

CIVIL COVER SHEET

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

I. (a) PLAINTIFFS

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

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

DEFENDANTS

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

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

Attorneys (If Known)

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

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

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

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

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

Click here for: Nature of Suit Code Descriptions.

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

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

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

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

Brief description of cause:

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY

(See instructions):

JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

CERTIFICATION OF ARBITRATION ELIGIBILITY

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

I, _____, counsel for _____, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

monetary damages sought are in excess of \$150,000, exclusive of interest and costs,

the complaint seeks injunctive relief,

the matter is otherwise ineligible for the following reason

DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

RELATED CASE STATEMENT (Section VIII on the Front of this Form)

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that " A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County: _____
- 2.) If you answered "no" above:
 - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? _____
 - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? _____

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? _____

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

BAR ADMISSION

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

Yes No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

Yes (If yes, please explain) No

I certify the accuracy of all information provided above.

Signature: _____

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X
CURTIS EDWARDS and VICTORIA EDWARDS,

Plaintiffs,
-against-

Docket No:
VERIFIED COMPLAINT AND
DEMAND FOR JURY TRIAL

Foxwoods Resort Casino; Mashantucket
Pequot Tribal Nation; Mashantucket Pequot
Tribal Police Department; JOHN DOE ,
being the Security Agent employed by Foxwoods
Resort Casino and the individual who detained
Plaintiff Curtis Edwards and Police Officers John Does
1-10 and Jane Does 1-10. Mashantucket Pequot Tribal
Police Department, being the individuals who detained
and arrested Plaintiff Curtis Edwards,
Defendants

-----X

PLAINTIFFS CURTIS EDWARDS and VICTORIA EDWARDS , by and through
their attorney ,Harriet A. Gilliam, hereby submit this Complaint and state and allege as follows:

PRELIMINARY STATEMENT

1. This is a civil action brought by Plaintiffs, to recover damages where Plaintiffs
suffered emotional injuries and damage to their good name and reputation, after Defendants,
and their agents and employees knowingly accused Plaintiff CURTIS EDWARDS, of a crime
that he had not committed and unlawfully discriminated against Plaintiff CURTIS EDWARDS
on the basis of his race and color of his skin. Plaintiff CURTIS EDWARDS was wrongfully
accused, searched, detained and arrested,

2. Plaintiffs CURTIS EDWARDS and VICTORIA EDWARDS were unlawfully
detained and placed in fear of their safety by Defendants Security agent and Police Officers.

3. Defendants' liability is joint and several for Plaintiffs' serious injuries caused by

Defendants' reckless disregard for Plaintiffs' safety, health and welfare and by reckless disregard of Plaintiffs; federal rights to be free from discriminatory treatment.

4. Plaintiffs now seek relief in the form of compensatory damages for pain and suffering, hurt and humiliation and diminution of quality of life. Plaintiff further seeks punitive damages against Defendants and such other and further relief to which the Plaintiffs may be entitled.

JURISDICTION AND VENUE

5. The jurisdiction of this Court is predicated upon 28 U.S.C. Sections 1331, 1332, 1343 to redress the unlawful deprivation of Plaintiffs' rights guaranteed and protected by federal law. venue is proper in the United States District Court for the Eastern District of New York. pursuant to 28 U.S.C. Section 1391, wherein Plaintiffs reside.

PARTIES

6. Plaintiff CURTIS EDWARDS is a black male residing in Mastic, County of Suffolk and the State of New York.

7. Plaintiff VICTORIA EDWARDS is a black female residing in Mastic, County of Suffolk, the State of New York and is the wife of Plaintiff, Curtis Edwards..

8 Defendant Foxwoods Casino is located in the State of Connecticut and is owned and operated by Defendant Mashantucket Pequot Tribal Nation which conducts business within the District of this Honorable Court..

9. Defendant John Doe Security Agent is a fictitious name for the security agent who arrested and detained Plaintiff, CURTIS EDWARDS and was employed by or an agent of Defendants Foxwoods Casino, and Defendant tribal council.

10.. Defendant Mashantucket Pequot Tribal Nation exists under and by virtue of the laws of the United States, and conducts business within the District of this Honorable Court.

11. Defendant Mashantucket Police Department is a municipal police department .

12. Defendants John Does 1-10 and Jane Does 1-10 are the fictitious names of the police officers on the Mashantucket Police Department who unlawfully searched., detained and arrested Plaintiff CURTIS EDWARDS.

FACTUAL ALLEGATIONS

13.. On October 6, 2016 plaintiffs CURTIS EDWARDS and VICTORIA EDWARDS were patrons of the defendant casino and were invitees of the casino and the hotel.

14. Plaintiff CURTIS EDWARDS was accosted by Defendant John Doe, security agent at the Defendant Casino, and an agent and employee of said casino, and was told that he was under arrest and that he and his wife, Victoria, had to come with him inside the casino where Plaintiffs were detained against their will and were made to believe that they could not leave the area.

15. Defendant Security Agent advised Plaintiff CURTIS EDWARDS that he was being arrested for credit card fraud at the Mohegan Casino and further advised him that the police had been called and were on their way.

16. Defendant Security Agent illegally and unreasonably searched and handcuffed Plaintiff CURTIS EDWARDS, and continued to detain him against his will, accusing him of credit card fraud at the neighboring Mohegan Casino.

17. While in the custody of Defendant Security Agent, Plaintiff CURTIS EDWARDS remained handcuffed and was not permitted to sit down, but remained handcuffed in open view

of Casino patrons and staff, some of whom knew him,, causing Plaintiff CURTIS EDWARDS great discomfort, embarrassment and humiliation.

18. Upon information and belief, upon the arrival of the Defendant police officers, Plaintiff CURTIS EDWARDS was again advised of his arrest, remained handcuffed and was treated in such a hostile manner as to cause him to fear for his life and safety. Plaintiff CURTIS EDWARDS was not advised of his Miranda rights.

19. Upon information and belief the Defendant police officers also detained Plaintiff VICTORIA EDWARDS, causing her to be in fear for her safety and wellbeing.

20/. Plaintiffs were never read their Miranda rights.

21. Notwithstanding Plaintiffs' protestations that they had done nothing wrong, Defendant police officers ignored them , while at the same time they had exonerating evidence in the form of a photo of the actual suspect who did not match the physical appearance and clothing of Plaintiff CURTIS EDWARDS . Defendant officers continued to proceed with transporting Plaintiff CURTIS EDWARDS to police headquarters, telling him that he was under arrest and that he was going with them and was going to jail..

22. Plaintiff VICTORIA EDWARDS insisted that the security agent and police officers look at the photo of the suspect which they had in their possession the entire time that Plaintiff CURTIS EDWARDS was detained and placed under arrest, but they refused, acting in such a manner as to case Plaintiff VICTORIA EDWARDS to be placed in fear of her life and safety. after Plaintiff VICTORIA EDWARDS' persistence, one of the police officers finally took a look at the photo of the suspect which Plaintiff VICTORIA EDWARDS had said did not match the appearance nor the clothing of her husband, and Plaintiff CURTIS EDWARDS was finally released from custody.

23. Upon being released from custody and detainment, Plaintiff CURTIS EDWARDS proceeded to his hotel room in which he and his wife were registered and while inside the room, the door was opened by an unidentified hotel staff person, who was not dressed as housekeeping staff. When the person realized that Plaintiff CURTIS EDWARDS was in his room, they abruptly left, without saying anything.

24. The actions of the hotel staff in entering Plaintiffs' room without permission, caused the Plaintiffs to be placed in such fear that they could not stay in their room that evening as planned, but instead stayed in the lobby until they were able to drive back home the next morning.

25. Upon arriving back home, Plaintiffs received an e-mail from the head of security at Foxwoods, apologizing for what Plaintiffs had experienced, thereby acknowledging the unlawful acts of the security agent and the police officers.

FIRST CAUSE OF ACTION FOR ASSAULT AND BATTERY

26. Plaintiff repeats, reiterates and realleges each and every prior allegation contained in paragraphs "1" through "25" with the same force and effect as if more fully set forth in length.

27. Upon information and belief, Defendant John Doe Security Agent, was an employee of Defendant Foxwoods Casino and at all times referenced herein, was acting in the scope of his employment.

28. On or about October 6, 2016, Plaintiffs were lawfully and properly in the defendant casino for the purpose of engaging in gaming activities.

29. Subsequently, while lawfully on the premises of the Foxwoods Casino, Plaintiff CURTIS EDWARDS was willfully, wantonly, maliciously and recklessly assaulted and battered by defendant security agent, who physically grabbed Plaintiff and detained Plaintiff in an

area outside of the security office of the defendant Casino.

30. As a result of defendants' unlawful contact with Plaintiff CURTISS EDWARDS, he suffered hurt, humiliation and anxiety.

SECOND CAUSE OF ACTION FOR DETAINMENT
FALSE ARREST AND FALSE IMPRISONMENT

31. Plaintiff repeats, reiterates and realleges each and every prior allegation contained in Paragraphs "1" through "30" with the same force and effect as if more fully set forth in length.

32. Upon information and belief, the Defendant Casino and tribal council employed, maintained and controlled the security agent Defendant John Doe.

33. That on or about October 6, 2016, Plaintiff CURTIS EDWARDS was detained, arrested and falsely imprisoned pursuant to the false and negligent beliefs of the security agent Defendant John Doe, who acted under the supervision and authority of defendant Foxwoods and the Tribal Council.

34. Plaintiff CURTIS EDWARDS and his wife VICTORIA EDWARDS, were detained for an unreasonable and excessive duration of time without just cause in violation of the Fourth Amendment.

35. Plaintiffs were arrested without authority of laws, in violation of the Fourth Amendment.

36. Plaintiffs were held in custody and were not free to leave, in violation of their Fourth Amendment rights.

37. As a result of the unlawful detainment and arrest, Plaintiffs suffered great mental distress, hurt, humiliation, fear for their safety and damage to their good name and reputation.

AS AND FOR A THIRD CAUSE OF ACTION FOR
UNLAWFUL DETENTION

38. Plaintiffs repeat, reiterate and reallege each and every prior allegation contained in paragraphs “1” through “37” with the same force and effect as if set forth herein at length.

39. Upon information and belief, at all times hereinafter mentioned, on October 6, 2016, the security agent, Defendant John Doe, under the authority of defendants Casino and Tribal Council, unlawfully detained plaintiffs without cause.

40. Upon information and belief, the security officer contacted the defendant John Does and Jane Does police offices without probable cause and under force of threats and duress prevented Plaintiffs from leaving the area where they were being detained against their will.

41. Upon the arrival of defendant police officers, Plaintiff CURTIS EDWARDS was further threatened and detained and arrested and prevented from leaving the premises of the casino., without probable cause, as the police officers had exonerating evidence establishing that Plaintiff CURTIS EDWARDS was not the individual they were seeking, but failed to consider said information before placing Plaintiff, CURTIS EDWARDS, under arrest.

42. As a result of the unlawful actions of the defendant security agent and police officers in violation of Plaintiffs’ rights under the Fourth Amendment, Plaintiffs suffered, hurt, humiliation, anxiety, fear for their safety and damage to their character and good name.

AS AND FOR A FOURTH CAUSE OF ACTION FOR FALSE ARREST

43. Plaintiffs repeat, reiterate and reallege each and every prior allegation contained in Paragraphs “1” through “40 “ with the same force and effect as if set forth herein at length.

44. Defendant police officers, were at all times employees or agents of the defendant Police department and were operating under the direction, supervision and control of the

the defendant police department.

45. Upon information and belief defendant police officers John Does and Jane Does, falsely detained, searched and arrested Plaintiff CURTIS EDWARDS, without probable cause .

46. Upon information and belief, the police officers had information readily available to them in the form of a surveillance tape which clearly showed that Plaintiff CURTIS EDWARDS did not match the suspect in appearance or clothing.

47. As a result of defendant officers' unlawful conduct, in violation of the Fourth Amendment, Plaintiffs suffered hurt, humiliation, fear for their safety, anxiety, damage to their good name and reputation.

AS AND FOR A FIFTH CAUSE OF ACTION
FOR NEGLIGENT HIRING

48. Plaintiffs repeat, reiterate and reallege each and every prior allegation contained in Paragraphs "1" through "47" with the same force and effect as set forth herein at length.

49. Upon information and belief defendant Casino and Tribal Council employed, maintained and controlled the defendant security guard and negligently failed to supervise and train said security guard.

50. . Upon information and belief, defendant police department employed, maintained and controlled the defendant police officers and negligently failed to supervise and train them.

51. As a result of the negligent acts of the defendants, Plaintiffs were subjected to an unlawful detainment, search and arrest causing severe emotion injury and damage to good name and reputation.

AS AND FOR A SIXTH CAUSE OF ACTION
DISCRIMINATION BASED UPON SKIN COLOR

52. Plaintiffs repeat, reiterate and reallege each and every prior allegation contained in paragraphs “1” through “51” with the same force and effect as if set forth herein at length.

53. The defendants in their detainment, search, arrest of Plaintiff CURTIS EDWARDS in their individual capacities were motivated by Plaintiff CURTIS EDWARDS’ skin color

54. As a proximate result of defendants’ discriminatory and unlawful actions, Plaintiffs suffered emotional stress, hurt, humiliation, fear for their safety and damage to their good name and reputation .

AS AND FOR A SEVENTH CAUSE OF ACTION
TRESPASS

55. Plaintiffs repeat, reiterate and reallege each and every prior allegation contained in paragraphs “1” through “55” with the same force and effect as if set forth herein at length.

56. On October 6, 2016, employees of defendant casino, enter Plaintiffs’ hotel room without permission and for no legitimate purpose or reason.

57. Defendant Casino’s agents/ actions caused Plaintiffs great fear and anxiety.

DAMAGES

WHEREFORE Plaintiffs pray for compensatory damages against the defendants jointly and severally in the amount of Ten Million Dollars, punitive damages where appropriate, plus the costs of this action, attorney's fees and any other such relief as the court deems just and equitable.

Dated: Riverhead, New York
October 5, 2017

/s/

HARRIET A. GILLIAM
Attorney for Plaintiffs
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Riverhead, NY 11901
631-369-1400

