



unsuccessful.

A little context is necessary to understand the genesis of this case. On September 17th, 2015, in Rochester, New Hampshire, Plaintiff attended a Trump Campaign event to cover the event as a member of the press. At this event, in Rochester, Plaintiff, at the behest of Defendant Trump, quoted from First Timothy, from the Christian Bible, apparently embarrassing to Defendant Trump. As a result, Trump supporters surrounded Plaintiff pushing him and punching Plaintiff viciously in the kidneys. At the time, Plaintiff sought the assistance of Trump staff, but Trump staff told him to shut up and leave. Unable to exit, due to the density of the crowd, Plaintiff was only able to prevent further assault by seeking the assistance of Ian Thomas Jansen-Lonnquist, a New York Times photographer. Later, as Plaintiff walked through the parking lot to his car, Trump supporters threatened Plaintiff with further violence. Following the event, Plaintiff received more than fifteen online threats of violence, including death threats.

Plaintiff continues to receive malicious threats and lives in daily fear, at times relocating out of state when he does not feel safe in his normal place of residence. Threats after the Rochester event included such language as: "someone should have curb stomped you...you piece of shit;" "Honestly, you needed to be hog tied and dragged out for putting the general public in harms way!;" "I wish it had, would be nice to see this guy bleeding on the ground;" "I am gonna place people on coming up rallies just to kill you in some back alley tbh."

In fact, the FBI and Boston Police have visited Plaintiff, attempting to discover who was behind the dozens of particularly violent death threats and vulgar criticisms of Plaintiff for being gay, mostly from websites 4Chan and StormFront which also made threats regarding the of bombing a rally with tens of thousands of participants. Apparently Plaintiff was also targeted after unknowingly interviewing prominent neo-nazi Trump-supporter Matthew Heimbach.

On October, 2, 2015, in preparation for the "No Labels Problem Solvers" event, Plaintiff wrote to the Defendant No Labels to get press credentials. He corresponded back and forth, but got no final decision. Plaintiff made a standard reservation since it was free and open to the public.

Plaintiff attended the "No Labels Problem Solvers" event (on October 12th, 2015), in Manchester, New Hampshire at the Radisson Hotel auditorium/ Expo Center, capacity: 6,432. Defendant No Labels, an allegedly non-partisan non-profit, advertised the event as a public forum where citizens could freely challenge the Presidential candidates.

Unfortunately, this type of atrocious violence, threats of violence and intimidation perpetrated by Defendant Trump's security employees, staff, and supporters was and remains the modus operandi of Defendant Trump to create media, enlarge his support by attracting more violent individuals to his movement. Defendant Trump's goal is to deprive press and anyone asking serious questions from having a voice, and thereby create a "chilling effect" on speech in order to exert control over our political system and our nation's affairs for his own personal gain. However, brave judges, like those in the Galicia et al. v. Donald J. Trump, et al. and KASHIYA NWANGUMA, et al. v. DONALD J. TRUMP, et al. cases, have attempted to hold Defendant Trump and those perpetrating violence on his behalf individually liable for condoning, authorizing, and participating in these rogue assaults on our Civil Rights and our Constitution.

Every four years, as enshrined in New Hampshire's First-In-The Nation Presidential Primary Law, Title LXIII, Chapter 653, the City of Manchester and the State of New Hampshire open their doors to this nation's citizens and the world press to join them in our national political debate. The State and the City of Manchester become a public forum for which they substantially benefit: economically, politically, and socially; Many of the associated events are broadcast and streamed live and are seemingly advertised as open, free, and fair public forums where the public is seemingly encouraged to question and challenge the candidates. However, in a great deception, some Courts have held that because these events are privately produced, first amendment rights to free speech are not entirely protected and that individual candidates have the right to control their messages.

What makes this case different, however, is that No Labels, a 501(c)(4) non-profit corporation with a multimillion dollar budget and several political action committees, advertised, operated, and conducted itself in such a manner as to render its event a public forum. In an open society, where a large political event is open to the public, live-streamed and broadcasted by the national and international press, the property rights of the owner or leaseholder, who is benefitting from the public event, become less important than the free speech rights of the invitees and the nation, or better said, the government has less of an interest in protecting a particular political candidate from being embarrassed and possibly losing support than the free speech rights and benefits of an open society and free political discourse.

Moreover, we must ask ourselves for how long can such allegedly open forums as the No Labels event be used to propagate violence, intimidation, and the restriction of our civil and constitutional rights? We must also ask ourselves whether the City of Manchester has actually created a safe environment for the conduct of our nation's affairs or whether it has permitted violent individuals, dressed as members of its police force or "under color of law," to team up with known violent actors, dressed as alleged "security" for Defendant Trump, to violently assault, batter, and deprive Plaintiff of his civil rights with impunity.

The free State of New Hampshire and The Congress of the United States have enacted intentional tort laws and the "The Klu Klux Klan Act of 1871," 42 U.S.C. §1983, respectively, to provide relief for these exact situations. Accordingly, the Plaintiff brings this action seeking compensatory, nominal, and punitive damages against these Defendants to correct those wrongs and to make Plaintiff whole again.

### PARTIES

2. Plaintiff RODERICK WEBBER, ("WEBBER"), Box 365., Holbrook MA, 02343.

3. Defendant DONALD J. TRUMP ("TRUMP") is the President of the United States of America. At the time of the incident, he was running to become the President in the 2016 Presidential Elections, and was best known as a wrestling personality and gameshow host before that. Defendant TRUMP maintains offices at the "Trump Tower" at 725 Fifth Avenue, New York County, State of New York.

4. Defendant DONALD J. TRUMP FOR PRESIDENT, INC. (“TRUMP CAMPAIGN”), a Virginia corporation authorized to do business in New York State, is the campaign committee formed to support the candidacy of defendant TRUMP in the 2016 Presidential Election and the primary contests for the Republican Party’s nomination. Donald J. Trump For President, Inc., maintains its headquarters at the “Trump Tower” at 725 Fifth Avenue, New York County, State of New York. According to the Federal Election Commission (FEC), Trump Campaign has made substantial monetary payments to Defendants named in this case, Donald J. Trump, Edward Deck, Fred Doucette, and The City of Manchester.

5. Defendant THE TRUMP ORGANIZATION, INC. (“THE TRUMP ORGANIZATION”). Defendant Donald J. Trump is believed to be the executive in charge at the time of the incident. Since then, his son, Eric Trump is believed to have taken over executive responsibilities. Defendant THE TRUMP ORGANIZATION, INC. maintains its principal place of business at the “Trump Tower” at 725 Fifth Avenue, New York County, State of New York. Defendant TRUMP is believed to be the principal owner of The Trump Organization, Inc.

Due to the excessive amount of companies and sub-companies with “Trump” in the name paid by Defendant Donald J. Trump For President, Inc, this has caused considerable consternation and confusion as to where payments ultimately end up; some of those companies or persons being paid by the Trump Campaign being listed as “payroll” or “security.” It appears at times that the Trump Campaign has paid Donald J. Trump (the individual), with a memo attached reading “In Kind: Payroll.” It is unclear at this time without further discovery whether these companies in addition to Defendant Donald J. Trump For President, Inc. were also making payments to the Defendants Deck, XMark, LLC (NC), XMark, LLC (AZ), City of Manchester, Pittman, Aldenberg, Cosio, Craig, or The Radisson Hotel. Federal Election Commission (FEC) disclosures show Defendant Donald J. Trump For President, Inc. made payments to dozens of “Trump-titled” companies. Since the No Labels Problem Solvers event took place at the beginning of the campaign, based upon information and belief, The Trump Organization, Inc. or Trump Organization, LLC had been making payments to Defendant Deck just previous to the No Labels Problem Solvers event for security. As a result, It is difficult to discern who was paying whom for what and when within the web of “Trump-named” companies and the lack of full disclosure. What is clear, however, is that despite attempts to serve The Trump Organization, Inc. and Trump Organization, LLC, nobody representing those companies has of yet to appear to explain whether they have paid remuneration to any of these Defendants.

6. Defendant TRUMP ORGANIZATION, LLC, (“TRUMP LLC”), is believed to be a New York limited liability company, a multinational conglomerate engaged in, inter alia, real estate development, management and brand licensing. Defendant TRUMP ORGANIZATION, LLC possibly maintains its principal place of business at the “Trump Tower” at 725 Fifth Avenue, New York County, State of New York. According to the NYS Department of State, Division of Corporations Entity Information database, the company has a registered agent, National Registered Agents, Inc., 28 Liberty St. New York, New York, 10005. This registered agent was served by a licensed process server on March 19th, 2019, (the Plaintiff believing the company was “The Trump Organization, Inc.”) and as a result, this should not prejudice their appearance.

Due to the excessive amount of companies and sub-companies with “Trump” in the name paid

by Defendant Donald J. Trump For President, Inc, this has caused considerable consternation and confusion as to where payments ultimately end up; some of those companies or persons being paid by the Trump Campaign being listed as “payroll” or “security.” It appears at times that the Trump Campaign has paid Donald J. Trump (the individual), with a memo attached reading “In Kind: Payroll.” It is unclear at this time without further discovery whether these companies in addition to Defendant Donald J. Trump For President, Inc. were also making payments to the Defendants Deck, XMark, LLC (NC), XMark, LLC (AZ), City of Manchester, Pittman, Aldenberg, Cosio, Craig, or The Radisson Hotel. Federal Election Commission (FEC) disclosures show Defendant Donald J. Trump For President, Inc. made payments to dozens of “Trump-titled” companies. Since the No Labels Problem Solvers event took place at the beginning of the campaign, based upon information and belief, The Trump Organization, Inc. or Trump Organization, LLC had been making payments to Defendant Deck just previous to the No Labels Problem Solvers event for security. As a result, It is difficult to discern who was paying whom for what and when within the web of “Trump-named” companies and the lack of full disclosure. What is clear, however, is that despite attempts to serve The Trump Organization, Inc. and Trump Organization, LLC, nobody representing those companies has of yet to appear to explain whether they have paid remuneration to any of these Defendants.

7. Defendant EDWARD DECK, (“DECK”). DECK is a believed to be a security employee employed through the Donald J. Trump for President Campaign, Inc, as well as through his own companies XMark, LLC, (NC) / XMARK, LLC (AZ) which themselves were hired by Donald J. Trump For President, Inc, (according to FEC records), and possibly through The Trump Organization, Inc. and Trump Organization LLC. It is also possible that Deck was hired as an individual through The Trump Organization, Inc., and Trump Organization, LLC. According to background checks, DECK has used the names Eddie Deck, Edward Jon Deck, Edward Jon Deck Jr., and Edward James Deck, with multiple dates of birth listed, and multiple addresses on record, including Pinehurst, NC, at least three similar addresses on the same road in Connecticut. Beyond this, dozens of addresses were discovered through background searches including one at the Pentagon. Public FEC filings report Deck to reside at yet another address in Connecticut, (which shall go unnamed for privacy concerns).

8. XMARK, LLC (“XMARK NC”), an entity registered to do business in North Carolina. XMARK NC is owned in part, or in whole by Defendant EDWARD DECK, with a total of three partners, (or employees), in the company, Edward Deck, Gary Uher and Michael Sharkey. According to FEC filings, Donald J. Trump For President, Inc has paid “XMark, LLC” substantial amounts of money. It is also believed that XMARK NC may be funded in part by The Trump Organization, Inc, and/or Trump Organization, LLC. According to the North Carolina Secretary of State Corporation Registry XMARK NC’s company address is listed at the same North Carolina home address as Deck, (which shall go unnamed for privacy concerns). There are several additional addresses on record. Public FEC filings report XMark, LLC’s business address as “C/O Eddie Deck,” at DECK’s home address, as well as several others.

9. XMARK, LLC (“XMARK AZ”), an entity registered to do business in North Carolina. XMARK AZ is believed to be owned in part, or in whole by Defendant EDWARD DECK, with a total of three partners, (or employees), in the company, Edward Deck, Gary Uher and Michael Sharkey. According to FEC filings, Donald J. Trump For President, Inc has paid “XMark, LLC” substantial amounts of money. It is also believed that XMARK NC may be funded in part by The

Trump Organization, Inc, and/or Trump Organization, LLC. According to the Arizona Secretary of State Corporation Registry XMARK AZ's company address is in Tuscon, AZ, with Michael J. Sharkey as the Statutory Agent and Edward Deck with an address listed in Pinehurst, NC listed as the Manager. (The addresses shall go unnamed for privacy concerns). There are several additional addresses on record. Public FEC filings report XMark, LLC's business address as "C/O Eddie Deck," at DECK's home address, as well as several others.

10. Defendant NO LABELS, ("No Labels") with headquarters at 1130 Connecticut Avenue NW, Suite 325, Washington DC, 20036

11. Defendant THE CITY OF MANCHESTER New Hampshire, with address of 1 City Hall Plz, Manchester, NH, 03101.

12. Defendant JAMES PITTMAN, ("PITTMAN"), (individually, and officially as an officer of the Manchester Police Department/ employee of the City of Manchester), with an address in New Hampshire, (which will go unnamed for privacy concerns).

13. Defendant ALLEN ALDENBERG, ("ALDENBERG"), (individually, and officially as an officer of the Manchester Police Department/ employee of the City of Manchester), with an address in New Hampshire, (which will go unnamed for privacy concerns).

14. Defendant, BRIAN COSIO, ("COSIO"), (individually, and officially as an officer of the Manchester Police Department/ employee of the City of Manchester), with an address in New Hampshire, (which shall go unnamed for privacy concerns).

15. Defendant DANIEL CRAIG, ("CRAIG"), (individually, and officially as an officer of the Manchester Police Department/ employee of the City of Manchester), with an address in New Hampshire, (which will go unnamed for privacy concerns).

16. Defendant FRED DOUCETTE, ("DOUCETTE"), is a New Hampshire State Representative and Co-chair for the New Hampshire Donald J. Trump For President. According to FEC filings, he has a post office box: PO BOX 862, Salem, New Hampshire, 03079.

17. Defendant, JPA III MANAGEMENT COMPANY, INC., ("JPA III"), the management company of The Radisson Hotel, which has now become a Doubletree by Hilton located at 700 Elm Street, Manchester, NH 03101. The Registered Agent on file for this company is Deachman, W John, Esq and is located at 1662 Elm Street U1, Manchester, NH 03101.

#### NOTES ABOUT THE PARTIES

18. At all times relevant herein, defendants THE TRUMP ORGANIZATION, INC, and TRUMP ORGANIZATION, LLC shall collectively be known as "TRUMP COMPANIES."

At all times relevant herein, defendants XMARK, LLC (NC) and XMARK, LLC (AZ) shall collectively be known as "XMARK COMPANIES."

At all times relevant herein, defendants CITY OF MANCHESTER, PITTMAN, COSIO, CRAIG

and ALDENBERG, collectively shall be known as MANCHESTER DEFENDANTS, unless they need to be individually named.

### FEDERAL JURISDICTION AND VENUE

19. Plaintiff brings this complaint at law arising under this Court's subject matter jurisdiction pursuant to 28 U.S.C. § 1331 (federal question). 28 U.S.C. § 1331 confers jurisdiction in actions authorized by 42 U.S.C. § 1983, the Civil Rights Act of 1871, for the redress of a deprivation of rights, privileges and immunities secured by the First, Fourth, and Fourteenth Amendments of the United States Constitution whereby the Defendants violated said rights acting under color of law. 28 U.S.C. § 1343(a)(3) and (4) (civil rights jurisdiction).

20. Plaintiff brings this complaint against Defendants under the laws of the State of New Hampshire and common law principles. Plaintiff's state law claims are related to these federal claims and form a part of the same case or controversy. Accordingly, this Court has supplemental jurisdiction over Plaintiff's state law claims, pursuant to 28 U.S.C. § 1367.

21. Additionally, Plaintiff has personal jurisdiction over non-resident defendants pursuant to 28 U.S.C. Section 1332 (federal diversity jurisdiction), as some of the defendants are also completely diverse in citizenship and the amount in controversy exceeds \$75,000. Said Defendants have the requisite contacts with the State of New Hampshire to render them subject to the diversity jurisdiction of this Court.

22. This Court is an appropriate venue for this cause of action pursuant to 28 U.S.C § 1391(b)(1) and (b)(2) because a substantial part of the acts or omissions occurred in Manchester, New Hampshire, which is within this judicial district, giving rise to the claims herein and in which some Defendants maintain offices and/or reside.

23. This Court has the authority to award costs and fees pursuant to 42 U.S.C. § 1988.

### FACTS

24. On September 17th, 2015, in Rochester, New Hampshire, Plaintiff attended a Trump Campaign event to cover the rally as a documentarian covering the 2016 presidential election.

25. At this event, Defendant Trump called on Plaintiff to recite a Bible verse during question and answer session, saying, to Plaintiff "what's your favorite? What's your favorite," clearly pointing to Plaintiff. There was no audience microphone nearby, so Defendant Trump encouraged Plaintiff to call out the Bible verse without a microphone by saying, "say it," again pointing to Plaintiff. Plaintiff quoted from the Christian Bible, from First Timothy, a passage critical of a candidate with similarities to Defendant Trump, apparently embarrassing him and after the speech had finished, causing Trump supporters to surround Plaintiff and to push him and punch him viciously in the kidneys.

26. At the time, Plaintiff sought the assistance of Trump staff, but Trump staff told him to shut up and leave. Unable to exit, due to the density of the crowd, Plaintiff was only able to prevent further assault by seeking the assistance of Ian Thomas Jansen-Lonnquist, a New York Times photographer. Later, as Plaintiff walked through the parking lot to his car, Trump supporters threatened Plaintiff with further violence.

27. Subsequently, Plaintiff received fifteen or more online threats of violence from that event alone, including death threats. Plaintiff continues to receive malicious threats far too numerous to count, and lives in daily fear, at times relocating out of state when he does not feel safe in his normal place of residence.

28. Threats after the Rochester event included such language as: “someone should have curb stomped you...you piece of shit;” “Honestly, you needed to be hog tied and dragged out for putting the general public in harms way!;” “I wish it had, would be nice to see this guy bleeding on the ground;” “I am gonna place people on coming up rallies just to kill you in some back alley tbh.” In fact, the FBI and Boston Police have visited Plaintiff, attempting to discover who was behind a wave of dozens of particularly violent death threats and vulgar criticisms which made claims of bombing a rally with tens of thousands of participants.

29. On September 30th, Plaintiff stood in line for a Trump Campaign event in Keene, New Hampshire to cover the event as press. Plaintiff was not allowed into the event because he was wearing religious attire.

30. On October 2nd, 2015, Plaintiff, in preparation for the “No Labels Problem Solvers” event wrote to Jennifer Aaronson, a staff member of Defendant No Labels to get press credentials. He corresponded back and forth, but got no final decision. Plaintiff made a standard reservation since it was free and open to the public.

31. Defendant No Labels’ website NoLabels.org made statements such as, “start a dialogue with one another,” and “press our candidates for answers,” and “We’re out to shake up the system and compel our national leaders to get back to the business of solving the problems facing the nation. The website had an RSVP section inviting participants to, “HOLD THE CANDIDATES’ FEET TO THE PROBLEM SOLVING FIRE.”

32. Defendant No Labels website also made numerous quotes calling for civil discourse from Presidents, Senators and Governors. Senator Bernie Sanders was quoted as saying, “it is vitally important for those of us who hold different views to be able to engage in a civil discourse.” Governor Jeb Bush was quoted as saying, “If we weave a web of civility where you don’t violate your principles by actually talking to people who don’t agree with you – it’s an essential part of restoring democracy in this country so we start fixing things.” President Barack Obama was quoted as saying, “A better politics isn’t one where Democrats abandon their agenda or Republicans simply embrace mine. A better politics is one where we appeal to each other’s basic decency instead of our basest fears. A better politics is one where we debate without demonizing each other; where we talk issues, and values, and principles, and facts, rather than ‘gotcha’ moments.”

33. Plaintiff attended the “No Labels Problem Solvers” event on October 12th, 2015, in

Manchester, New Hampshire at the Radisson Hotel auditorium/ Expo Center, capacity: 6,432, owned by Defendant JPA III. The event was considered to be a “public event” which Defendant No Labels repeatedly has asserted in its March 18th, 2019 motion to dismiss.

34. The event encouraged shouting, and a generally rowdy environment, complete with “No Labels Man” running around the room dressed as a superhero, and with No Labels Spokesperson Lisa Borders kicking off the commencement by saying things such as “We’re going to get this party started,” and “woo hoo.” There were multiple call-and-responses where Lisa Borders encouraged the audience to scream and shout.

35. Plaintiff spent time initially walking around filming, but ultimately took a seat next to the stage with other members of the press, as is customary with the press at these events.

36. Defendant No Labels’ event had many calls-to-action, at times sounding like an incitement to challenge the politicians, such as No Labels Spokesperson Governor Jon Huntsman saying, “Doing nothing is not an option... This is your chance to set the tone and change the whole conversation in this election.” Defendant No Labels Co-Chair Senator Joe Lieberman told the audience, “No Labels is a disruptive political movement, right? We’re angry. We’re as angry as anyone else in America about how our government in Washington is not fixing Americas problems.”

37. Noticeably, there were frequent problems with the sound system at the No Labels event, causing confusion as to whose turn it was to speak.

38. At numerous times before and after Defendant Trump’s time at the podium, unrelated to the Plaintiff, there were problems with the audience microphone. At one point early in the day, “No Labels Man” went into the crowd with the microphone for audience members to use, but the microphone did not work. Lisa Borders says, “is there a mic? Is there a mic?” The mic again didn’t work, and “No Labels Man” could be heard to say, “that is a fake mic.” During Defendant Trump’s time at the podium he even encouraged a questioner to forgo use of the microphone saying, “shout it out.” Defendant Trump got so frustrated with the questioner that he began taunting him, saying, “c’mon.... Let’s go.... Shoot... He’s choking... C’mon.... Harvard. You go to Harvard?” At yet another point during Defendant Trump’s presentation, an audience members stood up and shouted at Defendant Trump without a microphone. This prompted a wave of shouting from the audience, which Defendant Trump clearly heard and responded to without making any statement that not using the microphone was inappropriate. At another point in the event, there was a problem with the microphone, and Governor Chris Christie said to the attendee, “they’re either going to give you a microphone or arrest you.”

40. After Defendant Trump’s speech he announced he would take questions from the audience. At this time, there was a pause in speaking, and a noticeable silence in the room. Plaintiff, who was seated close to Defendant Trump, without a microphone politely asked Defendant Trump if he was aware that Plaintiff had been assaulted in Rochester. Defendant Trump sarcastically responded “you look healthy to me,” getting laughs from the audience and Defendant No Labels’ staff. Plaintiff did not hear the response due to the noise in the room.

41. Defendant Deck reached over the stage-divider-rope and taps Plaintiff on the back and tells

Plaintiff that he can secure the microphone in the rear of the hall if he wants to be heard properly. Defendant Deck says, "it's over there. They're only being taken from the mics. So, if you wanna ask your question, you're going to have to go to the microphone."

42. Plaintiff gets up and goes toward the back of the hall and turns back toward his seat when he realizes that Defendant Deck has deceived him into believing that there is a microphone.

43. Defendant Doucette, Deck, Trump staff, and Unidentified Individuals make a human wall around Plaintiff blocking his return to his seat.

44. Defendant Doucette who is wearing a New Hampshire State Representative pin, and a Trump Campaign staff pin, makes a series of statements to the Plaintiff to suggest that he has the authority to remove the Plaintiff from the venue. Defendant Doucette says, "keep rolling, keep rolling," and, "you're here for the mic? You're not going to get the mic," and "Do I gotta get a badge to get you out of here?"

45. Unknown member of Defendant No Labels staff engages in unwanted touching with Plaintiff.

46. Defendant Deck gets within inches of Plaintiff's face, engaging in unwanted touching. Plaintiff repeatedly asks Defendant Deck to stop touching him, saying, "Don't touch me.... Hands off, buddy. Hands off... Don't touch me. Stop touching me... Stop touching me."

47. Plaintiff asks Defendant Deck if he is employed by the No Labels event, saying, "Are you part of the staff here?"

48. Plaintiff asks Defendant Deck what his name is, saying, "what's your name?" Defendant Deck responds, "I'm going to break your (inaudible)." Plaintiff again asks, "What's your name?." Defendant Deck gets right in Plaintiff's face, saying, "You're going to see my name on your face," which Plaintiff interpreted to be a clear threat of violence.

49. Defendant Doucette says something into Defendant Deck's ear which is inaudible.

50. Defendant Trump says from the stage, "He doesn't have the mic," which Plaintiff believe to be addressed to him. In response, Plaintiff waives his hands up high asking for the microphone.

51. Defendants Pittman approaches Plaintiff from beyond, grabbing and arm, while Defendant Deck grabs Plaintiff's other arm and both Defendants take Plaintiff passed the seating in the back of the hall.

52. An employee of Defendant No Labels wearing a yellow staff badge casually watches doing nothing to intervene.

53. Defendants Deck and Pittman throw Plaintiff head-first into a table knocking it over and making a loud commotion, and scattering campaign materials all about.

54. An unknown spectator alerts the room that Plaintiff is being assaulted by loudly shouting,

“What are you doing? Leave him alone!” But no one comes to Plaintiff’s aid despite multiple employees of Defendant No Labels now within sight of what is transpiring.

55. Throughout the attack, Plaintiff is constantly being pushed from behind, making it impossible for Plaintiff to clearly see his attackers faces.

55. Plaintiff attempts to stand up from the floor, when Defendant Cosio approaches from in front of him. Now, Defendants Deck, Pittman and Cosio push Plaintiff a few more feet, eventually aggressively throwing Plaintiff to the ground as Defendant Deck swears loudly at Plaintiff. While this is going on, Plaintiff states, “I just wanted to ask a question, I was assaulted.” Defendant Deck yells, “I don’t give a shit,” the moment before pushing Plaintiff to violently to the floor, still clutching Plaintiff’s jacket all the way to the ground. Plaintiff is momentarily tangled in one of the divider ropes near the door.

56. At least three employees of Defendant No Labels can be seen (on video) wearing green No Labels shirts with yellow No Labels badges, casually watching Plaintiff being assaulted but failing to speak up, and doing nothing to intervene.

57. Defendants Craig and Cosio pick up Plaintiff from the floor, and take Plaintiff to the sidewalk outside the Radisson Hotel/ Expo Center. Plaintiff is disoriented from the assault, and not having clearly seen Defendant Craig, believes him to be Defendant Pittman, who initiated the assault.

58. Outside, at least four employees of Defendant No Labels can be seen wearing green No Labels shirts or with yellow No Labels badges, watching the situation but doing nothing to intervene.

59. Plaintiff asks Defendants Craig and Cosio if he’s being detained by saying, “Am i being detained?” Defendant Craig says, “Yes.” Defendant Cosio affirms, “Yes you’re being detained.”

60. Plaintiff asks, Defendants Craig and Cosio, “Why am I being detained?” Officer Cosio is silent, and turns around to go inside. Plaintiff is left alone with Defendant Craig, while thinking Defendant Craig is the officer who initiated the attack. Plaintiff repeatedly asks, “why am I being detained?” adding, “This is about free speech,” and “Under a Donald Trump presidency is this what we can expect? That someone asks a question, and they’re assaulted and thrown out?”

61. Defendant Aldenberg (with a rank of Sergeant, at the time), arrives and tells Plaintiff, “you are not being detained,” and Defendant Craig concurs, saying, “you can leave.”

62. Plaintiff walks off of the Defendant JPA III’s property, (The Radisson Hotel/ Expo Center), of his own free will toward a public park bench away from the Radisson Hotel. Meanwhile, Plaintiff asks Defendant Aldenberg to file a complaint against those that assaulted and battered him. Defendant Aldenberg takes notes in his notebook for the complaint. Defendant Aldenberg agrees to retrieve Plaintiff’s lost video camera battery in the Radisson Hotel/ Expo Center.

63. Plaintiff, of his own accord, sits on a public park bench waiting for Defendant Aldenberg to return with the battery, but instead records Defendant Aldenberg conferring with Defendants

Pittman, Cosio and Craig in front of the Radisson Hotel/ Expo Center.

64. Defendant Craig walks away from the other officers toward Plaintiff. Plaintiff, believing that Defendant Craig is the police officer who assaulted and battered him, shouts at Defendant Aldenberg to keep Defendant Craig away from him. Defendants Aldenberg, Craig, and Pittman arrest Plaintiff.

65. On Oct 12th, Officer Pittman files a police report/ affidavit which is full of obvious factual inaccuracies which can be easily disproven with video of the incident. Defendant Pittman perjures himself in the process. The true statements made in the report illustrate that Defendants Deck and Pittman were working together, such as, "As Mr. Deck and I approached Webber," and "Mr. Deck and I then began to escort Webber out of the building." Some of the statements which are clearly not factual were, "I was later informed by Mr. Deck that Webber was yelling derogatory remarks about the Trump Security Staff," and "Mr. Deck also stated that Webber said 'I'm not fucking listening to you.'" Plaintiff clearly did not say these things. One sentence Defendant Pittman made in his affidavit contradicts itself within the sentence, claiming the Plaintiff was, "pushing his body against me," yet the backward push (according to Defendant Pittman), made the Plaintiff, "fall forward" as a result. Defendant Pittman also erroneously indicated that Defendant Deck had some authority in this situation by stating, "Mr. Deck further stated that during the entire incident he asked Webber to leave approximately three times, and he refused." Defendant Pittman erroneously concludes the report by stating, "There is also probable cause to believe that Webber committed the act of RSA 642:2 Resisting Arrest or Detention due to physically interfering with a person recognized as law enforcement who was seeking to effect detention." As noted before, Defendant Pittman grabbed Plaintiff from behind, making it impossible for Plaintiff to, "recognize as law enforcement," Defendant Pittman.

66. Plaintiff makes multiple attempts to file a complaint of police brutality for his injuries with the officials of the Defendant City of Manchester Police and city officials. No officials from Defendant City of Manchester are willing to file a complaint nor do they explain that such a procedure was available or necessary in order to make a future claim in court.

67. On October 12th 2:27pm, Plaintiff called Defendant City of Manchester Police Department at 603-622-5430, to try to report the assault, and was told to call another number. That number was 603-668-8711. October 12th 2:28 PM, Plaintiff called 603-668-8711 which is the number for the Manchester Family Justice Center who said they couldn't help.

68. On October 12, 2015, The Washington Post published an article called, "Man Thrown Out During Trump Speech," including video of Plaintiff screaming in pain. This damaged Plaintiff's reputation, and prevented him from earning wages for video he would have filmed at future events.

69. On October 12, 2015 Jacqueline Alemany of CBS News writes negative article, "More discord than harmony at No Labels presidential forum," in which she writes, "Webber was soon after charged with disorderly conduct and resisting arrest." This damaged Plaintiff's reputation, and prevented him from earning wages for video he would have filmed at future events.

70. On October 12, 2015 Carol Robidoux of Manchester Ink Link writes of the arrest. This

damaged Plaintiff's reputation, and prevented him from earning wages for video he would have filmed at future events.

71. October 13th, at 10:10 AM, Plaintiff calls City of Manchester Alderman Patrick Arnold at 603-703-5383 to see if he could help get a complaint filed.

72. October 13th, 2015 at 5:42 PM Plaintiff leaves message with Defendant No Labels employee Dennis Craig

73. October 15, 2015 at 9:42 AM, Plaintiff emails the Defendant City of Manchester Police Department, to file a complaint of assault by Manchester Police officers, writing (in part), "I filed assault charges against officer B. Cosio and the (still unnamed) officers involved in throwing me to the ground inside the "No Labels" event at the Radisson. Has there been any progress in identifying them? Additionally, there was a Donald Trump staff member who was also involved in assaulting me. How can I find out if there has been any progress on all of this?"

74. October 15th, 10:49 AM Plaintiff calls the New Hampshire DOJ/ Attorney General at 603-271-3658 to file a complaint.

75. October 15, 2015 at 6:23 PM Plaintiff emails Defendant Aldenberg, to make sure the complaint has actually been filed, writing, (in part), "Hi Sgt Aldenberg- I have tried contacting by phone and through the main Manchester police email-- but I haven't had any response. "

76. October 16th, at 12:21 PM Plaintiff calls the New Hampshire DOJ/ Attorney General at 603-271-3658.

77. On Friday, October 16, 2015 1:54 PM, Plaintiff received an email from Defendant City of Manchester Police officer, Maureen Tessier. She totally dismissed the fact that Plaintiff's arrest was a separate incident from the assault Plaintiff was trying to report, writing, "if you wish to file a complaint against any of our officers, you can contact me Monday-Friday from 7:00 AM to 3:30 PM at (603) 792-5473 or you call the Officer in Charge at (603) 792-5466 during nights and weekend hours to make that complaint."

78. On Friday, October 16, 2015 at 2:55 PM, Plaintiff emailed Maureen Tessier to write, (in part), "Hi Capt Tessier- Thanks for responding. I already pressed charges via Sgt. Aldenberg. The case # is 15-17237. I listed Officer B Cosio as one of the men who assaulted me. Additionally, since seeing the video, we've been able to identify Officer Pittman. There was one other officer involved, as well as one man wearing a Donald Trump staff badge."

79. Oct 19, 2015 at 9:50 AM, Defendant Aldenberg emailed Plaintiff dismissing his requests to press charges, writing, "I assume that when you were bailed you were provided a court date. The initial arraignment and subsequent trial if it should reach that level is the place and time to address your concerns. You will have the opportunity to cross examine all witnesses to the incident as well as the arresting officers. I am sure your attorney will be able to explain all of this to you. Thank you.. SGT Aldenberg"

80. Oct 19, 2015 at 1:38 PM, Plaintiff wrote a joint-email to Defendant Aldenberg, and the Attorney General, trying to make sure a complaint would be filed, writing (in part) “Hello Sgt. Aldenberg- Since I was officially detained by Manchester Police, then released-- and later arrested, there are two distinct incidents that took place. I was arrested after sitting on a park bench quietly-- until I called to you for help-- at which point you felt the need to arrest me. This took place clearly after I was assaulted.”

81. On October 19, 2015 at 2:05 PM, Plaintiff wrote to the Attorney General, to reiterate the situation, in an attempt to file a complaint.

82. On Oct 19 at 3:10 PM, Plaintiff wrote to Maureen Tessier, of the Defendant City of Manchester Police Department to again reiterate the situation in an attempt to file a complaint.

83. Dick Tracy from the Attorney General’s office wrote back by email saying, “The Office of the Attorney General will not open a criminal investigation.”

84. On October 19th, 2015 at 11:25 AM Defendant City of Manchester Police Department called Plaintiff to say, “Take care of it in court, it’s not something we’re going to investigate.”

85. On Oct 20, 2015, at 12:02 PM, Gina Charboneau an employee of Defendant Manchester Police Department told Plaintiff he could not get a copy of the police report.

86. On October 20th, 2015, at 11:07 AM, Plaintiff spoke at length with Defendant No Labels Communications Director/ Chief Strategist, Ryan Clancy. Clancy said he witnessed the attack, acknowledging it caused suffering, saying, “I saw what happened to you while you were there, which sucks and I’m sorry that that happened,” and, “Rod. I’m really sorry all this has happened to you, and it isn’t right,” and “for you certainly, this is a huge deal personally,” and “all I can say to you personally is that I’m sorry that you had that experience at our event.”

Defendant No Labels’ Clancy described the event as an open and public forum, with statements such as, “Rod, when we open an event like this, our goal, our expectation is that, ya know, that everybody can have a voice, as long as everybody’s respectful— but— that’s what the organization is about. Like, open dialogue,” and, “what ended up happening, in a public forum, you unfortunately had an incident with some campaign security, and subsequently with the Manchester PD.”

Defendant No Labels’ Clancy made it clear that though candidates could bring their own security, that those candidate security forces did not have any kind of authority over Defendant No Labels, stating, “it was our event— We were hosting it. And we had security.”

In response to Plaintiff telling Defendant No Labels’ Ryan Clancy that he was not a protester and just “standing his ground,” Clancy responded, “I know — you were just there— standing your— I know that.”

87. In the same October 20, 2015 conversation, Defendant No Labels’ Clancy affirmed that Defendant No Labels had hired four off-duty Manchester Police Officers, and but they failed to find out anything about the officers including their names, stating, “The security we had was just

four off-duty Manchester Police Officers, so, that was the No Labels affiliated security.” Clancy followed this up with, “so there’s just four of these guys, ya know.” Later in the conversation, Clancy echoes the sentiment of negligence, stating, “we don’t have any connection of any kind umm, to the respective security teams of any of the campaigns, nor do we have any connection to Manchester PD,” continuing, “I couldn’t even tell you the names of Trump’s, or any of the other security staff. We don’t have any of that information.”

88. Going back to October 14, 2015, Defendant No Labels’ organizer Sam Boswell echoed the statements of Ryan Clancy through email with statements such as, “Since the Trump security guard was not hired by No Labels we unfortunately do not have his name or contact information,” and, “I asked around and unfortunately we did not keep the names of any law enforcement officers that were present at the convention.”

89. In the October 20, 2015 conversation, Defendant No Labels’ Clancy indicated that he was in direct communication with the leadership of Defendant No Labels regarding the incident, as evidenced by statements such as, “Rod, I can talk to some of our people,” and, “I’m going to talk to some other people in our organization, including the leadership.”

90. On October 20, 2015, after Ryan Clancy conferred with leadership Clancy called Plaintiff at 4:13 PM to tell him that Defendant No Labels had decided not to take any responsibility, saying, “We’re not going to be able to release a statement on this one way or the other.”

91. In conversation October 20, 2015 with Plaintiff, Ryan Clancy repeatedly asserted that Defendant No Labels had no responsibility for what took place with statements like, “if there was any responsibility any of our people had, then I’m sure we would look at it differently.”

92. Defendant No Labels’ Sam Boswell echoed these sentiments, with statements made October 19, 2015, like, “I am truly sorry that I can't help you identify the security detail. This is an issue that you must take up with the Trump team. We are working day and night at No Labels to ensure we have a leader that can work with both parties to solve problems. Wishing you the best.”

93. In conversation October 20, 2015, when Plaintiff pressed Defendant No Labels’ Ryan Clancy regarding Defendants Trump and Trump Campaign’s security by saying, “that doesn’t make them above the law,” Clancy responded by saying, “Of course not! But the thing is, Rod, is, we, I don’t, I am more— we. We don’t have any more information than you do.”

94. On Oct 22, 2015, Blogger Paul R. Brian published a Police Report/ Affidavit about the Oct 12th incident written by Defendant Pittman containing testimony by Defendant Deck. The affidavit is full of demonstrable lies. This damaged Plaintiff’s reputation, and prevented him from earning wages for video he would’ve filmed at future events.

95. As a public-relations follow-up email regarding the Oct 12, 2015 event, Defendant No Labels made zero effort to acknowledge that their event turned into a platform for political violence, stating, “We’re proud to announce that the Problem Solver Convention was a great success!” Defendant No Labels continued in their Oct 26, 2015 Public Relations email via Juliet Herbert by saying, “We still need to keep up the pressure on our leaders and show them that voters want

a Problem Solver president.” In the same email, Defendant No Labels announced a ‘Problem Solvers’ award, stating, “This upcoming January, we will be awarding the No Labels Problem Solver Seal of Approval to candidates that fit the criteria of being a Problem Solver.” Defendant No Labels gave the award to Defendant Trump.

96. On Jan 28, 2016 WMUR publishes a video showing Plaintiff in a negative light. This damaged Plaintiff’s reputation, and prevented him from earning wages for video he would’ve filmed at future events.

97. Plaintiff attended 40 Trump events, and as a result of the Sept 17 2015 and Oct 12th, 2015 incidents was denied access to almost all of them.

### **FIRST CLAIM FOR RELIEF**

#### **STATE LAW TORT: ASSAULT**

AGAINST DEFENDANTS TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, DECK, DOUCETTE, PITTMAN, ALDENBERG, CRAIG, COSIO, CITY OF MANCHESTER, NO LABELS

98. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 97 of this Complaint with the same force and effect as if fully set forth herein.

99. On October 12, 2015, at the No Labels Problem Solvers event in Manchester, New Hampshire, Defendants intended to cause harmful contact or apprehension of harmful contact to the Plaintiff without consent or justification, whereby Defendants assaulted Plaintiff causing damages to Plaintiff.

100. More specifically, when Defendant Deck, reached over the dividing rope separating the stage from the audience and tapped Plaintiff’s shoulder and deceptively told Plaintiff that the microphone was in the back of the hall, Plaintiff immediately felt threatened of imminent physical contact by Defendant Deck, because Plaintiff recognized Defendant Deck as one of the members of security staff of Defendants Trump/ Trump Companies involved in violent assaults which were all over the headlines in the preceding weeks.

101. Additionally, Plaintiff felt threatened of imminent harmful contact in the presence of and when spoken to by Defendant Deck because on September 17, 2015 in Rochester, New Hampshire, Trump supporters had assaulted and battered Plaintiff and despite Plaintiff’s entreaties, Defendants Trump Campaign and Trump Companies staff and security did not intervene to stop or prevent the harm.

102. Moreover, Defendants Deck, Trump Campaign and Trump Companies staff and security and supporters caused Plaintiff apprehension of harmful contact because Plaintiff had been threatened online with severe physical harm and death by what Plaintiff believes were Trump

supporters after the event in Rochester, New Hampshire. Most egregiously, the tortious actions against Plaintiff committed by Defendants Deck, Doucette, The Trump Campaign, Trump Companies and XMark Companies were made without Defendants having any authority at the No Labels Problem Solvers event, as described by Defendant No Labels' staff members Ryan Clancy and Sam Boswell.

See Statement of Facts, Appendix 1: No Labels Correspondence

103. Defendant Deck, and other security staff from Trump Campaign, Trump Companies and XMark Companies intended to put Plaintiff in apprehension of imminent physical contact when those Defendants, and several Unknown Individuals created a human wall or "kettle," preventing Plaintiff from returning to his seat after Plaintiff discovered Defendant Deck's deception that there was no microphone for him to use in the back of the auditorium.  
SEE APPENDIX 8: VIDEOS: "Kevin Bowe Coverage of No Labels"

104. Defendant Deck intended to put Plaintiff in apprehension of imminent physical contact when, despite Plaintiff's pleas to keep Defendant Deck's hands off and Plaintiff asking Defendant his name and whether he was No Labels staff, Defendant repeatedly put his hands on Plaintiff, and when Defendant Deck responded very angrily and threateningly, "you're going to see my name all over your face!" Plaintiff perceived Defendant Deck's words and actions as a direct threat of bodily harm, and thereby Defendant Deck assaulted Plaintiff and Plaintiff suffered severe emotional fear and distress as a proximate cause of Plaintiff's assault.  
SEE APPENDIX 8: VIDEOS: "GoPro Coverage of No Labels"

105. Upon information and belief, Defendants Deck and XMark Companies have developed a record of this behavior, and have been filmed assaulting rally-goers by getting in their faces, swearing and making wild and angry gestures and sometimes ejecting them due to their ethnicity.  
SEE APPENDIX 8: VIDEOS

106. Defendant Doucette put Plaintiff in apprehension of imminent harmful contact when Defendants Deck, Doucette, and staff members of Defendants Trump Campaign, Trump Companies, XMark Companies, No Labels and Unknown Individuals surrounded Plaintiff in a human wall or "kettle," and when Defendant Doucette, in a threatening, loud, and angry tone told plaintiff to keep moving. Additionally, when Plaintiff asked for the microphone Defendant Doucette told Plaintiff that there was no microphone and threatened that he was going to "get a badge" to remove Plaintiff and "good luck," (said sarcastically), when Plaintiff said he wanted to go back to his seat. As the Defendants surrounded Plaintiff, Plaintiff felt boxed in, in a similar way as at the event in Rochester, New Hampshire when he was unable to escape a human wall of Trump supporters angrily yelling at him and punching him in the kidneys.  
SEE STATEMENT OF FACTS, SEE APPENDIX 8: VIDEOS "Kevin Bowe Coverage of No Labels"

107. Defendant Doucette, a New Hampshire State Representative and a paid Trump Campaign official, was not an employee or agent of Defendant No Labels, nor an officer of the law and had no authority at the event, however, he therefore had no lawful justification for his tortious words and actions assaulting the Plaintiff and, considering Plaintiff's past experiences and knowledge of past Trump events, Plaintiff did have a fear of imminent physical contact and harm by Defendant Doucette. Additionally, Defendant Doucette did have a name-tag stating that he was a

New Hampshire State Representative and was wearing a Trump Campaign staff pin, and was a known official of Defendant Trump Campaign, having spoken at previous rallies, and may have used his official identity and campaign identity to cause harm to Plaintiff or have others cause harm to Plaintiff to proximately cause assault and battery on the Plaintiff.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

108. Defendants Deck and Doucette, and employees of Trump Campaign, Trump Companies, XMark Companies, No Labels and other unknown individuals did intend to cause apprehension of physical contact with Plaintiff through their physical actions and threatening tones of voice and words and did conspire together to threaten Plaintiff with physical contact if he attempted to return to his seat and thereby assaulted Plaintiff as provided by New Hampshire state law. SEE STATEMENT OF FACTS, SEE APPENDIX 8: VIDEOS

109. Defendants Deck and Pittman intended to cause apprehension of harmful contact to the Plaintiff and did cause apprehension of harmful contact to the Plaintiff through their acts when they grabbed Plaintiff from behind without warning and then proceeded to take Plaintiff out of the audience area and threw him into a table then threw him down again with Defendant Cosio when Plaintiff attempted to stand.

SEE STATEMENT OF FACTS, SEE APPENDIX 8: VIDEOS

110. Defendants Craig and Cosio intended to cause apprehension of harmful contact to the Plaintiff and did cause apprehension of harmful contact when Defendants did nothing to intervene in the assaults or batteries by Defendants Deck and Pittman. Additionally, when Plaintiff walked outside and sat on the public park bench, Defendant Craig followed him menacingly and Plaintiff had great fear that he would be further battered.

SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

111. Based on information and belief, the Defendants Trump, Trump Campaign, Trump Companies, XMark Companies, No Labels and The City of Manchester are vicariously liable for the assaults on the Plaintiff because Defendants Deck, Doucette, Pittman, Cosio, Craig and security or staffers of those entities committed the assaults on Plaintiff while they were acting within the scope of their employment for the purposes of serving one or more of their employers/ masters/entities; these being either Defendants Trump, Trump Campaign, Trump Companies, XMark Companies, No Labels and The City of Manchester. SEE APPENDIX 12: FEC / FINANCES

112. Defendant Trump has vicarious liability for the actions/ torts against the Plaintiff (including assault) because the facts and the video recordings demonstrate Defendant Trump assenting to the tortious behavior of the other named Defendants and his employees, as he watched the assault unfold. Based upon information and belief, the Federal Election Commission (FEC) has documented sizable payments from the Trump Campaign to Defendants Trump, Deck, Doucette, XMark Companies and City of Manchester for services at or around the time of the events in this complaint.

SEE APPENDIX 12: FEC / FINANCES

113. Defendant Trump is personally liable for the assaults and batteries on the Plaintiff because

he authorized and condoned the tortious behavior of Defendant Deck, his staff and his security team and thereby Plaintiff's injuries are the proximate cause of Defendant's acts. In two cases, Galicia, et al. v. Donald J. Trump, et al. and In Nwanguma, et al., v. Donald J. Trump, et al., Courts have held that Defendant Trump through his words may be held personally liable for either authorizing or condoning the tortious behavior of his security staff or for inciting his supporters to riot. In this case, Defendant Trump's response, "you look healthy to me," to Plaintiff's question, in regard to the assault and battery on Plaintiff by Trump supporters at the Rochester, New Hampshire rally, demonstrates an affirmation and an assent to the assault similar to the finding of Judge Tapia in the Galicia case. Further, Plaintiff believes that Defendant's response demonstrates an authorization or condoning of such violent and illegal behavior by his supporters and staff at his sponsored events. Additionally, Plaintiff believes Defendant Trump's words further indicate knowledge that his supporters are admonished to strike the torso rather than easily recognized body parts such as the face. In fact, Defendant Trump understands the difference between a strike to the body and a strike to the face, which he explains in a World Wrestling Entertainment video how hitting his opponent in the face, caused, " a little problem with his face."

SEE APPENDIX 7: VIOLENCE

SEE APPENDIX 8: VIDEOS: Trump interview

114. At least eight members of Defendant No Labels' staff were documented on video nearby the assaults as they took place on the Plaintiff. Additionally, Defendant No Labels' staff seated behind Defendant Trump reacted with both laughter and expressions of shock to Trump's remark, "you look healthy to me," in response to Plaintiff's question, in regard to the assault and battery on Plaintiff by Trump supporters at the Rochester, New Hampshire rally. This response demonstrated an affirmation and an assent to the assault similar to the finding of Judge Tapia in the Galicia case. Further, Plaintiff believes that Defendant No Labels' response demonstrates an authorization or condoning of such violent and illegal behavior by Trump supporters and the Defendant No Labels staff. As a result, No Labels has vicarious liability for the assaults committed by Defendants on the Plaintiff.

SEE APPENDIX 8: Video: Cspan

SEE APPENDIX 9: TWITTER/ LIVE INTERNET/ TIMELINE

SEE APPENDIX 13: PHOTOS

115. Based upon information and belief, The Trump Campaign and Trump Companies paid substantial sums to Defendants Deck and Xmark to provide security services for them. Said Defendants knew of Defendant Deck's propensity for violence at these events and authorized and consented to his violent behavior and thereby are equally liable for the assaults and batteries upon the Plaintiff and their continued employment of Defendant Deck and other security and staff was the proximate cause of Plaintiff's injuries.

SEE APPENDIX 12: FEC/ FINANCES

## **SECOND CLAIM FOR RELIEF**

STATE LAW TORT: BATTERY

AGAINST DEFENDANTS TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, CITY OF MANCHESTER, DECK, DOUCETTE, PITTMAN, ALDENBERG, CRAIG, COSIO, NO LABELS

116. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 115 of this Complaint with the same force and effect as if fully set forth herein.

117. Defendants intentionally subjected Plaintiff to a harmful or offensive touching which actually and proximately caused Plaintiff to suffer injury. Additionally, Defendants committed batteries in the performance of an unlawful or wrongful acts, making their intent immaterial. SEE STATEMENT OF FACTS, SEE APPENDIX 8: VIDEOS

118. In this case, Defendants Deck and Pittman grabbed Plaintiff and tossed Plaintiff into a table and when Plaintiff attempted to stand, Defendants grabbed Plaintiff a second time and tossed him to the floor. As a result, Plaintiff suffered injuries to his body, scrapes, bruises, lacerations, and emotional trauma. Plaintiff continues to suffer trauma and fear from the incident and may continue to suffer trauma in the future as a result of these injuries proximately caused by Defendants. Moreover, their conduct was grossly or culpably negligent.

Previous to throwing Plaintiff into the table, Defendant Deck told Plaintiff, “you’re going to see my name all over your face.” And when throwing Plaintiff to the floor a second time, who just said, “I just wanted to ask a question,” Defendant Deck said loudly and angrily, “I don’t give a shit.”

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

119. After tossing Plaintiff to the floor, and initially being told he was detained, Plaintiff asked again if he was being detained and for what? Defendant Aldenberg replied, “you are not being detained,” and Defendant Craig added, “now you can leave,” and permitted Plaintiff to exit the property. Plaintiff proceeded to a public park bench away from the building.

SEE APPENDIX 15: MAP

120. Additionally, Defendants Deck and Pittman conspired through their words and actions to commit battery upon the Plaintiff and, as a result, did commit injuries to the Plaintiff.

SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

121. Defendants Craig, Cosio and Aldenberg are also liable for the assaults and batteries upon the Plaintiff by failing to intervene to prevent the assaults and batteries upon the Plaintiff by Defendants Deck and Pittman. Law enforcement officers have an affirmative duty to intervene on behalf of citizens whose constitutional rights are being violated. Officers who fail to intervene are liable for the harm caused by their colleagues.

At the time of this incident, Defendant Aldenberg was a Sergeant in the City of Manchester Police Department and thereby held a superior rank to Defendant Pittman. Defendant Aldenberg could have and should have interceded and prevented the battery upon Plaintiff. However, he

chose not to intercede.

Defendant Aldenberg played “good cop,” role in attempting to mollify the distress of Plaintiff rather than standing up to his fellow officers. He also deceived Plaintiff into believing that he was taking down a complaint of police brutality in his notebook. However, once Defendant Aldenberg left the park to allegedly retrieve Plaintiff’s lost video camera battery in the building, Plaintiff’s second video camera filmed Defendant Aldenberg instead meeting and talking with Defendant police officers. Based upon information and belief, the officers conferred regarding Plaintiff’s desire to file a complaint against the offending parties. As a result, Defendant Aldenberg with other police officers returned to the park bench and arrested Plaintiff in retaliation, falsely, charging Plaintiff with resisting arrest, RSA 644:2 (M) Disorderly Conduct, RSA 642:2 Resisting Arrest or Detention.

SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

122. Defendants Craig and Cosio did not intercede in any way to prevent the battery upon Plaintiff, in fact, they brought him out of the building by force. Once Plaintiff decided to leave the property, Defendant Craig followed Plaintiff from a distance and walked around Plaintiff in a furtive and menacing way. In fact, at that time, Plaintiff asked Defendant Aldenberg to keep Defendant Craig away from him, believing for a time that Defendant Craig had been the aggressor Defendant Pittman, shaken up from the attack as he was, and incapable of identifying an attacker who had grabbed him from behind. After police Defendants gathered to talk, and Plaintiff sat alone on the park bench, Defendant Craig once again walked over to Plaintiff in a menacing fashion. Once again, Plaintiff asked Defendant Aldenberg to keep Defendant Craig away from him.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

123. Defendant No Labels is also liable for battery for participating and cooperating and assenting to the battery as described in The First Claim for Relief. On information and belief, an unknown individual working for No Labels with a checkered shirt made unwanted contact by applying pressure to Plaintiff’s shoulder while Plaintiff was searching for the microphone and was surrounded by Defendants security and staff and other unknown individuals. Based upon information and belief, No Labels hired Manchester Defendants to do security for the event, and as such are liable for the battery that took place while in the employment of No Labels.

SEE APPENDIX 1: NO LABELS CORRESPONDENCE

124. As previously stated in the First Claim for relief, Trump Campaign, Trump Companies, Xmark Companies, and the City of Manchester have vicarious liability for the actions/ torts committed on Plaintiff by their employees/defendants, such as batteries.

SEE APPENDIX 12: FEC/ FINANCES

125. Defendant No labels has vicarious liability for battery for the acts and/or omissions of their employees during the scope of their employment. Based on information and belief, employees of defendant No labels conspired, agreed, participated, condoned, assented and/or failed to prevent or intervene in the battery by defendants upon the plaintiff.

In the conversation with Plaintiff No Labels’ employee Ryan Clancy, on October 20th, 2015, Clancy said, “I saw what happened to you while you were there, which sucks and I’m sorry that

that happened,” and, “Rod. I’m really sorry all this has happened to you, and it isn’t right,” and “for you certainly, this is a huge deal personally,” and “all I can say to you personally is that I’m sorry that you had that experience at our event.” Through this conversation, Defendant No Labels’ employee Ryan Clancy represented that No Labels has liability for battery upon the plaintiff, but refused to represent that liability publicly.

SEE APPENDIX 1: NO LABELS CORRESPONDENCE

126. Based on information and belief, Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services and therefore have vicarious liability for the batteries committed on Plaintiff by their employees/defendants, while performing duties within the scope of their employment.

SEE APPENDIX 12: FEC/ FINANCES

### **THIRD CLAIM FOR RELIEF**

#### **STATE LAW CLAIM: INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS**

AGAINST DEFENDANTS DONALD J. TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, NO LABELS

127. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 126 of this Complaint with the same force and effect as if fully set forth herein.

128. Defendants committed the tort of intentional infliction of emotional distress upon the Plaintiff by their extreme and outrageous conduct, by which they intentionally or recklessly caused severe emotional distress on the Plaintiff.” Defendants words and actions were so outrageous in character, and so extreme in degree, that they should be regarded as atrocious, and utterly intolerable in a civilized community such as the City of Manchester.

SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

129. In this case, Plaintiff, a member of the press and a documentary filmmaker was invited to the No Labels event advertised as an opportunity to challenge the Presidential candidates. When Plaintiff sought to ask Defendant Trump if he knew about the assault and battery upon the Plaintiff at Rochester event, Defendant Deck lied to Plaintiff to get him to leave his seat and go to the back of the hall, whence Plaintiff was in the back of the hall, Defendants Doucette and Defendant Deck assaulted Plaintiff and with the assistance of Trump Campaign and Trump Companies staff, prevented Plaintiff from returning to his seat. Defendant Deck and Defendant Pittman then grabbed Plaintiff and violently threw him into a table and then picked him up and then violently threw him again on to the ground.

Defendants acted in an absolutely outrageous, atrocious, and intolerable manner with the intent to thereby cause severe emotional distress on the Plaintiff. As a result, Plaintiff suffered physical and emotional injuries and continues to suffer emotional trauma and injuries. It is clear that Defendant Deck instigated the assault and battery  
SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

130. As previously stated, Defendants Trump, Trump Campaign, Trump Companies, City of Manchester, XMark Companies, and No Labels have vicarious liability for the actions of their employees.  
SEE APPENDIX 12: FEC

131. Defendant Trump has individual liability for intentional infliction of emotional distress due to his consent, authorization, and condoning and support for tortfeasors that he employed at the event, and for which he witnessed the assault and battery of Plaintiff.

132. According to Federal Election Commission, (FEC), Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services and therefore have vicarious liability for intentional infliction of emotional distress committed on Plaintiff by their employees/defendants, while performing duties within the scope of their employment.

#### **FOURTH CLAIM FOR RELIEF**

##### **STATE LAW CLAIM-NEGLIGENCE**

AGAINST DEFENDANTS TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, DECK, DOUCETTE, PITTMAN, COSIO, CRAIG, ALDENBERG, CITY OF MANCHESTER, NO LABELS, JPA III

133. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 132 of this Complaint with the same force and effect as if fully set forth herein.

134. Defendants owed a duty of ordinary care to keep the Plaintiff safe from assault and battery while attending the No Labels Problem Solvers event. The Defendants breached that duty of care and their breach proximately caused the Plaintiff's injuries.  
SEE STATEMENT OF FACTS, SEE APPENDIX 8: VIDEOS

135. Additionally, based on information and belief, due to Defendant Deck's previous history of assaults and batteries, Defendants No Labels, JPA III, City of Manchester, Pittman, Cosio, Aldenberg, Doucette, Trump, Trump Campaign, Trump Companies and XMark Companies were aware or should have been aware that Defendant Deck and Trump Campaign security and Trump supporters were prone to commit assault and battery on any person they perceived to be opposed to Defendant Trump.

SEE APPENDIX 7: VIOLENCE

136. Additionally, Defendants were aware or should have been aware that Defendant Trump is known for the multiple acts of violence which he performed with World Wrestling Entertainment and his wrestling partner, Keith Schiller, who was in attendance at No Labels Problem Solvers as security. Trump security staff Schiller, had become infamous for using his dangerous wrestling experience to assault people in in front of Trump Tower which he did along with Defendant Edward Deck.

Further, Defendant Trump condoned and encouraged his supporters, Defendant Deck, and his security staff, through word and action, to commit assaults and batteries against demonstrators and those who seemingly opposed him, as well as racial, ethnic, and religious minorities.

There is irrefutable evidence that on many occasions before, during, and after events where Defendant Trump spoke or frequented, these individuals committed said torts. Due to Defendants' awareness that Defendant Trump was capable of, and sanctioned such violence, Defendants had a duty to protect Plaintiff from those who may injure Plaintiff, however, Defendants breached that duty, and in fact cooperated and/or conspired or assisted or failed to prevent said violence and their breach by act or omission proximately causing Plaintiff's injuries. SEE APPENDIX 7: VIOLENCE, SEE APPENDIX 8: VIDEOS

137. Based on information and belief, Plaintiff was an invited guest on the property owned by Defendant JPA III at the time Plaintiff was assaulted by the other named Defendants. He had previously registered and been provided with a badge by Defendant No Labels, the lessor of property for the event. Defendant JPA III by act or omission did not provide adequate security to prevent the assault on Plaintiff by the other listed Defendants.

Defendant JPA III's Radisson Hotel was open to the public for this event. Defendant JPA III knew or should have known that security for the event was not properly organized and that violent individuals, including Defendant Trump, Defendant Deck, Keith Schiller and members of Trump security were present, and that due to their acts or omission did not prepare the premises and security properly to protect Plaintiff from foreseeable assault, battery and other intentional and actionable torts. As a result of the Defendant JPA III breaching their duty to exercise ordinary care in protecting Plaintiff from the violent acts of others, Plaintiff was assaulted and battered by the other named Defendants.

SEE APPENDIX 1: NO LABELS CORRESPONDENCE

SEE APPENDIX 2: NO LABELS PROPAGANDA

SEE APPENDIX 7: VIOLENCE

138. Defendant Doucette had no authority to stop or assault Plaintiff and had a duty not to harm Plaintiff or interfere with Plaintiff's legitimate rights and freedoms. Defendant Doucette breached that duty of ordinary care and conspired with Defendant Deck and Trump Campaign staff and security to breach that duty. As a proximate cause of Defendant Doucette's breach, Plaintiff suffered injuries.

SEE STATEMENT OF FACTS, SEE APPENDIX 6: TRANSCRIPT, SEE APPENDIX 8: VIDEOS

139. As the producer of the event, Defendant No Labels had a duty to protect Plaintiff from Trump, Trump Security, staff, and supporters. Instead, Defendant No Labels through its agents cooperated and conspired with Defendants that led to numerous assault and batteries on the Plaintiff. When Plaintiff was erroneously and deceptively told by Defendant Deck that the microphone was in the back of the hall, an unknown No Labels agent/representative assented and cooperated with Defendant Deck in that deception.

On October 20th, 2015, Plaintiff spoke at length with Defendant No Labels Communications Director/ Chief Strategist, Ryan Clancy. Clancy said he witnessed the attack, acknowledging it caused suffering, saying, "I saw what happened to you while you were there, which sucks and I'm sorry that that happened," and, "Rod. I'm really sorry all this has happened to you, and it isn't right," and "for you certainly, this is a huge deal personally," and "all I can say to you personally is that I'm sorry that you had that experience at our event."

Defendant No Labels knew or should have known that Defendant Deck was a violent person. Defendant No Labels agent/representative's assent and cooperation and/or conspiracy with Defendant No Labels failed to vet staff and guests.

Defendant No Labels knew or should have known of Defendant Deck and Schiller and Trump supporters and their proclivity for violence and should have prepared or prevented it. The chances were very high that there would be violence. Only four off duty officers for possibly 2,000 people in inadequate. Defendant No Labels should not have believed rumors of secret service agents were true.

Defendants Deck and Pittman and Trump Security was negligence and a causal link in Plaintiff's injuries.

SEE APPENDIX 7: VIOLENCE, APPENDIX 8 VIDEO, APPENDIX 15: PRESS

140. Based on information and belief, Defendant Trump, by speech, word, and act encouraged Defendant Deck and his security detail to assault and be physical with other citizens as he also did with some members of his audience, and therefore is vicariously liable for the actions of those individuals. Defendant Trump witnessed Defendant Deck and other members of his security detail assaulting and being unreasonably physical with citizens attending his events. Accordingly, Defendant Trump knew or should have known that Defendant Deck was a violent person and would assault and batter individuals that Defendant Deck or his Security Detail deemed unwelcome. At no time did Defendant Trump instruct, train, educate, or supervise Defendant Deck or his Security Detail to not commit assault or battery on any citizen. The assault on plaintiff was a proximate cause of Defendant Trump's hiring Defendant Deck, whom he considered an aggressive person, and not properly supervising or instructing Defendant Deck and his Security Detail to not act in a tortious and unreasonable manner.

On the contrary, Defendant Trump hired and supervised Defendant Deck and his security detail exactly for the purpose of intimidating, assaulting and acting aggressively in speech, act, and manner to citizens they deemed unwelcome, despite the fact that this was not a Trump Campaign event. Defendant Trump intended, planned, participated, cooperated, and conspired with Defendant Deck to cause fear and apprehension and assault members of the public who in some way disagreed with Defendant Trump or were not welcome to his presence.

In fact, Defendant Trump has purposefully cultivated fright, through his wrestling persona, in which he has bragged, that he wants people to be “scared” and “frightened” of his men. Regardless the intent of Defendant Trump at the time he made these statements caused to intimidate, but the violence Defendant Trump and his wrestlers committed on WWE was real. In fact, the Honorable Vanessa L. Bryant in Connecticut District Court has ruled in McCullough v. WWE that there is enough evidence to show that the violence on WWE is real, to the extent that she allowed Plaintiffs Singleton and LoGrasso to proceed. So, when Defendant Trump’s WWE wrestling partner, Keith Schiller, (who had committed real acts of violence on WWE), began attacking people outside of the wrestling ring, (as an employee of Defendants Trump, The Trump Campaign and The Trump Companies), it showed that Defendants Trump, The Trump Campaign and The Trump Companies had lost the ability to distinguish between fantasy violence and the real violence they were inflicting on real people. Defendant Trump's words which were meant to inspire fear in the wrestling ring were given real and frightful meaning, causing genuine fear of Donald J. Trump himself, and his security men who committed acts of violence in the real world, at his behest. Worse still, Defendant Trump promoted himself on World Wrestling Entertainment as “Chairman of The Trump Organization,” just the same as Trump promoted himself at No Labels Problem Solvers. An entertainment-violence-organization had transformed itself into a political-violence-organization designed to promote fear and instill obedience to Defendant Trump and his servants.

From videotape records and statements of Defendant, Plaintiff can show a history of Defendant Trump encouraging and/or conspiring and/or assenting to assault by Defendant Deck and members of his security detail and his supporters.

APPENDIX 6: TRANSCRIPT, APPENDIX 7: VIOLENCE APPENDIX 8: VIDEOS

141. Defendant No Labels is vicariously liable for the assault on Plaintiff because, based upon information and belief, Defendant No Labels employees, during the scope of their employment either participated, conspired, cooperated, or assented to the assaults committed against the Plaintiff and Plaintiff’s injuries were proximately caused by the failure of No Labels employees to intervene or prevent those injuries. Upon information and belief, statements by Defendant No Labels’ employees Ryan Clancy and Sam Boswell indicate gross negligence on the part of Defendant No Labels; Defendant No Labels encouraged rowdy behavior and shouting from the event organizers, and failed to vet their own hired security, consisting of off-duty police officers, Defendants Pittman, Aldenberg, Cosio and Craig; Defendant No Labels also failed to vet security and staff for Trump, Trump Campaign, Trump Companies, Deck, Doucette and XMark Companies; Defendant No Labels is therefore negligent in their responsibilities for holding such an event, and vicariously liable for the battery of Plaintiff by these Defendants. As a result, No Labels has vicarious liability for the assaults committed by Defendants on the Plaintiff. In the words of Defendant No Labels’ Ryan Clancy regarding the attack on Plaintiff, “it’s not right.”

142. Defendants Trump Campaign, Trump Companies, Xmark Companies have vicariously liability for the negligence of their employees.

SEE STATEMENT OF FACTS, SEE APPENDIX 12: FEC/ FINANCES

143. As previously stated, Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services and therefore have vicarious liability for negligence by their employees/defendants while performing duties within the scope of their

employment.

SEE APPENDIX 12 FEC/ FINANCES

**FIFTH CLAIM FOR RELIEF**

**STATE LAW CLAIM: NEGLIGENT HIRING, TRAINING, SUPERVISION,  
RETENTION**

AGAINST DEFENDANTS TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK  
COMPANIES, CITY OF MANCHESTER, NO LABELS

144. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 143 of this Complaint with the same force and effect as if fully set forth herein.

145. Defendants Trump, Trump Campaign, Trump Companies, XMark Companies, and The City of Manchester negligently hired, trained, supervised, and retained Defendants Deck and Pittman for the No Labels event and they knew or should have known that Defendants Deck and Pittman were unfit for the job due to their past conduct and behavior and that they were peculiarly likely to commit intentional misconduct and created a danger of harm to third persons such as Plaintiff. Consequently, under New Hampshire law, said Defendants Trump, Trump Campaign, Trump Companies, XMark Companies, and The City of Manchester are directly liable for the injuries suffered by Plaintiff at the hands of Defendants Deck, Pittman and Cosio.

**SIXTH CLAIM FOR RELIEF**

**STATE LAW CLAIM: INTENTIONAL MISREPRESENTATION/ FRAUD**

AGAINST DEFENDANTS TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK  
COMPANIES, DECK, DOUCETTE, NO LABELS

146. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 145 of this Complaint with the same force and effect as if fully set forth herein.

147. Defendants knowingly and consciously and fraudulently misrepresented that the microphone was in the back of the hall to induce Plaintiff to leave his seat and thereby remove Plaintiff from the hall and prevent Plaintiff from questioning Defendant Trump. Plaintiff suffered pecuniary loss as a result of his justifiable reliance upon the Defendants' misrepresentations.

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

148. In so relying on Defendants' misrepresentations, Plaintiff was unable to ask Defendant

Trump questions and film the event for his journalistic writings and/or his documentary films or blogs about the Presidential campaigns. As a result, Plaintiff suffered pecuniary losses. Additionally, Plaintiff also suffered pecuniary losses due to the trauma from the assault and battery and the later arrest which made him unable to work and earn income from reporting, blogging, or filming the event, and dozens of subsequent Trump events which Plaintiff attempted to attend, but was either not allowed inside, or ejected. Plaintiff received negative publicity in the Washington Post, CBS News, Manchester Ink Link, Paul R. Brian and WMUR, doing damage to reputation.

149. Upon information and belief, Defendants Deck, Doucette, Trump Campaign, Trump Companies and XMark Companies impersonated law enforcement officials by telling local police/ Defendants Pittman, Aldenberg, Cosio and Craig that they were active duty secret service agents, and instructed the Defendants Defendants Pittman, Aldenberg, Cosio and Craig to remove Plaintiff with the objective of preventing Plaintiff from making statements Defendant Trump perceived to be embarrassing, therefore depriving Plaintiff of his first amendment rights. Xmark Companies are vicariously liable for the actions and torts of Defendant Deck during the scope of his employment.

SEE APPENDIX 8: VIDEOS

150. According to records from Federal Election Commission, (FEC), Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services, creating an employer/ employee relationship between the Trump Campaign and The City of Manchester. Upon information and belief, Trump Campaign's use of this relationship to misrepresent itself to Manchester Defendants is fraudulent, and resulted in the tortious acts committed on Plaintiff.

SEE APPENDIX 12: FEC/ FINANCES

151. Defendants Deck and Pittman made gross misrepresentations and fraudulent claims as part of an affidavit filed in this case. The affidavit contained totally erroneous statements which were designed to frame Plaintiff as the bad guy, while painting themselves as blameless so that they could cover up their tortious acts. SEE APPENDIX 16: PITTMAN AFFIDAVIT

### **SEVENTH CLAIM FOR RELIEF**

#### **STATE LAW CLAIM: FALSE IMPRISONMENT**

AGAINST TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, NO LABELS

152. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 151 of this Complaint with the same force and effect as if fully set forth herein.

153. Defendants falsely imprisoned Plaintiff by building a human wall and assaulting Plaintiff

and battering Plaintiff as they prevented Plaintiff from returning to his seat in the auditorium. Plaintiff felt confined and feared for his personal safety and was injured by said confinement created and executed by Defendants.

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

154. Likewise, Defendants falsely imprisoned Plaintiff when they arrested Plaintiff without sufficient probable cause. Defendant was sitting freely on a public park bench. He shouted to Defendant Aldenberg to keep Defendant Craig away from him, believing that Defendant Craig was Defendant Pittman, the officer that had first assaulted and battered him. The Courts have held that yelling at the police about illegal behavior is insufficient probable cause for an arrest for disorderly conduct, resisting arrest, or violation of a noise ordinance.

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

155. Defendants City of Manchester, Trump, Trump Campaign, Trump Companies, XMark Companies and No Labels are liable for the actions and torts of their employees/Defendants.

156. Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services and therefore have vicarious liability for the tortious acts committed on Plaintiff by their employees/defendants, while performing duties within the scope of their employment.

### **EIGHTH CLAIM FOR RELIEF**

#### **CIVIL RIGHTS VIOLATION, 42 U.S.C. §1983 (Unreasonable Seizure-Terry Stop and Frisk, Fourth Amendment violations)**

AGAINST TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, DECK, PITTMAN, CRAIG, COSIO, ALDENBERG, MANCHESTER POLICE, CITY OF MANCHESTER

157. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 156 of this Complaint with the same force and effect as if fully set forth herein.

158. Defendants Deck, Pittman, Craig, Cosio, and Aldenberg, under color of law, exercised an unreasonable stop and detention upon the Plaintiff when they prevented Plaintiff from returning to his seat and grabbed him from the hall and threw him into a table and then again to the floor when Plaintiff attempted to stand back up. At that time, under the totality of the circumstances, Defendants did not have a reasonable suspicion that illegal activity on the part of Plaintiff had occurred or was about to occur in violation of 42 U.S.C. §1983 and the fourth amendment. Plaintiff had merely asked Defendant Trump a question at a Question and Answer session, this in no manner rises to the level of a crime worthy of a stop or detention by the Defendants.

In fact, after being thrown down twice, Plaintiff asked if he was being detained and for what he was being detained. At that point, Defendant Aldenberg came along and told Plaintiff that he could leave or was free to go. Plaintiff then left the property freely. This series of events demonstrates that Defendants had no reasonable suspicion to stop or detain Plaintiff for any crime, but were merely using excessive force under color of law. Further, at no time during the initial detainment did Defendants frisk Plaintiff for a weapon or contraband as in a normal Terry-type stop and frisk because was not a professional police action, this was a criminal assault and battery by the Defendants.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

159. Defendants knew or should have known that Defendant Deck, through his misrepresentation and fraud that a microphone was in the back of the room, had created the situation where Plaintiff was barred by Defendants Deck and Doucette, Trump Campaign staff, and other unknown individuals from returning to his seat and which led to Defendants stopping, detaining, assaulting and battering Plaintiff.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

160. It is evident that Defendants participation and cooperation in the assault and battery by Defendants Deck and Pittman upon Plaintiff proves that they were acting in concert and knew of the modus operandi of Defendants Deck, Trump Campaign, Trump Companies and XMark Companies. As the event was sponsored and paid for by Defendant No Labels, then Defendants Deck, Trump Campaign, Trump Companies and XMark Companies had no authority to remove Plaintiff nor did Plaintiff represent any danger to Defendant Trump or anybody to be stopped, detained, assaulted or battered by Defendants. Plaintiff acted legally and in response to the unlawful and deceitful and tortious acts of the Defendants.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

161. Defendants Pittman, Craig, Cosio, and Aldenberg knew or should have known that Defendant Deck had deceived Plaintiff into leaving his seat and had prevented him from speaking and inducing him to move to the back of the hall and then creating a human wall with the assistance of Defendant Doucette and others. Instead of assisting Plaintiff in returning to his seat, Defendants participated or did not intervene to prevent the assault and battery.

SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS

162. Upon information and belief, Defendants Deck, Doucette, Trump volunteers, Trump Campaign employees, Trump Companies employees, XMark Companies employees, No Labels employees and unknown other individuals, (including Man in Checkered Shirt), although private persons at the time, participated, cooperated, and conspired with the law enforcement Defendants to violate Plaintiff's federal civil rights as provided for under 42 U.S.C. §1983. That statute provides that those who agree to violate the civil rights of Plaintiff, shall also be held individually accountable under the civil rights laws in the same manner as the law enforcement officers. Said Defendants also committed at least one act in furtherance of the conspiracy.

163. It is also clear that said Defendants came to a mutual understanding express or implied to violate Plaintiff's civil rights when they surrounded Plaintiff and assisted Defendants Deck and Pittman. Absent of direct testimony of an agreement between the Defendants, conspiracy can be proven by inference considering the circumstances that led to the deprivation of the Plaintiff's

civil rights. Surely, the sequence of events, where Defendant Deck deceives Plaintiff into going toward the back of the hall for the microphone, the other Defendants forming a human wall around Plaintiff and then Defendants Deck and Pittman each grabbing an arm of Plaintiff and assaulting and battering him are strong inferences of a mutual understanding or conspiracy among the Defendants. In fact, at a June 14th 2016 rally in Greensboro, NC Defendant Deck bragged on camera to North Carolina Law Enforcement that he had Plaintiff arrested, stating, "He's been a protester at another event. Actually had him arrested up in New Hampshire." SEE STATEMENT OF FACTS, APPENDIX 8: VIDEOS  
SEE APPENDIX 11: GREENSBORO

164. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **NINTH CLAIM FOR RELIEF**

**Civil Rights Violation, 42 U.S.C. §1983 (Unreasonable search and seizure "Excessive Force," Fourth amendment violations)**

AGAINST DEFENDANTS DECK, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK

## COMPANIES

165. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 164 of this Complaint with the same force and effect as if fully set forth herein.

166. Through the use of excessive force under the color of law, Defendants violated Plaintiff's Fourth Amendment right to be free from unreasonable search and seizure, as provided for by 42 U.S.C. §1983.

Defendants Pittman and Deck used unreasonable force and excessive force by grabbing Plaintiff by the arms, hauling him past the seating area into the back corridor with great force, throwing Plaintiff into a table head first and then throwing Plaintiff down again as he attempted to stand back up. Defendants Pittman, Deck and Cosio used unreasonable force and excessive force by throwing Plaintiff to the floor after knocking over the table.

Additionally, it is evident from the facts and further established by videotaped recordings that Defendants Pittman, Deck and Cosio intended to cause harm to Plaintiff and did so with wanton and reckless disregard for the Plaintiff's safety or his civil rights.

It is important to note that after the assault and battery by Defendants Deck, Pittman and Cosio, Plaintiff asked if he was being detained and, if so, why was he being detained. In response, Defendant Aldenberg, the highest ranking Manchester Police Officer/ Employee of the City of Manchester at the time, told Plaintiff that he was released. Plaintiff was only arrested much later at the public park bench away from the building in retaliation for attempting to file a police brutality and assault and battery complaint against Defendants. Nonetheless, Defendants are liable under the civil rights laws for excessive force whether the Plaintiff was detained or arrested.

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

167. As similarly pleaded in Claim Eight, Defendants Deck, Doucette, and other unknown individuals, conspired with Defendant law enforcement officers, to violate Plaintiff's federal civil rights as provided for under 42 U.S.C. §1983. That statute provides that those who agree to violate the civil rights of Plaintiffs, shall also be held individually accountable under the civil rights laws in the same manner as the law enforcement officers. Defendants also committed at least one act in furtherance of the conspiracy that led to the assault and battery on Plaintiff and the use of excessive force that caused Plaintiff's injuries. Again, Defendant Deck bragged that he had Plaintiff arrested, stating, "He's been a protester at another event. Actually had him arrested up in New Hampshire."

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

SEE APPENDIX 11: GREENSBORO

168. Defendant Deck's words also demonstrate wanton and reckless and unreasonable conduct and, thus, intent to violate Plaintiff's civil rights. Defendant Deck told Plaintiff that, "you're going to see my name all over face." And when Defendant Deck threw Plaintiff down on the ground the second time, Plaintiff said, "I just wanted to ask a question, I was assaulted," to which Defendant Deck shouted, "I don't give a shit," at Plaintiff.

It is also clear that the named Defendants came to a mutual understanding express or implied to

violate Plaintiff's civil rights when they surrounded Plaintiff. Surely, the sequence of events, where Defendant Deck deceives Plaintiff into going toward the back of the hall for the microphone, the other Defendants forming a human wall around Plaintiff and then Defendant Deck and Defendant Pittman each grabbing an arm of Plaintiff and assaulting and battering him are strong inferences of a mutual understanding or conspiracy among the Defendants. During the events in question, Defendants were often communicating through radios and headset apparatus.

Defendants City of Manchester, Trump Campaign, Trump Companies, XMark Companies, are liable for the actions and torts of their employees/Defendants.

SEE STATEMENT OF FACTS, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

169. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **TENTH CLAIM FOR RELIEF**

**Civil Rights Violation, 42 U.S.C. §1983 (Freedom of Speech, First Amendment Violation)**

AGAINST DEFENDANTS DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK

## COMPANIES

170. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 169 of this Complaint with the same force and effect as if fully set forth herein.

171. Defendants violated Plaintiff's First Amendment rights, under color of law, as provided for by 42 U.S.C. §1983 by deceiving him into believing that the microphone was in the back of the hall, then surrounding him and denying him the microphone, then grabbing him, taking him from the hall, and committing assaults and batteries upon him.

Plaintiff is a member of the press, a citizen journalist, and a video journalist. Before the event, Plaintiff attempted to obtain a press credential from No Labels, but his repeated inquiries were not responded to. Nonetheless, Plaintiff was able to get on the regular guest list, simply by signing up, since the event was open to the public, and anyone who put their name on the registry.

At the event, Plaintiff registered and received an identification lanyard. Plaintiff sat in the front of the auditorium to record the event and to ask Defendant Trump questions for news reporting, publication, and documentary purposes for sale.

Due to Defendants violations of his civil rights under color of law, Plaintiff was unable to video tape or publish his material as he had planned. Accordingly, Defendants' actions infringed upon his First Amendment press freedoms and were a proximate cause of his injuries.

SEE APPENDIX 1: NO LABELS CORRESPONDENCE

172. Courts have held that private spaces held out as public gathering spaces for free expression, can become public forums and citizens have an expectation of First Amendment rights. Courts stress that the more a private owner opens his property, for his own personal advantage, to public discourse, the more the free speech rights of the individual become paramount over private property rights.

Accordingly, although the No Labels Problem Solvers event was in a private space, the Radisson Hotel in Manchester, New Hampshire, Defendant No Labels invited the public and advertised and promoted the event as a fair and open space where the public could freely challenge the Presidential candidates, making the Plaintiff believe and have an expectation that his First Amendment free speech rights would be protected and that he could freely challenge the Presidential candidates, including Defendant Trump. For that reason, Plaintiff sat in the front near the stage and was the first to engage Defendant Trump with a question. Defendant No Labels in their March 18th, 2019 motion to dismiss has even designated the event as a "public event."

Defendants City of Manchester, Trump Campaign, Trump Companies, XMark Companies and No Labels are liable for the actions and torts of their employees/Defendants.

SEE APPENDIX 2 : NO LABELS PROPAGANDA

SEE NO LABELS March 18th 2019 Motion to Dismiss

173. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to) illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **ELEVENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (First Amendment, Freedom of Religion)**

AGAINST DEFENDANTS DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES

174. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 173 of this Complaint with the same force and effect as if fully set forth herein.

175. Under color of law, Defendants violated Plaintiff's First Amendment right to Freedom of Religion, as provided for by 42 U.S.C. § 1983.

176. At the time of the No Labels event, Plaintiff dressed in black and white clothing, and wore a long and thick beard. In a previous campaign event in Rochester, New Hampshire, Plaintiff was called upon by Defendant Trump to quote scripture as he had done at other numerous events with other candidates. Plaintiff quoted 1 Timothy 1 to 7, which, apparently, embarrassed

Defendant Trump. As a result, Plaintiff was assaulted by Trump supporters and threatened with violence and death. Subsequently, that exchange with Defendant Trump was a popular topic of discussion throughout social media and among those following the Presidential campaigns, including Governors Jeb Bush and Chris Christie.

SEE APPENDIX 8: VIDEOS

177. Defendants in this case, violated Plaintiffs First Amendment right to Freedom of Religion when they singled him out to be denied a microphone and took him away and assaulted and battered him due to his religious dress, manner, and previous religious speech.

178. The First Amendment protection of religion applies to events open to the public, such as the No Labels event, and participants cannot be excluded based on religious speech, physical appearance, manner or dress even though the event is conducted on private property.

179. Defendants excluded Plaintiff, who has been an ordained minister since 2013, based on his past religious speech, manner of dress and physical appearance. Plaintiff's injuries were the proximate cause of Defendants violations of said rights.

SEE APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

180. On or about February 4, 2016, Plaintiff had a verbal exchange on the streets of Exeter New Hampshire with Defendant Doucette. In that video-recorded exchange, Defendant Doucette infers that Plaintiff was removed due to his religious speech or for other religious reasons. Plaintiff believes that Defendants felt threatened by Plaintiff's previous religious speech that may have embarrassed Defendant Trump and feared that further religious speech by Plaintiff may cause Defendant Trump to lose support among Christians or other religious voters.

SEE APPENDIX 8: VIDEOS

181. As previously pleaded in other Claims, Defendants conspired with Defendant City of Manchester/ Manchester Defendants to violate Plaintiff's First Amendment right to Freedom of Religion.

182. Plaintiff was shown on a widely seen clip on New Hampshire's WMUR while dressed in religious clothing. He was being interviewed by reporter Adam Sexton regarding the series of events which lead to his arrest.

Defendants City of Manchester, Trump Campaign, Trump Companies, XMark Companies and No Labels are liable for the actions and torts of their employees/Defendants.

SEE APPENDIX 8: VIDEOS

183. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22

substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **TWELFTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (Negligent Hiring and Retention)**

AGAINST DEFENDANTS DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, NO LABELS

184. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 183 of this Complaint with the same force and effect as if fully set forth herein.

185. To satisfy the elements of this Claim, Plaintiff incorporates the allegations set forth in his Fifth Claim for Relief, stating that Defendants negligently hired and retained Defendants Deck and Pittman in violation of his civil rights as provided for by 42 U.S.C. §1983.

186. According to Federal Election Commission (FEC) records, Defendant Trump Campaign made payments to City of Manchester/ Manchester Police Department for security services and therefore have vicarious liability for the tortious acts committed on Plaintiff by their employees/ defendants, while performing duties within the scope of their employment.

Defendants City of Manchester, Trump Campaign, Trump Companies, XMark Companies and No Labels are liable for the actions and torts of their employees/Defendants.

187. Defendant City of Manchester violated Plaintiff's civil rights because it has established and

maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **THIRTEENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (Negligent Supervision)**

AGAINST DEFENDANTS CITY OF MANCHESTER, ALDENBERG, DOUCETTE, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, NO LABELS

188. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 187 of this Complaint with the same force and effect as if fully set forth herein.

189. Defendants violated Plaintiff's civil rights by either directing subordinates to engage in the violation of those rights, by acquiescing in those violations or by establishing or maintaining a policy, practice or custom that through deliberate indifference to the consequences violated the rights of the Plaintiff, as provided for by 42 U.S.C. §1983.

190. Defendant Aldenberg violated Plaintiff's civil rights through negligent supervision of their subordinates. Defendants Pittman and Cosio violated Plaintiff's civil rights when they unreasonably and maliciously and violently assaulted and battered the Plaintiff. Defendant Aldenberg acquiesced in those violations by not properly filing a complaint of police brutality

against Defendant Pittman when asked by Plaintiff, when he later had Plaintiff arrested to cover up the civil rights violations and for purposes of retaliation, and by failing to stop his subordinates from violating Plaintiff's civil rights, although he knew they were taking place, and through his other actions as previously plead.

191. Defendant City of Manchester violated Plaintiff's civil rights through negligent supervision because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff.

192. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to) illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

193. Upon information and belief, Defendants Pittman, Aldenberg, Cosio and Craig took orders from Defendants Deck and Doucette who informed the officers that Trump Campaign security were active duty secret service agents. Again, Defendant Deck bragged on camera about "having Plaintiff arrested in New Hampshire." It is negligent for officers to allow themselves to be ordered by a civilian, and commit acts of violence for them just because he or she claims to be employed by the Secret Service. Defendants City of Manchester, Trump Campaign, Trump Companies, XMark Companies, are liable for the negligent supervision of their employees. SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST, APPENDIX 8: VIDEOS, APPENDIX 11: GREENSBORO, APPENDIX 15: PRESS

**FOURTEENTH CLAIM FOR RELIEF**

**Civil Rights Violation, 42 U.S.C. §1983 (MALICIOUS ABUSE OF PROCESS)**

AGAINST DEFENDANTS DECK, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER

194. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 193 of this Complaint with the same force and effect as if fully set forth herein, specifically Plaintiff's seventh claim for relief.

195. State law provides that a malicious abuse-of-process claim lies against a Defendant who (1) employs regularly issued legal process to compel performance or forbearance of some act; (2) with the intent to do harm without excuse of justification, and (3) in order to obtain a collateral objective that is outside the legitimate ends of the process.

In this case, Defendants intended to confine Plaintiff when they blocked Plaintiff, they detained Plaintiff, and when they arrested Plaintiff. Plaintiff felt confined and therefore his fourth amendment rights were violated.

196. In this case, after the assaults and batteries by Defendants Pittman, Deck and Cosio, Plaintiff asked Defendants if he was being detained and why he was being detained. Initially, Plaintiff was told he was detained, with no explanation as to why. Then Defendant Aldenberg told Defendant that he could leave. Plaintiff then left the property and went to sit on a public park bench. Plaintiff sought to file charges against Defendants Pittman, Cosio, Craig and Deck with Defendant Aldenberg. Then Defendant Aldenberg left under pretense to search for Plaintiff's video battery, but in fact conferred with the other Police Defendants. When Defendant Aldenberg returned, Defendants arrested Plaintiff. It is clear that Defendants arrested Plaintiff in retaliation for his attempt to file charges, to conceal their own misconduct in connection with the assaults and batteries, in order to escape disciplinary charges and potential loss of employment, and to make it more difficult for Plaintiff to pursue legal action against the Defendants or give evidence in any future investigation.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST, APPENDIX 6: TRANSCRIPT, APPENDIX 8: VIDEOS

197. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to

illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **FIFTEENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (FALSE IMPRISONMENT- FOURTEENTH AMENDMENT)**

AGAINST DEFENDANTS DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, NO LABELS

198. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 197 of this Complaint with the same force and effect as if fully set forth herein.

199. (a) intent to confine; (b) acts resulting in confinement; and (c) consciousness of the plaintiff of confinement or resulting harm; and (2) the imprisonment resulted in a violation of a plaintiff's Fourth Amendment rights.

200. Through *respondeat superior*, Defendant Deck conspired with police officers to falsely imprison Plaintiff while working for Xmark Companies, Trump, Trump Campaign, Trump Companies and No Labels.

201. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of

Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **SIXTEENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (FALSE ARREST- FOURTH AMENDMENT)**

AGAINST DEFENDANTS DECK, DOUCETTE, PITTMAN, CRAIG, COSIO, ALDENBERG, CITY OF MANCHESTER, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, XMARK COMPANIES, NO LABELS

202. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 201 of this Complaint with the same force and effect as if fully set forth herein.

203. Defendants violated Plaintiff's Fourth Amendment rights when they falsely arrested him under color of law.

204. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **SEVENTEENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (RETALIATION)**

AGAINST DEFENDANTS CITY OF MANCHESTER, PITTMAN, CRAIG, COSIO, ALDENBERG, TRUMP, TRUMP CAMPAIGN, TRUMP COMPANIES, NO LABELS

205. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 204 of this Complaint with the same force and effect as if fully set forth herein.

206. As provided for under 42 U.S. C. §1983 Defendants violated Plaintiff's civil rights by retaliating against him for exercising his first Amendment protected speech.

207. In this case, Plaintiff was exercising his First Amendment right to speech when he attempted to file a complaint with Defendant Aldenberg against other named Defendants for unlawfully detaining him and assaulting and battering him. In retaliation, Defendant Officers arrested Plaintiff in an attempt to intimidate and prevent Plaintiff from further attempts to file a complaint against Defendant.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST, APPENDIX 8: VIDEOS

208. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of

Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### **EIGHTEENTH CLAIM FOR RELIEF**

#### **Civil Rights Violation, 42 U.S.C. §1983 (FAILURE TO INTERVENE)**

AGAINST DEFENDANTS CITY OF MANCHESTER, CRAIG, COSIO, ALDENBERG

209. Plaintiff repeats and re-alleges each and every allegation in paragraphs 1 through 208 of this Complaint with the same force and effect as if fully set forth herein.

210. As provided for under 42 U.S. C. §1983, Defendants had a duty to intervene to prevent the use of excessive force by Defendants Pittman and Deck on Plaintiff. Defendants had a reasonable opportunity to intervene, but failed to do so and Plaintiff suffered injuries as a result of Defendants' failure to intervene.

211. At any time, from the time that Plaintiff was surrounded until Defendants Pittman and Deck grabbed him and threw him into the table and then threw him down again, Defendants had a reasonable opportunity to intervene, but instead, they did nothing. They just went along, although they had a duty to intervene.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST, APPENDIX 8: VIDEOS

212. Defendant City of Manchester violated Plaintiff's civil rights because it has established and maintained policies, practices, and customs that resulted in the violations to the Plaintiff. Manchester Police Internal Affairs Investigation reports indicate a pattern of misconduct by Defendant City of Manchester. Based upon information and belief, this pattern of misconduct, (and sometimes unlawful behavior), is the result of custom, policy or practice. Of the documented years, available to the public, (2008-2017), there were at least 96 claims of

rudeness/ conduct unbecoming (21 substantiated), 35 allegations of ineffective service (22 substantiated), 41 claims of unnecessary/ excessive force (2 substantiated), 62 allegations of Improper police action/ Improper conduct/ unlawful conduct (46 substantiated), and 56 claims of Neglect of Duty, (45 substantiated). Other claims of misconduct included (but is not limited to illegal activity, unlawful conduct, unlawful arrest, threatening behavior, Police Harassment, Untruthfulness, theft, evidence tampering, ineffective police service, and racial bias.

Defendant City of Manchester has permitted its subordinates to make retaliatory arrests as in the cases of Kean v Manchester and Valentin v Manchester. Defendant City of Manchester has permitted its subordinates to commit multiple acts of assault, and even hit-and-runs, indicating it has not properly trained its officers in protecting citizen's civil rights. There was the 2010 bar brawl at Strange Brew, involving Officer Michael Buckley, Officer Jonathan Duchesne, Officer Matt Jajuga and Lt. Ernie Goodno. Officer Ryan Nardone was found guilty of assault in 2010. In 2013 Officer Steven Coco was found guilty of hitting two pedestrians with his Police SUV and leaving the scene. Manchester Officer Christian Horn was charged with felony assault in 2014. Officer William Soucy was charged with assault in 2013. Officer Nathan Robert Linstad was charged with assault in 2012.

SEE APPENDIX 4: POLICE TRACK RECORD, APPENDIX 5: RETALIATORY ARREST

### RELIEF

Prayer for Relief.

On all claims Plaintiff seeks, compensatory, nominal, punitive and enhanced compensatory damages in excess of \$75,000 and any other relief court may deem proper and just. Considering danger to Plaintiff, trauma fear and injuries inflicted with impunity, no lesser amount would justly compensate, punish and deter Defendants from continuing to use violence under color of law to violate Plaintiff's and other's civil rights and State and Common Laws.

### APPENDIX 1

#### CORRESPONDENCE WITH NO LABELS

#### 1.A) PRESS CREDENTIALS

ROD WEBBER <XXXXXXXXXXXXXXXX> To XXXXXXXXXXXXXXXX

Oct 2 at 3:24 PM Subject: press credentials

Hi- I am a documentary filmmaker, and we are filming a new movie about the 2016 election. Would it be possible to get press creds for the Problem Solver Convention? Here is a link to my IMDb with 10 feature films to my credit. Rod Webber                      Thanks Rod Webber

**1.B) PRESS CREDENTIALS**

Jennifer Aaronson xxxxxxxxxxxxxx To ROD WEBBER

Oct 2 at 3:55 PM Subject: press credentials

Hi Rod,

Thank you for reaching out to apply for media credentials to the No Labels Problem Solver Convention. I am not in charge of credentialing members of the media, but you are welcome to visit this link to apply for credentials. For further inquiries, please e-mail my colleague, Matt Missentzis at xxxxxxxxxxxxxx

Many thanks,

Jen --

Jennifer Aaronson New Hampshire State Coordinator, No Labels Washington D.C. Office: (202) 588-1990 | New Hampshire Office: (603) 518-7332 M: (818) 519-5196 xxxxxxxxxxxxxx  
www.problemsolverconvention.org To unify the country and solve problems our next president must set goals FIRST with all leaders and then create a NATIONAL STRATEGIC AGENDA based on these four goals: nolabels.org/goals

**1.C) PRESS CREDENTIALS**

ROD WEBBER <xxxxxxxxxxxxxxxx> Toxxxxxxxxxxxxxxxx

**Oct 2 at 4:28 PM Subject: press credentials**

Thx!

**1.D) SAM BOSWELL**

ROD WEBBER <xxxxxxxxxxxxxxxx>

To:xxxxxxxxxxxxxxxx

Oct 13, 2015 at 1:28 PM

Hello, Mr. Boswell

As you may or may not know, I was physically attacked by a Trump campaign staff member and police officer B. Cosio at your No Labels Problem Solvers event yesterday. I was thrown to the ground twice, and later arrested without justification. My understanding is that you have your own staff and security, so the behavior of Mr. Trump's staff shouldn't reflect poorly upon you. That said, if you could help to identify the staffer, it would be the right thing to do-- as to not further tarnish the event-- and I would be grateful. I am attaching three photographs of the man in question taken at the event. Thank you.

Sincerely,

Rod Webber

**1.E) SAM BOSWELL**

xxxxxxxxxxxxxxxx to xxxxxxxxxxxxxxxxxxx

Hi Rod,

My apologies for the late response. Since the Trump security guard was not hired by No Labels we unfortunately do not have his name or contact information. I would recommend that you reach out to the Trump campaign for that information.

Best,

Sam Boswell

**1.F) SAM BOSWELL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxx>

To:xxxxxxxxxxxxxx

Oct 14, 2015 at 11:54 AM

Hi Sam- thanks for replying. I've reached out several times to the Trump campaign, going back to the initial assault in Rochester. CNN even did a story about it. They don't respond about anything. Since follow-up stories will likely be in the works, should I characterize your organization as supportive of Trump's actions or unsupportive? Since you responded, I'm guessing unsupportive, but I don't want to mis-characterize.

Thanks again for putting on the event. I would've liked to have seen the other candidates, most of whom, I've got relationships with, and are quite personable.

Keep up the great work!

Best

Rod

**1.G) SAM BOSWELL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxx>

To:xxxxxxxxxxxxxx

Oct 18, 2015 at 3:14 PM

Hi Sam--

I still haven't gotten a response from you. Just to update, Mr. Trump's security has now taken to harassing me while I quietly read the Bible to myself at a recent event. Not even the police could stomach siding with Trump staff any longer.

Your silence is becoming part of the ongoing story, and now can only be interpreted as you condoning Trump's actions, (though not being part of his security team.)

Please clarify--

Who's event was this?

Who's security team had authority?

We're there active secret service present?

If so, we're they calling the shots?

I will be traveling to Washington DC to discuss the event on "Watching the Hawks" this week.

I will report the facts as best as I know them.

Thank you

Rod Webber

**1.H) SAM BOSWELL**

Sam Boswell <xxxxxxxxxxxxxx>

To:ROD WEBBER

Oct 19, 2015 at 9:34 AM

Rod,

I am truly sorry that I can't help you identify the security detail. This is an issue that you must take up with the Trump team. We are working day and night at No Labels to ensure we have a leader that can work with both parties to solve problems.

Wishing you the best,  
Sam Boswell

**1.J) SAM BOSWELL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxxxx>

To: Sam Boswell

Oct 19, 2015 at 10:57 AM

Hi Sam-

If you re-read my last email, you will see that we already addressed that issue.

What I am asking you now is:

Who's event was this, "No Labels" or "Donald Trump?"

Who's security team had authority, "No Labels" or "Donald Trump?"

We're there active secret service present?

If so, who was calling the shots? No Labels , Donald Trump, Manchester Police or Secret Service?

If this is beyond your authority to answer, can you give me the contact email for someone who can answer these questions?

Thanks,  
Sincerely  
Rod Webber

**1.J) SAM BOSWELL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxxxx>

To: SAM BOSWELL

Oct 19, 2015 at 1:48 PM

Btw-

If you were truly interested in finding a leader who can solve problems, you would be a leader yourself and help solve this problem and reach out to the Trump campaign, since (as I mentioned), they will not respond to me.

Please, do what's right. This is not the first time this same man has resorted to violence. He can be seen along with Trump staff Keith Schiller assaulting a man at Trump Tower in NYC. This is not an isolate incident. Don't be a part of the problem by helping to block it. Be a problem solver for real.

<http://nypost.com/2015/09/04/trump-security-team-scuffles-with-immigration-protester/>

Do you really want to be a part of the cover-up?

Watch this one-- Trump staff confront me while I'm reading the Bible at an event in Tyngsboro. The police finally side with me.

[Trumpers fears Bible reading. Police side w Webber](#)

**1.K) PHONE CALL WITH NO LABELS, COMMUNICATIONS DIRECTOR/ CHIEF STRATEGIST, RYAN CLANCY,**

10-20-15 at 11.07 AM

**1.L) NO LABELS, CHIEF STRATEGIST, RYAN CLANCY,**

10-20-15 at 4.13 PM

**1.M) THE CONVENTION "A GREAT SUCCESS"**

Juliet Herbert <XXXXXXXXXXXXXXXXXX>

To:rodwebber@XXXXXXXXXXXXXXXXXX

Oct 26, 2015 at 11:53 AM

No Labels NH Newsletter

Rod,

Two weeks ago, No Labels held the first ever Problem Solver Convention at the Manchester Radisson Hotel. This monumental event brought together over 1,500 No Labels members, 8 presidential candidates from across the political spectrum, current and former House and Senate members from both sides of the aisle, and state and local officials from New Hampshire and around the country. We're proud to announce that the Problem Solver Convention was a great success! Most importantly, we'd like to thank everyone who attended the convention and who have supported us these past few months. Many of you have received calls, emails, and knocks on your door from our team and we deeply appreciate your support and kind words for all that we do.

In the meantime, our work in the Granite State is not over. We still need to keep up the pressure on our leaders and show them that voters want a Problem Solver president. This upcoming January, we will be awarding the No Labels Problem Solver Seal of Approval to candidates that fit the criteria of being a Problem Solver. To earn our seal, candidates must pledge to do the following:

1. Embrace the goals of the No Labels National Strategic Agenda.
  - Create 25 million jobs over the next 10 years;
  - Secure Social Security and Medicare for the next 75 years;

- Balance the federal budget by 2030; and
- Make America energy secure by 2024

2. Act in the first 30 days of their presidency

- Bring together House and Senate leaders from both parties;
- Begin work on at least one of the four goals in the National Strategic Agenda;
- Commit to a bipartisan process to achieve the agreed upon goal or goals.

We need YOUR support and voice to make this happen. If you haven't already, please make the Problem Solver Promise here ([http://www.nolabelsnh.org/psp\\_sign\\_up](http://www.nolabelsnh.org/psp_sign_up)) and add your voice to the chorus of thousands of fellow voters that are fed-up with the rampant partisan gridlock and bickering. Together we can unite this country and push our leaders to use common sense and to work across party lines to solve our country's most pressing issues.

We also urge you to attend presidential candidate events in your area and to speak to them about the Problem Solver Seal and whether they'd be willing to meet its requirements. At the beginning of each week, we will release this newsletter with details of what our Manchester office is doing and where and when candidates will be. Please refer to the list below for candidates that are coming to your area.

Note: Candidates and their campaigns frequently schedule events during the week. For the most up-to-date campaign events calendar, please refer to our website calendar at: [http://www.nolabelsnh.org/nh\\_calender](http://www.nolabelsnh.org/nh_calender)

Wednesday, October 28

**Hillary Clinton** Politics and Eggs (11:30 AM St. Anselm College, Manchester)

Thursday, October 29

**Hillary Clinton** Civic Forum Series (11:30 AM, White Mountains Community College, Berlin)

**Hillary Clinton** Rural Economic Roundtable (3:15 PM, Littleton High School)

**Jeb Bush** Town Hall (7:00 PM, Whipple Memorial Town Hall, New London)

Please contact our staffer Logan Rains at [logan@nolabels.org](mailto:logan@nolabels.org) for any questions or concerns about attending candidate events.

**1.N) M KIMBALL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxx>

To:xxxxxxxxxxxxxx

Nov 27, 2015 at 5:45 AM

Hello Ms. Kimball, and Happy Thanksgiving.

As you may or may not know, I was physically attacked by a Trump campaign staff member as well as officers Pittman and Cosio at your No Labels Problem Solvers event in Manchester, NH

on Oct 12th I was thrown over a table and dragged across the floor, and thrown again. I was detained by police then released. Later when the media had cleared away, **I was arrested effectively for asking to press charges.** Sam Boswell (from No Labels) and Ryan Clancy (from No Labels) have both confirmed that No Labels staff and security are separate from Mr. Trump's staff, so the behavior of Mr. Trump's staff shouldn't reflect poorly upon you.

Here's a quick video that's been seen around 25 thousand times: <https://vine.co/v/eElaxhDp3Xl>  
There are several other similar videos, and it was also covered in the Washington Post and a number of other publications.

That said, neither Sam nor Ryan had any information that would help me identify the staffer. If any new information has come to light, it would be the right thing to do, certainly in the wake of Mr Trump now encouraging the violence against BLM protester Mercurio Southall Jr.

Thank you.  
Sincerely,  
Rod Webber

**1.O) SAM BOSWELL**

— — —  
ROD WEBBER <rodwebber@xxxxxxxxxxxxxxxx>  
To:xxxxxxxxxxxxxxxx

Dec 10, 2015 at 4:53 PM

Hey Sam-  
Do me a solid. Can you tell me the names of the police involved on Oct 12th event.  
We know they're hired by No Labels. We just need that so we make sure we get it right down the line.  
Thanks  
Rod

**1.P) SAM BOSWELL**

Sam Boswell <xxxxxxxxxxxxxxxx>  
To:ROD WEBBER

Dec 11, 2015 at 4:21 PM

Hi Rod,

I asked around and unfortunately we did not keep the names of any law enforcement officers that were present at the convention.

Regards,  
Sam

**1.Q) SAM BOSWELL**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxx

To:Sam Boswell

Dec 11, 2015 at 6:33 PM

Okay- but they were hired by No Labels, not Trump?

**APPENDIX SECTION 2**  
**NO LABELS PROPAGANDA**

**2.A) COMPEL OUR NATIONAL LEADERS TO SOLVE PROBLEMS**

NOLABELS.ORG Oct 2nd, 2015, in the “Who We Are” section

“We’re out to shake up the system and compel our national leaders to get back to the business of solving the problems facing the nation.”

<http://web.archive.org/web/20151002014907/http://www.nolabels.org/>

**2.B) “PRESS OUR CANDIDATES FOR ANSWERS”**

By No Labels co-chairs Jon M. Huntsman Jr. and Joe Lieberman

For Times Union, June 22, 2015 story, “Pataki's call for bipartisan approach shows a true leader”

“We applaud Pataki’s bipartisan platform, and any other candidates who echo these sentiments.

But we need to go beyond campaign promises and sound bytes — we need to dig deeper into those one-liners and question how these candidates believe they will get there. The answers could catapult a long-shot candidate into a winning bid, or move a sure-thing candidate to the back burner. Americans have the power to determine who best represents our interests and goals, and we will continue to **press our candidates for answers**. We require more than promises — we expect a framework for actualizing bipartisan goals.

We won’t stop until we get one.”

<http://web.archive.org/web/20170223113916/http://www.timesunion.com/tuplus-opinion/article/Pataki-s-call-for-bipartisan-approach-shows-a-6342601.php>

**2.C) “START A DIALOGUE WITH ONE ANOTHER”**

From NoLabels.org, Oct. 2nd 2015

Tab: ABOUT: FOUNDATION:

Since 2010, No Labels has not just built and sustained, but substantially grown, this platform for leaders – Democrats and Republicans alike – to come together and **start a dialogue with one another**.

**2.D) “HOLD THE CANDIDATES’ FEET TO THE PROBLEM SOLVING FIRE”**

This phrase is a section on [NoLabels.org](http://www.nolabels.org) unto itself.

<http://web.archive.org/web/20151002014907/http://www.nolabels.org/>

## **2.E) “TALK THE TALK”**

Excerpts from the [NoLabels.org](http://www.nolabels.org) “Talk the Talk” page

“I believe from the bottom of my heart that it is vitally important for those of us who hold different views to be able to engage in a civil discourse. Too often in our country – and I think both sides bear responsibility for us – there is too much shouting at each other. There is too much making fun of each other...But it is harder, but not less important, for us to try and communicate with those who do not agree with us on every issue. And it is important to see where if possible, and I do believe it’s possible, we can find common ground.” — **Senator Bernie Sanders** Senator from Vermont, 2016 Presidential Candidate 09/14/2015

## **2.E. GRAHAM)**

“Here’s what I would tell the American people– If you want to solve our problems, elect a problem solver. If you want to be mad, be mad. But eventually our anger has to be channeled in a way that makes us safer and more prosperous.” — Senator Lindsey Graham, Senator from South Carolina, 2016 Presidential Candidate

## **2.E. BUSH)**

“If we weave a web of civility where you don’t violate your principles by actually talking to people who don’t agree with you – it’s an essential part of restoring democracy in this country so we start fixing things.” — Governor Jeb Bush, Former Governor of Florida, 2016 Presidential Candidate 05/26/2015

## **2.E CLINTON)**

“We need a political system that produces results by solving problems that hold us back, not one overwhelmed by extreme partisanship and inflexibility... We Americans may differ, bicker, stumble, and fall. But we are at our best when we pick each other up, when we have each others back. Like any family, our American family is strongest when we cherish what we have in common and fight back against those who would drive us apart.” — Secretary Hillary Clinton, Former Secretary of State, 2016 Presidential Candidate 06/13/2015

## **2.E. OBAMA)**

“A better politics isn’t one where Democrats abandon their agenda or Republicans simply embrace mine. A better politics is one where we appeal to each other’s basic decency instead of our basest fears. A better politics is one where we debate without demonizing each other; where we talk issues, and values, and principles, and facts, rather than ‘gotcha’ moments, or trivial gaffes, or fake controversies that have nothing to do with people’s daily lives.” — President Barack Obama, 44th President of the United States 01/20/2015

## **2.E CARSON)**

“Just because you disagree with someone does not mean they are your enemy. The problems we face are not Democrat problems or Republican problems, they are American problems.” — Dr. Ben Carson, Candidate for President 08/16/2015

<http://web.archive.org/web/20150921212536/http://www.nolabels.org/talk-the-talk/>

## **2.F) COMPEL THOSE WHO WOULD HAVE OUR VOTE**

From the [NoLabels.org](http://www.nolabels.org) “Philosophy” page Oct 2, 2015

“The 2016 election cycle is revving up, and our aim is to compel those who would have our vote to commit to cooperative goal-setting and problem-solving as their fundamental approach to governing.”

<http://web.archive.org/web/20150922045443/http://www.nolabels.org/philosophy/>

## **2.G) NO LABELS SUPPORTS DIVERSITY OF VIEWPOINTS**

From the [NoLabels.org](http://www.nolabels.org) “HISTORY” page Oct 2, 2015

As long as they are intellectually honest, we respect conservatives, liberals, and anyone in between who has a sincere desire to address the nation’s problems. No Labels supports a diversity of viewpoints; we think it’s one of America’s strengths.

<http://web.archive.org/web/20150921225933/http://www.nolabels.org/history/>

## **2.H) “HOLD THE CANDIDATES’ FEET TO THE PROBLEM SOLVING FIRE”**

From the [NoLabels.org](http://www.nolabels.org) “Problem Solver Convention” page Oct 2, 2015

“Not so very long ago, healthy debate, mutual respect and cooperation were cool. And things got done.

Join us October 12 in Manchester, NH as we bring back bipartisan leadership.”

“RSVP The No Labels Problem Solver Convention will feature speakers, such as Governor Jon Huntsman, Senator Joe Lieberman, congressional Problem Solvers and policy experts...but the gathering will primarily be a citizen-centric, uplifting rally and send-off for activists who will be **holding presidential candidates’ feet to the problem-solving fire as the primary season heats up.**”

<http://web.archive.org/web/20150921214324/http://www.nolabels.org/nh-problem-solver-convention/>

## **2.I) “TELL THE TRUTH, BE RESPONSIBLE, WORK TOGETHER, QUESTION TIME”**

From [NoLabels.org](http://www.nolabels.org), Oct. 2nd 2015, archived on [Archive.org](http://www.archive.org)

**PROBLEM SOLVERS “MAKE IT WORK” / MAKE AMERICA WORK**

1. Tell us the Full Truth

4. Be Responsible

It’s time for our leaders to take responsibility for their actions. When they mess up, they should fess up and deal with the consequences.

5. Work Together

6. Question Time for the President

## **2.J) “WHY NEW HAMPSHIRE MATTERS”**

From the [NoLabels.org](http://www.nolabels.org) blog “Why New Hampshire Matters”

February 2, 2016

“Eisenhower’s victory established the New Hampshire primary as a crucial stepping-stone in the

electoral process. Jimmy Carter's 1976 victory in the state followed by his eventual nomination to the Democratic ticket reinforced New Hampshire's importance and gave the state a reputation for boosting underdogs and lesser-known candidates... Since 1952, nine out of 16 Democratic candidates who won the New Hampshire primary later won their party's nomination, while 13 out of 16 Republican candidates who have won in the Granite State have gone on to win the nomination."

<https://www.nolabels.org/blog/why-nh-matters/>

### **APPENDIX 3**

#### **CORRESPONDENCE WITH POLICE AND MANCHESTER OFFICIALS**

##### **3.A) ALDENBERG**

OCTOBER 12th 2015

After Webber released from police detainment, Webber immediately reported the incident to Sgt. (at the time) Allen Aldenberg. Within moments of doing so, Webber was arrested.

##### **3.B) OCTOBER 13TH -CALLED NO LABELS**

10-13-15 at 5.42 PM

WEBBER LEFT MESSAGE FOR DENNIS CRAIG

##### **3.C) FOLLOW-UP REQUEST TO PRESS CHARGES**

**From:** RodWebber@xxxxxxxxxxxxxxxx

**Sent:** Thursday, October 15, 2015 9:42 AM

**To:** ManchesterPD

**Subject:**

I was arrested on the plaza just outside the "No Labels" event at the Radisson Hotel in Manchester . My full legal name is Roderick Webber. Is the report of events available yet? I was told it would take 48 hours. Secondly, I filed assault charges against officer B. Cosio and the (still unnamed) officers involved in throwing me to the ground inside the "No Labels" event at the Radisson. Has there been any progress in identifying them? Additionally, there was a Donald Trump staff member who was also involved in assaulting me. How can I find out if there has been any progress on all of this? Thank you. Sincerely, Rod Webber

Rod Webber

*The Right-To-Know Law (RSA 91-A) provides that most e-mail communications, to or from City employees and City volunteers regarding the business of the City of Manchester, are government records available to the public upon request. Therefore, this email communication may be subject to public disclosure.*

**3.D) PHONE CALL BY WEBBER TO ATTORNEY GENERAL**

OCTOBER 15TH

10-15-15 at 10.49 AM

**3.E) ALLEN ALDENBERG**

Re: Case 15-1723711

ROD WEBBER <rodwebber@xxxxxxxxxxxxxx

To:aaldenbe@manchesternh.gov

Oct 15, 2015 at 6:23 PM

Hi Sgt Aldenberg-

I have tried contacting by phone and through the main Manchester police email-- but I haven't had any response.

Is there any development in identifying the 3 officers and 1 Trump staffer who were involved in assaulting me at the Radisson Hotel Monday? Obviously, we have the name of Officer B. Cosio. Have you spoken to your staff? Do you know anything about Trump's staff? Are there any deadlines or statutes of limitations that I need to file anything?

Thanks,

Rod Webber

**3.F) MAUREEN TESSIER**

On Friday, October 16, 2015 1:54 PM, "Tessier, Maureen" <MTessier@manchesternh.gov> wrote:

Mr. Webber,

There is a completed report related to your arrest on October 12, 2015 filed under MPD case # 15-017237. You are scheduled to be arraigned on those criminal charges on November 18, 2015 at the 9<sup>th</sup> Circuit Court, District Division, in Manchester .

Because the case is pending in court, you or your attorney would need to contact the City Solicitor' office, (603) 624-6523, and file a discovery request for the report and any other material related to your case. You will have the opportunity to apply for a court-appointed attorney based on financial need at your arraignment if you choose to do so.

Also, if you wish to file a complaint against any of our officers, you can contact me Monday-Friday from 7:00 AM to 3:30 PM at (603) 792-5473 or you call the Officer in Charge at (603) 792-5466 during nights and weekend hours to make that complaint.

Thanks!

Capt. Maureen Tessier

**3.G) MAUREEN TESSIER**

On Friday, October 16, 2015 2:55 PM, ROD WEBBER <rodwebber@xxxxxxxxxxxxx wrote:

Hi Capt Tessier-

Thanks for responding. I already pressed charges via Sgt. Aldenberg. The case # is 15-17237. I listed Officer B Cosio as one of the men who assaulted me.

Additionally, since seeing the video, we've been able to identify Officer Pittman. There was one other officer involved, as well as one man wearing a Donald Trump staff badge. We don't have their identities yet, but I am including stills from the video. I would like to press assault and police brutality charges against all of the officers, and assault against the Trump staff member. I will call you in about 15 minutes, but a reply in writing would be appreciated as it may be part of my case.

Thank you

Rod Webber

**3.H) ALLEN ALDENBERG**

Re: Case 15-1723711

Aldenberg, Allen <AAldenbe@manchesternh.gov>

To: ROD WEBBER

Oct 19, 2015 at 9:50 AM

MR Webber- Good morning. I have received your emails. I assume that when you were bailed you were provided a court date. The initial arraignment and subsequent trial if it should reach that level is the place and time to address your concerns. You will have the opportunity to cross examine all witnesses to the incident as well as the arresting officers. I am sure your attorney will be able to explain all of this to you. Thank you..

SGT Aldenberg

**3.J) ALLEN ALDENBERG**

Re: Case 15-1723711

ROD WEBBER <rodwebber@xxxxxxxxxxxxx

To: aaldenbe@manchesternh.gov, attorneygeneral@doj.nh.gov

Oct 19, 2015 at 1:38 PM

Hello Sgt. Aldenberg-

Since I was officially detained by Manchester Police, then released-- and later arrested, there are two distinct incidents that took place. I was arrested after sitting on a park bench quietly-- until I called to you for help-- at which point you felt the need to arrest me. This took place clearly after I was assaulted.

Earlier, before my arrest, when I asked to press charges against your officers, it was for the incident inside the Radisson Hotel. If you recall, I reported that an unidentified Trump staffer and a number of your officers (without warning), were involved in throwing me into a table, knocking it down, then they dragged me, then they threw me to the floor. Again, I was detained, then released. The arrest was a separate incident. Since watching the video, I can now tell you that officers Pittman, Cosio and Craig were involved in my assault. I want to press charges against them for assault.

The Trump staff member (who refused to identify himself after assaulting me the first time), is not a Manchester police officer, (to my knowledge), and not even a part of the security team for "No Labels." I have that on authority from Sam Boswell of No Labels who reached out to me by email. Therefore, the Trump staffer had absolutely NO right to lay a hand on me. During the event, he did put his hand on me several times, and I repeatedly asked him to stop. He then threatened me. Then aided by officer Pittman he dragged me with your officers as I detailed above. I want charges pressed against this Trump staff member as well. It is well known that he is a part of Donald Trump's staff, and therefore easy to find the next time Donald Trump has an event.

I want all of this filed. I want it filed as a separate incident from my arrest.

I am CC'ing this to the Attorney General.

Thank you,  
Rod Webber

**3.K) ATTORNEY GENERAL**

Assaulted at Donald Trump event Oct 12th. Manchester PD apparently not filing charges

Roderick Webber Mon, Oct 19, 2015 at 2:05 PM

<roderickwebber@xxxxxxxxxxxxxx

To: attorneygeneral@doj.nh.gov

Hello Mr. Attorney General-

As you may or may not know, I was physically attacked by a Donald Trump campaign staff member and Manchester police officers Pittman, Craig and Cosio at your No Labels Problem Solvers event Monday, Oct. 12th. I was thrown over a table, dragged, then thrown to the ground. I was then detained and released. I filed a report with Sgt. Aldenberg. He told me the case number is 15-17237. After seven days, he has finally responded to me about the incident, but claims that it is part of a separate event, in which he arrested me later that day while I was sitting quietly on a park bench. The entirety of both incidents were filmed by a multitude of news outlets, as well as myself, as I told Sgt. Aldenberg at the time (and he acknowledged), so there is no question as to how the events transpired.

Last week, I contacted your office, and your secretary put me through to Detective Dick Tracy. He finally got back to me today as well. What he said basically reflected Sgt. Aldenberg's statements. I however contend, that these are separate incidents and should be dealt with as such.

Sgt. Aldenberg, and Detective Tracy have refused to acknowledge my complaint, so I am contact you. I want to press charges of assault against officers Pittman, Craig and Cosio. I also want to file assault charges against the unidentified Donald Trump staff member who assaulted me more than once at the event.

I CC'd you on the last communication with Sgt. Aldenberg. I look forward to talking to you soon.

Thank you, and God bless.

Sincerely,  
Rod Webber  
XXXXXXXXXXXXXXXX

**3.L) MAUREEN TESSIER**

Oct 19 at 3:10 PM

Hello Capt Tessier-

There were two separate incidents, so let me explain to you again.

Incident #1:

I attended the No Labels Problem Solvers convention at the Radisson Hotel in Manchester on Monday, Oct. 12th. The presidential candidate Donald Trump was one of the speakers at the event. However, according to Sam Boswell who runs the NH branch of No Labels, Mr. Trump's security staff were not a part of the No Labels security, and therefore had no authority at the event.

Mr. Trump's staff repeatedly put his hands on me, which I repeatedly asked him stop. He also threatened me in a very menacing way, A couple minutes later, without warning, I was physically attacked by the same Donald Trump campaign staff member and Manchester police officers Pittman, Craig and Cosio. I was thrown over a table which was knocked down, then dragged, then thrown to the ground. I was then detained and released by the Manchester police Department. I filed a report with Sgt. Aldenberg explaining the incident. He told me the case number is 15-17237.

Incident #2:

I was sitting quietly on a park bench on the plaza in front of the Radisson Hotel (which was okayed by Sgt. Aldrenberg), when I was approached by one of the officers involved in my earlier assault. I called over to Sgt. Aldenberg to keep any people who assaulted me away from me. He responded to my cry for help by marching over an arresting me.

The entirety of both incidents were filmed by a multitude of news outlets, as well as myself, as I told Sgt. Aldenberg at the time (and he acknowledged), so there is no question as to how the events transpired.

I sent Sgt. Aldenberg a number of emails, and he finally responded to me this morning, but contends that both incidents are part of the same event.

This is false. There were two separate incidents, therefore the case of assault and police brutality is not pending in court. I want to file a complaint against your officers and press charges of assault and police brutality against officers Pittman, Craig and Cosio.

Secondarily, I want to file a complaint and file assault charges against the unidentified Donald Trump staff member who assaulted me more than once at the event. He goes everywhere with Mr. Trump, so he should be easy to find. I'd be happy to point him out.

I am CC'ing the Attorney General.

Thank you, and God bless.

Sincerely,  
Rod Webber

**3.M) Attorney General's office**

Tracy, Richard <[richard.c.tracy@doj.nh.gov](mailto:richard.c.tracy@doj.nh.gov)> 10:33 AM (2 minutes ago) to me, Maureen

Good morning Mr. Webber,

I've been asked to reply to the email that you sent to the Attorney General regarding your concerns with how Manchester Police Officers handled your arrest and our telephone conversation yesterday. Based on the information you provided in writing and during our conversation the Office of the Attorney General will not open a criminal investigation. I noted that Captain Tessier informed you of how to file a complaint against an officer, which is similar to what I explained to you yesterday. Secondly you need to address your charges with the court, which is what Capt Tessier and Sgt. Aldenberg explained to you in previous emails.

Additionally you were advised on how to obtain legal counsel if you cannot afford your own private attorney.

Sincerely.

Richard C. Tracy, Chief Investigator

Criminal Bureau

Attorney General's Office

33 Capitol Street

Concord, NH 03301-6397

[\(603\) 271-3671](tel:(603)271-3671)

[\(603\) 223-6275 \(FAX\)](tel:(603)223-6275)

[richard.c.tracy@doj.nh.gov](mailto:richard.c.tracy@doj.nh.gov)

The information contained in this electronic message and any attachments to this message may contain confidential or privileged information and is intended for the exclusive use of the addressee(s). Please notify the Attorney General's Office immediately at [\(603\) 271-3671](tel:(603)271-3671) or reply to [justice@doj.nh.gov](mailto:justice@doj.nh.gov) <<<mailto:justice@doj.nh.gov>>> if you are not the intended recipient and destroy all copies of this electronic message and any attachments

**3.N) OCTOBER 19TH, 2015, 11:25 AM**

MANCHESTER POLICE RETURN PHONECALL TO WEBBER.

WEBBER MAKES COMPLAINT PER ATTORNEY GENERAL'S INSTRUCTIONS.  
OFFICER ON DUTY WHO SPOKE TO WEBBER INFORMS WEBBER, "Take care of it in court, it's not something we're going to investigate."

FROM AG: you call the Officer in Charge at (603) 792-5466 during nights and weekend hours to make that complaint.

8:05: Take care of it in court, it's not something we're going to investigate.

**3.O) GINA CHARBONEAU**

On Oct 20, 2015, at 12:02 PM,

Gina Charboneau

Woman at Manchester Police Department who said that I cannot get the police report.

**3.P) ALLEN ALDENBERG**

ROD WEBBER <rodwebber@xxxxxxxxxxxxxxxx>

Jan 5, 2016 at 2:34 PM

Hello Sgt. Aldenberg,

I am writing because I have been invited by Wayne Lesperance to be a part of at Town Hall Meeting being held at the NH Primary Student Convention which features political figures like myself such as the NH Secretary of State Bill Gardner and about a dozen presidential candidates. The event tomorrow is taking place at the Radisson Hotel in Manchester. This presents a problem since I was wrongfully arrested (as you know), by you and your staff at the Radisson Oct 12th this year. As a result, Bail Commissioner BL Duddley made one of the bail conditions that I stay at least 300ft of the Radisson Hotel. According to Mr. Lesperance, (the event co-director), the Radisson themselves have no ban on my attendance. Would it be possible to get a temporary lifting of this portion of the bail conditions? If not, could I possibly get a police escort, in accordance of my bail conditions? I am scheduled to be there at noon.

Thanks!

Rod Webber

xxxxxxxxxxxxxxxx

**3.Q) MAUREEN TESSIER**

RW to Tessier Jan 5, 2016

Hi Capt Tessier-

I am writing because I have been invited by Wayne Lesperance to be a part of at Town Hall Meeting being held at the NH Primary Student Convention which features political figures like myself such as the NH Secretary of State Bill Gardner and about a dozen presidential candidates. The event tomorrow is taking place at the Radisson Hotel in Manchester. This presents a problem since I was wrongfully arrested (as you know), at the Radisson, Oct 12th this year. As a result, Bail Commissioner BL Duddley made one of the bail conditions that I stay at least 300ft of the Radisson Hotel. According to Mr. Lesperance, (the event co-director), the Radisson themselves have no ban on my attendance. Would it be possible to get a temporary lifting of this portion of

the bail conditions? If not, could I possibly get a police escort, so that I am not in violation of my bail conditions? I am scheduled to be there at noon.

Thanks!

Rod Webber

XXXXXXXXXXXXXX

**3.R) MAUREEN TESSIER**

Tessier, Maureen <MTessier@manchesternh.gov>

To:ROD WEBBER

Jan 5, 2016 at 6:30 PM

Mr. Webber,

You or your lawyer could have filed a motion with the court to amend the bail conditions-only a judge can approve a change in existing bail conditions. Unfortunately, your timeline makes this potential remedy impossible for tomorrow's town hall meeting.

In the event you anticipate future engagements at that venue you can still file that motion to avoid this conflict in the future.

Good Luck!

**APPENDIX 4**  
**MANCHESTER POLICE TRACK RECORD**

**4.A) Manchester Police Officer Michael Buckley participates in beating a man in a bar.**

ACCORDING TO ADAM SEXTON reporting for WMUR-TV, (Published to YouTube March 3rd 2010)

Patron of the bar Strange Brew, Chris Micklovich was asked to leave. He asked why, and four off-duty cops beat him up, according to Micklovich. Chief David Mara wanted to investigate injuries.

A witness came forward. Internal investigation

Four officers were at the bar:

- a. Officer Michael Buckley
- b. Officer Jonathan Duchesne
- c. Officer Matt Jajuga
- d. Lt. Ernie Goodno

Source: Chief Mara, Manchester PD, (ACCORDING TO ADAM SEXTON reporting for WMUR)

**WMUR-TV - Published on Mar 16, 2010**

<https://www.youtube.com/watch?v=E5ebcm8Jgfs>

e. Attorney General MICHAEL DELANEY clears officers of criminal wrongdoing

[https://www.unionleader.com/news/crime/attorney-general-clears-officers-involved-in-strange-brew-incident/article\\_c4c8a0b4-6748-5401-9eb6-f0f13495db8f.html](https://www.unionleader.com/news/crime/attorney-general-clears-officers-involved-in-strange-brew-incident/article_c4c8a0b4-6748-5401-9eb6-f0f13495db8f.html)

f. Attorney General MICHAEL DELANEY said: **“I also want to say that clearly this situation was not the Manchester police department's finest hour,”** Delaney said. He noted that an internal affairs review was conducted by Manchester police. He also said, “I recognize the police chief has disciplined officers,” he said. “I was asked to review this matter by the mayor, former County Attorney Bob Walsh and Chief David Mara.”

<https://www.unionleader.com/article.aspx?articleId=a4112c9e-83f7-497e-93c8-0a0b25e16c5f&headline=Pressure+from+Manchester+police+unions+won%27t+halt+Strange+Brew+probe+says+county+attorney>

**g) Manchester Police Officer Jonathan Duchesne participates in beating a man in a bar.**

March 3rd 2010

For details, see 4A.

**h. Manchester Police Officer Matt Jajuga participates in beating a man in a bar.**

March 3rd 2010

For details, see 4A.

**i. Manchester Police Lieutenant. Ernie Goodno participates in beating a man in a bar.**

March 3rd 2010

For details, see 4A.

**4.B) OFFICER RYAN NARDONE - GUILTY OF SIMPLE ASSAULT (2010)**

Manchester NH police officer found guilty of misdemeanor for hitting man in head at bar but jury hung on felony charge

<https://www.unionleader.com/article.aspx?headline=Nardon%20guilty%20of%20simple%20assault;%20hung%20jury%20on%20felony%20charge&articleId=f7f474bd-95f2-4110-8096-45942c217d8e>

In May 2010, Nardone was found guilty of simple assault —

<https://www.capecodtimes.com/article/20120129/NEWS/201290337>

[https://www.sentinelsource.com/news/state\\_regional/ag-asked-to-probe-alleged-police-attack/article\\_f0d80a38-1c74-5f77-a302-ff109caa0b52.html](https://www.sentinelsource.com/news/state_regional/ag-asked-to-probe-alleged-police-attack/article_f0d80a38-1c74-5f77-a302-ff109caa0b52.html)

**UnlawfulShield.com @AbolishQI**

Manchester NH police officer found guilty of misdemeanor for hitting man in head at bar but jury hung on felony charge: <http://is.gd/chYrE> 4:02 PM - 20 May 2010

**4.C) Manchester Police Officer Steven Coco GUILTY of running over Dean Drukker and Noah Hickman (2013)**

According to Andy Hershberger reporting for WMUR-TV (Published to YouTube Mar 26, 2014)

Coco struck them from behind in an undercover police SUV.

Drukker suffered a serious head injury and was hospitalized

Hickman had a broken elbow

Judge Jillian Abramson agreed with state's recommendation of 12 months in jail. She said she did not think that Coco was telling the truth.

<https://www.youtube.com/watch?v=DqKEo71ZTak>

**Detective arrested in hit-and-run had been visiting at fellow officer's home**

According to MARK HAYWARD and PAT GROSSMITH in the New Hampshire Union Leader Mar 26, 2013 [mhayward@unionleader.com](mailto:mhayward@unionleader.com) [pgrossmith@unionleader.com](mailto:pgrossmith@unionleader.com)

“On Tuesday, Manchester police Sgt. Stephen Coco was arrested and arraigned on felony charges stemming from the hit-and-run accident. Immediately, questions arose about why Coco was on Harrod Lane, a quiet, south Bedford residential street of about a dozen homes.”

[https://www.unionleader.com/news/crime/detective-arrested-in-hit-and-run-had-been-visiting-at-fellow-officers-home/article\\_4184e5a4-f001-518e-a781-1d3aed67e756.html](https://www.unionleader.com/news/crime/detective-arrested-in-hit-and-run-had-been-visiting-at-fellow-officers-home/article_4184e5a4-f001-518e-a781-1d3aed67e756.html)

**Fired Manchester officer charged in Bedford hit and run to see pension**

Anonymous entry in Union Leader, Mar 28, 2013 “

“MANCHESTER - Stephen Coco, the Manchester police sergeant who was fired and arrested following a hit-and-run accident on Friday in Bedford, won't getting his pension right away, but once he does he could be getting about \$37,100 a year.”

[https://www.unionleader.com/news/safety/fired-manchester-officer-charged-in-bedford-hit-and-run-to-see-pension/article\\_4911987f-6cb9-5083-a3e6-0cdfd561eac4.html](https://www.unionleader.com/news/safety/fired-manchester-officer-charged-in-bedford-hit-and-run-to-see-pension/article_4911987f-6cb9-5083-a3e6-0cdfd561eac4.html)

**4.D) WMUR-TV REPORTS: THREE MANCH COPS FIRED (2018)**

Reported Published on Apr 11, 2018

Officer **Steven Cornacchia** fired (Apr 11 2018) after being arrested for conduct after an accident in alleged hit and run crash while off duty. He was on leave since May of 2017

**4.E) Officer Aaron Brown ACCUSED OF SEXUAL ASSAULT also fired**

(April 11)— paid leave since Feb 2018. Being criminally investigated

**4.F) Detective Darren Murphy of the special investigative drug unit was fired in February 2018.**

Being criminally investigated, but unrelated to Brown.

ACCUSED OF SEXUAL ASSAULT

Chief Nick Willard fired Murphy.

WMUR VIDEO <https://www.youtube.com/watch?v=stHbFad89wM>

WMUR PRINT: Police said Cornacchia, an officer with Manchester police since April 2013, struck a 22-year-old woman before 1:20 a.m. as he turned onto West Merrimack Street from Elm Street. <https://www.wmur.com/article/manchester-officer-accused-of-striking-pedestrian-placed-on-leave/9660053>

**MANCHESTER PAID \$45,000 FOR COPS ACCUSED OF SEXUAL ASSAULT**

According to Mark Hayward written in the Union Leader, Jan 18, 2019

“**MANCHESTER** — City officials paid \$45,000 to the woman at the center of a months-long

investigation into the conduct of fired city police officers Darren Murphy and Aaron Brown, according to court documents.

Former Police Chief Nick Willard fired both officers last year. He fired Murphy, an undercover detective, last February. An internal investigation into Murphy led to a similar investigation regarding Brown, a street-level detective, whom Willard fired in April. Rogers' attorney, Olivier Sakellarios, eventually filed a claim letter with the city asserting Murphy and Brown used their status as police officers to coerce Rogers into sex."

[https://www.unionleader.com/news/crime/review-of-evidence-begins-in-manchester-police-officers-sexual-assault/article\\_8047fa68-d7ea-11e8-b19f-a3bbd5abbb57.html](https://www.unionleader.com/news/crime/review-of-evidence-begins-in-manchester-police-officers-sexual-assault/article_8047fa68-d7ea-11e8-b19f-a3bbd5abbb57.html)

[https://www.unionleader.com/news/crime/manchester-pays-to-woman-who-accused-two-police-officers-of/article\\_390de4b3-0ead-50c5-ad5a-c9dbc79ac74b.html](https://www.unionleader.com/news/crime/manchester-pays-to-woman-who-accused-two-police-officers-of/article_390de4b3-0ead-50c5-ad5a-c9dbc79ac74b.html)

#### **According to Carol Robidoux written in Manchester Ink Link (April 11, 2018)**

CHIEF NICK WILLARD RELEASED THIS STATEMENT:

*"The Manchester Police Department takes every accusation seriously while investigating all allegations made against our officers, and will hold those accountable who commit wrongdoing, as such, Chief Willard terminated two Manchester Police Officers today, Mr. Aaron Brown and Mr. Steven Cornacchia.*

*Mr. Brown, a former detective who had been employed by the City of Manchester Police Department since July of 2007, had been placed on paid administrative leave beginning February 20, 2018 until his termination today. A criminal investigation will be initiated into Mr. Brown's actions. The department has consulted with both the Attorney General and County Attorney on this matter and will continue to do so.*

*Cornacchia/MPD*

*Mr. Cornacchia has been employed by the City of Manchester Police Department since April, 2013. Mr. Cornacchia was on paid Administrative from May 14, 2017 to May 16, 2017 until he was arrested for Conduct After an Accident, after which he was on unpaid administrative leave pending his court case."*

<https://manchesterinklink.com/2-police-officers-terminated-after-criminal-investigation/>

#### **Cornacchia collapses before sentencing Jan 24 2018**

According to Mark Hayward [mhayward@unionleader.com](mailto:mhayward@unionleader.com) written in the Union Leader <http://201-ulweb.newscyclecloud.com/courts/manchester-police-officer-collapses-minutes-before-expected-guilty-plea-in-hit-and-run-20180123>

#### **4.G) Off-duty police officer charged in early Sunday hit and run in Manchester**

According to PAT GROSSMITH in the New Hampshire Union Leader, May 17, 2017

"MANCHESTER — An off-duty city police officer is accused of hitting a woman with his car early Sunday morning and, after checking on her, fleeing the scene of the collision.

Steven Cornacchia, 31, of Manchester was arrested Tuesday and charged with a misdemeanor offense of conduct after an accident. He was released on \$1,000 personal recognizance bail pending a June 20 arraignment in Manchester Circuit Court."

[https://www.unionleader.com/news/crime/off-duty-police-officer-charged-in-early-sunday-hit-and-run-in-manchester/article\\_39488944-03ad-5a0f-ad4e-b529a89cb0f6.html](https://www.unionleader.com/news/crime/off-duty-police-officer-charged-in-early-sunday-hit-and-run-in-manchester/article_39488944-03ad-5a0f-ad4e-b529a89cb0f6.html)

**4.H) Manchester police officer charged with felony assault on Cape Cod (2014)**

According to Mark Hayward written in the New Hampshire Union Leader, sept 10, 2014 “Falmouth police arrested **Christian Horn, 31**, of Chester, NH, on two felony charges stemming from the alleged assault, which took place shortly after midnight on Aug. 24 outside the Sea Crest Beach Resort hotel, Falmouth police Lt. Sean Doyle said.”

[https://www.unionleader.com/news/crime/manchester-police-officer-charged-with-felony-assault-on-cape-cod/article\\_162c1af3-96ea-51c6-b11e-378656a83960.html](https://www.unionleader.com/news/crime/manchester-police-officer-charged-with-felony-assault-on-cape-cod/article_162c1af3-96ea-51c6-b11e-378656a83960.html)

**4.I). Manchester police officer charged in domestic case (2013)**

- According to MARK HAYWARD written in the New Hampshire Union Leader. Jul 10, 2013

HOOKSETT — A veteran Manchester police officer was arrested Tuesday and charged with assault on Tuesday, stemming from a domestic-related incident at his Hooksett home in April, Hooksett police said. Police said **William Soucy, 52**, turned himself in to police and was charged with misdemeanor assault. He was booked and released on his own recognizance.

[https://www.unionleader.com/news/crime/manchester-police-officer-charged-in-domestic-case/article\\_3e3fc7f3-9048-5652-912f-262ba61ec9ea.html](https://www.unionleader.com/news/crime/manchester-police-officer-charged-in-domestic-case/article_3e3fc7f3-9048-5652-912f-262ba61ec9ea.html)

**4.J). Officer's DWI charge leads to resignation (2012)**

- According to SHAWNE K. WICKHAM written in the New Hampshire Sunday News Oct 21, 2012

MANCHESTER — The Manchester police officer charged with driving under the influence after he crashed his personal car into another vehicle on Interstate-93 last week has resigned from the police department. Police Chief David Mara told the New Hampshire Sunday News that **David Connare** submitted his resignation in a letter Friday afternoon. “I accepted it,” Mara said. The chief said his department was awaiting the reports on the Oct. 16 crash from state police, who are doing the investigation.

[https://www.unionleader.com/news/crime/officers-dwi-charge-leads-to-resignation/article\\_09aa89bc-56e8-5802-958f-99b4213aabba.html](https://www.unionleader.com/news/crime/officers-dwi-charge-leads-to-resignation/article_09aa89bc-56e8-5802-958f-99b4213aabba.html)

**4.K) Manchester Police Officer Charged in Domestic Assault (2012)**

- According to GRETYL MACALASTER written in the Union Leader Correspondent. Sep 28, 2012

“RAYMOND — A Manchester police officer is facing a misdemeanor simple assault charge after allegedly throwing his wife to the ground during a domestic dispute.

Nathan **Robert Linstad, 34**, formerly of 19 Pond Road in Raymond, has pleaded not guilty to the charges through his attorney, according to court records.

He turned himself in to Raymond police on Sept. 13 after an arrest warrant was issued, and was released on personal recognizance bail with conditions stipulating he is not to possess any firearms, have contact with the victim or use alcohol or other drugs.”

[https://www.unionleader.com/news/crime/manchester-police-officer-charged-in-domestic-assault/article\\_34e0df95-ecd0-5222-874a-db163a3fca38.html](https://www.unionleader.com/news/crime/manchester-police-officer-charged-in-domestic-assault/article_34e0df95-ecd0-5222-874a-db163a3fca38.html)

**4.L) Manchester officer charged in dispute with girlfriend resigns, will keep pension (2019)**

According to Emily Brindley [ebrindley@journalinquirer.com](mailto:ebrindley@journalinquirer.com) written in the Journal Inquirer, “Former **Officer Jason Wagner, 40**, resigned Thursday (March 14th 2019) from the Manchester Police Department. The Manchester Police Department charged him on March 1 with disorderly conduct and second-degree unlawful restraint.

Former Officer Jason Wagner, 40, submitted his letter of resignation Wednesday, becoming effective Thursday.” - Journal Inquirer

[https://www.journalinquirer.com/towns/manchester/manchester-officer-charged-in-dispute-with-girlfriend-resigns-will-keep/article\\_9d4ba328-4737-11e9-bae5-67466d2f8313.html](https://www.journalinquirer.com/towns/manchester/manchester-officer-charged-in-dispute-with-girlfriend-resigns-will-keep/article_9d4ba328-4737-11e9-bae5-67466d2f8313.html)

**5) Manchester Police Department Summary of Internal Affairs Investigations**

2015

According to the Manchester Police Department’s own “2015 Summary of Internal Affairs (IA) Investigations” report, “In 2015, the Manchester Police Department supervised a total of 53 Internal Affairs investigations.” There were **22 allegations of unprofessional conduct, 11 allegations of unnecessary/ excessive force, 4 allegations of unlawful conduct**, 1 allegation of biased complaint, **5 allegations of neglect of duty**, 4 allegations of unsatisfactory performance, and 7 SOP violations (3 substantiated).

In 2015 there were 11 administrative investigations. 7 were substantiated.

In 2015 there were 6 formal investigations. 2 were substantiated.

In a memo from Captain Maureen Tessier to Chief Enoch F. Willard, Captain Tessier wrote, “Allegations of violations of SOPs related to prisoner control, social media use, report accountability and duty to obey were substantiated. Two of three separate investigations into Neglect of Duty were substantiated with the third still pending. Four officers were counseled with two officers provided with additional training as well. Five officers received written reprimands but no formal discipline resulted from any administrative investigation. The six formal IA investigations conducted in 2015 involved allegations with probable implications of criminal conduct or serious misconduct. One investigation into allegations against two employees of Conduct Unbecoming and a number of SOP violations resulted in one employee resigning from his employment during the investigation and the second employee receiving formal discipline. Another employee investigated for a different allegation of Conduct Unbecoming resigned in lieu of termination.” Tessier completed her review by stating, “an investigation into missing money from evidence did not sustain any allegation of criminal conduct.” However, Tessier indicated that the missing money was a result of policy, stating, “**did result in policy change.**”

2014

Manchester Police's 2014 Internal Affairs Investigations reported a total of 44 Internal Affairs investigations.

One employee was issued formal discipline when allegations of Insubordination and Neglect of Duty were substantiated. There were **11 allegations of unprofessional conduct, 1 allegation of unnecessary/ excessive force, 3 allegations of unlawful conduct, 2 allegation of biased complaint, 6 allegations of neglect of duty, 2 allegations of unsafe driving, and 4 SOP violations. Three of the allegations of the neglect of duty were sustained.**

In a memo from Captain Maureen Tessier to Chief David J. Mara, Captain Tessier wrote, "The six formal IA investigations conducted in 2014 involved allegations with probable implications of criminal conduct. Three officers under separate investigations resigned from employment as a result of these investigations. All three matters were referred to the criminal investigative agency"... "One employee, exonerated of criminal wrongdoing, did receive formal discipline for Conduct Unbecoming an Officer, and another employee was issued a written reprimand and an oral reprimand for Improper Associations and Conduct Unbecoming."

2013

Manchester Police's 2013 Internal Affairs Investigations reported a total of 38 Internal Affairs investigations.

There were 13 allegations of rudeness, (with 4 substantiated), **1 allegation of unnecessary/ excessive force, 4 allegations of Improper Conduct (with 2 substantiated), 1 allegation of biased complaint, 11 allegations of Ineffective service, (with 2 substantiated), 3 allegations of Neglect of Duty, (with 1 substantiated), 1 allegation of Release of Info, 3 allegations of Illegal Activity, and 1 allegation of Untruthfulness.**

2012

Manchester Police's 2012 Internal Affairs Investigations reported a total of 48 complaints against Manchester PD.

There were 10 allegations of rudeness, **5 allegations of unnecessary/ excessive force, 5 allegations of Improper Conduct (with 1 substantiated), 1 allegation of biased complaint, 18 allegations of Ineffective service, (with 7 substantiated), 2 allegations of lost property, 2 allegations of illegal activity, 1 allegation of refusal to ID (1 substantiated), 2 allegations of threatening behavior, 2 allegations of Improper Police Action.**

2011

Manchester Police's 2011 Internal Affairs Investigations reported a total of 58 complaints against Manchester PD.

There were 3 allegations of Conduct Unbecoming, (3 substantiated), 3 allegations of excessive force, 1 allegation of racial bias, 5 allegations of Unlawful Conduct, 17 allegations of Ineffective service, (with 9 substantiated), 20 allegations of Rudeness/ unprofessional (8 substantiated), 2 allegations of Police Harassment, 2 allegations of neglect of duty, (1 substantiated), 1 allegation of Improper Conduct, (1 substantiated), 3 allegations of Improper Police Action, (1 substantiated), 1 allegation of "Care of Property" (1 substantiated).

2010

Manchester Police's 2010 Internal Affairs Investigations reported a total of 58 *citizen* complaints against Manchester PD. There were 17 allegations of rudeness, (6 substantiated), **10 allegations of Ineffective service, (with 6 substantiated), 8 allegations of excessive force, (1 substantiated/ resulting in resignation)**, 1 allegation of harassment, 1 allegation of "threatening", 3 allegations of Improper Police Action, **3 allegations of Neglect of Duty, (1 substantiated)**. 7 allegations of improper conduct/ unprofessional, (2 substantiated), 3 allegations of "Care of Property", 1 allegation of "Reckless Operation", (1 substantiated), 4 allegations of racial bias.

In 2010, 23 Administrative investigations alleging 32 complaints were filed in 2010. All of these complaints were investigated by the Manchester Police Department and resulted in the following: (in part)

**1 complaint of excessive force (1 substantiated), 19 complaints of Neglect of Duty, (17 substantiated), 10 complaints of Improper Conduct, (9 substantiated).**

2009

Manchester Police's 2009 Internal Affairs Investigations reported a total of 42 *citizen* complaints against Manchester PD. There were **11 claims of excessive force, 1 claim of neglect of duty (1 substantiated), 8 claims of Improper Conduct/ Unprofessional (3 substantiated)**, 1 claim of "official use of position."

22 Administrative investigations alleging 29 complaints were filed in 2009. All of these complaints were investigated by the Manchester Police Department and resulted in the following: (in part)

**8 claims of Neglect of Duty (8 substantiated), 1 claim of unlawful conduct (1 substantiated), 18 claims of improper conduct, (16 substantiated)**

Manchester Police's 2008 Internal Affairs Investigations reported a total of 38 *citizen* complaints against Manchester PD.

21 Administrative investigations alleging 21 complaints were filed in 2008. All of these complaints were investigated by the Manchester Police Department and resulted in the following: (in part)

**9 claims of Neglect of Duty, (9 substantiated), 10 claims of Improper Conduct, (10 substantiated).**

2017

In 2017, (although after the incident in question), there were three allegations of Neglect of Duty, 12 allegations of "conduct unbecoming" (with 4 of those sustained) and 9 allegations of "Unlawful Conduct/ Arrest/ Entry"

## APPENDIX 5

### RETALIATORY ARRESTS BY MANCHESTER POLICE DEPT

5.A). Valentin v Manchester. Manchester Police issue unlawful training memorandum 2011

[https://www.aclu-nh.org/sites/default/files/field\\_documents/valentin\\_msj.pdf](https://www.aclu-nh.org/sites/default/files/field_documents/valentin_msj.pdf)  
[https://www.aclu-nh.org/sites/default/files/field\\_documents/valentin\\_objection.pdf](https://www.aclu-nh.org/sites/default/files/field_documents/valentin_objection.pdf)

5.B) Kean v Manchester 2012 Retaliation for wearing a police jacket  
<http://www.nhd.uscourts.gov/sites/default/files/opinions/16/16NH022.pdf>

Municipal Liability for Constitutional Violation (Count VI) Kean argues that the City of Manchester is liable for Officer McKenney's purported constitutional violations because it failed to train its officers with respect to the false personation statute. Because Officer McKenney did not violate Kean's First and Fourth Amendment rights, the City of Manchester cannot be liable for having maintained an allegedly unconstitutional policy regarding officer training. As the Supreme Court has observed: [N]either *Monell v. New York City Dept. of Social Services*, 436 U.S. 658 (1978)

## **APPENDIX 6**

### **TRANSCRIPTION OF DIALOGUE OCT 12 2015**

## **APPENDIX 7**

### **VIOLENCE**

#### 1. Aug 19th, 2015 Report

Steve and Scott Leader beat Guillermo Rodriguez with a pipe and urinate on him in the name of Donald Trump/ sentenced to three years in jail.

#### 2. Sept 4th, 2015 VIDEO/ REPORT

Violence at Trump Tower protest

Efrain Galicia and others are attacked by Defendant Edward Deck and Keith Schiller

#### 3. Nov 21, 2015 VIDEO

Birmingham, AL

Trump Campaign Rally

Mercutio Southall is beaten up.

#### 4. Feb 1, 2016 VIDEO

Cedar Rapids, IA

Trump Campaign Rally

5. Feb 22, 2016 VIDEO  
Las Vegas, NV  
Trump Campaign Rally

6. March 4th, 2016 VIDEO  
Warren, MI  
Trump Campaign Rally

7. March 9th, 2016 VIDEO  
Fayetteville, N.C.  
Trump Campaign Rally

8. March 10, 2016  
John Franklin McGraw was charged with assaulting Rakeem Jones at Trump Campaign Rally

9. March 11th, 2016 VIDEO  
St. Louis, MO,  
Trump Campaign Rally

10 .March 11th, 2016 VIDEO  
Chicago, IL,  
Trump Campaign Rally

11. March 12th, 2016 VIDEO  
Vandalia, OH,  
Trump Campaign Rally

12. March 19, 2016 VIDEO  
Tuscon AZ  
Trump Campaign Rally

13. March 30, 2016 VIDEO  
Trump Campaign Rally

14. June 14th, 2016 VIDEO/ AUDIO  
Greensboro, NC,

Trump Campaign Rally

15. Aug 18, 2016 VIDEO  
Charlotte, NC,  
Trump Campaign Rally

16. Sept 12, 2016 VIDEO  
Asheville, NC,  
Trump Campaign Rally

17. April 2nd, 2017 VIDEO  
Kentucky  
Trump Campaign Rally

18. MATTHEW HEIMBACH VIDEO

19. July 28, 2017  
Brentwood, NY,  
Trump event

20. VIOLENT ACT BY DONALD TRUMP #1  
VIDEO

21. VIOLENT ACT BY DONALD TRUMP #2  
VIDEOS

22. VIOLENT ACT BY DONALD TRUMP #3  
VIDEOS

23. VIOLENT ACT BY DONALD TRUMP #4  
VIDEO

**APPENDIX 8**

**VIDEOS:**

Deck in Birch Run, MI  
Deck in Keene, NH

Deck assaults Galicia at Trump Tower  
Deck at rally organized by white supremacists, the Tilly Family  
Coverage of Leader Brothers who beat homeless man in the name of Trump  
Trump staff Andy Georgevits in Atkinson  
Andy Georgevits in Worcester  
Trump at Pennichuck/ Nashua NH  
Doucette speaks at rally in Hampton, NH  
Attacker Bill apologizes  
No Labels  
Exterior footage of Radisson Hotel  
Chatting with No Labels staff in hall  
Chatting with No Labels staff upon entry  
Wide shots of convention hall.  
Close-ups  
Joe Lieberman speaks  
Trump's speech  
GoPro / Camera 1 at No Labels  
Camcorder/ Camera 2 at No Labels  
Kevin Bowe coverage at No Labels  
Trump supporters threaten to rape Lauren Batchelder in the wake of No Labels PS  
Washington Post coverage of No Labels  
CBS coverage at no Labels  
Brad Mielke/ ABC coverage at No Labels  
CNN coverage at No Labels  
Time-stamped Photos and video from twitter  
Tabetha Wallace coverage  
Coverage in which Wallace claims Trump staff claimed to be Secret Service  
State Representative Eric Eastman at No Labels  
Candidate Vermin Supreme at No Labels  
No Labels - How To Start Your No Labels College Chapter  
No Labels - I Promise Ad  
No Labels - National Strategic Agenda  
No Labels State of the Union 2015  
Close-ups of No Labels staff gasping when Trump responds to Webber's question  
Discussion with Aldenberg  
Discussions with NH officials, (12 plus)  
Discussions with No Labels Officials  
Discussions with Trump Campaign officials

"Get 'em out" video  
"Take his coat" video  
"Knock the crap out of em" video  
"Carried out on a stretcher" video

Deck assaults in Asheville  
Deck assaults in Greensboro  
Deck assaults in Charlotte

Jake Anantha talks about being racially profiled by Deck

2016-2-4 Trump Exeter Town Hall— Doucette talks about religion/ Rochester  
Interview with Matthew Heimbach  
Heimbach/ Nwanguma assault  
Heimbach “deputized by Trump”  
Assaulted by Bikers For Trump  
    reading Bible  
    religious clothing  
Bible at Trump rally  
Short film about black Valdosta students racially based ejection  
Assaulted /kicked out for quoting scripture  
Assaulted by Trump staff  
Jeb Bush  
Lindsey Graham  
John McCain  
John Kasich  
Service to Edward Deck at XMark address in North Carolina  
Service to Edward Deck at XMark address in North Carolina part 2  
Trump security / Deck’s co-worker in staged fight with Trump  
Ryan Clancy Bipartisanship  
FTI Consulting Global  
Steve Balet

**APPENDIX 9:**

**TWITTER/ LIVE INTERNET/ TIMELINE**

TWEETS BY  
NO LABELS  
JDISTASO  
WMUR  
AND MANY OTHERS

**APPENDIX 10:**

**ROCHESTER**

Rochester rally

**APPENDIX 11:**

**GREENSBORO**

June 14th, Greensboro, NC

**APPENDIX 12:**

**FEC RECORDS/ FINANCES/ OTHER RECEIPTS**

Various Trump-named entities.  
Trump companies,  
Trump Campaign,  
Deck,  
Doucette—  
all the Defendants, etc.

**APPENDIX 13:**

**PHOTOS/ IMAGES**

IMAGE BY DAVE MANEY  
IMAGE BY BROOKE MCMILLAN  
IMAGE BY NO LABELS  
IMAGE BY NO LABELS  
IMAGE BY NO LABELS  
IMAGE BY CAROL ROBIDOUX  
IMAGE BY WMUR  
IMAGE BY JOHN DISTASO  
IMAGE BY CSPAN  
DIAGRAM OF CSPAN

**APPENDIX 15**

**PRESS**

CBS

CNN  
ABC  
WASHINGTON POST  
NH1  
PAUL R BRIAN  
ONE NEWS PAGE  
WMUR  
MANCHESTER INK LINK  
CONCORD MONITOR  
BOSTON HERALD  
BOSTON GLOBE  
CSPAN  
NY Times,  
Showtime's "The Circus,"  
The Wall Street Journal,  
Playboy,  
Now This,  
"Triumph The Insult Comic Dog's 2016 Election Special,"  
TYT,  
TYT Politics,  
ABC World News,  
USA Today,  
Mother Jones,  
Huffington Post,  
Breitbart,  
Secular Talk,  
MintPress News,  
Unicorn Riot,  
InfoWars,  
NY Daily News,  
NHPR,  
Truth Out,  
The Guardian,  
Esquire,  
Red State,  
Daily Mail,  
LA Times,  
Raw Story

**APPENDIX 16:**

**PITTMAN AFFIDAVIT**

*RSA 644:2 (M) Disorderly Conduct*

*RSA 642:2 Resisting Arrest or Detention*

*On 10/12/2015 I Officer Pittman was in the uniform of the day. I was assigned to the Radisson Hotel Detail (700 Elm Street) for the Presidential Candidate Detail.*

*At approximately 11:40 I was approached by a Trump Security Officer who stated that they said they were going to need help with a disruptive male in the crowd. The security Officer was identified as Edward Deck (11/16/1954).*

*At this point Candidate Donald Trump was in the middle of a speech in front an estimate of two thousand people. Mr. Deck and I approached the male in the crowd who was later identified as Rod Webber (DOB: 10/08/1973).*

*As Mr. Deck and I approached Webber he became very disruptive. Mr. Deck stated that he asked Webber to leave when we approached him. Webber then refused to leave, and raised one of his hands to the crowd and began to yell statements. I was later informed by Mr. Deck that Webber was yelling derogatory remarks about the Trump Security Staff. I then grabbed Webber`s arm and attempted to escort him out of the building. When I grabbed his arm he became very tense. Mr. Deck and I then began to escort Webber out of the building. The entire time I was attempting to escort him out of the building he was pushing his body backwards making it difficult to escort him, he was also making loud statements, in front of the crowd who were attempting to listen to Trump speak. As we got into the lobby I had Webber`s right arm behind his back. He was being extremely uncooperative and was resisting my grip by remaining tense and pushing his body against me, in doing so he ended up falling forward and to the right into a vendor table in the lobby. During the fall Webber knocked over the table. It should be noted that when Webber fell in the lobby there were multiple people around, as well as people standing behind the table that was knocked over.*

*After the incident I spoke with Mr. Deck. Mr. Deck then informed me that he had asked Webber to move and that Webber replied by saying I`m not going anywhere, and refused. Mr. Deck also stated that Webber said "I`m not fucking listening to you". Mr. Deck further stated that during the entire incident he asked Webber to leave approximately three times, and he refused.*

*Based on the statements and circumstances there is probable cause to believe that Webber committed the act of RSA 644:2 (M) Disorderly Conduct due to causing a breach of the peace, public inconvenience, and alarm, and not stopping his disorderly actions when asked by Mr. Deck. There is also probable cause to believe that Webber committed the act of RSA 642:2 Resisting Arrest or Detention due to physically interfering with a person recognized as law enforcement who was seeking to effect detention.*