant based on an attempt to
5 demonstrate probable cause.

6 67. For more than 24 hours, Defendants did not attempt to confirm the identity or
7 location of the sender of the packages.

8 68. For more than 24 hours, Defendants did not seek or obtain a warrant.

9 69. For more than 24 hours, Defendants did not establish that the packages posed an
10 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
11 would be destroyed, or an articulable risk that a particular suspect would escape.

12 70. Instead, it appears from the Postal Service’s letter to Rep. Lee’s office that
13 Defendants abandoned the political mask shipments to sit indefinitely until the issue became
14 national news.

15 71. Had the issue not become national news, the packages would have remained seized
16 even longer.

17 72. Defendants’ own notes regarding the seizures and searches of René’s and Movement
18 Ink’s packages, which René obtained through Freedom of Information Act requests to the Postal
19 Service, confirm that Defendants did not have an individualized, articulable basis for seizing the
20 political mask shipments, and did not obtain a warrant for their continued seizure.

21 73. Defendants’ notes make clear that Defendants seized the political mask shipments
22 without reasonable suspicion, because there was no individualized, particularized basis to believe
23 the packages contained contraband or evidence of a crime, which is not satisfied by the nondescript,
24 common characteristics of the packages at issue.

25 74. Defendants’ notes make clear that Defendants left the packages unattended for over
26 24 hours without efforts to confirm or dispel whatever assumptions attended their seizures of the
27 packages, which violates the Fourth Amendment even if the initial seizures could be justified by

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1 reasonable suspicion to conduct brief investigatory seizures.

2 75. Defendants’ notes make clear that Defendants knew the contents of the package
3 were, in Defendants’ words, “BLM MASKS.”

4 76. It is not clear whether Defendants knew that the packages contained—in Defendants’
5 words—“BLM MASKS” before seizing the packages.

6 77. If Defendants knew that the packages contained—in Defendants’ words—“BLM
7 MASKS” before seizing the packages, Defendants violated the First Amendment by seizing
8 packages because of their political messages.

9 78. If Defendants learned the contents of the packages after seizing them, by searching
10 them, Defendants violated the Fourth Amendment by searching the packages in the absence of
11 consent, probable cause plus a warrant, or probable cause plus exigent circumstances.

12 79. There was and is no indication anywhere—nor could there be—that the packages
13 posed an articulable risk of immediate physical harm, an articulable risk that particular relevant
14 evidence would be destroyed, or an articulable risk that a particular suspect would escape.

15 80. Defendants’ notes make clear that they did not have reasonable suspicion to conduct
16 the initial seizures of the political mask shipments. Defendants’ notes contend that the shipments
17 were suspicious because of (1) “bulging contents,” (2) “frequently mailed parcels from the same
18 sender/address,” (3) “parcel destination is a known drug trafficking area,” (4) “taped or glued on all
19 seams,” and (5) “parcel mailed from a known drug source area.”

20 81. Defendants’ assertions are not reasonable suspicion because they do not satisfy the
21 Fourth Amendment’s demand for individualized circumstances suggesting that a particular,
22 articulable crime is occurring in order to justify a seizure.

23 82. Defendants’ assertions justifying the initial seizures of the political mask shipments
24 apply to (1) any United States business or individual (2) that regularly sends padded items (like
25 pillows, or vases wrapped in bulging padding) (3) in well-bound boxes (4) from just about any major
26 United States city to any other major United States city.

27 83. On information and belief, Defendants have no comprehensive list of which cities

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1 are or are not “known drug trafficking area[s]” or “known drug source area[s].”

2 84. On information and belief, Defendants do not rely on any definition of “known drug
3 trafficking area” or “known drug source area.”

4 85. On information and belief, most if not all American cities are either “known drug
5 trafficking area[s]” or “known drug source area[s].”

6 86. If Defendants’ assertions were sufficient to satisfy reasonable suspicion, then (1) any
7 United States business or individual (2) that regularly sends padded items (like pillows, or vases
8 wrapped in bulging padding) (3) in well-bound boxes (4) from just about any major United States
9 city to any other major United States city is continually subjecting themselves to arbitrary seizure
10 of their property by federal postal officials.

11 87. There is one additional purported justification that appears in Defendants’ notes (and
12 is implied in the letter sent from the Postal Service to Rep. Lee’s office): that the political mask
13 shipments resembled packages recently “sent from Eureka” that contained contraband.

14 88. That additional assertion regarding Eureka did not rise to reasonable suspicion
15 sufficient to conduct a brief investigatory seizure.

16 89. Defendants could have confirmed or dispelled that assertion regarding Eureka
17 without first seizing the packages.

18 90. After seizing the packages, Defendants could have immediately determined that the
19 packages were from Movement Ink in Oakland, not anyone in Eureka.

20 91. After determining that the packages were from Movement Ink in Oakland and not
21 anyone in Eureka, Defendants could have immediately released the packages.

22 92. Assuming Defendants’ assertion regarding Eureka gave rise to reasonable suspicion
23 sufficient to conduct a brief investigatory seizure (which it did not), and that Defendants could not
24 confirm or dispel that assertion without first seizing the packages (which there is no reason to think
25 they could not), Defendants still obviously violated the Fourth Amendment because as soon as they
26 conducted that seizure, they could and should have immediately determined that the packages were
27 from Movement Ink in Oakland, not anyone in Eureka, and immediately released them.

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1 93. Defendants did not release the packages or seek a warrant for over 24 hours.

2 94. Even if Defendants determined that the packages were from Movement Ink in
3 Oakland, not anyone in Eureka, but still remained convinced they could not release the packages,
4 they still obviously violated the Fourth Amendment because in order to continue the seizure of the
5 packages beyond that brief investigatory period or to search the packages, they needed probable
6 cause and a warrant.

7 95. Defendants did not have probable cause.

8 96. Defendants did not obtain a warrant.

9 97. Instead, they searched the packages and/or left the packages unattended for more
10 than 24 hours.

11 98. Defendants would apparently have let the packages sit indefinitely had René and
12 Movement Ink not generated a national news story about Defendants' violations of their Fourth and
13 First Amendment rights.

14 99. In addition to the harms and injuries described in paragraphs 35 through 52,
15 Defendants' baseless seizures and searches of René's and Movement Ink's political mask shipments
16 have directly resulted in the chilling of René's and Movement Ink's political speech in two ways:
17 (1) René and Movement Ink are less active and vocal on social media and in the community because
18 of the pall of suspicion and fear of surveillance that Defendants' conduct has cast over them, and
19 (2) René and Movement Ink have lost substantial opportunities to express their political views
20 through their work because Defendants' conduct has significantly depressed their client base and
21 their apparel production, which have always been built on the basis of political activism and speech.

22 100. On March 11, 2022, René and Movement Ink submitted claims for relief under the
23 Federal Tort Claims Act to the Postal Service and the Postal Inspection Service. The agencies have
24 until six months from that date to resolve the claims. If the claims are not resolved by the end of that
25 six months, René and Movement Ink intend to amend this Complaint to include those claims in this
26 action.

27

28

CLAIMS FOR RELIEF

**Count 1
Unreasonable Seizures in Violation of the Fourth Amendment
Against Defendants Does 1 through 5
Under *Bivens***

101. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

102. Plaintiffs shipped four packages of their personal property via the United States Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests in their packages until the packages were delivered to their intended recipients.

103. Defendants Does 1 through 5 seized Plaintiffs’ personal property in violation of the Fourth Amendment, delaying the packages’ arrival to their intended recipients by 48 hours, during which time the recipients were in dire need of the packages. Defendants’ clearly and obviously unjustified and unreasonable seizures of Plaintiffs’ packages caused the packages’ intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs.

104. Seizures of personal property without reasonable suspicion, probable cause, or a warrant are obviously unconstitutional.

105. It is clearly established and every reasonable postal official has fair warning that warrantless seizures of personal property are presumptively unconstitutional.

106. It is clearly established and every reasonable postal official has fair warning that postal officials must have at least reasonable suspicion to conduct brief investigatory seizures of personal property.

107. It is clearly established and every reasonable postal official has fair warning that postal officials do not have reasonable suspicion to conduct brief investigatory seizures of personal property in the absence of individualized circumstances suggesting that a particular, articulable crime is occurring.

108. It is clearly established and every reasonable postal official has fair warning that postal officials must have probable cause that a particular, articulable crime is occurring and either a warrant or exigent circumstances to seize personal property beyond the time needed for a brief

1 investigatory seizure based on reasonable suspicion.

2 109. It is clearly established and every reasonable postal official has fair warning that
3 postal officials do not have probable cause in the absence of individualized circumstances
4 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
5 crime is occurring.

6 110. It is clearly established and every reasonable postal official has fair warning that to
7 forgo the warrant requirement, postal officials must have probable cause and face exigent
8 circumstances.

9 111. It is clearly established and every reasonable postal official has fair warning that
10 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate
11 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
12 articulable risk that a particular suspect will escape.

13 112. It is clearly established and every reasonable postal official has fair warning that
14 postal officials violate the Fourth Amendment by (1) seizing personal property in the absence of
15 reasonable suspicion based on individualized circumstances suggesting that a particular, articulable
16 crime is occurring or (2) seizing property beyond the time needed for a brief investigatory seizure
17 arising from reasonable suspicion in the absence of probable cause (individualized circumstances
18 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
19 crime is occurring) plus either a warrant or an articulable risk of immediate physical harm, an
20 articulable risk that particular relevant evidence will be destroyed, or an articulable risk that a
21 particular suspect will escape.

22 113. It is clearly established and every reasonable postal official has fair warning that
23 reasonable suspicion cannot be based on assumed facts that the postal official could dispel before
24 conducting an investigatory seizure of personal property.

25 114. It is clearly established and every reasonable postal official has fair warning that
26 reasonable suspicion cannot be based on characteristics that, individually and as a whole, apply to
27 personal property that has no connection to criminal activity.

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1 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs’
2 packages immediately upon that realization, or sought a warrant in order to continue their seizure
3 of the packages or to search the packages.

4 121. But Defendants did not release Plaintiffs’ packages immediately upon that
5 realization. And they did not get a warrant (nor could they have, because these circumstances did
6 not amount to probable cause) or have any reason to believe that Plaintiffs’ packages posed an
7 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
8 would be destroyed (after all, it was in Defendants’ possession), or an articulable risk that a
9 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
10 Plaintiffs’ packages.

11 122. Therefore, at every step, Defendants violated Plaintiffs’ clearly established right to
12 be free from unreasonable seizures of their personal property.

13 123. Defendants are line-level postal officials operating in the common and recurrent
14 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

15 124. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
16 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
17 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

18 125. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
19 packages’ intended recipients to sever all ongoing and future contractual and business relationships
20 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
21 and mental distress to René.

22 126. Plaintiffs are entitled to compensatory damages for their injuries caused by
23 Defendants’ seizures of their personal property.

24 **Count 2**
25 **Unreasonable Seizures in Violation of the Fourth Amendment**
26 **Against Defendants Does 1 through 5**
27 **Under the Westfall Act (28 U.S.C. § 2679(b)(2)(A))**

28 127. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

1 136. It is clearly established and every reasonable postal official has fair warning that
2 forgo the warrant requirement, postal officials must have probable cause and face exigent
3 circumstances.

4 137. It is clearly established and every reasonable postal official has fair warning that
5 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate
6 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
7 articulable risk that a particular suspect will escape.

8 138. It is clearly established and every reasonable postal official has fair warning that
9 postal officials violate the Fourth Amendment by (1) seizing personal property in the absence of
10 reasonable suspicion based on individualized circumstances suggesting that a particular, articulable
11 crime is occurring or (2) seizing property beyond the time needed for a brief investigatory seizure
12 arising from reasonable suspicion in the absence of probable cause (individualized circumstances
13 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
14 crime is occurring) plus either a warrant or an articulable risk of immediate physical harm, an
15 articulable risk that particular relevant evidence will be destroyed, or an articulable risk that a
16 particular suspect will escape.

17 139. It is clearly established and every reasonable postal official has fair warning that
18 reasonable suspicion cannot be based on assumed facts that the postal official could dispel before
19 conducting an investigatory seizure of personal property.

20 140. It is clearly established and every reasonable postal official has fair warning that
21 reasonable suspicion cannot be based on characteristics that, individually and as a whole, apply to
22 personal property that has no connection to criminal activity.

23 141. It is clearly established and every reasonable postal official has fair warning that
24 probable cause cannot be based on an assumed fact that purportedly formed the basis for reasonable
25 suspicion but was dispelled while conducting an investigatory seizure of personal property.

26 142. It is clearly established and every reasonable postal official has fair warning that
27 probable cause cannot be based on characteristics that, individually and as a whole, apply to personal
28

1 property that has no connection to criminal activity.

2 143. It is clearly established and every reasonable postal official has fair warning that
3 probable cause to believe that drugs are present is not, in the absence of a risk of their destruction,
4 an exigent circumstance that permits forgoing the warrant requirement.

5 144. Defendants seized Plaintiffs’ personal property without reasonable suspicion. The
6 characteristics they purportedly relied on to seize Plaintiffs’ packages (i.e., that the packages were
7 allegedly bulging, were taped all around, were going from one purported drug activity city to
8 another, and were sent by a frequent shipper) apply, individually and as a whole, to entirely innocent
9 packages that businesses small and large—including Plaintiffs themselves—ship throughout the
10 country every single day. Every reasonable postal official should know that those characteristics do
11 not give rise to reasonable suspicion because those characteristics are not individualized
12 circumstances suggesting that a particular, articulable crime (or any crime) is occurring.

13 145. Even with the additional allegation that Plaintiffs’ packages resembled some from
14 Eureka that had contained drugs, Defendants did not have reasonable suspicion to conduct an
15 investigatory seizure because (1) that additional factual assumption did not give rise to reasonable
16 suspicion and (2) even if it did, Defendants could have easily dispelled that factual assumption
17 without seizing Plaintiffs’ packages simply by confirming that the packages came from Movement
18 Ink LLC in Oakland (not any suspicious sender from Eureka).

19 146. Even if the totality of circumstances did arise to reasonable suspicion (which it did
20 not) and Defendants could not dispel that suspicion before seizing Plaintiffs’ packages for a brief
21 investigatory seizure, that suspicion was (or should have been) dispelled immediately by
22 Defendants’ confirming that Plaintiffs’ packages came from Movement Ink LLC in Oakland (not
23 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs’
24 packages immediately upon that realization, or sought a warrant in order to continue their seizure
25 of the packages or to search the packages.

26 147. But Defendants did not release Plaintiffs’ packages immediately upon that
27 realization. And they did not get a warrant (nor could they have, because these circumstances did

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1 not amount to probable cause) or have any reason to believe that Plaintiffs’ packages posed an
2 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
3 would be destroyed (after all, it was in Defendants’ possession), or an articulable risk that a
4 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
5 Plaintiffs’ packages.

6 148. Therefore, at every step, Defendants violated Plaintiffs’ clearly established right to
7 be free from unreasonable seizures of their personal property.

8 149. Defendants are line-level postal officials operating in the common and recurrent
9 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

10 150. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
11 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
12 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

13 151. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
14 packages’ intended recipients to sever all ongoing and future contractual and business relationships
15 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
16 and mental distress to René.

17 152. Plaintiffs are entitled to compensatory damages for their injuries caused by
18 Defendants’ seizures of their personal property.

19 **Count 3**
20 **Unreasonable Seizures in Violation of the Fourth Amendment**
21 **Against Defendants Does 1 through 5**
22 **Under the Fourth Amendment**

23 153. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

24 154. Plaintiffs shipped four packages of their personal property via the United States
25 Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests
26 in their packages until the packages were delivered to their intended recipients.

27 155. Defendants Does 1 through 5 seized Plaintiffs’ personal property in violation of the
28 Fourth Amendment, delaying the packages’ arrival to their intended recipients by 48 hours, during

1 which time the recipients were in dire need of the packages. Defendants’ clearly and obviously
2 unjustified and unreasonable seizures of Plaintiffs’ packages caused the packages’ intended
3 recipients to sever all ongoing and future contractual and business relationships with Plaintiffs.

4 156. Seizures of personal property without reasonable suspicion, probable cause, or a
5 warrant are obviously unconstitutional.

6 157. It is clearly established and every reasonable postal official has fair warning that
7 warrantless seizures of personal property are presumptively unconstitutional.

8 158. It is clearly established and every reasonable postal official has fair warning that
9 postal officials must have at least reasonable suspicion to conduct brief investigatory seizures of
10 personal property.

11 159. It is clearly established and every reasonable postal official has fair warning that
12 postal officials do not have reasonable suspicion to conduct brief investigatory seizures of personal
13 property in the absence of individualized circumstances suggesting that a particular, articulable
14 crime is occurring.

15 160. It is clearly established and every reasonable postal official has fair warning that
16 postal officials must have probable cause that a particular, articulable crime is occurring and either
17 a warrant or exigent circumstances to seize personal property beyond the time needed for a brief
18 investigatory seizure based on reasonable suspicion.

19 161. It is clearly established and every reasonable postal official has fair warning that
20 postal officials do not have probable cause in the absence of individualized circumstances
21 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
22 crime is occurring.

23 162. It is clearly established and every reasonable postal official has fair warning that to
24 forgo the warrant requirement, postal officials must have probable cause and face exigent
25 circumstances.

26 163. It is clearly established and every reasonable postal official has fair warning that
27 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate

1 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
2 articulable risk that a particular suspect will escape.

3 164. It is clearly established and every reasonable postal official has fair warning that
4 postal officials violate the Fourth Amendment by (1) seizing personal property in the absence of
5 reasonable suspicion based on individualized circumstances suggesting that a particular, articulable
6 crime is occurring or (2) seizing property beyond the time needed for a brief investigatory seizure
7 arising from reasonable suspicion in the absence of probable cause (individualized circumstances
8 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
9 crime is occurring) plus either a warrant or an articulable risk of immediate physical harm, an
10 articulable risk that particular relevant evidence will be destroyed, or an articulable risk that a
11 particular suspect will escape.

12 165. It is clearly established and every reasonable postal official has fair warning that
13 reasonable suspicion cannot be based on assumed facts that the postal official could dispel before
14 conducting an investigatory seizure of personal property.

15 166. It is clearly established and every reasonable postal official has fair warning that
16 reasonable suspicion cannot be based on characteristics that, individually and as a whole, apply to
17 personal property that has no connection to criminal activity.

18 167. It is clearly established and every reasonable postal official has fair warning that
19 probable cause cannot be based on an assumed fact that purportedly formed the basis for reasonable
20 suspicion but was dispelled while conducting an investigatory seizure of personal property.

21 168. It is clearly established and every reasonable postal official has fair warning that
22 probable cause cannot be based on characteristics that, individually and as a whole, apply to personal
23 property that has no connection to criminal activity.

24 169. It is clearly established and every reasonable postal official has fair warning that
25 probable cause to believe that drugs are present is not, in the absence of a risk of their destruction,
26 an exigent circumstance that permits forgoing the warrant requirement.

27 170. Defendants seized Plaintiffs' personal property without reasonable suspicion. The

1 characteristics they purportedly relied on to seize Plaintiffs' packages (i.e., that the packages were
2 allegedly bulging, were taped all around, were going from one purported drug activity city to
3 another, and were sent by a frequent shipper) apply, individually and as a whole, to entirely innocent
4 packages that businesses small and large—including Plaintiffs themselves—ship throughout the
5 country every single day. Every reasonable postal official should know that those characteristics do
6 not give rise to reasonable suspicion because those characteristics are not individualized
7 circumstances suggesting that a particular, articulable crime (or any crime) is occurring.

8 171. Even with the additional allegation that Plaintiffs' packages resembled some from
9 Eureka that had contained drugs, Defendants did not have reasonable suspicion to conduct an
10 investigatory seizure because (1) that additional factual assumption did not give rise to reasonable
11 suspicion and (2) even if it did, Defendants could have easily dispelled that factual assumption
12 without seizing Plaintiffs' packages simply by confirming that the packages came from Movement
13 Ink LLC in Oakland (not any suspicious sender from Eureka).

14 172. Even if the totality of circumstances did arise to reasonable suspicion (which it did
15 not) and Defendants could not dispel that suspicion before seizing Plaintiffs' packages for a brief
16 investigatory seizure, that suspicion was (or should have been) dispelled immediately by
17 Defendants' confirming that Plaintiffs' packages came from Movement Ink LLC in Oakland (not
18 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs'
19 packages immediately upon that realization, or sought a warrant in order to continue their seizure
20 of the packages or to search the packages.

21 173. But Defendants did not release Plaintiffs' packages immediately upon that
22 realization. And they did not get a warrant (nor could they have, because these circumstances did
23 not amount to probable cause) or have any reason to believe that Plaintiffs' packages posed an
24 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
25 would be destroyed (after all, it was in Defendants' possession), or an articulable risk that a
26 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
27 Plaintiffs' packages.

28 Complaint and Demand for Jury Trial – Case No. _____

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174. Therefore, at every step, Defendants violated Plaintiffs’ clearly established right to be free from unreasonable seizures of their personal property.

175. Defendants are line-level postal officials operating in the common and recurrent sphere of garden-variety postal inspections and law enforcement with respect to personal property.

176. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

177. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’ packages’ intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional and mental distress to René.

178. Plaintiffs are entitled to compensatory damages for their injuries caused by Defendants’ seizures of their personal property.

Count 4
Unreasonable Searches in Violation of the Fourth Amendment
Against Defendants Does 1 through 5
Under *Bivens*

179. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

180. Plaintiffs shipped four packages of their personal property via the United States Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests in their packages until the packages were delivered to their intended recipients.

181. Defendants Does 1 through 5 seized and searched Plaintiffs’ personal property in violation of the Fourth Amendment, delaying the packages’ arrival to their intended recipients by 48 hours, during which time the recipients were in dire need of the packages. Defendants’ clearly and obviously unjustified and unreasonable seizures and searches of Plaintiffs’ packages caused the packages’ intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs.

182. Searches of personal property without reasonable suspicion, probable cause, or a

1 warrant are obviously unconstitutional.

2 183. It is clearly established and every reasonable postal official has fair warning that
3 warrantless searches of personal property are presumptively unconstitutional.

4 184. It is clearly established and every reasonable postal official has fair warning that
5 postal officials must have probable cause that a particular, articulable crime is occurring and either
6 a warrant or exigent circumstances to search personal property.

7 185. It is clearly established and every reasonable postal official has fair warning that
8 postal officials do not have probable cause in the absence of individualized circumstances
9 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
10 crime is occurring.

11 186. It is clearly established and every reasonable postal official has fair warning that to
12 forgo the warrant requirement, postal officials must have probable cause and face exigent
13 circumstances.

14 187. It is clearly established and every reasonable postal official has fair warning that
15 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate
16 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
17 articulable risk that a particular suspect will escape.

18 188. It is clearly established and every reasonable postal official has fair warning that
19 postal officials violate the Fourth Amendment by searching personal property in the absence of
20 probable cause (individualized circumstances suggesting, to a higher degree of certainty than
21 reasonable suspicion, that a particular, articulable crime is occurring) and either a warrant or an
22 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence will
23 be destroyed, or an articulable risk that a particular suspect will escape.

24 189. It is clearly established and every reasonable postal official has fair warning that
25 probable cause cannot be based on an assumed fact that purportedly formed the basis for reasonable
26 suspicion but was dispelled while conducting an investigatory seizure of personal property.

27 190. It is clearly established and every reasonable postal official has fair warning that

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1 probable cause cannot be based on characteristics that, individually and as a whole, apply to personal
2 property that has no connection to criminal activity.

3 191. It is clearly established and every reasonable postal official has fair warning that
4 probable cause to believe that drugs are present is not, in the absence of a risk of their destruction,
5 an exigent circumstance that permits forgoing the warrant requirement.

6 192. Defendants seized Plaintiffs' personal property without reasonable suspicion. The
7 characteristics they purportedly relied on to seize Plaintiffs' packages (i.e., that the packages were
8 allegedly bulging, were taped all around, were going from one purported drug activity city to
9 another, and were sent by a frequent shipper) apply, individually and as a whole, to entirely innocent
10 packages that businesses small and large—including Plaintiffs themselves—ship throughout the
11 country every single day. Every reasonable postal official should know that those characteristics do
12 not give rise to reasonable suspicion because those characteristics are not individualized
13 circumstances suggesting that a particular, articulable crime (or any crime) is occurring.

14 193. Even with the additional allegation that Plaintiffs' packages resembled some from
15 Eureka that had contained drugs, Defendants did not have reasonable suspicion to conduct an
16 investigatory seizure because (1) that additional factual assumption did not give rise to reasonable
17 suspicion and (2) even if it did, Defendants could have easily dispelled that factual assumption
18 without seizing Plaintiffs' packages simply by confirming that the packages came from Movement
19 Ink LLC in Oakland (not any suspicious sender from Eureka).

20 194. Even if the totality of circumstances did arise to reasonable suspicion (which it did
21 not) and Defendants could not dispel that suspicion before seizing Plaintiffs' packages for a brief
22 investigatory seizure, that suspicion was (or should have been) dispelled immediately by
23 Defendants' confirming that Plaintiffs' packages came from Movement Ink LLC in Oakland (not
24 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs'
25 packages immediately upon that realization, or sought a warrant in order to continue their seizure
26 of the packages or to search the packages.

27 195. But Defendants did not release Plaintiffs' packages immediately upon that

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1 realization. And they did not get a warrant (nor could they have, because these circumstances did
2 not amount to probable cause) or have any reason to believe that Plaintiffs’ packages posed an
3 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
4 would be destroyed (after all, it was in Defendants’ possession), or an articulable risk that a
5 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
6 Plaintiffs’ packages.

7 196. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
8 unreasonable searches of their personal property.

9 197. Defendants are line-level postal officials operating in the common and recurrent
10 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

11 198. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
12 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
13 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

14 199. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
15 packages’ intended recipients to sever all ongoing and future contractual and business relationships
16 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
17 and mental distress to René.

18 200. Plaintiffs are entitled to compensatory damages for their injuries caused by
19 Defendants’ searches of their personal property.

20 **Count 5**
21 **Unreasonable Searches in Violation of the Fourth Amendment**
22 **Against Defendants Does 1 through 5**
23 **Under the Westfall Act (28 U.S.C. § 2679(b)(2)(A))**

24 201. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

25 202. Plaintiffs shipped four packages of their personal property via the United States
26 Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests
27 in their packages until the packages were delivered to their intended recipients.

28 203. Defendants Does 1 through 5 seized and searched Plaintiffs’ personal property in

1 violation of the Fourth Amendment, delaying the packages’ arrival to their intended recipients by
2 48 hours, during which time the recipients were in dire need of the packages. Defendants’ clearly
3 and obviously unjustified and unreasonable seizures and searches of Plaintiffs’ packages caused the
4 packages’ intended recipients to sever all ongoing and future contractual and business relationships
5 with Plaintiffs.

6 204. Searches of personal property without reasonable suspicion, probable cause, or a
7 warrant are obviously unconstitutional.

8 205. It is clearly established and every reasonable postal official has fair warning that
9 warrantless searches of personal property are presumptively unconstitutional.

10 206. It is clearly established and every reasonable postal official has fair warning that
11 postal officials must have probable cause that a particular, articulable crime is occurring and either
12 a warrant or exigent circumstances to search personal property.

13 207. It is clearly established and every reasonable postal official has fair warning that
14 postal officials do not have probable cause in the absence of individualized circumstances
15 suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable
16 crime is occurring.

17 208. It is clearly established and every reasonable postal official has fair warning that to
18 forgo the warrant requirement, postal officials must have probable cause and face exigent
19 circumstances.

20 209. It is clearly established and every reasonable postal official has fair warning that
21 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate
22 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
23 articulable risk that a particular suspect will escape.

24 210. It is clearly established and every reasonable postal official has fair warning that
25 postal officials violate the Fourth Amendment by searching personal property in the absence of
26 probable cause (individualized circumstances suggesting, to a higher degree of certainty than
27 reasonable suspicion, that a particular, articulable crime is occurring) and either a warrant or an

1 articlable risk of immediate physical harm, an articlable risk that particular relevant evidence will
2 be destroyed, or an articlable risk that a particular suspect will escape.

3 211. It is clearly established and every reasonable postal official has fair warning that
4 probable cause cannot be based on an assumed fact that purportedly formed the basis for reasonable
5 suspicion but was dispelled while conducting an investigatory seizure of personal property.

6 212. It is clearly established and every reasonable postal official has fair warning that
7 probable cause cannot be based on characteristics that, individually and as a whole, apply to personal
8 property that has no connection to criminal activity.

9 213. It is clearly established and every reasonable postal official has fair warning that
10 probable cause to believe that drugs are present is not, in the absence of a risk of their destruction,
11 an exigent circumstance that permits forgoing the warrant requirement.

12 214. Defendants seized Plaintiffs' personal property without reasonable suspicion. The
13 characteristics they purportedly relied on to seize Plaintiffs' packages (i.e., that the packages were
14 allegedly bulging, were taped all around, were going from one purported drug activity city to
15 another, and were sent by a frequent shipper) apply, individually and as a whole, to entirely innocent
16 packages that businesses small and large—including Plaintiffs themselves—ship throughout the
17 country every single day. Every reasonable postal official should know that those characteristics do
18 not give rise to reasonable suspicion because those characteristics are not individualized
19 circumstances suggesting that a particular, articlable crime (or any crime) is occurring.

20 215. Even with the additional allegation that Plaintiffs' packages resembled some from
21 Eureka that had contained drugs, Defendants did not have reasonable suspicion to conduct an
22 investigatory seizure because (1) that additional factual assumption did not give rise to reasonable
23 suspicion and (2) even if it did, Defendants could have easily dispelled that factual assumption
24 without seizing Plaintiffs' packages simply by confirming that the packages came from Movement
25 Ink LLC in Oakland (not any suspicious sender from Eureka).

26 216. Even if the totality of circumstances did arise to reasonable suspicion (which it did
27 not) and Defendants could not dispel that suspicion before seizing Plaintiffs' packages for a brief
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1 investigatory seizure, that suspicion was (or should have been) dispelled immediately by
2 Defendants’ confirming that Plaintiffs’ packages came from Movement Ink LLC in Oakland (not
3 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs’
4 packages immediately upon that realization, or sought a warrant in order to continue their seizure
5 of the packages or to search the packages.

6 217. But Defendants did not release Plaintiffs’ packages immediately upon that
7 realization. And they did not get a warrant (nor could they have, because these circumstances did
8 not amount to probable cause) or have any reason to believe that Plaintiffs’ packages posed an
9 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
10 would be destroyed (after all, it was in Defendants’ possession), or an articulable risk that a
11 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
12 Plaintiffs’ packages.

13 218. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
14 unreasonable searches of their personal property.

15 219. Defendants are line-level postal officials operating in the common and recurrent
16 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

17 220. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
18 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
19 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

20 221. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
21 packages’ intended recipients to sever all ongoing and future contractual and business relationships
22 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
23 and mental distress to René.

24 222. Plaintiffs are entitled to compensatory damages for their injuries caused by
25 Defendants’ searches of their personal property.

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Count 6
Unreasonable Searches in Violation of the Fourth Amendment
Against Defendants Does 1 through 5
Under the Fourth Amendment

223. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

224. Plaintiffs shipped four packages of their personal property via the United States Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests in their packages until the packages were delivered to their intended recipients.

225. Defendants Does 1 through 5 seized and searched Plaintiffs' personal property in violation of the Fourth Amendment, delaying the packages' arrival to their intended recipients by 48 hours, during which time the recipients were in dire need of the packages. Defendants' clearly and obviously unjustified and unreasonable seizures and searches of Plaintiffs' packages caused the packages' intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs.

226. Searches of personal property without reasonable suspicion, probable cause, or a warrant are obviously unconstitutional.

227. It is clearly established and every reasonable postal official has fair warning that warrantless searches of personal property are presumptively unconstitutional.

228. It is clearly established and every reasonable postal official has fair warning that postal officials must have probable cause that a particular, articulable crime is occurring and either a warrant or exigent circumstances to search personal property.

229. It is clearly established and every reasonable postal official has fair warning that postal officials do not have probable cause in the absence of individualized circumstances suggesting, to a higher degree of certainty than reasonable suspicion, that a particular, articulable crime is occurring.

230. It is clearly established and every reasonable postal official has fair warning that to forgo the warrant requirement, postal officials must have probable cause and face exigent circumstances.

1 231. It is clearly established and every reasonable postal official has fair warning that
2 postal officials do not face exigent circumstances in the absence of an articulable risk of immediate
3 physical harm, an articulable risk that particular relevant evidence will be destroyed, or an
4 articulable risk that a particular suspect will escape.

5 232. It is clearly established and every reasonable postal official has fair warning that
6 postal officials violate the Fourth Amendment by searching personal property in the absence of
7 probable cause (individualized circumstances suggesting, to a higher degree of certainty than
8 reasonable suspicion, that a particular, articulable crime is occurring) and either a warrant or an
9 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence will
10 be destroyed, or an articulable risk that a particular suspect will escape.

11 233. It is clearly established and every reasonable postal official has fair warning that
12 probable cause cannot be based on an assumed fact that purportedly formed the basis for reasonable
13 suspicion but was dispelled while conducting an investigatory seizure of personal property.

14 234. It is clearly established and every reasonable postal official has fair warning that
15 probable cause cannot be based on characteristics that, individually and as a whole, apply to personal
16 property that has no connection to criminal activity.

17 235. It is clearly established and every reasonable postal official has fair warning that
18 probable cause to believe that drugs are present is not, in the absence of a risk of their destruction,
19 an exigent circumstance that permits forgoing the warrant requirement.

20 236. Defendants seized Plaintiffs' personal property without reasonable suspicion. The
21 characteristics they purportedly relied on to seize Plaintiffs' packages (i.e., that the packages were
22 allegedly bulging, were taped all around, were going from one purported drug activity city to
23 another, and were sent by a frequent shipper) apply, individually and as a whole, to entirely innocent
24 packages that businesses small and large—including Plaintiffs themselves—ship throughout the
25 country every single day. Every reasonable postal official should know that those characteristics do
26 not give rise to reasonable suspicion because those characteristics are not individualized
27 circumstances suggesting that a particular, articulable crime (or any crime) is occurring.

1 237. Even with the additional allegation that Plaintiffs’ packages resembled some from
2 Eureka that had contained drugs, Defendants did not have reasonable suspicion to conduct an
3 investigatory seizure because (1) that additional factual assumption did not give rise to reasonable
4 suspicion and (2) even if it did, Defendants could have easily dispelled that factual assumption
5 without seizing Plaintiffs’ packages simply by confirming that the packages came from Movement
6 Ink LLC in Oakland (not any suspicious sender from Eureka).

7 238. Even if the totality of circumstances did arise to reasonable suspicion (which it did
8 not) and Defendants could not dispel that suspicion before seizing Plaintiffs’ packages for a brief
9 investigatory seizure, that suspicion was (or should have been) dispelled immediately by
10 Defendants’ confirming that Plaintiffs’ packages came from Movement Ink LLC in Oakland (not
11 any suspicious sender from Eureka). Therefore, Defendants should have released Plaintiffs’
12 packages immediately upon that realization, or sought a warrant in order to continue their seizure
13 of the packages or to search the packages.

14 239. But Defendants did not release Plaintiffs’ packages immediately upon that
15 realization. And they did not get a warrant (nor could they have, because these circumstances did
16 not amount to probable cause) or have any reason to believe that Plaintiffs’ packages posed an
17 articulable risk of immediate physical harm, an articulable risk that particular relevant evidence
18 would be destroyed (after all, it was in Defendants’ possession), or an articulable risk that a
19 particular suspect would escape. Nevertheless, Defendants continued to seize and even search
20 Plaintiffs’ packages.

21 240. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
22 unreasonable searches of their personal property.

23 241. Defendants are line-level postal officials operating in the common and recurrent
24 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

25 242. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
26 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
27 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

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243. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’ packages’ intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional and mental distress to René.

244. Plaintiffs are entitled to compensatory damages for their injuries caused by Defendants’ searches of their personal property.

Count 7
Retaliation in Violation of the First Amendment
Against Defendants Does 1 through 5
Under *Bivens*

245. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

246. Plaintiffs shipped four packages of their personal property via the United States Postal Service. Those packages consisted of Covid-protective masks bearing core political speech, including phrases such as “STOP KILLING BLACK PEOPLE” and “DEFUND POLICE.”

247. Retaliation for protected speech is an obvious violation of the First Amendment.

248. It is clearly established and every reasonable postal official has fair warning that seizing, searching, detaining, or delaying personal property or interfering with contractual or business relationships or operations because of the property’s or its owner’s speech, message, content, viewpoint, association, or affiliation is a violation of the First Amendment.

249. It is clearly established and every reasonable postal official has fair warning that protected speech, adverse government action that might chill an ordinary person from continuing to engage in that speech, and a causal relationship between the two constitute retaliation in violation of the First Amendment, and that a government actor’s knowledge of the speech and the temporal proximity of the speech and the adverse government action raise an inference of retaliation.

250. Plaintiffs’ packages were going to community activists and organizers in four major cities where large racial justice demonstrations were happening every day.

251. René is a known community activist and organizer with a community and social media presence promoting racial and social justice messages.

1 252. Movement Ink is a screen printing business; its commercial activity is expressive in
2 nature. And it is known for its community and social media presence promoting racial and social
3 justice messages.

4 253. Plaintiffs' business is more than just a business; it is also an outlet for expressing and
5 helping others express core political speech and activism. Plaintiffs have always publicly cultivated
6 and publicly promoted that expressive and activist identity as core to their business model.

7 254. Plaintiffs are well-known to the postal officials at their local post office, from which
8 Plaintiffs have regularly shipped Movement Ink packages for years.

9 255. When national protests erupted in May 2020 following the police killings of George
10 Floyd and Breonna Taylor, Plaintiffs began receiving a much higher volume of orders than usual.
11 Activists and organizers around the country came to Plaintiffs seeking thousands of Covid-
12 protective masks for protests that were happening all over the country every day.

13 256. Those protests were controversial. In particular, governmental attitudes and
14 responses to the protestors' messages—including "Black Lives Matter" and "Defund the Police"—
15 were highly critical and often violent.

16 257. So while Plaintiffs have for years worked with and been connected to social and
17 racial justice movements, this was the first time they were connected to such high profile, highly
18 publicized, and highly visible protests, organizers, and apparel, and the first time they were shipping
19 such rapid quantities of apparel in such rapid time.

20 258. Covid-protective masks, which all four of Plaintiffs' seized and searched packages
21 contained, were also controversial and subject to governmental and societal disdain.

22 259. Plaintiffs' packages were clearly identified as having been shipped from Movement
23 Ink in Oakland to major cities across the country.

24 260. Defendants' own internal notes clearly state Defendants' knowledge that Plaintiffs'
25 packages contained, in Defendants' words, "BLM MASKS."

26 261. Within days of Plaintiffs' apparent association with and support for the protests in
27 the form of politically emblazoned Covid-protective masks, Defendants seized, searched, detained,

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1 and delayed the shipment of Plaintiffs’ packages, interfering with Plaintiffs’ contractual and
2 business relationships and operations, as well as Plaintiffs’ political speech.

3 262. Plaintiffs’ public association with and support for the protests, their marking of their
4 politically emblazoned Covid-protective masks with Movement Ink identifiers, Defendants’ own
5 “BLM MASKS” notation in their internal notes, and the immediacy of Defendants’ adverse action
6 against Plaintiffs raise an inference of retaliation.

7 263. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
8 retaliation for protected political speech.

9 264. Defendants are line-level postal officials operating in the common and recurrent
10 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

11 265. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
12 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
13 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

14 266. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
15 packages’ intended recipients to sever all ongoing and future contractual and business relationships
16 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
17 and mental distress to René.

18 267. Plaintiffs are entitled to compensatory damages for their injuries caused by
19 Defendants’ retaliatory conduct.

20 **Count 8**
21 **Retaliation in Violation of the First Amendment**
22 **Against Defendants Does 1 through 5**
23 **Under the Westfall Act (28 U.S.C. § 2679(b)(2)(A))**

24 268. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

25 269. Plaintiffs shipped four packages of their personal property via the United States
26 Postal Service. Those packages consisted of Covid-protective masks bearing core political speech,
27 including phrases such as “STOP KILLING BLACK PEOPLE” and “DEFUND POLICE.”

28 270. Retaliation for protected speech is an obvious violation of the First Amendment.

1 271. It is clearly established and every reasonable postal official has fair warning that
2 seizing, searching, detaining, or delaying personal property or interfering with contractual or
3 business relationships or operations because of the property’s or its owner’s speech, message,
4 content, viewpoint, association, or affiliation is a violation of the First Amendment.

5 272. It is clearly established and every reasonable postal official has fair warning that
6 protected speech, adverse government action that might chill an ordinary person from continuing to
7 engage in that speech, and a causal relationship between the two constitute retaliation in violation
8 of the First Amendment, and that a government actor’s knowledge of the speech and the temporal
9 proximity of the speech and the adverse government action raise an inference of retaliation.

10 273. Plaintiffs’ packages were going to community activists and organizers in four major
11 cities where large racial justice demonstrations were happening every day.

12 274. René is a known community activist and organizer with a community and social
13 media presence promoting racial and social justice messages.

14 275. Movement Ink is a screen printing business; its commercial activity is expressive in
15 nature. And it is known for its community and social media presence promoting racial and social
16 justice messages.

17 276. Plaintiffs’ business is more than just a business; it is also an outlet for expressing and
18 helping others express core political speech and activism. Plaintiffs have always publicly cultivated
19 and publicly promoted that expressive and activist identity as core to their business model.

20 277. Plaintiffs are well-known to the postal officials at their local post office, from which
21 Plaintiffs have regularly shipped Movement Ink packages for years.

22 278. When national protests erupted in May 2020 following the police killings of George
23 Floyd and Breonna Taylor, Plaintiffs began receiving a much higher volume of orders than usual.
24 Activists and organizers around the country came to Plaintiffs seeking thousands of Covid-
25 protective masks for protests that were happening all over the country every day.

26 279. Those protests were controversial. In particular, governmental attitudes and
27 responses to the protestors’ messages—including “Black Lives Matter” and “Defund the Police”—

1 were highly critical and often violent.

2 280. So while Plaintiffs have for years worked with and been connected to social and
3 racial justice movements, this was the first time they were connected to such high profile, highly
4 publicized, and highly visible protests, organizers, and apparel, and the first time they were shipping
5 such rapid quantities of apparel in such rapid time.

6 281. Covid-protective masks, which all four of Plaintiffs’ seized and searched packages
7 contained, were also controversial and subject to governmental and societal disdain.

8 282. Plaintiffs’ packages were clearly identified as having been shipped from Movement
9 Ink in Oakland to major cities across the country.

10 283. Defendants’ own internal notes clearly state Defendants’ knowledge that Plaintiffs’
11 packages contained, in Defendants’ words, “BLM MASKS.”

12 284. Within days of Plaintiffs’ apparent association with and support for the protests in
13 the form of politically emblazoned Covid-protective masks, Defendants seized, searched, detained,
14 and delayed the shipment of Plaintiffs’ packages, interfering with Plaintiffs’ contractual and
15 business relationships and operations, as well as Plaintiffs’ political speech.

16 285. Plaintiffs’ public association with and support for the protests, their marking of their
17 politically emblazoned Covid-protective masks with Movement Ink identifiers, Defendants’ own
18 “BLM MASKS” notation in their internal notes, and the immediacy of Defendants’ adverse action
19 against Plaintiffs raise an inference of retaliation.

20 286. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
21 retaliation for protected political speech.

22 287. Defendants are line-level postal officials operating in the common and recurrent
23 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

24 288. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
25 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
26 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

27 289. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’

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1 packages’ intended recipients to sever all ongoing and future contractual and business relationships
2 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
3 and mental distress to René.

4 290. Plaintiffs are entitled to compensatory damages for their injuries caused by
5 Defendants’ retaliatory conduct.

6 **Count 9**
7 **Retaliation in Violation of the First Amendment**
8 **Against Defendants Does 1 through 5**
9 **Under the First Amendment**

10 291. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

11 292. Plaintiffs shipped four packages of their personal property via the United States
12 Postal Service. Those packages consisted of Covid-protective masks bearing core political speech,
13 including phrases such as “STOP KILLING BLACK PEOPLE” and “DEFUND POLICE.”

14 293. Retaliation for protected speech is an obvious violation of the First Amendment.

15 294. It is clearly established and every reasonable postal official has fair warning that
16 seizing, searching, detaining, or delaying personal property or interfering with contractual or
17 business relationships or operations because of the property’s or its owner’s speech, message,
18 content, viewpoint, association, or affiliation is a violation of the First Amendment.

19 295. It is clearly established and every reasonable postal official has fair warning that
20 protected speech, adverse government action that might chill an ordinary person from continuing to
21 engage in that speech, and a causal relationship between the two constitute retaliation in violation
22 of the First Amendment, and that a government actor’s knowledge of the speech and the temporal
23 proximity of the speech and the adverse government action raise an inference of retaliation.

24 296. Plaintiffs’ packages were going to community activists and organizers in four major
25 cities where large racial justice demonstrations were happening every day.

26 297. René is a known community activist and organizer with a community and social
27 media presence promoting racial and social justice messages.

28 298. Movement Ink is a screen printing business; its commercial activity is expressive in

1 nature. And it is known for its community and social media presence promoting racial and social
2 justice messages.

3 299. Plaintiffs’ business is more than just a business; it is also an outlet for expressing and
4 helping others express core political speech and activism. Plaintiffs have always publicly cultivated
5 and publicly promoted that expressive and activist identity as core to their business model.

6 300. Plaintiffs are well-known to the postal officials at their local post office, from which
7 Plaintiffs have regularly shipped Movement Ink packages for years.

8 301. When national protests erupted in May 2020 following the police killings of George
9 Floyd and Breonna Taylor, Plaintiffs began receiving a much higher volume of orders than usual.
10 Activists and organizers around the country came to Plaintiffs seeking thousands of Covid-
11 protective masks for protests that were happening all over the country every day.

12 302. Those protests were controversial. In particular, governmental attitudes and
13 responses to the protestors’ messages—including “Black Lives Matter” and “Defund the Police”—
14 were highly critical and often violent.

15 303. So while Plaintiffs have for years worked with and been connected to social and
16 racial justice movements, this was the first time they were connected to such high profile, highly
17 publicized, and highly visible protests, organizers, and apparel, and the first time they were shipping
18 such rapid quantities of apparel in such rapid time.

19 304. Covid-protective masks, which all four of Plaintiffs’ seized and searched packages
20 contained, were also controversial and subject to governmental and societal disdain.

21 305. Plaintiffs’ packages were clearly identified as having been shipped from Movement
22 Ink in Oakland to major cities across the country.

23 306. Defendants’ own internal notes clearly state Defendants’ knowledge that Plaintiffs’
24 packages contained, in Defendants’ words, “BLM MASKS.”

25 307. Within days of Plaintiffs’ apparent association with and support for the protests in
26 the form of politically emblazoned Covid-protective masks, Defendants seized, searched, detained,
27 and delayed the shipment of Plaintiffs’ packages, interfering with Plaintiffs’ contractual and

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1 business relationships and operations, as well as Plaintiffs’ political speech.

2 308. Plaintiffs’ public association with and support for the protests, their marking of their
3 politically emblazoned Covid-protective masks with Movement Ink identifiers, Defendants’ own
4 “BLM MASKS” notation in their internal notes, and the immediacy of Defendants’ adverse action
5 against Plaintiffs raise an inference of retaliation.

6 309. Therefore, Defendants violated Plaintiffs’ clearly established right to be free from
7 retaliation for protected political speech.

8 310. Defendants are line-level postal officials operating in the common and recurrent
9 sphere of garden-variety postal inspections and law enforcement with respect to personal property.

10 311. Plaintiffs have no alternative remedies for their injuries caused by Defendants, and
11 Plaintiffs’ claims do not implicate separation of powers, national security considerations, or any
12 other special factors counseling hesitation against a damages remedy for Plaintiffs’ injuries.

13 312. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
14 packages’ intended recipients to sever all ongoing and future contractual and business relationships
15 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
16 and mental distress to René.

17 313. Plaintiffs are entitled to compensatory damages for their injuries caused by
18 Defendants’ retaliatory conduct.

19 **Count 10**
20 **Trespass to Chattels**
21 **Against Defendants Does 1 through 5**
22 **Under California Law**

23 314. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

24 315. Plaintiffs shipped four packages of their personal property via the United States
25 Postal Service. Plaintiffs retained ownership rights and interests and possessory rights and interests
26 in their packages until the packages were delivered to their intended recipients.

27 316. Without consent, cause, or legal authority, Defendants intentionally interfered with
28 Plaintiffs’ possession, right to possess, use, right to use, enjoyment, and right to enjoy their personal

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property by seizing, detaining, and searching Plaintiffs’ personal property.

317. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’ packages’ intended recipients to sever all ongoing and future contractual and business relationships with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional and mental distress to René.

318. Plaintiffs are entitled to compensatory damages for their injuries caused by Defendants’ conduct.

319. Plaintiffs recognize that this claim is currently barred by the Westfall Act (28 U.S.C. § 2679(b)(1)), but Plaintiffs preserve the issue.

Count 11
Interference with Contractual Relations
Against Defendants Does 1 through 5
Under California Law

320. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

321. Plaintiffs had contracts with protest organizers for the rush printing and immediate delivery of four packages containing Covid-protective masks emblazoned with political speech.

322. Defendants knew, should have known, or had reason to know of those contracts, based on Plaintiffs’ regular business activities and the packages’ shipping information (including the sender and recipients) that Plaintiffs provided to Defendants.

323. Defendants’ intentional seizures, detentions, and searches of the packages, as well as Defendants’ “Alert” to the recipients of the packages that the packages were “seized by law enforcement,” prevented Plaintiffs’ performance of the contracts or made Plaintiffs’ performance of the contracts more expensive or difficult.

324. Defendants’ intentional seizures, detentions, and searches of the packages, as well as Defendants’ “Alert” to the recipients of the packages that the packages were “seized by law enforcement,” were certain or substantially certain to prevent Plaintiffs’ performance of the contracts or make Plaintiffs’ performance of the contracts more expensive or difficult.

325. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’

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1 packages’ intended recipients to sever all ongoing and future contractual and business relationships
2 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
3 and mental distress to René.

4 326. Plaintiffs are entitled to compensatory damages for their injuries caused by
5 Defendants’ conduct.

6 327. Plaintiffs recognize that this claim is currently barred by the Westfall Act (28 U.S.C.
7 § 2679(b)(1)), but Plaintiffs preserve the issue.

8 **Count 12**
9 **Interference with Prospective Economic Relations**
10 **Against Defendants Does 1 through 5**
11 **Under California Law**

12 328. Plaintiffs reallege and incorporate the allegations in paragraphs 1 through 100.

13 329. Plaintiffs had contracts and other economic relationships with protest organizers for
14 the rush printing and immediate delivery of four packages containing Covid-protective masks
15 emblazoned with political speech and for similar ongoing and regular orders in the future.

16 330. Defendants knew, should have known, or had reason to know of those contracts or
17 those future economic benefits, based on Plaintiffs’ regular business activities, the packages’
18 shipping information (including the sender and recipients) that Plaintiffs provided to Defendants,
19 and the ongoing nature of the need for Covid-protective masks and political protests.

20 331. Defendants’ intentionally seized, detained, and searched the packages and issued an
21 “Alert” to the recipients of the packages that the packages were “seized by law enforcement.”

22 332. Defendants’ intentional seizures, detentions, and searches of the packages, as well as
23 Defendants’ “Alert” to the recipients of the packages that the packages were “seized by law
24 enforcement,” were certain or substantially certain to prevent Plaintiffs’ performance of the
25 contracts or make Plaintiffs’ performance of the contracts more expensive or difficult and to disrupt
26 similar ongoing and regular orders in the future.

27 333. Defendants’ conduct caused: severe reputational harms to Plaintiffs; Plaintiffs’
28 packages’ intended recipients to sever all ongoing and future contractual and business relationships

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1 with Plaintiffs; significant loss of Plaintiffs’ ongoing and future revenue; and ongoing emotional
2 and mental distress to René.

3 334. Plaintiffs are entitled to compensatory damages for their injuries caused by
4 Defendants’ conduct.

5 335. Plaintiffs recognize that this claim is currently barred by the Westfall Act (28 U.S.C.
6 § 2679(b)(1)), but Plaintiffs preserve the issue.

7 **PRAYER FOR RELIEF**

8 Plaintiffs respectfully request that this Court:

9 336. Declare that Defendants Does 1 through 5 are liable in damages under the
10 Constitution, *Bivens*, and the Westfall Act (28 U.S.C. § 2679(b)(2)(A)) for violating Plaintiffs’
11 Fourth Amendment right to be free from unreasonable seizures of personal property.

12 337. Declare that Defendants Does 1 through 5 are liable in damages under the
13 Constitution, *Bivens*, and the Westfall Act (28 U.S.C. § 2679(b)(2)(A)) for violating Plaintiffs’
14 Fourth Amendment right to be free from unreasonable searches of personal property.

15 338. Declare that Defendants Does 1 through 5 are liable in damages under the
16 Constitution, *Bivens*, and the Westfall Act (28 U.S.C. § 2679(b)(2)(A)) for violating Plaintiffs’ First
17 Amendment right to be free from retaliation for political speech.

18 339. Declare that Defendants Does 1 through 5 are liable in damages under California law
19 for trespasses to Plaintiffs’ chattels. (Plaintiffs recognize that this relief is currently barred by the
20 Westfall Act (28 U.S.C. § 2679(b)(1)), but Plaintiffs preserve the issue.)

21 340. Declare that Defendants Does 1 through 5 are liable in damages under California law
22 for interference with Plaintiffs’ contractual relations. (Plaintiffs recognize that this relief is currently
23 barred by the Westfall Act (28 U.S.C. § 2679(b)(1)), but Plaintiffs preserve the issue.)

24 341. Declare that Defendants Does 1 through 5 are liable in damages under California law
25 for interference with Plaintiffs’ prospective economic relations. (Plaintiffs recognize that this relief
26 is currently barred by the Westfall Act (28 U.S.C. § 2679(b)(1)), but Plaintiffs preserve the issue.)

27 342. Award Plaintiffs’ compensatory damages for Defendants’ unconstitutional and

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tortious conduct, in amounts to be proven at trial.

343. Award Plaintiffs’ attorneys’ fees, costs, and expenses under 28 U.S.C. § 2412 and any other applicable provisions of law or equity.

344. Award any further legal or equitable relief the Court deems just and proper.

DEMAND FOR JURY TRIAL

Pursuant to Federal Rule of Civil Procedure 38 and Civil Local Rule 3-6, Plaintiffs demand a jury trial on all issues so triable.

Dated: June 1, 2022

s/ Jaba Tsitsuashvili
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*Applications for admission
pro hac vice forthcoming

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