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**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

JAMES M. Atkinson, pro se

Plaintiff,

v.

TOWN OF ROCKPORT;
COMMONWEALTH OF
MASSACHUSETTS; SALEM STATE
COLLEGE; NORTH SHORE
COMMUNITY COLLEGE;
MONTERRAT COLLEGE OF ART;
LYONS AMBULANCE, LLC,
RESEARCH ELECTRONICS, LLC;
BEVERLY HOSPITAL; ADDISON
GILBERT HOSPITAL; ESSEX
COUNTY SHERIFFS DEPARTMENT;
A AND L ENTERPRISES; CAPE ANN
CHAMBER OF COMMERCE; MARY
ELIZABETH HEFFERNAN in her
official capacity and individually as
Secretary of Public Safety and
Executive Office of Public Safety and
Security; MARK DELANEY in his
official capacity and individually as
Colonel of the State Police; JAMES F.
SLATER in his official capacity and
individually as Criminal History
Systems Board (CHSB), renamed the
Department of Criminal Justice
Information Services (DCJIS);
PATROLMAN JAMES HURST in his
official capacity and individually as an
Police Officer for Town of Rockport;

11-CV-11073-NMG

2nd AMENDED COMPLAINT

DEMAND FOR JURY TRIAL

42 U.S.C. §§ 1983, 1985, 1988,
1981a

U.S. Constitution, Article Four,
Section 2

FIRST AMENDMENT

SECOND AMENDMENT

FOURTH AMENDMENT

FIFTH AMENDMENT

SIXTH AMENDMENT

EIGHTH AMENDMENT

NINTH AMENDMENT

FOURTEENTH AMENDMENT

MASSACHUSETTS
CONSTITUTION, PART THE
FIRST, ARTICLE XVII

18 U.S.C. §§ 1961-1968

PATROLMAN DANIEL MAHONEY in his official capacity and individually as an Police Officer for Town of Rockport;	18 U.S.C. §§ 2510-2522
SGT MICHAEL MARINO in his official capacity and individually as an Police Officer for Town of Rockport;	31 U.S.C. §§ 3729–3733
CHIEF JOHN T. MCCARTHY in his official capacity and individually as an Chief of Police for Town of Rockport;	47 U.S.C. §§ 2.1–1305
PATROLMAN GREGORY GEORGE in his official capacity and individually as an Police Officer for Town of Rockport;	15 U.S.C. §§ 1-38
PATROLMAN SEAN ANDRUS in his official capacity and individually as an Police Officer for Town of Rockport;	18 U.S.C. § 1831
PATROLMAN JAMES HURST in his official capacity and individually as an Police Officer for Town of Rockport;	22 U.S.C. § 2778
SGT. MARK SCHMINK in his official capacity and individually as an Police Officer for Town of Rockport;	18 U.S.C. § 1951
SGT. ROBERT TIBERT in his official capacity and individually as an Police Officer for Town of Rockport;	36 U.S.C. § 407
MICHAEL ANDERSON in his official capacity and individually as an Police Officer for Town of Rockport;	12 M.G.L. § 11H
TIMOTHY FRITHSEN in his official capacity and individually as an Police Officer for Town of Rockport;	265 M.G.L. § 37
CHRISTIAN MCDOWELL in his official capacity and individually as an Special Agent for Federal Bureau of Investigation;	263 M.G.L. § 3
ROSEMARY LESCH in her official capacity and individually as an Department Head for Town of Rockport, Emergency Medical Technician (EMT), and Harbormaster;	268 M.G.L. § 1
SCOTT STORY in his official capacity	268 M.G.L. § 1A
	268 M.G.L. § 2
	268 M.G.L. § 3
	268 M.G.L. § 4
	268 M.G.L. § 6
	268 M.G.L. § 6A
	268 M.G.L. § 13B
	268 M.G.L. § 13E

and individually as an Department Head, Emergency Medical Technician (EMT), and Harbormaster for Town of Rockport; RITA BUDROW in her official capacity and individually as an EMT for Town of Rockport; JANE CARR in her official capacity and individually as an EMT for Town of Rockport, EMT for Lyons Ambulance, and EMT and Nurses Aid for Beverly Hospital; DIANNA CRUDDEN in her official capacity and individually as an EMT for Town of Rockport; HENRY MICHALSKI in his official capacity and individually as an EMT Instructor for Lyons Ambulance Commonwealth of Massachusetts EMT Examiner, and EMT Instructor for North Shore Community College; PENNY MICHALSKI in her official capacity and individually as an for Attorney Generals Office; KEVIN M. LYONS in his official capacity and individually as an Owner for Lyons Ambulance Service LLC; FRANK CARABELLO in his official capacity and individually as an Director of Operations for Lyons Ambulance Service LLC; DARRELL MOORE in his official capacity and individually as an EMT Instructor for Lyons Ambulance Service LLC and a Commonwealth of Massachusetts EMT Examiner,; ROBERT PIEPIORA in his official capacity and individually as an EMT Instructor for Lyons Ambulance Service LLC and a Commonwealth of Massachusetts EMT Examiner,; DAVID RAYMOND in his official capacity and individually as an EMT Instructor for Lyons Ambulance Service LLC and a

268 M.G.L. § 36
268A M.G.L. § 9
272 M.G.L. § 99
272 M.G.L. § 105

Commonwealth of Massachusetts EMT Examiner; JOHN L. GOOD in his/her official capacity and individually as an Executive Vice President for Beverly National Bank and Executive for Danvers Bancorp, Inc. as an EMT Instructor for Lyons Ambulance, an Executive at Beverly Hospital, and a bank officer for Montserrat College of Art, and a Commonwealth of Massachusetts EMT Examiner; LT. MICHAEL COONEY in his official capacity and individually as an Investigator for Massachusetts State Police; PAUL COFFEY in his official capacity and individually as an OEMS Investigator for Commonwealth of Massachusetts; ABDULLAH REHAYEM in his official capacity and individually as an OEMS Director for Commonwealth of Massachusetts; RENEE D. LAKE in her official capacity and individually as an OEMS Compliance Coordinator for Commonwealth of Massachusetts; M. THOMAS QUAIL in his official capacity and individually as an OEMS Clinical Coordinator for Commonwealth of Massachusetts; BRENDAN MURPHY in his official capacity and individually as an OEMS Investigator for Commonwealth of Massachusetts; MARK MILLET in his official capacity and individually as an EMS Coordinator for Beverly Hospital; STEVEN KRENDEL in his/her official capacity and individually as a Medical Control Physician for Beverly Hospital; JOHN AUERBACH in his official capacity

and individually as an Commissioner, Department of Public Health for Commonwealth of Massachusetts; MARTHA COAKLEY in her official capacity and individually as an Attorney General for Commonwealth of Massachusetts; KATHERINE HARTIGAN in her official capacity and individually as an Assistant District Attorney for Commonwealth of Massachusetts; JOHN B. BRENNAN in his official capacity and individually as an Assistant District Attorney for Commonwealth of Massachusetts; KEVIN P. BURKE in his official capacity and individually as an Clerk-Magistrate for Commonwealth of Massachusetts; MARK PULLI in his official capacity and individually as an Investigator for Commonwealth of Massachusetts; LLOYD A. HOLMES in his official capacity and individually as an Dean of Students for North Shore Community College; WAYNE BURTON in his official capacity and individually as the President for North Shore Community College; DONNA RICHEMOND in her official capacity and individually as an Vice President, Student and Enrollment Services for North Shore Community College; DOUG PUSKA in his official capacity and individually as an Chief of Police for North Shore Community College; KENNETH TASHJY in his official capacity and individually as an College Legal Counsel for North Shore Community College; MARSHALL J. HANDLY in his official capacity and individually as an Legal Department for

Montserrat College of Art; STEPHEN D. IMMERMANN in his official capacity and individually as the President for Montserrat College of Art; BRIAN BICKNELL in his official capacity and individually as an Dean for Montserrat College of Art; LEE DELLICKER in his official capacity and individually as an Trustee for Montserrat College of Art; LECIA TURCOTTE in her official capacity and individually as an Trustee for Montserrat College of Art; DONALD BOWEN in his official capacity and individually as an Trustee for Montserrat College of Art; MARTHA BUSKIRK in her official capacity and individually as an Trustee for Montserrat College of Art; CHRISTOPHER COLLINS in his official capacity and individually as an Trustee for Montserrat College of Art; NANCY CRATE in her official capacity as a Trustee for Montserrat College of Art; CRAIG H. DEERY in his official capacity as a Trustee for Montserrat College of Art; STEVEN DODGE in his official capacity as a Trustee for Montserrat College of Art; HENRIETTA GATES in her official capacity as a Trustee for Montserrat College of Art; MIRANDA GOODING in her official capacity as a Trustee for Montserrat College of Art; LINDA HARVEY in her official capacity as a Trustee for Montserrat College of Art; BETSY HOPKINS in her official capacity as a Trustee for Montserrat College of Art; JOHN PETERMAN in his official capacity as a Trustee for Montserrat College of Art; JURRIEN

TIMMER in his/her official capacity as a Trustee for Montserrat College of Art; CHARLES WHITTEN in his official capacity as a Trustee for Montserrat College of Art; ALAN WILSON in his official capacity as a Trustee for Montserrat College of Art; KATHERINE WINTER in her official capacity as a Trustee for Montserrat College of Art; JO BRODERICK in her official capacity as a Dean of College Relations for Montserrat College of Art; RICK LONGO in his official capacity as a Dean of Admissions & Enrollment Management for Montserrat College of Art; LAURA TONELLI in her official capacity as a Dean of Faculty and Academic Affairs for Montserrat College of Art; THERESA SKELLY in her official capacity as a Registrar for Montserrat College of Art; JEFFREY NEWELL in his official capacity as a Director of Admissions for Montserrat College of Art; SCOTT JAMES in his official capacity as a Associate Vice President for Salem State College; PATRICIA MAGUIRE MESERVEY in her official capacity as a President for Salem State College; JAMES STOLL in his official capacity as a Associate Vice President and Dean of Students for Salem State College; WILLIAM ANGLIN in his official capacity as a Chief, Public Safety for Salem State College; SHAWN A. NEWTON in his official capacity as a Assistant Dean of Students for Salem State College; SHANE RODRIGUEZ in his official capacity as a Deputy Chief, Campus Police for Salem State College;

for Montserrat College of Art;
MARTHA BUSKIRK in her official capacity and individually as an Trustee for Montserrat College of Art;
CHRISTOPHER COLLINS in his official capacity and individually as an Trustee for Montserrat College of Art;
NANCY CRATE in her official capacity as a Trustee for Montserrat College of Art; CRAIG H. DEERY in his official capacity as a Trustee for Montserrat College of Art; STEVEN DODGE in his official capacity as a Trustee for Montserrat College of Art; HENRIETTA GATES in her official capacity as a Trustee for Montserrat College of Art; MIRANDA GOODING in her official capacity as a Trustee for Montserrat College of Art; LINDA HARVEY in her official capacity as a Trustee for Montserrat College of Art; BETSY HOPKINS in her official capacity as a Trustee for Montserrat College of Art; JOHN PETERMAN in his official capacity as a Trustee for Montserrat College of Art; JURRIEN TIMMER in his/her official capacity as a Trustee for Montserrat College of Art; CHARLES WHITTEN in his official capacity as a Trustee for Montserrat College of Art; ALAN WILSON in his official capacity as a Trustee for Montserrat College of Art;
KATHERINE WINTER in her official capacity as a Trustee for Montserrat College of Art; JO BRODERICK in her official capacity as a Dean of College Relations for Montserrat College of Art; RICK LONGO in his official capacity as a Dean of Admissions & Enrollment

Physician for Addison Gilbert Hospital; MICHAEL ARSENIAN in his official capacity as a Physician for Addison Gilbert Hospital; PETER W. CURATOLO in his official capacity as a Physician for Addison Gilbert Hospital; THOMAS H. JONES in his official capacity as a Owner for Research Electronics; BRUCE BARSUMIAN in his official capacity as a Owner for Research Electronics; MICHELLE GAW in her official capacity as a Sales Person for Research Electronics; TRISH WEBB in her official capacity as an Accountant Manager for Research Electronics; PAMELA MCINTYRE in her official capacity as an Employee for Research Electronics; LEE JONES in his official capacity as a Sales Manager for Research Electronics; ARLENE J. BARSUMIAN in her official capacity as a Owner for Research Electronics and A and L Enterprises; DARLENE JONES in her official capacity as a Owner for Research Electronics and A and L Enterprises; CHARLENE BROWN in her official capacity as a Worker for Cape Ann Chamber of Commerce; and John Doe's 001 – 265 in his/her official capacity and individually.

Defendants.

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8 1. Comes now the Plaintiff, **JAMES M. ATKINSON**, who is a U.S.
9 Citizen by birth; a civil libertarian; a disabled U.S. Veteran with
10 Honorable Service; Plaintiff Atkinson hereby allege as follows:

11 **COMPLAINT**
12
13

14 2. This action for deprivation of civil rights under color of law, and also
15 challenges to various unconstitutional Massachusetts statutes in regard
16 to the keeping and, or of bearing arms to the extent that they prohibit
17 otherwise qualified private citizens from keeping or carrying arms for
18 the purpose of self-defense.

19
20 3. This action is also for Civil Racketeer Influenced and Corrupt
21 Organizations Act (“RICO”) violations, violations of federal
22 wiretapping statutes, violations of the False Claims Acts or obtain
23 Federal Funds, and violation of electronic communications laws,
24 Monopolies and Restraint of Trade violations, Economic Espionage
25 Act, 18 U.S.C. 1831 violations, as well as criminal violation of the
26 laws and statutes of the United States of America and of the
27 Commonwealth of Massachusetts by state agents, agencies, and
28 private entities working in concert with the state and acting under

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color of law.

4. Plaintiff seeks a declaratory judgment, injunctive relief, actual damages, general damages, special damages, compensatory damages, punitive damages, attorney’s fees, costs, and other relief this court deems appropriate.

OVERVIEW

5. The right to arms is understood by all Americans, and recognized by law to be a right, a privilege, and/or immunity of citizenship of the United States.

6. The U.S. Supreme Court has ruled that the 2nd Amendment right to keep, and to bear or carry arms applies to the States by virtue of application of the 14th Amendment, and thus neither the Federal Government, nor any state agency, nor agent of the state may interfere with the unqualified right to keep and bear arms.

7. Second Amendment rights are no different then First Amendment

49 rights, nor the 4th, 5th, 6th, 7th, 8th, 9th, or 14th Amendments, nor for that
50 matter any other part of the Constitution or Bill of Rights.

51

52 8. The government cannot exercise prior restraint in either matters of the
53 First Amendment, nor in matters of the Second Amendment.

54

55 9. The government (neither State nor Federal) may not prohibit the
56 possession of a high volume printing press any more then they may
57 prohibit a high capacity firearm magazine, a high capacity feeding
58 device for a firearm, a high capacity firearm, nor a high capacity or
59 low capacity assault weapon.

60

61 10.A high volume printing press in and of itself is no more or less
62 dangerous than a high capacity firearm or a high capacity firearm
63 magazine. In both cases, a citizen is responsible or the use or misuse
64 of either, but the government may not impose prior restraint on either.

65

66 11.A printing press, arms of various sorts, and holy books are all equally
67 protected under the Bill of Rights. Not the States, nor the Federal
68 Government may outlaw or license a religion, may not mandate a

69 certain thickness or page count of the Holy Bible, nor the scripting of
70 prayers by the faithful, define the size of a Prayer Rug, mandate that
71 Mass be spoken in High Latin or English, nor impose the desires of
72 the Government in regards to religion or political choices, nor may
73 they impose undue control or restraint on the keeping and bearing of
74 arms, or of the press.

75
76 12. All firearms, arms, ammunition, accessories, or attachments utilized
77 by law enforcement for individual defense of the officer or for
78 entering homes, buildings, or vehicles are suitable examples that these
79 same or similar weapons are well suited for defense of the home of
80 citizens.

81
82 13. The firearm itself, the configuration of the magazines, of feeding
83 devices, the ammunition used, and the manner in which it is deployed
84 by police officers are all evidence that a weapon is well suited for
85 home defense of citizens.

86
87 14. By their very design, firearms are dangerous, they are supposed to be
88 dangerous, and they are supposed to be deadly, any fool knows this.

89 People train to become proficient with arms in order to use them in a
90 dangerous and controlled manner, and in some cases a deadly manner.
91 Any assertions that a particular modern arm is more or less dangerous
92 than another is sheer and utter lunacy.

93

94 15.The “dangerousness” of any particular firearm lies in the intent of the
95 hands that wields it, and if those hands have evil intentions and they
96 lack access to one type of arm then they will turn to other weapons
97 and arms that are equally or more dangerous than firearms, but more
98 available to them.

99

100 16.Even a very small automobile or truck is dramatically more
101 dangerous, as a lethal weapon than a firearm, pistol, revolver,
102 shotgun, rifle, sniper rifle, or other related arms. The energy and mass
103 of a moving motor vehicle exceeds that of a bullet or pellet by many
104 orders of magnitude. Anybody who has professional training on arms
105 and of the tactical use of vehicles, or of combat driving, or protective
106 driving understands this well. Students at numerous government
107 schools are actually taught to utilize motor vehicles as readily
108 available weapons, and as a weapon that it dramatically more deadly

109 than a firearm, or other kinds of weapons or arms.

110

111 17. A high capacity magazine or feeding device is protected under the 2nd
112 and 14th Amendment, the government may not dictate any aspect of
113 the arms that a person may choose for defense, not the ammunition
114 feeding device or magazine, nor the type of ammunition used. Yje
115 Military and the police routinely carry magazines with 15, 19, 20, 30,
116 and even 40 round magazines, and there is no legitimate reason to
117 obstruct the law abiding public from possessing or carrying the same
118 things. The U.S. Supreme Court affirms this right, immunity, and
119 privilege in both *District of Columbia v. Heller*, 554 U.S. 570, 592
120 (2008), and *McDonald v. Chicago*, 561 U.S. ___, 130 S. Ct. 3020,
121 3026 (2010) decisions. Hence, no State may restrict, control, or
122 license either a high capacity magazine, a high capacity feeding
123 device, or any form of high capacity firearm.

124

125 18. Any weapon used by a SWAT team for home or business entries of a
126 tactical nature and/or raids is strong evidence that the same weapon is
127 particularly suited for home defense. Otherwise, logically, the SWAT
128 Team would not be using such weapons.

129

130 19. Logically then, any and all firearms which a law enforcement officer,
131 or SWAT team member, would normally carry on a day to day basis
132 or deploy anywhere in the country, or which is endorsed for, sold for,
133 endorsed as, or in any way considered as a firearm suited for
134 individual law enforcement officers to carry or use is prima facie
135 evidence that it is suitable for home defense as it is generally accepted
136 as safe for citizens to keep, to carry, or to bear. The same holds true of
137 any firearm, magazine, feeding device, or ammunition in common use
138 by law federal, state, and local law enforcement officers, or the
139 military, or intelligence officers.

140

141 20. Under the equal protection clause of the Bill of Rights (14th
142 Amendment), the police are not entitled to any greater or lesser
143 protection than that of the common law abiding citizen. Nor may any
144 law abiding citizen be denied the ability to keep arms identical to, or
145 similar to those carried by the police of the military. In effect, by
146 application of the Equal Protections clause of the 14th Amendment the
147 citizens of the United States are allowed to possess arms, up to and
148 equally those issued to, carried by, authorized by, or used by members

149 of law enforcement or the various states or Federal agencies, or
150 Military. Thus, if a police officer or soldier is permitted to carry a type
151 of arm, then so are members of the public.

152

153 21. In *McDonald v. Chicago*, Justice Thomas states that:

154 “African Americans in the South would likely have remained
155 vulnerable to attack by many of their worst abusers: the state
156 militia and state peace officers. In the years immediately following
157 the Civil War, a law banning the possession of guns by all private
158 citizens would have been nondiscriminatory only in the formal
159 sense. Any such law—like the Chicago and Oak Park ordinances
160 challenged here—presumably would have permitted the possession
161 of guns by those acting under the authority of the State and would
162 thus have left firearms in the hands of the militia and local peace
163 officers. And as the Report of the Joint Committee on
164 Reconstruction revealed, see *supra*, at 24–25, those groups were
165 widely involved in harassing blacks in the South.”

166

167 22. The U.S. Supreme Court ruling in *Heller* and in *McDonald* allows the
168 occupant of the home to determine which firearms are primarily
169 useful for home defense, and does not allow the government to dictate
170 which weapons be kept, or used in this regard. In fact, the law permits
171 the possession and use of not only firearms, but also that of any arms
172 available to the person.

173

174 23. This weapon selection is highly personal, and can range from little

175 more then a pointy stick, to an edged weapon, a bayonet, a sword or
176 cutlass, or if they so choose a firearm of the sort they feel is most
177 suitable.

178

179 24. Conversely, should a citizen feel strongly against the keeping, or the
180 bearing of arms they are well within their rights not to possess or to
181 carry same, but they may not impose their religious, philosophical,
182 and social choices regarding arms or self defense upon other citizens.

183

184 25. The state however, may not restrict the mere possession or “keeping”
185 of arms, nor can the state restrict the “bearing of arms” by normal law
186 abiding citizens, and at most may only control the manner in which
187 they are carried with a minimum of interference or control. The state
188 is thus prohibited from imposing any kind of licensing or permitting
189 scheme to either possess or to carry arms.

190

191 26. The state may not prohibit the keeping, carrying, or bearing arms, but
192 may, within very narrow considerations which involved the mode by
193 which the arms may be carried. The state may not mandate that
194 firearm be carried in an unloaded condition, as this would violate the

195 *Heller* decision. Thus, a citizen is allowed to maintain their arm, full
196 loaded, and readily available to use., and carried in a way that permits
197 rapid access and deployment. This then restricts the state into
198 mandating is arms may be openly carrier, or carried concealed, or
199 carried covertly. The State could under *Heller*, mandate that a High
200 ride holster should be used, or that a drop rig is mandate, but they may
201 in no way restrict of control the actually act of carrying or bearing of
202 said arms.

203

204 27. At most the state may impose certain controls to keep arms out of the
205 hands of convicted felons or those who are adjudged insane, but they
206 may not otherwise control, license, or ban arms.

207

208 28. The Bill of Rights, and the interpretations and decisions of the U.S.
209 Supreme Court does not permit the state to prohibit the possession of
210 a Holy Bible, the Torah, or the Quran, or any other holy book which
211 the state may not like, but may control the retail sale of such to a very
212 limited extent. Nevertheless, the State cannot control or license mere
213 possession nor use of said holy books.

214

215 29. There is no requirement under the law to obtain a license for any sort
216 for a holy book of any religion or denomination, not a Bible, not a
217 Sermon Book, not a Prayer Book, not a Psalm book, or a Crucifix, or
218 prayer rug, not Statues, not candles, not high capacity church pews,
219 not ornate prayer rugs, not pipe organs, not grand pianos, not banners,
220 not musical instruments, nor Arks, not standards, not religious
221 iconography, not bells, not chalices, not fonts, not baptisms, not
222 incense, not crosses, not religious symbols, not stained glass, not
223 wafers, not hosts, not a hiram, not relics, not a Yarmulkah or
224 Yarmulke, nor Chalice Paten, nor Communion Paten, nor Ciborium,
225 nor Host Box, nor Missal, nor Chasuble, nor Albs, nor Altar Cloths,
226 nor Purificator, nor Finger Towels, nor Bread Trays, nor Cup Trays,
227 nor Bema, nor Shulcahn, nor Ner Tamid, nor Corporals, nor Amices,
228 nor Palls, nor Cincture, nor Oil Stock, nor Pyx, nor Menorah, nor
229 Kiddush Cup, nor Vademecum, not head dresses, not a hijab, not
230 vestments, nor Tallit or Tallis, nor choir robes.

231
232 30. Neither is any government permission or license, or ID card (which is
233 a defacto license if it can be revoked) required for keeping Holy
234 Bibles or other religion artifacts in ones home, or to bear them up or

235 carry them in practice of ones chosen religion.

236

237 31.The Bill of Rights, and the interpretations and decisions of the U.S.

238 Supreme Court does not permit the state to prohibit the possession of

239 a modern printing press (or Holy Bible) which the state may not like,

240 but may control the retail sale of such a press should it be overly

241 dangerous to operate, or should the Holy Bible be printed of plastic

242 explosive sheets, or be in an inherently dangerous form. However, the

243 State cannot control or license mere possession of said printing press

244 (nor of the Holy Bible), nor for that matter arms of various types.

245

246 32.There is no requirement under the law to obtain a license of any sort

247 for a printing press ownership, not for a quill pen, not a bottle of ink,

248 not a fountain pen, not a sheet of paper, nor an inkjet printer, or even a

249 high capacity laser printer, nor high capacity word processor, nor even

250 a super computer. Not type faces, not type, not metal plates, not

251 inking pads, nor composing sticks, not type cases, nor other tools of

252 the printing trade.

253

254 33.Neither is any government permission or license, or ID card (which is

255 a defacto license if it can be revoked) required to keep arms in ones
256 home, or to bear them up or carry them in defense of others, or even
257 in defense of the State.

258

259 34.The Second Amendment “guarantee[s] the individual right to possess
260 and carry weapons in case of confrontation,” *District of Columbia v.*
261 *Heller*, 554 U.S. 570, 592 (2008), and is “fully applicable against the
262 States,” *McDonald v. Chicago*, 561 U.S. ___, 130 S. Ct. 3020, 3026
263 (2010).

264

265 35.However, the Commonwealth of Massachusetts steadfastly refuses to
266 update the statutes of Massachusetts to reflect either the *District of*
267 *Columbia v. Heller* and *McDonald v. Chicago* U.S. Supreme Court
268 decisions.

269

270 36.The Commonwealth continues to arrogantly, and illegally ignore both
271 the Constitution of the United States, the Bill of Rights, and the
272 decisions of the Supreme Court, to the level that the Commonwealth
273 exhibits an attitude, and conducts legal matters related to firearm with
274 utter disregard for the civil rights of the citizens, complete, willful

275 arrogance in regards to the 2nd and 14th Amendments, and even bolder
276 affront to the U.S. Supreme Court, and even the Constitution of the
277 Commonwealth of Massachusetts, whereby the Commonwealth now
278 chooses merely to ignore the ruling by this nations highest court, and
279 to harass, molest, arrest, charge, indict, and incarcerated citizens who
280 are lawfully in possession of arms.

281
282 37.The Commonwealth of Massachusetts further demonstrates their evil
283 intentions by foisting a ruse of various licensing scheme that exists for
284 no reason but to deprive law abiding citizens of defensive arms in
285 their home or businesses.

286
287 38.As if this arrogance of the Commonwealth could not run more afoul
288 of the U.S. Constitution; the Bill of Rights; Freedmen’s Bureau Act of
289 1866 (which acknowledged the existence of the unqualified right of
290 all citizens to keep, carry, or bear arms); the various rulings of the
291 U.S. Supreme Court; and Massachusetts Constitution, Part The First,
292 Article XVII, the Commonwealth continues to unlawfully and with ill
293 and criminal intent forcibly and with deceit enter law abiding
294 businesses, and homes of citizens who are fully qualified by law to

295 possess arms, and to take those arms away by force and by deception
296 in direct violation of Federal law, and they do so with the approval of
297 the Attorney General of the Commonwealth, and with a approval of
298 the District Attorneys, who then empanel Grand Juries, so that the
299 Attorney General and District Attorneys are “making law” and trying
300 to illegally force precedent, and misusing the Grand Jury system for
301 political power and social controls, instead of obeying the law
302 themselves. In some cases, the police or the district attorneys will
303 trick a Judge or Magistrate into issuing a search warrant or an arrest
304 warrant, even when it is prohibited by law.

305
306 39.The Commonwealth encourages law enforcement officers to lie and to
307 perjure himself or herself in order to gain arrest or search warrants,
308 and to confect a gross deception on the court system. These law
309 enforcement officers do this knowing that neither the District
310 Attorneys nor the Attorney General will prosecute them, even when
311 they are caught in this state sponsored deception and perjury.

312
313 40.Plaintiff seeks to establish that the recognition and incorporation of
314 the Second Amendment – the right to possess and carry weapons in

315 case of confrontation – renders the State’s present regulatory choice
316 unconstitutional. Whatever the contours of a constitutional scheme
317 might be, the Second Amendment renders a ban on the keeping and,
318 or carrying or arms, or firearms impermissible.

319

320 41.Plaintiff seeks immediate declaratory judgment and injunctive relief.

321

322 **JURISDICTION AND VENUE**

323

324 42.This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§
325 1331, 1343, 2201, 2202; 42 U.S.C. § 1983; 18 U.S.C. §§ 1961-1968,
326 31 U.S.C. §§ 3729–3733, 47 U.S.C. §§ 2.1-1305, and 18 U.S.C. §§
327 2510-2522.

328

329 43.This Court has personal jurisdiction over each of the Defendants
330 because, inter alia, they acted under the color of laws, policies,
331 customs, and/or practices of the Commonwealth of Massachusetts and
332 political sub-divisions, and/or within the geographic confines of the
333 Commonwealth of Massachusetts.

334

335 44. Venue is proper pursuant to 28 U.S.C. § 1391 because virtually all of
336 the Defendants may be found in this district, and because the events
337 and omissions giving rise to this action are State laws enacted in the
338 State capital of Boston.

339
340 **CONSTITUTIONAL PROVISIONS**
341 **AND PRIOR CASE LAW**
342

343 45. The Constitution of the United States was adopted on September 17,
344 1787, by the Convention in Philadelphia, Pennsylvania, and ratified
345 by conventions in each U.S. state in the name of "The People." The
346 Constitution has been amended twenty-seven times; the first ten
347 amendments are known as the "Bill of Rights."

348
349 46. The Constitution of the United States was ratified by the
350 Commonwealth of Massachusetts on February 6, 1788, with a vote of
351 187 for, and 168 against, and thus became law.

352
353 47. The Bill of Rights was introduced by James Madison to the 1st United
354 States Congress in 1789 as a series of legislative articles and came
355 into effect as Constitutional Amendments on December 15, 1791,

356 through the process of ratification by three-fourths of the States.

357

358 48. On March 2, 1792, Massachusetts became the 12th state to ratify the
359 Bill of Rights, which included provisions for the public to be allowed
360 to keep, and the bear or carry arms.

361

362 49. The Second Amendment of the Constitution (the Bill of Rights)

363 provides:

364 "A well regulated Militia, being necessary to the security of a free
365 State, the right of the people to keep and bear Arms, shall not be
366 infringed." - U.S. Constitution Amendment II.

367

368

369 50. The Second Amendment guarantees individuals a fundamental right to
370 carry operable arms in all non-sensitive public places for the purpose
371 of self-defense.

372

373 51. The Fourteenth Amendment was ratified and passed into law on July
374 9, 1868. Thus the 14th Amendment was accepted by the
375 Commonwealth of Massachusetts as law.

376

377 52. Under Section 1 of the Fourteenth Amendment, the Bill of Rights
378 (including the 2nd Amendment), must be obeyed by the

379 Commonwealth of Massachusetts, and others, and forbids the making
380 or enforcing any law which infringed on any immunities or privileges
381 of citizenship:

382 “All persons born or naturalized in the United States, and subject
383 to the jurisdiction thereof, are citizens of the United States and of
384 the State wherein they reside. No State shall make or enforce any
385 law which shall abridge the privileges or immunities of citizens of
386 the United States; nor shall any State deprive any person of life,
387 liberty, or property, without due process of law; nor deny to any
388 person within its jurisdiction the equal protection of the laws.”
389

390 53.The Fourteenth Amendment incorporates the requirements of the
391 Second Amendment against the States and their units of local
392 government, and political sub-divisions. *McDonald v. Chicago*, 561
393 U.S. ___, 130 S. Ct. 3020, 3042 (Jun. 28, 2010).

394
395 54.Thus, the Commonwealth of Massachusetts is prohibited from making
396 or enforcing any law, which abridge the privileges or immunities of
397 citizens to keep, carry, and to bear arms of their choosing (with
398 extremely narrow limitations). Thus, any such laws are automatically
399 null and void, and an infringement of the privileges or immunities of
400 citizens of the United States.

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402 55.In explaining why examining the history of the right to bear arms in

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England was necessary, the Heller Court stated that

"it has always been widely understood that the Second Amendment, like the First and Fourth Amendments, codified a pre-existing right."

And, in further describing the scope of the Second Amendment, the Court again pointed to the First Amendment for several direct analogies, all indicating similarities rather than differences between the two provisions: *Heller*, 128 S. Ct. at 2791-2792

“Just as the First Amendment protects modern forms of communications ... the Second Amendment extends, prima facie, to **all instruments that constitute bearable arms, even those that were not in existence at the time of the founding**. The First Amendment contains the freedom-of-speech guarantee that the people ratified, which included exceptions for obscenity, libel, and disclosure of state secrets, but not for the expression of extremely unpopular and wrong-headed views. The Second Amendment is no different. “

“There seems to us no doubt, on the basis of both text and history, that the Second Amendment conferred an **individual right** to keep and bear arms. Of course the right was not unlimited, just as the First Amendment's right of free speech was not.... Thus, we do not read the Second Amendment to protect the right of citizens to carry arms for any sort of confrontation, just as we do not read the First Amendment to protect the right of citizens to speak for any purpose. “

56.If those passages were not enough, the Heller Court also quotes

433 approvingly from an 1825 Massachusetts Supreme Judicial Court
434 opinion and an 1868 constitutional law treatise that make the direct
435 analogy between the right to bear arms and the freedom of the printing
436 press: *Commonwealth v. Blanding*, 20 Mass. (3 Pick.) 304, 313-14
437 (1825))

438 “The liberty of the press was to be **unrestrained**, but he who used
439 it was to be responsible in cases of its abuse; **like the right to keep**
440 **firearms**, which does not protect him who uses them for
441 annoyance or destruction.”

442
443 “The [Second Amendment] clause is analogous to the one securing
444 the freedom of speech and of the press. **Freedom, not license**, is
445 secured; the fair use, not the libelous abuse, is protected.”
446

447 57.The States retain the ability to regulate the manner of carrying
448 handguns within constitutional parameters; to prohibit the carrying of
449 handguns in very specific, narrowly defined sensitive places; to
450 prohibit the carrying of arms that are not within the scope of Second
451 Amendment protection; and, to disqualify specific, particularly
452 dangerous individuals (convicted criminals and the adjudged mentally
453 insane) from carrying handguns.

454
455 58.The States may not ban, nor compel a license to possess or carry
456 handguns or other arms for self defense, may not deny individuals the

457 right to carry handguns or other arms in non-sensitive places, may not
458 deprive individuals of the right to carry handguns in an arbitrary and
459 capricious manner, or impose regulations on the right to carry
460 handguns or other arms, or impose any licensing scheme of any sort
461 which that are inconsistent with the Second Amendment.

462
463 59. Another reason that the *Heller* decision is appropriate for the Court to
464 consider in free press cases is that Heller's approach is, in fact, very
465 similar to how the Court has already discussed the Free Press Clause,
466 in those relatively few cases in which the history of the Free Press
467 Clause has come up. The Supreme Court has recognized that a
468 prepublication licensing requirement—a prior restraint—is a violation of
469 the First Amendment," reminiscent of the history of abuses of the
470 British Crown under the notorious Printing Acts. As Justice Scalia
471 explained: *Thomas v. Chi. Park Dist.*, 534 U.S. 316, 320 (2002)

472
473 “The First Amendment's guarantee of "the freedom of speech, or
474 of the press" prohibits a wide assortment of government restraints
475 upon expression, but the core abuse against which it was directed
476 was the **scheme of licensing laws** implemented by the monarch
477 and Parliament to contain the "evils" of the printing press in 16th-
478 and 17th-century England. The Printing Act of 1662 had
479 "prescribed what could be printed, who could print, and who could
480 sell.”

481

482 60.The States also may not restrict, or license the possession of firearms,
483 pistols, rifles, revolvers, swords, foils, daggers, or other useful arms
484 that the citizen selects as being most suited to their own defense, and
485 which have been historically useful in defending the home or
486 business.

487

488 61.The States are not allowed to dictate which weapons may or may not
489 be kept within the home, only that certain overly unstable or overly
490 dangerous firearms (by reason of a design flaw). For example, a large
491 carriage-mounted, decrepit, badly corroded and cracked cannon would
492 be most unsuited for defense inside the home; however, any modern
493 shotgun, rifle, pistol, revolver, or edged or impact weapons or other
494 weapons this is in good repair and/or commonly used by the police or
495 the military would be well suited to home, business, and property
496 defense.

497

498 62.In *Archuleta v. Wagner*, 523 F.3d 1278, 1282 (10th Cir. 2008)

499 “[G]overnment officials performing discretionary functions
500 generally are granted a qualified immunity and are shielded from
501 liability for civil damages insofar as their conduct does not violate
502 clearly established statutory or constitutional rights of which a

503 reasonable person would have known.” *Id.* at 1282-83 (quoting
504 ***Wilson v. Layne***, 526 U.S. 603, 609 (1999)). “Once the qualified
505 immunity defense is asserted, . . . the plaintiff must demonstrate
506 that the defendant’s actions violated a constitutional or statutory
507 right” and that “the constitutional or statutory rights the defendant
508 allegedly violated were clearly established at the time of the
509 conduct at issue.”
510

511 63. In determining whether a constitutional right was clearly established,
512 we look at the specific context of the case. ***Bowling v. Rector***, 584
513 F.3d 956, 964 (10th Cir. 2009).

514 “A plaintiff can demonstrate that a constitutional right is clearly
515 established by reference to cases from the Supreme Court, the
516 Tenth Circuit, or the weight of authority from other circuits. There
517 need not be precise factual correspondence between earlier cases
518 and the case at hand, because general statements of the law are not
519 inherently incapable of giving fair and clear warning. The right
520 must only be sufficiently clear that a reasonable official would
521 understand that what he is doing violates that right.”
522

523 64. Further in ***Snell v. Tunnell***, 920 F.2d 673, 700 (10th Cir. 1990) the
524 court states.

525 “The requisite causal connection is satisfied if the defendant set in
526 motion a series of events that the defendant knew or reasonably
527 should have known would cause others to deprive the plaintiff of
528 her constitutional rights.”

529
530 “Any official who ‘causes’ a citizen to be deprived of her
531 constitutional rights can also be held liable.” ***Snell***, 920 F.2d at
532 700 (quotation omitted).
533

534 65. The 10th Cir. Court has demonstrated causation by showing an

535 affirmative link between the constitutional deprivation and the
536 officer's or government officials exercise of control or direction.
537
538 66.The Supreme Court has already ruled on this matter, and poses the
539 first question of conduct in *Wilson v. Layne*, 526 U.S. 603, 609
540 (1999); *County of Sacramento v. Lewis*, 523 U.S. 833, 841 n.5
541 (1998); *Siegert v. Gilley*, 500 U.S. 226, 232 (1991). The threshold
542 inquiry is whether the plaintiff's allegations, if true, establish a
543 constitutional violation. *Hope v. Pelzer*, 122 S. Ct. 2508, 2513 (2002);
544 *Saucier v. Katz*, 533 U.S. 194, 201 (2001); *Siegert*, 500 U.S. at 232.
545 In the first question, The right to keep and bear arms is a defacto
546 "Constitutional Right" under the 2nd and 14th Amendments, and any
547 infringement or deprivation attempt by any government official or
548 government agency "pierces and rips asunder the veil" of either
549 absolute immunity, qualified immunity, prosecutorial, and even
550 judicial, or immunities of any other types or descriptions. Hence, any
551 government officer, employee, or agent that violates, or attempts to
552 violate a citizen's Constitutional right does so at the cost of forfeiting
553 all forms of immunity of their office or position, and hence they stand
554 naked and vulnerable before the court, with no immunity of any form

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whatsoever.

67. The second question by the Supreme Court is whether the right was clearly established before the time of the alleged violation. That question is necessary because those acting under color of authority should be on notice that their conduct is unlawful before they are subject to suit. *Hope*, 122 S. Ct. at 2516-18; *Anderson v. Creighton*, 483 U.S. 635, 638-40 (1987). On the second Question by the Supreme Court is that if the right being “clearly established” in that the right is understood by the common man, is well ingrained into the training of any member of the military or law enforcement, and in fact is taught in most High School civics and government courses. In short, the question is that is it a commonly understood, and commonly accepted civil right. The answer in this case is that indeed, most high school graduates would recognize the right, as would any member of the military, most college graduates, and as would all police officers in the Town of Rockport, or elsewhere. The question of whether a right is clearly established is an issue of law for the court to decide. *Elder v. Holloway*, 510 U.S. 510, 516 (1994), but it can be assumed that the

574 state actors were well aware that the right was indeed “clearly
575 established” or “ well understood” by them.

576

577 68.The third question is whether a reasonable agent of the state, acting
578 under color of law, similarly situated, would understand that the
579 challenged or prohibited conduct violated that established right.
580 *Swain v. Spinney, 117 F.3d 1, 9* (1st Cir. 1997). On the third
581 question, the reasonableness inquiry is also a legal determination,
582 although it may entail preliminary factual determinations if there are
583 disputed material facts (which should be left for a jury). *Swain, 117*
584 *F.3d at 10.*

585

586 69.“[T]he concept of due process is equivalent to ‘fundamental
587 fairness.’” *Newman v. Massachusetts, 884 F. 2d 19, 23* (1st Cir. 1989)
588 (citation omitted). Due process requires that impacted individuals be
589 “entitled to the Constitutional minimum of ‘some kind of hearing’ and
590 ‘some pre termination opportunity to respond.’” *O’Neil v. Baker, 210*
591 *F. 3d 41, 47-78* (1st Cir. 2000) (quoting *Cleveland Bd. Of Educ. v.*
592 *Loudermill, 470 U.S. 532, 542* (1985) (footnote omitted). “The
593 ubiquity of the ‘notice and opportunity to be heard’ principle as a

594 matter of fundamental fairness is deeply engrained in our
595 jurisprudence.” *Oakes v. United States*, 400 F. 3d 92, 98 (1st Cir.
596 2005) citations omitted.

597

598 70. In *Snyder v. Massachusetts*, 291 U. S. 97, 105 (1934), the Court
599 spoke of rights that are “so rooted in the traditions and conscience of
600 our people as to be ranked as fundamental.” As the Supreme Court
601 has found in the *McDonald*, and *Heller* decisions, the right to keep
602 and bear arms, particularly within the sanctity of one’s home, is an
603 ordered liberty of United States citizenship fundamental and beyond
604 the pale of discretionary, subjective regulations by the States.

605

606 71. Plaintiff Atkinson, respectfully submits that any statutory scheme
607 which invades the fundamental liberty right of self defense within the
608 home by enacting any scheme which attempts to regulate the
609 possession and/or storage of any firearm(s) providing a basis to
610 interfere in any way or attempt to revoke or impinge upon such a right
611 without the barest of fundamental fairness and due process such as a
612 *Loudermill* type hearing, is fatally flawed and wholly prohibited under
613 the application of the Second Amendment to all of the States in light

614 of the newly decided authority contained herein. Under the present
615 status of jurisprudence, in light of newly decided authorities, it is
616 respectfully submitted that without a prior showing cloaked with the
617 fairness of a *Loudermill* type hearing that an individual is either a
618 convicted felon or legally and previously adjudged insane, any
619 interfere with a Massachusetts citizen's unqualified right to keep arms
620 within the sanctity of the citizen's home is *per se* unreasonable and
621 prohibited.

622

623 72. Although *McDonald's* five Justice majority reached the conclusion
624 that the right to keep and bear arms is a protected liberty interest
625 under the Second Amendment in different ways, under either the Due
626 Process Clause or Privileges or Immunities Clause, a majority
627 confirmed that "the Second Amendment right is fully applicable to the
628 States." *McDonald* at 3026. Where a "fourteenth amendment liberty
629 interest is implicated...the state therefore must adhere to rigorous
630 procedural safeguards." *Valdivieso Ortiz v. Burgos*, 807 F. 2d 6, 8 (1st
631 Cir. 1986); see also *Kuck v. Danaher*, 600 F. 3d 159, 165 (2d Cir.
632 2010) (same).

633

634 73.The Supreme Court’s prior restraint doctrine mandates higher
635 standards:

636 “It is settled by a long line of recent decisions of this Court
637 that an ordinance which... makes the peaceful enjoyment
638 of freedoms which the Constitution guarantees contingent
639 upon the uncontrolled will of an official – as by requiring a
640 permit or license which may be granted or withheld in the
641 discretion of such official – is an unconstitutional
642 censorship or prior restraint upon the enjoyment of those
643 freedoms.”
644

645 **PLAINTIFF**

646 74.Plaintiff Atkinson an internationally respected, recognized and
647 published, expert in the subject matter of technical counter-
648 intelligence, TEMPEST, TSCM, espionage defenses; spy hunting
649 though technical and scientific analysis methods.
650

651
652 75.Plaintiff Atkinson, is representing himself at this time in this matter
653 pro se and propria persona, but he is not acting as a Private Attorney
654 General in this case (at present), and is acting solely on his own
655 behalf.
656

657 76.Plaintiff Atkinson hereby serves formal notice pursuant to Federal
658 Rules of Civil Procedure, 5.1 “Constitutional Challenge to a Statute -

659 Notice, Certification, and Intervention” and formal notice of “Civil
660 Right Violation, Infringement, and Deprivation” that numerous
661 Massachusetts General Laws, Statutes, and Regulations are
662 unconstitutional.

663
664 77. Notice of this Constitutional challenge has previously been made to
665 the Attorney General of the Commonwealth of Massachusetts in the
666 manner required by Federal Rules of Civil Procedure 5.1.

667
668 78. Plaintiff Atkinson resides at 31R Broadway, Rockport, MA 01966 in
669 Essex County.

670
671 79. Plaintiff Atkinson brings this notice, claim, and complaint forward on
672 his own behalf before this court.

673
674 80. Plaintiff Atkinson is an expert in the use and handling of arms,
675 teaching of open handed combat, non-lethal use of force; less-lethal
676 use of force; improvised weapons; small arms; SWAT; Hostage
677 Rescue (HRT); and Emergency Response (ERT) teams in all forms of
678 firearms; chemical weapons instructor and master instructor; long

679 range sniping instructor; machine gun instructor; explosive entry
680 specialist; covert bio-regulators use instructor; nerve toxics and
681 poisons at both the lethal and non-lethal levels; improvised explosive
682 devices; concealed firearms carry instructor; and vehicle combat
683 driving instructor; and vehicle commandeering instructor.

684

685 81. Plaintiff Atkinson is also a highly skilled factory trained and certified
686 armorer with every major weapons platform used by major law
687 enforcement agencies, federal agencies, the U.S. Military, Diplomatic,
688 Special Operations Forces, and the military, diplomatic, and police
689 agencies of foreign countries. These armorer credentials include, but
690 are not limited to: Mossberg, Remington, Glock, Browning, Smith
691 and Wesson, Heckler and Koch, IMI, Berretta, Sig-Arms, Defense
692 Technologies, Mace Security International, and others.

693

694 82. Plaintiff Atkinson was also a volunteer Emergency First Responder
695 (EFR) and Emergency Medical Technician (EMT) in his community
696 (up to the events described elsewhere in this complaint), a volunteer
697 CPR and First Aid Instructor for the American Red Cross, Life
698 Member of the National Rifle Association, Life Member of the Police

699 Marksmen Association, and Life Member of the Law Enforcement
700 Association, of America, and other groups.

701

702 83.Plaintiff James M. Atkinson, is the Founder, President and Senior
703 Engineer of Granite Island Group located in Gloucester, MA, which is
704 a small veteran owned company operating as a sole proprietorship that
705 since 1987 has specialized in the field of electronics engineering. The
706 firm has special capability involving the protection of classified,
707 confidential, privileged, or private information against technical
708 attack, eavesdropping, or exploitation.

709

710 84.Plaintiff Atkinson is responsible for performing visual and
711 instrumented TSCM (Technical Surveillance Counter Measure)
712 surveys. This includes the analysis of all signals present on the
713 airways; evaluation of telephone lines, computer networks, detection
714 of computer viruses and Trojan horses, security of voice and data
715 switching systems, and any mechanism by which a spy could commit
716 technical eavesdropping or surveillance against or exploitation of a
717 target through technical means. Also included in these responsibilities
718 are the studies of electromagnetic interference (EMI), and the study of

719 electromagnetic compliance (EMC), to include the performance of
720 visual and instrumented TEMPEST inspections, and measures to
721 mitigate other technical weaknesses in communications and computer
722 systems.

723

724 85.Plaintiff Atkinson has attended extensive private and government
725 sponsored TSCM, TEMPEST, cryptographic, technical intelligence,
726 electronics, and security training both in the United States and abroad.
727 He has been involved in many hundreds of TSCM, TEMPEST
728 inspections, over the past 30 years of government and private sector
729 assignments. He has been extensively published on these subject
730 matters, and has authored materials that have affected national policy.

731

732 86.Plaintiff Atkinson clients include major corporations, heads-of-state,
733 diplomats, government agencies, defense contractors, hospitals,
734 courthouses, police stations, banks, universities, publicly traded
735 companies, private companies, stockbrokers, ranchers, farmers,
736 fisherman, accountants, law firms, restaurants, political leaders,
737 ministers, small businesses, and private individuals. Included in his
738 long term clients for TSCM Equipment, TSCM Software, and TSCM

739 and Intelligence Analysis services is the Central Intelligence Agency,
740 U.S. State Department, Federal Bureau of Investigation, Department
741 of Homeland Security, U.S. Army, U.S. Navy, U.S. Marine Corps,
742 U.S. Air Force, Congress, Executive Office of the President of the
743 United States, U.S. Marshalls, U.S. Attorney, NASA, and other
744 federal agencies. The Commonwealth of Massachusetts agencies such
745 as the Massachusetts State Police, the MBTA Police, the Governors
746 Office, various Senators, and others in public office have also used his
747 goods and services over the decades.

748
749 87. Plaintiff Atkinson is a long-term resident of the Commonwealth of
750 Massachusetts, and more specifically Rockport, MA; has testified
751 multiple times before Congress as a subject matter expert in regards to
752 technical counter-intelligence and counter-terrorism, and has been
753 consulted in person on matters of diplomacy or technical espionage
754 directly by sitting Presidents, and leaders of other countries, the
755 intelligence services of a wide range of countries including the United
756 States Government.

757

758 88. Plaintiff Atkinson has provided goods, services, and advice to
759 virtually every U.S. Intelligence Agency, and to all elements of the
760 U.S. Military over a period spanning over three decade, including
761 intelligence, diplomatic, and military contractors, sub-contractors,
762 covert cut-outs and, or front companies for the intelligence and
763 military community.

764
765 89. Plaintiff Atkinson is also a scientist working on a device for non-
766 contact electro-cardiology, and cardiac electrophysiology; a treatment
767 for lactic acid induced hypo-perfusion; a cure for diabetes on an
768 organelle molecular basis; and a treatment for neuropathy or severed
769 spinal cords, and related traumatic medical issues. He is also a skilled
770 fine arts photographer, who has been working on an anatomy textbook
771 for the medical and fine arts artistic community.

772
773 90. Plaintiff Atkinson is a law-abiding citizen, who is over the age of 21,
774 with tremendous respect of the law, a kind, charitable, and gentle
775 man, and has a sworn duty both as a citizen and a veteran to uphold
776 and defend the Constitution of the United States (against all enemies
777 foreign and domestic).

778

779

91. Plaintiff Atkinson has never been convicted of any crime; has never been convicted of any felony; is not a fugitive from justice; is not under Indictment; is not an unlawful user of or addicted to any control substance; is not an alcoholic; has never been treated for any kind of drug or alcohol addiction or disorder; has not been adjudicated as a mental defective, nor has he been committed or confined to any mental institution; nor has he been discharged from the Armed Forces under dishonorable conditions.

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92. Plaintiff Atkinson is not now, nor has he been in the past the subject of any court order in regards to any intimate partner, or any other person. Nor has Plaintiff been convicted of any crime of domestic violence.

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93. Plaintiff Atkinson is not an alien, nor has he at any time renounced his citizenship, nor has he at anytime engaged in acts of war against the United States or America, or of any political division or subdivision.

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796

797 94.Plaintiff Atkinson served honorably, and with distinction in the Active
798 Duty Armed Forces of the United States, and was granted an
799 Honorable Discharge from the United States Air Force.

800
801 95.In short, Plaintiff Atkinson has been a lawful, responsible, and safe
802 user of projectile, edged, impact, chemical, and other arms for over 40
803 years, and has both kept and borne arms for his own defense, and for
804 the defense of the nation and of the state.

805
806 96.Plaintiff Atkinson is in no way disqualified is exercising his
807 Constitutional rights in regards to the keeping and, or of bearing the
808 arms of his choosing.

809
810 **DEFENDANTS**

811
812 97.The allegations contained in paragraphs 1 though the current
813 paragraph, and including all of the following paragraphs, are re-
814 alleged and incorporated as though fully set forth herein. The
815 following described acts by Defendants infringe Plaintiffs' civil rights
816 and damage Plaintiff in violation of 42 U.S.C. § 1983 and should be

817 included as “Causes of Action” in addition to those causes of action
818 found elsewhere in this complaint.

819

820 98. Defendant TOWN OF ROCKPORT, hereinafter “The Town,” is and
821 was at all times mentioned herein a local political subdivision of the
822 Commonwealth of Massachusetts, and a political sub-division of the
823 United States of America, was at all times mentioned herein
824 responsible for the supervisory and budgetary operations of its law
825 enforcement and public safety agencies, including the police
826 department, fire department, harbor masters department, ambulance
827 department, and other departments. The Town is also a recipient of
828 federal funds, which it distributes to its subordinate law enforcement
829 agencies, fire departments, and ambulance departments. The Town
830 uses federal funds to pay salaries, wages, or to provide benefits to
831 employees. Plaintiff is informed and believes that Defendant Town is
832 the policy-maker and fiduciary supervisors of the remaining
833 subordinates, agents, and employees identified hereinafter. Plaintiff is
834 informed and belief that Defendant Town had knowledge that the
835 wrongs hereinafter mentioned were and continue to be done; were
836 about to be committed, and having power to prevent or aid in

837 preventing the commission of the same, neglected or refused so to do.
838 Defendant directly deprived, violated, and infringed upon Plaintiff ‘s
839 civil rights, with malice, and with careful planning and conspiracy
840 with others. Plaintiff is informed and believes that it is through the
841 leadership, ratification, and support of Defendant The Town that its
842 subordinate law enforcement agencies, fire department, and
843 ambulance department, and Defendants identified hereinafter, had
844 permission to implement the custom, practice and usage which
845 violated and continue to violate Plaintiffs’ constitutionally, statutory
846 and regulatory rights, activities, privileges, and immunities in
847 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
848 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
849 Four, Section 2, and Massachusetts Constitution, Part the First, Article
850 XVII; Defendant Town is being sued in its official Capacity. Any veil
851 of immunity, which this defendant may have previously enjoyed by
852 virtue of their office or position, is “pierced and ripped asunder” due
853 to their infringement and deprivation of the Constitutional Rights of
854 the Plaintiff, and thus this Defendant (and all other Defendants) stands
855 fully naked and vulnerable before the court, with no immunity of any
856 form. Further, this defendant has engaged in conduct and as a

857 continuing unit of an enterprise, through a pattern, of racketeering
858 enterprises (including, but not limited to: mail fraud, wire fraud,
859 scheme to defraud, robbery, kidnapping, obstruction of justice,
860 interference in commerce, also involving monetary transactions in
861 property derived from specified unlawful activity), and have caused
862 injury to the business and/or property of the Plaintiff Atkinson. This
863 Defendant has exceeded, and overstepped their authority and violated
864 the Constitutional rights of the Plaintiff, infringing and deprived him
865 of his civil rights. Defendant resides at 34 Broadway, Rockport, MA
866 01966

867

868 99. Defendant COMMONWEALTH OF MASSACHUSETTS,

869 hereinafter “Commonwealth,” is and was at all times mentioned
870 herein a local political subdivision of the United States, was at all
871 times mentioned herein responsible for the supervisory and budgetary
872 operations of its law enforcement, regulatory, governmental, judicial,
873 educational, and infrastructure agencies. Commonwealth is also a
874 recipient of federal funds, which it distributes to its subordinate law
875 enforcement, public safety, and other agencies. Plaintiff is informed
876 and believes that Defendant Commonwealth is the policy-maker and

877 fiduciary supervisors of the remaining subordinates, agents, and
878 employees identified hereinafter. Plaintiff is informed and believes
879 that Defendant Commonwealth had knowledge that the wrongs
880 hereinafter mentioned were and continue to be done; were about to be
881 committed, and having power to prevent or aid in preventing the
882 commission of the same, neglected or refused so to do. Defendant
883 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
884 with malice, and with careful planning and conspiracy with others.
885 Plaintiff is informed and believes that it is through the leadership,
886 ratification, and support of Defendant Commonwealth that its
887 subordinate law enforcement agencies, and Defendants identified
888 hereinafter, had permission to implement the custom, practice and
889 usage which violated and continue to violate Plaintiffs'
890 constitutionally, statutory and regulatory rights, activities, privileges,
891 and immunities in accordance with the United States Constitution, 1st,
892 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
893 Constitution, Article Four, Section 2, and Massachusetts Constitution,
894 Part the First, Article XVII; Defendant Commonwealth is being sued
895 in its official Capacity. Any veil of immunity, which this defendant
896 may have previously enjoyed by virtue of their office or position, is

897 “pierced and ripped asunder” due to their infringement and
898 deprivation of the Constitutional Rights of the Plaintiff, and thus this
899 Defendant (and all other Defendants) stands fully naked and
900 vulnerable before the court, with no immunity of any form. Further,
901 this defendant has engaged in conduct and as a continuing unit of an
902 enterprise, through a pattern, of racketeering enterprises (including,
903 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
904 kidnapping, obstruction of justice, interference in commerce, also
905 involving monetary transactions in property derived from specified
906 unlawful activity), and have caused injury to the business and/or
907 property of the Plaintiff Atkinson. This Defendant has exceeded, and
908 overstepped their authority and violated the Constitutional rights of
909 the Plaintiff, infringing and deprived him of his civil rights. Defendant
910 resides at One Ashburton Place, Boston, MA 02108 -1518

911
912 100. Defendant SALEM STATE COLLEGE, hereinafter “Salem
913 State,” is and was at all times mentioned herein a State agency,
914 controlled and responsible for the supervisory and budgetary
915 operations of its law enforcement agencies, school leadership, school
916 administration. Salem State is also a recipient of federal funds, which

917 it distributes to its departments within the school. Plaintiff is informed
918 and believes that Defendant Salem State is the policy-maker and
919 fiduciary supervisors of the remaining subordinates, agents, and
920 employees identified hereinafter. As Plaintiff Atkinson is also a
921 disabled veteran, he is permitted to attend this state operated college
922 with no charge for tuition. As such, any unjust punitive action by this
923 school is an unlawful deprivation of Veteran Rights. Plaintiff is
924 informed and believes that Defendant Salem State had knowledge that
925 the wrongs hereinafter mentioned were and continue to be done; were
926 about to be committed, and having power to prevent or aid in
927 preventing the commission of the same, neglected or refused so to do.
928 Defendant directly deprived, violated, and infringed upon Plaintiff 's
929 civil rights, with malice, and with careful planning and conspiracy
930 with others. Plaintiff is informed and believes that it is through the
931 leadership, ratification, and support of Defendant Salem State that its
932 subordinate law enforcement agencies, and Defendants identified
933 hereinafter, had permission to implement the custom, practice and
934 usage which violated and continue to violate Plaintiffs'
935 constitutionally, statutory and regulatory rights, activities, privileges,
936 and immunities in accordance with the United States Constitution, 1st,

937 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
938 Constitution, Article Four, Section 2, and Massachusetts Constitution,
939 Part the First, Article XVII; Defendant Salem State is being sued in its
940 official Capacity. Any veil of immunity, which this defendant may
941 have previously enjoyed by virtue of their office or position, is
942 “pierced and ripped asunder” due to their infringement and
943 deprivation of the Constitutional Rights of the Plaintiff, and thus this
944 Defendant (and all other Defendants) stands fully naked and
945 vulnerable before the court, with no immunity of any form. Further,
946 this defendant has engaged in conduct and as a continuing unit of an
947 enterprise, through a pattern, of racketeering enterprises (including,
948 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
949 kidnapping, obstruction of justice, interference in commerce, also
950 involving monetary transactions in property derived from specified
951 unlawful activity), and have caused injury to the business and/or
952 property of the Plaintiff Atkinson. This Defendant has exceeded, and
953 overstepped their authority and violated the Constitutional rights of
954 the Plaintiff, infringing and deprived him of his civil rights. Defendant
955 resides at 352 Lafayette Street, Salem, MA 01970-5353

956

957 101. Defendant NORTH SHORE COMMUNITY COLLEGE,
958 hereinafter “North Shore,” is and was at all times mentioned herein a
959 State agency, controlled and responsible for the supervisory and
960 budgetary operations of its law enforcement agencies, school
961 leadership, school administration. North Shore is also a recipient of
962 federal funds, which it distributes to its departments within the school.
963 Plaintiff is informed and believes that Defendant North Shore is the
964 policy-maker and fiduciary supervisors of the remaining subordinates,
965 agents, and employees identified hereinafter. As Plaintiff Atkinson is
966 also a disabled veteran, he is permitted to attend this state operated
967 college with no charge for tuition. As such, any unjust punitive action
968 by this school is an unlawful deprivation of Veteran Rights. Plaintiff
969 is informed and believes that Defendant North Shore had knowledge
970 that the wrongs hereinafter mentioned were and continue to be done;
971 were about to be committed, and having power to prevent or aid in
972 preventing the commission of the same, neglected or refused so to do.
973 Defendant directly deprived, violated, and infringed upon Plaintiff ‘s
974 civil rights, with malice, and with careful planning and conspiracy
975 with others. Plaintiff is informed and believes that it is through the
976 leadership, ratification, and support of Defendant North Shore that its

977 subordinate law enforcement agencies, and Defendants identified
978 hereinafter, had permission to implement the custom, practice and
979 usage which violated and continue to violate Plaintiffs'
980 constitutionally, statutory and regulatory rights, activities, privileges,
981 and immunities in accordance with the United States Constitution, 1st,
982 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
983 Constitution, Article Four, Section 2, and Massachusetts Constitution,
984 Part the First, Article XVII; Defendant North Shore is being sued in
985 its official Capacity. Any veil of immunity, which this defendant may
986 have previously enjoyed by virtue of their office or position, is
987 "pierced and ripped asunder" due to their infringement and
988 deprivation of the Constitutional Rights of the Plaintiff, and thus this
989 Defendant (and all other Defendants) stands fully naked and
990 vulnerable before the court, with no immunity of any form. Further,
991 this defendant has engaged in conduct and as a continuing unit of an
992 enterprise, through a pattern, of racketeering enterprises (including,
993 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
994 kidnapping, obstruction of justice, interference in commerce, also
995 involving monetary transactions in property derived from specified
996 unlawful activity), and have caused injury to the business and/or

997 property of the Plaintiff Atkinson. This Defendant has exceeded, and
998 overstepped their authority and violated the Constitutional rights of
999 the Plaintiff, infringing and deprived him of his civil rights. Defendant
1000 resides at 1 Ferncroft Road, Danvers, MA 01923

1001

1002 102. Defendant MONTSERRAT COLLEGE OF ART, hereinafter
1003 “Montserrat,” is and was at all times mentioned herein a extension of
1004 a state agency, and also acting periodically as a private art college,
1005 performing the bidding, and under the control and/or influence of state
1006 law enforcement agencies. The Montserrat leadership, and school
1007 administration is in fact an extension of the State, while Montserrat
1008 claims that it is a private college. Montserrat is also a recipient of
1009 federal funds, which it distributes to its departments with the school.
1010 Plaintiff is informed and believes that Defendant Montserrat is the
1011 policy-maker and fiduciary supervisors of the remaining subordinates,
1012 agents, and employees identified hereinafter. Plaintiff is informed and
1013 believes that Defendant Montserrat had knowledge that the wrongs
1014 hereinafter mentioned were and continue to be done; conspired with
1015 others to commit, were about to be committed, and having power to
1016 prevent or aid in preventing the commission of the same, neglected or

1017 refused so to do. Defendant directly deprived, violated, and infringed
1018 upon Plaintiff 's civil rights, with malice, and with careful planning
1019 and conspiracy with others. Plaintiff is informed and believes that it is
1020 through the leadership, ratification, and support of Defendant that its
1021 subordinate departments, and Defendants identified hereinafter, had
1022 permission to implement the custom, practice and usage which
1023 violated and continue to violate Plaintiffs' constitutionally, statutory
1024 and regulatory rights, activities, privileges, and immunities in
1025 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
1026 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
1027 Four, Section 2, and Massachusetts Constitution, Part the First, Article
1028 XVII; Defendant Montserrat is being sued in its official Capacity.
1029 Any veil of immunity, which this defendant may have previously
1030 enjoyed by virtue of their office or position, is "pierced and ripped
1031 asunder" due to their infringement and deprivation of the
1032 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1033 other Defendants) stands fully naked and vulnerable before the court,
1034 with no immunity of any form. Further, this defendant has engaged in
1035 conduct and as a continuing unit of an enterprise, through a pattern, of
1036 racketeering enterprises (including, but not limited to: mail fraud, wire

1037 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1038 interference in commerce, also involving monetary transactions in
1039 property derived from specified unlawful activity), and have caused
1040 injury to the business and/or property of the Plaintiff Atkinson. This
1041 Defendant has exceeded, and overstepped their authority and violated
1042 the Constitutional rights of the Plaintiff, infringing and deprived him
1043 of his civil rights. Defendant resides at 23 Essex Street, Beverly, MA
1044 01915-4508

1045
1046
1047 103. Defendant ESSEX COUNTY SHERIFFS DEPARTMENT,
1048 hereinafter “Sheriff,” is and was at all times mentioned herein a local
1049 law enforcement agency within the political subdivision of Essex
1050 Country within the Commonwealth of Massachusetts, was at all times
1051 mentioned herein responsible for the supervisory and budgetary
1052 operations of its law enforcement agencies. Defendant Sheriff is also a
1053 recipient of federal funds, which it distributes to its subordinate law
1054 enforcement, corrections, public and administrative agencies and
1055 departments. Plaintiff is informed and believes that Defendant Sheriff
1056 is the policy-maker and fiduciary supervisors of the remaining
1057 subordinates, agents, and employees identified hereinafter. Plaintiff is

1058 informed and believes that Defendant Sheriff had knowledge that the
1059 wrongs hereinafter mentioned were and continue to be done; were
1060 about to be committed, and having power to prevent or aid in
1061 preventing the commission of the same, neglected or refused so to do.
1062 Defendant directly deprived, violated, and infringed upon Plaintiff 's
1063 civil rights, with malice, and with careful planning and conspiracy
1064 with others. Plaintiff is informed and believes that it is through the
1065 leadership, ratification, and support of Defendant Sheriff that its
1066 subordinate law enforcement agencies, fire department, and
1067 ambulance department, and Defendants identified hereinafter, had
1068 permission to implement the custom, practice and usage which
1069 violated and continue to violate Plaintiffs' constitutionally, statutory
1070 and regulatory rights, activities, privileges, and immunities in
1071 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
1072 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
1073 Four, Section 2, and Massachusetts Constitution, Part the First, Article
1074 XVII; Defendant Sheriff is being sued in its official Capacity. Any
1075 veil of immunity, which this defendant may have previously enjoyed
1076 by virtue of their office or position, is "pierced and ripped asunder"
1077 due to their infringement and deprivation of the Constitutional Rights

1078 of the Plaintiff, and thus this Defendant (and all other Defendants)
1079 stands fully naked and vulnerable before the court, with no immunity
1080 of any form. Further, this defendant has engaged in conduct and as a
1081 continuing unit of an enterprise, through a pattern, of racketeering
1082 enterprises (including, but not limited to: mail fraud, wire fraud,
1083 scheme to defraud, robbery, kidnapping, obstruction of justice,
1084 interference in commerce, also involving monetary transactions in
1085 property derived from specified unlawful activity), and have caused
1086 injury to the business and/or property of the Plaintiff Atkinson. This
1087 Defendant has exceeded, and overstepped their authority and violated
1088 the Constitutional rights of the Plaintiff, infringing and deprived him
1089 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
1090 MA 01949

1091
1092 104. Defendant RESEARCH ELECTRONICS, LLC hereinafter
1093 “Research Electronics,” is and was at all times mentioned herein a
1094 extension of a state agency, performing the bidding, and under the
1095 control and/or influence of state law enforcement agencies. Defendant
1096 is also a recipient of federal funds, which it distributes to its various
1097 departments. Plaintiff is informed and believes that Defendant is the

1098 policy-maker and fiduciary supervisors of the remaining subordinates,
1099 agents, and employees identified hereinafter. Plaintiff is informed and
1100 believes that Defendant had knowledge that the wrongs hereinafter
1101 mentioned were and continue to be done; conspired with others to
1102 commit, were about to be committed, and having power to prevent or
1103 aid in preventing the commission of the same, neglected or refused so
1104 to do. Defendant directly deprived, violated, and infringed upon
1105 Plaintiff 's civil rights, with malice, and with careful planning and
1106 conspiracy with others. Plaintiff is informed and believes that it is
1107 through the leadership, ratification, and support of Defendant that its
1108 subordinate departments, actors, employees, agents, and Defendants
1109 identified hereinafter, had permission to implement the custom,
1110 practice and usage which violated and continue to violate Plaintiffs'
1111 constitutionally, statutory and regulatory rights, activities, privileges,
1112 and immunities in accordance with the United States Constitution, 1st,
1113 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1114 Constitution, Article Four, Section 2, and Massachusetts Constitution,
1115 Part the First, Article XVII; Defendant is being sued in its official
1116 Capacity. Any veil of immunity, which this defendant may have
1117 previously enjoyed by virtue of their office or position, is "pierced and

1118 ripped asunder” due to their infringement and deprivation of the
1119 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1120 other Defendants) stands fully naked and vulnerable before the court,
1121 with no immunity of any form. Further, this defendant has engaged in
1122 conduct and as a continuing unit of an enterprise, through a pattern, of
1123 racketeering enterprises (including, but not limited to: mail fraud, wire
1124 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1125 interference in commerce, also involving monetary transactions in
1126 property derived from specified unlawful activity), and have caused
1127 injury to the business and/or property of the Plaintiff Atkinson. This
1128 Defendant has exceeded, and overstepped their authority and violated
1129 the Constitutional rights of the Plaintiff, infringing and deprived him
1130 of his civil rights. Defendant resides or does business at: 455 Security
1131 Place, Algood TN 38506

1132
1133 105. Defendant A AND L ENTERPRISE, hereinafter “A and L,” is
1134 and was at all times mentioned herein a extension of a state agency,
1135 performing the bidding, and under the control and/or influence of state
1136 law enforcement agencies. Defendant is also a recipient of federal
1137 funds, which it distributes to its various departments. Plaintiff is

1138 informed and believes that Defendant is the policy-maker and
1139 fiduciary supervisors of the remaining subordinates, agents, and
1140 employees identified hereinafter. Plaintiff is informed and believes
1141 that Defendant had knowledge that the wrongs hereinafter mentioned
1142 were and continue to be done; conspired with others to commit, were
1143 about to be committed, and having power to prevent or aid in
1144 preventing the commission of the same, neglected or refused so to do.
1145 Defendant directly deprived, violated, and infringed upon Plaintiff 's
1146 civil rights, with malice, and with careful planning and conspiracy
1147 with others. Plaintiff is informed and believes that it is through the
1148 leadership, ratification, and support of Defendant that its subordinate
1149 departments, actors, employees, agents, and Defendants identified
1150 hereinafter, had permission to implement the custom, practice and
1151 usage which violated and continue to violate Plaintiffs'
1152 constitutionally, statutory and regulatory rights, activities, privileges,
1153 and immunities in accordance with the United States Constitution, 1st,
1154 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1155 Constitution, Article Four, Section 2, and Massachusetts Constitution,
1156 Part the First, Article XVII; Defendant is being sued in its official
1157 Capacity. Any veil of immunity, which this defendant may have

1158 previously enjoyed by virtue of their office or position, is “pierced and
1159 ripped asunder” due to their infringement and deprivation of the
1160 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1161 other Defendants) stands fully naked and vulnerable before the court,
1162 with no immunity of any form. Further, this defendant has engaged in
1163 conduct and as a continuing unit of an enterprise, through a pattern, of
1164 racketeering enterprises (including, but not limited to: mail fraud, wire
1165 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1166 interference in commerce, also involving monetary transactions in
1167 property derived from specified unlawful activity), and have caused
1168 injury to the business and/or property of the Plaintiff Atkinson. This
1169 Defendant has exceeded, and overstepped their authority and violated
1170 the Constitutional rights of the Plaintiff, infringing and deprived him
1171 of his civil rights. Defendant resides or does business at: 455 Security
1172 Place, Algood TN 38506

1173
1174 106. Defendant ADDISON GILBERT HOSPITAL, hereinafter
1175 “AGH,” is and was at all times mentioned herein a extension of a state
1176 agency, performing the bidding, and under the control and/or
1177 influence of state law enforcement agencies. Defendant is also a

1178 recipient of federal funds, which it distributes to its various
1179 departments. Plaintiff is informed and believes that Defendant is the
1180 policy-maker and fiduciary supervisors of the remaining subordinates,
1181 agents, and employees identified hereinafter. Plaintiff is informed and
1182 believes that Defendant had knowledge that the wrongs hereinafter
1183 mentioned were and continue to be done; conspired with others to
1184 commit, were about to be committed, and having power to prevent or
1185 aid in preventing the commission of the same, neglected or refused so
1186 to do. Defendant directly deprived, violated, and infringed upon
1187 Plaintiff 's civil rights, with malice, and with careful planning and
1188 conspiracy with others. Plaintiff is informed and believes that it is
1189 through the leadership, ratification, and support of Defendant that its
1190 subordinate departments, actors, employees, agents, and Defendants
1191 identified hereinafter, had permission to implement the custom,
1192 practice and usage which violated and continue to violate Plaintiffs'
1193 constitutionally, statutory and regulatory rights, activities, privileges,
1194 and immunities in accordance with the United States Constitution, 1st,
1195 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1196 Constitution, Article Four, Section 2, and Massachusetts Constitution,
1197 Part the First, Article XVII; Defendant is being sued in its official

1198 Capacity. Any veil of immunity, which this defendant may have
1199 previously enjoyed by virtue of their office or position, is “pierced and
1200 ripped asunder” due to their infringement and deprivation of the
1201 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1202 other Defendants) stands fully naked and vulnerable before the court,
1203 with no immunity of any form. Further, this defendant has engaged in
1204 conduct and as a continuing unit of an enterprise, through a pattern, of
1205 racketeering enterprises (including, but not limited to: mail fraud, wire
1206 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1207 interference in commerce, also involving monetary transactions in
1208 property derived from specified unlawful activity), and have caused
1209 injury to the business and/or property of the Plaintiff Atkinson. This
1210 Defendant has exceeded, and overstepped their authority and violated
1211 the Constitutional rights of the Plaintiff, infringing and deprived him
1212 of his civil rights. Defendant resides or does business at: 298
1213 Washington St., Gloucester MA 01930

1214
1215 107. Defendant BEVERLY HOSPITAL, hereinafter “Beverly
1216 Hospital,” is and was at all times mentioned herein a extension of a
1217 state agency, performing the bidding, and under the control and/or

1218 influence of state law enforcement agencies. Defendant is also a
1219 recipient of federal funds, which it distributes to its various
1220 departments. Plaintiff is informed and believes that Defendant is the
1221 policy-maker and fiduciary supervisors of the remaining subordinates,
1222 agents, and employees identified hereinafter. Plaintiff is informed and
1223 believes that Defendant had knowledge that the wrongs hereinafter
1224 mentioned were and continue to be done; conspired with others to
1225 commit, were about to be committed, and having power to prevent or
1226 aid in preventing the commission of the same, neglected or refused so
1227 to do. Defendant directly deprived, violated, and infringed upon
1228 Plaintiff 's civil rights, with malice, and with careful planning and
1229 conspiracy with others. Plaintiff is informed and believes that it is
1230 through the leadership, ratification, and support of Defendant that its
1231 subordinate departments, actors, employees, agents, and Defendants
1232 identified hereinafter, had permission to implement the custom,
1233 practice and usage which violated and continue to violate Plaintiffs'
1234 constitutionally, statutory and regulatory rights, activities, privileges,
1235 and immunities in accordance with the United States Constitution, 1st,
1236 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1237 Constitution, Article Four, Section 2, and Massachusetts Constitution,

1238 Part the First, Article XVII; Defendant is being sued in its official
1239 Capacity. Any veil of immunity, which this defendant may have
1240 previously enjoyed by virtue of their office or position, is “pierced and
1241 ripped asunder” due to their infringement and deprivation of the
1242 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1243 other Defendants) stands fully naked and vulnerable before the court,
1244 with no immunity of any form. Further, this defendant has engaged in
1245 conduct and as a continuing unit of an enterprise, through a pattern, of
1246 racketeering enterprises (including, but not limited to: mail fraud, wire
1247 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1248 interference in commerce, also involving monetary transactions in
1249 property derived from specified unlawful activity), and have caused
1250 injury to the business and/or property of the Plaintiff Atkinson. This
1251 Defendant has exceeded, and overstepped their authority and violated
1252 the Constitutional rights of the Plaintiff, infringing and deprived him
1253 of his civil rights. Defendant resides or does business at: 85 Herrick
1254 St., Beverly MA 01915

1255

1256 108. Defendant CAPE ANN CHAMBER OF COMMERCE,

1257 hereinafter “Cape Ann Chamber of Commerce,” is and was at all

1258 times mentioned herein a extension of a state agency, performing the
1259 bidding, and under the control and/or influence of state law
1260 enforcement agencies. Defendant is also a recipient of federal funds,
1261 which it distributes to its various departments. Plaintiff is informed
1262 and believes that Defendant is the policy-maker and fiduciary
1263 supervisors of the remaining subordinates, agents, and employees
1264 identified hereinafter. Plaintiff is informed and believes that
1265 Defendant had knowledge that the wrongs hereinafter mentioned were
1266 and continue to be done; conspired with others to commit, were about
1267 to be committed, and having power to prevent or aid in preventing the
1268 commission of the same, neglected or refused so to do. Defendant
1269 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
1270 with malice, and with careful planning and conspiracy with others.
1271 Plaintiff is informed and believes that it is through the leadership,
1272 ratification, and support of Defendant that its subordinate
1273 departments, actors, employees, agents, and Defendants identified
1274 hereinafter, had permission to implement the custom, practice and
1275 usage which violated and continue to violate Plaintiffs'
1276 constitutionally, statutory and regulatory rights, activities, privileges,
1277 and immunities in accordance with the United States Constitution, 1st,

1278 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1279 Constitution, Article Four, Section 2, and Massachusetts Constitution,
1280 Part the First, Article XVII; Defendant is being sued in its official
1281 Capacity. Further, this defendant has engaged in conduct and as a
1282 continuing unit of an enterprise, through a pattern, of racketeering
1283 enterprises (including, but not limited to: mail fraud, wire fraud,
1284 scheme to defraud, robbery, kidnapping, obstruction of justice,
1285 interference in commerce, also involving monetary transactions in
1286 property derived from specified unlawful activity), and have caused
1287 injury to the business and/or property of the Plaintiff Atkinson. This
1288 Defendant has exceeded, and overstepped their authority and violated
1289 the Constitutional rights of the Plaintiff, infringing and deprived him
1290 of his civil rights. Defendant resides or does business at: 33
1291 Commercial Street, Gloucester, MA 01930

1292
1293 109. Defendant LYONS AMBULANCE, LLC, hereinafter “Lyons
1294 Ambulance,” is and was at all times mentioned herein an extension of
1295 a state agency, performing the bidding, and under the control and/or
1296 influence of state law enforcement agencies. Defendant is also a
1297 recipient of federal funds, which it distributes to its various

1298 departments. Plaintiff is informed and believes that Defendant is the
1299 policy-maker and fiduciary supervisors of the remaining subordinates,
1300 agents, and employees identified hereinafter. Plaintiff is informed and
1301 believes that Defendant had knowledge that the wrongs hereinafter
1302 mentioned were and continue to be done; conspired with others to
1303 commit, were about to be committed, and having power to prevent or
1304 aid in preventing the commission of the same, neglected or refused so
1305 to do. Defendant directly deprived, violated, and infringed upon
1306 Plaintiff 's civil rights, with malice, and with careful planning and
1307 conspiracy with others. Plaintiff is informed and believes that it is
1308 through the leadership, ratification, and support of Defendant that its
1309 subordinate departments, actors, employees, agents, and Defendants
1310 identified hereinafter, had permission to implement the custom,
1311 practice and usage which violated and continue to violate Plaintiffs'
1312 constitutionally, statutory and regulatory rights, activities, privileges,
1313 and immunities in accordance with the United States Constitution, 1st,
1314 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1315 Constitution, Article Four, Section 2, and Massachusetts Constitution,
1316 Part the First, Article XVII; Defendant is being sued in its official
1317 Capacity. Any veil of immunity, which this defendant may have

1318 previously enjoyed by virtue of their office or position, is “pierced and
1319 ripped asunder” due to their infringement and deprivation of the
1320 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1321 other Defendants) stands fully naked and vulnerable before the court,
1322 with no immunity of any form. Further, this defendant has engaged in
1323 conduct and as a continuing unit of an enterprise, through a pattern, of
1324 racketeering enterprises (including, but not limited to: mail fraud, wire
1325 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1326 interference in commerce, also involving monetary transactions in
1327 property derived from specified unlawful activity), and have caused
1328 injury to the business and/or property of the Plaintiff Atkinson. This
1329 Defendant has exceeded, and overstepped their authority and violated
1330 the Constitutional rights of the Plaintiff, infringing and deprived him
1331 of his civil rights. Defendant resides or does business at: 135 Maple
1332 St., Danvers MA 01923

1333

1334 110. Defendant BEVERLY NATIONAL BANK, hereinafter
1335 “Beverly National Bank,” and now DANVERS BANCORP, INC.,
1336 hereinafter “Danvers Bank,” is and was at all times mentioned herein
1337 an extension of a state agency, performing the bidding, and under the

1338 control and/or influence of state law enforcement agencies. Defendant
1339 is also a recipient of federal funds, which it distributes to its various
1340 departments. Plaintiff is informed and believes that Defendant is the
1341 policy-maker and fiduciary supervisors of the remaining subordinates,
1342 agents, and employees identified hereinafter. Plaintiff is informed and
1343 believes that Defendant had knowledge that the wrongs hereinafter
1344 mentioned were and continue to be done; conspired with others to
1345 commit, were about to be committed, and having power to prevent or
1346 aid in preventing the commission of the same, neglected or refused so
1347 to do. Defendant directly deprived, violated, and infringed upon
1348 Plaintiff 's civil rights, with malice, and with careful planning and
1349 conspiracy with others. Plaintiff is informed and believes that it is
1350 through the leadership, ratification, and support of Defendant that its
1351 subordinate departments, actors, employees, agents, and Defendants
1352 identified hereinafter, had permission to implement the custom,
1353 practice and usage which violated and continue to violate Plaintiffs'
1354 constitutionally, statutory and regulatory rights, activities, privileges,
1355 and immunities in accordance with the United States Constitution, 1st,
1356 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
1357 Constitution, Article Four, Section 2, and Massachusetts Constitution,

1358 Part the First, Article XVII; Defendant is being sued in its official
1359 Capacity. Further, this defendant has engaged in conduct and as a
1360 continuing unit of an enterprise, through a pattern, of racketeering
1361 enterprises (including, but not limited to: mail fraud, wire fraud,
1362 scheme to defraud, robbery, kidnapping, obstruction of justice,
1363 interference in commerce, also involving monetary transactions in
1364 property derived from specified unlawful activity), and have caused
1365 injury to the business and/or property of the Plaintiff Atkinson. This
1366 Defendant has exceeded, and overstepped their authority and violated
1367 the Constitutional rights of the Plaintiff, infringing and deprived him
1368 of his civil rights. Defendant resides or does business at: One Conant
1369 Street, Danvers, MA 01923

1370
1371 111. Defendant MARY ELIZABETH HEFFERNAN is sued in her
1372 official capacity and individually as Secretary of Public Safety and
1373 Executive Office of Public Safety and Security for the
1374 Commonwealth of Massachusetts, responsible for executing and
1375 administering the laws and policies at issue in this lawsuit. Defendant
1376 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
1377 with malice, and with careful planning and conspiracy with others.

1378 Any veil of immunity, which this defendant may have previously
1379 enjoyed by virtue of their office or position, is “pierced and ripped
1380 asunder” due to their infringement and deprivation of the
1381 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1382 other Defendants) stands fully naked and vulnerable before the court,
1383 with no immunity of any form. Further, this defendant has engaged in
1384 conduct and as a continuing unit of an enterprise, through a pattern, of
1385 racketeering enterprises (including, but not limited to: mail fraud, wire
1386 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1387 interference in commerce, also involving monetary transactions in
1388 property derived from specified unlawful activity), and have caused
1389 injury to the business and/or property of the Plaintiff Atkinson. This
1390 Defendant has exceeded, and overstepped their authority and violated
1391 the Constitutional rights of the Plaintiff, infringing and deprived him
1392 of his civil rights. Defendant resides at One Ashburton Place, Boston,
1393 MA 02108 -1518

1394

1395 112. Defendant MARK DELANEY is sued in his official capacity and
1396 individually as Colonel of the State Police for the Commonwealth of
1397 Massachusetts, responsible for executing and administering the laws

1398 and policies at issue in this lawsuit. Defendant directly and indirectly
1399 deprived, violated, and infringed upon Plaintiffs civil rights, with
1400 malice, and with careful planning and conspiracy with others. Any
1401 veil of immunity, which this defendant may have previously enjoyed
1402 by virtue of their office or position, is “pierced and ripped asunder”
1403 due to their infringement and deprivation of the Constitutional Rights
1404 of the Plaintiff, and thus this Defendant (and all other Defendants)
1405 stands fully naked and vulnerable before the court, with no immunity
1406 of any form. Further, this defendant has engaged in conduct and as a
1407 continuing unit of an enterprise, through a pattern, of racketeering
1408 enterprises (including, but not limited to: mail fraud, wire fraud,
1409 scheme to defraud, robbery, kidnapping, obstruction of justice,
1410 interference in commerce, also involving monetary transactions in
1411 property derived from specified unlawful activity), and have caused
1412 injury to the business and/or property of the Plaintiff Atkinson. This
1413 Defendant has exceeded, and overstepped their authority and violated
1414 the Constitutional rights of the Plaintiff, infringing and deprived him
1415 of his civil rights. Defendant resides at One Ashburton Place, Boston,
1416 MA 02108 -1518

1417

1418 113. Defendant JAMES F. SLATER is sued in his official capacity and
1419 individually as Criminal History Systems Board (CHSB), renamed the
1420 Department of Criminal Justice Information Services (DCJIS); for the
1421 Commonwealth of Massachusetts, responsible for executing and
1422 administering the laws and policies at issue in this lawsuit. Defendant
1423 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
1424 with malice, and with careful planning and conspiracy with others.
1425 Any veil of immunity, which this defendant may have previously
1426 enjoyed by virtue of their office or position, is "pierced and ripped
1427 asunder" due to their infringement and deprivation of the
1428 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
1429 other Defendants) stands fully naked and vulnerable before the court,
1430 with no immunity of any form. Further, this defendant has engaged in
1431 conduct and as a continuing unit of an enterprise, through a pattern, of
1432 racketeering enterprises (including, but not limited to: mail fraud, wire
1433 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
1434 interference in commerce, also involving monetary transactions in
1435 property derived from specified unlawful activity), and have caused
1436 injury to the business and/or property of the Plaintiff Atkinson. This
1437 Defendant has exceeded, and overstepped their authority and violated

1438 the Constitutional rights of the Plaintiff, infringing and deprived him
1439 of his civil rights. Defendant resides at One Ashburton Place, Boston,
1440 MA 02108 -1518

1441

1442 114. Defendant PATROLMAN JAMES HURST is sued in his/her
1443 official capacity and individually as a Police Officer for Town of
1444 Rockport, responsible for executing and administering the laws and
1445 policies at issue in this lawsuit. Defendant directly deprived, violated,
1446 and infringed upon Plaintiff 's civil rights, with malice, and with
1447 careful planning and conspiracy with others. Defendant has while
1448 acting under color of law and while armed with a dangerous weapon
1449 at all times with the intent to commit a felony; has engaged in a
1450 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
1451 false statements; intimidation of a witness; false arrest; kidnapping;
1452 confinement; home invasion; armed home invasion; assault; armed
1453 assault; assaulted with bodily injury in furtherance of committing a
1454 felony; willfully inflicting injury; unlawfully used or threatened to use
1455 against another the power of or authority vested in him; use of
1456 excessive force; breaking and entered into a dwelling house; assault
1457 and battery; broke into a truck in order to commit a felony; induced

1458 another to part with property under false pretenses; had in his
1459 possession tools and implements to break open a building, room, or
1460 vault in order to steal and to commit other crimes; placed a person in
1461 fear of their lives in order to force the person to surrender the means
1462 of opening a locked room and locked safes; damaged property;
1463 intimidated witness or potential witness; caused serious alarm to a
1464 reasonable person; inflicted substantial emotional distress; entered a
1465 dwelling places of another knowing that one or more persons present
1466 within was likely armed with dangerous weapons; fraudulently
1467 converted property that was in the custody of the Town to his own
1468 personal use; concealed felonies committed by others who were part
1469 of the conspiracy; stole and, or received and gave to others stolen
1470 trade secrets; made false and fictitious claims, injured and defaced a
1471 dwelling house; remained on private property after being forbidden to
1472 remain thereon by the person in legal control of the premises; without
1473 authorization, committed subornation of perjury; made multiple false
1474 reports to state boards or commissioners; while acting as a employee
1475 of the Town of Rockport, filed false written reports and statements;
1476 took money and rewards to compound or conceal felonies; aided in
1477 the commission of a felony; knowingly accessed computers, and

1478 computer systems and failed to terminate such access knowing that
1479 such access was not authorized; interfered with civil rights; committed
1480 conspiracy to violate civil rights; violated Constitutional Rights; and
1481 committed other State and Federal crimes. The Plaintiff Atkinson,
1482 who is a disabled veteran, was the victim of these aforementioned
1483 criminal acts, deprivations, and infringements by Defendant. Any veil
1484 of immunity, which this defendant may have previously enjoyed by
1485 virtue of their office or position, is “pierced and ripped asunder” due
1486 to their infringement and deprivation of the Constitutional Rights of
1487 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1488 fully naked and vulnerable before the court, with no immunity of any
1489 form. Further, this defendant has engaged in conduct and as a
1490 continuing unit of an enterprise, through a pattern, of racketeering
1491 enterprises (including, but not limited to: mail fraud, wire fraud,
1492 scheme to defraud, robbery, kidnapping, obstruction of justice,
1493 interference in commerce, also involving monetary transactions in
1494 property derived from specified unlawful activity), and have caused
1495 injury to the business and/or property of the Plaintiff Atkinson. This
1496 Defendant has exceeded, and overstepped their authority and violated
1497 the Constitutional rights of the Plaintiff, infringing and deprived him

1498 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1499 MA 01966

1500

1501 115. Defendant PATROLMAN DANIEL MAHONEY is sued in
1502 his/her official capacity and individually as an Police Officer for
1503 Town of Rockport, responsible for executing and administering the
1504 laws and policies at issue in this lawsuit. Defendant directly deprived,
1505 violated, and infringed upon Plaintiff 's civil rights, with malice, and
1506 with careful planning and conspiracy with others. Defendant has while
1507 acting under color of law and while armed with a dangerous weapon
1508 at all times with the intent to commit a felony; has engaged in a
1509 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
1510 false statements; intimidation of a witness; false arrest; kidnapping;
1511 confinement; home invasion; armed home invasion; assault; armed
1512 assault; assaulted with bodily injury in furtherance of committing a
1513 felony; willfully inflicting injury; unlawfully used or threatened to use
1514 against another the power of or authority vested in him; use of
1515 excessive force; breaking and entered into a dwelling house; assault
1516 and battery; broke into a truck in order to commit a felony; induced
1517 another to part with property under false pretenses; had in his

1518 possession tools and implements to break open a building, room, or
1519 vault in order to steal and to commit other crimes; placed a person in
1520 fear of their lives in order to force the person to surrender the means
1521 of opening a locked room and locked safes; damaged property;
1522 intimidated witness or potential witness; caused serious alarm to a
1523 reasonable person; inflicted substantial emotional distress; entered a
1524 dwelling places of another knowing that one or more persons present
1525 within was likely armed with dangerous weapons; fraudulently
1526 converted property that was in the custody of the Town to his own
1527 personal use; concealed felonies committed by others who were part
1528 of the conspiracy; stole and, or received and gave to others stolen
1529 trade secrets; made false and fictitious claims, injured and defaced a
1530 dwelling house; remained on private property after being forbidden to
1531 remain thereon by the person in legal control of the premises; without
1532 authorization, committed subornation of perjury; made multiple false
1533 reports to state boards or commissioners; while acting as a employee
1534 of the Town of Rockport, filed false written reports and statements;
1535 took money and rewards to compound or conceal felonies; aided in
1536 the commission of a felony; knowingly accessed computers, and
1537 computer systems and failed to terminate such access knowing that

1538 such access was not authorized; interfered with civil rights; committed
1539 conspiracy to violate civil rights; violated Constitutional Rights; and
1540 committed other State and Federal crimes. The Plaintiff Atkinson,
1541 who is a disabled veteran, was the victim of these aforementioned
1542 criminal acts, deprivations, and infringements by Defendant. Any veil
1543 of immunity, which this defendant may have previously enjoyed by
1544 virtue of their office or position, is “pierced and ripped asunder” due
1545 to their infringement and deprivation of the Constitutional Rights of
1546 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1547 fully naked and vulnerable before the court, with no immunity of any
1548 form. Further, this defendant has engaged in conduct and as a
1549 continuing unit of an enterprise, through a pattern, of racketeering
1550 enterprises (including, but not limited to: mail fraud, wire fraud,
1551 scheme to defraud, robbery, kidnapping, obstruction of justice,
1552 interference in commerce, also involving monetary transactions in
1553 property derived from specified unlawful activity), and have caused
1554 injury to the business and/or property of the Plaintiff Atkinson. This
1555 Defendant has exceeded, and overstepped their authority and violated
1556 the Constitutional rights of the Plaintiff, infringing and deprived him
1557 of his civil rights. Defendant resides at 168 Main Street, Rockport,

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MA 01966

116. Defendant SGT MICHAEL MARINO is sued in his/her official capacity and individually as an Police Officer for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Defendant has while acting under color of law and while armed with a dangerous weapon at all times with the intent to commit a felony; has engaged in a pattern of robbery; armed robbery; embezzlement; fraud; larceny; false statements; intimidation of a witness; false arrest; kidnapping; confinement; home invasion; armed home invasion; assault; armed assault; assaulted with bodily injury in furtherance of committing a felony; willfully inflicting injury; unlawfully used or threatened to use against another the power of or authority vested in him; use of excessive force; breaking and entered into a dwelling house; assault and battery; broke into a truck in order to commit a felony; induced another to part with property under false pretenses; had in his possession tools and implements to break open a building, room, or

1578 vault in order to steal and to commit other crimes; placed a person in
1579 fear of their lives in order to force the person to surrender the means
1580 of opening a locked room and locked safes; damaged property;
1581 intimidated witness or potential witness; caused serious alarm to a
1582 reasonable person; inflicted substantial emotional distress; entered a
1583 dwelling places of another knowing that one or more persons present
1584 within was likely armed with dangerous weapons; fraudulently
1585 converted property that was in the custody of the Town to his own
1586 personal use; concealed felonies committed by others who were part
1587 of the conspiracy; stole and, or received and gave to others stolen
1588 trade secrets; made false and fictitious claims, injured and defaced a
1589 dwelling house; remained on private property after being forbidden to
1590 remain thereon by the person in legal control of the premises; without
1591 authorization, committed subornation of perjury; made multiple false
1592 reports to state boards or commissioners; while acting as a employee
1593 of the Town of Rockport, filed false written reports and statements;
1594 took money and rewards to compound or conceal felonies; aided in
1595 the commission of a felony; knowingly accessed computers, and
1596 computer systems and failed to terminate such access knowing that
1597 such access was not authorized; interfered with civil rights; committed

1598 conspiracy to violate civil rights; violated Constitutional Rights; and
1599 committed other State and Federal crimes. The Plaintiff Atkinson,
1600 who is a disabled veteran, was the victim of these aforementioned
1601 criminal acts, deprivations, and infringements by Defendant. Any veil
1602 of immunity, which this defendant may have previously enjoyed by
1603 virtue of their office or position, is “pierced and ripped asunder” due
1604 to their infringement and deprivation of the Constitutional Rights of
1605 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1606 fully naked and vulnerable before the court, with no immunity of any
1607 form. Further, this defendant has engaged in conduct and as a
1608 continuing unit of an enterprise, through a pattern, of racketeering
1609 enterprises (including, but not limited to: mail fraud, wire fraud,
1610 scheme to defraud, robbery, kidnapping, obstruction of justice,
1611 interference in commerce, also involving monetary transactions in
1612 property derived from specified unlawful activity), and have caused
1613 injury to the business and/or property of the Plaintiff Atkinson. This
1614 Defendant has exceeded, and overstepped their authority and violated
1615 the Constitutional rights of the Plaintiff, infringing and deprived him
1616 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1617 MA 01966

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117. Defendant CHIEF JOHN T. MCCARTHY is sued in his/her official capacity and individually as an Chief of Police for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Defendant has while acting under color of law and while armed with a dangerous weapon at all times with the intent to commit a felony; has engaged in a pattern of robbery; armed robbery; embezzlement; fraud; larceny; false statements; intimidation of a witness; false arrest; kidnapping; confinement; home invasion; armed home invasion; assault; armed assault; assaulted with bodily injury in furtherance of committing a felony; willfully inflicting injury; unlawfully used or threatened to use against another the power of or authority vested in him; use of excessive force; breaking and entered into a dwelling house; assault and battery; broke into a truck in order to commit a felony; induced another to part with property under false pretenses; had in his possession tools and implements to break open a building, room, or vault in order to steal and to commit other crimes; placed a person in

1638 fear of their lives in order to force the person to surrender the means
1639 of opening a locked room and locked safes; damaged property;
1640 intimidated witness or potential witness; caused serious alarm to a
1641 reasonable person; inflicted substantial emotional distress; entered a
1642 dwelling places of another knowing that one or more persons present
1643 within was likely armed with dangerous weapons; fraudulently
1644 converted property that was in the custody of the Town to his own
1645 personal use; concealed felonies committed by others who were part
1646 of the conspiracy; stole and, or received and gave to others stolen
1647 trade secrets; made false and fictitious claims, injured and defaced a
1648 dwelling house; remained on private property after being forbidden to
1649 remain thereon by the person in legal control of the premises; without
1650 authorization, committed subornation of perjury; made multiple false
1651 reports to state boards or commissioners; while acting as a employee
1652 of the Town of Rockport, filed false written reports and statements;
1653 took money and rewards to compound or conceal felonies; aided in
1654 the commission of a felony; knowingly accessed computers, and
1655 computer systems and failed to terminate such access knowing that
1656 such access was not authorized; interfered with civil rights; committed
1657 conspiracy to violate civil rights; violated Constitutional Rights; and

1658 committed other State and Federal crimes. The Plaintiff Atkinson,
1659 who is a disabled veteran, was the victim of these aforementioned
1660 criminal acts, deprivations, and infringements by Defendant. Any veil
1661 of immunity, which this defendant may have previously enjoyed by
1662 virtue of their office or position, is “pierced and ripped asunder” due
1663 to their infringement and deprivation of the Constitutional Rights of
1664 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1665 fully naked and vulnerable before the court, with no immunity of any
1666 form. Further, this defendant has engaged in conduct and as a
1667 continuing unit of an enterprise, through a pattern, of racketeering
1668 enterprises (including, but not limited to: mail fraud, wire fraud,
1669 scheme to defraud, robbery, kidnapping, obstruction of justice,
1670 interference in commerce, also involving monetary transactions in
1671 property derived from specified unlawful activity), and have caused
1672 injury to the business and/or property of the Plaintiff Atkinson. This
1673 Defendant has exceeded, and overstepped their authority and violated
1674 the Constitutional rights of the Plaintiff, infringing and deprived him
1675 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1676 MA 01966

1677

1678 118. Defendant PATROLMAN GREGORY GEORGE is sued in
1679 his/her official capacity and individually as an Police Officer for
1680 Town of Rockport, responsible for executing and administering the
1681 laws and policies at issue in this lawsuit. Defendant directly deprived,
1682 violated, and infringed upon Plaintiff 's civil rights, with malice, and
1683 with careful planning and conspiracy with others. Defendant has while
1684 acting under color of law and while armed with a dangerous weapon
1685 at all times with the intent to commit a felony; has engaged in a
1686 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
1687 false statements; intimidation of a witness; false arrest; kidnapping;
1688 confinement; home invasion; armed home invasion; assault; armed
1689 assault; assaulted with bodily injury in furtherance of committing a
1690 felony; willfully inflicting injury; unlawfully used or threatened to use
1691 against another the power of or authority vested in him; use of
1692 excessive force; breaking and entered into a dwelling house; assault
1693 and battery; broke into a truck in order to commit a felony; induced
1694 another to part with property under false pretenses; had in his
1695 possession tools and implements to break open a building, room, or
1696 vault in order to steal and to commit other crimes; placed a person in
1697 fear of their lives in order to force the person to surrender the means

1698 of opening a locked room and locked safes; damaged property;
1699 intimidated witness or potential witness; caused serious alarm to a
1700 reasonable person; inflicted substantial emotional distress; entered a
1701 dwelling places of another knowing that one or more persons present
1702 within was likely armed with dangerous weapons; fraudulently
1703 converted property that was in the custody of the Town to his own
1704 personal use; concealed felonies committed by others who were part
1705 of the conspiracy; stole and, or received and gave to others stolen
1706 trade secrets; made false and fictitious claims, injured and defaced a
1707 dwelling house; remained on private property after being forbidden to
1708 remain thereon by the person in legal control of the premises; without
1709 authorization, committed subornation of perjury; made multiple false
1710 reports to state boards or commissioners; while acting as a employee
1711 of the Town of Rockport, filed false written reports and statements;
1712 took money and rewards to compound or conceal felonies; aided in
1713 the commission of a felony; knowingly accessed computers, and
1714 computer systems and failed to terminate such access knowing that
1715 such access was not authorized; interfered with civil rights; committed
1716 conspiracy to violate civil rights; violated Constitutional Rights; and
1717 committed other State and Federal crimes. The Plaintiff Atkinson,

1718 who is a disabled veteran, was the victim of these aforementioned
1719 criminal acts, deprivations, and infringements by Defendant. Any veil
1720 of immunity, which this defendant may have previously enjoyed by
1721 virtue of their office or position, is “pierced and ripped asunder” due
1722 to their infringement and deprivation of the Constitutional Rights of
1723 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1724 fully naked and vulnerable before the court, with no immunity of any
1725 form. Further, this defendant has engaged in conduct and as a
1726 continuing unit of an enterprise, through a pattern, of racketeering
1727 enterprises (including, but not limited to: mail fraud, wire fraud,
1728 scheme to defraud, robbery, kidnapping, obstruction of justice,
1729 interference in commerce, also involving monetary transactions in
1730 property derived from specified unlawful activity), and have caused
1731 injury to the business and/or property of the Plaintiff Atkinson. This
1732 Defendant has exceeded, and overstepped their authority and violated
1733 the Constitutional rights of the Plaintiff, infringing and deprived him
1734 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1735 MA 01966

1736
1737 119. Defendant PATROLMAN SEAN ANDRUS is sued in his/her

1738 official capacity and individually as a Police Officer for Town of
1739 Rockport, responsible for executing and administering the laws and
1740 policies at issue in this lawsuit. Defendant directly deprived, violated,
1741 and infringed upon Plaintiff 's civil rights, with malice, and with
1742 careful planning and conspiracy with others. Defendant has while
1743 acting under color of law and while armed with a dangerous weapon
1744 at all times with the intent to commit a felony; has engaged in a
1745 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
1746 false statements; intimidation of a witness; false arrest; kidnapping;
1747 confinement; home invasion; armed home invasion; assault; armed
1748 assault; assaulted with bodily injury in furtherance of committing a
1749 felony; willfully inflicting injury; unlawfully used or threatened to use
1750 against another the power of or authority vested in him; use of
1751 excessive force; breaking and entered into a dwelling house; assault
1752 and battery; broke into a truck in order to commit a felony; induced
1753 another to part with property under false pretenses; had in his
1754 possession tools and implements to break open a building, room, or
1755 vault in order to steal and to commit other crimes; placed a person in
1756 fear of their lives in order to force the person to surrender the means
1757 of opening a locked room and locked safes; damaged property;

1758 intimidated witness or potential witness; caused serious alarm to a
1759 reasonable person; inflicted substantial emotional distress; entered a
1760 dwelling places of another knowing that one or more persons present
1761 within was likely armed with dangerous weapons; fraudulently
1762 converted property that was in the custody of the Town to his own
1763 personal use; concealed felonies committed by others who were part
1764 of the conspiracy; stole and, or received and gave to others stolen
1765 trade secrets; made false and fictitious claims, injured and defaced a
1766 dwelling house; remained on private property after being forbidden to
1767 remain thereon by the person in legal control of the premises; without
1768 authorization, committed subornation of perjury; made multiple false
1769 reports to state boards or commissioners; while acting as a employee
1770 of the Town of Rockport, filed false written reports and statements;
1771 took money and rewards to compound or conceal felonies; aided in
1772 the commission of a felony; knowingly accessed computers, and
1773 computer systems and failed to terminate such access knowing that
1774 such access was not authorized; interfered with civil rights; committed
1775 conspiracy to violate civil rights; violated Constitutional Rights; and
1776 committed other State and Federal crimes. The Plaintiff Atkinson,
1777 who is a disabled veteran, was the victim of these aforementioned

1778 criminal acts, deprivations, and infringements by Defendant. Any veil
1779 of immunity, which this defendant may have previously enjoyed by
1780 virtue of their office or position, is “pierced and ripped asunder” due
1781 to their infringement and deprivation of the Constitutional Rights of
1782 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1783 fully naked and vulnerable before the court, with no immunity of any
1784 form. Further, this defendant has engaged in conduct and as a
1785 continuing unit of an enterprise, through a pattern, of racketeering
1786 enterprises (including, but not limited to: mail fraud, wire fraud,
1787 scheme to defraud, robbery, kidnapping, obstruction of justice,
1788 interference in commerce, also involving monetary transactions in
1789 property derived from specified unlawful activity), and have caused
1790 injury to the business and/or property of the Plaintiff Atkinson. This
1791 Defendant has exceeded, and overstepped their authority and violated
1792 the Constitutional rights of the Plaintiff, infringing and deprived him
1793 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1794 MA 01966

1795
1796 120. Defendant PATROLMAN JAMES HURST is sued in his/her
1797 official capacity and individually as a Police Officer for Town of

1798 Rockport, responsible for executing and administering the laws and
1799 policies at issue in this lawsuit. Defendant directly deprived, violated,
1800 and infringed upon Plaintiff 's civil rights, with malice, and with
1801 careful planning and conspiracy with others. Defendant has while
1802 acting under color of law and while armed with a dangerous weapon
1803 at all times with the intent to commit a felony; has engaged in a
1804 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
1805 false statements; intimidation of a witness; false arrest; kidnapping;
1806 confinement; home invasion; armed home invasion; assault; armed
1807 assault; assaulted with bodily injury in furtherance of committing a
1808 felony; willfully inflicting injury; unlawfully used or threatened to use
1809 against another the power of or authority vested in him; use of
1810 excessive force; breaking and entered into a dwelling house; assault
1811 and battery; broke into a truck in order to commit a felony; induced
1812 another to part with property under false pretenses; had in his
1813 possession tools and implements to break open a building, room, or
1814 vault in order to steal and to commit other crimes; placed a person in
1815 fear of their lives in order to force the person to surrender the means
1816 of opening a locked room and locked safes; damaged property;
1817 intimidated witness or potential witness; caused serious alarm to a

1818 reasonable person; inflicted substantial emotional distress; entered a
1819 dwelling places of another knowing that one or more persons present
1820 within was likely armed with dangerous weapons; fraudulently
1821 converted property that was in the custody of the Town to his own
1822 personal use; concealed felonies committed by others who were part
1823 of the conspiracy; stole and, or received and gave to others stolen
1824 trade secrets; made false and fictitious claims, injured and defaced a
1825 dwelling house; remained on private property after being forbidden to
1826 remain thereon by the person in legal control of the premises; without
1827 authorization, committed subornation of perjury; made multiple false
1828 reports to state boards or commissioners; while acting as a employee
1829 of the Town of Rockport, filed false written reports and statements;
1830 took money and rewards to compound or conceal felonies; aided in
1831 the commission of a felony; knowingly accessed computers, and
1832 computer systems and failed to terminate such access knowing that
1833 such access was not authorized; interfered with civil rights; committed
1834 conspiracy to violate civil rights; violated Constitutional Rights; and
1835 committed other State and Federal crimes. The Plaintiff Atkinson,
1836 who is a disabled veteran, was the victim of these aforementioned
1837 criminal acts, deprivations, and infringements by Defendant. Any veil

1838 of immunity, which this defendant may have previously enjoyed by
1839 virtue of their office or position, is “pierced and ripped asunder” due
1840 to their infringement and deprivation of the Constitutional Rights of
1841 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1842 fully naked and vulnerable before the court, with no immunity of any
1843 form. Further, this defendant has engaged in conduct and as a
1844 continuing unit of an enterprise, through a pattern, of racketeering
1845 enterprises (including, but not limited to: mail fraud, wire fraud,
1846 scheme to defraud, robbery, kidnapping, obstruction of justice,
1847 interference in commerce, also involving monetary transactions in
1848 property derived from specified unlawful activity), and have caused
1849 injury to the business and/or property of the Plaintiff Atkinson. This
1850 Defendant has exceeded, and overstepped their authority and violated
1851 the Constitutional rights of the Plaintiff, infringing and deprived him
1852 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1853 MA 01966

1854
1855 121. Defendant SGT. MARK SCHMINK is sued in his/her official
1856 capacity and individually as a Police Officer for Town of Rockport,
1857 responsible for executing and administering the laws and policies at

1858 issue in this lawsuit. Defendant directly deprived, violated, and
1859 infringed upon Plaintiff 's civil rights, with malice, and with careful
1860 planning and conspiracy with others. Defendant has while acting
1861 under color of law and while armed with a dangerous weapon at all
1862 times with the intent to commit a felony; has engaged in a pattern of
1863 robbery; armed robbery; embezzlement; fraud; larceny; false
1864 statements; intimidation of a witness; false arrest; kidnapping;
1865 confinement; home invasion; armed home invasion; assault; armed
1866 assault; assaulted with bodily injury in furtherance of committing a
1867 felony; willfully inflicting injury; unlawfully used or threatened to use
1868 against another the power of or authority vested in him; use of
1869 excessive force; breaking and entered into a dwelling house; assault
1870 and battery; broke into a truck in order to commit a felony; induced
1871 another to part with property under false pretenses; had in his
1872 possession tools and implements to break open a building, room, or
1873 vault in order to steal and to commit other crimes; placed a person in
1874 fear of their lives in order to force the person to surrender the means
1875 of opening a locked room and locked safes; damaged property;
1876 intimidated witness or potential witness; caused serious alarm to a
1877 reasonable person; inflicted substantial emotional distress; entered a

1878 dwelling places of another knowing that one or more persons present
1879 within was likely armed with dangerous weapons; fraudulently
1880 converted property that was in the custody of the Town to his own
1881 personal use; concealed felonies committed by others who were part
1882 of the conspiracy; stole and, or received and gave to others stolen
1883 trade secrets; made false and fictitious claims, injured and defaced a
1884 dwelling house; remained on private property after being forbidden to
1885 remain thereon by the person in legal control of the premises; without
1886 authorization, committed subornation of perjury; made multiple false
1887 reports to state boards or commissioners; while acting as a employee
1888 of the Town of Rockport, filed false written reports and statements;
1889 took money and rewards to compound or conceal felonies; aided in
1890 the commission of a felony; knowingly accessed computers, and
1891 computer systems and failed to terminate such access knowing that
1892 such access was not authorized; interfered with civil rights; committed
1893 conspiracy to violate civil rights; violated Constitutional Rights; and
1894 committed other State and Federal crimes. The Plaintiff Atkinson,
1895 who is a disabled veteran, was the victim of these aforementioned
1896 criminal acts, deprivations, and infringements by Defendant. Any veil
1897 of immunity, which this defendant may have previously enjoyed by

1898 virtue of their office or position, is “pierced and ripped asunder” due
1899 to their infringement and deprivation of the Constitutional Rights of
1900 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1901 fully naked and vulnerable before the court, with no immunity of any
1902 form. Further, this defendant has engaged in conduct and as a
1903 continuing unit of an enterprise, through a pattern, of racketeering
1904 enterprises (including, but not limited to: mail fraud, wire fraud,
1905 scheme to defraud, robbery, kidnapping, obstruction of justice,
1906 interference in commerce, also involving monetary transactions in
1907 property derived from specified unlawful activity), and have caused
1908 injury to the business and/or property of the Plaintiff Atkinson. This
1909 Defendant has exceeded, and overstepped their authority and violated
1910 the Constitutional rights of the Plaintiff, infringing and deprived him
1911 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1912 MA 01966

1914 122. Defendant SGT. ROBERT TIBERT is sued in his/her official
1915 capacity and individually as a Police Officer for Town of Rockport,
1916 responsible for executing and administering the laws and policies at
1917 issue in this lawsuit. Defendant directly deprived, violated, and

1918 infringed upon Plaintiff 's civil rights, with malice, and with careful
1919 planning and conspiracy with others. Defendant has while acting
1920 under color of law and while armed with a dangerous weapon at all
1921 times with the intent to commit a felony; has engaged in a pattern of
1922 robbery; armed robbery; embezzlement; fraud; larceny; false
1923 statements; intimidation of a witness; false arrest; kidnapping;
1924 confinement; home invasion; armed home invasion; assault; armed
1925 assault; assaulted with bodily injury in furtherance of committing a
1926 felony; willfully inflicting injury; unlawfully used or threatened to use
1927 against another the power of or authority vested in him; use of
1928 excessive force; breaking and entered into a dwelling house; assault
1929 and battery; broke into a truck in order to commit a felony; induced
1930 another to part with property under false pretenses; had in his
1931 possession tools and implements to break open a building, room, or
1932 vault in order to steal and to commit other crimes; placed a person in
1933 fear of their lives in order to force the person to surrender the means
1934 of opening a locked room and locked safes; damaged property;
1935 intimidated witness or potential witness; caused serious alarm to a
1936 reasonable person; inflicted substantial emotional distress; entered a
1937 dwelling places of another knowing that one or more persons present

1938 within was likely armed with dangerous weapons; fraudulently
1939 converted property that was in the custody of the Town to his own
1940 personal use; concealed felonies committed by others who were part
1941 of the conspiracy; stole and, or received and gave to others stolen
1942 trade secrets; made false and fictitious claims, injured and defaced a
1943 dwelling house; remained on private property after being forbidden to
1944 remain thereon by the person in legal control of the premises; without
1945 authorization, committed subornation of perjury; made multiple false
1946 reports to state boards or commissioners; while acting as a employee
1947 of the Town of Rockport, filed false written reports and statements;
1948 took money and rewards to compound or conceal felonies; aided in
1949 the commission of a felony; knowingly accessed computers, and
1950 computer systems and failed to terminate such access knowing that
1951 such access was not authorized; interfered with civil rights; committed
1952 conspiracy to violate civil rights; violated Constitutional Rights; and
1953 committed other State and Federal crimes. The Plaintiff Atkinson,
1954 who is a disabled veteran, was the victim of these aforementioned
1955 criminal acts, deprivations, and infringements by Defendant. Any veil
1956 of immunity, which this defendant may have previously enjoyed by
1957 virtue of their office or position, is “pierced and ripped asunder” due

1958 to their infringement and deprivation of the Constitutional Rights of
1959 the Plaintiff, and thus this Defendant (and all other Defendants) stands
1960 fully naked and vulnerable before the court, with no immunity of any
1961 form. Further, this defendant has engaged in conduct and as a
1962 continuing unit of an enterprise, through a pattern, of racketeering
1963 enterprises (including, but not limited to: mail fraud, wire fraud,
1964 scheme to defraud, robbery, kidnapping, obstruction of justice,
1965 interference in commerce, also involving monetary transactions in
1966 property derived from specified unlawful activity), and have caused
1967 injury to the business and/or property of the Plaintiff Atkinson. This
1968 Defendant has exceeded, and overstepped their authority and violated
1969 the Constitutional rights of the Plaintiff, infringing and deprived him
1970 of his civil rights. Defendant resides at 168 Main Street, Rockport,
1971 MA 01966

1972
1973 123. Defendant MICHAEL ANDERSON is sued in his/her official
1974 capacity and individually as a Police Officer for Town of Rockport,
1975 responsible for executing and administering the laws and policies at
1976 issue in this lawsuit. Defendant directly deprived, violated, and
1977 infringed upon Plaintiff 's civil rights, with malice, and with careful

1978 planning and conspiracy with others. Defendant has while acting
1979 under color of law and while armed with a dangerous weapon at all
1980 times with the intent to commit a felony; has engaged in a pattern of
1981 robbery; armed robbery; embezzlement; fraud; larceny; false
1982 statements; intimidation of a witness; false arrest; kidnapping;
1983 confinement; home invasion; armed home invasion; assault; armed
1984 assault; assaulted with bodily injury in furtherance of committing a
1985 felony; willfully inflicting injury; unlawfully used or threatened to use
1986 against another the power of or authority vested in him; use of
1987 excessive force; breaking and entered into a dwelling house; assault
1988 and battery; broke into a truck in order to commit a felony; induced
1989 another to part with property under false pretenses; had in his
1990 possession tools and implements to break open a building, room, or
1991 vault in order to steal and to commit other crimes; placed a person in
1992 fear of their lives in order to force the person to surrender the means
1993 of opening a locked room and locked safes; damaged property;
1994 intimidated witness or potential witness; caused serious alarm to a
1995 reasonable person; inflicted substantial emotional distress; entered a
1996 dwelling places of another knowing that one or more persons present
1997 within was likely armed with dangerous weapons; fraudulently

1998 converted property that was in the custody of the Town to his own
1999 personal use; concealed felonies committed by others who were part
2000 of the conspiracy; stole and, or received and gave to others stolen
2001 trade secrets; made false and fictitious claims, injured and defaced a
2002 dwelling house; remained on private property after being forbidden to
2003 remain thereon by the person in legal control of the premises; without
2004 authorization, committed subornation of perjury; made multiple false
2005 reports to state boards or commissioners; while acting as a employee
2006 of the Town of Rockport, filed false written reports and statements;
2007 took money and rewards to compound or conceal felonies; aided in
2008 the commission of a felony; knowingly accessed computers, and
2009 computer systems and failed to terminate such access knowing that
2010 such access was not authorized; interfered with civil rights; committed
2011 conspiracy to violate civil rights; violated Constitutional Rights; and
2012 committed other State and Federal crimes. The Plaintiff Atkinson,
2013 who is a disabled veteran, was the victim of these aforementioned
2014 criminal acts, deprivations, and infringements by Defendant. Any veil
2015 of immunity, which this defendant may have previously enjoyed by
2016 virtue of their office or position, is “pierced and ripped asunder” due
2017 to their infringement and deprivation of the Constitutional Rights of

2018 the Plaintiff, and thus this Defendant (and all other Defendants) stands
2019 fully naked and vulnerable before the court, with no immunity of any
2020 form. Further, this defendant has engaged in conduct and as a
2021 continuing unit of an enterprise, through a pattern, of racketeering
2022 enterprises (including, but not limited to: mail fraud, wire fraud,
2023 scheme to defraud, robbery, kidnapping, obstruction of justice,
2024 interference in commerce, also involving monetary transactions in
2025 property derived from specified unlawful activity), and have caused
2026 injury to the business and/or property of the Plaintiff Atkinson. This
2027 Defendant has exceeded, and overstepped their authority and violated
2028 the Constitutional rights of the Plaintiff, infringing and deprived him
2029 of his civil rights. Defendant resides at 168 Main Street, Rockport,
2030 MA 01966

2031
2032 124. Defendant TIMOTHY FRITHSEN is sued in his/her official
2033 capacity and individually as a Police Officer for Town of Rockport,
2034 responsible for executing and administering the laws and policies at
2035 issue in this lawsuit. Defendant directly deprived, violated, and
2036 infringed upon Plaintiff 's civil rights, with malice, and with careful
2037 planning and conspiracy with others. Defendant has while acting

2038 under color of law and while armed with a dangerous weapon at all
2039 times with the intent to commit a felony; has engaged in a pattern of
2040 robbery; armed robbery; embezzlement; fraud; larceny; false
2041 statements; intimidation of a witness; false arrest; kidnapping;
2042 confinement; home invasion; armed home invasion; assault; armed
2043 assault; assaulted with bodily injury in furtherance of committing a
2044 felony; willfully inflicting injury; unlawfully used or threatened to use
2045 against another the power of or authority vested in him; use of
2046 excessive force; breaking and entered into a dwelling house; assault
2047 and battery; broke into a truck in order to commit a felony; induced
2048 another to part with property under false pretenses; had in his
2049 possession tools and implements to break open a building, room, or
2050 vault in order to steal and to commit other crimes; placed a person in
2051 fear of their lives in order to force the person to surrender the means
2052 of opening a locked room and locked safes; damaged property;
2053 intimidated witness or potential witness; caused serious alarm to a
2054 reasonable person; inflicted substantial emotional distress; entered a
2055 dwelling places of another knowing that one or more persons present
2056 within was likely armed with dangerous weapons; fraudulently
2057 converted property that was in the custody of the Town to his own

2058 personal use; concealed felonies committed by others who were part
2059 of the conspiracy; stole and, or received and gave to others stolen
2060 trade secrets; made false and fictitious claims, injured and defaced a
2061 dwelling house; remained on private property after being forbidden to
2062 remain thereon by the person in legal control of the premises; without
2063 authorization, committed subornation of perjury; made multiple false
2064 reports to state boards or commissioners; while acting as a employee
2065 of the Town of Rockport, filed false written reports and statements;
2066 took money and rewards to compound or conceal felonies; aided in
2067 the commission of a felony; knowingly accessed computers, and
2068 computer systems and failed to terminate such access knowing that
2069 such access was not authorized; interfered with civil rights; committed
2070 conspiracy to violate civil rights; violated Constitutional Rights; and
2071 committed other State and Federal crimes. The Plaintiff Atkinson,
2072 who is a disabled veteran, was the victim of these aforementioned
2073 criminal acts, deprivations, and infringements by Defendant. Any veil
2074 of immunity, which this defendant may have previously enjoyed by
2075 virtue of their office or position, is “pierced and ripped asunder” due
2076 to their infringement and deprivation of the Constitutional Rights of
2077 the Plaintiff, and thus this Defendant (and all other Defendants) stands

2078 fully naked and vulnerable before the court, with no immunity of any
2079 form. Further, this defendant has engaged in conduct and as a
2080 continuing unit of an enterprise, through a pattern, of racketeering
2081 enterprises (including, but not limited to: mail fraud, wire fraud,
2082 scheme to defraud, robbery, kidnapping, obstruction of justice,
2083 interference in commerce, also involving monetary transactions in
2084 property derived from specified unlawful activity), and have caused
2085 injury to the business and/or property of the Plaintiff Atkinson. This
2086 Defendant has exceeded, and overstepped their authority and violated
2087 the Constitutional rights of the Plaintiff, infringing and deprived him
2088 of his civil rights. Defendant resides at 168 Main Street, Rockport,
2089 MA 01966

2090
2091 125. Defendant JOHN DOE 001 - 009 is sued in his/her official
2092 capacity and individually as a Police Officer for Town of Rockport,
2093 responsible for executing and administering the laws and policies at
2094 issue in this lawsuit. Defendant directly deprived, violated, and
2095 infringed upon Plaintiff 's civil rights, with malice, and with careful
2096 planning and conspiracy with others. Any veil of immunity, which
2097 this defendant may have previously enjoyed by virtue of their office

2098 or position, is “pierced and ripped asunder” due to their infringement
2099 and deprivation of the Constitutional Rights of the Plaintiff, and thus
2100 this Defendant (and all other Defendants) stands fully naked and
2101 vulnerable before the court, with no immunity of any form. Further,
2102 this defendant has engaged in conduct and as a continuing unit of an
2103 enterprise, through a pattern, of racketeering enterprises (including,
2104 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2105 kidnapping, obstruction of justice, interference in commerce, also
2106 involving monetary transactions in property derived from specified
2107 unlawful activity), and have caused injury to the business and/or
2108 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2109 overstepped their authority and violated the Constitutional rights of
2110 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2111 resides at 168 Main Street, Rockport, MA 01966

2112
2113 126. Defendant CHRISTIAN MCDOWELL is sued in his/her official
2114 capacity and individually as a Special Agent for Federal Bureau of
2115 Investigation, responsible for executing and administering the laws
2116 and policies at issue in this lawsuit. Defendant directly deprived,
2117 violated, and infringed upon Plaintiff ‘s civil rights, with malice, and

2118 with careful planning and conspiracy with others. Defendant has while
2119 acting under color of law and while armed with a dangerous weapon
2120 at all times with the intent to commit a felony; has engaged in a
2121 pattern of robbery; armed robbery; embezzlement; fraud; larceny;
2122 false statements; intimidation of a witness; false arrest; kidnapping;
2123 confinement; home invasion; armed home invasion; assault; armed
2124 assault; assaulted with bodily injury in furtherance of committing a
2125 felony; willfully inflicting injury; unlawfully used or threatened to use
2126 against another the power of or authority vested in him; use of
2127 excessive force; breaking and entered into a dwelling house; assault
2128 and battery; broke into a truck in order to commit a felony; induced
2129 another to part with property under false pretenses; had in his
2130 possession tools and implements to break open a building, room, or
2131 vault in order to steal and to commit other crimes; placed a person in
2132 fear of their lives in order to force the person to surrender the means
2133 of opening a locked room and locked safes; damaged property;
2134 intimidated witness or potential witness; caused serious alarm to a
2135 reasonable person; inflicted substantial emotional distress; entered a
2136 dwelling places of another knowing that one or more persons present
2137 within was likely armed with dangerous weapons; fraudulently

2138 converted property that was in the custody of the Town to his own
2139 personal use; concealed felonies committed by others who were part
2140 of the conspiracy; stole and, or received and gave to others stolen
2141 trade secrets; made false and fictitious claims, injured and defaced a
2142 dwelling house; remained on private property after being forbidden to
2143 remain thereon by the person in legal control of the premises; without
2144 authorization, committed subornation of perjury; made multiple false
2145 reports to state boards or commissioners; while acting as a employee
2146 of the Town of Rockport, filed false written reports and statements;
2147 took money and rewards to compound or conceal felonies; aided in
2148 the commission of a felony; knowingly accessed computers, and
2149 computer systems and failed to terminate such access knowing that
2150 such access was not authorized; interfered with civil rights; committed
2151 conspiracy to violate civil rights; violated Constitutional Rights; and
2152 committed other State and Federal crimes. The Plaintiff Atkinson,
2153 who is a disabled veteran, was the victim of these aforementioned
2154 criminal acts, deprivations, and infringements by Defendant. Any veil
2155 of immunity, which this defendant may have previously enjoyed by
2156 virtue of their office or position, is “pierced and ripped asunder” due
2157 to their infringement and deprivation of the Constitutional Rights of

2158 the Plaintiff, and thus this Defendant (and all other Defendants) stands
2159 fully naked and vulnerable before the court, with no immunity of any
2160 form. Further, this defendant has engaged in conduct and as a
2161 continuing unit of an enterprise, through a pattern, of racketeering
2162 enterprises (including, but not limited to: mail fraud, wire fraud,
2163 scheme to defraud, robbery, kidnapping, obstruction of justice,
2164 interference in commerce, also involving monetary transactions in
2165 property derived from specified unlawful activity), and have caused
2166 injury to the business and/or property of the Plaintiff Atkinson. This
2167 Defendant has exceeded, and overstepped their authority and violated
2168 the Constitutional rights of the Plaintiff, infringing and deprived him
2169 of his civil rights. Defendant resides at One Center Plaza. Boston, MA
2170 02108

2171
2172 127. Defendant JOHN DOE 010 - 015 is sued in his/her official
2173 capacity and individually as a Special Agent for Federal Bureau of
2174 Investigation, responsible for executing and administering the laws
2175 and policies at issue in this lawsuit. Defendant directly deprived,
2176 violated, and infringed upon Plaintiff 's civil rights, with malice, and
2177 with careful planning and conspiracy with others. Any veil of

2178 immunity, which this defendant may have previously enjoyed by
2179 virtue of their office or position, is “pierced and ripped asunder” due
2180 to their infringement and deprivation of the Constitutional Rights of
2181 the Plaintiff, and thus this Defendant (and all other Defendants) stands
2182 fully naked and vulnerable before the court, with no immunity of any
2183 form. Further, this defendant has engaged in conduct and as a
2184 continuing unit of an enterprise, through a pattern, of racketeering
2185 enterprises (including, but not limited to: mail fraud, wire fraud,
2186 scheme to defraud, robbery, kidnapping, obstruction of justice,
2187 interference in commerce, also involving monetary transactions in
2188 property derived from specified unlawful activity), and have caused
2189 injury to the business and/or property of the Plaintiff Atkinson. This
2190 Defendant has exceeded, and overstepped their authority and violated
2191 the Constitutional rights of the Plaintiff, infringing and deprived him
2192 of his civil rights. Defendant resides at One Center Plaza. Boston, MA
2193 02108

2194
2195 128. Defendant ROSEMARY LESCH is sued in his/her official
2196 capacity and individually as a Rockport Ambulance Department
2197 Head, Emergency Medical Technician (EMT), and Harbormaster for

2198 Town of Rockport, responsible for executing and administering the
2199 laws and policies at issue in this lawsuit. Defendant directly deprived,
2200 violated, and infringed upon Plaintiff 's civil rights, with malice, and
2201 with careful planning and conspiracy with others. Further, Defendant
2202 made false statements, and false claims, intimidated a witness or
2203 probable witness. This Defendant has exceeded, and overstepped their
2204 authority and violated the Constitutional rights of the Plaintiff,
2205 infringing and deprived him of his civil rights. Defendant promoted a
2206 hostile work environment, and did not stop sexual harassment in the
2207 workplace. Any veil of immunity, which this defendant may have
2208 previously enjoyed by virtue of their office or position, is "pierced and
2209 ripped asunder" due to their infringement and deprivation of the
2210 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
2211 other Defendants) stands fully naked and vulnerable before the court,
2212 with no immunity of any form. Further, this defendant has engaged in
2213 conduct and as a continuing unit of an enterprise, through a pattern, of
2214 racketeering enterprises (including, but not limited to: mail fraud, wire
2215 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2216 interference in commerce, also involving monetary transactions in
2217 property derived from specified unlawful activity), and have caused

2218 injury to the business and/or property of the Plaintiff Atkinson. This
2219 Defendant has exceeded, and overstepped their authority and violated
2220 the Constitutional rights of the Plaintiff, infringing and deprived him
2221 of his civil rights. Defendant resides at 34 Broadway, Rockport, MA
2222 01966

2223
2224 129. Defendant SCOTT STORY is sued in his/her official capacity and
2225 individually as a Rockport Ambulance Department Head, Emergency
2226 Medical Technician (EMT), and Harbormaster for Town of Rockport,
2227 responsible for executing and administering the laws and policies at
2228 issue in this lawsuit. Defendant directly deprived, violated, and
2229 infringed upon Plaintiff 's civil rights, with malice, and with careful
2230 planning and conspiracy with others. This Defendant has exceeded,
2231 and overstepped their authority and violated the Constitutional rights
2232 of the Plaintiff, infringing and deprived him of his civil rights.
2233 Defendant promoted a hostile work environment, and did not stop
2234 sexual harassment in the workplace. Any veil of immunity, which this
2235 defendant may have previously enjoyed by virtue of their office or
2236 position, is "pierced and ripped asunder" due to their infringement and
2237 deprivation of the Constitutional Rights of the Plaintiff, and thus this

2238 Defendant (and all other Defendants) stands fully naked and
2239 vulnerable before the court, with no immunity of any form. Further,
2240 this defendant has engaged in conduct and as a continuing unit of an
2241 enterprise, through a pattern, of racketeering enterprises (including,
2242 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2243 kidnapping, obstruction of justice, interference in commerce, also
2244 involving monetary transactions in property derived from specified
2245 unlawful activity), and have caused injury to the business and/or
2246 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2247 overstepped their authority and violated the Constitutional rights of
2248 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2249 resides at 34 Broadway, Rockport, MA 01966

2250
2251 130. Defendant RITA BUDROW is sued in his/her official capacity and
2252 individually as an Emergency Medical Technician (EMT) for Town of
2253 Rockport, responsible for executing and administering the laws and
2254 policies at issue in this lawsuit. Defendant directly deprived, violated,
2255 and infringed upon Plaintiff 's civil rights, with malice, and with
2256 careful planning and conspiracy with others. Further, Defendant made
2257 false statements, and false claims, intimidated a witness or probable

2258 witness. This Defendant has exceeded, and overstepped their authority
2259 and violated the Constitutional rights of the Plaintiff, infringing and
2260 deprived him of his civil rights. Defendant engaged in creating and
2261 promoting a hostile work environment. Any veil of immunity, which
2262 this defendant may have previously enjoyed by virtue of their office
2263 or position, is “pierced and ripped asunder” due to their infringement
2264 and deprivation of the Constitutional Rights of the Plaintiff, and thus
2265 this Defendant (and all other Defendants) stands fully naked and
2266 vulnerable before the court, with no immunity of any form. Further,
2267 this defendant has engaged in conduct and as a continuing unit of an
2268 enterprise, through a pattern, of racketeering enterprises (including,
2269 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2270 kidnapping, obstruction of justice, interference in commerce, also
2271 involving monetary transactions in property derived from specified
2272 unlawful activity), and have caused injury to the business and/or
2273 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2274 overstepped their authority and violated the Constitutional rights of
2275 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2276 resides at 27 Hodgkin's St., Rockport MA 01966
2277

2278 131. Defendant JANE CARR is sued in his/her official capacity and
2279 individually as an Emergency Medical Technician (EMT) for Town of
2280 Rockport, responsible for executing and administering the laws and
2281 policies at issue in this lawsuit. This Defendant has exceeded, and
2282 overstepped their authority and violated the Constitutional rights of
2283 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2284 is also sued in his/her official capacity and individually as an
2285 Emergency Medical Technician (EMT) for Lyons Ambulance. This
2286 Defendant has exceeded, and overstepped their authority and violated
2287 the Constitutional rights of the Plaintiff, infringing and deprived him
2288 of his civil rights. Defendant is also sued in his/her official capacity
2289 and individually as an Emergency Medical Technician (EMT) and
2290 Nurses Aid for Beverly Hospital. This Defendant has exceeded, and
2291 overstepped their authority and violated the Constitutional rights of
2292 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2293 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2294 with malice, and with careful planning and conspiracy with others.
2295 Further, Defendant made false statements, and false claims, intimidated
2296 a witness or probable witness. This Defendant has exceeded, and
2297 overstepped their authority and violated the Constitutional rights of

2298 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2299 engaged in creating and promoting a hostile work environment. Any
2300 veil of immunity, which this defendant may have previously enjoyed
2301 by virtue of their office or position, is “pierced and ripped asunder”
2302 due to their infringement and deprivation of the Constitutional Rights
2303 of the Plaintiff, and thus this Defendant (and all other Defendants)
2304 stands fully naked and vulnerable before the court, with no immunity
2305 of any form. Further, this defendant has engaged in conduct and as a
2306 continuing unit of an enterprise, through a pattern, of racketeering
2307 enterprises (including, but not limited to: mail fraud, wire fraud,
2308 scheme to defraud, robbery, kidnapping, obstruction of justice,
2309 interference in commerce, also involving monetary transactions in
2310 property derived from specified unlawful activity), and have caused
2311 injury to the business and/or property of the Plaintiff Atkinson. This
2312 Defendant has exceeded, and overstepped their authority and violated
2313 the Constitutional rights of the Plaintiff, infringing and deprived him
2314 of his civil rights. Defendant resides at 27 Granite St, Rockport MA
2315 01966

2317 132. Defendant DIANNA CRUDDEN is sued in his/her official

2318 capacity and individually as an Emergency Medical Technician
2319 (EMT) for Town of Rockport, responsible for executing and
2320 administering the laws and policies at issue in this lawsuit. Defendant
2321 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2322 with malice, and with careful planning and conspiracy with others.
2323 Further, Defendant made false statements, and false claims, intimidated
2324 a witness or probable witness. This Defendant has exceeded, and
2325 overstepped their authority and violated the Constitutional rights of
2326 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2327 promoted a hostile work environment, and engaged in significant
2328 sexual harassment in the workplace. Any veil of immunity, which this
2329 defendant may have previously enjoyed by virtue of their office or
2330 position, is "pierced and ripped asunder" due to their infringement and
2331 deprivation of the Constitutional Rights of the Plaintiff, and thus this
2332 Defendant (and all other Defendants) stands fully naked and
2333 vulnerable before the court, with no immunity of any form. Further,
2334 this defendant has engaged in conduct and as a continuing unit of an
2335 enterprise, through a pattern, of racketeering enterprises (including,
2336 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2337 kidnapping, obstruction of justice, interference in commerce, also

2338 involving monetary transactions in property derived from specified
2339 unlawful activity), and have caused injury to the business and/or
2340 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2341 overstepped their authority and violated the Constitutional rights of
2342 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2343 resides at 3 Hilltop Lane, Rockport MA 01966

2344
2345 133. Defendant JOHN DOE 016 - 31 is sued in his/her official capacity
2346 and individually as an Emergency Medical Technician (EMT) and/or
2347 firefighter for the Town of Rockport, responsible for executing and
2348 administering the laws and policies at issue in this lawsuit. Further,
2349 Defendant made false statements, and false claims, intimidated a
2350 witness or probable witness. This Defendant has exceeded, and
2351 overstepped their authority and violated the Constitutional rights of
2352 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2353 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2354 with malice, and with careful planning and conspiracy with others.
2355 Any veil of immunity, which this defendant may have previously
2356 enjoyed by virtue of their office or position, is "pierced and ripped
2357 asunder" due to their infringement and deprivation of the

2358 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
2359 other Defendants) stands fully naked and vulnerable before the court,
2360 with no immunity of any form. Further, this defendant has engaged in
2361 conduct and as a continuing unit of an enterprise, through a pattern, of
2362 racketeering enterprises (including, but not limited to: mail fraud, wire
2363 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2364 interference in commerce, also involving monetary transactions in
2365 property derived from specified unlawful activity), and have caused
2366 injury to the business and/or property of the Plaintiff Atkinson. This
2367 Defendant has exceeded, and overstepped their authority and violated
2368 the Constitutional rights of the Plaintiff, infringing and deprived him
2369 of his civil rights. Defendant resides at 34 Broadway, Rockport, MA
2370 01966.

2371
2372 134. Defendant HENRY MICHALSKI is sued in his/her official
2373 capacity and individually as the Lead EMT Instructor for Lyons
2374 Ambulance, LLC, a Commonwealth of Massachusetts EMT
2375 Examiner, and EMT Instructor for North Shore Community College,
2376 responsible for executing and administering the laws and policies at
2377 issue in this lawsuit. This Defendant has exceeded, and overstepped

2378 their authority and violated the Constitutional rights of the Plaintiff,
2379 infringing and deprived him of his civil rights. Defendant
2380 MICHALSKI has been convicted of conducting wide spread EMT
2381 training fraud, and during an EMT training course which the Plaintiff
2382 attended, Defendant Michalski instructed students to fraudulently
2383 cheat on their class times and to take credit for class sessions or
2384 courses which they never attended, and then conspired with other
2385 people involved in the class as either a student or instructor to harass,
2386 and to violated the civil rights of the Plaintiff. This Defendant has
2387 exceeded, and overstepped their authority and violated the
2388 Constitutional rights of the Plaintiff, infringing and deprived him of
2389 his civil rights. Defendant encouraged, endorsed, organized,
2390 and/orchestrated an ongoing criminal enterprise, and a widespread
2391 cover-up. Defendant directly deprived, violated, and infringed upon
2392 Plaintiff's civil rights, with malice, and with careful planning and
2393 conspiracy with others. Further, Defendant made false statements, and
2394 false claims, intimidated a witness or probable witness. On March 8,
2395 2011 in Salem Superior Court, this Defendant "plead guilty to
2396 submitting false EMT training records for classes he never conducted,
2397 and then lying about it to a grand jury. He pleaded guilty to perjury,

2398 two counts of attempted obstruction of justice and six counts of
2399 violating the state emergency service laws.” Any veil of immunity,
2400 which this defendant may have previously enjoyed by virtue of their
2401 office or position, is “pierced and ripped asunder” due to their
2402 infringement and deprivation of the Constitutional Rights of the
2403 Plaintiff, and thus this Defendant (and all other Defendants) stands
2404 fully naked and vulnerable before the court, with no immunity of any
2405 form. Further, this defendant has engaged in conduct and as a
2406 continuing unit of an enterprise, through a pattern, of racketeering
2407 enterprises (including, but not limited to: mail fraud, wire fraud,
2408 scheme to defraud, robbery, kidnapping, obstruction of justice,
2409 interference in commerce, also involving monetary transactions in
2410 property derived from specified unlawful activity), and have caused
2411 injury to the business and/or property of the Plaintiff Atkinson. This
2412 Defendant has exceeded, and overstepped their authority and violated
2413 the Constitutional rights of the Plaintiff, infringing and deprived him
2414 of his civil rights. Defendant resides at 135 Maple St., Danvers MA
2415 01923

2417 135. Defendant PENNY MICHALSKI is sued in his/her official

2418 capacity and individually as an employee of the Attorney Generals
2419 Office, responsible for executing and administering the laws and
2420 policies at issue in this lawsuit. Defendant directly deprived, violated,
2421 and infringed upon Plaintiff 's civil rights, with malice, and with
2422 careful planning and conspiracy with others. Any veil of immunity,
2423 which this defendant may have previously enjoyed by virtue of their
2424 office or position, is "pierced and ripped asunder" due to their
2425 infringement and deprivation of the Constitutional Rights of the
2426 Plaintiff, and thus this Defendant (and all other Defendants) stands
2427 fully naked and vulnerable before the court, with no immunity of any
2428 form. Further, this defendant has engaged in conduct and as a
2429 continuing unit of an enterprise, through a pattern, of racketeering
2430 enterprises (including, but not limited to: mail fraud, wire fraud,
2431 scheme to defraud, robbery, kidnapping, obstruction of justice,
2432 interference in commerce, also involving monetary transactions in
2433 property derived from specified unlawful activity), and have caused
2434 injury to the business and/or property of the Plaintiff Atkinson. This
2435 Defendant has exceeded, and overstepped their authority and violated
2436 the Constitutional rights of the Plaintiff, infringing and deprived him
2437 of his civil rights. Defendant resides at 135 Maple St., Danvers MA

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136. Defendant KEVIN M. LYONS is sued in his/her official capacity and individually as an Owner for Lyons Ambulance Service LLC, responsible for executing and administering the laws and policies at issue in this lawsuit. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant KEVIN M. LYONS was well aware of the fraudulent EMT training courses, which were being held in his place of business, and building, mere feet from his desk. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant encouraged, endorsed, organized, and/orchestrated an ongoing criminal enterprise, and a widespread cover-up. Further, this defendant has engaged in conduct and as a

2458 continuing unit of an enterprise, through a pattern, of racketeering
2459 enterprises (including, but not limited to: mail fraud, wire fraud,
2460 scheme to defraud, robbery, kidnapping, obstruction of justice,
2461 interference in commerce, also involving monetary transactions in
2462 property derived from specified unlawful activity), and have caused
2463 injury to the business and/or property of the Plaintiff Atkinson. This
2464 Defendant has exceeded, and overstepped their authority and violated
2465 the Constitutional rights of the Plaintiff, infringing and deprived him
2466 of his civil rights. Defendant resides at 135 Maple St., Danvers MA
2467 01923

2468
2469 137. Defendant FRANK CARABELLO is sued in his/her official
2470 capacity and individually as the Director of Operations for Lyons
2471 Ambulance Service LLC, responsible for executing and administering
2472 the laws and policies at issue in this lawsuit. This Defendant has
2473 exceeded, and overstepped their authority and violated the
2474 Constitutional rights of the Plaintiff, infringing and deprived him of
2475 his civil rights. Defendant FRANK CARABELLO was well aware of
2476 the fraudulent EMT training courses, which were being held in his
2477 place of business, and building, mere feet from his desk. This

2478 Defendant has exceeded, and overstepped their authority and violated
2479 the Constitutional rights of the Plaintiff, infringing and deprived him
2480 of his civil rights. Defendant directly deprived, violated, and infringed
2481 upon Plaintiff 's civil rights, with malice, and with careful planning
2482 and conspiracy with others. This Defendant has exceeded, and
2483 overstepped their authority and violated the Constitutional rights of
2484 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2485 encouraged, endorsed, organized, and/orchestrated an ongoing
2486 criminal enterprise, and a widespread cover-up. Further, this
2487 defendant has engaged in conduct and as a continuing unit of an
2488 enterprise, through a pattern, of racketeering enterprises (including,
2489 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2490 kidnapping, obstruction of justice, interference in commerce, also
2491 involving monetary transactions in property derived from specified
2492 unlawful activity), and have caused injury to the business and/or
2493 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2494 overstepped their authority and violated the Constitutional rights of
2495 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2496 resides at 135 Maple St., Danvers MA 01923

2497

2498 138. Defendant DARRELL MOORE is sued in his/her official capacity
2499 and individually as an EMT Instructor for Lyons Ambulance Service
2500 LLC, and a Commonwealth of Massachusetts EMT Examiner,
2501 responsible for executing and administering the laws and policies at
2502 issue in this lawsuit, and then conspired with other people involved in
2503 the class as either a student or instructor to harass, and to violated the
2504 civil rights of the Plaintiff. This Defendant has exceeded, and
2505 overstepped their authority and violated the Constitutional rights of
2506 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2507 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2508 with malice, and with careful planning and conspiracy with others.
2509 This Defendant has exceeded, and overstepped their authority and
2510 violated the Constitutional rights of the Plaintiff, infringing and
2511 deprived him of his civil rights. Defendant encouraged, endorsed,
2512 organized, and/orchestrated an ongoing criminal enterprise, and a
2513 widespread cover-up. Further, Defendant made false statements, and
2514 false claims, intimidated a witness or probable witness. Further, this
2515 defendant has engaged in conduct and as a continuing unit of an
2516 enterprise, through a pattern, of racketeering enterprises (including,
2517 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,

2518 kidnapping, obstruction of justice, interference in commerce, also
2519 involving monetary transactions in property derived from specified
2520 unlawful activity), and have caused injury to the business and/or
2521 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2522 overstepped their authority and violated the Constitutional rights of
2523 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2524 resides at 135 Maple St., Danvers MA 01923

2525

2526 139. Defendant ROBERT PIEPIORA is sued in his/her official capacity
2527 and individually as an EMT Instructor for Lyons Ambulance Service
2528 LLC, and a Commonwealth of Massachusetts EMT Examiner,
2529 responsible for executing and administering the laws and policies at
2530 issue in this lawsuit, and then conspired with other people involved in
2531 the class as either a student or instructor to harass, and to violated the
2532 civil rights of the Plaintiff. This Defendant has exceeded, and
2533 overstepped their authority and violated the Constitutional rights of
2534 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2535 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2536 with malice, and with careful planning and conspiracy with others.
2537 This Defendant has exceeded, and overstepped their authority and

2538 violated the Constitutional rights of the Plaintiff, infringing and
2539 deprived him of his civil rights. Defendant encouraged, endorsed,
2540 organized, and/orchestrated an ongoing criminal enterprise, and a
2541 widespread cover-up. Further, Defendant made false statements, and
2542 false claims, intimidated a witness or probable witness. Further, this
2543 defendant has engaged in conduct and as a continuing unit of an
2544 enterprise, through a pattern, of racketeering enterprises (including,
2545 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2546 kidnapping, obstruction of justice, interference in commerce, also
2547 involving monetary transactions in property derived from specified
2548 unlawful activity), and have caused injury to the business and/or
2549 property of the Plaintiff Atkinson. This Defendant has exceeded, and
2550 overstepped their authority and violated the Constitutional rights of
2551 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2552 resides at 135 Maple St., Danvers MA 01923

2553
2554 140. Defendant DAVID RAYMOND is sued in his/her official capacity
2555 and individually as an EMT Instructor for Lyons Ambulance Service
2556 LLC, and a Commonwealth of Massachusetts EMT Examiner,
2557 responsible for executing and administering the laws and policies at

2558 issue in this lawsuit, and then conspired with other people involved in
2559 the class as either a student of instructor to harass, and to violated the
2560 civil rights of the Plaintiff. This Defendant has exceeded, and
2561 overstepped their authority and violated the Constitutional rights of
2562 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2563 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
2564 with malice, and with careful planning and conspiracy with others.
2565 This Defendant has exceeded, and overstepped their authority and
2566 violated the Constitutional rights of the Plaintiff, infringing and
2567 deprived him of his civil rights. Defendant encouraged, endorsed,
2568 organized, and/orchestrated an ongoing criminal enterprise, and a
2569 widespread cover-up. Further, Defendant made false statements, and
2570 false claims, intimidated a witness or probable witness. Further, this
2571 defendant has engaged in conduct and as a continuing unit of an
2572 enterprise, through a pattern, of racketeering enterprises (including,
2573 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
2574 kidnapping, obstruction of justice, interference in commerce, also
2575 involving monetary transactions in property derived from specified
2576 unlawful activity), and have caused injury to the business and/or
2577 property of the Plaintiff Atkinson. This Defendant has exceeded, and

2578 overstepped their authority and violated the Constitutional rights of
2579 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2580 resides at 135 Maple St., Danvers MA 01923

2581

2582 141. Defendant JOHN DOE 032 – 044 is sued in his/her official
2583 capacity and individually as an adjunct EMT Instructor and EMT or
2584 driver for Lyons Ambulance Service LLC, responsible for executing
2585 and administering the laws and policies at issue in this lawsuit, and
2586 then conspired with other people involved in the class as either a
2587 student of instructor to harass, and to violated the civil rights of the
2588 Plaintiff. This Defendant has exceeded, and overstepped their
2589 authority and violated the Constitutional rights of the Plaintiff,
2590 infringing and deprived him of his civil rights. Defendant directly
2591 deprived, violated, and infringed upon Plaintiff ‘s civil rights, with
2592 malice, and with careful planning and conspiracy with others. This
2593 Defendant has exceeded, and overstepped their authority and violated
2594 the Constitutional rights of the Plaintiff, infringing and deprived him
2595 of his civil rights. Defendant encouraged, endorsed, organized,
2596 and/orchestrated an ongoing criminal enterprise, and a widespread
2597 cover-up. Further, Defendant made false statements, and false claims,

2598 intimated a witness or probable witness. Further, this defendant has
2599 engaged in conduct and as a continuing unit of an enterprise, through
2600 a pattern, of racketeering enterprises (including, but not limited to:
2601 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
2602 obstruction of justice, interference in commerce, also involving
2603 monetary transactions in property derived from specified unlawful
2604 activity), and have caused injury to the business and/or property of the
2605 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
2606 their authority and violated the Constitutional rights of the Plaintiff,
2607 infringing and deprived him of his civil rights. Defendant resides at
2608 135 Maple St., Danvers MA 01923

2609
2610 142. Defendants JOHN DOE 94-116 is sued his/her official capacity as
2611 a public safety employee and individually as an EMT Student of
2612 Lyons Ambulance. This Defendant has exceeded, and overstepped
2613 their authority and violated the Constitutional rights of the Plaintiff,
2614 infringing and deprived him of his civil rights. Defendant directly
2615 deprived, violated, and infringed upon Plaintiff 's civil rights, with
2616 malice, and with careful planning and conspiracy with others. Further,
2617 Defendant made false statements regarding the Lyons EMT Course,

2618 and obtained or attempted to obtain a State EMT license under false
2619 pretenses, and took part in an orchestrated, and complex criminal
2620 conspiracy. Further, this defendant has engaged in conduct and as a
2621 continuing unit of an enterprise, through a pattern, of racketeering
2622 enterprises (including, but not limited to: mail fraud, wire fraud,
2623 scheme to defraud, robbery, kidnapping, obstruction of justice,
2624 interference in commerce, also involving monetary transactions in
2625 property derived from specified unlawful activity), and have caused
2626 injury to the business and/or property of the Plaintiff Atkinson. This
2627 Defendant has exceeded, and overstepped their authority and violated
2628 the Constitutional rights of the Plaintiff, infringing and deprived him
2629 of his civil rights. Defendant resides at 135 Maple St., Danvers MA
2630 01923

2631
2632 143. Defendant JOHN L. GOOD is sued in his/her official capacity and
2633 individually as an Executive Vice President for Beverly National
2634 Bank, Executive Vice President for Danvers Bancorp, also as an EMT
2635 Instructor for Lyons Ambulance, an Executive at Beverly Hospital,
2636 and a bank officer for Montserrat College of Art and responsible for
2637 executing and administering the laws and policies at issue in this

2638 lawsuit. This Defendant has exceeded, and overstepped their authority
2639 and violated the Constitutional rights of the Plaintiff, infringing and
2640 deprived him of his civil rights. Defendant did then conspired with
2641 other people involved in the fraudulent Lyons EMT course class an
2642 instructor to harass, and to violated the civil rights of the Plaintiff.
2643 This Defendant has exceeded, and overstepped their authority and
2644 violated the Constitutional rights of the Plaintiff, infringing and
2645 deprived him of his civil rights. Defendant directly deprived, violated,
2646 and infringed upon Plaintiff 's civil rights, with malice, and with
2647 careful planning and conspiracy with others. This Defendant has
2648 exceeded, and overstepped their authority and violated the
2649 Constitutional rights of the Plaintiff, infringing and deprived him of
2650 his civil rights. Defendant encouraged, endorsed, organized,
2651 and/orchestrated an ongoing criminal enterprise, and a widespread
2652 cover-up. Further, this defendant has engaged in conduct and as a
2653 continuing unit of an enterprise, through a pattern, of racketeering
2654 enterprises (including, but not limited to: mail fraud, wire fraud,
2655 scheme to defraud, robbery, kidnapping, obstruction of justice,
2656 interference in commerce, also involving monetary transactions in
2657 property derived from specified unlawful activity), and have caused

2658 injury to the business and/or property of the Plaintiff Atkinson. This
2659 Defendant has exceeded, and overstepped their authority and violated
2660 the Constitutional rights of the Plaintiff, infringing and deprived him
2661 of his civil rights. Defendant resides at One Conant Street, Danvers,
2662 MA 01923

2663
2664 144. Defendant LT. MICHAEL COONEY is sued in his/her official
2665 capacity and individually as an Investigator for Massachusetts State
2666 Police, responsible for executing and administering the laws and
2667 policies at issue in this lawsuit. Defendant directly deprived, violated,
2668 and infringed upon Plaintiff 's civil rights, with malice, and with
2669 careful planning and conspiracy with others. This Defendant has
2670 exceeded, and overstepped their authority and violated the
2671 Constitutional rights of the Plaintiff, infringing and deprived him of
2672 his civil rights. Defendant encouraged, endorsed, organized,
2673 and/orchestrated an ongoing criminal enterprise, and a widespread
2674 cover-up. Any veil of immunity, which this defendant may have
2675 previously enjoyed by virtue of their office or position, is "pierced and
2676 ripped asunder" due to their infringement and deprivation of the
2677 Constitutional Rights of the Plaintiff, and thus this Defendant (and all

2678 other Defendants) stands fully naked and vulnerable before the court,
2679 with no immunity of any form. Further, this defendant has engaged in
2680 conduct and as a continuing unit of an enterprise, through a pattern, of
2681 racketeering enterprises (including, but not limited to: mail fraud, wire
2682 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2683 interference in commerce, also involving monetary transactions in
2684 property derived from specified unlawful activity), and have caused
2685 injury to the business and/or property of the Plaintiff Atkinson. This
2686 Defendant has exceeded, and overstepped their authority and violated
2687 the Constitutional rights of the Plaintiff, infringing and deprived him
2688 of his civil rights. Defendant resides at One Ashburton Place, Boston,
2689 MA 02108 -1518.

2690
2691 145. Defendant PAUL COFFEY is sued in his/her official capacity and
2692 individually as an OEMS Investigator for Commonwealth of
2693 Massachusetts, responsible for executing and administering the laws
2694 and policies at issue in this lawsuit. Further, this Defendant engaged
2695 in a scheme to obstruct justice, and to cover-up extensive EMT
2696 training fraud within the state for political gain, and to deprive
2697 Plaintiff of due process and has violated the civil rights of Plaintiff

2698 when Plaintiff reported this extensive fraud to this office. This
2699 Defendant has exceeded, and overstepped their authority and violated
2700 the Constitutional rights of the Plaintiff, infringing and deprived him
2701 of his civil rights. Defendant directly deprived, violated, and infringed
2702 upon Plaintiff 's civil rights, with malice, and with careful planning
2703 and conspiracy with others. This Defendant has exceeded, and
2704 overstepped their authority and violated the Constitutional rights of
2705 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2706 encouraged, endorsed, organized, and/orchestrated an ongoing
2707 criminal enterprise, and a widespread cover-up. Any veil of immunity,
2708 which this defendant may have previously enjoyed by virtue of their
2709 office or position, is “pierced and ripped asunder” due to their
2710 infringement and deprivation of the Constitutional Rights of the
2711 Plaintiff, and thus this Defendant (and all other Defendants) stands
2712 fully naked and vulnerable before the court, with no immunity of any
2713 form. Further, this defendant has engaged in conduct and as a
2714 continuing unit of an enterprise, through a pattern, of racketeering
2715 enterprises (including, but not limited to: mail fraud, wire fraud,
2716 scheme to defraud, robbery, kidnapping, obstruction of justice,
2717 interference in commerce, also involving monetary transactions in

2718 property derived from specified unlawful activity), and have caused
2719 injury to the business and/or property of the Plaintiff Atkinson. This
2720 Defendant has exceeded, and overstepped their authority and violated
2721 the Constitutional rights of the Plaintiff, infringing and deprived him
2722 of his civil rights. Defendant resides at 99 Chauncy Street, 11th Floor,
2723 Boston, MA 02111

2724

2725 146. Defendant ABDULLAH REHAYEM is sued in his/her official
2726 capacity and individually as the OEMS Director for Commonwealth
2727 of Massachusetts, responsible for executing and administering the
2728 laws and policies at issue in this lawsuit. Further, this Defendant
2729 engaged in a scheme to obstruct justice, and to cover-up extensive
2730 EMT training fraud within the state for political gain, and to deprive
2731 Plaintiff of due process and has violated the civil rights of Plaintiff
2732 when Plaintiff reported this extensive fraud to this office. This
2733 Defendant has exceeded, and overstepped their authority and violated
2734 the Constitutional rights of the Plaintiff, infringing and deprived him
2735 of his civil rights. Defendant directly deprived, violated, and infringed
2736 upon Plaintiff 's civil rights, with malice, and with careful planning
2737 and conspiracy with others. This Defendant has exceeded, and

2738 overstepped their authority and violated the Constitutional rights of
2739 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2740 encouraged, endorsed, organized, and/orchestrated an ongoing
2741 criminal enterprise, and a widespread cover-up. Any veil of immunity,
2742 which this defendant may have previously enjoyed by virtue of their
2743 office or position, is “pierced and ripped asunder” due to their
2744 infringement and deprivation of the Constitutional Rights of the
2745 Plaintiff, and thus this Defendant (and all other Defendants) stands
2746 fully naked and vulnerable before the court, with no immunity of any
2747 form. Further, this defendant has engaged in conduct and as a
2748 continuing unit of an enterprise, through a pattern, of racketeering
2749 enterprises (including, but not limited to: mail fraud, wire fraud,
2750 scheme to defraud, robbery, kidnapping, obstruction of justice,
2751 interference in commerce, also involving monetary transactions in
2752 property derived from specified unlawful activity), and have caused
2753 injury to the business and/or property of the Plaintiff Atkinson. This
2754 Defendant has exceeded, and overstepped their authority and violated
2755 the Constitutional rights of the Plaintiff, infringing and deprived him
2756 of his civil rights. Defendant resides at 99 Chauncy Street, 11th Floor,
2757 Boston, MA 02111

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147. Defendant RENEE D. LAKE is sued in his/her official capacity and individually as an OEMS Compliance Coordinator for Commonwealth of Massachusetts, responsible for executing and administering the laws and policies at issue in this lawsuit. Further, this Defendant engaged in a scheme to obstruct justice, and to cover-up extensive EMT training fraud within the state for political gain, and to deprive Plaintiff of due process and has violated the civil rights of Plaintiff when Plaintiff reported this extensive fraud to this office. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant encouraged, endorsed, organized, and/orchestrated an ongoing criminal enterprise, and a widespread cover-up. Any veil of immunity, which this defendant may have previously enjoyed by virtue of their office or position, is “pierced and

2778 ripped asunder” due to their infringement and deprivation of the
2779 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
2780 other Defendants) stands fully naked and vulnerable before the court,
2781 with no immunity of any form. Further, this defendant has engaged in
2782 conduct and as a continuing unit of an enterprise, through a pattern, of
2783 racketeering enterprises (including, but not limited to: mail fraud, wire
2784 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2785 interference in commerce, also involving monetary transactions in
2786 property derived from specified unlawful activity), and have caused
2787 injury to the business and/or property of the Plaintiff Atkinson. This
2788 Defendant has exceeded, and overstepped their authority and violated
2789 the Constitutional rights of the Plaintiff, infringing and deprived him
2790 of his civil rights. Defendant resides at 99 Chauncy Street, 11th Floor,
2791 Boston, MA 02111

2792
2793 148. Defendant M. THOMAS QUAIL is sued in his/her official
2794 capacity and individually as an OEMS Clinical Coordinator for
2795 Commonwealth of Massachusetts, responsible for executing and
2796 administering the laws and policies at issue in this lawsuit. Further,
2797 this Defendant engaged in a scheme to obstruct justice, and to cover-

2798 up extensive EMT training fraud within the state for political gain,
2799 and to deprive Plaintiff of due process and has violated the civil rights
2800 of Plaintiff when Plaintiff reported this extensive fraud to this office.
2801 This Defendant has exceeded, and overstepped their authority and
2802 violated the Constitutional rights of the Plaintiff, infringing and
2803 deprived him of his civil rights. Defendant directly deprived, violated,
2804 and infringed upon Plaintiff 's civil rights, with malice, and with
2805 careful planning and conspiracy with others. This Defendant has
2806 exceeded, and overstepped their authority and violated the
2807 Constitutional rights of the Plaintiff, infringing and deprived him of
2808 his civil rights. Defendant encouraged, endorsed, organized,
2809 and/orchestrated an ongoing criminal enterprise, and a widespread
2810 cover-up. Any veil of immunity, which this defendant may have
2811 previously enjoyed by virtue of their office or position, is "pierced and
2812 ripped asunder" due to their infringement and deprivation of the
2813 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
2814 other Defendants) stands fully naked and vulnerable before the court,
2815 with no immunity of any form. Further, this defendant has engaged in
2816 conduct and as a continuing unit of an enterprise, through a pattern, of
2817 racketeering enterprises (including, but not limited to: mail fraud, wire

2818 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2819 interference in commerce, also involving monetary transactions in
2820 property derived from specified unlawful activity), and have caused
2821 injury to the business and/or property of the Plaintiff Atkinson. This
2822 Defendant has exceeded, and overstepped their authority and violated
2823 the Constitutional rights of the Plaintiff, infringing and deprived him
2824 of his civil rights. Defendant resides at 99 Chauncy Street, 11th Floor,
2825 Boston, MA 02111

2826

2827 149. Defendant BRENDAN MURPHY is sued in his/her official
2828 capacity and individually as an OEMS Investigator for
2829 Commonwealth of Massachusetts, responsible for executing and
2830 administering the laws and policies at issue in this lawsuit. Further,
2831 this Defendant engaged in a scheme to obstruct justice, and to cover-
2832 up extensive EMT training fraud within the state for political gain,
2833 and to deprive Plaintiff of due process and has violated the civil rights
2834 of Plaintiff when Plaintiff reported this extensive fraud to this office.
2835 This Defendant has exceeded, and overstepped their authority and
2836 violated the Constitutional rights of the Plaintiff, infringing and
2837 deprived him of his civil rights. Defendant directly deprived, violated,

2838 and infringed upon Plaintiff 's civil rights, with malice, and with
2839 careful planning and conspiracy with others. This Defendant has
2840 exceeded, and overstepped their authority and violated the
2841 Constitutional rights of the Plaintiff, infringing and deprived him of
2842 his civil rights. Defendant encouraged, endorsed, organized,
2843 and/orchestrated an ongoing criminal enterprise, and a widespread
2844 cover-up. Any veil of immunity, which this defendant may have
2845 previously enjoyed by virtue of their office or position, is "pierced and
2846 ripped asunder" due to their infringement and deprivation of the
2847 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
2848 other Defendants) stands fully naked and vulnerable before the court,
2849 with no immunity of any form. Further, this defendant has engaged in
2850 conduct and as a continuing unit of an enterprise, through a pattern, of
2851 racketeering enterprises (including, but not limited to: mail fraud, wire
2852 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
2853 interference in commerce, also involving monetary transactions in
2854 property derived from specified unlawful activity), and have caused
2855 injury to the business and/or property of the Plaintiff Atkinson. This
2856 Defendant has exceeded, and overstepped their authority and violated
2857 the Constitutional rights of the Plaintiff, infringing and deprived him

2858 of his civil rights. Defendant resides at 99 Chauncy Street, 11th Floor,
2859 Boston, MA 02111

2860

2861 150. Defendant MARK MILLET is sued in his/her official capacity and
2862 individually as an EMS Coordinator for Beverly Hospital, responsible
2863 for executing and administering the laws and policies at issue in this
2864 lawsuit. Defendant directly deprived, violated, and infringed upon
2865 Plaintiff 's civil rights, with malice, and with careful planning and
2866 conspiracy with others. This Defendant has exceeded, and
2867 overstepped their authority and violated the Constitutional rights of
2868 the Plaintiff, infringing and deprived him of his civil rights. Defendant
2869 encouraged, endorsed, organized, and/orchestrated an ongoing
2870 criminal enterprise, and a widespread cover-up. Any veil of immunity,
2871 which this defendant may have previously enjoyed by virtue of their
2872 office or position, is "pierced and ripped asunder" due to their
2873 infringement and deprivation of the Constitutional Rights of the
2874 Plaintiff, and thus this Defendant (and all other Defendants) stands
2875 fully naked and vulnerable before the court, with no immunity of any
2876 form. Further, this defendant has engaged in conduct and as a
2877 continuing unit of an enterprise, through a pattern, of racketeering

2878 enterprises (including, but not limited to: mail fraud, wire fraud,
2879 scheme to defraud, robbery, kidnapping, obstruction of justice,
2880 interference in commerce, also involving monetary transactions in
2881 property derived from specified unlawful activity), and have caused
2882 injury to the business and/or property of the Plaintiff Atkinson. This
2883 Defendant has exceeded, and overstepped their authority and violated
2884 the Constitutional rights of the Plaintiff, infringing and deprived him
2885 of his civil rights. Defendant resides at 85 Herrick St., Beverly MA
2886 01915

2887

2888 151. Defendant STEVEN KRENDEL is sued in his/her official
2889 capacity and individually as the Medical Control Physician for
2890 Beverly Hospital, responsible for executing and administering the
2891 laws and policies at issue in this lawsuit. Defendant directly deprived,
2892 violated, and infringed upon Plaintiff 's civil rights, with malice, and
2893 with careful planning and conspiracy with others. This Defendant has
2894 exceeded, and overstepped their authority and violated the
2895 Constitutional rights of the Plaintiff, infringing and deprived him of
2896 his civil rights. Defendant encouraged, endorsed, organized,
2897 and/orchestrated an ongoing criminal enterprise, and a widespread

2898 cover-up. Defendant has the legal authority and responsibility as
2899 “Medical Control” for the area of the North Shore to include, but not
2900 be limited to Danvers, Rockport, Gloucester, and others. Hence, all
2901 EMT’s in the area practice medicine under the direction and oversight
2902 of Defendant Krendel, and he in turn is responsible for their
2903 supervision and control. This poor oversight on the part of Defendant
2904 Krendel, resulted in medical malpractice, malfeasance, and possible
2905 adverse treatment of emergency patients by EMTs. Any veil of
2906 immunity, which this defendant may have previously enjoyed by
2907 virtue of their office or position, is “pierced and ripped asunder” due
2908 to their infringement and deprivation of the Constitutional Rights of
2909 the Plaintiff, and thus this Defendant (and all other Defendants) stands
2910 fully naked and vulnerable before the court, with no immunity of any
2911 form. Further, this defendant has engaged in conduct and as a
2912 continuing unit of an enterprise, through a pattern, of racketeering
2913 enterprises (including, but not limited to: mail fraud, wire fraud,
2914 scheme to defraud, robbery, kidnapping, obstruction of justice,
2915 interference in commerce, also involving monetary transactions in
2916 property derived from specified unlawful activity), and have caused
2917 injury to the business and/or property of the Plaintiff Atkinson. This

2918 Defendant has exceeded, and overstepped their authority and violated
2919 the Constitutional rights of the Plaintiff, infringing and deprived him
2920 of his civil rights. Defendant resides at 85 Herrick St., Beverly MA
2921 01915

2922

2923 152. Defendant JOHN AUERBACH is sued in his/her official capacity
2924 and individually as the Commissioner, Department of Public Health
2925 for Commonwealth of Massachusetts, responsible for executing and
2926 administering the laws and policies at issue in this lawsuit. This
2927 Defendant has exceeded, and overstepped their authority and violated
2928 the Constitutional rights of the Plaintiff, infringing and deprived him
2929 of his civil rights. Defendant refuses to protect, enforce, or defend the
2930 U.S. Constitution, refuses, enforce, to protect or defend the Bill of
2931 Rights, and steadfastly refuses to enforce or obey the decisions of the
2932 U.S. Supreme Court in regards to the Second and Fourteenth
2933 Amendment and other laws described herein. Defendant directly
2934 deprived, violated, and infringed upon Plaintiff 's civil rights, with
2935 malice, and with careful planning and conspiracy with others. Any
2936 veil of immunity, which this defendant may have previously enjoyed
2937 by virtue of their office or position, is "pierced and ripped asunder"

2938 due to their infringement and deprivation of the Constitutional Rights
2939 of the Plaintiff, and thus this Defendant (and all other Defendants)
2940 stands fully naked and vulnerable before the court, with no immunity
2941 of any form. Further, this defendant has engaged in conduct and as a
2942 continuing unit of an enterprise, through a pattern, of racketeering
2943 enterprises (including, but not limited to: mail fraud, wire fraud,
2944 scheme to defraud, robbery, kidnapping, obstruction of justice,
2945 interference in commerce, also involving monetary transactions in
2946 property derived from specified unlawful activity), and have caused
2947 injury to the business and/or property of the Plaintiff Atkinson. This
2948 Defendant has exceeded, and overstepped their authority and violated
2949 the Constitutional rights of the Plaintiff, infringing and deprived him
2950 of his civil rights. Defendant resides at One Ashburton Place, Boston,
2951 MA 02108 -1518.

2952
2953 153. Defendant MARTHA COAKLEY is sued in his/her official
2954 capacity and individually as the Attorney General for Commonwealth
2955 of Massachusetts, responsible for executing and administering the
2956 laws and policies at issue in this lawsuit. Defendant refuses to protect,
2957 enforce, or defend the U.S. Constitution, refuses, enforce, to protect or

2958 defend the Bill of Rights, and steadfastly refuses to enforce or obey
2959 the decisions of the U.S. Supreme Court in regards to the Second and
2960 Fourteenth Amendment and other laws described herein. Defendant
2961 encouraged, endorsed, organized, and/orchestrated an ongoing
2962 criminal enterprise, and a widespread cover-up. Defendant directly
2963 deprived, violated, and infringed upon Plaintiff 's civil rights, with
2964 malice, and with careful planning and conspiracy with others. Any
2965 veil of immunity, which this defendant may have previously enjoyed
2966 by virtue of their office or position, is "pierced and ripped asunder"
2967 due to their infringement and deprivation of the Constitutional Rights
2968 of the Plaintiff, and thus this Defendant (and all other Defendants)
2969 stands fully naked and vulnerable before the court, with no immunity
2970 of any form. Further, this defendant has engaged in conduct and as a
2971 continuing unit of an enterprise, through a pattern, of racketeering
2972 enterprises (including, but not limited to: mail fraud, wire fraud,
2973 scheme to defraud, robbery, kidnapping, obstruction of justice,
2974 interference in commerce, also involving monetary transactions in
2975 property derived from specified unlawful activity), and have caused
2976 injury to the business and/or property of the Plaintiff Atkinson. This
2977 Defendant has exceeded, and overstepped their authority and violated

2978 the Constitutional rights of the Plaintiff, infringing and deprived him
2979 of his civil rights. Defendant resides at One Ashburton Place, Boston,
2980 MA 02108 -1518.

2981

2982 154. Defendant KATHERINE HARTIGAN is sued in his/her official
2983 capacity and individually as an Assistant District Attorney for
2984 Commonwealth of Massachusetts, responsible for executing and
2985 administering the laws and policies at issue in this lawsuit. This
2986 Defendant has exceeded, and overstepped their authority and violated
2987 the Constitutional rights of the Plaintiff, infringing and deprived him
2988 of his civil rights. Defendant refuses to protect, enforce, or defend the
2989 U.S. Constitution, refuses, enforce, to protect or defend the Bill of
2990 Rights, and steadfastly refuses to enforce or obey the decisions of the
2991 U.S. Supreme Court in regards to the Second and Fourteenth
2992 Amendment and other laws described herein. Defendant directly
2993 deprived, violated, and infringed upon Plaintiff 's civil rights, with
2994 malice, and with careful planning and conspiracy with others. This
2995 Defendant has exceeded, and overstepped their authority and violated
2996 the Constitutional rights of the Plaintiff, infringing and deprived him
2997 of his civil rights. Defendant encouraged, endorsed, organized,

2998 and/orchestrated an ongoing criminal enterprise, and a widespread
2999 cover-up including witness harassment. Any veil of immunity, which
3000 this defendant may have previously enjoyed by virtue of their office
3001 or position, is “pierced and ripped asunder” due to their infringement
3002 and deprivation of the Constitutional Rights of the Plaintiff, and thus
3003 this Defendant (and all other Defendants) stands fully naked and
3004 vulnerable before the court, with no immunity of any form. Further,
3005 this defendant has engaged in conduct and as a continuing unit of an
3006 enterprise, through a pattern, of racketeering enterprises (including,
3007 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3008 kidnapping, obstruction of justice, interference in commerce, also
3009 involving monetary transactions in property derived from specified
3010 unlawful activity), and have caused injury to the business and/or
3011 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3012 overstepped their authority and violated the Constitutional rights of
3013 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3014 resides at 10 Federal St, Salem, MA 01970

3015

3016 155. Defendant JOHN B. BRENNAN is sued in his/her official
3017 capacity and individually as an Assistant District Attorney for

3018 Commonwealth of Massachusetts, responsible for executing and
3019 administering the laws and policies at issue in this lawsuit. This
3020 Defendant has exceeded, and overstepped their authority and violated
3021 the Constitutional rights of the Plaintiff, infringing and deprived him
3022 of his civil rights. Defendant refuses to protect, enforce, or defend the
3023 U.S. Constitution, refuses, enforce, to protect or defend the Bill of
3024 Rights, and steadfastly refuses to enforce or obey the decisions of the
3025 U.S. Supreme Court in regards to the Second and Fourteenth
3026 Amendment and other laws described herein. Defendant directly
3027 deprived, violated, and infringed upon Plaintiff 's civil rights, with
3028 malice, and with careful planning and conspiracy with others. This
3029 Defendant has exceeded, and overstepped their authority and violated
3030 the Constitutional rights of the Plaintiff, infringing and deprived him
3031 of his civil rights. Defendant encouraged, endorsed, organized,
3032 and/orchestrated an ongoing criminal enterprise, and a widespread
3033 cover-up. Any veil of immunity, which this defendant may have
3034 previously enjoyed by virtue of their office or position, is "pierced and
3035 ripped asunder" due to their infringement and deprivation of the
3036 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
3037 other Defendants) stands fully naked and vulnerable before the court,

3038 with no immunity of any form. Further, this defendant has engaged in
3039 conduct and as a continuing unit of an enterprise, through a pattern, of
3040 racketeering enterprises (including, but not limited to: mail fraud, wire
3041 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
3042 interference in commerce, also involving monetary transactions in
3043 property derived from specified unlawful activity), and have caused
3044 injury to the business and/or property of the Plaintiff Atkinson. This
3045 Defendant has exceeded, and overstepped their authority and violated
3046 the Constitutional rights of the Plaintiff, infringing and deprived him
3047 of his civil rights. Defendant resides at 10 Federal St, Salem, MA
3048 01970

3049
3050 156. Defendant KEVIN P. BURKE is sued in his/her official capacity
3051 and individually as the Clerk-Magistrate for Commonwealth of
3052 Massachusetts, responsible for executing and administering the laws
3053 and policies at issue in this lawsuit. This Defendant has exceeded, and
3054 overstepped their authority and violated the Constitutional rights of
3055 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3056 refuses to protect, enforce, or defend the U.S. Constitution, refuses,
3057 enforce, to protect or defend the Bill of Rights, and steadfastly refuses

3058 to enforce or obey the decisions of the U.S. Supreme Court in regards
3059 to the Second and Fourteenth Amendment and other laws described
3060 herein. Defendant misused his position to approve illegal,
3061 unreasonable, illegal arrest and search warrants, that were not based
3062 on probable cause, and were instead approved purely for political and
3063 monetary gains, and other consideration in violation of Plaintiffs civil
3064 rights. This Defendant has exceeded, and overstepped their authority
3065 and violated the Constitutional rights of the Plaintiff, infringing and
3066 deprived him of his civil rights. Defendant directly deprived, violated,
3067 and infringed upon Plaintiff 's civil rights, with malice, and with
3068 careful planning and conspiracy with others. This Defendant has
3069 exceeded, and overstepped their authority and violated the
3070 Constitutional rights of the Plaintiff, infringing and deprived him of
3071 his civil rights. Defendant encouraged, endorsed, organized,
3072 and/orchestrated an ongoing criminal enterprise, and a widespread
3073 cover-up. Any veil of immunity, which this defendant may have
3074 previously enjoyed by virtue of their office or position, is "pierced and
3075 ripped asunder" due to their infringement and deprivation of the
3076 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
3077 other Defendants) stands fully naked and vulnerable before the court,

3078 with no immunity of any form. Further, this defendant has engaged in
3079 conduct and as a continuing unit of an enterprise, through a pattern, of
3080 racketeering enterprises (including, but not limited to: mail fraud, wire
3081 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
3082 interference in commerce, also involving monetary transactions in
3083 property derived from specified unlawful activity), and have caused
3084 injury to the business and/or property of the Plaintiff Atkinson. This
3085 Defendant has exceeded, and overstepped their authority and violated
3086 the Constitutional rights of the Plaintiff, infringing and deprived him
3087 of his civil rights. Defendant resides at 197 Main Street, Gloucester,
3088 MA 01930

3089
3090 157. Defendant MARK PULLI is sued in his/her official capacity and
3091 individually as an Investigator for Commonwealth of Massachusetts,
3092 responsible for executing and administering the laws and policies at
3093 issue in this lawsuit. Defendant directly deprived, violated, and
3094 infringed upon Plaintiff 's civil rights, with malice, and with careful
3095 planning and conspiracy with others. This Defendant has exceeded,
3096 and overstepped their authority and violated the Constitutional rights
3097 of the Plaintiff, infringing and deprived him of his civil rights.

3098 Defendant encouraged, endorsed, organized, and/orchestrated an
3099 ongoing criminal enterprise, and a widespread cover-up. Any veil of
3100 immunity, which this defendant may have previously enjoyed by
3101 virtue of their office or position, is “pierced and ripped asunder” due
3102 to their infringement and deprivation of the Constitutional Rights of
3103 the Plaintiff, and thus this Defendant (and all other Defendants) stands
3104 fully naked and vulnerable before the court, with no immunity of any
3105 form. Further, this defendant has engaged in conduct and as a
3106 continuing unit of an enterprise, through a pattern, of racketeering
3107 enterprises (including, but not limited to: mail fraud, wire fraud,
3108 scheme to defraud, robbery, kidnapping, obstruction of justice,
3109 interference in commerce, also involving monetary transactions in
3110 property derived from specified unlawful activity), and have caused
3111 injury to the business and/or property of the Plaintiff Atkinson. This
3112 Defendant has exceeded, and overstepped their authority and violated
3113 the Constitutional rights of the Plaintiff, infringing and deprived him
3114 of his civil rights. Defendant resides at One Ashburton Place, Boston,
3115 MA 02108 -1518.

3116
3117 158. Defendant LLOYD A. HOLMES is sued in his/her official

3118 capacity and individually as an Dean of Students for North Shore
3119 Community College, responsible for executing and administering the
3120 laws and policies at issue in this lawsuit. Defendant directly deprived,
3121 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3122 with careful planning and conspiracy with others. Any veil of
3123 immunity, which this defendant may have previously enjoyed by
3124 virtue of their office or position, is "pierced and ripped asunder" due
3125 to their infringement and deprivation of the Constitutional Rights of
3126 the Plaintiff, and thus this Defendant (and all other Defendants) stands
3127 fully naked and vulnerable before the court, with no immunity of any
3128 form. Further, this defendant has engaged in conduct and as a
3129 continuing unit of an enterprise, through a pattern, of racketeering
3130 enterprises (including, but not limited to: mail fraud, wire fraud,
3131 scheme to defraud, robbery, kidnapping, obstruction of justice,
3132 interference in commerce, also involving monetary transactions in
3133 property derived from specified unlawful activity), and have caused
3134 injury to the business and/or property of the Plaintiff Atkinson. This
3135 Defendant has exceeded, and overstepped their authority and violated
3136 the Constitutional rights of the Plaintiff, infringing and deprived him
3137 of his civil rights. Defendant resides at 1 Ferncroft Road, Danvers,

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MA 01923

159. Defendant WAYNE BURTON is sued in his/her official capacity and individually as the President for North Shore Community College, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Any veil of immunity, which this defendant may have previously enjoyed by virtue of their office or position, is "pierced and ripped asunder" due to their infringement and deprivation of the Constitutional Rights of the Plaintiff, and thus this Defendant (and all other Defendants) stands fully naked and vulnerable before the court, with no immunity of any form. Further, this defendant has engaged in conduct and as a continuing unit of an enterprise, through a pattern, of racketeering enterprises (including, but not limited to: mail fraud, wire fraud, scheme to defraud, robbery, kidnapping, obstruction of justice, interference in commerce, also involving monetary transactions in property derived from specified unlawful activity), and have caused injury to the business and/or property of the Plaintiff Atkinson. This Defendant has exceeded, and

3158 overstepped their authority and violated the Constitutional rights of
3159 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3160 resides at 1 Ferncroft Road, Danvers, MA 01923

3161

3162 160. Defendant DONNA RICHEMOND is sued in his/her official
3163 capacity and individually as the Vice President, Student and
3164 Enrollment Services for North Shore Community College, responsible
3165 for executing and administering the laws and policies at issue in this
3166 lawsuit. Defendant directly deprived, violated, and infringed upon
3167 Plaintiff 's civil rights, with malice, and with careful planning and
3168 conspiracy with others. Any veil of immunity, which this defendant
3169 may have previously enjoyed by virtue of their office or position, is
3170 "pierced and ripped asunder" due to their infringement and
3171 deprivation of the Constitutional Rights of the Plaintiff, and thus this
3172 Defendant (and all other Defendants) stands fully naked and
3173 vulnerable before the court, with no immunity of any form. Further,
3174 this defendant has engaged in conduct and as a continuing unit of an
3175 enterprise, through a pattern, of racketeering enterprises (including,
3176 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3177 kidnapping, obstruction of justice, interference in commerce, also

3178 involving monetary transactions in property derived from specified
3179 unlawful activity), and have caused injury to the business and/or
3180 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3181 overstepped their authority and violated the Constitutional rights of
3182 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3183 resides at 1 Ferncroft Road, Danvers, MA 01923

3184

3185 161. Defendant DOUG PUSKA is sued in his/her official capacity and
3186 individually as the Chief of Police for North Shore Community
3187 College, responsible for executing and administering the laws and
3188 policies at issue in this lawsuit. Defendant directly deprived, violated,
3189 and infringed upon Plaintiff 's civil rights, with malice, and with
3190 careful planning and conspiracy with others. Any veil of immunity,
3191 which this defendant may have previously enjoyed by virtue of their
3192 office or position, is "pierced and ripped asunder" due to their
3193 infringement and deprivation of the Constitutional Rights of the
3194 Plaintiff, and thus this Defendant (and all other Defendants) stands
3195 fully naked and vulnerable before the court, with no immunity of any
3196 form. Further, this defendant has engaged in conduct and as a
3197 continuing unit of an enterprise, through a pattern, of racketeering

3198 enterprises (including, but not limited to: mail fraud, wire fraud,
3199 scheme to defraud, robbery, kidnapping, obstruction of justice,
3200 interference in commerce, also involving monetary transactions in
3201 property derived from specified unlawful activity), and have caused
3202 injury to the business and/or property of the Plaintiff Atkinson. This
3203 Defendant has exceeded, and overstepped their authority and violated
3204 the Constitutional rights of the Plaintiff, infringing and deprived him
3205 of his civil rights. Defendant resides at 1 Ferncroft Road, Danvers,
3206 MA 01923

3207
3208 162. Defendant KENNETH TASHJY is sued in his/her official capacity
3209 and individually as the College Legal Counsel for North Shore
3210 Community College, responsible for executing and administering the
3211 laws and policies at issue in this lawsuit. Defendant directly deprived,
3212 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3213 with careful planning and conspiracy with others. Any veil of
3214 immunity, which this defendant may have previously enjoyed by
3215 virtue of their office or position, is "pierced and ripped asunder" due
3216 to their infringement and deprivation of the Constitutional Rights of
3217 the Plaintiff, and thus this Defendant (and all other Defendants) stands

3218 fully naked and vulnerable before the court, with no immunity of any
3219 form. Further, this defendant has engaged in conduct and as a
3220 continuing unit of an enterprise, through a pattern, of racketeering
3221 enterprises (including, but not limited to: mail fraud, wire fraud,
3222 scheme to defraud, robbery, kidnapping, obstruction of justice,
3223 interference in commerce, also involving monetary transactions in
3224 property derived from specified unlawful activity), and have caused
3225 injury to the business and/or property of the Plaintiff Atkinson. This
3226 Defendant has exceeded, and overstepped their authority and violated
3227 the Constitutional rights of the Plaintiff, infringing and deprived him
3228 of his civil rights. Defendant resides at 1 Ferncroft Road, Danvers,
3229 MA 01923

3230
3231 163. Defendant MARSHALL J. HANDLY is sued in his/her official
3232 capacity and individually as the Legal Department for Montserrat
3233 College of Art, responsible for executing and administering the laws
3234 and policies at issue in this lawsuit. Defendant directly deprived,
3235 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3236 with careful planning and conspiracy with others. Any veil of
3237 immunity, which this defendant may have previously enjoyed by

3238 virtue of their office or position, is “pierced and ripped asunder” due
3239 to their infringement and deprivation of the Constitutional Rights of
3240 the Plaintiff, and thus this Defendant (and all other Defendants) stands
3241 fully naked and vulnerable before the court, with no immunity of any
3242 form. Further, this defendant has engaged in conduct and as a
3243 continuing unit of an enterprise, through a pattern, of racketeering
3244 enterprises (including, but not limited to: mail fraud, wire fraud,
3245 scheme to defraud, robbery, kidnapping, obstruction of justice,
3246 interference in commerce, also involving monetary transactions in
3247 property derived from specified unlawful activity), and have caused
3248 injury to the business and/or property of the Plaintiff Atkinson. This
3249 Defendant has exceeded, and overstepped their authority and violated
3250 the Constitutional rights of the Plaintiff, infringing and deprived him
3251 of his civil rights. Defendant resides at 23 Essex Street, Beverly, MA
3252 01915-4508

3253
3254 164. Defendant STEPHEN D. IMMERMANN is sued in his/her official
3255 capacity and individually as the President for Montserrat College of
3256 Art, responsible for executing and administering the laws and policies
3257 at issue in this lawsuit. Defendant directly deprived, violated, and

3258 infringed upon Plaintiff 's civil rights, with malice, and with careful
3259 planning and conspiracy with others. This Defendant has exceeded,
3260 and overstepped their authority and violated the Constitutional rights
3261 of the Plaintiff, infringing and deprived him of his civil rights.
3262 Defendant encouraged, endorsed, organized, and/orchestrated an
3263 ongoing criminal enterprise, and a widespread cover-up. Further, this
3264 defendant has engaged in conduct and as a continuing unit of an
3265 enterprise, through a pattern, of racketeering enterprises (including,
3266 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3267 kidnapping, obstruction of justice, interference in commerce, also
3268 involving monetary transactions in property derived from specified
3269 unlawful activity), and have caused injury to the business and/or
3270 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3271 overstepped their authority and violated the Constitutional rights of
3272 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3273 resides at 23 Essex Street, Beverly, MA 01915-4508

3274
3275 165. Defendant BRIAN BICKNELL is sued in his/her official capacity
3276 and individually as the Dean for Montserrat College of Art,
3277 responsible for executing and administering the laws and policies at

3278 issue in this lawsuit. Defendant directly deprived, violated, and
3279 infringed upon Plaintiff 's civil rights, with malice, and with careful
3280 planning and conspiracy with others. Further, this defendant has
3281 engaged in conduct and as a continuing unit of an enterprise, through
3282 a pattern, of racketeering enterprises (including, but not limited to:
3283 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3284 obstruction of justice, interference in commerce, also involving
3285 monetary transactions in property derived from specified unlawful
3286 activity), and have caused injury to the business and/or property of the
3287 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3288 their authority and violated the Constitutional rights of the Plaintiff,
3289 infringing and deprived him of his civil rights. Defendant resides at 23
3290 Essex Street, Beverly, MA 01915-4508

3291
3292 166. Defendant LEE DELLICKER is sued in his/her official capacity
3293 and individually as a Trustee for Montserrat College of Art,
3294 responsible for executing and administering the laws and policies at
3295 issue in this lawsuit. Defendant directly deprived, violated, and
3296 infringed upon Plaintiff 's civil rights, with malice, and with careful
3297 planning and conspiracy with others. Further, this defendant has

3298 engaged in conduct and as a continuing unit of an enterprise, through
3299 a pattern, of racketeering enterprises (including, but not limited to:
3300 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3301 obstruction of justice, interference in commerce, also involving
3302 monetary transactions in property derived from specified unlawful
3303 activity), and have caused injury to the business and/or property of the
3304 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3305 their authority and violated the Constitutional rights of the Plaintiff,
3306 infringing and deprived him of his civil rights. Defendant resides at 23
3307 Essex Street, Beverly, MA 01915-4508

3308
3309 167. Defendant LECIA TURCOTTE is sued in his/her official capacity
3310 and individually as a Trustee for Montserrat College of Art,
3311 responsible for executing and administering the laws and policies at
3312 issue in this lawsuit. Defendant directly deprived, violated, and
3313 infringed upon Plaintiff 's civil rights, with malice, and with careful
3314 planning and conspiracy with others. Further, this defendant has
3315 engaged in conduct and as a continuing unit of an enterprise, through
3316 a pattern, of racketeering enterprises (including, but not limited to:
3317 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,

3318 obstruction of justice, interference in commerce, also involving
3319 monetary transactions in property derived from specified unlawful
3320 activity), and have caused injury to the business and/or property of the
3321 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3322 their authority and violated the Constitutional rights of the Plaintiff,
3323 infringing and deprived him of his civil rights. Defendant resides at 23
3324 Essex Street, Beverly, MA 01915-4508

3325
3326 168. Defendant DONALD BOWEN is sued in his/her official capacity
3327 and individually as a Trustee for Montserrat College of Art,
3328 responsible for executing and administering the laws and policies at
3329 issue in this lawsuit. Defendant directly deprived, violated, and
3330 infringed upon Plaintiff 's civil rights, with malice, and with careful
3331 planning and conspiracy with others. Further, this defendant has
3332 engaged in conduct and as a continuing unit of an enterprise, through
3333 a pattern, of racketeering enterprises (including, but not limited to:
3334 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3335 obstruction of justice, interference in commerce, also involving
3336 monetary transactions in property derived from specified unlawful
3337 activity), and have caused injury to the business and/or property of the

3338 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3339 their authority and violated the Constitutional rights of the Plaintiff,
3340 infringing and deprived him of his civil rights. Defendant resides at 23
3341 Essex Street, Beverly, MA 01915-4508

3342

3343 169. Defendant MARTHA BUSKIRK is sued in his/her official
3344 capacity and individually as a Trustee for Montserrat College of Art,
3345 responsible for executing and administering the laws and policies at
3346 issue in this lawsuit. Defendant directly deprived, violated, and
3347 infringed upon Plaintiff 's civil rights, with malice, and with careful
3348 planning and conspiracy with others. Further, this defendant has
3349 engaged in conduct and as a continuing unit of an enterprise, through
3350 a pattern, of racketeering enterprises (including, but not limited to:
3351 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3352 obstruction of justice, interference in commerce, also involving
3353 monetary transactions in property derived from specified unlawful
3354 activity), and have caused injury to the business and/or property of the
3355 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3356 their authority and violated the Constitutional rights of the Plaintiff,
3357 infringing and deprived him of his civil rights. Defendant resides at 23

Essex Street, Beverly, MA

170. Defendant CHRISTOPHER COLLINS is sued in his/her official capacity and individually as a Trustee for Montserrat College of Art, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Further, this defendant has engaged in conduct and as a continuing unit of an enterprise, through a pattern, of racketeering enterprises (including, but not limited to: mail fraud, wire fraud, scheme to defraud, robbery, kidnapping, obstruction of justice, interference in commerce, also involving monetary transactions in property derived from specified unlawful activity), and have caused injury to the business and/or property of the Plaintiff Atkinson. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant resides at 23 Essex Street, Beverly, MA 01915-4508

3377 171. Defendant NANCY CRATE is sued in his/her official capacity
3378 and individually as a Trustee for Montserrat College of Art,
3379 responsible for executing and administering the laws and policies at
3380 issue in this lawsuit. Defendant directly deprived, violated, and
3381 infringed upon Plaintiff 's civil rights, with malice, and with careful
3382 planning and conspiracy with others. Further, this defendant has
3383 engaged in conduct and as a continuing unit of an enterprise, through
3384 a pattern, of racketeering enterprises (including, but not limited to:
3385 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3386 obstruction of justice, interference in commerce, also involving
3387 monetary transactions in property derived from specified unlawful
3388 activity), and have caused injury to the business and/or property of the
3389 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3390 their authority and violated the Constitutional rights of the Plaintiff,
3391 infringing and deprived him of his civil rights. Defendant resides at 23
3392 Essex Street, Beverly, MA 01915-4508

3393
3394 172. Defendant CRAIG H. DEERY is sued in his/her official
3395 capacity and individually as a Trustee for Montserrat College of Art,
3396 responsible for executing and administering the laws and policies at

3397 issue in this lawsuit. Defendant directly deprived, violated, and
3398 infringed upon Plaintiff 's civil rights, with malice, and with careful
3399 planning and conspiracy with others. Further, this defendant has
3400 engaged in conduct and as a continuing unit of an enterprise, through
3401 a pattern, of racketeering enterprises (including, but not limited to:
3402 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3403 obstruction of justice, interference in commerce, also involving
3404 monetary transactions in property derived from specified unlawful
3405 activity), and have caused injury to the business and/or property of the
3406 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3407 their authority and violated the Constitutional rights of the Plaintiff,
3408 infringing and deprived him of his civil rights. Defendant resides at 23
3409 Essex Street, Beverly, MA 01915-4508

3410
3411 173. Defendant STEVEN DODGE is sued in his/her official
3412 capacity and individually as a Trustee for Montserrat College of Art,
3413 responsible for executing and administering the laws and policies at
3414 issue in this lawsuit. Defendant directly deprived, violated, and
3415 infringed upon Plaintiff 's civil rights, with malice, and with careful
3416 planning and conspiracy with others. Further, this defendant has

3417 engaged in conduct and as a continuing unit of an enterprise, through
3418 a pattern, of racketeering enterprises (including, but not limited to:
3419 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3420 obstruction of justice, interference in commerce, also involving
3421 monetary transactions in property derived from specified unlawful
3422 activity), and have caused injury to the business and/or property of the
3423 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3424 their authority and violated the Constitutional rights of the Plaintiff,
3425 infringing and deprived him of his civil rights. Defendant resides at 23
3426 Essex Street, Beverly, MA 01915-4508

3427
3428 174. Defendant HENRIETTA GATES is sued in his/her official
3429 capacity and individually as a Trustee for Montserrat College of Art,
3430 responsible for executing and administering the laws and policies at
3431 issue in this lawsuit. Defendant directly deprived, violated, and
3432 infringed upon Plaintiff 's civil rights, with malice, and with careful
3433 planning and conspiracy with others. Further, this defendant has
3434 engaged in conduct and as a continuing unit of an enterprise, through
3435 a pattern, of racketeering enterprises (including, but not limited to:
3436 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,

3437 obstruction of justice, interference in commerce, also involving
3438 monetary transactions in property derived from specified unlawful
3439 activity), and have caused injury to the business and/or property of the
3440 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3441 their authority and violated the Constitutional rights of the Plaintiff,
3442 infringing and deprived him of his civil rights. Defendant resides at 23
3443 Essex Street, Beverly, MA 01915-4508

3444

3445 175. Defendant MIRANDA GOODING is sued in his/her official
3446 capacity and individually as a Trustee for Montserrat College of Art,
3447 responsible for executing and administering the laws and policies at
3448 issue in this lawsuit. Defendant directly deprived, violated, and
3449 infringed upon Plaintiff 's civil rights, with malice, and with careful
3450 planning and conspiracy with others. Further, this defendant has
3451 engaged in conduct and as a continuing unit of an enterprise, through
3452 a pattern, of racketeering enterprises (including, but not limited to:
3453 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3454 obstruction of justice, interference in commerce, also involving
3455 monetary transactions in property derived from specified unlawful
3456 activity), and have caused injury to the business and/or property of the

3457 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3458 their authority and violated the Constitutional rights of the Plaintiff,
3459 infringing and deprived him of his civil rights. Defendant resides at 23
3460 Essex Street, Beverly, MA 01915-4508

3461

3462 176. Defendant LINDA HARVEY is sued in his/her official capacity
3463 and individually as a Trustee for Montserrat College of Art,
3464 responsible for executing and administering the laws and policies at
3465 issue in this lawsuit. Defendant directly deprived, violated, and
3466 infringed upon Plaintiff 's civil rights, with malice, and with careful
3467 planning and conspiracy with others. Further, this defendant has
3468 engaged in conduct and as a continuing unit of an enterprise, through
3469 a pattern, of racketeering enterprises (including, but not limited to:
3470 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3471 obstruction of justice, interference in commerce, also involving
3472 monetary transactions in property derived from specified unlawful
3473 activity), and have caused injury to the business and/or property of the
3474 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3475 their authority and violated the Constitutional rights of the Plaintiff,

3476 infringing and deprived him of his civil rights. Defendant resides at 23
3477 Essex Street, Beverly, MA 01915-4508

3478

3479 177. Defendant BETSY HOPKINS is sued in his/her official
3480 capacity and individually as a Trustee for Montserrat College of Art,
3481 responsible for executing and administering the laws and policies at
3482 issue in this lawsuit. Defendant directly deprived, violated, and
3483 infringed upon Plaintiff 's civil rights, with malice, and with careful
3484 planning and conspiracy with others. Further, this defendant has
3485 engaged in conduct and as a continuing unit of an enterprise, through
3486 a pattern, of racketeering enterprises (including, but not limited to:
3487 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3488 obstruction of justice, interference in commerce, also involving
3489 monetary transactions in property derived from specified unlawful
3490 activity), and have caused injury to the business and/or property of the
3491 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3492 their authority and violated the Constitutional rights of the Plaintiff,
3493 infringing and deprived him of his civil rights. Defendant resides at 23
3494 Essex Street, Beverly, MA 01915-4508

3495

3496 178. Defendant JOHN PETERMAN is sued in his/her official
3497 capacity and individually as a Trustee for Montserrat College of Art,
3498 responsible for executing and administering the laws and policies at
3499 issue in this lawsuit. Defendant directly deprived, violated, and
3500 infringed upon Plaintiff 's civil rights, with malice, and with careful
3501 planning and conspiracy with others. Further, this defendant has
3502 engaged in conduct and as a continuing unit of an enterprise, through
3503 a pattern, of racketeering enterprises (including, but not limited to:
3504 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3505 obstruction of justice, interference in commerce, also involving
3506 monetary transactions in property derived from specified unlawful
3507 activity), and have caused injury to the business and/or property of the
3508 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3509 their authority and violated the Constitutional rights of the Plaintiff,
3510 infringing and deprived him of his civil rights. Defendant resides at 23
3511 Essex Street, Beverly, MA 01915-4508

3512
3513 179. Defendant JURRIEN TIMMER is sued in his/her official
3514 capacity and individually as a Trustee for Montserrat College of Art,
3515 responsible for executing and administering the laws and policies at

3516 issue in this lawsuit. Defendant directly deprived, violated, and
3517 infringed upon Plaintiff 's civil rights, with malice, and with careful
3518 planning and conspiracy with others. Further, this defendant has
3519 engaged in conduct and as a continuing unit of an enterprise, through
3520 a pattern, of racketeering enterprises (including, but not limited to:
3521 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3522 obstruction of justice, interference in commerce, also involving
3523 monetary transactions in property derived from specified unlawful
3524 activity), and have caused injury to the business and/or property of the
3525 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3526 their authority and violated the Constitutional rights of the Plaintiff,
3527 infringing and deprived him of his civil rights. Defendant resides at 23
3528 Essex Street, Beverly, MA 01915-4508

3529
3530 180. Defendant CHARLES WHITTEN is sued in his/her official
3531 capacity and individually as a Trustee for Montserrat College of Art,
3532 responsible for executing and administering the laws and policies at
3533 issue in this lawsuit. Defendant directly deprived, violated, and
3534 infringed upon Plaintiff 's civil rights, with malice, and with careful
3535 planning and conspiracy with others. Further, this defendant has

3536 engaged in conduct and as a continuing unit of an enterprise, through
3537 a pattern, of racketeering enterprises (including, but not limited to:
3538 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3539 obstruction of justice, interference in commerce, also involving
3540 monetary transactions in property derived from specified unlawful
3541 activity), and have caused injury to the business and/or property of the
3542 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3543 their authority and violated the Constitutional rights of the Plaintiff,
3544 infringing and deprived him of his civil rights. Defendant resides at 23
3545 Essex Street, Beverly, MA 01915-4508

3546
3547 181. Defendant ALAN WILSON is sued in his/her official capacity
3548 and individually as a Trustee for Montserrat College of Art,
3549 responsible for executing and administering the laws and policies at
3550 issue in this lawsuit. Defendant directly deprived, violated, and
3551 infringed upon Plaintiff 's civil rights, with malice, and with careful
3552 planning and conspiracy with others. Further, this defendant has
3553 engaged in conduct and as a continuing unit of an enterprise, through
3554 a pattern, of racketeering enterprises (including, but not limited to:
3555 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,

3556 obstruction of justice, interference in commerce, also involving
3557 monetary transactions in property derived from specified unlawful
3558 activity), and have caused injury to the business and/or property of the
3559 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3560 their authority and violated the Constitutional rights of the Plaintiff,
3561 infringing and deprived him of his civil rights. Defendant resides at 23
3562 Essex Street, Beverly, MA 01915-4508

3563

3564 182. Defendant KATHERINE WINTER is sued in his/her official
3565 capacity and individually as a Trustee for Montserrat College of Art,
3566 responsible for executing and administering the laws and policies at
3567 issue in this lawsuit. Defendant directly deprived, violated, and
3568 infringed upon Plaintiff 's civil rights, with malice, and with careful
3569 planning and conspiracy with others. Further, this defendant has
3570 engaged in conduct and as a continuing unit of an enterprise, through
3571 a pattern, of racketeering enterprises (including, but not limited to:
3572 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3573 obstruction of justice, interference in commerce, also involving
3574 monetary transactions in property derived from specified unlawful
3575 activity), and have caused injury to the business and/or property of the

3576 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3577 their authority and violated the Constitutional rights of the Plaintiff,
3578 infringing and deprived him of his civil rights. Defendant resides at 23
3579 Essex Street, Beverly, MA 01915-4508

3580

3581 183. Defendant JO BRODERICK is sued in his/her official capacity
3582 and individually as the Dean of College Relations for Montserrat
3583 College of Art, responsible for executing and administering the laws
3584 and policies at issue in this lawsuit. Defendant directly deprived,
3585 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3586 with careful planning and conspiracy with others. Further, this
3587 defendant has engaged in conduct and as a continuing unit of an
3588 enterprise, through a pattern, of racketeering enterprises (including,
3589 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3590 kidnapping, obstruction of justice, interference in commerce, also
3591 involving monetary transactions in property derived from specified
3592 unlawful activity), and have caused injury to the business and/or
3593 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3594 overstepped their authority and violated the Constitutional rights of

3595 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3596 resides at 23 Essex Street, Beverly, MA 01915-4508

3597

3598 184. Defendant RICK LONGO is sued in his/her official capacity
3599 and individually as the Dean of Admissions & Enrollment
3600 Management for Montserrat College of Art, responsible for executing
3601 and administering the laws and policies at issue in this lawsuit.
3602 Defendant directly deprived, violated, and infringed upon Plaintiff 's
3603 civil rights, with malice, and with careful planning and conspiracy
3604 with others. Further, this defendant has engaged in conduct and as a
3605 continuing unit of an enterprise, through a pattern, of racketeering
3606 enterprises (including, but not limited to: mail fraud, wire fraud,
3607 scheme to defraud, robbery, kidnapping, obstruction of justice,
3608 interference in commerce, also involving monetary transactions in
3609 property derived from specified unlawful activity), and have caused
3610 injury to the business and/or property of the Plaintiff Atkinson. This
3611 Defendant has exceeded, and overstepped their authority and violated
3612 the Constitutional rights of the Plaintiff, infringing and deprived him
3613 of his civil rights. Defendant resides at 23 Essex Street, Beverly, MA
3614 01915-4508

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185. Defendant LAURA TONELLI is sued in his/her official capacity and individually as the Dean of Faculty and Academic Affairs for Montserrat College of Art, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Further, this defendant has engaged in conduct and as a continuing unit of an enterprise, through a pattern, of racketeering enterprises (including, but not limited to: mail fraud, wire fraud, scheme to defraud, robbery, kidnapping, obstruction of justice, interference in commerce, also involving monetary transactions in property derived from specified unlawful activity), and have caused injury to the business and/or property of the Plaintiff Atkinson. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant resides at 23 Essex Street, Beverly, MA 01915-4508

3634 186. Defendant THERESA SKELLY is sued in his/her official
3635 capacity and individually as the Registrar for Montserrat College of
3636 Art, responsible for executing and administering the laws and policies
3637 at issue in this lawsuit. Defendant directly deprived, violated, and
3638 infringed upon Plaintiff 's civil rights, with malice, and with careful
3639 planning and conspiracy with others. Further, this defendant has
3640 engaged in conduct and as a continuing unit of an enterprise, through
3641 a pattern, of racketeering enterprises (including, but not limited to:
3642 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
3643 obstruction of justice, interference in commerce, also involving
3644 monetary transactions in property derived from specified unlawful
3645 activity), and have caused injury to the business and/or property of the
3646 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
3647 their authority and violated the Constitutional rights of the Plaintiff,
3648 infringing and deprived him of his civil rights. Defendant resides at 23
3649 Essex Street, Beverly, MA 01915-4508

3650
3651 187. Defendant JEFFREY NEWELL is sued in his/her official
3652 capacity and individually as the Director of Admissions for
3653 Montserrat College of Art, responsible for executing and

3654 administering the laws and policies at issue in this lawsuit. Defendant
3655 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
3656 with malice, and with careful planning and conspiracy with others.
3657 Further, this defendant has engaged in conduct and as a continuing
3658 unit of an enterprise, through a pattern, of racketeering enterprises
3659 (including, but not limited to: mail fraud, wire fraud, scheme to
3660 defraud, robbery, kidnapping, obstruction of justice, interference in
3661 commerce, also involving monetary transactions in property derived
3662 from specified unlawful activity), and have caused injury to the
3663 business and/or property of the Plaintiff Atkinson. This Defendant has
3664 exceeded, and overstepped their authority and violated the
3665 Constitutional rights of the Plaintiff, infringing and deprived him of
3666 his civil rights. Defendant resides at 23 Essex Street, Beverly, MA
3667 01915-4508

3668
3669 188. Defendant SCOTT JAMES is sued in his/her official capacity
3670 and individually as an Associate Vice President for Salem State
3671 College, responsible for executing and administering the laws and
3672 policies at issue in this lawsuit. Defendant directly deprived, violated,
3673 and infringed upon Plaintiff 's civil rights, with malice, and with

3674 careful planning and conspiracy with others. Further, this defendant
3675 has engaged in conduct and as a continuing unit of an enterprise,
3676 through a pattern, of racketeering enterprises (including, but not
3677 limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3678 kidnapping, obstruction of justice, interference in commerce, also
3679 involving monetary transactions in property derived from specified
3680 unlawful activity), and have caused injury to the business and/or
3681 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3682 overstepped their authority and violated the Constitutional rights of
3683 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3684 resides at 352 Lafayette Street, Salem, MA 01970-5353

3685
3686 189. Defendant PATRICIA MAGUIRE MESERVEY is sued in
3687 his/her official capacity and individually as the President for Salem
3688 State College, responsible for executing and administering the laws
3689 and policies at issue in this lawsuit. Defendant directly deprived,
3690 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3691 with careful planning and conspiracy with others. This Defendant has
3692 exceeded, and overstepped their authority and violated the
3693 Constitutional rights of the Plaintiff, infringing and deprived him of

3694 his civil rights. Defendant encouraged, endorsed, organized,
3695 and/orchestrated an ongoing criminal enterprise, and a widespread
3696 cover-up. Any veil of immunity, which this defendant may have
3697 previously enjoyed by virtue of their office or position, is “pierced and
3698 ripped asunder” due to their infringement and deprivation of the
3699 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
3700 other Defendants) stands fully naked and vulnerable before the court,
3701 with no immunity of any form. Further, this defendant has engaged in
3702 conduct and as a continuing unit of an enterprise, through a pattern, of
3703 racketeering enterprises (including, but not limited to: mail fraud, wire
3704 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
3705 interference in commerce, also involving monetary transactions in
3706 property derived from specified unlawful activity), and have caused
3707 injury to the business and/or property of the Plaintiff Atkinson. This
3708 Defendant has exceeded, and overstepped their authority and violated
3709 the Constitutional rights of the Plaintiff, infringing and deprived him
3710 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3711 MA 01970-5353
3712

3713 190. Defendant JAMES STOLL is sued in his/her official capacity
3714 and individually as the Associate Vice President and Dean of Students
3715 for Salem State College, responsible for executing and administering
3716 the laws and policies at issue in this lawsuit. Defendant directly
3717 deprived, violated, and infringed upon Plaintiff 's civil rights, with
3718 malice, and with careful planning and conspiracy with others. Any
3719 veil of immunity, which this defendant may have previously enjoyed
3720 by virtue of their office or position, is "pierced and ripped asunder"
3721 due to their infringement and deprivation of the Constitutional Rights
3722 of the Plaintiff, and thus this Defendant (and all other Defendants)
3723 stands fully naked and vulnerable before the court, with no immunity
3724 of any form. Further, this defendant has engaged in conduct and as a
3725 continuing unit of an enterprise, through a pattern, of racketeering
3726 enterprises (including, but not limited to: mail fraud, wire fraud,
3727 scheme to defraud, robbery, kidnapping, obstruction of justice,
3728 interference in commerce, also involving monetary transactions in
3729 property derived from specified unlawful activity), and have caused
3730 injury to the business and/or property of the Plaintiff Atkinson. This
3731 Defendant has exceeded, and overstepped their authority and violated
3732 the Constitutional rights of the Plaintiff, infringing and deprived him

3733 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3734 MA 01970-5353

3735

3736 191. Defendant SHAWN A. NEWTON is sued in his/her official
3737 capacity and individually as the Assistant Dean of Students, Student
3738 Life for Salem State College, responsible for executing and
3739 administering the laws and policies at issue in this lawsuit. Defendant
3740 directly deprived, violated, and infringed upon Plaintiff 's civil rights,
3741 with malice, and with careful planning and conspiracy with others.
3742 This Defendant has exceeded, and overstepped their authority and
3743 violated the Constitutional rights of the Plaintiff, infringing and
3744 deprived him of his civil rights. Defendant encouraged, endorsed,
3745 organized, and/orchestrated an ongoing criminal enterprise, and a
3746 widespread cover-up. Any veil of immunity, which this defendant
3747 may have previously enjoyed by virtue of their office or position, is
3748 "pierced and ripped asunder" due to their infringement and
3749 deprivation of the Constitutional Rights of the Plaintiff, and thus this
3750 Defendant (and all other Defendants) stands fully naked and
3751 vulnerable before the court, with no immunity of any form. Further,
3752 this defendant has engaged in conduct and as a continuing unit of an

3753 enterprise, through a pattern, of racketeering enterprises (including,
3754 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
3755 kidnapping, obstruction of justice, interference in commerce, also
3756 involving monetary transactions in property derived from specified
3757 unlawful activity), and have caused injury to the business and/or
3758 property of the Plaintiff Atkinson. This Defendant has exceeded, and
3759 overstepped their authority and violated the Constitutional rights of
3760 the Plaintiff, infringing and deprived him of his civil rights. Defendant
3761 resides at 352 Lafayette Street, Salem, MA 01970-5353

3762
3763 192. Defendant WILLIAM ANGLIN is sued in his/her official
3764 capacity and individually as the Chief, Public Safety for Salem State
3765 College, responsible for executing and administering the laws and
3766 policies at issue in this lawsuit. Defendant directly deprived, violated,
3767 and infringed upon Plaintiff 's civil rights, with malice, and with
3768 careful planning and conspiracy with others. Any veil of immunity,
3769 which this defendant may have previously enjoyed by virtue of their
3770 office or position, is "pierced and ripped asunder" due to their
3771 infringement and deprivation of the Constitutional Rights of the
3772 Plaintiff, and thus this Defendant (and all other Defendants) stands

3773 fully naked and vulnerable before the court, with no immunity of any
3774 form. Further, this defendant has engaged in conduct and as a
3775 continuing unit of an enterprise, through a pattern, of racketeering
3776 enterprises (including, but not limited to: mail fraud, wire fraud,
3777 scheme to defraud, robbery, kidnapping, obstruction of justice,
3778 interference in commerce, also involving monetary transactions in
3779 property derived from specified unlawful activity), and have caused
3780 injury to the business and/or property of the Plaintiff Atkinson. This
3781 Defendant has exceeded, and overstepped their authority and violated
3782 the Constitutional rights of the Plaintiff, infringing and deprived him
3783 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3784 MA 01970-5353

3785
3786 193. Defendant JOHN DOE 045 – 046 is sued in his/her official
3787 capacity and individually as a Campus Security for Salem State
3788 College, responsible for executing and administering the laws and
3789 policies at issue in this lawsuit. Defendant directly deprived, violated,
3790 and infringed upon Plaintiff ‘s civil rights, with malice, and with
3791 careful planning and conspiracy with others. Any veil of immunity,
3792 which this defendant may have previously enjoyed by virtue of their

3793 office or position, is “pierced and ripped asunder” due to their
3794 infringement and deprivation of the Constitutional Rights of the
3795 Plaintiff, and thus this Defendant (and all other Defendants) stands
3796 fully naked and vulnerable before the court, with no immunity of any
3797 form. Further, this defendant has engaged in conduct and as a
3798 continuing unit of an enterprise, through a pattern, of racketeering
3799 enterprises (including, but not limited to: mail fraud, wire fraud,
3800 scheme to defraud, robbery, kidnapping, obstruction of justice,
3801 interference in commerce, also involving monetary transactions in
3802 property derived from specified unlawful activity), and have caused
3803 injury to the business and/or property of the Plaintiff Atkinson. This
3804 Defendant has exceeded, and overstepped their authority and violated
3805 the Constitutional rights of the Plaintiff, infringing and deprived him
3806 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3807 MA 01970-5353

3808

3809 194. Defendant JOHN DOE 047 – 051 is sued in his/her official
3810 capacity and individually as a Judicial Board Member for Salem State
3811 College, responsible for executing and administering the laws and
3812 policies at issue in this lawsuit. Defendant directly deprived, violated,

3813 and infringed upon Plaintiff 's civil rights, with malice, and with
3814 careful planning and conspiracy with others. Any veil of immunity,
3815 which this defendant may have previously enjoyed by virtue of their
3816 office or position, is "pierced and ripped asunder" due to their
3817 infringement and deprivation of the Constitutional Rights of the
3818 Plaintiff, and thus this Defendant (and all other Defendants) stands
3819 fully naked and vulnerable before the court, with no immunity of any
3820 form. Further, this defendant has engaged in conduct and as a
3821 continuing unit of an enterprise, through a pattern, of racketeering
3822 enterprises (including, but not limited to: mail fraud, wire fraud,
3823 scheme to defraud, robbery, kidnapping, obstruction of justice,
3824 interference in commerce, also involving monetary transactions in
3825 property derived from specified unlawful activity), and have caused
3826 injury to the business and/or property of the Plaintiff Atkinson. This
3827 Defendant has exceeded, and overstepped their authority and violated
3828 the Constitutional rights of the Plaintiff, infringing and deprived him
3829 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3830 MA 01970-5353

3831

3832 195. Defendant SHANE RODRIGUEZ is sued in his/her official
3833 capacity and individually as the Deputy Chief, Campus Police for
3834 Salem State College, responsible for executing and administering the
3835 laws and policies at issue in this lawsuit. Defendant directly deprived,
3836 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3837 with careful planning and conspiracy with others. Any veil of
3838 immunity, which this defendant may have previously enjoyed by
3839 virtue of their office or position, is "pierced and ripped asunder" due
3840 to their infringement and deprivation of the Constitutional Rights of
3841 the Plaintiff, and thus this Defendant (and all other Defendants) stands
3842 fully naked and vulnerable before the court, with no immunity of any
3843 form. Further, this defendant has engaged in conduct and as a
3844 continuing unit of an enterprise, through a pattern, of racketeering
3845 enterprises (including, but not limited to: mail fraud, wire fraud,
3846 scheme to defraud, robbery, kidnapping, obstruction of justice,
3847 interference in commerce, also involving monetary transactions in
3848 property derived from specified unlawful activity), and have caused
3849 injury to the business and/or property of the Plaintiff Atkinson. This
3850 Defendant has exceeded, and overstepped their authority and violated
3851 the Constitutional rights of the Plaintiff, infringing and deprived him

3852 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3853 MA 01970-5353

3854

3855 196. Defendant KEMAH TRAVERS is sued in his/her official
3856 capacity and individually as a Judicial Board Member for Salem State
3857 College, responsible for executing and administering the laws and
3858 policies at issue in this lawsuit. Defendant directly deprived, violated,
3859 and infringed upon Plaintiff 's civil rights, with malice, and with
3860 careful planning and conspiracy with others. Any veil of immunity,
3861 which this defendant may have previously enjoyed by virtue of their
3862 office or position, is "pierced and ripped asunder" due to their
3863 infringement and deprivation of the Constitutional Rights of the
3864 Plaintiff, and thus this Defendant (and all other Defendants) stands
3865 fully naked and vulnerable before the court, with no immunity of any
3866 form. Further, this defendant has engaged in conduct and as a
3867 continuing unit of an enterprise, through a pattern, of racketeering
3868 enterprises (including, but not limited to: mail fraud, wire fraud,
3869 scheme to defraud, robbery, kidnapping, obstruction of justice,
3870 interference in commerce, also involving monetary transactions in
3871 property derived from specified unlawful activity), and have caused

3872 injury to the business and/or property of the Plaintiff Atkinson. This
3873 Defendant has exceeded, and overstepped their authority and violated
3874 the Constitutional rights of the Plaintiff, infringing and deprived him
3875 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3876 MA 01970-5353

3877

3878 197. Defendant KRISTINA MASON is sued in his/her official
3879 capacity and individually as a Judicial Board Member for Salem State
3880 College, responsible for executing and administering the laws and
3881 policies at issue in this lawsuit. Defendant directly deprived, violated,
3882 and infringed upon Plaintiff 's civil rights, with malice, and with
3883 careful planning and conspiracy with others. Any veil of immunity,
3884 which this defendant may have previously enjoyed by virtue of their
3885 office or position, is "pierced and ripped asunder" due to their
3886 infringement and deprivation of the Constitutional Rights of the
3887 Plaintiff, and thus this Defendant (and all other Defendants) stands
3888 fully naked and vulnerable before the court, with no immunity of any
3889 form. Further, this defendant has engaged in conduct and as a
3890 continuing unit of an enterprise, through a pattern, of racketeering
3891 enterprises (including, but not limited to: mail fraud, wire fraud,

3892 scheme to defraud, robbery, kidnapping, obstruction of justice,
3893 interference in commerce, also involving monetary transactions in
3894 property derived from specified unlawful activity), and have caused
3895 injury to the business and/or property of the Plaintiff Atkinson. This
3896 Defendant has exceeded, and overstepped their authority and violated
3897 the Constitutional rights of the Plaintiff, infringing and deprived him
3898 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3899 MA 01970-5353

3900

3901 198. Defendant LEE BROSSOIT is sued in his/her official capacity
3902 and individually as the Assistant Dean for Graduate Admissions for
3903 Salem State College, responsible for executing and administering the
3904 laws and policies at issue in this lawsuit. Defendant directly deprived,
3905 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3906 with careful planning and conspiracy with others. Any veil of
3907 immunity, which this defendant may have previously enjoyed by
3908 virtue of their office or position, is "pierced and ripped asunder" due
3909 to their infringement and deprivation of the Constitutional Rights of
3910 the Plaintiff, and thus this Defendant (and all other Defendants) stands
3911 fully naked and vulnerable before the court, with no immunity of any

3912 form. Further, this defendant has engaged in conduct and as a
3913 continuing unit of an enterprise, through a pattern, of racketeering
3914 enterprises (including, but not limited to: mail fraud, wire fraud,
3915 scheme to defraud, robbery, kidnapping, obstruction of justice,
3916 interference in commerce, also involving monetary transactions in
3917 property derived from specified unlawful activity), and have caused
3918 injury to the business and/or property of the Plaintiff Atkinson. This
3919 Defendant has exceeded, and overstepped their authority and violated
3920 the Constitutional rights of the Plaintiff, infringing and deprived him
3921 of his civil rights. Defendant resides at 352 Lafayette Street, Salem,
3922 MA 01970-5353

3923
3924 199. Defendant JOHN DOE 052 – 053 is sued in his/her official
3925 capacity and individually as a Nurse for Essex County Sheriff's
3926 Department, responsible for executing and administering the laws and
3927 policies at issue in this lawsuit. Defendant directly deprived, violated,
3928 and infringed upon Plaintiff 's civil rights, with malice, and with
3929 careful planning and conspiracy with others. This Defendant has
3930 exceeded, and overstepped their authority and violated the
3931 Constitutional rights of the Plaintiff, infringing and deprived him of

3932 his civil rights. Defendant encouraged, endorsed, organized,
3933 and/orchestrated an ongoing criminal enterprise, and a widespread
3934 cover-up. Any veil of immunity, which this defendant may have
3935 previously enjoyed by virtue of their office or position, is “pierced and
3936 ripped asunder” due to their infringement and deprivation of the
3937 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
3938 other Defendants) stands fully naked and vulnerable before the court,
3939 with no immunity of any form. Further, this defendant has engaged in
3940 conduct and as a continuing unit of an enterprise, through a pattern, of
3941 racketeering enterprises (including, but not limited to: mail fraud, wire
3942 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
3943 interference in commerce, also involving monetary transactions in
3944 property derived from specified unlawful activity), and have caused
3945 injury to the business and/or property of the Plaintiff Atkinson. This
3946 Defendant has exceeded, and overstepped their authority and violated
3947 the Constitutional rights of the Plaintiff, infringing and deprived him
3948 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
3949 MA 01949
3950

3951 200. Defendant MELANIE GOODLAXSON is sued in his/her
3952 official capacity and individually as a Nurse for Essex County
3953 Sheriff's Department, responsible for executing and administering the
3954 laws and policies at issue in this lawsuit. Defendant directly deprived,
3955 violated, and infringed upon Plaintiff 's civil rights, with malice, and
3956 with careful planning and conspiracy with others. This Defendant has
3957 exceeded, and overstepped their authority and violated the
3958 Constitutional rights of the Plaintiff, infringing and deprived him of
3959 his civil rights. Defendant encouraged, endorsed, organized,
3960 and/orchestrated an ongoing criminal enterprise, and a widespread
3961 cover-up. Any veil of immunity, which this defendant may have
3962 previously enjoyed by virtue of their office or position, is "pierced and
3963 ripped asunder" due to their infringement and deprivation of the
3964 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
3965 other Defendants) stands fully naked and vulnerable before the court,
3966 with no immunity of any form. Further, this defendant has engaged in
3967 conduct and as a continuing unit of an enterprise, through a pattern, of
3968 racketeering enterprises (including, but not limited to: mail fraud, wire
3969 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
3970 interference in commerce, also involving monetary transactions in

3971 property derived from specified unlawful activity), and have caused
3972 injury to the business and/or property of the Plaintiff Atkinson. This
3973 Defendant has exceeded, and overstepped their authority and violated
3974 the Constitutional rights of the Plaintiff, infringing and deprived him
3975 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
3976 MA 01949

3977

3978 201. Defendant JOHN DOE 054 is sued in his/her official capacity
3979 and individually as the Prison Physician for Essex County Sheriff's
3980 Department, responsible for executing and administering the laws and
3981 policies at issue in this lawsuit. Defendant directly deprived, violated,
3982 and infringed upon Plaintiff 's civil rights, with malice, and with
3983 careful planning and conspiracy with others. Any veil of immunity,
3984 which this defendant may have previously enjoyed by virtue of their
3985 office or position, is "pierced and ripped asunder" due to their
3986 infringement and deprivation of the Constitutional Rights of the
3987 Plaintiff, and thus this Defendant (and all other Defendants) stands
3988 fully naked and vulnerable before the court, with no immunity of any
3989 form. Further, this defendant has engaged in conduct and as a
3990 continuing unit of an enterprise, through a pattern, of racketeering

3991 enterprises (including, but not limited to: mail fraud, wire fraud,
3992 scheme to defraud, robbery, kidnapping, obstruction of justice,
3993 interference in commerce, also involving monetary transactions in
3994 property derived from specified unlawful activity), and have caused
3995 injury to the business and/or property of the Plaintiff Atkinson. This
3996 Defendant has exceeded, and overstepped their authority and violated
3997 the Constitutional rights of the Plaintiff, infringing and deprived him
3998 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
3999 MA 01949

4000

4001 202. Defendant JOHN DOE 055 – 076 is sued in his/her official
4002 capacity and individually as an Guard for Essex County Sheriff's
4003 Department, responsible for executing and administering the laws and
4004 policies at issue in this lawsuit. Defendant directly deprived, violated,
4005 and infringed upon Plaintiff 's civil rights, with malice, and with
4006 careful planning and conspiracy with others. Any veil of immunity,
4007 which this defendant may have previously enjoyed by virtue of their
4008 office or position, is “pierced and ripped asunder” due to their
4009 infringement and deprivation of the Constitutional Rights of the
4010 Plaintiff, and thus this Defendant (and all other Defendants) stands

4011 fully naked and vulnerable before the court, with no immunity of any
4012 form. Further, this defendant has engaged in conduct and as a
4013 continuing unit of an enterprise, through a pattern, of racketeering
4014 enterprises (including, but not limited to: mail fraud, wire fraud,
4015 scheme to defraud, robbery, kidnapping, obstruction of justice,
4016 interference in commerce, also involving monetary transactions in
4017 property derived from specified unlawful activity), and have caused
4018 injury to the business and/or property of the Plaintiff Atkinson. This
4019 Defendant has exceeded, and overstepped their authority and violated
4020 the Constitutional rights of the Plaintiff, infringing and deprived him
4021 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
4022 MA 01949

4023
4024 203. Defendant FRANK G. COUSINS, JR. is sued in his/her official
4025 capacity and individually as the Sheriff for Essex County Sheriff's
4026 Department, responsible for executing and administering the laws and
4027 policies at issue in this lawsuit. Defendant directly deprived, violated,
4028 and infringed upon Plaintiff 's civil rights, with malice, and with
4029 careful planning and conspiracy with others. This Defendant has
4030 exceeded, and overstepped their authority and violated the

4031 Constitutional rights of the Plaintiff, infringing and deprived him of
4032 his civil rights. Defendant encouraged, endorsed, organized,
4033 and/orchestrated an ongoing criminal enterprise, and a widespread
4034 cover-up. Any veil of immunity, which this defendant may have
4035 previously enjoyed by virtue of their office or position, is “pierced and
4036 ripped asunder” due to their infringement and deprivation of the
4037 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
4038 other Defendants) stands fully naked and vulnerable before the court,
4039 with no immunity of any form. Further, this defendant has engaged in
4040 conduct and as a continuing unit of an enterprise, through a pattern, of
4041 racketeering enterprises (including, but not limited to: mail fraud, wire
4042 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
4043 interference in commerce, also involving monetary transactions in
4044 property derived from specified unlawful activity), and have caused
4045 injury to the business and/or property of the Plaintiff Atkinson. This
4046 Defendant has exceeded, and overstepped their authority and violated
4047 the Constitutional rights of the Plaintiff, infringing and deprived him
4048 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
4049 MA 01949

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4051 204. Defendant MICHAEL MARKS is sued in his/her official
4052 capacity and individually as the Superintendent - Essex County
4053 Correctional Facility for Essex County Sheriff's Department,
4054 responsible for executing and administering the laws and policies at
4055 issue in this lawsuit. Defendant directly deprived, violated, and
4056 infringed upon Plaintiff 's civil rights, with malice, and with careful
4057 planning and conspiracy with others. This Defendant has exceeded,
4058 and overstepped their authority and violated the Constitutional rights
4059 of the Plaintiff, infringing and deprived him of his civil rights.
4060 Defendant encouraged, endorsed, organized, and/orchestrated an
4061 ongoing criminal enterprise, and a widespread cover-up. Any veil of
4062 immunity, which this defendant may have previously enjoyed by
4063 virtue of their office or position, is "pierced and ripped asunder" due
4064 to their infringement and deprivation of the Constitutional Rights of
4065 the Plaintiff, and thus this Defendant (and all other Defendants) stands
4066 fully naked and vulnerable before the court, with no immunity of any
4067 form. Further, this defendant has engaged in conduct and as a
4068 continuing unit of an enterprise, through a pattern, of racketeering
4069 enterprises (including, but not limited to: mail fraud, wire fraud,
4070 scheme to defraud, robbery, kidnapping, obstruction of justice,

4071 interference in commerce, also involving monetary transactions in
4072 property derived from specified unlawful activity), and have caused
4073 injury to the business and/or property of the Plaintiff Atkinson. This
4074 Defendant has exceeded, and overstepped their authority and violated
4075 the Constitutional rights of the Plaintiff, infringing and deprived him
4076 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
4077 MA 01949

4078
4079 205. Defendant MICHAEL FROST is sued in his/her official
4080 capacity and individually as the Assistant Superintendent - Essex
4081 County Correctional Facility for Essex County Sheriff's Department,
4082 responsible for executing and administering the laws and policies at
4083 issue in this lawsuit. Defendant directly deprived, violated, and
4084 infringed upon Plaintiff 's civil rights, with malice, and with careful
4085 planning and conspiracy with others. Any veil of immunity, which
4086 this defendant may have previously enjoyed by virtue of their office
4087 or position, is "pierced and ripped asunder" due to their infringement
4088 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4089 this Defendant (and all other Defendants) stands fully naked and
4090 vulnerable before the court, with no immunity of any form. Further,

4091 this defendant has engaged in conduct and as a continuing unit of an
4092 enterprise, through a pattern, of racketeering enterprises (including,
4093 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4094 kidnapping, obstruction of justice, interference in commerce, also
4095 involving monetary transactions in property derived from specified
4096 unlawful activity), and have caused injury to the business and/or
4097 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4098 overstepped their authority and violated the Constitutional rights of
4099 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4100 resides at 20 Manning Rd, Middleton, MA 01949

4101
4102 206. Defendant JOHN DOE 077 – 079 is sued in his/her official
4103 capacity and individually as a Bailiff or Jailer for Commonwealth of
4104 Massachusetts - Gloucester District Court, responsible for executing
4105 and administering the laws and policies at issue in this lawsuit.
4106 Defendant directly deprived, violated, and infringed upon Plaintiff ‘s
4107 civil rights, with malice, and with careful planning and conspiracy
4108 with others. Any veil of immunity, which this defendant may have
4109 previously enjoyed by virtue of their office or position, is “pierced and
4110 ripped asunder” due to their infringement and deprivation of the

4111 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
4112 other Defendants) stands fully naked and vulnerable before the court,
4113 with no immunity of any form. Further, this defendant has engaged in
4114 conduct and as a continuing unit of an enterprise, through a pattern, of
4115 racketeering enterprises (including, but not limited to: mail fraud, wire
4116 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
4117 interference in commerce, also involving monetary transactions in
4118 property derived from specified unlawful activity), and have caused
4119 injury to the business and/or property of the Plaintiff Atkinson. This
4120 Defendant has exceeded, and overstepped their authority and violated
4121 the Constitutional rights of the Plaintiff, infringing and deprived him
4122 of his civil rights. Defendant resides at 20 Manning Rd, Middleton,
4123 MA 01949

4124
4125 207. Defendant MICHAEL RACICOT is sued in his/her official
4126 capacity and individually as the Town Administrator for Town of
4127 Rockport, responsible for executing and administering the laws and
4128 policies at issue in this lawsuit. Defendant directly deprived, violated,
4129 and infringed upon Plaintiff 's civil rights, with malice, and with
4130 careful planning and conspiracy with others. This Defendant has

4131 exceeded, and overstepped their authority and violated the
4132 Constitutional rights of the Plaintiff, infringing and deprived him of
4133 his civil rights. Defendant encouraged, endorsed, organized,
4134 and/orchestrated an ongoing criminal enterprise, and a widespread
4135 cover-up. Any veil of immunity, which this defendant may have
4136 previously enjoyed by virtue of their office or position, is “pierced and
4137 ripped asunder” due to their infringement and deprivation of the
4138 Constitutional Rights of the Plaintiff, and thus this Defendant (and all
4139 other Defendants) stands fully naked and vulnerable before the court,
4140 with no immunity of any form. Further, this defendant has engaged in
4141 conduct and as a continuing unit of an enterprise, through a pattern, of
4142 racketeering enterprises (including, but not limited to: mail fraud, wire
4143 fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,
4144 interference in commerce, also involving monetary transactions in
4145 property derived from specified unlawful activity), and have caused
4146 injury to the business and/or property of the Plaintiff Atkinson. This
4147 Defendant has exceeded, and overstepped their authority and violated
4148 the Constitutional rights of the Plaintiff, infringing and deprived him
4149 of his civil rights. Defendant resides at 34 Broadway, Rockport, MA
4150 01966

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208. Defendant LINDA SANDERS is sued in his/her official capacity and individually as the Town Administrator for Town of Rockport, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of the Plaintiff, infringing and deprived him of his civil rights. Defendant encouraged, endorsed, organized, and/orchestrated an ongoing criminal enterprise, and a widespread cover-up. Any veil of immunity, which this defendant may have previously enjoyed by virtue of their office or position, is "pierced and ripped asunder" due to their infringement and deprivation of the Constitutional Rights of the Plaintiff, and thus this Defendant (and all other Defendants) stands fully naked and vulnerable before the court, with no immunity of any form. Further, this defendant has engaged in conduct and as a continuing unit of an enterprise, through a pattern, of racketeering enterprises (including, but not limited to: mail fraud, wire fraud, scheme to defraud, robbery, kidnapping, obstruction of justice,

4171 interference in commerce, also involving monetary transactions in
4172 property derived from specified unlawful activity), and have caused
4173 injury to the business and/or property of the Plaintiff Atkinson. This
4174 Defendant has exceeded, and overstepped their authority and violated
4175 the Constitutional rights of the Plaintiff, infringing and deprived him
4176 of his civil rights. Defendant resides at 34 Broadway, Rockport, MA
4177 01966

4178

4179 209. Defendant SANDY JACQUES is sued in his/her official
4180 capacity and individually as the Selectman for Town of Rockport,
4181 responsible for executing and administering the laws and policies at
4182 issue in this lawsuit. Defendant directly deprived, violated, and
4183 infringed upon Plaintiff 's civil rights, with malice, and with careful
4184 planning and conspiracy with others. Any veil of immunity, which
4185 this defendant may have previously enjoyed by virtue of their office
4186 or position, is "pierced and ripped asunder" due to their infringement
4187 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4188 this Defendant (and all other Defendants) stands fully naked and
4189 vulnerable before the court, with no immunity of any form. Further,
4190 this defendant has engaged in conduct and as a continuing unit of an

4191 enterprise, through a pattern, of racketeering enterprises (including,
4192 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4193 kidnapping, obstruction of justice, interference in commerce, also
4194 involving monetary transactions in property derived from specified
4195 unlawful activity), and have caused injury to the business and/or
4196 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4197 overstepped their authority and violated the Constitutional rights of
4198 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4199 resides at 34 Broadway, Rockport, MA 01966

4200

4201 210. Defendant SARAH WILKINSON is sued in his/her official
4202 capacity and individually as a Selectman for Town of Rockport,
4203 responsible for executing and administering the laws and policies at
4204 issue in this lawsuit. Defendant directly deprived, violated, and
4205 infringed upon Plaintiff 's civil rights, with malice, and with careful
4206 planning and conspiracy with others. Any veil of immunity, which
4207 this defendant may have previously enjoyed by virtue of their office
4208 or position, is "pierced and ripped asunder" due to their infringement
4209 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4210 this Defendant (and all other Defendants) stands fully naked and

4211 vulnerable before the court, with no immunity of any form. Further,
4212 this defendant has engaged in conduct and as a continuing unit of an
4213 enterprise, through a pattern, of racketeering enterprises (including,
4214 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4215 kidnapping, obstruction of justice, interference in commerce, also
4216 involving monetary transactions in property derived from specified
4217 unlawful activity), and have caused injury to the business and/or
4218 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4219 overstepped their authority and violated the Constitutional rights of
4220 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4221 resides at 34 Broadway, Rockport, MA 01966

4222

4223 211. Defendant ANDREW HEINZE is sued in his/her official
4224 capacity and individually as a Selectman for Town of Rockport,
4225 responsible for executing and administering the laws and policies at
4226 issue in this lawsuit. Defendant directly deprived, violated, and
4227 infringed upon Plaintiff 's civil rights, with malice, and with careful
4228 planning and conspiracy with others. Any veil of immunity, which
4229 this defendant may have previously enjoyed by virtue of their office
4230 or position, is "pierced and ripped asunder" due to their infringement

4231 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4232 this Defendant (and all other Defendants) stands fully naked and
4233 vulnerable before the court, with no immunity of any form. Further,
4234 this defendant has engaged in conduct and as a continuing unit of an
4235 enterprise, through a pattern, of racketeering enterprises (including,
4236 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4237 kidnapping, obstruction of justice, interference in commerce, also
4238 involving monetary transactions in property derived from specified
4239 unlawful activity), and have caused injury to the business and/or
4240 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4241 overstepped their authority and violated the Constitutional rights of
4242 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4243 resides at 34 Broadway, Rockport, MA 01966

4244

4245 212. Defendant ELLEN CANAVAN is sued in his/her official
4246 capacity and individually as a Selectman for Town of Rockport,
4247 responsible for executing and administering the laws and policies at
4248 issue in this lawsuit. Defendant directly deprived, violated, and
4249 infringed upon Plaintiff 's civil rights, with malice, and with careful
4250 planning and conspiracy with others. Any veil of immunity, which

4251 this defendant may have previously enjoyed by virtue of their office
4252 or position, is “pierced and ripped asunder” due to their infringement
4253 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4254 this Defendant (and all other Defendants) stands fully naked and
4255 vulnerable before the court, with no immunity of any form. Further,
4256 this defendant has engaged in conduct and as a continuing unit of an
4257 enterprise, through a pattern, of racketeering enterprises (including,
4258 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4259 kidnapping, obstruction of justice, interference in commerce, also
4260 involving monetary transactions in property derived from specified
4261 unlawful activity), and have caused injury to the business and/or
4262 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4263 overstepped their authority and violated the Constitutional rights of
4264 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4265 resides at 34 Broadway, Rockport, MA 01966

4266

4267 213. Defendant CHARLES CLARK is sued in his/her official
4268 capacity and individually as a Selectman for Town of Rockport,
4269 responsible for executing and administering the laws and policies at
4270 issue in this lawsuit. Defendant directly deprived, violated, and

4271 infringed upon Plaintiff 's civil rights, with malice, and with careful
4272 planning and conspiracy with others. Any veil of immunity, which
4273 this defendant may have previously enjoyed by virtue of their office
4274 or position, is "pierced and ripped asunder" due to their infringement
4275 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4276 this Defendant (and all other Defendants) stands fully naked and
4277 vulnerable before the court, with no immunity of any form. Further,
4278 this defendant has engaged in conduct and as a continuing unit of an
4279 enterprise, through a pattern, of racketeering enterprises (including,
4280 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4281 kidnapping, obstruction of justice, interference in commerce, also
4282 involving monetary transactions in property derived from specified
4283 unlawful activity), and have caused injury to the business and/or
4284 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4285 overstepped their authority and violated the Constitutional rights of
4286 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4287 resides at 34 Broadway, Rockport, MA 01966

4288

4289 214. Defendant VINCENT P. MEOLI is sued in his/her official
4290 capacity and individually as an Emergency Room Physician for

4291 Addison Gilbert Hospital, responsible for executing and administering
4292 the laws and policies at issue in this lawsuit. Defendant directly
4293 deprived, violated, and infringed upon Plaintiff 's civil rights, with
4294 malice, and with careful planning and conspiracy with others. Any
4295 veil of immunity, which this defendant may have previously enjoyed
4296 by virtue of their office or position, is "pierced and ripped asunder"
4297 due to their infringement and deprivation of the Constitutional Rights
4298 of the Plaintiff, and thus this Defendant (and all other Defendants)
4299 stands fully naked and vulnerable before the court, with no immunity
4300 of any form. Further, this defendant has engaged in conduct and as a
4301 continuing unit of an enterprise, through a pattern, of racketeering
4302 enterprises (including, but not limited to: mail fraud, wire fraud,
4303 scheme to defraud, robbery, kidnapping, obstruction of justice,
4304 interference in commerce, also involving monetary transactions in
4305 property derived from specified unlawful activity), and have caused
4306 injury to the business and/or property of the Plaintiff Atkinson. This
4307 Defendant has exceeded, and overstepped their authority and violated
4308 the Constitutional rights of the Plaintiff, infringing and deprived him
4309 of his civil rights. Defendant resides at 298 Washington St.,
4310 Gloucester MA 01930

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215. Defendant MICHAEL ARSENIAN is sued in his/her official capacity and individually as a Physician for Addison Gilbert Hospital, responsible for executing and administering the laws and policies at issue in this lawsuit. Defendant directly deprived, violated, and infringed upon Plaintiff 's civil rights, with malice, and with careful planning and conspiracy with others. Any veil of immunity, which this defendant may have previously enjoyed by virtue of their office or position, is "pierced and ripped asunder" due to their infringement and deprivation of the Constitutional Rights of the Plaintiff, and thus this Defendant (and all other Defendants) stands fully naked and vulnerable before the court, with no immunity of any form. Further, this defendant has engaged in conduct and as a continuing unit of an enterprise, through a pattern, of racketeering enterprises (including, but not limited to: mail fraud, wire fraud, scheme to defraud, robbery, kidnapping, obstruction of justice, interference in commerce, also involving monetary transactions in property derived from specified unlawful activity), and have caused injury to the business and/or property of the Plaintiff Atkinson. This Defendant has exceeded, and overstepped their authority and violated the Constitutional rights of

4331 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4332 resides at 298 Washington St., Gloucester MA 01930

4333

4334 216. Defendant PETER W. CURATOLO is sued in his/her official
4335 capacity and individually as a Physician for Addison Gilbert Hospital,
4336 responsible for executing and administering the laws and policies at
4337 issue in this lawsuit. Defendant directly deprived, violated, and
4338 infringed upon Plaintiff 's civil rights, with malice, and with careful
4339 planning and conspiracy with others. Any veil of immunity, which
4340 this defendant may have previously enjoyed by virtue of their office
4341 or position, is "pierced and ripped asunder" due to their infringement
4342 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4343 this Defendant (and all other Defendants) stands fully naked and
4344 vulnerable before the court, with no immunity of any form. Further,
4345 this defendant has engaged in conduct and as a continuing unit of an
4346 enterprise, through a pattern, of racketeering enterprises (including,
4347 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4348 kidnapping, obstruction of justice, interference in commerce, also
4349 involving monetary transactions in property derived from specified
4350 unlawful activity), and have caused injury to the business and/or

4351 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4352 overstepped their authority and violated the Constitutional rights of
4353 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4354 resides at 298 Washington St., Gloucester, MA 01930

4355
4356 217. Defendant JOHN DOE 080 – 083 is sued in his/her official
4357 capacity and individually as a Nurse or Nurses Aid for Addison
4358 Gilbert Hospital, responsible for executing and administering the laws
4359 and policies at issue in this lawsuit. Defendant directly deprived,
4360 violated, and infringed upon Plaintiff ‘s civil rights, with malice, and
4361 with careful planning and conspiracy with others. Any veil of
4362 immunity, which this defendant may have previously enjoyed by
4363 virtue of their office or position, is “pierced and ripped asunder” due
4364 to their infringement and deprivation of the Constitutional Rights of
4365 the Plaintiff, and thus this Defendant (and all other Defendants) stands
4366 fully naked and vulnerable before the court, with no immunity of any
4367 form. Further, this defendant has engaged in conduct and as a
4368 continuing unit of an enterprise, through a pattern, of racketeering
4369 enterprises (including, but not limited to: mail fraud, wire fraud,
4370 scheme to defraud, robbery, kidnapping, obstruction of justice,

4371 interference in commerce, also involving monetary transactions in
4372 property derived from specified unlawful activity), and have caused
4373 injury to the business and/or property of the Plaintiff Atkinson. This
4374 Defendant has exceeded, and overstepped their authority and violated
4375 the Constitutional rights of the Plaintiff, infringing and deprived him
4376 of his civil rights. Defendant resides at 298 Washington St.,
4377 Gloucester MA 01930

4378

4379 218. Defendant THOMAS H. JONES is sued in his/her official
4380 capacity and individually as an Owner for Research Electronics,
4381 responsible for executing and administering the laws and policies at
4382 issue in this lawsuit. Defendant directly deprived, violated, and
4383 infringed upon Plaintiff 's civil rights, with malice, and with careful
4384 planning and conspiracy with others. This Defendant has exceeded,
4385 and overstepped their authority and violated the Constitutional rights
4386 of the Plaintiff, infringing and deprived him of his civil rights.
4387 Defendant encouraged, endorsed, organized, and/orchestrated an
4388 ongoing criminal enterprise, and a widespread cover-up. Further
4389 Defendant acted as a cut-out, front and agent of the Federal Bureau of
4390 Investigation, the Central Intelligence Agency, the U.S. Department of

4391 State, U.S. Navy, U.S. Army, Department of Homeland Security, and
4392 other Federal Agencies. Defendant did unlawful import, build, sell,
4393 possess, and utilize, and ship in intrastate commerce numerous illegal-
4394 bugging devices. This Defendant has exceeded, and overstepped their
4395 authority and violated the Constitutional rights of the Plaintiff,
4396 infringing and deprived him of his civil rights. Defendant
4397 manufactures medical equipment for the purposes of radiological or
4398 radiating devices to examine humans which are not approved for
4399 human use, and which are specifically prohibited by federal guidelines
4400 for human use. This Defendant has exceeded, and overstepped their
4401 authority and violated the Constitutional rights of the Plaintiff,
4402 infringing and deprived him of his civil rights. Defendant recklessly
4403 endangers the life and limbs of U.S. Military forces and members of
4404 the intelligence community by selling defective equipment, and make
4405 false claims about products. This Defendant has exceeded, and
4406 overstepped their authority and violated the Constitutional rights of
4407 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4408 unlawfully exports controlled munitions and controlled devices. Any
4409 veil of immunity, which this defendant may have previously enjoyed
4410 by virtue of their office or position, is “pierced and ripped asunder”

4411 due to their infringement and deprivation of the Constitutional Rights
4412 of the Plaintiff, and thus this Defendant (and all other Defendants)
4413 stands fully naked and vulnerable before the court, with no immunity
4414 of any form. Further, this defendant has engaged in conduct and as a
4415 continuing unit of an enterprise, through a pattern, of racketeering
4416 enterprises (including, but not limited to: mail fraud, wire fraud,
4417 scheme to defraud, robbery, kidnapping, obstruction of justice,
4418 interference in commerce, also involving monetary transactions in
4419 property derived from specified unlawful activity), and have caused
4420 injury to the business and/or property of the Plaintiff Atkinson. This
4421 Defendant has exceeded, and overstepped their authority and violated
4422 the Constitutional rights of the Plaintiff, infringing and deprived him
4423 of his civil rights. Defendant resides at 455 Security Place, Algood
4424 TN 38506

4425
4426 219. Defendant BRUCE BARSUMIAN is sued in his/her official
4427 capacity and individually as an Owner for Research Electronics,
4428 responsible for executing and administering the laws and policies at
4429 issue in this lawsuit. Defendant directly deprived, violated, and
4430 infringed upon Plaintiff 's civil rights, with malice, and with careful

4431 planning and conspiracy with others. This Defendant has exceeded,
4432 and overstepped their authority and violated the Constitutional rights
4433 of the Plaintiff, infringing and deprived him of his civil rights.
4434 Defendant encouraged, endorsed, organized, and/orchestrated an
4435 ongoing criminal enterprise, and a widespread cover-up. Further
4436 Defendant acted as a cut-out, front and agent of the Federal Bureau of
4437 Investigation, the Central Intelligence Agency, the U.S. Department of
4438 State, U.S. Navy, U.S. Army, Department of Homeland Security, and
4439 other Federal Agencies. Defendant did unlawful import, build, sell,
4440 possess, and utilize, and ship in intrastate commerce numerous illegal-
4441 bugging devices. This Defendant has exceeded, and overstepped their
4442 authority and violated the Constitutional rights of the Plaintiff,
4443 infringing and deprived him of his civil rights. Defendant
4444 manufactures medical equipment for the purposes of radiological or
4445 radiating devices to examine humans which are not approved for
4446 human use, and which are specifically prohibited by federal guidelines
4447 for human use. This Defendant has exceeded, and overstepped their
4448 authority and violated the Constitutional rights of the Plaintiff,
4449 infringing and deprived him of his civil rights. Defendant recklessly
4450 endangers the life and limbs of U.S. Military forces and members of

4451 the intelligence community by selling defective equipment, and make
4452 false claims about products. This Defendant has exceeded, and
4453 overstepped their authority and violated the Constitutional rights of
4454 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4455 unlawfully exports controlled munitions and controlled devices. Any
4456 veil of immunity, which this defendant may have previously enjoyed
4457 by virtue of their office or position, is “pierced and ripped asunder”
4458 due to their infringement and deprivation of the Constitutional Rights
4459 of the Plaintiff, and thus this Defendant (and all other Defendants)
4460 stands fully naked and vulnerable before the court, with no immunity
4461 of any form. Further, this defendant has engaged in conduct and as a
4462 continuing unit of an enterprise, through a pattern, of racketeering
4463 enterprises (including, but not limited to: mail fraud, wire fraud,
4464 scheme to defraud, robbery, kidnapping, obstruction of justice,
4465 interference in commerce, also involving monetary transactions in
4466 property derived from specified unlawful activity), and have caused
4467 injury to the business and/or property of the Plaintiff Atkinson. This
4468 Defendant has exceeded, and overstepped their authority and violated
4469 the Constitutional rights of the Plaintiff, infringing and deprived him

4470 of his civil rights. Defendant resides at 455 Security Place, Algood
4471 TN 38506

4472

4473 220. Defendant MICHELLE GAW is sued in his/her official
4474 capacity and individually as a Sales Person for Research Electronics,
4475 responsible for executing and administering the laws and policies at
4476 issue in this lawsuit. Defendant directly deprived, violated, and
4477 infringed upon Plaintiff 's civil rights, with malice, and with careful
4478 planning and conspiracy with others. Further Defendant acted as an
4479 cut-out, front and agent of the Federal Bureau of Investigation, the
4480 Central Intelligence Agency, the U.S. Department of State, U.S. Navy,
4481 U.S. Army, Department of Homeland Security, and other Federal
4482 Agencies. Further, this defendant has engaged in conduct and as a
4483 continuing unit of an enterprise, through a pattern, of racketeering
4484 enterprises (including, but not limited to: mail fraud, wire fraud,
4485 scheme to defraud, robbery, kidnapping, obstruction of justice,
4486 interference in commerce, also involving monetary transactions in
4487 property derived from specified unlawful activity), and have caused
4488 injury to the business and/or property of the Plaintiff Atkinson. This
4489 Defendant has exceeded, and overstepped their authority and violated

4490 the Constitutional rights of the Plaintiff, infringing and deprived him
4491 of his civil rights. Defendant resides at 455 Security Place, Algood
4492 TN 38506

4493

4494 221. Defendant TRISH WEBB is sued in his/her official capacity
4495 and individually as an Accounting Manager for Research Electronics,
4496 responsible for executing and administering the laws and policies at
4497 issue in this lawsuit. Defendant directly deprived, violated, and
4498 infringed upon Plaintiff 's civil rights, with malice, and with careful
4499 planning and conspiracy with others. Any veil of immunity, which
4500 this defendant may have previously enjoyed by virtue of their office
4501 or position, is "pierced and ripped asunder" due to their infringement
4502 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4503 this Defendant (and all other Defendants) stands fully naked and
4504 vulnerable before the court, with no immunity of any form. Further,
4505 this defendant has engaged in conduct and as a continuing unit of an
4506 enterprise, through a pattern, of racketeering enterprises (including,
4507 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4508 kidnapping, obstruction of justice, interference in commerce, also
4509 involving monetary transactions in property derived from specified

4510 unlawful activity), and have caused injury to the business and/or
4511 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4512 overstepped their authority and violated the Constitutional rights of
4513 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4514 resides at 455 Security Place, Algood TN 38506

4515
4516 222. Defendant PAMELA MCINTYRE is sued in his/her official
4517 capacity and individually as an Employee for Research Electronics,
4518 responsible for executing and administering the laws and policies at
4519 issue in this lawsuit. Defendant directly deprived, violated, and
4520 infringed upon Plaintiff 's civil rights, with malice, and with careful
4521 planning and conspiracy with others. Further, this defendant has
4522 engaged in conduct and as a continuing unit of an enterprise, through
4523 a pattern, of racketeering enterprises (including, but not limited to:
4524 mail fraud, wire fraud, scheme to defraud, robbery, kidnapping,
4525 obstruction of justice, interference in commerce, also involving
4526 monetary transactions in property derived from specified unlawful
4527 activity), and have caused injury to the business and/or property of the
4528 Plaintiff Atkinson. This Defendant has exceeded, and overstepped
4529 their authority and violated the Constitutional rights of the Plaintiff,

4530 infringing and deprived him of his civil rights. Defendant resides at
4531 455 Security Place, Algood TN 38506

4532

4533 223. Defendant LEE JONES is sued in his/her official capacity and
4534 individually as the Sales Manager for Research Electronics,
4535 responsible for executing and administering the laws and policies at
4536 issue in this lawsuit. Defendant directly deprived, violated, and
4537 infringed upon Plaintiff 's civil rights, with malice, and with careful
4538 planning and conspiracy with others. This Defendant has exceeded,
4539 and overstepped their authority and violated the Constitutional rights
4540 of the Plaintiff, infringing and deprived him of his civil rights.
4541 Defendant encouraged, endorsed, organized, and/orchestrated an
4542 ongoing criminal enterprise, and a widespread cover-up. Further
4543 Defendant acted as an cut-out, front and agent of the Federal Bureau
4544 of Investigation, the Central Intelligence Agency, the U.S. Department
4545 of State, U.S. Navy, U.S. Army, Department of Homeland Security,
4546 and other Federal Agencies. Any veil of immunity, which this
4547 defendant may have previously enjoyed by virtue of their office or
4548 position, is "pierced and ripped asunder" due to their infringement and
4549 deprivation of the Constitutional Rights of the Plaintiff, and thus this

4550 Defendant (and all other Defendants) stands fully naked and
4551 vulnerable before the court, with no immunity of any form. Further,
4552 this defendant has engaged in conduct and as a continuing unit of an
4553 enterprise, through a pattern, of racketeering enterprises (including,
4554 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4555 kidnapping, obstruction of justice, interference in commerce, also
4556 involving monetary transactions in property derived from specified
4557 unlawful activity), and have caused injury to the business and/or
4558 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4559 overstepped their authority and violated the Constitutional rights of
4560 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4561 resides at 455 Security Place, Algood TN 38506

4562
4563 224. Defendant ARLENE J. BARSUMIAN is sued in his/her official
4564 capacity and individually as an Owner for Research Electronics and A
4565 and L Enterprises, responsible for executing and administering the
4566 laws and policies at issue in this lawsuit. Defendant directly deprived,
4567 violated, and infringed upon Plaintiff 's civil rights, with malice, and
4568 with careful planning and conspiracy with others. Any veil of
4569 immunity, which this defendant may have previously enjoyed by

4570 virtue of their office or position, is “pierced and ripped asunder” due
4571 to their infringement and deprivation of the Constitutional Rights of
4572 the Plaintiff, and thus this Defendant (and all other Defendants) stands
4573 fully naked and vulnerable before the court, with no immunity of any
4574 form. Further, this defendant has engaged in conduct and as a
4575 continuing unit of an enterprise, through a pattern, of racketeering
4576 enterprises (including, but not limited to: mail fraud, wire fraud,
4577 scheme to defraud, robbery, kidnapping, obstruction of justice,
4578 interference in commerce, also involving monetary transactions in
4579 property derived from specified unlawful activity), and have caused
4580 injury to the business and/or property of the Plaintiff Atkinson. This
4581 Defendant has exceeded, and overstepped their authority and violated
4582 the Constitutional rights of the Plaintiff, infringing and deprived him
4583 of his civil rights. Defendant resides at 455 Security Place, Algood
4584 TN 38506

4586 225. Defendant DARLENE JONES is sued in his/her official
4587 capacity and individually as an Owner for Research Electronics and A
4588 and L Enterprises, responsible for executing and administering the
4589 laws and policies at issue in this lawsuit. Defendant directly deprived,

4590 violated, and infringed upon Plaintiff 's civil rights, with malice, and
4591 with careful planning and conspiracy with others. Any veil of
4592 immunity, which this defendant may have previously enjoyed by
4593 virtue of their office or position, is "pierced and ripped asunder" due
4594 to their infringement and deprivation of the Constitutional Rights of
4595 the Plaintiff, and thus this Defendant (and all other Defendants) stands
4596 fully naked and vulnerable before the court, with no immunity of any
4597 form. Further, this defendant has engaged in conduct and as a
4598 continuing unit of an enterprise, through a pattern, of racketeering
4599 enterprises (including, but not limited to: mail fraud, wire fraud,
4600 scheme to defraud, robbery, kidnapping, obstruction of justice,
4601 interference in commerce, also involving monetary transactions in
4602 property derived from specified unlawful activity), and have caused
4603 injury to the business and/or property of the Plaintiff Atkinson. This
4604 Defendant has exceeded, and overstepped their authority and violated
4605 the Constitutional rights of the Plaintiff, infringing and deprived him
4606 of his civil rights. Defendant resides at 455 Security Place, Algood
4607 TN 38506
4608

4609 226. Defendant JOHN DOE 084 – 088 is sued in his/her official
4610 capacity and individually as an Employee for Research Electronics,
4611 responsible for executing and administering the laws and policies at
4612 issue in this lawsuit. Defendant directly deprived, violated, and
4613 infringed upon Plaintiff ‘s civil rights, with malice, and with careful
4614 planning and conspiracy with others. This Defendant has exceeded,
4615 and overstepped their authority and violated the Constitutional rights
4616 of the Plaintiff, infringing and deprived him of his civil rights.
4617 Defendant encouraged, endorsed, organized, and/orchestrated an
4618 ongoing criminal enterprise, and a widespread cover-up. Further
4619 Defendant acted as a cut-out, front and agent of the Federal Bureau of
4620 Investigation, the Central Intelligence Agency, the U.S. Department of
4621 State, U.S. Navy, U.S. Army, Department of Homeland Security, and
4622 other Federal Agencies. Defendant did unlawful import, build, sell,
4623 possess, and utilize, and ship in intrastate commerce numerous illegal-
4624 bugging devices. This Defendant has exceeded, and overstepped their
4625 authority and violated the Constitutional rights of the Plaintiff,
4626 infringing and deprived him of his civil rights. Defendant
4627 manufactures medical equipment for the purposes of radiological or
4628 radiating devices to examine humans which are not approved for

4629 human use, and which are specifically prohibited by federal guidelines
4630 for human use. This Defendant has exceeded, and overstepped their
4631 authority and violated the Constitutional rights of the Plaintiff,
4632 infringing and deprived him of his civil rights. Defendant recklessly
4633 endangers the life and limbs of U.S. Military forces and members of
4634 the intelligence community by selling defective equipment, and make
4635 false claims about products. This Defendant has exceeded, and
4636 overstepped their authority and violated the Constitutional rights of
4637 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4638 unlawfully exports controlled munitions and controlled devices. Any
4639 veil of immunity, which this defendant may have previously enjoyed
4640 by virtue of their office or position, is “pierced and ripped asunder”
4641 due to their infringement and deprivation of the Constitutional Rights
4642 of the Plaintiff, and thus this Defendant (and all other Defendants)
4643 stands fully naked and vulnerable before the court, with no immunity
4644 of any form. Further, this defendant has engaged in conduct and as a
4645 continuing unit of an enterprise, through a pattern, of racketeering
4646 enterprises (including, but not limited to: mail fraud, wire fraud,
4647 scheme to defraud, robbery, kidnapping, obstruction of justice,
4648 interference in commerce, also involving monetary transactions in

4649 property derived from specified unlawful activity), and have caused
4650 injury to the business and/or property of the Plaintiff Atkinson. This
4651 Defendant has exceeded, and overstepped their authority and violated
4652 the Constitutional rights of the Plaintiff, infringing and deprived him
4653 of his civil rights. Defendant resides at 455 Security Place, Algood
4654 TN 38506

4655
4656 227. Defendant JOHN DOE 089 – 093 is sued in his/her official
4657 capacity and individually as an Employee for Research Electronics,
4658 responsible for executing and administering the laws and policies at
4659 issue in this lawsuit. Defendant directly deprived, violated, and
4660 infringed upon Plaintiff ‘s civil rights, with malice, and with careful
4661 planning and conspiracy with others. Any veil of immunity, which
4662 this defendant may have previously enjoyed by virtue of their office
4663 or position, is “pierced and ripped asunder” due to their infringement
4664 and deprivation of the Constitutional Rights of the Plaintiff, and thus
4665 this Defendant (and all other Defendants) stands fully naked and
4666 vulnerable before the court, with no immunity of any form. Further,
4667 this defendant has engaged in conduct and as a continuing unit of an
4668 enterprise, through a pattern, of racketeering enterprises (including,

4669 but not limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4670 kidnapping, obstruction of justice, interference in commerce, also
4671 involving monetary transactions in property derived from specified
4672 unlawful activity), and have caused injury to the business and/or
4673 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4674 overstepped their authority and violated the Constitutional rights of
4675 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4676 resides at 455 Security Place, Algood TN 38506

4677

4678 228. Defendant CHARLENE BROWN is sued in his/her official
4679 capacity and individually as a Worker for Cape Ann Chamber of
4680 Commerce, responsible for executing and administering the laws and
4681 policies at issue in this lawsuit. Defendant directly deprived, violated,
4682 and infringed upon Plaintiff 's civil rights, with malice, and with
4683 careful planning and conspiracy with others. Further, this defendant
4684 has engaged in conduct and as a continuing unit of an enterprise,
4685 through a pattern, of racketeering enterprises (including, but not
4686 limited to: mail fraud, wire fraud, scheme to defraud, robbery,
4687 kidnapping, obstruction of justice, interference in commerce, also
4688 involving monetary transactions in property derived from specified

4689 unlawful activity), and have caused injury to the business and/or
4690 property of the Plaintiff Atkinson. This Defendant has exceeded, and
4691 overstepped their authority and violated the Constitutional rights of
4692 the Plaintiff, infringing and deprived him of his civil rights. Defendant
4693 resides at 33 Commercial Street, Gloucester, MA 01930

4694
4695 229. Defendant John Doe’s 094 – 265 is sued in their official capacity,
4696 responsible for executing and administering the laws and policies at
4697 issue in this lawsuit. Defendants directly deprived Plaintiff of his civil
4698 rights, with malice, and with careful planning and conspiracy with
4699 others. This Defendant has exceeded, and overstepped their authority
4700 and violated the Constitutional rights of the Plaintiff, infringing and
4701 deprived him of his civil rights. Defendant directly deprived, violated,
4702 and infringed upon Plaintiff ‘s civil rights, with malice, and with
4703 careful planning and conspiracy with others. Any veil of immunity,
4704 which this defendant may have previously enjoyed by virtue of their
4705 office or position, is “pierced and ripped asunder” due to their
4706 infringement and deprivation of the Constitutional Rights of the
4707 Plaintiff, and thus this Defendant (and all other Defendants) stands
4708 fully naked and vulnerable before the court, with no immunity of any

4709 form. Further, this defendant has engaged in conduct and as a
4710 continuing unit of an enterprise, through a pattern, of racketeering
4711 enterprises (including, but not limited to: mail fraud, wire fraud,
4712 scheme to defraud, robbery, kidnapping, obstruction of justice,
4713 interference in commerce, also involving monetary transactions in
4714 property derived from specified unlawful activity), and have caused
4715 injury to the business and/or property of the Plaintiff Atkinson. This
4716 Defendant has exceeded, and overstepped their authority and violated
4717 the Constitutional rights of the Plaintiff, infringing and deprived him
4718 of his civil rights. Defendant resides at an address that is currently
4719 unknown at this time.

4721 FACTS

4722

4723 230. Each of these facts should be considered a cause of action in
4724 addition to the “Causes of Action” found elsewhere in this Complaint,
4725 and all allegations found elsewhere in the Compliant are herein are re-
4726 alleged and incorporated, and included by reference. The aforesaid
4727 and following acts by Defendant(s) infringe Plaintiffs’ civil rights and
4728 damage Plaintiff in violation of 42 U.S.C. § 1983.

4729

4730 231. Plaintiff Atkinson is a well-known writer, author, publisher, and
4731 public speaker in regards to TSCM, TEMPEST, Technical security
4732 matter, technical surveillance or eavesdropping countermeasures or
4733 protections, and in intelligence analysis. Until the events outlined in
4734 this Complaint unfolded in November and December 2009, Plaintiff
4735 Atkinson was a regular trade show speaker, and spoke as an expert
4736 and lecturer at various prestigious Universities, Colleges, and Schools.
4737 For example in 2009, Plaintiff spoke at a tradeshow, then lectured at
4738 MIT for over 8 hours, then lectured at Harvard twice, then at BBN,
4739 and at several other venues as well. During or after some of these
4740 speaking engagements, agents of the U.S. Government approached the
4741 Plaintiff and asked that he not engage in similar public speaks unless
4742 the entirety of the speak was presented to their agency first for
4743 approval, the Plaintiff refuses their request. This was in violation of
4744 the Plaintiffs First Amendments rights, and a deprivation of civil
4745 rights.

4746

4747 232. Agents of the Federal Bureau of Investigation has repeatedly
4748 attended presentation provided by the Plaintiff at various college, and

4749 in fact has attempted to interfere with the presentations several time,
4750 and/or have solicited others to be disruptive of the Plaintiff speech in
4751 violation of the Plaintiffs First Amendment rights, and a deprivation
4752 of civil rights.

4753

4754 233. In May 1983, Plaintiff began publishing papers in regards to
4755 TSCM and related topics by way of a Computerized Bulletin Board
4756 System be designed and programmed, and also by way of
4757 conventional print media.

4758

4759 234. In August 1987, Plaintiff converted many of these computer
4760 files into a format which was suitable for placement on various
4761 academic servers which Plaintiff had access to as either a student,
4762 lecturer, or other legitimate user.

4763

4764 235. In 1992, the Plaintiff registered the domain name of
4765 TSCM.COM and moved the previously mentioned files to a
4766 commercial server, and began adding computer programs which the
4767 Plaintiff wrote, databases, photographs, images, and graphics to the

4768 previously text only files. This domain name was used as the basis of
4769 what would become the Plaintiffs website at: <http://www.tscm.com/>

4770

4771 236. From 1992 until 1995, the Plaintiff slowly built up the files
4772 present on his website, and it became, and remains the most
4773 comprehensive website on the Internet on the subject matter.

4774

4775 237. In November 1995, an agent of the Federal Bureau of
4776 Investigation ask to meet with the Plaintiff in regards to his website,
4777 and at the meeting, pressured the Plaintiff to delete a number of files
4778 from the site, as the files were embarrassing to the FBI, but not
4779 actually classified. There were similar requests from the FBI is 1999,
4780 2001, 2003, 2004, 2005, 2008, and in 2009. This was in violation of
4781 the Plaintiffs First Amendments rights, and a deprivation of civil
4782 rights.

4783

4784 238. In a number of cases, the files in question merely were deleted
4785 or taken down after the FBI issued a request letter as a “National
4786 Security Letter” to the Plaintiffs Internet Service Provider, but the
4787 Plaintiff was not told of these deletions, and only discovered the

4788 deletion by checking log files for error, and noted that the removed
4789 files were causing “404 error” of a file being requested but not found.
4790 When these files there then re-added, they would remain for a period,
4791 and then suddenly be deleted with no warning. This was in violation
4792 of the Plaintiffs First Amendments rights, and a deprivation of civil
4793 rights.

4794
4795 239. In Spring 2008, the FBI confronted the Plaintiff over these
4796 repeatedly re-published documents, and inferred that if the
4797 publications continued that it could result in criminal charges. This
4798 was in violation of the Plaintiffs First Amendments rights, and a
4799 deprivation of civil rights.

4800
4801 240. In the Spring of 2009, the Plaintiff became aware of fraudulent
4802 activities on the part of the Health and Human Services, Centers for
4803 Disease Control, where the Plaintiff noticed that the statistics being
4804 published by the CDC were fictitious and fraudulent. The Plaintiff
4805 wrote severe articles on the matter in the Spring and Summer of 2009,
4806 with the end result being that the CDC attempted to cover-up these
4807 prior fictional and fraudulent reports. This attempted cover-up by the

4808 CDC merely attracted additional attention to the matter by the
4809 Plaintiff, who then wrote a series of scathing articles about the cover-
4810 up, and published same. The CDC then started refusing the media
4811 access to the statistics and engaged in a pattern of spin control, which
4812 the Plaintiff had been expecting, and the attempts by the CDC to
4813 promote the cover-up, lead to further deception by the government.
4814 The Plaintiff became aware of pocket of disease which the CDC was
4815 deliberately leaving out of their reports, and the Plaintiff was able to
4816 find internal CDC documents in which the CDC knew about these
4817 pockets, but also lied to the public about same. The sites were the
4818 Plaintiff published these reports were taken off line with no
4819 explanation, or the files were merely deleted in a pattern previously
4820 noted. This was in violation of the Plaintiffs First Amendments rights,
4821 and a deprivation of his civil rights.

4822
4823 241. Scientists within the CDC from both Atlanta, and Ft Deitrick
4824 privately contacted the Plaintiff and encourages him to continue
4825 exploring and publishing on the topic, and confirmed that the senior
4826 leadership of the CDC was indeed engaging in a cover-up, and that
4827 the Plaintiffs writings were effective at exposing the cover-up. The

4828 scientist with whom the Plaintiff spoke warned that the
4829 DHS/HHS/CDC leadership whom the Plaintiff had identified as being
4830 behind the cover-up could be expected to retaliate against the
4831 Plaintiff. This was in violation of the Plaintiffs First Amendments
4832 rights, and a deprivation of his civil rights.

4833
4834 242. In late October, and in Early November 2009, Plaintiff
4835 discussed the issue of the CDC Cover-up with members of the House
4836 Over Site Committee, who then began looking into the cover-up by
4837 the CDC.

4838
4839 243. Plaintiff Atkinson was repeatedly and falsely arrested in
4840 December 2009 as a result of a matter for which there was no
4841 probable cause; however, the initiating Rockport Police officers and
4842 FBI Agents manipulated fabricated “facts” and lied in order to obtain
4843 arrest warrants for these falsely filed charges, and deprived Plaintiff of
4844 his civil rights.

4845

4846 244. While the Plaintiff was under arrest by police, the Rockport
4847 police department made copies of the Plaintiff home, business, and
4848 vehicle keys. This was a deprivation of the Plaintiff civil rights.

4849
4850 245. When the police arrested the Plaintiff, they also seized and
4851 refused to return the Plaintiff Massachusetts License to Carry
4852 Firearms, and violated, and deprived the Plaintiffs of his civil rights.

4853
4854 246. In addition, the issuing magistrate of the search and arrest
4855 warrants knew or should have known, or/and should have questioned
4856 of the falsity of the "facts" related, and the point of law in order to
4857 obtain the warrants used to injure Plaintiff. Further, the basis of the
4858 search warrant in December 2009 was a matter for which there was
4859 strong constitutional protections, rights, privileges, and immunities,
4860 and the issuing magistrate overstepped his/her authority by a very
4861 wide margin, and knowingly violated the Plaintiffs civil rights under
4862 the color of authority, and violated the Constitutional Rights of the
4863 Plaintiff, and abused the Defendants position of authority.

4864

4865 247. In addition, Plaintiff was charged with various violations of
4866 Massachusetts' gun laws; however, all of these charges were again
4867 false arrests since no criminal conduct existed under the U.S. Supreme
4868 Court decisions in *McDonald v. Chicago*, 561 U.S. ___, 130 S.Ct.
4869 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570
4870 (2008), The continued and false arrests were malicious and designed
4871 to obtain a illegal access to the Plaintiff home and business, and for
4872 illegal purposes and result not within the ambit of legitimate criminal
4873 investigation or prosecution.

4874
4875 248. The Rockport Police Department, Rockport Ambulance
4876 Department, Rockport Fire Department, Lyons Ambulance, OEMS,
4877 Beverly Hospital, and several John Does working in their official
4878 capacity and individually deprived Plaintiff Atkinson of his civil
4879 rights while operating under the color of authority.

4880
4881 249. These defendants engaged in activities to harm and attempted to
4882 injure, and did rob, steal from, and seek to discredit Plaintiff Atkinson
4883 as a government witness, when it was discovered in August 2009 that
4884 Plaintiff would be a States witness against half of the Police Officers,

4885 Firemen, and EMT's in Rockport, and likely a witness against several
4886 hundred additional corrupt public safety employees in regards to
4887 fraudulent EMT training on the North Shore of Boston, including but
4888 not limited to Rockport, Gloucester, Ipswich, Essex, Boxford,
4889 Topsfield, Wenham, Beverly, and others.

4890
4891 250. Plaintiff has held an unrestricted "Massachusetts License to
4892 Carry Firearms" with a "High Capacity Firearms" endorsement since
4893 1990 until 2009, and which was unlawfully suspended, and
4894 unlawfully seized by the police in 2009, in violation of his civil rights.

4895
4896 251. The Rockport police officers and others confected a conspiracy
4897 whereby they would get overseas shipments of the Plaintiffs goods
4898 from Research Electronics delayed by causing export documents (later
4899 discovered not required by law) to be repeatedly rejected or approval
4900 delayed by Research Electronics, and would then arrest and charge the
4901 Plaintiff for not delivering the goods to an overseas client, falsely
4902 charging Plaintiff with a crime by virtue of these delays in shipment
4903 caused by the police and others.

4904

4905 252. Based on these manipulations by the police alone (and no actual
4906 convictions), that when arrested the Plaintiff involved his 5th
4907 Amendment rights and refused to make statements, the Chief of
4908 Police in Rockport punitively and unlawfully revoked the Plaintiffs
4909 License to Carry Firearms, and then illegally demanded that all
4910 firearms be turned in, even though such a demand was a violations of
4911 the Plaintiff civil rights, an infringement, and a deprivation.

4912
4913 253. The defendant Tibert acting under the color of authority and as
4914 a Rockport Police Officer then threatened to use violence to forcibly
4915 break into the Plaintiff's home and to seize the firearms, and to charge
4916 Plaintiff with other crimes if he did not comply, knowing thereafter
4917 that Plaintiff had experienced a heart attack and was hospitalized
4918 being unable to comply. The value of the arms in question exceeds
4919 \$25,000.

4920
4921 254. Upon Plaintiff's return to his home from the hospital cardiac
4922 unit several days later at 8:30 PM on Saturday night, he was
4923 awakened at 8:30 AM Sunday by a multitude of armed officer of the
4924 Rockport Police Department and federal agencies, who unlawfully

4925 smashed though the door (causing close to \$900 in damage to the
4926 building) while the Plaintiff was still asleep, brutalized the Plaintiff,
4927 and caused a secondary cardiac emergency, from which the plaintiff
4928 was unable to recover.

4929
4930 255. In fact, this situation turned into a life-threatening medical
4931 emergency, which eventually required surgical intervention within
4932 days.

4933
4934 256. The defendants then proceeded to steal for their own personal
4935 use, gold coins, gold bullion, silver bullion bars, cash, radio
4936 equipment, computers, keys, batons, body bunkers, books, manuals,
4937 laboratory notebooks, product prototypes, and other items not covered
4938 under any search warrant and never reflected on the police inventory,
4939 although photographs provided by defendants of several stolen
4940 possessions of the Plaintiff appeared in newspapers (yet do not appear
4941 in the police inventory).

4942
4943 257. During this wholesale looting of the Plaintiffs home, two
4944 defendants (FBI agents not reflected as being present in police

4945 documents) joined in, removed computers, and other things, which
4946 have not yet been accounted for in any way. The value of that which
4947 was looted or stolen and not accounted for exceeded \$500,000.

4948

4949 258. Additional Rockport Police Officers, including the Chief of the
4950 Rockport Police Department, also joined the sacking of the Plaintiffs
4951 home and business, and removed several hundred thousand dollars of
4952 American Gold Eagles and gold bullion, at least \$5,000 in cash, and
4953 over 1600 ounces of silver bullion, plus tools, goods, equipment, and
4954 supplies, and well as destroyed at least \$300,000 of highly
4955 sophisticated laboratory test equipment.

4956

4957 259. Police unlawfully seized a three very expensive sets of soft
4958 body armor that had been made for an fitted to the Plaintiff, armored
4959 helmets and harnesses which were specifically fitted and made for the
4960 Plaintiff (value at \$1200 or more each), a large full length “Body
4961 Bunker” tactical shield with a view window (with a value of at least
4962 \$10,000), and a smaller “Buckler” tactical shield (with a value of at
4963 least \$5000), and a EOD Bomb Technician Suit (valued at \$25,000),
4964 helmet system (valued at \$10,000), and EOD tool kit (valued at

4965 \$5500). A load bearing vest and harness (valued at \$650), and various
4966 magazine pouches, weapons bags, support bags, range bags, (valued
4967 in totally around \$2400) and other protective clothing such as gloves,
4968 face shields, gasmasks, valued in excess of \$5000), and related
4969 supplies used for teaching tactical courses, or for self defense (with a
4970 value of at least \$10,000).

4971

4972 260. Further, an inert and inactive expended rocket launcher tube
4973 and fireworks were planted in Plaintiff's home by these defendants.
4974 Plaintiff was then charged with multiple felony charges in regards to
4975 lawfully possessed arms.

4976

4977 261. Various firearm magazines were also planted by the police in
4978 the Plaintiffs home. Plaintiff was then charged with multiple felony
4979 charges in regards to lawfully possessed arms.

4980

4981 262. The Rockport Police lied to confect the initial case, and then
4982 they and others lied to confect the search warrant. Further, they
4983 knowing made false statement in court documents, and violated the
4984 Plaintiffs civil rights.

4985

4986

263. The Rockport Police and others even went so far as to

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burglarize and search the Plaintiff home a full day before they got the

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actual warrant by illegally entering plaintiff's home and copying

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several thousand files of proprietary and/or damaging information to

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various Defendants along with deleting several thousand files of

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incriminating evidence against Defendants which plaintiff had

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obtained through various dealings in the past with State, the FBI and

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other federal agencies (this illegal search took place while the Plaintiff

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was still in the Hospital, and hours before any, albeit illegal search

4995

warrant was actually issued). This illegal search, which took place

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prior to the search warrant actually being issued was a violation of and

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deprivation of the Plaintiffs civil rights.

4998

4999

264. The Rockport Police Department and others also unlawfully

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seized five computers, maliciously smashed the motherboards of two

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of these, and smashed the cases, and with others they removed, and/or

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lost the internal or external hard drives. The seized computers have an

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aggregate hardware value in excess of \$15,000 and an aggregate

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software value of \$10,000, plus the value of the data, files, and databases, which exceeds well in excess of \$48 Million dollars)

265. The Rockport Police also trashed the home and business of the Plaintiff, and rendered it is a state of disorder that it took several weeks to straighten it back up. The Rockport Police also destroyed or stole Plaintiffs property.

266. On, or before December 7, 2009 the Rockport Police and others also installed an illegal GPS tracking device into two of the Plaintiff vehicles (hidden inside the dash, just over the radio), and hardwired these tracking devices into the vehicles electrical system in violation of the law. These tracking devices remained in the Plaintiffs vehicles for two months, and were removed by the police and others on or about February 9, 2010. To date, no warrant has been produced which authorized the installation of these tracking devices, and was a violation of the Plaintiffs civil rights.

267. The Police and others also stole over 1200 DVDs full of source code, the computer on which a highly valuable and proprietary

5024 RAPHAEL database which the Plaintiff designed was maintained,
5025 back-up tapes, back-up DVD's, and CD's and pieces of computer
5026 media related to the database.

5027

5028 268. The RAPHAEL Database is a highly proprietary trade secret
5029 and has a minimal approximate value of \$40 Million, and represents
5030 several decades of work. The RAPHAEL Database had also been
5031 actively sought after by the FBI, CIA, State Department, Department
5032 of Energy, U.S. Navy, U.S. Army, Research Electronics, various
5033 defense, and intelligence contractors, and others. The database and
5034 associated source code is of such considerable value that both the FBI
5035 and the CIA had requested that the Plaintiff leave it to them in his
5036 will, and the CIA and contractors and front companies for the CIA
5037 and U.S. State Department have repeatedly offered to purchase the
5038 database, or alternately to lease the database structure from the
5039 Plaintiff on a month-to-month, or year-to-tear basis.

5040

5041 269. The Rockport Police and others also seized customer records,
5042 and records that were not on the search warrant, just scooping up
5043 armloads of these records and dumping them into the back of an

5044 unsecure pickup Rockport Police Department pick-up truck, that was
5045 in no way supervised or accounted for.

5046

5047 270. Of particular note are seven (7) white file boxes, each
5048 containing approximately 3,000-5,000 sheets of paper and involving
5049 three projects that spanned four (4) boxes for which the Plaintiff had
5050 been contracted for by the U.S. Government on a matter of national
5051 security involving technical counterintelligence. The three (3)
5052 additional boxes contained notes, transcripts, receipts, records, discs
5053 and data files in regards to a matter of counter-terrorism for which the
5054 Plaintiff was a government contractor from 1998 until 2004.

5055

5056 271. On two occasions in August 2009, and one occasion in
5057 September 2009, agents of the U.S. Government visited the Plaintiff
5058 at his office and ask to review materials contained in these files, and
5059 were particularly interested in the location where these paper and
5060 computer files were normally maintained.

5061

5062 272. On or about October 6, 2009 during a meeting in which these
5063 files and computer servers were discussed, the Plaintiff detected,

5064 located, and identified an illicit eavesdropping device that was being
5065 operated and in the immediate control of the agents, and the Plaintiff
5066 called an immediate halt to the meeting. This illicit eavesdropping
5067 was violation or, and a deprivation of Plaintiffs civil rights.

5068
5069 273. During a follow-on meeting (to discuss a contract for a project
5070 from earlier in the year), in Mid November 2009 another
5071 eavesdropping device was detected, and located as being operated by
5072 the meeting attendees from the U.S. Government and identified by the
5073 Plaintiff and the meeting again terminated by the Plaintiff. This illicit
5074 eavesdropping was violation or, and a deprivation of Plaintiffs civil
5075 rights.

5076
5077 274. Further, during the Mid November 2009 meeting the Plaintiff
5078 was again asked about the server on which the RAPHAEL database
5079 was maintained, and where other files of interest to the said agency in
5080 question were kept.

5081
5082 275. After the two searches executed by the Rockport Police
5083 Department and others (one with no search warrant, the second with

5084 an unlawfully obtained search warrant) on different dates in
5085 December 2009, these seven (7) white boxes, nineteen (19) black
5086 binders, and plastic tubes of hundreds of additional DVD discs were
5087 noted by the Plaintiff to be missing, along with the previously
5088 described computer that was being used as the server for the database
5089 files. These seven (7) white boxes, nineteen (19) black binders of
5090 DVD's, and the tubes of hundreds of discs have not yet been
5091 accounted for and are presumed to be in the possession of the U.S.
5092 Government, and that the contents of the computer and discs have
5093 been provided to a government contractor for integration into a
5094 product in order to deprive the Plaintiff of his intellectual property and
5095 trade secrets. One of the workstations that was separate from the
5096 server, was taken (and reflected in the seizure inventory) during the
5097 execution of the search warrant was eventually returned, but was
5098 missing a hard drive from one bay (which contained only C++ source
5099 code files), and the second hard drive (containing a huge database)
5100 was partially erased and the drive unbootable, along with the
5101 motherboard being damaged.

5102

5103 276. These discs and files were last seen by the Plaintiff on
5104 November 15, 2009, when he performed a routine bi-weekly file back
5105 up and deposited discs into his archive, and reloaded fresh, blank
5106 discs into the drives.

5107
5108 277. The business records, and records on these computers are
5109 highly proprietary trade secrets and valued well in excess of eight
5110 million dollars.

5111
5112 278. The Rockport Police and others then notified at least three
5113 different defendant colleges that the Plaintiff was attending as a
5114 student on either a full time or part time basis, and did conspire with
5115 others to get the Plaintiffs enrollment suspended at the schools (based
5116 merely on being charged, not upon an actual finding of guilt), and to
5117 deny the Plaintiff any process to appeal this suspension in a timely
5118 manner in order to violate the Plaintiffs civil rights under the color of
5119 authority.

5120
5121 279. These three schools then punitively suspended the Plaintiff
5122 without any due process, seized and refused him access to his property

5123 and possessions that was on school property, refused to allow Plaintiff
5124 to return to school, refused him access to complete the semester,
5125 refused to allow him to complete exams and laboratory work as
5126 required by professors, or to come on school property or to complete
5127 the semester.

5128

5129 280. Defendant Salem State College awarded to all grades of a F for
5130 the entire semester, in order to punish the Plaintiff, even though all
5131 work handed in for the courses being taken by the Plaintiff was at the
5132 A or A+ level. The value of the suspension from Salem State College
5133 is valued at least thirty million dollars of future earnings, in addition
5134 to the approximately \$4,000 which a student has previously paid for
5135 fees, book, supplies, and time (valued at \$30,000) the student took
5136 away from work to attend courses).

5137

5138 281. Defendant North Shore Community College awarded low
5139 grades of a for the entire semester, in order to punish the Plaintiff,
5140 even though all work handed in for the courses being taken by the
5141 Plaintiff outstanding. In the case of one class the professor was
5142 allowed to post a fair grade, but all other professors were forced to

5143 post poor grades. The value of the suspension from North Shore
5144 Community College is valued at least ten million dollars of future
5145 earnings, in addition to the approximately \$8,000 which a student has
5146 previously paid for fees, book, supplies, and time (valued at \$422,500)
5147 the student took away from work to attend courses).

5148

5149 282. Defendant Montserrat further refused to issue grades for one
5150 class (the professor stated that the Plaintiff had earned an A), and for
5151 another class issued a D- as a grade when in fact the Plaintiff had
5152 earned a B-. The value of the suspension from Montserrat College of
5153 Art is valued at least five million dollars of future earnings, in
5154 addition to the approximately \$12,000 which a student has previously
5155 paid for fees, book, supplies, and time (valued at \$325,000) the
5156 student took away from work to attend courses).

5157

5158 283. The Rockport police and the various schools deprived Plaintiff
5159 of his civil rights for political and monetary gain.

5160

5161 284. The Police and other Defendants conspired with OEMS (the
5162 State agency which licenses to EMTs), well before November 12,

5163 2009, who then illegally suspended the Plaintiffs EMT license (which
5164 the Plaintiff held as a volunteer EMT in his community), and refused
5165 to provide due process, and refused to afford Plaintiff his civil rights.
5166 The Rockport Police, the Rockport Ambulance Department, the Town
5167 of Rockport, and OEMS deprived Plaintiff of his civil rights for
5168 political and monetary gain. The value of the suspension from EMT
5169 license is valued at least nine million dollars of future earnings, in
5170 addition to the approximately \$30,000 which a student has previously
5171 paid for fees, book, supplies, and time (valued at \$157,500) the
5172 student took away from work to attend EMT courses).

5173
5174 285. The police have continued to interfere in the business of the
5175 Plaintiff, have continued interfere with shipments, and have continued
5176 to harass Plaintiff by filing, or threatening to file additional malicious
5177 charges. The value of this interference of the Plaintiff business is in
5178 excess of \$6,000,000 dating form October 2009 to the June 2011, and
5179 continued to additonal damages over time.

5180
5181 286. Even after the passage of 18 months, the Plaintiff still has not
5182 been allowed to have a Probable Cause Hearing, or to have a Grand

5183 Jury examine evidence. In fact, just before one Probable Cause
5184 hearing on May 20, 2011, where the Plaintiff issued Subpoenas to
5185 numerous witnesses at great expense (to the police, who refused to
5186 obey said Subpoena), the government then, at the last minute
5187 rescheduled the hearing by one week, thus rendering the Subpoenas
5188 and the witness appearance of no value. The extensive, and repeated
5189 delays by the Commonwealth in this matter infringes on the Plaintiff
5190 right to a speedy trial, and denies the Plaintiff to present evidence and
5191 witnesses at a hearing, and is a deprivation of civil rights both by
5192 virtue of the speedy trial issues, and also the issue of malicious
5193 prosecution.

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5195

CAUSES OF ACTION

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**COUNT ONE - THE SECOND AMENDMENT INVALIDATES
VARIOUS MASSACHUSETTS GENERAL LAWS, SCHEMES,
STATUTES, AND REGULATIONS TO THE EXTENT THEY
PREVENT QUALIFIED PRIVATE CITIZENS FROM KEEPING
AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-
DEFENSE**

5204 287. The allegations contained in paragraphs 1 though the current
5205 paragraph, are re-alleged and incorporated into this count as though
5206 fully set forth herein.

5207

5208 288. The Second Amendment “guarantee[s] the individual right to
5209 possess and carry weapons in case of confrontation.” District of
5210 Columbia v. Heller, 554 U.S. 570, 592 (2008).

5211

5212 289. The aforementioned and following Massachusetts General
5213 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5214 private citizen who is otherwise eligible to possessing arms, firearms
5215 or from carrying a loaded and operable firearm, or other arms for the
5216 purpose of self-defense.

5217

5218 290. The invalidities of the aforesaid and following statute and
5219 regulations, and Defendants’ application of same, infringe Plaintiffs’
5220 Second and Fourteenth Amendments right and damage Plaintiffs in
5221 violation of 42 U.S.C. § 1983.

5222

5223 291. Plaintiff Atkinson, calls into question the constitutionality of
5224 the following Massachusetts General Laws, Statutes, Regulations,
5225 Policies, Codes, and Procedures, and asserts that both each is
5226 individually, and as a whole body of statues are in fact unlawful, that
5227 all are individually, and together a violation of Federal law and the
5228 Constitution of the United States, a violation of the Amendments to
5229 the Constitution to include the Bill of Rights and the Subsequent
5230 Amendments, 42 U.S.C. § 1983, including but not limited to the
5231 Constitution of the United States, Article IV, Section 2, and other civil
5232 rights laws, and that they represent a serious and very grave and direct
5233 infringement upon the civil rights of the Plaintiff Atkinson, and also
5234 an infringement upon the civil rights upon all citizens of the
5235 Commonwealth of Massachusetts, and an infringement of the civil
5236 rights all Citizens of the United States of America who may travel to,
5237 from, or through the Commonwealth of Massachusetts.

5238
5239 292. Plaintiff Atkinson, asserts that based on the decisions published
5240 by Supreme Court of the United States in *McDonald v. Chicago*, 561
5241 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
5242 *Heller*, 554 U.S. 570 (2008), that most, if not all of the Massachusetts

5243 Firearms statutes, regulations, and policies are fundamentally flawed,
5244 a violation of Federal Law, a violation of the most basic of American
5245 civil rights, an affront to justice and due process, a corruption of
5246 government, and a grave danger to the security of a free State, of
5247 country, and Constitution of the United States by a domestic enemy
5248 and tyrant. That most of the Commonwealth of Massachusetts “Gun
5249 Control Laws” and related statutes are so fundamentally flawed,
5250 vague, perverted, discriminatory, arbitrary, biased, self serving, and
5251 unlawfully imposed or enforced that it utterly shocks the conscience.

5252

5253 293. Plaintiff Atkinson, further asserts the Commonwealth of
5254 Massachusetts Laws, Statutes, and Regulations listed below are in
5255 violation of an infringement upon and deprivation of the guarantees,
5256 privileges, and immunities of Massachusetts Constitution Part The
5257 First, Article XVII; the U.S. Constitution as a whole; Constitution of
5258 the United States, Article IV, Section 2; the U.S. Constitution,
5259 Amendment II (also known as the Second Amendment); and the U.S.
5260 Constitution, Amendment IX (also known as the Ninth Amendment);
5261 and the U.S. Constitution, Amendment XIV (also known as the
5262 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights

5263 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), including
5264 but not limited to the Constitution of the United States, Article IV,
5265 Section 2, English Bill of Rights of 1689, and other relevant laws.

5266

5267 294. Plaintiff Atkinson, asserts that under the Fourteenth
5268 Amendment, that no State (including the Commonwealth of
5269 Massachusetts) may make **any law** to the “abridge the privileges and
5270 immunities of citizens,” and the rulings by the U.S. Supreme Court in
5271 *Heller* (2008) and in *McDonald* (2010) make it clear that the 2nd
5272 Amendment fully applies to the States, and that in turn no State may
5273 make, pass, or enforce any law which infringes upon the 2nd
5274 Amendment with regards to the keeping and, or of bearing arms.
5275 Further, because of this ruling by the U.S. Supreme court, the laws of
5276 the Commonwealth of Massachusetts in regards to both the keeping of
5277 arms, and the bearing of arms is thus unconstitutional, null and void,
5278 an infringement and deprivation of civil rights of not only the
5279 Plaintiff, but also upon all of the citizens of the Commonwealth of
5280 Massachusetts.

5281

5282 295. The statutes listed in Count One, and in all additional Counts
5283 are in violation of the 2nd and 14th Amendment, and also *District of*
5284 *Columbia v. Heller*, 554 U.S. 570, 592 (2008), and *McDonald v.*
5285 *Chicago*, 561 U.S. ___, 130 S. Ct. 3020, 3026 (2010),
5286 *Commonwealth v. Blanding*, 20 Mass. (3 Pick.) 304, 313-14 (1825),
5287 *Thomas v. Chi. Park Dist.*, 534 U.S. 316, 320 (2002), *Snyder v.*
5288 *Massachusetts*, 291 U. S. 97, 105 (1934), *Valdivieso Ortiz v. Burgos*,
5289 807 F. 2d 6, 8 (1st Cir. 1986); see also *Kuck v. Danaher*, 600 F. 3d
5290 159, 165 (2d Cir. 2010)

5291

5292 **COUNT TWO - THE SECOND AMENDMENT INVALIDATES**
5293 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS**
5294 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5295 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5296

5297 296. **M.G.L. c. 140, § 121** is unconstitutional in that it is deliberately
5298 vague, overly broad and ambiguous, violates the 2nd and 14th
5299 Amendments to the Constitution of the United States, in regards to
5300 firearms, pistols, revolvers, rifles, shotguns, machine guns, other arms
5301 and weapons, ammunition, chemical weapons, feeding devices,
5302 firearms licenses and the rights of Massachusetts citizens to keep and
5303 bear arms, and thus is an infringement of civil rights. The allegations

5304 contained in paragraphs 1 though the current paragraph, are re-alleged
5305 and incorporated into this count as though fully set forth herein. The
5306 aforementioned and following Massachusetts General Laws, Statutes,
5307 and Regulation are invalid as applied to prohibit a private citizen who
5308 is otherwise eligible to possessing arms, firearms or from carrying a
5309 loaded and operable firearm, or other arms for the purpose of self-
5310 defense. The invalidities of the aforesaid and following statute and
5311 regulations, and Defendants' application of same, infringe Plaintiffs'
5312 Second and Fourteenth Amendments right and damage Plaintiffs in
5313 violation of 42 U.S.C. § 1983. This statute infringes the 2nd
5314 Amendment right to keep and bear arms, and the 14th Amendment
5315 privileges and immunities of U.S. citizenship, the "Equal Protections
5316 Clause" of the 14th Amendment, including but not limited to the
5317 Constitution of the United States, Article IV, Section 2, and is thus
5318 unlawful prior restraint, as well as a deprivation of the civil rights of
5319 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5320 parts is unconstitutional, an infringement, and a deprivation of civil
5321 rights of Plaintiff Atkinson.

5322

5323 **COUNT THREE - THE SECOND AMENDMENT INVALIDATES**
5324 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS**

5325 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5326 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5327

5328 297. **M.G.L. c. 140, § 121** definition of “Assault Weapons” is
5329 unconstitutional in that it relies upon a now repealed federal statute
5330 (18 USC 921, Repealed. Pub. L. 103-322, title XI, Sec. 110105(2),
5331 Sept. 13, 1994, 108 Stat. 2000.) is deliberately vague, overly broad
5332 and ambiguous, violates the 2nd and 14th Amendments to the
5333 Constitution of the United States, in regards to so called “Assault
5334 Weapons,” firearms, pistols, revolvers, rifles, shotguns, machine guns,
5335 other arms and weapons, ammunition, chemical weapons, feeding
5336 devices, firearms licenses and the rights of Massachusetts citizens to
5337 keep and bear arms, and thus is an infringement of civil rights. The
5338 allegations contained in paragraphs 1 though the current paragraph,
5339 are re-alleged and incorporated into this count as though fully set forth
5340 herein. The aforementioned and following Massachusetts General
5341 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5342 private citizen who is otherwise eligible to possessing arms, firearms
5343 or from carrying a loaded and operable firearm, or other arms for the
5344 purpose of self-defense. The invalidities of the aforesaid and
5345 following statute and regulations, and Defendants’ application of

5346 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
5347 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
5348 infringes the 2nd Amendment right to keep and bear arms, and the 14th
5349 Amendment privileges and immunities of U.S. citizenship, the “Equal
5350 Protections Clause” of the 14th Amendment, including but not limited
5351 to the Constitution of the United States, Article IV, Section 2, and is
5352 thus unlawful prior restraint, as well as a deprivation of the civil rights
5353 of the Plaintiff Atkinson. This statute as a whole, and also in sections
5354 or parts is unconstitutional, an infringement, and a deprivation of civil
5355 rights of Plaintiff Atkinson.

5356

5357 **COUNT FOUR - THE SECOND AMENDMENT INVALIDATES**
5358 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS**
5359 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5360 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5361

5362 298. **M.G.L. c. 140, § 121** definition of “Large Capacity Feeding
5363 Device” is unconstitutional in that it relies upon a now repealed
5364 federal statute (18 USC 921, Repealed. Pub. L. 103-322, title XI, Sec.
5365 110105(2), Sept. 13, 1994, 108 Stat. 2000.) is deliberately vague,
5366 overly broad and ambiguous, violates the 2nd and 14th Amendments to
5367 the Constitution of the United States, in regards to so called “Assault

5368 Weapons,” firearms, pistols, revolvers, rifles, shotguns, machine guns,
5369 other arms and weapons, ammunition, chemical weapons, feeding
5370 devices, firearms licenses and the rights of Massachusetts citizens to
5371 keep and bear arms, and thus is an infringement of civil rights. The
5372 allegations contained in paragraphs 1 though the current paragraph,
5373 are re-alleged and incorporated into this count as though fully set forth
5374 herein. The aforementioned and following Massachusetts General
5375 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5376 private citizen who is otherwise eligible to possessing arms, firearms
5377 or from carrying a loaded and operable firearm, or other arms for the
5378 purpose of self-defense. The invalidities of the aforesaid and
5379 following statute and regulations, and Defendants’ application of
5380 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
5381 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
5382 infringes the 2nd Amendment right to keep and bear arms, and the 14th
5383 Amendment privileges and immunities of U.S. citizenship, the “Equal
5384 Protections Clause” of the 14th Amendment, including but not limited
5385 to the Constitution of the United States, Article IV, Section 2, and is
5386 thus unlawful prior restraint, as well as a deprivation of the civil rights
5387 of the Plaintiff Atkinson. This statute as a whole, and also in sections

5388 or parts is unconstitutional, an infringement, and a deprivation of civil
5389 rights of Plaintiff Atkinson.

5390

5391 **COUNT FIVE - THE SECOND AMENDMENT INVALIDATES**
5392 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS**
5393 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5394 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5395

5396 299. **M.G.L. c. 140, § 121** is unconstitutional in regards to “licensing
5397 authority” is deliberately vague, overly broad and ambiguous, violates
5398 the 2nd and 14th Amendments to the Constitution of the United States,
5399 firearms, pistols, revolvers, rifles, shotguns, machine guns, other arms
5400 and weapons, ammunition, chemical weapons, feeding devices,
5401 firearms licenses and the rights of Massachusetts citizens to keep and
5402 bear arms, and thus is an infringement of civil rights. The allegations
5403 contained in paragraphs 1 through the current paragraph, are re-alleged
5404 and incorporated into this count as though fully set forth herein. The
5405 aforementioned and following Massachusetts General Laws, Statutes,
5406 and Regulation are invalid as applied to prohibit a private citizen who
5407 is otherwise eligible to possessing arms, firearms or from carrying a
5408 loaded and operable firearm, or other arms for the purpose of self-
5409 defense. The invalidities of the aforesaid and following statute and

5410 regulations, and Defendants’ application of same, infringe Plaintiffs’
5411 Second and Fourteenth Amendments right and damage Plaintiffs in
5412 violation of 42 U.S.C. § 1983. Federal law as interpreted by the
5413 Supreme Court of the United States in *McDonald v. Chicago*, 561
5414 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
5415 *Heller*, 554 U.S. 570 (2008) emphatically deny and refute any and all
5416 such state schemes or mechanism, fraud, or infringements. The
5417 Supreme Court of the United States has further ruled in these cases
5418 that the only citizens who may be disqualified from keeping,
5419 possessing, or bearing are those who are convicted felons, or those
5420 citizens who have not be adjudicate as mentally defective, and
5421 confined to a mental hospital. Thus, the only “licensing authority” is
5422 outside of state or local control, and any claim to the contrary is an
5423 utter farce, and an affront to our basic and essential civil rights. This
5424 statute infringes the 2nd Amendment right to keep and bear arms, and
5425 the 14th Amendment privileges and immunities of U.S. citizenship, the
5426 “Equal Protections Clause” of the 14th Amendment, including but not
5427 limited to the Constitution of the United States, Article IV, Section 2,
5428 and is thus unlawful prior restraint, as well as a deprivation of the civil
5429 rights of the Plaintiff Atkinson. This statute as a whole, and also in

5430 sections or parts is unconstitutional, an infringement, and a
5431 deprivation of civil rights of Plaintiff Atkinson.

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5433 **COUNT SIX - THE SECOND AMENDMENT INVALIDATES**
5434 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS**
5435 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5436 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5437

5438 300. **M.G.L. c. 140, § 121** definition of “Weapon” is unconstitutional
5439 in that it fails to list common and generally recognized weapons such
5440 as edged weapons, impact weapons, or other timely arms or means to
5441 defend oneself including improvised weapons, the shod foot, pointed
5442 sticks, bayonets, blackjacks, batons, come-alones, staffs, handfuls of
5443 keys, knitting needles, box cutters, scissors, shoes, ice axes, ice picks,
5444 meat cleavers, sabers, swords, fencing foils, baseball bats, cricket
5445 bats, dumbbells, hand weights, golf clubs, hockey sticks, pool cues,
5446 ski poles, utility knives, disposable razors, razor cartridges, axes,
5447 hatchets, crowbars, hammers, drills, drill bits, power drills or saws,
5448 screwdrivers, wrenches, pliers, pressure washers, billy clubs, black
5449 jacks, brass knuckles, kubatons, gasoline, butane, propane, matches,
5450 torches, cigarette lighters, cuts of hot coffee, turpentine, chlorine, gas
5451 cartridges, bleach, battery acid, paint, hair spray, gell shoe inserts,

5452 snow globes, candles, keys, and other common tools or customary or
5453 historical weapons and arms of self defense (as defined by Federal
5454 regulations). The definition as listed is deliberately vague, overly
5455 broad and ambiguous, violates the 2nd and 14th Amendments to the
5456 Constitution of the United States in regards to firearms, pistols,
5457 revolvers, rifles, shotguns, machine guns, other arms and weapons,
5458 ammunition, chemical weapons, feeding devices, firearms licenses
5459 and the rights of Massachusetts citizens to keep and bear arms, and
5460 thus is an infringement of civil rights. The allegations contained in
5461 paragraphs 1 though the current paragraph, are re-alleged and
5462 incorporated into this count as though fully set forth herein. The
5463 aforementioned and following Massachusetts General Laws, Statutes,
5464 and Regulation are invalid as applied to prohibit a private citizen who
5465 is otherwise eligible to possessing arms, firearms or from carrying a
5466 loaded and operable firearm, or other arms for the purpose of self-
5467 defense. The invalidities of the aforesaid and following statute and
5468 regulations, and Defendants' application of same, infringe Plaintiffs'
5469 Second and Fourteenth Amendments right and damage Plaintiffs in
5470 violation of 42 U.S.C. § 1983. This statute infringes the 2nd
5471 Amendment right to keep and bear arms, and the 14th Amendment

5472 privileges and immunities of U.S. citizenship, the “Equal Protections
5473 Clause” of the 14th Amendment, including but not limited to the
5474 Constitution of the United States, Article IV, Section 2, and is thus
5475 unlawful prior restraint, as well as a deprivation of the civil rights of
5476 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5477 parts is unconstitutional, an infringement, and a deprivation of civil
5478 rights of Plaintiff Atkinson.

5479

5480 **COUNT SEVEN - THE SECOND AMENDMENT INVALIDATES**
5481 **M.G.L. c. 140, § 121 TO THE EXTENT IT PREVENTS QUALIFIED**
5482 **PRIVATE CITIZENS FROM KEEPING AND/OR CARRYING**
5483 **AND/OR BEARING ARMS FOR SELF-DEFENSE**
5484

5485 301. **M.G.L. c. 140, § 121** definition of “Large Capacity Weapon” is
5486 unconstitutional in that it relies upon a now repealed federal statute
5487 (18 USC 921, Repealed. Pub. L. 103-322, title XI, Sec. 110105(2),
5488 Sept. 13, 1994, 108 Stat. 2000.) is deliberately vague, overly broad
5489 and ambiguous, violates the 2nd and 14th Amendments to the
5490 Constitution of the United States, in regards to so called “Assault
5491 Weapons,” firearms, pistols, revolvers, rifles, shotguns, machine guns,
5492 other arms and weapons, ammunition, chemical weapons, feeding
5493 devices, firearms licenses and the rights of Massachusetts citizens to

5494 keep and bear arms, and thus is an infringement of civil rights. The
5495 allegations contained in paragraphs 1 though the current paragraph,
5496 are re-alleged and incorporated into this count as though fully set forth
5497 herein. The aforementioned and following Massachusetts General
5498 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5499 private citizen who is otherwise eligible to possessing arms, firearms
5500 or from carrying a loaded and operable firearm, or other arms for the
5501 purpose of self-defense. The invalidities of the aforesaid and
5502 following statute and regulations, and Defendants' application of
5503 same, infringe Plaintiffs' Second and Fourteenth Amendments right
5504 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
5505 infringes the 2nd Amendment right to keep and bear arms, and the 14th
5506 Amendment privileges and immunities of U.S. citizenship, the "Equal
5507 Protections Clause" of the 14th Amendment, including but not limited
5508 to the Constitution of the United States, Article IV, Section 2, and is
5509 thus unlawful prior restraint, as well as a deprivation of the civil rights
5510 of the Plaintiff Atkinson. This statute as a whole, and also in sections
5511 or parts is unconstitutional, an infringement, and a deprivation of civil
5512 rights of Plaintiff Atkinson.

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5514 302. **M.G.L. c. 140, § 121** is unconstitutional as it sets an arbitrary
5515 manufacture date of 1899 for firearms, rifles, and shotguns, which are
5516 equally, if not vastly more dangerous and/or more unstable and
5517 dangerous to the user than modern firearms, and is deliberately vague,
5518 overly broad and ambiguous, violates the 2nd and 14th Amendments to
5519 the Constitution of the United States, in regards to so called “Assault
5520 Weapons,” firearms, pistols, revolvers, rifles, shotguns, machine guns,
5521 other arms and weapons, ammunition, chemical weapons, feeding
5522 devices, firearms licenses and the rights of Massachusetts citizens to
5523 keep and bear arms, and thus is an infringement of civil rights. This
5524 statute infringes the 2nd Amendment right to keep and bear arms, and
5525 the 14th Amendment privileges and immunities of U.S. citizenship, the
5526 “Equal Protections Clause” of the 14th Amendment, including but not
5527 limited to the Constitution of the United States, Article IV, Section 2,
5528 and is thus unlawful prior restraint, as well as a deprivation of the civil
5529 rights of the Plaintiff Atkinson. This statute as a whole, and also in
5530 sections or parts is unconstitutional, an infringement, and a
5531 deprivation of civil rights of Plaintiff Atkinson.

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5533 **COUNT EIGHT - THE SECOND AMENDMENT INVALIDATES**
5534 **M.G.L. c. 140, § 123 TO THE EXTENT IT PREVENTS**

5535 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5536 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5537

5538 303. **M.G.L. c. 140, § 123** is unconstitutional as Federal law as
5539 interpreted by the Supreme Court of the United States in *McDonald v.*
5540 *Chicago*, 561 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of*
5541 *Columbia v. Heller*, 554 U.S. 570 (2008) forbids any form of
5542 “Firearms Identification Card” under whatever scheme, scam, ruse, or
5543 fraud under which the Commonwealth may try to conceal the keeping
5544 and possession of any pistol, revolver, rifle, shotgun, machine gun,
5545 assault weapon, edged weapon, impact weapons, broken beer bottle,
5546 or pointed stick or any arms of ones own choosing inside a citizens
5547 own home or upon the property of a citizen. The allegations contained
5548 in paragraphs 1 though the current paragraph, are re-alleged and
5549 incorporated into this count as though fully set forth herein. The
5550 aforementioned and following Massachusetts General Laws, Statutes,
5551 and Regulation are invalid as applied to prohibit a private citizen who
5552 is otherwise eligible to possessing arms, firearms or from carrying a
5553 loaded and operable firearm, or other arms for the purpose of self-
5554 defense. The invalidities of the aforesaid and following statute and
5555 regulations, and Defendants’ application of same, infringe Plaintiffs’

5556 Second and Fourteenth Amendments right and damage Plaintiffs in
5557 violation of 42 U.S.C. § 1983. The requirement to be in possession of
5558 any kind of state issued identification card, or license to possess
5559 “Arms” is deliberately vague, overly broad and ambiguous, violates
5560 the 2nd and 14th Amendments to the Constitution of the United States.
5561 It in turn feeds and enables many other civil rights crimes and
5562 infringements and deprivations of the Commonwealth on the citizens
5563 of the State including infringing upon the rights of the Plaintiff. Any
5564 requirement by the Commonwealth to possess an “Firearms
5565 Identification Card” or any scheme or substitute is thus null and void,
5566 and should be stricken from all state statutes. This statute infringes the
5567 2nd Amendment right to keep and bear arms, and the 14th Amendment
5568 privileges and immunities of U.S. citizenship, the “Equal Protections
5569 Clause” of the 14th Amendment, including but not limited to the
5570 Constitution of the United States, Article IV, Section 2, and is thus
5571 unlawful prior restraint, as well as a deprivation of the civil rights of
5572 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5573 parts is unconstitutional, an infringement, and a deprivation of civil
5574 rights of Plaintiff Atkinson.

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5576 **COUNT NINE - THE SECOND AMENDMENT INVALIDATES**
5577 **M.G.L. c. 140, § 123 TO THE EXTENT IT PREVENTS**
5578 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5579 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5580

5581 304. **M.G.L. c. 140, § 123** is unconstitutional in that it requires that
5582 dealers in firearms, pistols, revolvers, rifles, shotguns, machine guns,
5583 other arms and weapons, ammunition, chemical weapons, feeding
5584 devices act as agents of the police, and agents of the state government
5585 to unlawfully seize “Firearms Identifications Cards,” “Licenses to
5586 Carry,” “Permits to Purchase” violates the 2nd and 14th Amendments
5587 as well as the 4th and 5th Amendments to the Constitution of the
5588 United States it does not afford sufficient due process in regards to
5589 such seizures. The allegations contained in paragraphs 1 through the
5590 current paragraph, are re-alleged and incorporated into this count as
5591 though fully set forth herein. The aforementioned and following
5592 Massachusetts General Laws, Statutes, and Regulation are invalid as
5593 applied to prohibit a private citizen who is otherwise eligible to
5594 possessing arms, firearms or from carrying a loaded and operable
5595 firearm, or other arms for the purpose of self-defense. The invalidities
5596 of the aforesaid and following statute and regulations, and
5597 Defendants’ application of same, infringe Plaintiffs’ Second and

5598 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5599 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
5600 and bear arms, and the 14th Amendment privileges and immunities of
5601 U.S. citizenship, the “Equal Protections Clause” of the 14th
5602 Amendment, including but not limited to the Constitution of the
5603 United States, Article IV, Section 2, and is thus unlawful prior
5604 restraint, as well as a deprivation of the civil rights of the Plaintiff
5605 Atkinson. This statute as a whole, and also in sections or parts is
5606 unconstitutional, an infringement, and a deprivation of civil rights of
5607 Plaintiff Atkinson.

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5609 **COUNT TEN - THE SECOND AMENDMENT INVALIDATES**
5610 **M.G.L. c. 140, § 123 TO THE EXTENT IT PREVENTS**
5611 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
5612 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**
5613

5614 305. **M.G.L. c. 140, § 123** is unconstitutional in that it specifies, under
5615 Clause 14, “assault weapons or large capacity feeding device that was
5616 not otherwise lawfully possessed on September 13, 1994” and relies
5617 upon the now repealed (18 USC 921, Repealed. Pub. L. 103-322, title
5618 XI, Sec. 110105(2), Sept. 13, 1994, 108 Stat. 2000.) Federal statute.
5619 Thus, this restriction or definition violates the 2nd and 14th

5620 Amendments to the Constitution of the United States, and is a civil
5621 rights infringement. The allegations contained in paragraphs 1 though
5622 the current paragraph, are re-alleged and incorporated into this count
5623 as though fully set forth herein. The aforementioned and following
5624 Massachusetts General Laws, Statutes, and Regulation are invalid as
5625 applied to prohibit a private citizen who is otherwise eligible to
5626 possessing arms, firearms or from carrying a loaded and operable
5627 firearm, or other arms for the purpose of self-defense. The invalidities
5628 of the aforesaid and following statute and regulations, and
5629 Defendants' application of same, infringe Plaintiffs' Second and
5630 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5631 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
5632 and bear arms, and the 14th Amendment privileges and immunities of
5633 U.S. citizenship, the "Equal Protections Clause" of the 14th
5634 Amendment, including but not limited to the Constitution of the
5635 United States, Article IV, Section 2, and is thus unlawful prior
5636 restraint, as well as a deprivation of the civil rights of the Plaintiff
5637 Atkinson. This statute as a whole, and also in sections or parts is
5638 unconstitutional, an infringement, and a deprivation of civil rights of
5639 Plaintiff Atkinson.

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**COUNT ELEVEN - THE SECOND AMENDMENT INVALIDATES
M.G.L. c. 140, § 123 TO THE EXTENT IT PREVENTS
QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR
CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE**

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306. **M.G.L. c. 140, § 123** is unconstitutional and specifies, under

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Clause 14, various scheme, fantasies, or devices to render a firearm

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under the control of a citizen unable and inaccessible, and which

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forbidden the Supreme Court of the United States in *McDonald v.*

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Chicago, 561 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of*

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Columbia v. Heller, 554 U.S. 570 (2008). Thus, this restriction or

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definition violates the 2nd and 14th Amendments to the Constitution of

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the United States, and is a civil rights infringement. The allegations

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contained in paragraphs 1 though the current paragraph, are re-alleged

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and incorporated into this count as though fully set forth herein. The

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aforementioned and following Massachusetts General Laws, Statutes,

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and Regulation are invalid as applied to prohibit a private citizen who

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is otherwise eligible to possessing arms, firearms or from carrying a

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loaded and operable firearm, or other arms for the purpose of self-

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defense. The invalidities of the aforesaid and following statute and

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regulations, and Defendants' application of same, infringe Plaintiffs'

5662 Second and Fourteenth Amendments right and damage Plaintiffs in
5663 violation of 42 U.S.C. § 1983. This statute infringes the 2nd
5664 Amendment right to keep and bear arms, and the 14th Amendment
5665 privileges and immunities of U.S. citizenship, the “Equal Protections
5666 Clause” of the 14th Amendment, including but not limited to the
5667 Constitution of the United States, Article IV, Section 2, and is thus
5668 unlawful prior restraint, as well as a deprivation of the civil rights of
5669 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5670 parts is unconstitutional, an infringement, and a deprivation of civil
5671 rights of Plaintiff Atkinson

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5673 **COUNT TWELVE - THE SECOND AMENDMENT**
5674 **INVALIDATES M.G.L. c. 140, § 123 TO THE EXTENT IT**
5675 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5676 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5677 **DEFENSE**
5678

5679 **M.G.L. c. 140, § 123** is unconstitutional and specifies, under Clauses 18-
5680 21, various technical parameters that must be met for the retail sale of
5681 certain firearms, and while the Plaintiff Atkinson acknowledges that
5682 suitable firearms capable of assuring the administering and inflicting
5683 mortal injury against the person toward whom such firearms are directed
5684 by the lawful user of said firearms or other weapons, the Commonwealth

5685 steps over the limits outlined by the U.S. Supreme Court in both
5686 *McDonald* and in *Heller* by requiring such weapons be possessed or
5687 lawfully owned by October 12, 1998. Thus, this restriction or definition
5688 violates the 2nd and 14th Amendments to the Constitution of the United
5689 States, and is a civil rights infringement. The allegations contained in
5690 paragraphs 1 through the current paragraph, are re-alleged and
5691 incorporated into this count as though fully set forth herein. The
5692 aforementioned and following Massachusetts General Laws, Statutes,
5693 and Regulation are invalid as applied to prohibit a private citizen who is
5694 otherwise eligible to possessing arms, firearms or from carrying a loaded
5695 and operable firearm, or other arms for the purpose of self-defense. The
5696 invalidities of the aforesaid and following statute and regulations, and
5697 Defendants' application of same, infringe Plaintiffs' Second and
5698 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5699 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
5700 and bear arms, and the 14th Amendment privileges and immunities of
5701 U.S. citizenship, the "Equal Protections Clause" of the 14th Amendment,
5702 including but not limited to the Constitution of the United States, Article
5703 IV, Section 2, and is thus unlawful prior restraint, as well as a deprivation
5704 of the civil rights of the Plaintiff Atkinson. This statute as a whole, and

5705 also in sections or parts is unconstitutional, an infringement, and a
5706 deprivation of civil rights of Plaintiff Atkinson.

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5708 **COUNT THIRTEEN - THE SECOND AMENDMENT**
5709 **INVALIDATES M.G.L. c. 140, § 127 TO THE EXTENT IT**
5710 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5711 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5712 **DEFENSE**
5713

5714 307. **M.G.L. c. 140, § 127** is unconstitutional in that as defined by the
5715 Supreme Court of the United States in *McDonald v. Chicago*, 561
5716 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
5717 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
5718 First, Article XVII; the U.S. Constitution as a whole; the U.S.
5719 Constitution, Amendment II (also known as the Second Amendment);
5720 and the U.S. Constitution, Amendment XIV (also known as the
5721 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
5722 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
5723 relevant laws do not grant any “officials authorized to issue a license”
5724 and power to effect such a transfer and any scheme, statute, artifice, or
5725 regulation to the contract violates the 2nd and 14th Amendments to the
5726 Constitution of the United States, including but not limited to the
5727 Constitution of the United States, Article IV, Section 2, and is a civil

5728 rights infringement. The allegations contained in paragraphs 1 though
5729 the current paragraph, are re-alleged and incorporated into this count
5730 as though fully set forth herein. The aforementioned and following
5731 Massachusetts General Laws, Statutes, and Regulation are invalid as
5732 applied to prohibit a private citizen who is otherwise eligible to
5733 possessing arms, firearms or from carrying a loaded and operable
5734 firearm, or other arms for the purpose of self-defense. The invalidities
5735 of the aforesaid and following statute and regulations, and
5736 Defendants' application of same, infringe Plaintiffs' Second and
5737 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5738 U.S.C. § 1983. This statute as a whole, and also in sections or parts is
5739 unconstitutional, an infringement, and a deprivation of civil rights of
5740 Plaintiff Atkinson.

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5742 **COUNT FOURTEEN - THE SECOND AMENDMENT**
5743 **INVALIDATES M.G.L. c. 140, § 128A TO THE EXTENT IT**
5744 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5745 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5746 **DEFENSE**
5747

5748 308. **M.G.L. c. 140, § 128A** is unconstitutional is it requires the
5749 “Firearms Identification Card” for application of section 128, but
5750 requires both buyer and seller to have possession of a “Firearms

5751 Identification Card” or a “Permit to Purchase” both of which have
5752 been outlawed by the U.S. Supreme Court under *Heller* and
5753 *McDonald* as an attempt by the Commonwealth to subvert the 2nd and
5754 14th amendment, and to impose a revocable licensing or permitting
5755 scheme in violation of civil rights. This statute infringes the 2nd
5756 Amendment right to keep and bear arms, and the 14th Amendment
5757 privileges and immunities of U.S. citizenship, the “Equal Protections
5758 Clause” of the 14th Amendment, including but not limited to the
5759 Constitution of the United States, Article IV, Section 2, and is thus
5760 unlawful prior restraint, as well as a deprivation of the civil rights of
5761 the Plaintiff Atkinson. The allegations contained in paragraphs 1
5762 though the current paragraph, are re-alleged and incorporated into this
5763 count as though fully set forth herein. The aforementioned and
5764 following Massachusetts General Laws, Statutes, and Regulation are
5765 invalid as applied to prohibit a private citizen who is otherwise
5766 eligible to possessing arms, firearms or from carrying a loaded and
5767 operable firearm, or other arms for the purpose of self-defense. The
5768 invalidities of the aforesaid and following statute and regulations, and
5769 Defendants’ application of same, infringe Plaintiffs’ Second and
5770 Fourteenth Amendments right and damage Plaintiffs in violation of 42

5771 U.S.C. § 1983. This statute as a whole, and also in sections or parts is
5772 unconstitutional, an infringement, and a deprivation of civil rights of
5773 Plaintiff Atkinson.

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5775 **COUNT FIFTEEN - THE SECOND AMENDMENT**
5776 **INVALIDATES M.G.L. c. 140, § ALL SECTIONS TO THE**
5777 **EXTENT IT PREVENTS QUALIFIED PRIVATE CITIZENS**
5778 **FROM KEEPING AND/OR CARRYING AND/OR BEARING**
5779 **ARMS FOR SELF-DEFENSE**
5780

5781 309. **M.G.L. c. 140, § All Sections**, is unconstitutional as the
5782 Commonwealth can no more require a permit to purchase or possess
5783 firearms as they can attempt to compel the purchaser of pen and ink to
5784 apply for a “Literary Identification Card,” or a “Permit to Purchase
5785 Ink Pens” or even any permitting scheme in order to license the
5786 ownership of a printing press, computer printer, mimeograph, or copy
5787 machine. The allegations contained in paragraphs 1 though the current
5788 paragraph, are re-alleged and incorporated into this count as though
5789 fully set forth herein. The aforementioned and following
5790 Massachusetts General Laws, Statutes, and Regulation are invalid as
5791 applied to prohibit a private citizen who is otherwise eligible to
5792 possessing arms, firearms or from carrying a loaded and operable
5793 firearm, or other arms for the purpose of self-defense. The invalidities

5794 of the aforesaid and following statute and regulations, and
5795 Defendants’ application of same, infringe Plaintiffs’ Second and
5796 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5797 U.S.C. § 1983. The U.S. Supreme Court has stated strongly that
5798 firearms rights are no different then the freedom of the press or
5799 religion, and the government may not control or restrict either. Such a
5800 repeated requirement in the General laws of the Commonwealth for a
5801 fanciful and lofty sounding “Firearms Identification Card” is little
5802 more then prior restraint of 2nd, 4th, and 14th Amendment rights, and
5803 thus a blatant infringement of civil rights. This statute infringes the 2nd
5804 Amendment right to keep and bear arms, and the 14th Amendment
5805 privileges and immunities of U.S. citizenship, the “Equal Protections
5806 Clause” of the 14th Amendment, including but not limited to the
5807 Constitution of the United States, Article IV, Section 2, and is thus
5808 unlawful prior restraint, as well as a deprivation of the civil rights of
5809 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5810 parts is unconstitutional, an infringement, and a deprivation of civil
5811 rights of Plaintiff Atkinson

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COUNT SIXTEEN - THE SECOND AMENDMENT
INVALIDATES M.G.L. c. 140, § 129B TO THE EXTENT IT

5815 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5816 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5817 **DEFENSE**
5818

5819 310. **M.G.L. c. 140, § 129B in its entirety** is unconstitutional, and is
5820 unlawful, and a violation of the 2nd and 14th amendments as defined by
5821 the Supreme Court of the United States in *McDonald v. Chicago*, 561
5822 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
5823 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
5824 First, Article XVII; the U.S. Constitution as a whole; the U.S.
5825 Constitution, Amendment II (also known as the Second Amendment);
5826 and the U.S. Constitution, Amendment XIV (also known as the
5827 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
5828 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
5829 relevant laws, as a violation and infringement of civil rights. The
5830 allegations contained in paragraphs 1 though the current paragraph,
5831 are re-alleged and incorporated into this count as though fully set forth
5832 herein. The aforementioned and following Massachusetts General
5833 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5834 private citizen who is otherwise eligible to possessing arms, firearms
5835 or from carrying a loaded and operable firearm, or other arms for the
5836 purpose of self-defense. The invalidities of the aforesaid and

5837 following statute and regulations, and Defendants’ application of
5838 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
5839 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
5840 infringes the 2nd Amendment right to keep and bear arms, and the 14th
5841 Amendment privileges and immunities of U.S. citizenship, the “Equal
5842 Protections Clause” of the 14th Amendment, including but not limited
5843 to the Constitution of the United States, Article IV, Section 2, and is
5844 thus unlawful prior restraint, as well as a deprivation of the civil rights
5845 of the Plaintiff Atkinson. This statute as a whole, and also in sections
5846 or parts is unconstitutional, an infringement, and a deprivation of civil
5847 rights of Plaintiff Atkinson.

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5849 **COUNT SEVENTEEN - THE SECOND AMENDMENT**
5850 **INVALIDATES M.G.L. c. 140, § 129B, SECTION(9) TO THE**
5851 **EXTENT IT PREVENTS QUALIFIED PRIVATE CITIZENS**
5852 **FROM KEEPING AND/OR CARRYING AND/OR BEARING**
5853 **ARMS FOR SELF-DEFENSE**
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5855 311. **M.G.L. c. 140, § 129B, Section (9)** is unconstitutional in that it
5856 outlines a process by which the “Executive Director of the Criminal
5857 History Systems Board” shall notify holders of “Firearms
5858 Identifications Cards” of the expiration of such document. The
5859 allegations contained in paragraphs 1 through the current paragraph,

5860 are re-alleged and incorporated into this count as though fully set forth
5861 herein. The aforementioned and following Massachusetts General
5862 Laws, Statutes, and Regulation are invalid as applied to prohibit a
5863 private citizen who is otherwise eligible to possessing arms, firearms
5864 or from carrying a loaded and operable firearm, or other arms for the
5865 purpose of self-defense. The invalidities of the aforesaid and
5866 following statute and regulations, and Defendants' application of
5867 same, infringe Plaintiffs' Second and Fourteenth Amendments right
5868 and damage Plaintiffs in violation of 42 U.S.C. § 1983.

5869 Notwithstanding that such a document is not required by Federal law
5870 to purchase and, or to possess firearms, yet the scheme to make such
5871 notifications has not yet actually been instituted by the
5872 Commonwealth despite extended fraudulent claims by the "Executive
5873 Director of the Criminal History Systems Board" to contrary, and this
5874 fraud by the Commonwealth is widely known and recognized. M.G.L.
5875 c. 140, § 129B, Section (9) requires that such notification be made by
5876 first class mail, yet the Commonwealth well knows that using the U.S.
5877 Mail to foist such a fraud and infringement upon holders of allegedly
5878 expiring "Firearms Identifications Cards" would involve mail fraud on
5879 a grand scale, and be a violation of the RICO statutes. This

5880 “expiration” of a “Firearms Identifications Cards,” and the utter farce
5881 which the Commonwealth uses in order not to notify holders of such
5882 documents which there is no basis in law is beyond the boundaries of
5883 a Kafka or Orwellian state, and is a violation and infringement of civil
5884 rights of Plaintiff. This statute infringes the 2nd Amendment right to
5885 keep and bear arms, and the 14th Amendment privileges and
5886 immunities of U.S. citizenship, the “Equal Protections Clause” of the
5887 14th Amendment, including but not limited to the Constitution of the
5888 United States, Article IV, Section 2, and is thus unlawful prior
5889 restraint, as well as a deprivation of the civil rights of the Plaintiff
5890 Atkinson. This statute as a whole, and also in sections or parts is
5891 unconstitutional, an infringement, and a deprivation of civil rights of
5892 Plaintiff Atkinson.

5893

5894 **COUNT EIGHTEEN - THE SECOND AMENDMENT**
5895 **INVALIDATES M.G.L. c. 140, § 129B, SECTION(12) TO THE**
5896 **EXTENT IT PREVENTS QUALIFIED PRIVATE CITIZENS**
5897 **FROM KEEPING AND/OR CARRYING AND/OR BEARING**
5898 **ARMS FOR SELF-DEFENSE**
5899

5900 312. **M.G.L. c. 140, § 129B, Section (12)** is unconstitutional in that it
5901 outlines a process by which lawfully owned and possessed firearms
5902 may be unlawfully confiscated, and disposed of by police due to an

5903 expired “Firearms Identification Card,” and is a violation and
5904 infringement of civil rights as the U.S. Supreme Court in *McDonald*
5905 and *Heller* has affirmed that no such document, permit, or license is
5906 required for a citizen to keep this type of weapon, or pretty much any
5907 other weapon in their home, or on their property. The allegations
5908 contained in paragraphs 1 through the current paragraph, are re-alleged
5909 and incorporated into this count as though fully set forth herein. The
5910 aforementioned and following Massachusetts General Laws, Statutes,
5911 and Regulation are invalid as applied to prohibit a private citizen who
5912 is otherwise eligible to possessing arms, firearms or from carrying a
5913 loaded and operable firearm, or other arms for the purpose of self-
5914 defense. The invalidities of the aforesaid and following statute and
5915 regulations, and Defendants’ application of same, infringe Plaintiffs’
5916 Second and Fourteenth Amendments right and damage Plaintiffs in
5917 violation of 42 U.S.C. § 1983. Thus, this is a blatant infringement and
5918 deprivation of civil rights of Plaintiff. This statute infringes the 2nd
5919 Amendment right to keep and bear arms, and the 14th Amendment
5920 privileges and immunities of U.S. citizenship, the “Equal Protections
5921 Clause” of the 14th Amendment, including but not limited to the
5922 Constitution of the United States, Article IV, Section 2, and is thus

5923 unlawful prior restraint, as well as a deprivation of the civil rights of
5924 the Plaintiff Atkinson. This statute as a whole, and also in sections or
5925 parts is unconstitutional, an infringement, and a deprivation of civil
5926 rights of Plaintiff Atkinson.

5927

5928 **COUNT NINETEEN - THE SECOND AMENDMENT**
5929 **INVALIDATES M.G.L. c. 140, § 129C TO THE EXTENT IT**
5930 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5931 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5932 **DEFENSE**
5933

5934 313. **M.G.L. c. 140, § 129C** is unconstitutional in that it provides a
5935 definition of “exempted persons and uses” which under clause (o)
5936 defines “any jurisdictions” in regards to military and police officers,
5937 and peace officers. The allegations contained in paragraphs 1 though
5938 the current paragraph, are re-alleged and incorporated into this count
5939 as though fully set forth herein. The aforementioned and following
5940 Massachusetts General Laws, Statutes, and Regulation are invalid as
5941 applied to prohibit a private citizen who is otherwise eligible to
5942 possessing arms, firearms or from carrying a loaded and operable
5943 firearm, or other arms for the purpose of self-defense. The invalidities
5944 of the aforesaid and following statute and regulations, and
5945 Defendants’ application of same, infringe Plaintiffs’ Second and

5946 Fourteenth Amendments right and damage Plaintiffs in violation of 42
5947 U.S.C. § 1983. This permits a “good old boy network” by which any
5948 police officer from well outside the boundaries of the Commonwealth
5949 may keep and bear arms inside the state, with no oversight of either
5950 local or State entities. This is a violation of the 14th amendment as an
5951 issue of “equal protection” as well as an “immunities and privileges
5952 issue” including but not limited to the 14th, and 2nd amendments. This
5953 statute infringes the 2nd Amendment right to keep and bear arms, and
5954 the 14th Amendment privileges and immunities of U.S. citizenship, the
5955 “Equal Protections Clause” of the 14th Amendment, including but not
5956 limited to the Constitution of the United States, Article IV, Section 2,
5957 and is thus unlawful prior restraint, as well as a deprivation of the civil
5958 rights of the Plaintiff Atkinson. This statute as a whole, and also in
5959 sections or parts is unconstitutional, an infringement, and a
5960 deprivation of civil rights of Plaintiff Atkinson.

5961

5962 314. **M.G.L. c. 140, § 129C, Section (f), and other sections of**
5963 **M.G.L. c. 140, § 129C**, is unconstitutional as it provides possession
5964 and “keeping and bearing of arms” by non-residents, children not
5965 even old enough to drive, aliens, and others, yet denies this same

5966 access to regular citizens of the Commonwealth. The allegations
5967 contained in paragraphs 1 through the current paragraph, are re-alleged
5968 and incorporated into this count as though fully set forth herein. The
5969 aforementioned and following Massachusetts General Laws, Statutes,
5970 and Regulation are invalid as applied to prohibit a private citizen who
5971 is otherwise eligible to possessing arms, firearms or from carrying a
5972 loaded and operable firearm, or other arms for the purpose of self-
5973 defense. The invalidities of the aforesaid and following statute and
5974 regulations, and Defendants' application of same, infringe Plaintiffs'
5975 Second and Fourteenth Amendments right and damage Plaintiffs in
5976 violation of 42 U.S.C. § 1983. This is a violation of the 14th
5977 amendment as an issue of "equal protection" as well as an
5978 "immunities and privileges issue" including but not limited to the 14th,
5979 and 2nd amendments. This statute infringes the 2nd Amendment right
5980 to keep and bear arms, and the 14th Amendment privileges and
5981 immunities of U.S. citizenship, the "Equal Protections Clause" of the
5982 14th Amendment, including but not limited to the Constitution of the
5983 United States, Article IV, Section 2, and is thus unlawful prior
5984 restraint, as well as a deprivation of the civil rights of the Plaintiff
5985 Atkinson. This statute as a whole, and also in sections or parts is

5986 unconstitutional, an infringement, and a deprivation of civil rights of
5987 Plaintiff Atkinson.

5988

5989 **COUNT TWENTY - THE SECOND AMENDMENT**
5990 **INVALIDATES M.G.L. c. 140, § 129D TO THE EXTENT IT**
5991 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
5992 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
5993 **DEFENSE. FURTHER M.G.L. c. 140, § 129D DEPRIVES**
5994 **PLAINTIFF OF DUE PROCESS**
5995

5996 315. **M.G.L. c. 140, § 129D**, is unconstitutional in that it requires the
5997 surrender of firearms and ammunition upon denial or revocation of
5998 any of several different varieties of Commonwealth firearms licenses,
5999 permits, schemes, and frauds. The allegations contained in paragraphs
6000 1 though the current paragraph, are re-alleged and incorporated into
6001 this count as though fully set forth herein. The aforementioned and
6002 following Massachusetts General Laws, Statutes, and Regulation are
6003 invalid as applied to prohibit a private citizen who is otherwise
6004 eligible to possessing arms, firearms or from carrying a loaded and
6005 operable firearm, or other arms for the purpose of self-defense. The
6006 invalidities of the aforesaid and following statute and regulations, and
6007 Defendants' application of same, infringe Plaintiffs' Second and
6008 Fourteenth Amendments right and damage Plaintiffs in violation of 42

6009 U.S.C. § 1983. This is an infringement of civil rights including but not
6010 limited to the 14th, 4th, and 2nd amendments. This statute infringes the
6011 2nd Amendment right to keep and bear arms, and the 14th Amendment
6012 privileges and immunities of U.S. citizenship, the “Equal Protections
6013 Clause” of the 14th Amendment, including but not limited to the
6014 Constitution of the United States, Article IV, Section 2, and is thus
6015 unlawful prior restraint, as well as a deprivation of the civil rights of
6016 the Plaintiff Atkinson. This statute as a whole, and also in sections or
6017 parts is unconstitutional, an infringement, and a deprivation of civil
6018 rights of Plaintiff Atkinson.

6019

6020 316. **M.G.L. c. 140, § 129D**, is unconstitutional in that it requires the
6021 surrender of firearms and ammunition “without delay,” but this time
6022 period is not dictated anywhere in Chapter 140, and in fact the only
6023 place in entirety of Massachusetts General Law where the time period
6024 of “without delay” is even remotely approached is in Chapter 12,
6025 Section 28 where it is given as "within sixty days" is illegal, and an
6026 infringement of the civil rights of the Plaintiff. The allegations
6027 contained in paragraphs 1 though the current paragraph, are re-alleged
6028 and incorporated into this count as though fully set forth herein. The

6029 aforementioned and following Massachusetts General Laws, Statutes,
6030 and Regulation are invalid as applied to prohibit a private citizen who
6031 is otherwise eligible to possessing arms, firearms or from carrying a
6032 loaded and operable firearm, or other arms for the purpose of self-
6033 defense. The invalidities of the aforesaid and following statute and
6034 regulations, and Defendants’ application of same, infringe Plaintiffs’
6035 Second and Fourteenth Amendments right and damage Plaintiffs in
6036 violation of 42 U.S.C. § 1983. Thus, any attempt by the
6037 Commonwealth or any law enforcement agency to compel the
6038 immediate surrender of firearms on the spot, or within 6 hours, 12,
6039 hours, 24, hours, 48 hours, 72 hours, or in any amount of time of less
6040 than “within sixty days”. Further Massachusetts General law allows
6041 for a 90 day appeal period of any revocation or suspension, and even
6042 allows for a “license to carry” or “firearms identification card” to
6043 remains active for 90 days beyond the expiration date, thus “without
6044 delay” is arbitrarily defined by statute as some period of time well
6045 beyond 60 days, but less then 91 days”. The lack of the M.G.L. c. 140,
6046 § 129D to specify a number of hours, days, or weeks is a violation of
6047 the 4th, 9th, 14th, and 2nd Amendments and an infringement and
6048 deprivations of the civil rights of anybody whom the police or the

6049 state may lawfully or unlawfully revoke or suspend the right to keep
6050 or the bear arms. This statute infringes the 2nd Amendment right to
6051 keep and bear arms, and the 14th Amendment privileges and
6052 immunities of U.S. citizenship, the “Equal Protections Clause” of the
6053 14th Amendment, including but not limited to the Constitution of the
6054 United States, Article IV, Section 2, and is thus unlawful prior
6055 restraint, as well as a deprivation of the civil rights of the Plaintiff
6056 Atkinson. This statute as a whole, and also in sections or parts is
6057 unconstitutional, an infringement, and a deprivation of civil rights of
6058 Plaintiff Atkinson.

6059

6060 **COUNT TWENTY ONE - M.G.L. c. 140, § 130B(b) IN THAT IT IS**
6061 **A VIOLATION OF 18 USC 922 AND 18 USC 921, AND IT**
6062 **ENDANGERS THE SAFETY OF THE PLAINTIFF AND THE**
6063 **PUBLIC**
6064

6065 317. **M.G.L. c. 140, § 130B(b)** is unconstitutional and is a violation of
6066 18 USC 922 and 18 USC 921, wherein felons are banned for life
6067 under Federal law from regaining access to firearms by way of “The
6068 Board” including but not limited to the Secretary of Public Safety,
6069 Colonel of the State Police, the Attorney General, and others. The
6070 allegations contained in paragraphs 1 through the current paragraph,

6071 are re-alleged and incorporated into this count as though fully set forth
6072 herein. The aforementioned and following Massachusetts General
6073 Laws, Statutes, and Regulation are invalid as applied to prohibit a
6074 private citizen who is otherwise eligible to possessing arms, firearms
6075 or from carrying a loaded and operable firearm, or other arms for the
6076 purpose of self-defense. The invalidities of the aforesaid and
6077 following statute and regulations, and Defendants’ application of
6078 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
6079 and damage Plaintiffs in violation of 42 U.S.C. § 1983. The seven
6080 members of this “board” are violating federal law and committing
6081 misprision of a felony, and criminal conspiracy by permitting
6082 dangerous felons as well as “reformed” to obtain Commonwealth
6083 sanctioned, albeit Federally forbidden access to arms. This is an
6084 infringement of civil rights of law abiding (non-felons) including but
6085 not limited to the 14th, 9th, and 2nd amendments. This statute infringes
6086 the 2nd Amendment right to keep and bear arms, and the 14th
6087 Amendment privileges and immunities of U.S. citizenship, the “Equal
6088 Protections Clause” of the 14th Amendment, including but not limited
6089 to the Constitution of the United States, Article IV, Section 2, and is
6090 thus unlawful prior restraint, as well as a deprivation of the civil rights

6091 of the Plaintiff Atkinson. This statute as a whole, and also in sections
6092 or parts is unconstitutional, an infringement, and a deprivation of civil
6093 rights of Plaintiff Atkinson.

6094

6095 **COUNT TWENTY TWO - THE SECOND AMENDMENT**
6096 **INVALIDATES M.G.L. c. 140, § 131 TO THE EXTENT IT**
6097 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6098 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6099 **DEFENSE. FURTHER M.G.L. c. 140, § 131 DEPRIVES**
6100 **PLAINTIFF OF DUE PROCESS**
6101

6102 318. **M.G.L. c. 140, § 131** is unconstitutional in that it does not afford
6103 sufficient due process with respect to the revocation or suspension of
6104 firearms licenses and the rights of Massachusetts citizens to keep and
6105 bear arms, and thus is an infringement and deprivation of civil rights
6106 of Plaintiff. The allegations contained in paragraphs 1 through the
6107 current paragraph, are re-alleged and incorporated into this count as
6108 though fully set forth herein. The aforementioned and following
6109 Massachusetts General Laws, Statutes, and Regulation are invalid as
6110 applied to prohibit a private citizen who is otherwise eligible to
6111 possessing arms, firearms or from carrying a loaded and operable
6112 firearm, or other arms for the purpose of self-defense. The invalidities
6113 of the aforesaid and following statute and regulations, and

6114 Defendants' application of same, infringe Plaintiffs' Second and
6115 Fourteenth Amendments right and damage Plaintiffs in violation of 42
6116 U.S.C. § 1983. Further this section violates the keeping and bearing
6117 arms and is in conflict with the decisions of the Supreme Court of the
6118 United States in *McDonald v. Chicago*, 561 U.S. ___, 130 S.Ct. 3020
6119 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570
6120 (2008), Massachusetts Constitution Part The First, Article XVII; the
6121 U.S. Constitution as a whole; the U.S. Constitution, Amendment II
6122 (also known as the Second Amendment); and the U.S. Constitution,
6123 Amendment XIV (also known as the Fourteenth Amendment); the Ku
6124 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983
6125 (also called "section 1983"), and other relevant laws, as a violation
6126 and infringement of civil rights. This statute infringes the 2nd
6127 Amendment right to keep and bear arms, and the 14th Amendment
6128 privileges and immunities of U.S. citizenship, the "Equal Protections
6129 Clause" of the 14th Amendment, including but not limited to the
6130 Constitution of the United States, Article IV, Section 2, and is thus
6131 unlawful prior restraint, as well as a deprivation of the civil rights of
6132 the Plaintiff Atkinson. This statute as a whole, and also in sections or
6133 parts is unconstitutional, an infringement, and a deprivation of civil

6134 rights of Plaintiff Atkinson.

6135

6136 **COUNT TWENTY THREE - THE SECOND AMENDMENT**
6137 **INVALIDATES M.G.L. c. 140, § 131A TO THE EXTENT IT**
6138 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6139 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6140 **DEFENSE. FURTHER M.G.L. c. 140, § 131A DEPRIVES**
6141 **PLAINTIFF OF DUE PROCESS**
6142

6143 319. **M.G.L. c. 140, § 131A** is unconstitutional in that it does not afford
6144 sufficient due process with respect to the revocation or suspension of
6145 firearms licenses and the rights of Massachusetts citizens to keep and
6146 bear arms, and thus is an infringement and deprivation of civil rights
6147 of Plaintiff. The allegations contained in paragraphs 1 through the
6148 current paragraph, are re-alleged and incorporated into this count as
6149 though fully set forth herein. The aforementioned and following
6150 Massachusetts General Laws, Statutes, and Regulation are invalid as
6151 applied to prohibit a private citizen who is otherwise eligible to
6152 possessing arms, firearms or from carrying a loaded and operable
6153 firearm, or other arms for the purpose of self-defense. The invalidities
6154 of the aforesaid and following statute and regulations, and
6155 Defendants' application of same, infringe Plaintiffs' Second and
6156 Fourteenth Amendments right and damage Plaintiffs in violation of 42

6157 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
6158 and bear arms, and the 14th Amendment privileges and immunities of
6159 U.S. citizenship, the “Equal Protections Clause” of the 14th
6160 Amendment, including but not limited to the Constitution of the
6161 United States, Article IV, Section 2, and is thus unlawful prior
6162 restraint, as well as a deprivation of the civil rights of the Plaintiff
6163 Atkinson. This statute as a whole, and also in sections or parts is
6164 unconstitutional, an infringement, and a deprivation of civil rights of
6165 Plaintiff Atkinson.

6166

6167 **COUNT TWENTY FOUR - THE SECOND AMENDMENT**
6168 **INVALIDATES M.G.L. c. 140, § 131C(a-e) TO THE EXTENT IT**
6169 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6170 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6171 **DEFENSE. FURTHER M.G.L. c. 140, § 131C(a-e) DEPRIVES**
6172 **PLAINTIFF OF DUE PROCESS**
6173

6174 320. **M.G.L. c. 140, § 131C(a-e)** is unconstitutional and unlawfully
6175 restricts certain weapons by model number and/or style, which are
6176 particularly useful for vehicle defense from being loaded while being
6177 carried by people in vehicles. Section 131C in its entirety is thus an
6178 infringement and deprivation of civil rights of Plaintiff. The
6179 allegations contained in paragraphs 1 through the current paragraph,

6180 are re-alleged and incorporated into this count as though fully set forth
6181 herein. The aforementioned and following Massachusetts General
6182 Laws, Statutes, and Regulation are invalid as applied to prohibit a
6183 private citizen who is otherwise eligible to possessing arms, firearms
6184 or from carrying a loaded and operable firearm, or other arms for the
6185 purpose of self-defense. The invalidities of the aforesaid and
6186 following statute and regulations, and Defendants’ application of
6187 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
6188 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
6189 infringes the 2nd Amendment right to keep and bear arms, and the 14th
6190 Amendment privileges and immunities of U.S. citizenship, the “Equal
6191 Protections Clause” of the 14th Amendment, including but not limited
6192 to the Constitution of the United States, Article IV, Section 2, and is
6193 thus unlawful prior restraint, as well as a deprivation of the civil rights
6194 of the Plaintiff Atkinson. This statute as a whole, and also in sections
6195 or parts is unconstitutional, an infringement, and a deprivation of civil
6196 rights of Plaintiff Atkinson.

6197

6198 **COUNT TWENTY FIVE - THE SECOND AMENDMENT**
6199 **INVALIDATES M.G.L. c. 140, § 131E TO THE EXTENT IT**
6200 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6201 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**

**DEFENSE. FURTHER M.G.L. c. 140, § 131E DEPRIVES
PLAINTIFF OF DUE PROCESS**

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321. **M.G.L. c. 140, § 131E** is unconstitutional and violates the keeping and bearing arms and is in conflict with the decisions of the Supreme Court of the *United States in McDonald v. Chicago*, 561 U.S. ____, 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The First, Article XVII; the U.S. Constitution as a whole; the U.S. Constitution, Amendment II (also known as the Second Amendment); and the U.S. Constitution, Amendment XIV (also known as the Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other relevant laws, as a violation and infringement of civil rights. The allegations contained in paragraphs 1 through the current paragraph, are re-alleged and incorporated into this count as though fully set forth herein. The aforementioned and following Massachusetts General Laws, Statutes, and Regulation are invalid as applied to prohibit a private citizen who is otherwise eligible to possessing arms, firearms or from carrying a loaded and operable firearm, or other arms for the purpose of self-defense. The invalidities of the aforesaid and following statute and

6223 regulations, and Defendants’ application of same, infringe Plaintiffs’
6224 Second and Fourteenth Amendments right and damage Plaintiffs in
6225 violation of 42 U.S.C. § 1983. This statute infringes the 2nd
6226 Amendment right to keep and bear arms, and the 14th Amendment
6227 privileges and immunities of U.S. citizenship, the “Equal Protections
6228 Clause” of the 14th Amendment, including but not limited to the
6229 Constitution of the United States, Article IV, Section 2, and is thus
6230 unlawful prior restraint, as well as a deprivation of the civil rights of
6231 the Plaintiff Atkinson. This statute as a whole, and also in sections or
6232 parts is unconstitutional, an infringement, and a deprivation of civil
6233 rights of Plaintiff Atkinson

6234

6235 **COUNT TWENTY SIX - THE SECOND AMENDMENT**
6236 **INVALIDATES M.G.L. c. 140, § 131K TO THE EXTENT IT**
6237 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6238 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6239 **DEFENSE. FURTHER M.G.L. c. 140, § 131K DEPRIVES**
6240 **PLAINTIFF OF DUE PROCESS**
6241

6242 322. **M.G.L. c. 140, § 131K** is unconstitutional and violates the
6243 keeping and bearing arms and is in conflict with the decisions of the
6244 Supreme Court of the United States in *McDonald v. Chicago*, 561
6245 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*

6246 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
6247 First, Article XVII; the U.S. Constitution as a whole; the U.S.
6248 Constitution, Amendment II (also known as the Second Amendment);
6249 and the U.S. Constitution, Amendment XIV (also known as the
6250 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
6251 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
6252 relevant laws, as a violation and infringement of civil rights. The
6253 allegations contained in paragraphs 1 through the current paragraph,
6254 are re-alleged and incorporated into this count as though fully set forth
6255 herein. The aforementioned and following Massachusetts General
6256 Laws, Statutes, and Regulation are invalid as applied to prohibit a
6257 private citizen who is otherwise eligible to possessing arms, firearms
6258 or from carrying a loaded and operable firearm, or other arms for the
6259 purpose of self-defense. The invalidities of the aforesaid and
6260 following statute and regulations, and Defendants' application of
6261 same, infringe Plaintiffs' Second and Fourteenth Amendments right
6262 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
6263 infringes the 2nd Amendment right to keep and bear arms, and the 14th
6264 Amendment privileges and immunities of U.S. citizenship, the "Equal
6265 Protections Clause" of the 14th Amendment, including but not limited

6266 to the Constitution of the United States, Article IV, Section 2, and is
6267 thus unlawful prior restraint, as well as a deprivation of the civil rights
6268 of the Plaintiff Atkinson. This statute as a whole, and also in sections
6269 or parts is unconstitutional, an infringement, and a deprivation of civil
6270 rights of Plaintiff Atkinson.

6271

6272 **COUNT TWENTY SEVEN - THE SECOND AMENDMENT**
6273 **INVALIDATES M.G.L. c. 140, § 131 3/4 TO THE EXTENT IT**
6274 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6275 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6276 **DEFENSE. FURTHER M.G.L. c. 140, § 131 3/4 DEPRIVES**
6277 **PLAINTIFF OF DUE PROCESS**
6278

6279 323. **M.G.L. c. 140, § 131 3/4** is unconstitutional and the
6280 Commonwealth has not to date published or distributed a roster “in
6281 newspapers **of general circulation throughout** the Commonwealth”
6282 a listing of large capacity rifles, shotguns, firearms, and feeding
6283 devices, beyond perhaps burying a tiny, essentially invisible listing
6284 hidden in the pages of a section barely read by readers, of less than
6285 mainstream papers and in fact published in such limited size scope,
6286 and publications that in essence it went unpublished as defined by and
6287 required in section 131 3/4 . The allegations contained in paragraphs 1
6288 though the current paragraph, are re-alleged and incorporated into this

6289 count as though fully set forth herein. The aforementioned and
6290 following Massachusetts General Laws, Statutes, and Regulation are
6291 invalid as applied to prohibit a private citizen who is otherwise
6292 eligible to possessing arms, firearms or from carrying a loaded and
6293 operable firearm, or other arms for the purpose of self-defense. The
6294 invalidities of the aforesaid and following statute and regulations, and
6295 Defendants’ application of same, infringe Plaintiffs’ Second and
6296 Fourteenth Amendments right and damage Plaintiffs in violation of 42
6297 U.S.C. § 1983. Even with such a publication, even if such a roster of
6298 devices was published as provided in this section, it would remain a
6299 violation of Constitutional law to restrict such ownership or keeping
6300 such arms in any way. This is a scheme to defraud the public, and to
6301 infringe upon the 2nd, 9th, and 14th amendments, and other civil rights.
6302 This statute infringes the 2nd Amendment right to keep and bear arms,
6303 and the 14th Amendment privileges and immunities of U.S.
6304 citizenship, the “Equal Protections Clause” of the 14th Amendment,
6305 including but not limited to the Constitution of the United States,
6306 Article IV, Section 2, and is thus unlawful prior restraint, as well as a
6307 deprivation of the civil rights of the Plaintiff Atkinson.

6308

6309 **COUNT TWENTY EIGHT - THE SECOND AMENDMENT**
6310 **INVALIDATES M.G.L. c. 140, § 131L TO THE EXTENT IT**
6311 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6312 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6313 **DEFENSE. FURTHER M.G.L. c. 140, § 131L DEPRIVES**
6314 **PLAINTIFF OF DUE PROCESS**
6315

6316 324. **M.G.L. c. 140, § 131L** is unconstitutional and violates Federal
6317 laws and Constitutional Amendments regarding the keeping and
6318 bearing arms and is in open conflict with the decisions of the Supreme
6319 Court of the *United States in McDonald v. Chicago*, 561 U.S. ____,
6320 130 S.Ct. 3020 (2010), and also in *District of Columbia v. Heller*, 554
6321 U.S. 570 (2008), Massachusetts Constitution Part The First, Article
6322 XVII; the U.S. Constitution as a whole; the U.S. Constitution,
6323 Amendment II (also known as the Second Amendment); and the U.S.
6324 Constitution, Amendment XIV (also known as the Fourteenth
6325 Amendment); the Ku Klux Klan Act (or the Civil Rights Act of 1871);
6326 42 U.S.C. § 1983 (also called "section 1983"), and other relevant
6327 laws, as a violation, deprivation and infringement of civil rights. The
6328 allegations contained in paragraphs 1 through the current paragraph,
6329 are re-alleged and incorporated into this count as though fully set forth
6330 herein. The aforementioned and following Massachusetts General
6331 Laws, Statutes, and Regulation are invalid as applied to prohibit a

6332 private citizen who is otherwise eligible to possessing arms, firearms
6333 or from carrying a loaded and operable firearm, or other arms for the
6334 purpose of self-defense. The invalidities of the aforesaid and
6335 following statute and regulations, and Defendants’ application of
6336 same, infringe Plaintiffs’ Second and Fourteenth Amendments right
6337 and damage Plaintiffs in violation of 42 U.S.C. § 1983. This statute
6338 infringes the 2nd Amendment right to keep and bear arms, and the 14th
6339 Amendment privileges and immunities of U.S. citizenship, the “Equal
6340 Protections Clause” of the 14th Amendment, including but not limited
6341 to the Constitution of the United States, Article IV, Section 2, and is
6342 thus unlawful prior restraint, as well as a deprivation of the civil rights
6343 of the Plaintiff Atkinson. This statute as a whole, and also in sections
6344 or parts is unconstitutional, an infringement, and a deprivation of civil
6345 rights of Plaintiff Atkinson.

6346

6347 **COUNT TWENTY NINE - THE SECOND AMENDMENT**
6348 **INVALIDATES M.G.L. c. 140, § 131M TO THE EXTENT IT**
6349 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6350 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6351 **DEFENSE. FURTHER M.G.L. c. 140, § 131M DEPRIVES**
6352 **PLAINTIFF OF DUE PROCESS**
6353

6354 325. **M.G.L. c. 140, § 131M** is unconstitutional and violates the

6355 keeping and bearing arms and is in conflict with the decisions of the
6356 Supreme Court of the *United States in McDonald v. Chicago*, 561
6357 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
6358 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
6359 First, Article XVII; the U.S. Constitution as a whole; the U.S.
6360 Constitution, Amendment II (also known as the Second Amendment);
6361 and the U.S. Constitution, Amendment XIV (also known as the
6362 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
6363 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
6364 relevant laws, as a violation, deprivation and infringement of civil
6365 rights. The allegations contained in paragraphs 1 though the current
6366 paragraph, are re-alleged and incorporated into this count as though
6367 fully set forth herein. The aforementioned and following
6368 Massachusetts General Laws, Statutes, and Regulation are invalid as
6369 applied to prohibit a private citizen who is otherwise eligible to
6370 possessing arms, firearms or from carrying a loaded and operable
6371 firearm, or other arms for the purpose of self-defense. The invalidities
6372 of the aforesaid and following statute and regulations, and
6373 Defendants' application of same, infringe Plaintiffs' Second and
6374 Fourteenth Amendments right and damage Plaintiffs in violation of 42

6375 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
6376 and bear arms, and the 14th Amendment privileges and immunities of
6377 U.S. citizenship, the “Equal Protections Clause” of the 14th
6378 Amendment, including but not limited to the Constitution of the
6379 United States, Article IV, Section 2, and is thus unlawful prior
6380 restraint, as well as a deprivation of the civil rights of the Plaintiff
6381 Atkinson. This statute as a whole, and also in sections or parts is
6382 unconstitutional, an infringement, and a deprivation of civil rights of
6383 Plaintiff Atkinson.

6384

6385 **COUNT THIRTY - THE SECOND AMENDMENT INVALIDATES**
6386 **M.G.L. c. 140, § 131M TO THE EXTENT IT PREVENTS**
6387 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
6388 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE.**
6389 **FURTHER M.G.L. c. 140, § 131M DEPRIVES PLAINTIFF OF**
6390 **DUE PROCESS AND EQUAL PROTECTIONS**
6391

6392 326. **M.G.L. c. 140, § 131M** is unconstitutional and further creates an
6393 Orwellian “more privileged, but equal” level of citizen in the form of
6394 retired law enforcement officers, which violates the equal protections
6395 of the 14th amendment. Hence, all citizens are equal in the eyes of the
6396 law, and no persons respective of their prior occupation(s) are “more
6397 equal” by virtual of a gold watch or gold badge. The allegations

6398 contained in paragraphs 1 though the current paragraph, are re-alleged
6399 and incorporated into this count as though fully set forth herein. The
6400 aforementioned and following Massachusetts General Laws, Statutes,
6401 and Regulation are invalid as applied to prohibit a private citizen who
6402 is otherwise eligible to possessing arms, firearms or from carrying a
6403 loaded and operable firearm, or other arms for the purpose of self-
6404 defense. The invalidities of the aforesaid and following statute and
6405 regulations, and Defendants' application of same, infringe Plaintiffs'
6406 Second and Fourteenth Amendments right and damage Plaintiffs in
6407 violation of 42 U.S.C. § 1983. This section (and other related statutes)
6408 is in conflict with the decisions of the Supreme Court of the United
6409 States in *McDonald v. Chicago*, 561 U.S. ___, 130 S.Ct. 3020 (2010),
6410 and also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),
6411 Massachusetts Constitution Part The First, Article XVII; the U.S.
6412 Constitution as a whole; the U.S. Constitution, Amendment II (also
6413 known as the Second Amendment); and the U.S. Constitution,
6414 Amendment XIV (also known as the Fourteenth Amendment); the Ku
6415 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983
6416 (also called "section 1983"), and other relevant laws, as a violation,
6417 deprivation and infringement of civil rights. This statute infringes the

6418 2nd Amendment right to keep and bear arms, and the 14th Amendment
6419 privileges and immunities of U.S. citizenship, the “Equal Protections
6420 Clause” of the 14th Amendment, and is thus unlawful prior restraint,
6421 as well as a deprivation of the civil rights of the Plaintiff Atkinson.
6422 This statute as a whole, and also in sections or parts is
6423 unconstitutional, an infringement, and a deprivation of civil rights of
6424 Plaintiff Atkinson.

6425

6426 **COUNT THIRTY ONE - THE SECOND AMENDMENT**
6427 **INVALIDATES M.G.L. c. 140, § 131N TO THE EXTENT IT**
6428 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6429 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6430 **DEFENSE. FURTHER M.G.L. c. 140, § 131N DEPRIVES**
6431 **PLAINTIFF OF DUE PROCESS**
6432

6433 327. **M.G.L. c. 140, § 131N** is unconstitutional and violates the keeping
6434 and bearing covert arms and is in conflict with the decisions of the
6435 Supreme Court of the United States in *McDonald v. Chicago*, 561
6436 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia v.*
6437 *Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
6438 First, Article XVII; the U.S. Constitution as a whole; the U.S.
6439 Constitution, Amendment II (also known as the Second Amendment);
6440 and the U.S. Constitution, Amendment XIV (also known as the

6441 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
6442 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
6443 relevant laws, as a violation, deprivation and infringement of civil
6444 rights. The allegations contained in paragraphs 1 through the current
6445 paragraph, are re-alleged and incorporated into this count as though
6446 fully set forth herein. The aforementioned and following
6447 Massachusetts General Laws, Statutes, and Regulation are invalid as
6448 applied to prohibit a private citizen who is otherwise eligible to
6449 possessing arms, firearms or from carrying a loaded and operable
6450 firearm, or other arms for the purpose of self-defense. The invalidities
6451 of the aforesaid and following statute and regulations, and
6452 Defendants' application of same, infringe Plaintiffs' Second and
6453 Fourteenth Amendments right and damage Plaintiffs in violation of 42
6454 U.S.C. § 1983. This statute infringes the 2nd Amendment right to keep
6455 and bear arms, and the 14th Amendment privileges and immunities of
6456 U.S. citizenship, the "Equal Protections Clause" of the 14th
6457 Amendment, including but not limited to the Constitution of the
6458 United States, Article IV, Section 2, and is thus unlawful prior
6459 restraint, as well as a deprivation of the civil rights of the Plaintiff
6460 Atkinson. This statute as a whole, and also in sections or parts is

6461 unconstitutional, an infringement, and a deprivation of civil rights of
6462 Plaintiff Atkinson.

6463

6464 **COUNT THIRTY TWO - THE SECOND AMENDMENT**
6465 **INVALIDATES M.G.L. c. 140, § 131P TO THE EXTENT IT**
6466 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6467 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6468 **DEFENSE.**
6469

6470 328. **M.G.L. c. 140, § 131P** is unconstitutional and is a licensing
6471 scheme with little or no bona fide reason to exist other than to harvest
6472 a record of citizens who may attend such training so that their right to
6473 keep or bear arms may be infringed upon at some future date. The
6474 allegations contained in paragraphs 1 through the current paragraph,
6475 are re-alleged and incorporated into this count as though fully set forth
6476 herein. The aforementioned and following Massachusetts General
6477 Laws, Statutes, and Regulation are invalid as applied to prohibit a
6478 private citizen who is otherwise eligible to possessing arms, firearms
6479 or from carrying a loaded and operable firearm, or other arms for the
6480 purpose of self-defense. The invalidities of the aforesaid and
6481 following statute and regulations, and Defendants' application of
6482 same, infringe Plaintiffs' Second and Fourteenth Amendments right
6483 and damage Plaintiffs in violation of 42 U.S.C. § 1983. The statute

6484 fails to state any standard of training, duration of training, records
6485 keeping requirements, or any legitimate method of instruction, or any
6486 other outline or syllabus but which such a course or orientation would
6487 be taught. This statute, is an utter farce, overly vague, and violates the
6488 keeping and bearing covert arms and is in conflict with the decisions
6489 of the Supreme Court of the United States in *McDonald v. Chicago*,
6490 561 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of Columbia*
6491 *v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution Part The
6492 First, Article XVII; the U.S. Constitution as a whole; the U.S.
6493 Constitution, Amendment II (also known as the Second Amendment);
6494 and the U.S. Constitution, Amendment XIV (also known as the
6495 Fourteenth Amendment); the Ku Klux Klan Act (or the Civil Rights
6496 Act of 1871); 42 U.S.C. § 1983 (also called "section 1983"), and other
6497 relevant laws, as a violation, deprivation and infringement of civil
6498 rights. This statute infringes the 2nd Amendment right to keep and bear
6499 arms, and the 14th Amendment privileges and immunities of U.S.
6500 citizenship, the "Equal Protections Clause" of the 14th Amendment,
6501 including but not limited to the Constitution of the United States,
6502 Article IV, Section 2, and is thus unlawful prior restraint, as well as a
6503 deprivation of the civil rights of the Plaintiff Atkinson. This statute as

6504 a whole, and also in sections or parts is unconstitutional, an
6505 infringement, and a deprivation of civil rights of Plaintiff Atkinson.

6506

6507 **COUNT THIRTY THREE - THE SECOND AMENDMENT**
6508 **INVALIDATES M.G.L. c. 269, § 10 TO THE EXTENT IT**
6509 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6510 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6511 **DEFENSE.**
6512

6513 329. **M.G.L. c. 269, § 10** is unconstitutional and is overly vague, and
6514 violates the keeping and bearing various types of arms and is in
6515 conflict with the decisions of the Supreme Court of the United States
6516 in *McDonald v. Chicago*, 561 U.S. ___, 130 S.Ct. 3020 (2010), and
6517 also in *District of Columbia v. Heller*, 554 U.S. 570 (2008),
6518 Massachusetts Constitution Part The First, Article XVII; the U.S.
6519 Constitution as a whole; the U.S. Constitution, Amendment II (also
6520 known as the Second Amendment); and the U.S. Constitution,
6521 Amendment XIV (also known as the Fourteenth Amendment); the Ku
6522 Klux Klan Act (or the Civil Rights Act of 1871); 42 U.S.C. § 1983
6523 (also called "section 1983"), and other relevant laws, as a violation,
6524 deprivation and infringement of civil rights. The allegations contained
6525 in paragraphs 1 through the current paragraph, are re-alleged and
6526 incorporated into this count as though fully set forth herein. The

6527 aforementioned and following Massachusetts General Laws, Statutes,
6528 and Regulation are invalid as applied to prohibit a private citizen who
6529 is otherwise eligible to possessing arms, firearms or from carrying a
6530 loaded and operable firearm, or other arms for the purpose of self-
6531 defense. The invalidities of the aforesaid and following statute and
6532 regulations, and Defendants’ application of same, infringe Plaintiffs’
6533 Second and Fourteenth Amendments right and damage Plaintiffs in
6534 violation of 42 U.S.C. § 1983. This statute infringes the 2nd
6535 Amendment right to keep and bear arms, and the 14th Amendment
6536 privileges and immunities of U.S. citizenship, the “Equal Protections
6537 Clause” of the 14th Amendment, including but not limited to the
6538 Constitution of the United States, Article IV, Section 2, and is thus
6539 unlawful prior restraint, as well as a deprivation of the civil rights of
6540 the Plaintiff Atkinson. This statute as a whole, and also in sections or
6541 parts is unconstitutional, an infringement, and a deprivation of civil
6542 rights of Plaintiff Atkinson.

6543
6544 330. **M.G.L. c. 269, § 10(m)** allows all citizens to possess and carry
6545 arms as authorized by the U.S. Constitution, Amendment II (also
6546 known as the Second Amendment) is in fact a “statue” as defined in

6547 paragraph (m), the U.S. Constitution, Amendment XIV (also known
6548 as the Fourteenth Amendment) expands the 2nd Amendment and
6549 applies to all citizens of the Commonwealth, and to all Citizens of the
6550 United States as an unqualified right onto which the government can
6551 not and shall not infringe. Thusly, where **M.G.L. c. 269, § 10(m)**
6552 refers to “all people not exempted by statute,” this in reality includes
6553 all law abiding citizens of the Commonwealth, not merely the chosen
6554 few who a “licensing authority” arbitrarily decides may or may not
6555 possess firearms, or even a certain class or type of firearm or
6556 ammunition. This section is unconstitutional and violates the 14th, 9th,
6557 and 2nd Amendments, and other relevant laws, as a violation,
6558 deprivation, and infringement of civil rights. This statute infringes the
6559 2nd Amendment right to keep and bear arms, and the 14th Amendment
6560 privileges and immunities of U.S. citizenship, the “Equal Protections
6561 Clause” of the 14th Amendment, including but not limited to the
6562 Constitution of the United States, Article IV, Section 2, and is thus
6563 unlawful prior restraint, as well. This statute as a whole, and also in
6564 sections or parts is unconstitutional, an infringement, and a
6565 deprivation of civil rights of Plaintiff Atkinson as a deprivation of the
6566 civil rights of the Plaintiff Atkinson.

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**COUNT THIRTY FOUR - THE SECOND AMENDMENT
INVALIDATES M.G.L. c. 269, § 10 TO THE EXTENT IT
PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING
AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-
DEFENSE.**

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331. **M.G.L. c. 269, § 10** is unconstitutional in that it bans a useful type of arm called a “silencer,” and while the Statue is flawed with its technical description of such an arm or accessory to an arm, they are nonetheless useful for lawful defense of the home, or business, so much so that SWAT teams and tactical entry teams routinely utilize this devices and related arms in order to protect their hearing in order to provide a tactical advantage. The allegations contained in paragraphs 1 though the current paragraph, are re-alleged and incorporated into this count as though fully set forth herein. The aforementioned and following Massachusetts General Laws, Statutes, and Regulation are invalid as applied to prohibit a private citizen who is otherwise eligible to possessing arms, firearms or from carrying a loaded and operable firearm, or other arms for the purpose of self-defense. The invalidities of the aforesaid and following statute and regulations, and Defendants’ application of same, infringe Plaintiffs’ Second and Fourteenth Amendments right and damage Plaintiffs in

6590 violation of 42 U.S.C. § 1983. These arms or attachments to arms
6591 exist and are used as hearing protection devices both by the police, by
6592 the military, and by law-abiding citizens. The Commonwealth has no
6593 legitimate reason to ban such a useful arm or attachment, when it is
6594 recognized so universally as being so useful in home or business
6595 defense situations. The statute is overly vague, and violates the
6596 keeping and bearing various types of arms and is in conflict with the
6597 decisions of the Supreme Court of the United States in *McDonald v.*
6598 *Chicago*, 561 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District of*
6599 *Columbia v. Heller*, 554 U.S. 570 (2008), Massachusetts Constitution
6600 Part The First, Article XVII; the U.S. Constitution as a whole; the
6601 U.S. Constitution, Amendment II (also known as the Second
6602 Amendment); and the U.S. Constitution, Amendment XIV (also
6603 known as the Fourteenth Amendment); the Ku Klux Klan Act (or the
6604 Civil Rights Act of 1871); 42 U.S.C. § 1983 (also called "section
6605 1983"), and other relevant laws, as a violation, deprivation and
6606 infringement of civil rights. This statute infringes the 2nd Amendment
6607 right to keep and bear arms, and the 14th Amendment privileges and
6608 immunities of U.S. citizenship, the "Equal Protections Clause" of the
6609 14th Amendment, including but not limited to the Constitution of the

6610 United States, Article IV, Section 2, and is thus unlawful prior
6611 restraint, as well as a deprivation of the civil rights of the Plaintiff
6612 Atkinson. This statute as a whole, and also in sections or parts is
6613 unconstitutional, an infringement, and a deprivation of civil rights of
6614 Plaintiff Atkinson.

6615

6616 **COUNT THIRTY FIVE - M.G.L. c. 111C AND 105 CMR 170.750**
6617 **DEPRIVES PLAINTIFF OF DUE PROCESS, EQUAL**
6618 **PROTECTIONS, FIFTH AMENDMENT RIGHTS, SIXTH**
6619 **AMENDMENT RIGHTS, SEVENTH AMENDMENT RIGHTS.**
6620

6621 332. **M.G.L. c 111C** is unconstitutional in that it provides mechanism
6622 by which (under **105 CMR 170.750**) the Commonwealth may revoke
6623 the professional licenses and medical credentials of Emergency
6624 Medical Technicians on an arbitrary, vague, and capricious manner
6625 under a mere accusation of a act, absent any probable cause, absent
6626 any tangible proof the act actually took place, absent any form of
6627 probable cause hearing, absent any form of dangerousness hearing,
6628 absent any scientific proof, absent any examination of the evidence,
6629 absent the cross examination of witness or accusers, no ability to cross
6630 examine witnesses, nor to refute the charges, or to examine
6631 documents, or evidence which the state may hold before such a

6632 suspension is imposed. The allegations contained in paragraphs 1
6633 though the current paragraph, are re-alleged and incorporated into this
6634 count as though fully set forth herein. The aforementioned and
6635 following Massachusetts General Laws, Statutes, and Regulation are
6636 invalid. The invalidities of the aforesaid and following statute and
6637 regulations, and Defendants' application of same, infringe Plaintiffs'
6638 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. In
6639 reality, the State revokes or suspends the licenses of certain EMT's
6640 when it is politically beneficial for them to do so, absent any actual
6641 evidence of wrong doing, and places the burden of proving innocence
6642 upon the person on whom the State is depriving of civil rights. This
6643 statute and/or regulation is an affront to 5th Amendment, 6th
6644 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6645 including but not limited to the Constitution of the United States,
6646 Article IV, Section 2, and is a violation of civil rights, and deprivation
6647 of the civil rights of the Plaintiff Atkinson. Further, as the State is
6648 depriving patients of the services of a qualified volunteer Emergency
6649 Medical Technician in his community, the deprivation extends to the
6650 patients of Plaintiff Atkinson (acting as an EMT) as he is not allowed
6651 to render emergency care, and in fact the State is needless prolonging

6652 the pain and suffering, and promoting the death to citizens in need of
6653 emergency medical services, thus in turn depriving them of their civil
6654 rights. This statute as a whole, and also in sections or parts is
6655 unconstitutional, an infringement, and a deprivation of civil rights of
6656 Plaintiff Atkinson.

6657

6658 **COUNT THIRTY SIX - M.G.L. c. 30Ac § 2 AND 105 CMR 170.750**
6659 **DEPRIVES PLAINTIFF OF DUE PROCESS, EQUAL**
6660 **PROTECTIONS, FIFTH AMENDMENT RIGHTS, SIXTH**
6661 **AMENDMENT RIGHTS, SEVENTH AMENDMENT RIGHTS.**
6662

6663 333. **M.G.L. c 30Ac § 2** is unconstitutional in that it provides
6664 mechanisms by which (under **105 CMR 170.750**) the Commonwealth
6665 may revoke the professional licenses and medical credentials of
6666 Emergency Medical Technicians on an arbitrary, vague, and
6667 capricious manner under a mere accusation of a act, absent any
6668 probable cause, absent any tangible proof the act actually took place,
6669 absent any form of probable cause hearing, absent any form of
6670 dangerousness hearing, absent any scientific proof, absent any
6671 examination of the evidence, absent the cross examination of witness,
6672 no ability to cross examine witnesses, nor to refute the charges, or to
6673 examine documents, or evidence which the state may hold before such

6674 a suspension is imposed. The allegations contained in paragraphs 1
6675 though the current paragraph, are re-alleged and incorporated into this
6676 count as though fully set forth herein. The aforementioned and
6677 following Massachusetts General Laws, Statutes, and Regulation are
6678 invalid. The invalidities of the aforesaid and following statute and
6679 regulations, and Defendants' application of same, infringe Plaintiffs'
6680 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. In
6681 reality, the State revokes or suspends the licenses of certain EMT's
6682 when it is politically beneficial for then to do so, absent any actual
6683 evidence of wrong doing, and places the burden of proving innocence
6684 upon the person on whom the State is depriving of civil rights. This
6685 statute and/or regulation is an affront to 5th Amendment, 6th
6686 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6687 including but not limited to the Constitution of the United States,
6688 Article IV, Section 2, and is a violation of civil rights, and deprivation
6689 of the civil rights of the Plaintiff Atkinson. Further, as the State is
6690 depriving patients of the services of a qualified volunteer Emergency
6691 Medical Technician in his community, the deprivation extends to the
6692 patients of Plaintiff Atkinson (acting as an EMT) as he is not allowed
6693 to render emergency care, and in fact the State is needless prolonging

6694 the pain and suffering, and promoting the death to citizens in need of
6695 emergency medical services, thus in turn depriving them of their civil
6696 rights. This statute as a whole, and also in sections or parts is
6697 unconstitutional, an infringement, and a deprivation of civil rights of
6698 Plaintiff Atkinson.

6699

6700 **COUNT THIRTY SEVEN - 105 CMR 170 AND 170.750 DEPRIVES**
6701 **PLAINTIFF OF DUE PROCESS, EQUAL PROTECTIONS, FIFTH**
6702 **AMENDMENT RIGHTS, SIXTH AMENDMENT RIGHTS,**
6703 **SEVENTH AMENDMENT RIGHTS.**
6704

6705 334. **105 CMR 170 (all sections)** is unconstitutional as it provides
6706 mechanisms by which (under **105 CMR 170.750**) the Commonwealth
6707 may revoke the professional licenses and medical credentials of
6708 Emergency Medical Technicians on an arbitrary, vague, and
6709 capricious manner under a mere accusation of a act, absent any
6710 probable cause, absent any tangible proof the act actually took place,
6711 absent any form of probable cause hearing, absent any form of
6712 dangerousness hearing, absent any scientific proof, absent any
6713 examination of the evidence, absent the cross examination of witness,
6714 no ability to cross examine witnesses, nor to refute the charges, or to
6715 examine documents, or evidence which the state may hold before such

6716 a suspension is imposed. The allegations contained in paragraphs 1
6717 though the current paragraph, are re-alleged and incorporated into this
6718 count as though fully set forth herein. The aforementioned and
6719 following Massachusetts General Laws, Statutes, and Regulation are
6720 invalid. The invalidities of the aforesaid and following statute and
6721 regulations, and Defendants' application of same, infringe Plaintiffs'
6722 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. In
6723 reality, the State revokes or suspends the licenses of certain EMT's
6724 when it is politically beneficial for then to do so, absent any actual
6725 evidence of wrong doing, and places the burden of proving innocence
6726 upon the person on whom the State is depriving of civil rights. This
6727 statute and/or regulation is an affront to 5th Amendment, 6th
6728 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6729 including but not limited to the Constitution of the United States,
6730 Article IV, Section 2, and is a violation of civil rights, and deprivation
6731 of the civil rights of the Plaintiff Atkinson. Further, as the State is
6732 depriving patients of the services of a qualified volunteer Emergency
6733 Medical Technician in his community, the deprivation extends to the
6734 patients of Plaintiff Atkinson (acting as an EMT) as he is not allowed
6735 to render emergency care, and in fact the State is needless prolonging

6736 the pain and suffering, and promoting the death to citizens in need of
6737 emergency medical services, thus in turn depriving them of their civil
6738 rights. This statute as a whole, and also in sections or parts is
6739 unconstitutional, an infringement, and a deprivation of civil rights of
6740 Plaintiff Atkinson.

6741

6742 **COUNT THIRTY EIGHT - 105 CMR 171 AND 170.750 DEPRIVES**
6743 **PLAINTIFF OF DUE PROCESS, EQUAL PROTECTIONS, FIFTH**
6744 **AMENDMENT RIGHTS, SIXTH AMENDMENT RIGHTS,**
6745 **SEVENTH AMENDMENT RIGHTS.**
6746

6747 335. **105 CMR 171 (all sections)** is unconstitutional and provides
6748 mechanisms by which (under **105 CMR 170.750**) the Commonwealth
6749 may revoke the professional licenses and medical credentials of
6750 Emergency Medical Technicians on an arbitrary, vague, and
6751 capricious manner under a mere accusation of a act, absent any
6752 probable cause, absent any tangible proof the act actually took place,
6753 absent any form of probable cause hearing, absent any form of
6754 dangerousness hearing, absent any scientific proof, absent any
6755 examination of the evidence, absent the cross examination of witness,
6756 no ability to cross examine witnesses, nor to refute the charges, or to
6757 examine documents, or evidence which the state may hold before such

6758 a suspension is imposed. The allegations contained in paragraphs 1
6759 though the current paragraph, are re-alleged and incorporated into this
6760 count as though fully set forth herein. The aforementioned and
6761 following Massachusetts General Laws, Statutes, and Regulation are
6762 invalid. The invalidities of the aforesaid and following statute and
6763 regulations, and Defendants' application of same, infringe Plaintiffs'
6764 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. In
6765 reality, the State revokes or suspends the licenses of certain EMT's
6766 when it is politically beneficial for then to do so, absent any actual
6767 evidence of wrong doing, and places the burden of proving innocence
6768 upon the person on whom the State is depriving of civil rights. This
6769 statute and/or regulation is an affront to 5th Amendment, 6th
6770 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6771 including but not limited to the Constitution of the United States,
6772 Article IV, Section 2, and is a violation of civil rights, and deprivation
6773 of the civil rights of the Plaintiff Atkinson. Further, as the State is
6774 depriving patients of the services of a qualified volunteer Emergency
6775 Medical Technician in his community, the deprivation extends to the
6776 patients of Plaintiff Atkinson (acting as an EMT) as he is not allowed
6777 to render emergency care, and in fact the State is needless prolonging

6778 the pain and suffering, and promoting the death to citizens in need of
6779 emergency medical services, thus in turn depriving them of their civil
6780 rights. This statute as a whole, and also in sections or parts is
6781 unconstitutional, an infringement, and a deprivation of civil rights of
6782 Plaintiff Atkinson.

6783

6784 **COUNT THIRTY NINE - TOWN OF ROCKPORT POLICIES, 105**
6785 **CMR 170 AND 170.750 DEPRIVES PLAINTIFF OF DUE**
6786 **PROCESS, EQUAL PROTECTIONS, FIFTH AMENDMENT**
6787 **RIGHTS, SIXTH AMENDMENT RIGHTS, SEVENTH**
6788 **AMENDMENT RIGHTS.**
6789

6790 336. **Town of Rockport – Rockport Ambulance Department, Policy**
6791 **Manual** is unconstitutional and provides mechanisms by which
6792 **(under 105 CMR 170.750)** the Town Ambulance Department may
6793 suspend or terminate without pay and Emergency Medical
6794 Technicians or Emergency First Responder on an arbitrary, vague,
6795 and capricious manner under a mere accusation of a act, absent any
6796 probable cause, absent any tangible proof the act actually took place,
6797 absent any form of probable cause hearing, absent any form of
6798 dangerousness hearing, absent any scientific proof, absent any
6799 examination of the evidence, absent the cross examination of witness,
6800 no ability to cross examine witnesses, nor to refute the charges, or to

6801 examine documents, or evidence which the state may hold before such
6802 a suspension is imposed. The allegations contained in paragraphs 1
6803 though the current paragraph, are re-alleged and incorporated into this
6804 count as though fully set forth herein. The aforementioned and
6805 following Massachusetts General Laws, Statutes, and Regulation are
6806 invalid. The invalidities of the aforesaid and following statute and
6807 regulations, and Defendants' application of same, infringe Plaintiffs'
6808 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. In
6809 reality, the State revokes or suspends the licenses of certain EMT's
6810 when it is politically beneficial for them to do so, absent any actual
6811 evidence of wrong doing, and places the burden of proving innocence
6812 upon the person on whom the State is depriving of civil rights. This
6813 statute and/or regulation is an affront to 4th, 5th Amendment, 6th
6814 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6815 including but not limited to the Constitution of the United States,
6816 Article IV, Section 2, and is a violation of civil rights, and deprivation
6817 of the civil rights of the Plaintiff Atkinson. This statute as a whole,
6818 and also in sections or parts is unconstitutional, an infringement, and a
6819 deprivation of civil rights of Plaintiff Atkinson.

6820

6821 337. **Town of Rockport – Employment Policy Manual** is

6822 unconstitutional and provides mechanisms by which Town of
6823 Rockport may suspend or terminate without pay an employee on an
6824 arbitrary, vague, and capricious manner under a mere accusation of a
6825 act, absent any probable cause, absent any tangible proof the act
6826 actually took place, absent any form of probable cause hearing, absent
6827 any form of dangerousness hearing, absent any scientific proof, absent
6828 any examination of the evidence, absent the cross examination of
6829 witness, no ability to cross examine witnesses, nor to refute the
6830 charges, or to examine documents, or evidence which the state may
6831 hold before such a suspension is imposed. In reality, the suspends or
6832 terminates of certain employees when it is politically beneficial for
6833 then to do so, absent any actual evidence of wrong doing, and places
6834 the burden of proving innocence upon the person on whom the State is
6835 depriving of civil rights. This statute and/or regulation is an affront to
6836 5th Amendment, 6th Amendment, 8th Amendment, 9th Amendment, and
6837 14th Amendment, including but not limited to the Constitution of the
6838 United States, Article IV, Section 2, and is a violation of civil rights,
6839 and deprivation of the civil rights of the Plaintiff Atkinson. This
6840 statute as a whole, and also in sections or parts is unconstitutional, an

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infringement, and a deprivation of civil rights of Plaintiff Atkinson.

**COUNT FORTY - M.G.L. c. 30A (ALL SECTIONS) DEPRIVES
PLAINTIFF OF DUE PROCESS, EQUAL PROTECTIONS, FIFTH
AMENDMENT RIGHTS, SIXTH AMENDMENT RIGHTS,
SEVENTH AMENDMENT RIGHTS.**

338. **M.G.L. c. 30A (all sections)** is unconstitutional and is an affront to 5th Amendment, 6th Amendment, 7th, 8th Amendment, 9th Amendment, and 14th Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is a violation of civil rights, and deprivation of the civil rights of the Plaintiff Atkinson. The allegations contained in paragraphs 1 through the current paragraph, are re-alleged and incorporated into this count as though fully set forth herein. The aforementioned and following Massachusetts General Laws, Statutes, and Regulation are invalid. The invalidities of the aforesaid and following statute and regulations, and Defendants' application of same, infringe Plaintiffs' civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. This statute as a whole, and also in sections or parts is unconstitutional, an infringement, and a deprivation of civil rights of Plaintiff Atkinson.

6863 **COUNT FORTY ONE - 801 CMR 1.01 DEPRIVES PLAINTIFF OF**
6864 **DUE PROCESS, EQUAL PROTECTIONS, FIFTH AMENDMENT**
6865 **RIGHTS, SIXTH AMENDMENT RIGHTS, SEVENTH**
6866 **AMENDMENT RIGHTS.**
6867

6868 339. **Standard Rules of Practice and Procedure, 801 CMR 1.01** is
6869 unconstitutional and is an affront to 5th Amendment, 7th, 6th
6870 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment,
6871 including but not limited to the Constitution of the United States,
6872 Article IV, Section 2, and is a violation of civil rights, and deprivation
6873 of the civil rights of the Plaintiff Atkinson. The allegations contained
6874 in paragraphs 1 through the current paragraph, are re-alleged and
6875 incorporated into this count as though fully set forth herein. The
6876 aforementioned and following Massachusetts General Laws, Statutes,
6877 and Regulation are invalid. The invalidities of the aforesaid and
6878 following statute and regulations, and Defendants' application of
6879 same, infringe Plaintiffs' civil rights and damage Plaintiff in violation
6880 of 42 U.S.C. § 1983. This statute as a whole, and also in sections or
6881 parts is unconstitutional, an infringement, and a deprivation of civil
6882 rights of Plaintiff Atkinson.

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6884 **COUNT FORTY TWO - THE SECOND AMENDMENT**
6885 **INVALIDATES 501 CMR 7.00 TO THE EXTENT IT PREVENTS**

6886 **QUALIFIED PRIVATE CITIZENS FROM KEEPING AND/OR**
6887 **CARRYING AND/OR BEARING ARMS FOR SELF-DEFENSE.**
6888

6889 340. **501 CMR 7.00 “Approved Weapons Roster”** published by the
6890 Executive Office of Public Safety is unconstitutional and is a tool for
6891 violation, deprivation, and infringement of civil rights. The allegations
6892 contained in paragraphs 1 through the current paragraph, are re-alleged
6893 and incorporated into this count as though fully set forth herein. The
6894 aforementioned and following Massachusetts General Laws, Statutes,
6895 and Regulation are invalid. The invalidities of the aforesaid and
6896 following statute and regulations, and Defendants’ application of
6897 same, infringe Plaintiffs’ civil rights and damage Plaintiff in violation
6898 of 42 U.S.C. § 1983. The statute is overly vague, and violates the
6899 keeping and bearing of various types of arms and is in conflict with
6900 the decisions of the Supreme Court of the United States in *McDonald*
6901 *v. Chicago*, 561 U.S. ___, 130 S.Ct. 3020 (2010), and also in *District*
6902 *of Columbia v. Heller*, 554 U.S. 570 (2008), Massachusetts
6903 Constitution Part The First, Article XVII; the U.S. Constitution as a
6904 whole; the U.S. Constitution, Amendment II (also known as the
6905 Second Amendment); and the U.S. Constitution, Amendment XIV
6906 (also known as the Fourteenth Amendment); the Ku Klux Klan Act

6907 (or the Civil Rights Act of 1871); 42 U.S.C. § 1983 (also called
6908 "section 1983"), and other relevant laws, as a violation, deprivation
6909 and infringement of civil rights. This statute infringes the 2nd
6910 Amendment right to keep and bear arms, and the 14th Amendment
6911 privileges and immunities of U.S. citizenship, the "Equal Protections
6912 Clause" of the 14th Amendment, including but not limited to the
6913 Constitution of the United States, Article IV, Section 2, and is thus
6914 unlawful prior restraint, as well as a deprivation of the civil rights of
6915 the Plaintiff Atkinson. This statute as a whole, and also in sections or
6916 parts is unconstitutional, an infringement, and a deprivation of civil
6917 rights of Plaintiff Atkinson.

6918

6919 **COUNT FORTY THREE - STUDENT CONDUCT CODE**
6920 **DEPRIVES PLAINTIFF OF DUE PROCESS, EQUAL**
6921 **PROTECTIONS, FIFTH AMENDMENT RIGHTS, SIXTH**
6922 **AMENDMENT RIGHTS, SEVENTH AMENDMENT RIGHTS,**
6923 **IMPOSES DOUBLE JEOPARDY, AND DOUBLE**
6924 **PUNISHMENTS. FURTHER STUDENT CONDUCT CODE**
6925 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6926 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**
6927 **DEFENSE.**

6928

6929 341. **North Shore Community College Student Conduct Code, 2008**

6930 is unconstitutional, (NORTH SHORE COMMUNITY COLLEGE is a

6931 state run College, and an extension of the state in all respects);

6932 published and circulated by the “Judicial Affairs Office, Division of
6933 Student Life” is an affront to 5th Amendment, 6th Amendment, 7th, 8th
6934 Amendment, 9th Amendment, and 14th Amendment, including but not
6935 limited to the Constitution of the United States, Article IV, Section 2,
6936 and is a violation of civil rights, and deprivation of the civil rights of
6937 the Plaintiff Atkinson. The allegations contained in paragraphs 1
6938 though the current paragraph, are re-alleged and incorporated into this
6939 count as though fully set forth herein. The aforementioned and
6940 following Massachusetts General Laws, Statutes, and Regulation are
6941 invalid. The invalidities of the aforesaid and following statute and
6942 regulations, and Defendants’ application of same, infringe Plaintiffs’
6943 civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. The
6944 Handbook Outlines methods by which the School may conduct sham
6945 trials, and impose unlawful punishments upon students, without
6946 allowing the student to be fairly represented at, and other time not
6947 even told about the hearing, not allowed to confront witnesses or
6948 examine evidence, the Student is not permitted the ability to cross
6949 examine witnesses, there is lack of due process, and vague, and
6950 arbitrary guidelines by which the President of the College may
6951 suspend, ban, and expel any student for many reason, at any time,

6952 based even on a whim, or political convenience, unproven accusation,
6953 and even to punish and to muzzle and restrain student who may
6954 choose to lawfully exercise a civil right. This statute as a whole, and
6955 also in sections or parts is unconstitutional, an infringement, and a
6956 deprivation of civil rights of Plaintiff Atkinson. The defendant North
6957 Shore Community College further takes it upon itself (as a State
6958 agency) to zealously punish any student who is merely ACCUSED of
6959 a deed off campus, with no regards that such a deed in fact took place,
6960 or consider if the student is guilty, by default the college assumes the
6961 student is guilty, imposed punishment illegally, and then threatens to
6962 further punish the student should they refuse to accept the original
6963 unlawful punishment. This defendant (acting as a state agency, under
6964 the color of law) further violates double jeopardy in that the college
6965 punishes the student for any perceived violation of the law, and then
6966 allows the student to again be re-punished by way of the court system.
6967 Any punitive action of any sort imposed by this college, is in fact an
6968 official punishment by state agency acting under color of law. Hence,
6969 anybody who is punished by this college cannot therefore be then
6970 punished a second time by the state. Hence, anybody who is punished
6971 by this college cannot therefore be then punished a second time by the

6972 state. Conversely, this Defendant may not impose additional or
6973 supplemental punishment once the State has already punished the
6974 student in some way. This is a deprivation of rights provided by the
6975 5th Amendment, 6th Amendment, 8th Amendment, 9th Amendment, and
6976 14th Amendment including but not limited to the Constitution of the
6977 United States, Article IV, Section 2, and an infringement of the civil
6978 rights of Plaintiff Atkinson. This statute as a whole, and also in
6979 sections or parts is unconstitutional, an infringement, and a
6980 deprivation of civil rights of Plaintiff Atkinson. The Defendant also
6981 infringe on the lawfully possession of arms in the private home of the
6982 student (well away from campus), and to deprive the student of their
6983 civil rights, and to infringe upon the 2nd Amendment right to keep and
6984 to bear arms (outside of the College, and well off Campus). This
6985 statute as a whole, and in sections or parts is unconstitutional, an
6986 infringement, and a deprivation of civil rights of Plaintiff Atkinson.

6987

6988 **COUNT FORTY FOUR - STUDENT CONDUCT CODE**
6989 **DEPRIVES PLAINTIFF OF DUE PROCESS, EQUAL**
6990 **PROTECTIONS, FIFTH AMENDMENT RIGHTS, SIXTH**
6991 **AMENDMENT RIGHTS, SEVENTH AMENDMENT RIGHTS,**
6992 **IMPOSES DOUBLE JEOPARDY, AND DOUBLE**
6993 **PUNISHMENTS. FURTHER STUDENT CONDUCT CODE**
6994 **PREVENTS QUALIFIED PRIVATE CITIZENS FROM KEEPING**
6995 **AND/OR CARRYING AND/OR BEARING ARMS FOR SELF-**

DEFENSE.

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342. **Salem State College (also called Salem State College) Student Handbook, 2008-2010** is unconstitutional, (SALEM STATE COLLEGE is a state run College, and an extension of the state in all respects) is an affront to 4th, 5th Amendment, 6th Amendment, 7th, 8th Amendment, 9th Amendment, and 14th Amendment, including but not limited to the Constitution of the United States, Article IV, Section 2, and is a violation of civil rights, and deprivation of the civil rights of the Plaintiff Atkinson. The allegations contained in paragraphs 1 through the current paragraph, are re-alleged and incorporated into this count as though fully set forth herein. The aforementioned and following Massachusetts General Laws, Statutes, and Regulation are invalid. The invalidities of the aforesaid and following statute and regulations, and Defendants' application of same, infringe Plaintiffs' civil rights and damage Plaintiff in violation of 42 U.S.C. § 1983. The Handbook Outlines methods by which the School may conduct sham trials, and impose unlawful punishments upon students, without allowing the student to be fairly represented at, and other time not even told about the hearing, not allowed to confront witnesses or examine evidence, the Student is not permitted the ability to cross

7017 examine witnesses, there is lack of due process, and vague, and
7018 arbitrary guidelines by which the President of the College may
7019 suspend, ban, and expel any student for any reason, at any time, based
7020 even on a whim, or political convenience, unproven accusation, and
7021 even for student who may choose to lawfully exercise a civil right.
7022 This statute as a whole, and in sections or parts is unconstitutional, an
7023 infringement, and a deprivation of civil rights of Plaintiff Atkinson.
7024 The Defendant Salem State College further takes it upon itself (as a
7025 State agency) to zealously punish any student who is merely
7026 ACCUSED if a deed off campus, with no regards that such a deed in
7027 fact took place, or consider if the student is guilty, by default the
7028 college assumes the student is guilty, imposed punishment illegally,
7029 and then threatens to further punish the student should they refuse to
7030 accept the original unlawful punishment. This defendant (acting as a
7031 state agency, under the color of law) further violates double jeopardy
7032 in that the college punishes the student for any perceived violation of
7033 the law, and then allows the student to again be re-punished by way of
7034 the court system. Any punitive action of any sort imposed by this
7035 college, is in fact an official punishment by state agency acting under
7036 color of law. Hence, anybody who is punished by this college cannot

7037 therefore be then punished a second time by the state. Conversely, this
7038 Defendant may not impose additional or supplemental punishment
7039 once the State has already punished the student in some way. This is a
7040 deprivation of rights provided by the 5th Amendment, 6th Amendment,
7041 8th Amendment, 9th Amendment, and 14th Amendment including but
7042 not limited to the Constitution of the United States, Article IV,
7043 Section 2, and an infringement of the civil rights of Plaintiff Atkinson.
7044 This statute as a whole, and also in sections or parts is
7045 unconstitutional, an infringement, and a deprivation of civil rights of
7046 Plaintiff Atkinson. The Defendant also infringe on the lawfully
7047 possession of arms in the private home of the student (well away from
7048 campus), and to deprive the student of their civil rights, and to
7049 infringe upon the 2nd Amendment right to keep and to bear arms
7050 (outside of the College, and well off Campus). This statute as a whole,
7051 and in sections or parts is unconstitutional, an infringement, and a
7052 deprivation of civil rights of Plaintiff Atkinson.

7053

7054 **COUNT FORTY FIVE - STUDENT CONDUCT CODE DEPRIVES**
7055 **PLAINTIFF OF DUE PROCESS, EQUAL PROTECTIONS, FIFTH**
7056 **AMENDMENT RIGHTS, SIXTH AMENDMENT RIGHTS,**
7057 **SEVENTH AMENDMENT RIGHTS, IMPOSES DOUBLE**
7058 **JEOPARDY, AND DOUBLE PUNISHMENTS. FURTHER**
7059 **STUDENT CONDUCT CODE PREVENTS QUALIFIED PRIVATE**

**CITIZENS FROM KEEPING AND/OR CARRYING AND/OR
BEARING ARMS FOR SELF-DEFENSE.**

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343. Additionally, the **Student Conduct Codes**, published by the Commonwealth of Massachusetts for the University of Massachusetts at Amherst, Boston, Dartmouth, Lowell and Worcester; Bridgewater State University, Fitchburg State University, Framingham State University, the Massachusetts College of Art and Design, the Massachusetts Maritime Academy, the Massachusetts College of Liberal Arts, Westfield State University and Worcester State University; Berkshire Community College, Bristol Community College, Bunker Hill Community College, Cape Cod Community College, Greenfield Community College, Holyoke Community College, Massachusetts Bay Community College, Massasoit Community College, Middlesex Community College, Mount Wachusett Community College, Northern Essex Community College, North Shore Community College, Quinsigamond Community College, Roxbury Community College and Springfield Technical Community College (all of which are state run College, and an extension of the state in all respects); published and circulated by the school is unconstitutional, and is an affront to 2nd, 4th, 5th Amendment,

7081 6th Amendment, 8th Amendment, 9th Amendment, and 14th
7082 Amendment, including but not limited to the Constitution of the
7083 United States, Article IV, Section 2, and is a violation of civil rights,
7084 and deprivation of the civil rights of the Plaintiff Atkinson. The
7085 allegations contained in paragraphs 1 through the current paragraph,
7086 are re-alleged and incorporated into this count as though fully set forth
7087 herein. The aforementioned and following Massachusetts General
7088 Laws, Statutes, and Regulation are invalid. The invalidities of the
7089 aforesaid and following statute and regulations, and Defendants'
7090 application of same, infringe Plaintiffs' civil rights and damage
7091 Plaintiff in violation of 42 U.S.C. § 1983.

7092

7093 **COUNT FORTY SIX - STUDENT CONDUCT CODE DEPRIVES**
7094 **PLAINTIFF OF DUE PROCESS, EQUAL PROTECTIONS, FIFTH**
7095 **AMENDMENT RIGHTS, SIXTH AMENDMENT RIGHTS,**
7096 **SEVENTH AMENDMENT RIGHTS, IMPOSES DOUBLE**
7097 **JEOPARDY, AND DOUBLE PUNISHMENTS. FURTHER**
7098 **STUDENT CONDUCT CODE PREVENTS QUALIFIED PRIVATE**
7099 **CITIZENS FROM KEEPING AND/OR CARRYING AND/OR**
7100 **BEARING ARMS FOR SELF-DEFENSE.**

7101

7102 344. The Student Conduct Handbooks of the many aforementioned
7103 State run schools outlines unconstitutional methods and
7104 unconstitutional schemes by which the School may conduct sham

7105 trials, and impose unlawful and unconstitutional punishments upon
7106 students under the color of authority, without allowing the student to
7107 be fairly represented at all by an attorney, and other times not even
7108 told about the hearing, not allowed to confront witnesses or examine
7109 evidence, the Student is not permitted the ability to cross examine
7110 witnesses, no attorney is allowed to represent the student, there is lack
7111 of due process, and vague, and arbitrary guidelines by which the
7112 President of the College may suspend, ban, and expel any student for
7113 many reason, at any time, based even on a whim, or political
7114 convenience, unproven accusation, and even to punish and to muzzle
7115 and restrain student who may choose to lawfully exercise a civil right.
7116 The allegations contained in paragraphs 1 though the current
7117 paragraph, are re-alleged and incorporated into this count as though
7118 fully set forth herein. The aforementioned and following
7119 Massachusetts General Laws, Statutes, and Regulation are invalid.
7120 The invalidities of the aforesaid and following statute and regulations,
7121 and Defendants' application of same, infringe Plaintiffs' civil rights
7122 and damage Plaintiff in violation of 42 U.S.C. § 1983. This statute,
7123 Conduct Handbooks, Policies, Guidelines, and other official
7124 guidelines as a whole, and in sections or parts is unconstitutional, an

7125 infringement, and a deprivation of civil rights of Plaintiff Atkinson.
7126 These aforementioned state run colleges further takes it upon itself (as
7127 a State agency) to zealously and/or unfairly punish any student and to
7128 impose double punishments by way of the college and then by way of
7129 the courts of a student who is merely ACCUSED of a deed off
7130 campus, with no regards that such a deed in fact took place, or
7131 consider if the student is guilty, by default the college assumes the
7132 student is guilty, imposes punishment illegally, and then threatens to
7133 further punish the student should they refuse to accept the original
7134 unlawful punishment. These schools (acting as a state agency, under
7135 the color of law at all times) further violates double jeopardy in that
7136 the college punishes the student for any perceived violation of the law,
7137 and then allows the student to again be re-punished by way of the
7138 court system. Any punitive action of any sort imposed by this college,
7139 is in fact an official punishment by state agency acting under color of
7140 law. Hence, anybody who is punished by this college cannot therefore
7141 be then lawfully punished a second time by the state. This is a
7142 deprivation of rights provided by the 1st, 2nd, 4th, 5th Amendment, 6th
7143 Amendment, 8th Amendment, 9th Amendment, and 14th Amendment
7144 including but not limited to the Constitution of the United States,

7145 Article IV, Section 2, and an infringement of the civil rights of
7146 Plaintiff Atkinson. This statute as a whole, and also in sections or
7147 parts is unconstitutional, an infringement, and a deprivation of civil
7148 rights of Plaintiff Atkinson. This is used by the Commonwealth and
7149 by the College to more specifically to infringe on the lawfully
7150 possession of arms in the private home of the student (well away from
7151 campus), and to deprive the student of their civil rights, and to
7152 infringe upon the 2nd Amendment right to keep and to bear arms
7153 (outside of the College, and well off Campus). This statute and
7154 handbooks as a whole, and also in sections or parts is unconstitutional,
7155 an infringement, and a deprivation of civil rights of Plaintiff Atkinson.

7156

7157 **COUNT FORTY EIGHT – EQUAL PROTECTION: VIOLATION OF**
7158 **THE SECOND AND FOURTEENTH AMENDMENTS TO THE**
7159 **CONSTITUTION AND 42 U.S. 1983**
7160

7161 345. The allegations contained in paragraphs 1 though the current
7162 paragraph, are re-alleged and incorporated into this count as though
7163 fully set forth herein. The aforesaid and following acts by
7164 Defendant(s) infringe Plaintiffs’ civil rights and damage Plaintiff in
7165 violation of 42 U.S.C. § 1983.

7166

7167 346. The Defendants' lack compelling interests, important interest, or
7168 governmental interests from denying law-abiding citizens like
7169 Plaintiff Atkinson the equal protection of laws. Nor are the Statutes
7170 narrowly tailored or rationally related to governmental interests.

7171
7172 347. The Statues enforced by the Defendants are unconstitutional as
7173 written or as applied by the Defendants are unconstitutional, and they
7174 prevent Plaintiff Atkinson from exercising his fundamental right to
7175 keep and bear arms for the purposes of self-defense, and other lawful
7176 purposes.

7177
7178 348. The Defendants currently maintain and actively enforce a set of
7179 laws, customs, practices, and policies under color of state law that
7180 deprive individuals, including Plaintiff Atkinson, of their right to keep
7181 and bear arms, in violation of their Second and Fourteenth
7182 Amendments.

7183
7184 **COUNT FORTY NINE – WHILE ACTING UNDER COLOR OF**
7185 **LAW, DEFENDANT TOWN OF ROCKPORT AND INDIVIDUAL**
7186 **DEFENDANTS DID DEPRIVE AND/OR INFRINGE ON THE**
7187 **PLAINTIFFS CIVIL RIGHTS IN VIOLATION OF 42 U.S.C. § 1983**
7188

7189 349. The allegations contained in paragraphs 1 though the current
7190 paragraph, are re-alleged and incorporated into this count as though
7191 fully set forth herein. The aforesaid and following acts by
7192 Defendant(s) infringe Plaintiffs' civil rights and damage Plaintiff in
7193 violation of 42 U.S.C. § 1983.

7194
7195 350. On or about December 6, 2009, the Rockport police, acting as
7196 under color of state law, in uniform, carrying firearms, using police
7197 cars clearly marked as police officers of the Rockport Massachusetts
7198 police department, executed an unlawfully issued and unlawfully
7199 obtained search warrant, that was obtained by fraud and deception on
7200 the part of Defendants Marino, Andrus, Tibert, and Mahoney. The
7201 search warrant in question was issued on or about December 4, 2009,
7202 the affidavit for which contains numerous falsehoods, deceptions, and
7203 false statements. In fact, if the true facts were inserted into the
7204 application for the search warrant and the false facts given the
7205 magistrate were excised, no probable cause for the "warrant" existed.

7206
7207 351. This search warrant was executed by Defendants Marino,
7208 Andrus, Tibert, Mahoney, Schmink, Hurst, George, McCarthy, plus

7209 five unknown Rockport Police Officers (listed herein as John Does),
7210 plus Defendant McDowell of the FBI, and one unknown person who
7211 is believed to be a Federal Agent (listed herein as John Doe). The
7212 report of the search deliberately omits the participation of Defendant
7213 John McCarthy, Rockport Chief of Police, Defendants Christian
7214 McDowell, various John Does, and other participants.

7215

7216 352. Defendants working in concert with others stole considerable
7217 property and possessions of the Plaintiff consisting of several hundred
7218 thousand dollars of American Gold Eagles and gold bullion (over 140
7219 ounces of gold, valued at \$1500 per ounce), at least \$5,000 in cash,
7220 and over 1600 ounces of silver bullion, plus tools, goods, equipment,
7221 and supplies – none of which was ever listed on the inventory return,
7222 and seized things not authorized for seizure on the search warrant.

7223 These items and acts are outlined in other paragraphs, and re-alleged
7224 and incorporated into this count as though fully set forth herein.

7225

7226 353. Further, Defendants did not seize certain items specifically
7227 listed on the search warrant. The warrant instead was used as a
7228 mechanism for the “general exploratory rummaging” and damaging of

7229 the Plaintiffs belongings, and was in fact used as a “General Warrant”
7230 and did not conform to a scrupulous standard by which “nothing is to
7231 be left to the discretion of the officer executing the warrant.” Thus
7232 even though firearms records were specified in the search warrant,
7233 and these records were in fact found by the police, yet they were not
7234 taken, or entered into evidence as these records would have proved the
7235 Plaintiff did nothing wrong. Further, the search warrant specified that
7236 computers were to be taken (yet there was no specificity in the order);
7237 yet the police only took five computers, and did not take the more
7238 then fifty other computers on the premises as required by *Stanford v.*
7239 *Texas*, 379 U.S. 476, 485 (1965).

7240
7241 354. Police also seized the Plaintiffs firearm licenses to carry from
7242 other states, even though this seizure of licenses was not permitted by
7243 the search warrant. None of these items were listed on the inventory
7244 of the search. This seizure deprived Plaintiff of his civil rights.

7245
7246 355. These Defendant have committed various criminal offenses in
7247 permanently depriving plaintiff of his property and obstructed justice by
7248 falsely reporting their activities and items taken as well as exceeded, and

7249 overstepped their authority and violated the Constitutional rights of
7250 the Plaintiff, infringing and deprived him of his civil rights in
7251 violation of Plaintiff's constitutional and statutory rights, including but
7252 not limited to the 4th, 5th, and 14th amendments and 42 USC 1983, et
7253 seq.

7254
7255 356. Plaintiff repeatedly demanded that the police leave his
7256 premises, when the police refused to show him the search warrant.
7257 The police refused to leave, and refused to produce a warrant.

7258
7259 357. Plaintiff repeatedly sought to leave after the police broke in,
7260 and attempted to depart by walking out the door, only to be physically
7261 restrained by the police, and prohibited from leaving his premises,
7262 even though the police had not yet announced that he was under
7263 arrest. The Plaintiff was repeatedly struck several times by the police
7264 as a result, all in violation of the Plaintiff civil rights.

7265
7266 358. Defendant directly deprived, violated, and infringed upon
7267 Plaintiff 's civil rights, with malice, and with careful planning and

7268 conspiracy with others. The conduct of these Defendants shocks the
7269 conscience.

7270

7271 359. These Defendants have exceeded, and overstepped their
7272 authority and violated the Constitutional rights of the Plaintiff,
7273 infringing and deprived him of his civil rights.

7274

7275 360. These Defendants has while acting under color of law and
7276 while armed with a dangerous weapon at all times with the intent to
7277 commit a felony; has engaged in a pattern of robbery; armed robbery;
7278 embezzlement; fraud; larceny; false statements; intimidation of a
7279 witness; false arrest; kidnapping; confinement; home invasion; armed
7280 home invasion; assault; armed assault; assaulted with bodily injury in
7281 furtherance of committing a felony; willfully inflicting injury;
7282 unlawfully used or threatened to use against another the power of or
7283 authority vested in him; use of excessive force; breaking and entered
7284 into a dwelling house; assault and battery; broke into a truck in order
7285 to commit a felony; induced another to part with property under false
7286 pretenses; had in his possession tools and implements to break open a
7287 building, room, or vault in order to steal and to commit other crimes;

7288 placed a person in fear of their lives in order to force the person to
7289 surrender the means of opening a locked room and locked safes;
7290 damaged property; intimidated witness or potential witness; caused
7291 serious alarm to a reasonable person; inflicted substantial emotional
7292 distress; entered a dwelling places of another knowing that one or
7293 more persons present within was likely armed with dangerous
7294 weapons; fraudulently converted property that was in the custody of
7295 the Town to his own personal use; concealed felonies committed by
7296 others who were part of the conspiracy; stole and, or received and
7297 gave to others stolen trade secrets; made false and fictitious claims,
7298 injured and defaced a dwelling house; remained on private property
7299 after being forbidden to remain thereon by the person in legal control
7300 of the premises; without authorization, committed subornation of
7301 perjury; made multiple false reports to state boards or commissioners;
7302 while acting as a employee of the Town of Rockport and Federal
7303 Agents, filed false written reports and statements; took money and
7304 rewards to compound or conceal felonies; aided in the commission of
7305 a felony; knowingly accessed computers, and computer systems and
7306 failed to terminate such access knowing that such access was not
7307 authorized; interfered with civil rights; committed conspiracy to

7308 violate civil rights; violated Constitutional Rights; and committed
7309 other State and Federal crimes.

7310

7311 361. Further, this defendant has engaged in conduct and as a
7312 continuing unit of an enterprise, through a pattern, of racketeering
7313 enterprises (including, but not limited to: mail fraud, wire fraud,
7314 scheme to defraud, robbery, kidnapping, obstruction of justice,
7315 interference in commerce, also involving monetary transactions in
7316 property derived from specified unlawful activity), and have caused
7317 injury to the business and/or property of the Plaintiff Atkinson.

7318

7319 **COUNT FIFTY – WHILE ACTING UNDER COLOR OF LAW,**
7320 **DEFENDANT COMMONWEALTH OF MASSACHUSETTS AND**
7321 **INDIVIDUAL DEFENDANTS DID DEPRIVE AND/OR INFRINGE**
7322 **ON THE PLAINTIFFS CIVIL RIGHTS IN VIOLATION OF 42**
7323 **U.S.C. § 1983**
7324

7325 362. The allegations contained in paragraphs 1 though the current
7326 paragraph, are re-alleged and incorporated into this count as though
7327 fully set forth herein. The aforesaid and following acts by
7328 Defendant(s) infringe Plaintiffs' civil rights and damage Plaintiff in
7329 violation of 42 U.S.C. § 1983.

7330

7331 363. These Defendants have exceeded, and overstepped their
7332 authority and violated the Constitutional rights of the Plaintiff,
7333 infringing and deprived him of his civil rights. Defendant directly
7334 deprived, violated, and infringed upon Plaintiff 's civil rights, with
7335 malice, and with careful planning and conspiracy with others.

7336
7337 364. Plaintiff is informed and believes that it is through the
7338 leadership, ratification, and support of Defendant Commonwealth that
7339 its subordinate law enforcement agencies, and Defendants identified
7340 hereinafter, had permission to implement the custom, practice and
7341 usage which violated and continue to violate Plaintiffs'
7342 constitutionally, statutory and regulatory rights, activities, privileges,
7343 and immunities in accordance with the United States Constitution, 1st,
7344 2nd, 4th, 5th, 6th, 8th, 9th, and 14th Amendments, and the U.S.
7345 Constitution, Article Four, Section 2, and Massachusetts Constitution,
7346 Part the First, Article XVII; Defendant Commonwealth is being sued
7347 in its official Capacity.

7348
7349 365. Further, these defendants has engaged in conduct and as a
7350 continuing unit of an enterprise, through a pattern, of racketeering

7351 enterprises (including, but not limited to: mail fraud, wire fraud,
7352 scheme to defraud, robbery, kidnapping, obstruction of justice,
7353 interference in commerce, also involving monetary transactions in
7354 property derived from specified unlawful activity), and have caused
7355 injury to the business and/or property of the Plaintiff Atkinson.

7356

7357 **COUNT FIFTY ONE – WHILE ACTING UNDER COLOR OF**
7358 **LAW, DEFENDANT COMMONWEALTH OF MASSACHUSETTS**
7359 **AND INDIVIDUAL DEFENDANTS DID DEPRIVE AND/OR**
7360 **INFRINGE ON THE PLAINTIFFS CIVIL RIGHTS IN**
7361 **VIOLATION OF 42 U.S.C. § 1983**
7362

7363 366. The allegations contained in paragraphs 1 though the current
7364 paragraph, are re-alleged and incorporated into this count as though
7365 fully set forth herein. The aforesaid and following acts by
7366 Defendant(s) infringe Plaintiffs’ civil rights and damage Plaintiff in
7367 violation of 42 U.S.C. § 1983.

7368

7369 367. While acting as a State agency, Defendants Commonwealth of
7370 Massachusetts, Salem State College, North Shore Community
7371 College, Montserrat College of Art, and Defendants Lloyd A. Holmes,
7372 Wayne Burton, Donna Richemond, Doug Puska, Kenneth Tashjy,
7373 Marshall J. Handly, Stephen D. Immerman, Brian Bicknell, Lee

7374 Dellicker, Lecia Turcotte, Donald Bowen, Martha Buskirk,
7375 Christopher Collins, Nancy Crate, Craig H. Deery, Steven Dodge,
7376 Henrietta Gates, Miranda Gooding, Linda Harvey, Betsy Hopkins,
7377 John Peterman, Jurrien Timmer, Charles Whitten, Alan Wilson,
7378 Katherine Winter, Jo Broderick, Rick Longo, Laura Tonelli, Theresa
7379 Skelly, Jeffrey Newell, Laura Tonelli, Scott James, Patricia Maguire
7380 Meservey, James Stoll, Shawn A. Newton, William Anglin, Shawn A.
7381 Newton, Shane Rodriguez, Kemah Travers, Kristina Mason, Lee
7382 Brossoit, John Good, Beverly National Bank, DanversBank, and
7383 various Johns Does did unlawfully suspended Plaintiff Atkinson as a
7384 student, and did punish and continue to Punish Plaintiff, for acts
7385 which the Plaintiff was never found guilty, nor for which there was
7386 ever any probable cause.

7387
7388 368. These Defendants have exceeded, and overstepped their
7389 authority and violated the Constitutional rights of the Plaintiff,
7390 infringing and deprived him of his civil rights. Defendants directly
7391 deprived, violated, and infringed upon Plaintiff 's civil rights, with
7392 malice, and with careful planning and conspiracy with others.

7393

7394 369. Plaintiff is informed and believes that it is through the
7395 leadership, ratification, and support of Defendants that its subordinate
7396 law enforcement agencies, and Defendants identified hereinafter, had
7397 permission to implement the custom, practice and usage which
7398 violated and continue to violate Plaintiffs' constitutionally, statutory
7399 and regulatory rights, activities, privileges, and immunities in
7400 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
7401 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
7402 Four, Section 2, and Massachusetts Constitution, Part the First, Article
7403 XVII; Defendants are being sued in its official Capacity.

7404
7405 370. Further, this defendant has engaged in conduct and as a
7406 continuing unit of an enterprise, through a pattern, of racketeering
7407 enterprises (including, but not limited to: mail fraud, wire fraud,
7408 scheme to defraud, robbery, kidnapping, obstruction of justice,
7409 interference in commerce, also involving monetary transactions in
7410 property derived from specified unlawful activity), and have caused
7411 injury to the business and/or property of the Plaintiff Atkinson.

7412
7413 **COUNT FIFTY TWO – WHILE ACTING UNDER COLOR OF**
7414 **LAW, DEFENDANT COMMONWEALTH OF**

7415 **MASSACHUSETTS, ATTORNEY GENERAL, LYONS**
7416 **AMBULANCE, OEMS, BEVERLY HOSPITAL AND**
7417 **INDIVIDUAL DEFENDANTS, AND OTHERS DID DEPRIVE**
7418 **AND/OR INFRINGE ON THE PLAINTIFFS CIVIL RIGHTS IN**
7419 **VIOLATION OF 42 U.S.C. § 1983**
7420

7421

7422 371. The allegations contained in paragraphs 1 though the current
7423 paragraph, are re-alleged and incorporated into this count as though
7424 fully set forth herein. The aforesaid and following acts by
7425 Defendant(s) infringe Plaintiffs' civil rights and damage Plaintiff in
7426 violation of 42 U.S.C. § 1983.

7427

7428 372. While acting as a State agency, Defendants Commonwealth of
7429 Massachusetts, Town of Rockport, Lyons Ambulance, Beverley
7430 Hospital, Henry Michalski, Penny Michalski, Kevin M. Lyons, Frank
7431 Carabello, Darrell Moore, Robert Piepiora, David Raymond, John L.
7432 Good, Michael Cooney, Paul Coffey, Rosemary Lesch, Scott Story,
7433 Rita Budrow, Jane Carr, Dianna Crudden, Abdullah Rehayem, Renee
7434 D. Lake, M. Thomas Quail, Brendan Murphy, Michael Racicot, Linda
7435 Sanders, Sandy Jacques, Sarah Wilkinson, Andrew Heinze, Ellen
7436 Canavan, Charles Clark, Mark Millet, Steven Krendel, Martha
7437 Coakley, John B. Brennan, Mark Pulli, Michael Cooney, Mary

7438 Elizabeth Heffernan, Mark Delaney, James F. Slater, Beverly National
7439 Bank, DanversBank, others named herein, and various John Does,
7440 operated fraudulent EMT training courses, and/or engaged in a
7441 widespread cover-up of fraudulent EMT training, made false claims
7442 in order to obtain federal funds, and engaged in reckless patient
7443 endangerment.

7444
7445 373. Further complaints by Plaintiff to Municipal and State agencies
7446 resulted in a cover-up, resulted in significant retaliation against the
7447 Plaintiff by Defendants and a deprivation of his civil rights.

7448
7449 374. The Town of Rockport, Rockport Police Department, Rockport
7450 Ambulance Department, Rockport Fire Department, the
7451 Commonwealth of Massachusetts Office of the Attorney General,
7452 Commonwealth of Massachusetts – OEMS Department, Essex
7453 Country District Attorney, Henry Michalski, Penny Michalski, John
7454 Does, and others listed herein did conspire to interfere with Plaintiffs
7455 international shipments in order to cause delays, by which Plaintiff
7456 was then charged in the aforementioned events.

7457

7458 375. The Commonwealth unlawful suspended Plaintiff Atkinson as
7459 an EMT by suspending his EMT license, as did the Town of Rockport
7460 Ambulance Department, and did punish Plaintiff, for acts which the
7461 Plaintiff was never found guilty, nor for which there was ever any
7462 probable cause.

7463
7464 376. Defendants Town of Rockport, Rosemary Lesch, and Scott
7465 Story, allowed a lesbian EMT named Dianna Crudden to sexually
7466 harass the Plaintiff (who is a hetro-sexual male), and allowed and
7467 permitted a hostile work environment to develop between Defendant
7468 Crudden and other hetro-sexual males with the ambulance
7469 department. When Plaintiff complained of the repeated hostilities and
7470 sexual harassment to Defendant Lesch, he was told the Defendant
7471 Crudden was “treating me like that, merely because you have a penis”
7472 and the “she treats all males poorly and with hostility”. Further,
7473 Defendant Lesch and Story did not to stop future sexual harassment
7474 (in the form of crude sexual jokes, and verbal attacks of a sexual
7475 nature), nor to remedy the hostile work environment that it fostered. It
7476 is the Plaintiff understanding that Defendant Crudden had been a long
7477 term problem within the department, spanning several years, and that

7478 Defendant Crudden and Carr working in concert had succeeded in
7479 chasing off other volunteer EMT's and Volunteer First Responders.

7480

7481 377. Defendants Town of Rockport, Rosemary Lesch, Jane Carr, and
7482 Dianne Crudden, and Scott Story promoted the falsification of patient
7483 medical records, instructing Plaintiff to fabricate patient Vital Signs,
7484 and to "pencil whip" patient medical records.

7485

7486 378. These Defendants have exceeded, and overstepped their
7487 authority and violated the Constitutional rights of the Plaintiff,
7488 infringing and deprived him of his civil rights. Defendant directly
7489 deprived, violated, and infringed upon Plaintiff 's civil rights, with
7490 malice, and with careful planning and conspiracy with others.

7491

7492 379. Plaintiff is informed and believes that it is through the
7493 leadership, ratification, and support of Defendants that its subordinate
7494 law enforcement agencies, and Defendants identified hereinafter, had
7495 permission to implement the custom, practice and usage which
7496 violated and continue to violate Plaintiffs' constitutionally, statutory
7497 and regulatory rights, activities, privileges, and immunities in

7498 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
7499 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
7500 Four, Section 2, and Massachusetts Constitution, Part the First, Article
7501 XVII; Defendants are being sued in its official Capacity.

7502
7503 380. Further, this defendant has engaged in conduct and as a
7504 continuing unit of an enterprise, through a pattern, of racketeering
7505 enterprises (including, but not limited to: mail fraud, wire fraud,
7506 scheme to defraud, robbery, kidnapping, obstruction of justice,
7507 interference in commerce, also involving monetary transactions in
7508 property derived from specified unlawful activity), and have caused
7509 injury to the business and/or property of the Plaintiff Atkinson.

7510

7511 **COUNT FIFTY THREE – WHILE ACTING UNDER COLOR OF**
7512 **LAW, ESSEX COUNTY SHERIFF’S DEPARTMENT AND**
7513 **OTHERS DID DEPRIVE AND/OR INFRINGE ON THE**
7514 **PLAINTIFFS CIVIL RIGHTS IN VIOLATION OF 42 U.S.C. § 1983**
7515

7516 381. The allegations contained in paragraphs 1 though the current
7517 paragraph, are re-alleged and incorporated into this count as though
7518 fully set forth herein. The aforesaid and following acts by

7519 Defendant(s) infringe Plaintiffs' civil rights and damage Plaintiff in
7520 violation of 42 U.S.C. § 1983.

7521

7522 382. While acting as a State agency, Defendants Essex County,
7523 Sheriffs Department, Commonwealth of Massachusetts, Melanie
7524 Goodlaxson, Frank G. Cousins, Jr., Michael Marks, Michael Frost,
7525 Michael Marino, Town of Rockport, Rockport Police Department,
7526 Addison Gilbert Hospital, Vincent P. Meoli, Michael Arsenian, Peter
7527 W. Curatolo, others named herein, and various John Does did deprive
7528 Plaintiff of required medical treatments, prescribed and required
7529 medications, deprived Plaintiff of required orthopedic shoes, and
7530 required orthopedic leg and knee braces, engaged in abusive, sadistic
7531 and brutal treatment and handling of Plaintiff, refused food to
7532 Plaintiff, and/or provided food that was rancid or inedible, or for
7533 which the Plaintiff had an allergy. Defendants acted with deliberate
7534 indifference to the medical needs of the Defendant, and in fact acted
7535 with calculated sadism and malice, and did deprive Plaintiff of his
7536 civil rights under color of authority.

7537

7538 383. These Defendants have exceeded, and overstepped their
7539 authority and violated the Constitutional rights of the Plaintiff,
7540 infringing and deprived him of his civil rights. Defendants directly
7541 deprived, violated, and infringed upon Plaintiff 's civil rights, with
7542 malice, and with careful planning and conspiracy with others.

7543
7544 384. Plaintiff is informed and believes that it is through the
7545 leadership, ratification, and support of Defendants that its subordinate
7546 law enforcement agencies, and Defendants identified hereinafter, had
7547 permission to implement the custom, practice and usage which
7548 violated and continue to violate Plaintiffs' constitutionally, statutory
7549 and regulatory rights, activities, privileges, and immunities in
7550 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
7551 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
7552 Four, Section 2, and Massachusetts Constitution, Part the First, Article
7553 XVII; Defendants are being sued in its official Capacity.

7554
7555 385. Further, this defendant has engaged in conduct and as a
7556 continuing unit of an enterprise, through a pattern, of racketeering
7557 enterprises (including, but not limited to: mail fraud, wire fraud,

7558 scheme to defraud, robbery, kidnapping, obstruction of justice,
7559 interference in commerce, also involving monetary transactions in
7560 property derived from specified unlawful activity), and have caused
7561 injury to the business and/or property of the Plaintiff Atkinson.

7562

7563 **COUNT FIFTY FOUR – WHILE ACTING UNDER COLOR OF**
7564 **LAW, COMMONWEALTH OF MASSACHUSETTS AND**
7565 **OTHERS DID DEPRIVE AND/OR INFRINGE ON THE**
7566 **PLAINTIFFS CIVIL RIGHTS IN VIOLATION OF 42 U.S.C. § 1983**
7567

7568 386. The allegations contained in paragraphs 1 through the current
7569 paragraph, are re-alleged and incorporated into this count as though
7570 fully set forth herein. The aforesaid and following acts by
7571 Defendant(s) infringe Plaintiffs’ civil rights and damage Plaintiff in
7572 violation of 42 U.S.C. § 1983.

7573

7574 387. While acting as a State agency, Defendants Commonwealth of
7575 Massachusetts, Rockport Police Department, John Auerbach, Martha
7576 Coakley, Katherine Hartigan, John B. Brennan, Kevin P. Burke,
7577 James Hurst, Daniel Mahoney, Michael Marino, John T. McCarthy,
7578 Gregory George, Sean Andrus, James Hurst, Mark Schmink, Robert
7579 Tibert, Michael Anderson, Timothy Frithsen, Christian McDowell,

7580 Michael Racicot, Linda Sanders, Sandy Jacques, Sarah Wilkinson,
7581 Andrew Heinze, Ellen Canavan, Charles Clark, Charlene Brown, and
7582 the Cape Ann Chamber of Commerce, others named herein, and
7583 various John Does did deprive Plaintiff his rights under the 1st, 2nd, 4th,
7584 5th, 7th, 8th, and 14th Amendments, and deprived Plaintiff of his civil
7585 rights under color of authority. Further, the Commonwealth and
7586 political subdivisions thereof, public and private colleges have passes,
7587 and imposes, and enforce unconstitutional laws, statutes, regulations,
7588 and policies which deprives Plaintiff of his civil rights.

7589
7590 388. These Defendants have exceeded, and overstepped their
7591 authority and violated the Constitutional rights of the Plaintiff,
7592 infringing and deprived him of his civil rights. Defendant directly
7593 deprived, violated, and infringed upon Plaintiff 's civil rights, with
7594 malice, and with careful planning and conspiracy with others.

7595
7596 389. Defendants confected an illegal, and Constitutionally prohibited
7597 system of laws, scheme, statutes, regulations, and policies, which
7598 infringe of the civil rights of the Plaintiff.

7599

7600 390. Defendants know that their creation, and enforcement of these
7601 laws are a violation, infringement, and deprivation of the Defendants
7602 civil rights.

7603
7604 391. Plaintiff is informed and believes that it is through the
7605 leadership, ratification, and support of Defendants that its subordinate
7606 law enforcement agencies, and Defendants identified hereinafter, had
7607 permission to implement the custom, practice and usage which
7608 violated and continue to violate Plaintiffs' constitutionally, statutory
7609 and regulatory rights, activities, privileges, and immunities in
7610 accordance with the United States Constitution, 1st, 2nd, 4th, 5th, 6th,
7611 8th, 9th, and 14th Amendments, and the U.S. Constitution, Article
7612 Four, Section 2, and Massachusetts Constitution, Part the First, Article
7613 XVII; Defendants are being sued in its official Capacity.

7614
7615 392. Further, this defendant has engaged in conduct and as a
7616 continuing unit of an enterprise, through a pattern, of racketeering
7617 enterprises (including, but not limited to: mail fraud, wire fraud,
7618 scheme to defraud, robbery, kidnapping, obstruction of justice,
7619 interference in commerce, also involving monetary transactions in

7620 property derived from specified unlawful activity), and have caused
7621 injury to the business and/or property of the Plaintiff Atkinson.

7622

7623 **COUNT FIFTY FIVE – RESEARCH ELECTRONICS, A AND L**
7624 **ENTERPRISES, AND OTHERS DID DEPRIVE AND/OR**
7625 **INFRINGE ON THE PLAINTIFFS CIVIL RIGHTS IN**
7626 **VIOLATION OF 42 U.S.C. § 1983 AND DID COMMIT**
7627 **UNLAWFUL ACTS, TRAFFICKED IN ILLEGAL**
7628 **EAVESDROPPING AND MEDICAL DEVICES, COMMITTED**
7629 **ILLEGAL EAVESDROPPING, AND OTHER ACTS DESCRIBED**
7630 **HEREIN**
7631

7632 393. The allegations contained in paragraphs 1 though the current
7633 paragraph, are re-alleged and incorporated into this count as though
7634 fully set forth herein. The aforesaid and following acts by
7635 Defendant(s) infringe Plaintiffs’ civil rights and damage Plaintiff in
7636 violation of 42 U.S.C. § 1983.

7637

7638 394. While acting as a State agency, Defendants Research
7639 Electronics, A and L Enterprises, Thomas H. Jones, Bruce Barsumian,
7640 Michelle Gaw, Trish Webb, Pamela McIntyre, Lee Jones, Arlene J.
7641 Barsumian, Darlene Jones, Christian McDowell, Department of
7642 Energy, Department of State, Central Intelligence Agency, others

7643 named herein, and various John Does did deprive Plaintiff his rights
7644 under color of authority.

7645

7646 395. Defendants Research Electronics, A and L Enterprises, Thomas
7647 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7648 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7649 named herein, and various John Does makes, builds, imports, sells,
7650 resells, possesses, offer for sale, operates, ships in inter-state
7651 commerce, and controls illegal eavesdropping device, in violation of
7652 18 USC 2510-2522 and in furtherance of their commercial business
7653 pursuits in violation of Federal law

7654

7655 396. Defendants Research Electronics, A and L Enterprises, Thomas
7656 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7657 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7658 named herein, and various John Does makes, builds, imports, sells,
7659 resells, possesses, offer for sale, operates, ships in inter-state
7660 commerce, and controls devices capable of transmitting a radio signal,
7661 or which contains a local oscillator which are not properly licensed,

7662 certified, and/or labeled in accordance with 47 CFR in violation of
7663 Federal law.

7664

7665 397. Defendants Research Electronics, A and L Enterprises, Thomas
7666 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7667 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7668 named herein, and various John Does makes, builds, imports, sells,
7669 resells, possesses, offer for sale, operates, ships in interstate and
7670 international commerce goods unlawfully that is restricted by
7671 International Traffic in Arms Regulations (ITAR) by the U.S. State
7672 Department items as controlled munitions or commodities in violation
7673 of Federal law. Defendant unlawfully and sometimes lawfully exports
7674 controlled munitions and controlled devices.

7675

7676 398. Defendants Research Electronics, A and L Enterprises, Thomas
7677 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7678 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7679 named herein, and various John Does makes, builds, imports, sells,
7680 resells, possesses, offer for sale, operates, ships in interstate and
7681 international commerce goods and devices sold for detecting hidden

7682 cellular phones or other electronics on or in the human body by means
7683 of non-ionizing radiation, and which are not approved medical or
7684 radiological devices, and which are expressly prohibited by Federal
7685 Guidelines due to the likelihood of very grave health risks in violation
7686 of Federal law.

7687

7688 399. Defendants Research Electronics, A and L Enterprises, Thomas
7689 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7690 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7691 named herein, and various John Does makes, builds, imports, sells,
7692 resells, possesses, offer for sale, operates, ships in interstate and
7693 international commerce goods and devices manufactures medical
7694 equipment for the purposes of radiological or radiating devices to
7695 examine humans which are not approved for human use, and which
7696 are specifically prohibited by federal guidelines for human use, and
7697 which are expressly prohibited by Federal Guidelines due to the
7698 likelihood of very grave health risks, in violation of Federal law.

7699

7700 400. Defendants Research Electronics, A and L Enterprises, Thomas
7701 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela

7702 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7703 named herein, and various John Does makes, builds, imports, sells,
7704 resells, possesses, offer for sale, operates, ships in interstate and
7705 international commerce, goods and device claimed to be able to detect
7706 bombs or explosive devices by means of non-ionizing radiation,
7707 which present a high risk of accidental detonation. Defendants
7708 recklessly endangers the life and limbs of U.S. Military forces and
7709 members of the intelligence community by selling defective
7710 equipment, and make false claims about products to obtain federal
7711 funds.

7712
7713 401. Defendants Research Electronics, A and L Enterprises, Thomas
7714 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7715 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7716 named herein, and various John Does encouraged, endorsed,
7717 organized, and/orchestrated an ongoing criminal enterprise.

7718
7719 402. Any veil of immunity, which this defendant may have
7720 previously enjoyed by virtue of their office or position, or government
7721 connections is “pierced and ripped asunder” due to their infringement

7722 and deprivation of the Constitutional Rights of the Plaintiff, and thus
7723 this Defendant (and all other Defendants) stands fully naked and
7724 vulnerable before the court, with no immunity of any form.

7725

7726 403. Defendants Research Electronics, A and L Enterprises, Thomas
7727 H. Jones, Bruce Barsumian, Michelle Gaw, Trish Webb, Pamela
7728 McIntyre, Lee Jones, Arlene J. Barsumian, Darlene Jones, others
7729 named herein, and various John Does, in combination, contracted to,
7730 engaged in, conspired to engage in, created trusts and agreements,
7731 engaged in monopolistic efforts, rigged contracts, inflated market
7732 price, price fixing, and restraint of trade among the several States, or
7733 with foreign nations, in violation of the law and contrary to public
7734 policy. Defendants demanded that the Plaintiff not deal in the goods,
7735 wares, merchandise, machinery, supplies, or other commodities of
7736 their competitor or competitors, with the effect of such lease, sale, or
7737 contract for sale or such condition, agreement, or understanding may
7738 be to substantially lessen competition or tend to create a monopoly in
7739 any line of commerce.

7740

7741 404. Defendants engaged in a long term course of fraud and
7742 conversion as follows to include stealing customers, refusing to pay
7743 contracted commissions, unduly delaying international and domestic
7744 shipments, and other acts which harmed the Plaintiff and the Plaintiffs
7745 business.

7746
7747 405. In approximately 1992, Defendant began dealing with Plaintiff,
7748 and through Plaintiffs web site allowed an internet presence
7749 (www.tscm.com) in which Plaintiff provided detailed descriptions,
7750 photographs, etc. of Defendants products as well as other
7751 manufacturers of such equipment to the TSCM, Intelligence, and
7752 private sector communities.

7753
7754 406. As the relationship developed between the parties, in
7755 approximately 1995, Plaintiff began buying and reselling Defendants
7756 products under a non written agreement in which Plaintiff received a
7757 31.5% discount on all of Defendants products he purchased and was
7758 free to sell at whatever price Plaintiff desired. Plaintiff did however,
7759 refuse to have anything at all to do with the illegall bugging devices
7760 which the Defendant was offering for sale.

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407. Pursuant to this non written agreement, Plaintiffs sold Defendants products to the United States Government, the U.S. Government Intelligence community, including the Central Intelligence Agency, the Federal Bureau of Investigation, the U.S. Department of State, Secret Service, Department of Energy, Army, Navy, Air Force, Marine Corps, Defense Contractors, Research and Development Companies, Think Tanks, Lockheed Martin, Harvard, Raytheon Corporation, Mitre Corporation, Lawrence Livermore Labs, Lincoln Labs, Sandia Labs, the Royal Canadian Mounted Police, and others.

408. During this same period, Defendant developed a product known as the “OSCOR” which is an Omni Spectral Correlator. Plaintiff took an OSCOR, designed and modified Defendants unit, and thereafter showed it to Defendant suggesting the modification be made to make it more saleable to U.S. Government entities. Defendant implemented Plaintiffs designs and modifications.

7780 409. In approximately 1999, Defendant made additional
7781 modifications to the OSCOR and increased the price. Plaintiff, an
7782 authority in TSCM, continued to purchase and resell Defendants
7783 products and gave individual discounts to other practitioners in the
7784 TSCM field while maintaining normal pricing structure for non-
7785 TSCM professionals. Because of Plaintiff's professional courtesy,
7786 Defendant became upset and expressed its upset with Plaintiff;
7787 however, the relationship continued.

7788
7789 410. Defendant restructured the company in 2000 and in the
7790 following year, Defendant executed a Manufacturer's Representative
7791 Contract in which Defendant now claimed that all government sales
7792 were "in house" clients of Defendant. Plaintiff discussed the improper
7793 and unethical wholesale blanket of "in house" contained in the
7794 agreement with Defendant Tom Jones, a managing member of
7795 Defendant, informed Plaintiff that if he didn't agree Defendant would
7796 sever all ties with Plaintiff and he would be prohibited from any
7797 further purchases. In short, Defendant informed Plaintiff he could
7798 "take it or leave it" with respect to that provision and every other
7799 provision of the contract.

7800

7801 411. In addition, during visits made almost yearly, Defendant
7802 maintained a huge inventory of illegal bugging devices (i.e. devices
7803 designed primarily for the surreptitious interception of wire and/or
7804 oral communications), which is a felony to possess. Defendant
7805 repeatedly solicited Plaintiff to purchase and deal in these illicit
7806 eavesdropping devices, but Plaintiff refused. Further, Defendant
7807 repeatedly illegally bugged and eavesdropped upon Plaintiff during
7808 his visits in contravention of applicable State laws of the State of
7809 Tennessee and Federal law.

7810

7811 412. During the Plaintiff visits to the Defendants business location in
7812 1999, 2005, and in 2007, Plaintiff photographed these illegal bugging
7813 devices, which drastically upset the Defendants as they stated that
7814 were concerned the they could get into trouble if the photographs
7815 were ever published or provided to the authorities.

7816

7817 413. Beginning in 2001, Defendant entered into a manufacturer's
7818 representative agreement, which continued until October of 2010. A
7819 review of the terms and conditions imposed by Plaintiff pursuant to its

7820 inclusion of adhesion clauses in said contract required to be executed
7821 by Defendant on a “take it or leave it” basis is illustrative. For
7822 example, Defendant required Plaintiff to agree that “In the event of
7823 any dispute or controversy regarding whether a commission is due,
7824 Plaintiff “will have full authority and final discretion regarding same.
7825 REI’s decision regarding the payment or non payment will not be
7826 appeal able (sic) or actionable even if it is arbitrary, unreasonable, and
7827 or motivated by REI’s self interest.” In addition, Defendants provided
7828 the following: “REI may freely solicit any customer directly, even in
7829 competition with the MREP and no liability will be incurred to the
7830 MREP.” After 2006, annual renewals were signed but Defendant
7831 retained all copies refusing to send copies to representatives who
7832 executed same.

7833

7834 414. Defendant required that Plaintiff provide it with a Pending
7835 Order Form on all sales of Plaintiff pursuant to the Manufacturer’s
7836 Representative Contract. In approximately 2004, Plaintiff discovered
7837 that on orders he had made with third parties, Defendant was under
7838 reporting commissions due to Plaintiff. Further, Defendant restricted
7839 Plaintiffs ability to provide Pending Order Forms limiting him to only

7840 ten (10) per month since Plaintiff was submitting more than any other
7841 dealer in the United States (i.e. approximately 250 per month) as a
7842 result of him selling more product than any other venue outside of the
7843 Defendants business.

7844

7845 415. In 2005, Plaintiff went to Defendants business to attend a two-
7846 week series of classes relative to Defendants equipment. Prior to
7847 Plaintiffs arrival, he was told that Defendant would assist him in
7848 dealing with clients to close more sales and would also train Plaintiff
7849 in doing basic repairs on the OSCOR such as replacing batteries and
7850 alignment and would do this over a three day period over the weekend
7851 of the two week course (the “service” course was to take place on
7852 Friday Afternoon, and then all day on Saturday and Sunday). Contrary
7853 to Defendants representations, when Plaintiff arrived he was shown
7854 how to repair broken hinges; however, Defendant not only did not
7855 provide any instruction on any other repair or alignment techniques as
7856 promised, Defendant did everything to hide from Plaintiff anything
7857 related to repairs of the OSCOR.

7858

7859 416. In 2007, Defendant had developed another product, the
7860 TALAN. Plaintiff, prior to his arrival at Defendants business, was told
7861 to bring photographic equipment because Defendant wanted Plaintiff
7862 to take extensive photographs of the TALAN in order to promote the
7863 product on the Plaintiffs web site. Prior to this date, Defendant had
7864 published only computer mockups since Defendant was experiencing
7865 considerable problems getting a final, production model. Upon arrival,
7866 Defendant not only refused to allow photographs by Plaintiff,
7867 Defendant further prohibited Plaintiff from using photographs from
7868 Defendant brochures, even though Plaintiff was still a manufacturer's
7869 representative.

7870
7871 417. In 2008, after Plaintiff testified as a nationally recognized
7872 technical subject matter expert in TSCM and TEMPEST for the
7873 "Deepwater" Congressional Investigation engaged as a subject matter
7874 expert for the Congressional Oversight Committee, Defendant began
7875 to complicate Plaintiffs sales by kicking back end user certificates on
7876 overseas sales of products, revealing at one point, that Defendant had
7877 "not received approval from Washington, D.C. on the end user
7878 certificate". This tactic continued to be employed by Defendant such

7879 that simple transactions often were complicated by Defendant to cause
7880 delays in the transactions resulting in Defendant capturing the client
7881 and sale and denying Plaintiff rightful commissions, or profits.

7882

7883 418. Several transactions regarding sales made by Plaintiff are
7884 illustrative. In approximately mid 2005, Plaintiff was contacted by a
7885 national company interested in his advice relative to their needs and
7886 TSCM equipment available from a number of manufacturers,
7887 including Defendant. After spending a substantial period of time with
7888 the client, Plaintiff submitted the Pending Order Form to Defendant
7889 for this particular sale. After submission of same, Plaintiff made an
7890 inquiry to Defendant on the status of the order and was informed no
7891 transaction took place. This was approximately a \$100,000 sale of
7892 equipment in which Plaintiff should have been paid \$25,000.00
7893 commission. After being informed no transaction took place, Plaintiff
7894 was on the premises of Defendant subsequently for a training course
7895 and was greeted by one of the national company's employees who
7896 told Plaintiff they had tried to purchase equipment from him;
7897 however, his boss had been contacted directly by Defendant who told
7898 the company they had to buy it directly from Defendant, not Plaintiff.

7899 Thereafter the sale went through directly with Defendant who retained
7900 the entirety of the transaction and informed Plaintiff that no sale had
7901 occurred.

7902

7903 419. A national pharmaceutical company consulted with Plaintiff in
7904 a similar manner. After the company agreed to purchase Defendants
7905 equipment from Plaintiff, Plaintiff submitted the pending order
7906 notification to Defendant. The purchase order was made with the
7907 pharmaceutical company's employee charged with providing not only
7908 budget requirements but also recommendations to the company. As
7909 soon as Defendant received the pending order notification from
7910 Plaintiff, Defendant immediately went to a higher up in the
7911 pharmaceutical company took the order, concluded the transaction
7912 and reported to Plaintiff that no sale had taken place. Later at a trade
7913 show, Plaintiff encountered the pharmaceutical company's employee,
7914 with whom Plaintiff had dealt, who informed Plaintiff that Defendant
7915 had called the company's executive and told him they had to purchase
7916 direct with Defendant, not Plaintiff.

7917

7918 420. Plaintiff was contacted by a foreign government who sought his
7919 advice and counsel who desired to purchase equipment. The foreign
7920 government flew not only their representative but also a number of
7921 their TSCM personnel who came to Plaintiff place of business. The
7922 result of Plaintiff meetings with this government resulted in the sale of
7923 16 complete sets of Defendants equipment. Defendant, after receiving
7924 the order, restricted Plaintiffs commissions to only two of the sixteen
7925 sets thereby depriving Plaintiff of some approximate \$318,000 in
7926 commissions earned.

7927
7928 421. In approximately 2007, and then in 2008, Plaintiff was directly
7929 contacted by a foreign government for the purchase of approximately
7930 \$1.5 Million dollars of Defendants equipment to be delivered directly
7931 to their Embassy in Washington, D.C. In addition, the Embassy
7932 desired Plaintiff to provide two weeks of training to their personnel.
7933 The Embassy; however, desired that a small fraction of the actual
7934 order be sent as a test transaction. Again, upon receipt of the test
7935 transaction, Defendants went directly to persons inside this foreign
7936 government to take over the entire transaction. As a result of
7937 Defendants actions, the entire transaction was terminated with an

7938 assurance made to Plaintiff that this foreign government's purchase
7939 would never be used in any of their Embassies throughout the world
7940 as the direct result of the methods used by Defendant as their
7941 operational security had been breached by Defendant (the purchasing
7942 of this kind of equipment requires great secrecy, or the equipment will
7943 be rendered of little or no value). Plaintiff was deprived of
7944 approximately \$500,000 in direct commissions as well as the
7945 additional monies which were to be paid for Plaintiff training of these
7946 intelligence officers.

7947
7948 422. Because of the nature of the business of the Plaintiff, the
7949 agencies of the United States government who may or may not have
7950 been involved with Plaintiff, and the nature of the transactions,
7951 Defendant has been intentionally non specific relative to the specific
7952 details of these transactions disclosed herein.

7953
7954 423. Upon information and belief there are hundreds of transactions
7955 which were similarly handled by Defendants who maintained no
7956 transactions occurred, when in fact they did resulting in commissions
7957 being due and owing to Plaintiff well in excess of \$3,150,000.00. The

7958 conduct described herein by Defendants is submitted to have breached
7959 the contract existing between the parties. Defendant is entitled to an
7960 accounting for at least the past ten years prior to the filing of this suit.

7961

7962 424. Defendant has demanded an accounting of the aforementioned
7963 commissions due from Plaintiff but Plaintiff has failed and/or refused
7964 and continues to fail and/or refuses to render such an accounting and
7965 pay the monies due as reflected in the demand letter transmitted to
7966 Defendant.

7967

7968 425. In 2004, Plaintiff advised Defendant of Ariyani Nawardi with
7969 the Intelligence service for Indonesia. Mr. Nawardi and his entourage
7970 flew to the U.S. and met with Plaintiff for several days. The result of
7971 Plaintiff's efforts was a contract calling for an international sale with
7972 overseas delivery with Mr. Nawardi to purchase \$916,880.00 of
7973 Defendants countermeasure equipment. After Plaintiff Atkinson
7974 registered his client with Defendants in accordance with written
7975 contract with Defenant, and disclosed the entirety of the sale, the end
7976 result was that Plaintiff shipped to Indonesia two sets of gear
7977 remitting to Defendant the price less Plaintiffs profits on those two

7978 sets. Thereafter, Defendant fraudulently and tortuously interfered with
7979 Plaintiff's relationship with Mr. Nawardi and converted the remainder
7980 of the order by entering an agreement with Mr. Nawardi converting
7981 the remaining 14 sets which realized \$819,000.00 to Defendants of
7982 which Plaintiff received -0- commissions. To effectuate Defendants
7983 fraud, tortuous interference with the contractual rights existing
7984 between Plaintiff and Nawardi and the government of Indonesia,
7985 Defendant transformed Mr. Nawardi magically into a "house client"
7986 shorting Plaintiff of \$316,000.00 commissions due. Specifically, Mr.
7987 Nawardi did not want to deal with Defendants directly and so that sale
7988 was clearly Plaintiff's for which money is and has been due and
7989 owing.

7990
7991 426. In early November of 2009, Plaintiff booked a large sale to a
7992 client and obtained a \$66,000.00 sale of Defendants countermeasure
7993 equipment. His commissions due were approximately \$17,000.00;
7994 however, being in the hospital from multiple heart attacks combined
7995 with his already being a disabled Veteran, when Plaintiff did place the
7996 order, Defendant refused to remit to him the commissions he earned
7997 and converted the customer completely.

7998

7999

427. Repeatedly throughout from 2004 through October of 2010, and

8000

the Defendant suddenly “terminated” the agreement, when Plaintiff

8001

strongly requested any accounting to which he is and has been

8002

entitled, Defendants threatened to terminate any further association

8003

and bar Plaintiff from continuing to service his clients as a further

8004

means of attempting to enforce the adhesion clause relative to monies

8005

due.

8006

8007

428. The commissions due to the Plaintiff from the Defendant at this

8008

point would have been well in excess of three million dollars, and by

8009

Plaintiff refusing to do further business with the Plaintiff they

8010

essentially retained the commissions that were due the Plaintiff.

8011

Additionally, the future lost profits and commissions which the

8012

Plaintiff could reasonably earn in the are in excess of fifteen million

8013

dollars in addition to moneys already owned.

8014

8015

429. Plaintiff asserts that between 2005 and 2007 Defendant,

8016

confected a scheme to defraud the Plaintiff out of sales and

8017 commissions, and to remove him as a market influencer, for their own
8018 benefit.

8019

8020 430. During the calendar year of 2010, Plaintiff sold approximately
8021 \$220,000.00 of Defendants equipment and earned at least \$50,000.00
8022 in commissions, none of which have been paid or properly credited to
8023 his in house account, which Defendant had established for its
8024 convenience since Plaintiff was the largest seller of Defendants
8025 equipment. In March 2010, the accounting department at Defendant
8026 stated that Plaintiff has a credit balance of \$43,115, which was
8027 earmarked to purchase new demonstration gear and to attend classes
8028 from the Defendant.

8029

8030 431. In order to avoid payment of monies due to Plaintiff and
8031 alternatively to avoid any accounting which had been repeatedly
8032 requested by Plaintiff, Defendant engaged in an abuse of process.

8033

8034 432. Specifically, Plaintiff contracted for the sale of \$30,000.00 of
8035 Defendants equipment to a client located in Switzerland and an
8036 ultimate destination in Uzbekistan. Upon receipt of payment by the

8037 Swiss client, Plaintiff properly registered the sale in accordance with
8038 the required disclosure to Defendant and immediately remitted full
8039 payment in the sum of \$20,000.00 to Defendant who received same.
8040 Defendant has judicially confessed that these funds were for the
8041 entirety of the order bound for Switzerland and thence to Uzbekistan,
8042 and that the transaction had been paid in full and was financially
8043 cleared for immediate shipment.

8044
8045 433. In order to avoid any accounting or payment of monies due to
8046 Plaintiff, Defendant required that the shipment of the Defendants
8047 equipment must be preceded by what is referred to as an “end user”
8048 certificate, rather than ship the purchased items to the address
8049 provided.

8050
8051 434. In truth in fact, under the U.S. Customs’ classification of the
8052 equipment purchased, no end user certificate was required. Further,
8053 neither Switzerland nor Uzbekistan, required any end user certificate.

8054
8055 435. Defendant, upon information and belief, directed the customer
8056 in Switzerland to contact the Rockport Police Department in

8057 Rockport, Massachusetts, and the Cape Ann Chamber of Commerce
8058 in Gloucester, Massachusetts and to file a criminal complaint alleging
8059 that Plaintiff was attempting to “steal” the customer’s money (when in
8060 fact the Defendant was in possess of the funds, and was delaying
8061 shipping the goods).

8062
8063 436. In addition, Defendant further rejected the first and second “end
8064 user” certificate which Defendant required in order to delay the
8065 shipment which Defendant knew the customer wanted as quickly as
8066 possible since it formed a portion of a time sensitive contract via the
8067 cut-out in Switzerland for a sale that the Swiss customer had with the
8068 Government of Uzbekistan.

8069
8070 437. Due to the delays in the Defendant shipping the goods to the
8071 client, the Plaintiff received a number of threatening phone calls, in an
8072 attempt to speed up shipment, and the caller (from Switzerland) even
8073 threatened violence if the goods were not in his hand by November 6,
8074 2010 so that the goods could be provided to the end user. Further, the
8075 Plaintiff was told that he would be “severely punished” because of the
8076 delays in the shipment, which were caused by the Defendant.

8077

8078 438. The Government of Uzbekistan had agreed to provide counter-
8079 surveillance services to the Government of Kazakhstan in preparation
8080 for the movement of sixty casks of nuclear weapons-grade plutonium
8081 and highly enriched uranium (sufficient to make 770+ nuclear bombs)
8082 by rail starting in Mid November 2009 (such transactions, sales, and
8083 services fir such counter-surveillance goods and services are within
8084 the normal course and scope of the Plaintiffs business and area of
8085 expertise).

8086

8087 439. Such equipment sales or counterintelligence services to the
8088 intelligence agencies of one country, so that they may render services
8089 to a allied or semi-allied country is the mainstay of the intelligence
8090 community and which forms a type of “diplomatic quid pro quo”
8091 where the nation with greater technical capabilities provides services
8092 to the inferior nation.

8093

8094 440. In this case, the Government of Kazakhstan lacked the ability to
8095 detect tracking devices and eavesdropping devices on the transport
8096 rail cars, and requested the assistance of the intelligence agencies

8097 within the Government of Uzbekistan, who then procured the
8098 equipment through the cut-out company in Switzerland, who in turn
8099 placed the order with the Plaintiff, and thus the Plaintiff placed the
8100 order with the Defendant. As the test runs of these rail cars and casks
8101 were to begin in Mid November 2009 with live runs starting in
8102 February 2010 and completing in February 2011 it was vitally
8103 important that the counter-surveillance equipment supplied by
8104 Defendant arrive a week advance of November 2009 (the equipment
8105 had to be in the hands of the Government of Uzbekistan, not later than
8106 November 6, 2009). The Government of Uzbekistan and the
8107 Government of Kazakhstan opted to utilize a “Chinese Wall” in order
8108 to procure the equipment for this project, and in February 2009 the
8109 Government of Uzbekistan CEMA contracted with the intermediary in
8110 Switzerland for the equipment purchase.

8111
8112 441. The Government of Kazakhstan had been obstructing the
8113 movement of these casks for years, and it took supreme diplomatic
8114 and political pressure on the part of the United States Government to
8115 move the casks, and the U.S. State Department, Central Intelligence
8116 Agency, and Department of Energy were strongly involved in

8117 manipulating this project to get it moving forward. In short, the
8118 government of Kazakhstan did not want to move the casks and was
8119 doing everything possible to obstruct the project.

8120

8121 442. The casks being close to Uzbekistan gave the country political
8122 and diplomatic power as they were accessible to Uzbekistan should
8123 they choose to make any move on the weapons grade materials.
8124 Moving the nuclear materials away from the Caspian Sea moved them
8125 well outside the reach of Uzbekistan. The government of Uzbekistan
8126 did not want to move the casks and was doing everything possible to
8127 obstruct the project as it weakened them politically, and
8128 diplomatically.

8129

8130 443. In turn the U.S. Government requested that the Defendant,
8131 delay and interfere with the shipping the Plaintiffs goods destined for
8132 Uzbekistan, so that the shipment arrivals would take place well after
8133 the window of opportunity (after Mid November 2009). To this end,
8134 the Defendant repeatedly and needlessly rejected the un-needed end
8135 user certificates, and created drama about the transaction to enable
8136 this delay.

8137

8138 444. It was presumably in the best interest of the U.S. Government
8139 diplomatic efforts for there to be no counter-surveillance gear
8140 available to the Government of Kazakhstan for use on this project,
8141 which is why, even after the Plaintiff provided Defendant will all of
8142 the funds to cover the shipment, and all of the documents requested,
8143 they claimed that the documents were not sufficient, and Plaintiff now
8144 asserts that Defendants were fully acting as agents of the U.S.
8145 Government in delaying the goods. In turn, the U.S. Government
8146 applied pressure on Defendants to cause these delays in order to
8147 deprive the Government of Kazakhstan of their sweep gear so that
8148 they could not detect the bugs and tracking devices that the U.S.
8149 Government would have placed on the rail cars.

8150

8151 445. Ultimately, Defendants were acting as an agent of the U.S.
8152 Government, the U.S. State Department and the Central Intelligence
8153 Agency and Plaintiff got caught in the middle of a legitimate business
8154 transaction where the U.S. Government wanted to delay the shipment,
8155 but knew that Plaintiff too honest to play games with his clients, and
8156 hence when to the less ethical supplier of the goods, the Defendants..

8157

8158 446. But these illegal manipulations, and delays, and interference
8159 with Plaintiff international shipment, along with wire fraud, and
8160 scheme to defraud, qualify this as a Racketeering Offense involving
8161 both private and government entities.

8162

8163 447. Thereafter, upon information and belief, Defendant was in
8164 communication with the Rockport Police Department, specifically
8165 Patrolman Daniel Mahoney, and other law enforcement agencies,
8166 manipulating their investigations to obtain the specific result of
8167 effectuating Plaintiffs arrest to not only damage Plaintiff's good name
8168 and reputation known worldwide as not only an expert and market
8169 influencer in TSCM, but also to obtain the result of not having to
8170 account for or pay for monies due and owing to Plaintiff known by
8171 Defendant.

8172

8173 448. The U.S. Government had previously approached the Plaintiff
8174 to effect similar delays on foreign transactions, which the Plaintiff had
8175 always refused to take part in as a matter of ethics.

8176

8177 449. Starting on or about Mid-December 2009, and running through
8178 March and April 2010, virtually all of the Defendants in-transit
8179 shipments were seized or delayed by U.S. Customs due to
8180 “irregularities in the export documents”, presumable due to fraudulent
8181 export documents having been repeatedly filed by the Defendant.

8182
8183 450. In conjunction with an abuse of process (i.e. using and
8184 manipulating the criminal process to obtain a result for which the
8185 process was not intended – avoid payment of monies and accounting
8186 of monies due), Defendant further refused to ship to a customer from
8187 China, an Defendants product which was to be shipped to Arizona
8188 inside the Territory of the United States.

8189
8190 451. In accordance with terms and conditions of contract, which
8191 Defendant has judicially confessed, the sale of the Defendants product
8192 to the Chinese customer to be delivered to Arizona, Defendant refused
8193 to ship the product to Arizona.

8194
8195 452. Defendant again communicated with the Rockport Police
8196 Department and provided misleading and inaccurate information to

8197 Patrolman Daniel Mahoney in its singular scheme to avoid any
8198 accounting, payment of monies due Plaintiff from Defendant, and
8199 destroy the competitive viability of Plaintiff in the marketplace as a
8200 strong market influence for which Defendant was keenly aware.

8201

8202 453. Plaintiff submits that he is entitled to declaratory judgment that
8203 the clauses in MREP Agreements described herein are adhesionary
8204 and *contra bonos mores* such that they are legally unenforceable.

8205

8206 454. Plaintiff submits that he is entitled to an appropriate order from
8207 this Court commanding disclosure for inspection and copying by
8208 Plaintiff of all pending order forms submitted by Plaintiff to
8209 Defendant as well as all sales records, communications relative to
8210 sales, shipping, and export records of Defendant for the past ten (10)
8211 years.

8212

8213 455. Plaintiff submits that Defendant has committed tortuous
8214 interference with the contractual rights of Plaintiff contracts, to
8215 Plaintiff detriment causing damages.

8216

8217 456. Plaintiff submits that Defendant has converted Plaintiffs funds
8218 due and owing both through refusing to remit the funds maintained in
8219 Plaintiffs “house” account, commissions due, and via conversion of
8220 Defendants customers and clients.

8221
8222 457. Plaintiff submits that Defendant has committed fraud by
8223 intentionally falsifying the status of sales made by Plaintiff and falsely
8224 claiming sales made by Plaintiff as Defendants and/or other third
8225 parties.

8226
8227 458. Plaintiff submits that Defendant has abused the legal process by
8228 falsely reporting information to the Rockport Police Department with
8229 the intended purpose of destroying Plaintiffs good name, business
8230 reputation, business, market influence, and accomplish the conversion
8231 of Plaintiffs money and goods; a purpose for which the legal process
8232 was not intended to achieve with full knowledge of Defendants
8233 actions.

8234
8235 459. Plaintiff submits that Defendant has breached the laws of the
8236 State of Tennessee or/or of the United States by illegally possessing

8237 bugging devices as well as using those illegal bugging devices to
8238 intercept wire and/or oral communications of Plaintiff without
8239 Plaintiffs consent contrary to law, doing so within and throughout at
8240 least the past ten years while Plaintiff was on the premises of
8241 Defendants establishments in Tennessee.

8242

8243 460. Further, this Defendant has engaged in conduct and as a
8244 continuing unit of an enterprise, through a pattern, of racketeering
8245 enterprises (including, but not limited to: mail fraud, wire fraud,
8246 scheme to defraud, robbery, kidnapping, extortion, obstruction of
8247 justice, interference in commerce, also involving monetary
8248 transactions in property derived from specified unlawful activity), and
8249 have caused injury to the business and/or property of the Plaintiff
8250 Atkinson. These Defendants have violated the Constitutional rights of
8251 the Plaintiff, infringing and deprived him of his civil rights.

8252

8253

ON ALL COUNTS

8254

8255 461. Plaintiffs' injuries are irreparable because Plaintiff is entitled to
8256 enjoy his constitutional rights in fact.

8257

8258 462. Plaintiff would continue to suffer irreparable injury if the Court
8259 does not issue an injunction.

8260

8261 463. As a pro se Plaintiff, Plaintiff requests Leave of this Court in
8262 order to submit an additional amended Complaint or to files legal
8263 briefs or additional pleadings should this Complaint herein lack
8264 details which the Court may desire to review in consideration of this
8265 matter, or to clarify or further describe the Acts, Causes of Action,
8266 Defendants, Prayer of Relief, or other topics found herein.

8267

8268

PRAYER FOR RELIEF

8269

8270 WHEREFORE, Plaintiffs pray for the following relief:

8271

8272 1. Immediate declaratory judgment and injunctive relief that the each
8273 and individually, of the aforementioned individual Massachusetts
8274 Statutes and General Laws described herein be repealed and stricken
8275 as they are facially invalid and/or void under the Second and
8276 Fourteenth Amendments, and under *Heller* and/or *McDonald* and a

8277 multitude of related case law and federal statutes, and other relief this
8278 court deems appropriate.

8279

8280 2. Immediate declaratory judgment and injunctive relief, which
8281 immediately compels the Commonwealth of Massachusetts to obey,
8282 and abide by the 2nd and 14th Amendment both in spirit and intent of
8283 *Heller* and/or *McDonald*, and other relief this court deems
8284 appropriate.

8285

8286 3. Immediate declaratory judgment and injunctive relief, which
8287 immediately compels the Commonwealth of Massachusetts stop ALL
8288 criminal proceedings in ALL cases where the defendant in each case
8289 was merely peacefully possessing arms (and were not using them to
8290 commit criminal acts) within their homes or business in accordance
8291 with the *Heller* and *McDonald* decisions, without a “Firearms
8292 Identification Card” or “License to Carry,” as no such document is
8293 required under Federal law, and rather such a scheme is prohibited
8294 under *Heller* and *McDonald*, and other relief this court deems
8295 appropriate.

8296

8297 4. Intervene in several criminal cases that were confected by the
8298 Rockport Police Department and others solely in order to violate the
8299 Plaintiffs civil rights, and not only cause the charges to be dismissed,
8300 but also to investigate, and/or sanction the conduct of the responsible
8301 judicial officers and District Attorney who permitted the case to
8302 continue for over 18 months, while continuous refusing to provide
8303 Plaintiff with a Probable Cause Hearing, and even continued said
8304 cases when there was strong evidence of no wrong doing by Plaintiff
8305 Atkinson, and other relief this court deems appropriate.

8306
8307 5. Immediate declaratory judgment and injunctive relief to the
8308 Commonwealth of Massachusetts to expunge and/or seal the arrest
8309 records and criminal for all citizens arrested for mere possession of
8310 arms that were authorized by Federal Law, by otherwise qualified
8311 citizens, and other relief this court deems appropriate.

8312
8313 6. Immediate declaratory judgment and injunctive relief to the all
8314 Federal Law Enforcement and Administrative Agencies to expunge
8315 and/or seal the arrest records and criminal for all citizens arrested for
8316 mere possession of arms that were authorized by Federal Law, by

8317 otherwise qualified citizens, and other relief this court deems
8318 appropriate.

8319

8320 7. Immediate declaratory judgment and injunctive relief to the
8321 Commonwealth to release any prisoner who is being held due to
8322 solely on firearms possession charges, when those same firearms were
8323 lawfully obtained, and lawfully possessed within the home as
8324 described in *McDonald*. In essence, the Plaintiff seeks that this Court
8325 intervene and free the innocent citizens who may have fallen victim to
8326 a “left wing, gun hysteria, witch-hunt crackpots” and on whom the
8327 Commonwealth has violated, infringed, and deprived their civil rights,
8328 and other relief this court deems appropriate.

8329

8330 8. Immediate declaratory judgment and injunctive relief, which
8331 immediately compels the Commonwealth of Massachusetts, their
8332 officers, agents, servants, employees, political sub-divisions, and all
8333 persons in active concert or participation with them who receive
8334 actual notice of the injunction to recognize, obey, and abide by the
8335 Bill of Rights, and opinions of the U.S. Supreme Court in *Heller*
8336 (2008) and in *McDonald* (2010), and other relief this court deems

8337 appropriate.

8338

8339 9. Immediate declaratory judgment and injunctive relief to the Town of
8340 Rockport Police Department, to compel Town or Police employees to
8341 stop harassing Plaintiff, to stop dumping trash on Plaintiffs property,
8342 to stop Rockport Police Officers from littering, “doing donuts in the
8343 parking area” or doing “burn outs” in the early morning behind or
8344 next to the Plaintiff home, and on the Plaintiffs property, and other
8345 relief this court deems appropriate.

8346

8347 10. Immediate declaratory judgment and injunctive relief which fully
8348 repeals and strikes down the Massachusetts “Firearms Identification
8349 Card,” and relevant M.G.L. and statutes and policies or rules of the
8350 Commonwealth so that no such document or license is required to
8351 possess arms in the home (so long as one has not been adjudged
8352 insane, or a convict felon), and other relief this court deems
8353 appropriate.

8354

8355 11. Immediate declaratory judgment and injunctive relief, that any arm,
8356 pistol, revolver, shotgun, carbine, rifle, bayonets, knives, or other

8357 common infantry arms, which have been, issued to U.S. Service
8358 members at any time, or which are currently being sold by the
8359 department of civilian marksmanship or CPM/CMP shall be deemed a
8360 “safe” arm, and the Commonwealth must not be allowed to control of
8361 regulate possession, within very narrow exceptions. These arms will
8362 be considered de facto safe, and suitable for possession by the public,
8363 and other relief this court deems appropriate.

8364

8365 12.Immediate declaratory judgment and injunctive relief that “Law
8366 Enforcement Only” or “Military Use” only weapons, magazines, and
8367 feeding devices shall permitted in the hands of the public in any form.
8368 If the police or the military can possess them, then so can the public,
8369 without any government interference, and other relief this court deems
8370 appropriate.

8371

8372 13.Immediate declaratory judgment and injunctive relief that all arms, or
8373 variations or arms or any kind issued to the State Police or to any Law
8374 Enforcement Agency in the Commonwealth of Massachusetts be de
8375 facto deemed “safe,” and that they make be possessed by members of
8376 the qualified public, and other relief this court deems appropriate.

8377

8378

14. Immediate declaratory judgment and injunctive relief that no firearm may be banned, outlawed, restrained, or controlled in any way due to merely cosmetic appearances, paint job, hand guards, plastic attachments, bayonet lugs, flash hiders or suppressors, noise suppressors, brackets, scopes, or other useful device(s) which may be in use by, or have previously been used by the U.S. Government in a useful manner, and other relief this court deems appropriate.

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15. Immediate declaratory judgment and injunctive relief that it is the responsibility of the state to demonstrate that a specific model firearm is inherently unsafe or unstable, in a unbiased, and un-rigged evaluation, that is based on reported accidents, and other relief this court deems appropriate.

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16. Immediate declaratory judgment and injunctive relief that the firearms “evaluation process” used by the Commonwealth for firearms for the State shall be no more stringent than that used by the U.S. Military to evaluate arms, and that once a make and model has been approved by the U.S. Military, that the Commonwealth can not

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8397 then deem it unsafe as a means of prior restraint of citizens obtaining
8398 same, and other relief this court deems appropriate.

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8400 17.Immediate declaratory judgment and injunctive relief that when no
8401 disqualifying issues exist that the Commonwealth laws will read
8402 “shall issue” in regards to Firearms (or that no license will in fact be
8403 required), and other relief this court deems appropriate.

8404

8405 18.Under the very close guidance and supervision of this Court, compel
8406 the Commonwealth of Massachusetts to re-write the Student Conduct
8407 Guides, Handbooks, and Policies at all State schools so that the all
8408 school policies and guidelines are fully compliant with all elements of
8409 the Bill of Rights, without reservation. Also compel the Student
8410 Judiciary Committees to address merely minor academic misdeeds,
8411 and compels the college to pursue alleged violation of greater crimes
8412 though the court system alone (as required by law), and other relief
8413 this court deems appropriate.

8414

8415 19.Review all Student Judicial records or all State run colleges to
8416 indentify any additional cases whereby a student was not provided due

8417 process and equal protections, of where they had their 4th, 5th, 6th, and
8418 14th Amendment rights violated by the school, and where they
8419 suffered double jeopardy of some sort by the school acting as a state
8420 agency to impose unlawful and unconstitutional punishments, and
8421 other relief this court deems appropriate.

8422

8423 20. Plaintiff seeks that this Court, on an emergency basis and without
8424 delay strike out, redact, or rescind a number of Massachusetts General
8425 Laws and regulation that are in fact Unconstitutional, and which are a
8426 very grave deprivation, and infringement of civil rights, and other
8427 relief this court deems appropriate.

8428

8429 21. Plaintiff further seeks that this Court immediately and without delay
8430 command the Attorney General to obey the decision of the Supreme
8431 Court in *Heller* and in *McDonald*, and if necessary, Plaintiff requests
8432 that this Court utilize the U.S. Marshall Service to compel the Attorney
8433 General, the District Attorneys, the State Police, and Department of
8434 Public Safety, and the various Police Departments within the
8435 Commonwealth to abide by the decisions of the U.S. Supreme Court,
8436 and of both the letter and intent the Bill of Rights as interpreted by the

8437 U.S. Supreme Court, and other relief this court deems appropriate.

8438

8439 22.Award Plaintiff very strong punitive damages against the

8440 Commonwealth for willfully violating, infringing, and depriving

8441 Plaintiff of his civil rights, and at a level that send a clear message to

8442 both the Commonwealth at to other states which are acting

8443 unlawfully, and to punishes the Commonwealth by depriving them of

8444 40 years of all state revenues (assuming a budget of 24 billion dollars

8445 per year) based upon the wealth of this defendant, in an amount to be

8446 determined at the time of trial, and other relief this court deems

8447 appropriate.

8448

8449 23.Immediate declaratory judgment and injunctive relief that no State

8450 Agency by take action to restrict, suspend, or other negatively affect

8451 any right, immunities, privileges, licenses, or other right of the public

8452 without at least a *Loudermill* type of hearing well in advance of the

8453 negative action being taken, and other relief this court deems

8454 appropriate.

8455

8456 24.Immediate declaratory judgment and injunctive relief that Research

8457 Electronics shall not make, build, import, sell, operate, or in any way
8458 control any manner of eavesdropping device, of any sort in violation
8459 of 18 USC 2510-2522, and other relief this court deems appropriate.

8460

8461 25.Immediate declaratory judgment and injunctive relief that Research
8462 Electronics shall not make, build, resell, offer for sale, import, sell,
8463 operate, or in any way circulate, ship, or distribute any manner any
8464 sort of device capable of transmitting a signal of any sort, or which
8465 contains a local oscillator until that product is first formally assigned a
8466 FCCID number and retails or commercial sale is approved by the
8467 FCC, for each model, revision, and modification as required by
8468 Federal law, and other relief this court deems appropriate.

8469

8470 26.Immediate declaratory judgment and injunctive relief that Research
8471 Electronics shall not make, build, resell, offer for sale, import, export,
8472 sell, operate, or in any way circulate, ship, or distribute any manner
8473 any sort of device capable of detecting eavesdropping devices or
8474 signals of any sort, unless that equipment is carefully controlled as in
8475 International Traffic in Arms Regulations (ITAR) by the U.S. State
8476 Department items and controlled munitions or commodities as

8477 required by Federal law, and other relief this court deems appropriate.

8478

8479 27.Immediate declaratory judgment and injunctive relief that Research

8480 Electronics shall not make, build, resell, offer for sale, import, export,

8481 sell, operate, or in any way circulate, ship, or distribute any manner

8482 any sort of device sold as detecting hidden cellular phones or other

8483 electronics on or in the human body by means of non-ionizing

8484 radiation due to very grave health risks and other relief this court

8485 deems appropriate.

8486

8487 28.Immediate declaratory judgment and injunctive relief that Research

8488 Electronics shall not make, build, resell, offer for sale, import, export,

8489 sell, operate, or in any way circulate, ship, or distribute any manner

8490 any sort of device sold as detecting bombs or explosive devices by

8491 means of non-ionizing radiation due to very grave health risks and

8492 other relief this court deems appropriate.

8493

8494 29.Impose very strong punitive damages against the Essex County

8495 Sheriffs Department for willfully violating, infringing, and depriving

8496 Plaintiff of his civil rights, based upon the wealth of this defendant, or

8497 an amount to be determined at the time of trial, and other relief this
8498 court deems appropriate.

8499

8500 30.Impose very strong punitive damages against the Town of Rockport,
8501 Rockport Police Department, and Rockport Ambulance Department
8502 for willfully violating, infringing, and depriving Plaintiff of his civil
8503 rights, at monetary level that punishes, equal to all real estate,
8504 buildings, moveable equipment, water treatment plants, roads, boats,
8505 docks, harbors, water reservoirs, water wells, quarries, undeveloped
8506 lands, and other assets of the Town of Rockport, based upon the
8507 wealth of this defendant in an amount to be determined at the time of
8508 trial, and other relief this court deems appropriate.

8509

8510 31.Immediate declaratory judgment and injunctive relief against the
8511 Town of Rockport, and Massachusetts State Police, the Federal
8512 Bureau of Investigation, and the District Attorney of Essex Country,
8513 to return all property that has been seized from the Plaintiff Atkinson
8514 at his place of business, within 48 hours of the injunction being
8515 issued, and to supply a complete chain of custody for each item, and
8516 other relief this court deems appropriate.

8517

8518 32.Issue injunction permanently restraining all Defendants and their
8519 officers, agents, servants, employees, and all persons in concert or
8520 participation with them who receive notice of this injunction, from
8521 enforcing any Massachusetts Firearms Law which does not strictly
8522 comply with the *Heller* and *McDonald* U.S. Supreme Court decisions,
8523 or which is not in full compliance with the Constitution and the Bill of
8524 Rights, and to impose punitive damages of an amount to be
8525 determined at the time of trial, and other relief this court deems
8526 appropriate.

8527

8528 33.Impose very strong punitive damages against the North Shore
8529 Community College, Salem State College, and Montserrat College of
8530 Art, in the amount based upon the wealth of this defendant for
8531 willfully violating, infringing, and depriving Plaintiff of his civil
8532 rights, or an amount to be determined at the time of trial, and other
8533 relief this court deems appropriate.

8534

8535 34.Immediate declaratory judgment and injunctive relief to compel North
8536 Shore Community College, Salem State College, and Montserrat

8537 College of Art to readmit Plaintiff as a student, and to expunge or seal
8538 all college records in regards to Plaintiff every having be suspended,
8539 and other relief this court deems appropriate.

8540

8541 35. Immediate declaratory judgment and injunctive relief to compel North
8542 Shore Community College, Salem State College, and Montserrat
8543 College of Art to issue semester grades that would have been earned
8544 at the time of suspension based on grades earned prior to suspension.
8545 In the case of North Shore Community College this will be a B-, A, A,
8546 B, A; with Salem State College this will be two grades of an A, and
8547 Montserrat College of Art will be an A and a B-, and other relief this
8548 court deems appropriate.

8549

8550 36. Immediate declaratory judgment and injunctive relief an injunction to
8551 compel the Commonwealth of Massachusetts – Office of Emergency
8552 Medical Services to immediately reissue the Plaintiffs EMT license,
8553 and to post the CEU certificates and credits to the Plaintiff training
8554 records that the OEMS has previously refused or declined to do, and
8555 other relief this court deems appropriate.

8556

8557 37. Immediate declaratory judgment and injunctive relief to compel the
8558 Town of Rockport Ambulance Department to re-hire and un-suspend
8559 Plaintiff Atkinson, and to restore him back into position as a volunteer
8560 EMT, with full benefits, time in grade, seniority, and other relief this
8561 court deems appropriate.

8562
8563 38. Immediate declaratory judgment and injunctive relief to compel the
8564 Commonwealth of Massachusetts OEMS to audit all training records
8565 of all active EMT's, and all training records all future EMT's to detect
8566 any prior falsification of training records, or falsification of patient
8567 records, or time sheets, or run reports and other relief this court deems
8568 appropriate.

8569
8570 39. Immediate declaratory judgment and injunctive relief compel the
8571 Federal Bureau or Investigation, U.S. Department of State, Central
8572 Intelligence Agency, Department of Energy, U.S. Army, U.S. Navy,
8573 and other federal military and intelligence agencies to return all copies
8574 of RAPHAEL, and all source code, and to pay a suitable fee for use,
8575 and theft of trade secrets, punitive damages, and other relief this court
8576 deems appropriate.

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8578

40.Immediate declaratory judgment and injunctive relief, and impose

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strong punitive damages against all other defendants based upon their

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individual wealth each for willfully violating, infringing, and

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depriving Plaintiff of his civil rights, or an amount to be determined at

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the time of trial, and other relief this court deems appropriate.

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41.Immediate declaratory judgment and injunctive relief, so that at no

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time will the Town of Rockport Police, Fire, Ambulance, or other

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town services withhold, or delay response to either the Plaintiff, the

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Plaintiff business, the Plaintiff family, or to the Plaintiff neighbors, as

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the Town has done to other citizens in order to “freeze them out of the

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town,” and which the Plaintiff has been threatened with at various

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times.

8591

8592

42.Award General Damages, Special Damages, Compensatory Damages,

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Punitive Damages, and other relief, which the court deems to be just

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and equitable, and other relief this court deems appropriate.

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43.Other relief, which the court may find, appropriate.

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44. Award Plaintiff treble actual damages both liquidated and

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unliquidated in an amount to be determined at the time of trial.

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45. Award attorney's fees and/or costs pursuant to 42 U.S.C. § 1988.

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46. Award costs of the suit.

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47. Any other further relief as the Court deems just and appropriate.

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Plaintiff demands a trial by Jury

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Respectfully submitted,

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Dated: June 27, 2011

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