

NEW YORK STATE COURT OF CLAIMS

EDWARD BOWDEN, WILBER BUTLER,
SILVESTRE CAMPO, AUBREY CARTER, SEAN
DAVIS, ROBERT GREGORY, ANTHONY
GRIGOROFF, SHARDELL HALL, AARON
JACKSON, BRIAN JOHNSON, DANIEL JONES,
TRAVIS MATTHEWS, ANTHONY
McNAUGHTY, ANTONIO PEGUES, KEITH
PHOENIX, VINCENT POLIANDRO, ALAN
RAMIREZ, TERRELL RICE, JOSEPH
RODRIGUEZ, JONATHAN SANCHEZ, RONAL
SANDOVAL-CAMPOS, STACY STRIKLIN,
MICHAEL THOMPSON, ANDRE VELEZ,
ANTHONY WAGER, and MARVIN WINKFIELD,

VERIFIED CLAIM

Claim No.: E23-2950

Claimants,

-against-

THE STATE OF NEW YORK,

Respondent.

Claimants, appearing through their attorneys at Barket Epstein Kearon Aldea & LoTurco, LLP, hereby allege against the Respondent as follows:

1. This case is about a campaign of concerted and vicious gang-assaults on dozens of prisoners at the Sing Sing Correctional Facility by guards and other agents of New York State. Twenty-six of those prisoners have stepped forward through this lawsuit to obtain compensation for the injuries they sustained in this outrageous episode. The State should fully resolve their claims.

2. Sing Sing Correctional Facility (the “Prison”) is a maximum security prison in the State of New York, County of Westchester.

3. The Claimants were at all relevant times prisoners at Sing Sing Correctional Facility.

4. Claimant Edward Bowden's Departmental Identification Number ("DIN") is 17A0749 and he is presently housed at Sing Sing Correctional Facility.

5. Claimant Wilber Butler's DIN is 19A2461 and he is presently housed at Cayuga Correctional Facility.

6. Claimant Silvestre Campo's DIN is 18A4793 and he is presently housed at Sing Sing Correctional Facility.

7. Claimant Aubrey Carter's DIN is 18A4711 and he is presently housed at Sing Sing Correctional Facility.

8. Claimant Sean Davis's DIN is 12A1486 and he is presently housed at Sing Sing Correctional Facility.

9. Claimant Robert Gregory's DIN is 15A0902 and he is presently housed at Upstate Correctional Facility.

10. Claimant Anthony Grigoroff's DIN is 17A4091 and he is presently housed at Sing Sing Correctional Facility.

11. Claimant Shardell Hall's DIN is 17A2015 and he is presently housed at Sing Sing Correctional Facility.

12. Claimant Aaron Jackson's DIN is 11B0258 and he is presently housed at Sing Sing Correctional Facility.

13. Claimant Brian Johnson's DIN is 13B0703 and he is presently housed at Sing Sing Correctional Facility.

14. Claimant Daniel Jones's DIN is 18A1403 and he is presently housed at Upstate Correctional Facility.

15. Claimant Travis Matthews's DIN is 12A3426 and he is presently housed at Sing Sing Correctional Facility.

16. Claimant Anthony McNaughty's DIN is 22R0902 and he is presently housed at Attica Correctional Facility.

17. Claimant Antonio Pegues's DIN is 07A1014 and he is presently housed at Sing Sing Correctional Facility.

18. Claimant Keith Phoenix's DIN is 10A4038 and he is presently housed at Sing Sing Correctional Facility.

19. Claimant Vincent Poliandro's DIN is 13A0391 and he is presently housed at Sing Sing Correctional Facility.

20. Claimant Alan Ramirez's DIN is 94A5171 and he is presently housed at Attica Correctional Facility.

21. Claimant Terrell Rice's DIN is 09A3334 and he is presently housed at Cossackie Correctional Facility.

22. Claimant Joseph Rodriguez's DIN is 12A5100 and he is presently housed at Sing Sing Correctional Facility.

23. Claimant Jonathan Sanchez's DIN is 22B1847 and he is presently housed at Collins Correctional Facility.

24. Claimant Ronal Sandoval-Campos's DIN is 18A3716 and he is presently housed at Sing Sing Correctional Facility.

25. Claimant Stacy Stricklin's DIN is 13A2462 and he is presently housed at Sing Sing Correctional Facility.

26. Claimant Michael Thompson's DIN is 12A2004 and he is presently housed at Sing Sing Correctional Facility.

27. Claimant Andre Velez's DIN is 11A4961 and he is presently housed at Sing Sing Correctional Facility.

28. Claimant Anthony Wager's DIN is 99A1668 and he is presently housed at Sing Sing Correctional Facility.

29. Claimant Marvin Winkfield's DIN is 07A5488 and he is presently housed at Elmira Correctional Facility.

30. On November 7, 8, 9, and 10, 2022, prison guards and members of the Correctional Emergency Response Team ("CERT") executed gang assaults on dozens of prisoners at the Prison.

31. The gang assaults involved forcing prisoners to strip down to their underwear, after which they were beaten mercilessly with hands, feet, and/or weapons (the "Gang Assaults").

32. The Gang Assaults were degrading atrocities and reflected an entirely unreasonable use of force.

33. Except to the extent identified below, the Gang Assaults were committed by presently unidentified agents of New York State acting as officers or employees of New York State.

34. As set forth below and in the attached statements, each of the Claimants was a victim of the Gang Assaults and suffered substantial damages both physically and psychologically.

- i. **Edward Bowden.** On November 9, 2022, at approximately 2:00pm, Mr. Bowden was locked in his cell following all laws, rules, and guidelines

when he was assaulted by several officers without provocation. After being directed to move to the back of his cell and put his hands on the wall, Mr. Bowden complied without any hesitation or resistance. Approximately seven officers or CERT members entered his cell. Two slammed him against the wall and the others threw his property around his cell. The officers yelled at Mr. Bowden to stop resisting, but he was not resisting. A number of officers—including M. Ryan, Coswell, and Augustino—began hitting Mr. Bowden with their fists, knees, batons, and feet. After throwing him onto his bed and handcuffing him, they transported Mr. Bowden to the medical unit, where he remained for approximately two hours. The officers who had assaulted him were present during his medical evaluation. As a result of the assault, Mr. Bowden suffered bruises on several areas of his body and has experienced back issues ever since. His radio, fan, clippers, and headphones were destroyed or taken during the assault. *See Exhibit A* (Statement of Edward Bowden).

- ii. **Wilber Butler.** On November 10, 2022, at approximately 5:45pm, Mr. Butler was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, interlock his hands on his head, and face the wall, Mr. Butler complied without any hesitation or resistance. Approximately three officers—including Euter, Christian, and Gonzalez—entered his cell and yelled at him to not move. The officers immediately restrained Mr. Butler, punched him, poked him with a baton,

and placed him in a chokehold. They then handcuffed him behind his back and brought him outside his cell. In response to Mr. Butler's screams, a female officer placed her hand over his mouth and a CERT team member banged his head against the gates. The officers bent him over and dragged him to the medical unit. As a result of the assault, Mr. Butler suffered bruised ribs, a swollen jaw, scrapes and scratches over his body, intense back pain, a pinching feeling in his lungs, and difficulty breathing. Due to the severity of his physical injuries, Mr. Butler was transported to Mount Vernon Hospital. *See* Exhibit B (Statement of Wilber Butler).

- iii. **Silvestre Campo.** On November 10, 2022, at approximately 7:00am, Mr. Campo was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to stand up, Mr. Campo complied without any hesitation or resistance. Approximately two officers or CERT members entered his cell and at least one immediately struck him on his face, body, and ribs using his fists and knees. One additional officer remained outside his cell. The officers then brought him to the medical unit. On the way there, Mr. Campo was forced to walk past several other officers who hit him as he walked by. As a result of the assault, Mr. Campo suffered injuries to his jaw and ribs, and continues to experience pain in these areas. *See* Exhibit C (Statement of Silvestre Campo).
- iv. **Aubrey Carter.** On November 9, 2022, at approximately 7:30am, Mr. Carter was locked in his cell following all laws, rules, and guidelines when

he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, interlock his hands behind his head, and face the back of his cell, Mr. Carter complied without any hesitation or resistance. Approximately four officers or CERT members—three males and one female, and including D. Vance and K. Euter—entered his cell. One immediately grabbed him under his arms and threw him face down onto his bed. The officers then repeatedly punched Mr. Carter in the back of his head and yelled at him to stop resisting, even though he was not resisting. Two officers had their knees on his back and one officer kicked him on the top of his head. With Mr. Carter’s hands cuffed behind his back, the officers bent him over and pressed down on his neck as they walked him to the medical unit. While there, Mr. Carter was only given ibuprofen, and he has continued to request medical intervention to no avail. As a result of the assault, Mr. Carter experienced helplessness and humiliation and continues to suffer from headaches and lower back pain. *See Exhibit D* (Statement of Aubrey Carter).

- v. **Sean Davis.** On November 10, 2022, at approximately 6:50pm, Mr. Davis was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, move to the back of his cell, and put his hands on the wall, Mr. Davis complied without any hesitation or resistance. Approximately three officers or CERT members entered his cell and immediately began assaulting him using their fists, elbows, feet, and batons.

The officers then placed him in handcuffs and took him to the medical unit. While there, the same officers continued to assault him. Mr. Davis did not receive adequate treatment at the medical unit and subsequently requested emergency medical treatment, though he only received over the counter medicine. As a result of the assault, Mr. Davis suffered injuries to his neck and back, and continues to experience pain in these areas. His TV, radio, fan, clippers, and hot pot were destroyed or taken during the assault. *See* Exhibit E (Statement of Sean Davis).

- vi. **Robert Gregory.** On November 10, 2022, between approximately 9:00am and 10:00am, Mr. Gregory was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to stand up and place his hands on the wall, Mr. Gregory complied without any hesitation or resistance. Approximately three officers or CERT members—including Montgomery—entered his cell and began punching him and yelling at him to stop resisting, even though he was not resisting. Montgomery bent and twisted Mr. Gregory's left wrist and thumb, threatening to break his hand unless he put his hands behind his back. The officers pinned him to his bed as they continued to punch him and bend parts of his body. After handcuffing him with so much force that the handcuffs cut into his hands, they continued to punch his ribs and the side of his head. The officers then brought Mr. Gregory outside his cell and two CERT members in camouflage uniforms escorted him to the medical unit, although he did not

receive any treatment. While there, Montgomery and other officers joked about whether Mr. Gregory had exposed himself to a female officer and whether he was injured. As a result of the assault, Mr. Gregory suffered injuries to his left wrist and left thumb, both of which he continues to have limited movement and use. *See Exhibit F (Statement of Robert Gregory).*

vii. **Anthony Grigoroff.** On November 10, 2022, at approximately 5:30pm, Mr. Grigoroff was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and sandals, Mr. Grigoroff complied without any hesitation or resistance and faced the wall with his hands on his head. Approximately three officers or CERT members—including one male wearing tan army fatigues—entered his cell. They immediately began to hit Mr. Grigoroff's head, face, and body and pinned him down. The officers also searched his cell, tossed his property to the floor, and spit tobacco everywhere. The officers did not take Mr. Grigoroff to the medical unit. As a result of the assault, Mr. Grigoroff suffered a black eye and scrapes to his right knee and back. *See Exhibit G (Statement of Anthony Grigoroff).*

viii. **Shardell Hall.** On November 10, 2022, at approximately 7:00am, Mr. Hall was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, interlock his hands on his head, and face the wall, Mr. Hall complied without any hesitation or resistance. He then obeyed an order to turn around and open his mouth. Approximately four officers or

CERT members dressed in black tactical gear entered his cell. One officer yelled at Mr. Hall to stop resisting, although he was not resisting, and another punched him in the stomach. The officers then threw him face down onto his bed. One officer put his knee on the back of Mr. Hall's neck while others restrained him by his arms and legs. Even after being informed that Mr. Hall could not breathe and placing him in handcuffs, the officers continued to punch his head, back, and all over his body. They then brought him outside his cell, while bent over and barefoot, and hit him if he attempted to raise his head. In the gallery, an officer in plain clothes told Mr. Hall that he would receive a ticket unless he gave the officers certain information. The officers then took Mr. Hall to the medical unit. As a result of the assault, Mr. Hall suffered a knot in the back of his neck and pain and soreness throughout his body. He continues to experience back pain. *See Exhibit H (Statement of Shardell Hall).*

- ix. **Aaron Jackson.** On November 9, 2022, at approximately 7:20am, Mr. Jackson was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, face the wall, and put his hands behind his back, Mr. Jackson complied without any hesitation or resistance. Approximately three officers or CERT members—including Sergeant Alvarado—entered his cell. One officer punched him in the back of his head, causing him to fall onto his bed. The officers then punched him in his head, back, and genitals. They yelled at Mr. Jackson to stop resisting,

although he was not resisting, and that “this is our house.” After handcuffing Mr. Jackson, the officers continued to punch him while he was face down on his bed. They eventually removed him from his cell and walked him down the gallery, lifting his arms up high. CERT officers lining the gallery punched and kicked him on the left side of his ribs and head as he passed by. When Mr. Jackson arrived at the medical unit, he was too scared to explain what was wrong. He was sent to Mount Vernon Hospital for x-rays over a month later. As a result of the assault, Mr. Jackson urinated blood the following day and suffers from intense back pain, limited movement, and trouble sleeping. He sleeps in his clothes out of fear and has requested but not received mental health treatment. *See* Exhibit I (Statement of Aaron Jackson).

- x. **Brian Johnson.** On November 9, 2022, at approximately 8:00am, Mr. Johnson was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and sandals and exit his cell with his mattress, he complied without any hesitation or resistance. After being scanned, he returned to his cell with approximately five officers or CERT members—including female officer Primo (#22-20), Sergeant Gonzalez, and Officer #22-38. The female officer told him to face the wall. The officers then punched and kicked Mr. Johnson, causing him to fall over. The female officer grabbed his genitals and covered his mouth. They then put his head against the rim of the toilet, with his dreadlocks inside the toilet.

At this time, the officers yelled at him to stop resisting, even though he was not resisting. After one officer grabbed him by his hair, Mr. Johnson backed up and fell out of his cell. The officers handcuffed him behind his back and, with his arms raised and body bent over, brought him to the disciplinary area. On the way there, Officer #22-38 punched him on the left side of his face. Officer #22-38 and another officer shoved Mr. Johnson's face into the wall at disciplinary before bringing him to the medical unit. Mr. Johnson was sent to Mount Vernon Hospital for x-rays of his Achilles heel and a CAT scan of his back. As a result of this assault, Mr. Johnson suffered pain to his lower back, right Achilles tendon, left jaw, and right thigh. His hot pot, TV, and clippers were destroyed or taken during the assault. *See Exhibit J (Statement of Brian Johnson).*

- xi. **Daniel Jones.** On November 10, 2022, between approximately 6:45am and 7:00am, Mr. Jones was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, Mr. Jones complied without any hesitation or resistance. Approximately two officers or CERT members—including Officer Kenneth Lamb—entered his cell. Mr. Jones was facing the wall with his hands interlocked over his head when the officers began to punch his head and body. Other officers pepper sprayed him when he turned around to defend himself. The officers sprayed his face and head even after he laid on the floor and explained that he had asthma and was not resisting. After handcuffing Mr. Jones, the officers

continued using the pepper spray and punched, kicked, and stomped on him. The officers then held his neck down and bent his body over with his arms up as they walked him to the medical unit. When Mr. Jones asked for his asthma pump because he was struggling to breathe, the officers responded that they wanted information. The officers also asked if Mr. Jones wanted to keep his leg, penis, and buttocks, and then kicked his bad leg, touched his penis, and shoved a stick between his buttocks and boxers. They continued to punch him while he was handcuffed and blind. As a result of this assault, Mr. Jones suffered difficulty seeing, swollen lips, a cracked tooth, a black eye, a bite to his upper right chest, a scraped right shoulder. *See* Exhibit K (Statement of Daniel Jones).

- xii. **Travis Matthews.** On November 10, 2022, at approximately 6:45am, Mr. Matthews was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to place his razor and ID on the gate and to strip down to his underwear and slippers, Mr. Matthews complied without any hesitation or resistance. Approximately five officers or CERT members entered his cell—including Officer Wilson, who immediately hit him in the face. The other officers tackled Mr. Matthews and began punching, kicking, and stomping on him. They then handcuffed him behind his back, continued to beat him, and slammed his head against the ground. The officers yelled at him to stop resisting, even though he was not resisting, and dragged him outside of his cell with his genitals exposed. CERT officers punched Mr.

Matthews in the face as he was walked down the gallery to the medical unit. A female officer in the medical unit instructed another officer to put Mr. Matthews's penis back inside his boxers. As a result of this assault, Mr. Matthews suffered swelling and knots to the right side of his forehead, scrapes and scuffs to his right shoulder and back, a busted lip, a jammed left middle finger, pain, and complete humiliation. *See* Exhibit L (Statement of Travis Matthews).

- xiii. **Anthony McNaughty.** On November 10, 2022, at approximately 7:50am, Mr. McNaughty was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, place his hands above his head, and face the wall, Mr. McNaughty complied without any hesitation or resistance. Approximately four officers or CERT members—including Ostrander, Euter, and Quackenbush—entered his cell and immediately placed him in a chokehold. They pinned him face down onto his bed, put their knees on his back, and punched his head and the side of his face. One officer pulled on the fingers of his left hand. Mr. McNaughty, who felt pressure on his neck, informed the officers that he could not breathe. When the officers handcuffed him behind his back, his left fingers were dangling and had no feeling. One officer pulled on these fingers as they walked Mr. McNaughty to the medical unit. He did not receive any treatment until he was sent to Mount Vernon Hospital two days later. As a result of this assault, Mr. McNaughty suffered a chip fracture to his left

hand, a cut to his chin, and scrapes, bruising, and pain about his body. *See* Exhibit M (Statement of Anthony McNaughty).

- xiv. **Antonio Pegues.** On November 10, 2022, between approximately 5:00pm and 6:00pm, Mr. Pegues was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his underwear, step out of his cell with his mattress, and return to his cell facing the back wall, Mr. Pegues complied without any hesitation or resistance. Approximately three officers or CERT members—including Officers #4311, #4332, and #4334—entered his cell. Immediately, Officer #4311 hit his back with a baton and another officer hit his right knee with a baton. Officer #4311 then pushed Mr. Pegues's face into a wall and another officer pulled his left hand behind his back, all while the third officer was hitting him. They handcuffed Mr. Pegues and led him down the gallery with his body bent over and arms up. The nurse in the medical unit claimed that Mr. Pegues did not display any bruising and denied him treatment. As a result of this assault, Mr. Pegues suffered pain to his ribs, lower back, right knee, and shoulders. He has also experienced anxiety and difficulty sleeping, and his requests for therapy have been ignored. His clothing was put inside the toilet, his radio was broken into multiple pieces, his shoes went missing, and his personal photographs were destroyed during the assault. *See* Exhibit N (Statement of Antonio Pegues).

- xv. **Keith Phoenix.** On November 10, 2022, at approximately 7:30pm, Mr. Phoenix was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, face the wall, and put his hands on the wall, Mr. Phoenix complied without any hesitation or resistance. Approximately three officers or CERT members entered his cell. One officer used his stick to hit his right pinky finger, which was jammed from playing basketball, because it was not flat against the wall. After Mr. Phoenix fell to the floor in pain, his face was pinned against the toilet rim and the officer put his knee on his neck. The officers then directed Mr. Phoenix to exit his cell with his mattress, and he complied. His request for medical treatment was denied. As a result of this assault, Mr. Phoenix suffered substantial pain to and loss of movement of his right pinky finger. *See Exhibit O (Statement of Keith Phoenix).*
- xvi. **Vincent Poliandro.** On November 10, 2022, at approximately 9:00am, Mr. Poliandro was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip to his boxers and shower shoes and exit his cell with his mattress for screening, Mr. Poliandro complied without any hesitation or resistance. He stood outside his cell after the screening and was told to not move. An officer handcuffed him after his eyes twice followed items being thrown out of his cell. When Mr. Poliandro attempted to inform one of the officers about a medical device in his cell, the officer behind him lifted him

off the ground by his handcuffs and simultaneously began to walk him down the gallery. Another officer told the officer to stop and instructed the others to step back. This officer then pepper sprayed Mr. Poliandro's entire face and body, causing an intense burning feeling. The officers dragged Mr. Poliandro to the medical unit and sat him next to a sink without allowing him to rinse off. Multiple officers laughed at Mr. Poliandro and teased him for being "animated" after being pepper sprayed. As a result of this assault, Mr. Poliandro suffered total blindness for one week, partial deafness in his right ear, and a large abrasion to his left shoulder and chest area. His TV, tablet charger, lamp, and TENS Unit for nerve problems were destroyed or taken during the assault. *See Exhibit P (Statement of Vincent Poliandro).*

xvii. **Alan Ramirez.** On November 7, 2022, between approximately 7:00am and 9:00am, Mr. Ramirez was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to exit his cell, Mr. Ramirez complied without any hesitation or resistance. Approximately two to three officers or CERT members entered his cell to conduct a search. When he asked to view the search, an officer slammed his head into the wall. The officer also kicked or punched his lower back. As a result of this assault, Mr. Ramirez suffered swelling to his forehead and lower back pain, and has since experienced constant headaches. *See Exhibit Q (Statement of Alan Ramirez).*

xviii. **Terrell Rice.** On November 9, 2022, between approximately 7:00am and 8:00am, Mr. Rice was locked in his cell following all laws, rules, and

guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, face the wall, and place his hands on the wall, Mr. Rice complied without any hesitation or resistance. He then moved between the lockers and toilet in his cell as directed, without removing his hands from the wall. Approximately four to six officers or CERT members entered his cell and yelled at him to stop resisting, even though he was not resisting. One officer punched him in the back of his head, and another hit his head with a stick. Mr. Rice fell to the ground and the officers punched, kicked, and used their sticks on his head and body. The officers also attempted to bash his face into the locker. Mr. Rice yelled that he could not breathe as officers tried to shove his head inside a property bag. The officers then handcuffed him and dragged him to the medical unit. On the way there, Mr. Rice's body and knees scraped the floor, wrists were bleeding from the handcuffs, and arms felt as if they were going to break. He did not receive any care at the medical unit. As a result of this assault, Mr. Rice suffered a large bruise to his ribs, a bruise on the left side of his hip, a busted lip, a cut over his left eye, and head and back pain. *See Exhibit R (Statement of Terrell Rice).*

- xix. **Joseph Rodriguez.** On November 9, 2022, between approximately 6:00pm and 7:00pm, Mr. Rodriguez was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, face the wall, and place his hands behind his head, Mr. Rodriguez complied without any

hesitation or resistance. Approximately two officers or CERT members entered his cell and, after asking him what kind of day he would like to have, directed him to take his mattress and pillow to get searched. Afterwards, a CERT member held Mr. Rodriguez against a wall outside his cell while it was searched. Mr. Rodriguez informed the CERT member that his right arm was burning because it was against a radiator. He was not permitted to move and did not receive treatment until six days later. As a result of this assault, Mr. Rodriguez suffered a burn to his upper right arm and right elbow. *See* Exhibit S (Statement of Joseph Rodriguez).

- xx. **Jonathan Sanchez.** On November 9, 2022, at approximately 8:25pm, Mr. Sanchez was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to face the back wall of his cell, Mr. Sanchez complied without any hesitation or resistance. Approximately two officers or CERT members entered his cell and immediately began to hit his head and face and attempted to rip out his dreadlocks. The officers then escorted him to the medical unit, but he did not receive any treatment until he was transported to Mount Vernon Hospital a week later. While at the medical unit, Sergeant Averado commented to the other officers that Mr. Sanchez should be further assaulted. As a result of this assault, Mr. Sanchez suffered a concussion and continues to experience migraines and memory problems. *See* Exhibit T (Statement of Jonathan Sanchez).

xxi. **Ronal Sandoval-Campos.** On November 10, 2022, at approximately 6:30pm, Mr. Sandoval-Campos was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed by Officer Emsworth to remove his greens and socks and be ready with his mattress and pillow, Mr. Sandoval-Campos complied without any hesitation or resistance. Approximately three officers or CERT members entered his cell and placed one of his hands in handcuffs. The officers tried to force Mr. Sandoval-Campos to the floor and punched him repeatedly, including to the right side of his face and the back of his head. One officer also put his stick into his left thigh. The officers then cuffed his second hand and kicked the inside of his right calf. They yelled at Mr. Sandoval-Campos to not move, although he never resisted. After the officers removed him from his cell and asked his name, one of the officers slammed Mr. Sandoval-Campos's head into a metal fan because they could not understand his response. Mr. Sandoval-Campos was then searched at the medical unit, brought to a holding room, and returned to his cell without receiving treatment. Although he was taken to Mount Vernon Hospital two or three weeks later for x-rays, he only received Ibuprofen. As a result of this assault, Mr. Sandoval-Campos suffered substantial pain to his right ear, jaw, head, ribs, and back, as well as large bruises to his right leg and left thigh. He continues to experience pain while eating, coughing, and moving, fears for his life and has trouble sleeping, and has been denied

mental health treatment. *See* Exhibit U (Statement of Ronal Sandoval-Campos).

- xxii. **Stacy Stricklin.** On November 10, 2022, at approximately 3:00pm, Mr. Stricklin was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, face the back of his cell, and place his hands on the wall, Mr. Stricklin complied without any hesitation or resistance. Approximately three officers or CERT members—including Morris, Matthews, and Coswell—entered his cell and handcuffed him. They immediately began to kick him, hit him with their fists and knees, and dragged him to the ground. The officers escorted Mr. Stricklin to the medical unit, where one of them shoved a weapon into his mouth. As a result of this assault, Mr. Stricklin suffered bruised ribs and pain to his back. He continues to experience pain and his hot pot, TV, clippers, and fan were destroyed during the assault. *See* Exhibit V (Statement of Stacy Stricklin).
- xxiii. **Michael Thompson.** On November 10, 2022, at approximately 6:55am, Mr. Thompson was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, interlock his hands behind his head, and face the back of his cell, Mr. Thompson complied without any hesitation or resistance. Approximately three officers or CERT members entered his cell and the first one inside immediately punched him on the right side of his head, three times. After the officers

forced him face down onto his bed, the first officer placed his knee on Mr. Thompson's lower back and hit him further. They yelled at him to stop resisting, although he was not resisting. After placing Mr. Thompson in two sets of handcuffs because of his size, the officers walked him down the gallery. Other officers lining the walls punched him and pushed their sticks into his chest as he walked by. Mr. Thompson made eye contact with Superintendent Michael Capra as this happened. As a result of this assault, Mr. Thompson suffered knots to the back and sides of his head, bleeding from his wrists, large bruises on his left thigh, and pain to his back and neck. He continues to experience pain to his back and neck as well as anxiety. *See* Exhibit W (Statement of Michael Thompson).

xxiv. **Andre Velez.** On November 9, 2022, at approximately 1:20pm, Mr. Velez was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to strip down to his boxers and slippers, face the back of his cell, and interlock his hands behind his head, Mr. Velez complied without any hesitation or resistance. As he stood in this position for two to five minutes, he heard officers outside his cell discussing how to beat him up. Approximately four officers or CERT members from team #17—including Murray and T. Christy—entered his cell and immediately hit Mr. Velez in the back of his head. After he stumbled and another officer placed him on his bed, the officers repeatedly punched his head and body. The officers yelled at him to stop resisting even though he never resisted. One officer put his knee on

his back and the others handcuffed him. They escorted Mr. Velez to the disciplinary area where he was strip searched, and then to the medical unit. As a result of this assault, Mr. Velez suffered a knot to the back of his head, scrapes to his back and leg, and bruising to his back and legs. *See Exhibit X* (Statement of Andre Velez).

xxv. **Anthony Wager.** On November 9, 2022, at approximately 8:00am, Mr. Wager was locked in his cell following all laws, rules, and guidelines when he was assaulted by several officers without provocation. After being directed to put his hands through the feed up slots and not move, Mr. Wager complied without any hesitation or resistance and was immediately handcuffed. Approximately three officers or CERT members pulled him out of his cell and slammed him against the wall. They took him to the disciplinary area and strip searched him as he wore only boxers and a t-shirt. Afterwards, the officers threw him against the wall and gate and left him in the bullpen for about seven hours. Mr. Wager was initially denied medical treatment. He was eventually seen by a doctor and is awaiting MRIs. As a result of this assault, Mr. Wager suffered pain to his shoulders, bruising to his left knee, swelling and pain to his wrists, and a possible torn ligament. His legal paperwork was destroyed or taken from his cell during the assault, as were his photographs and clothing. *See Exhibit Y* (Statement of Anthony Wager).

xxvi. **Marvin Winkfield.** On November 10, 2022, at approximately 6:25am, Mr. Winkfield was locked in his cell following all laws, rules, and guidelines

when he was assaulted by several officers without provocation. After being directed to strip down to his boxers, Mr. Winkfield complied without any hesitation or resistance. Approximately three officers or CERT members entered his cell and began to punch, kick, and use their batons on his body. After Mr. Winkfield curled up into a ball on the floor and placed his head under his bed for protection, one officer grabbed his hand and threatened to break it. The officers escorted him to the medical unit but would not let the unit provide full treatment. Mr. Winkfield was subsequently brought to disciplinary housing, where an officer slammed his head against the wall. As a result of this assault, Mr. Winkfield suffered bruises to his body and swelling of his head, and he continues to experience headaches and problems with his eyes. *See* Exhibit Z (Statement of Marvin Winkfield).

35. On information and belief, the Gang Assault has sparked a criminal investigation into the conduct that forms the basis of this case.

**FIRST CAUSE OF ACTION:
BATTERY as to EDWARD BOWDEN**

36. Claimant realleges and incorporates by reference all preceding paragraphs.

37. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

38. The Claimant did not consent to the Gang Assaults.

39. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

40. The force used on the Claimant violated Corrections Law §137(5).

41. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

42. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SECOND CAUSE OF ACTION:
BATTERY as to WILBER BUTLER**

43. Claimant realleges and incorporates by reference all preceding paragraphs.

44. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

45. The Claimant did not consent to the Gang Assaults.

46. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

47. The force used on the Claimant violated Corrections Law §137(5).

48. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

49. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRD CAUSE OF ACTION:
BATTERY as to SILVESTRE CAMPO**

50. Claimant realleges and incorporates by reference all preceding paragraphs.

51. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

52. The Claimant did not consent to the Gang Assaults.

53. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

54. The force used on the Claimant violated Corrections Law §137(5).

55. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

56. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FOURTH CAUSE OF ACTION:
BATTERY as to AUBREY CARTER**

57. Claimant realleges and incorporates by reference all preceding paragraphs.

58. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

59. The Claimant did not consent to the Gang Assaults.

60. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

61. The force used on the Claimant violated Corrections Law §137(5).

62. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

63. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTH CAUSE OF ACTION:
BATTERY as to SEAN DAVIS**

64. Claimant realleges and incorporates by reference all preceding paragraphs.

65. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

66. The Claimant did not consent to the Gang Assaults.

67. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

68. The force used on the Claimant violated Corrections Law §137(5).

69. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

70. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTH CAUSE OF ACTION:
BATTERY as to ROBERT GREGORY**

71. Claimant realleges and incorporates by reference all preceding paragraphs.

72. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

73. The Claimant did not consent to the Gang Assaults.

74. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

75. The force used on the Claimant violated Corrections Law §137(5).

76. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

77. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTH CAUSE OF ACTION:
BATTERY as to ANTHONY GRIGOROFF**

78. Claimant realleges and incorporates by reference all preceding paragraphs.

79. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

80. The Claimant did not consent to the Gang Assaults.

81. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

82. The force used on the Claimant violated Corrections Law §137(5).

83. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

84. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTH CAUSE OF ACTION:
BATTERY as to SHARDELL HALL**

85. Claimant realleges and incorporates by reference all preceding paragraphs.

86. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

87. The Claimant did not consent to the Gang Assaults.

88. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

89. The force used on the Claimant violated Corrections Law §137(5).

90. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

91. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINTH CAUSE OF ACTION:
BATTERY as to AARON JACKSON**

92. Claimant realleges and incorporates by reference all preceding paragraphs.

93. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

94. The Claimant did not consent to the Gang Assaults.

95. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

96. The force used on the Claimant violated Corrections Law §137(5).

97. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

98. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TENTH CAUSE OF ACTION:
BATTERY as to BRIAN JOHNSON**

99. Claimant realleges and incorporates by reference all preceding paragraphs.

100. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

101. The Claimant did not consent to the Gang Assaults.

102. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

103. The force used on the Claimant violated Corrections Law §137(5).

104. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

105. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ELEVENTH CAUSE OF ACTION:
BATTERY as to DANIEL JONES**

106. Claimant realleges and incorporates by reference all preceding paragraphs.

107. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

108. The Claimant did not consent to the Gang Assaults.

109. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

110. The force used on the Claimant violated Corrections Law §137(5).

111. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

112. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWELFTH CAUSE OF ACTION:
BATTERY as to TRAVIS MATTHEWS**

113. Claimant realleges and incorporates by reference all preceding paragraphs.

114. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

115. The Claimant did not consent to the Gang Assaults.

116. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

117. The force used on the Claimant violated Corrections Law §137(5).

118. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

119. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTEENTH CAUSE OF ACTION:
BATTERY as to ANTHONY MCNAUGHTY**

120. Claimant realleges and incorporates by reference all preceding paragraphs.

121. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

122. The Claimant did not consent to the Gang Assaults.

123. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

124. The force used on the Claimant violated Corrections Law §137(5).

125. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

126. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FOURTEENTH CAUSE OF ACTION:
BATTERY as to ANTONIO PEGUES**

127. Claimant realleges and incorporates by reference all preceding paragraphs.

128. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

129. The Claimant did not consent to the Gang Assaults.

130. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

131. The force used on the Claimant violated Corrections Law §137(5).

132. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

133. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTEENTH CAUSE OF ACTION:
BATTERY as to KEITH PHOENIX**

134. Claimant realleges and incorporates by reference all preceding paragraphs.

135. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

136. The Claimant did not consent to the Gang Assaults.

137. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

138. The force used on the Claimant violated Corrections Law §137(5).

139. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

140. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTEENTH CAUSE OF ACTION:
BATTERY as to VINCENT POLIANDRO**

141. Claimant realleges and incorporates by reference all preceding paragraphs.

142. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

143. The Claimant did not consent to the Gang Assaults.

144. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

145. The force used on the Claimant violated Corrections Law §137(5).

146. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

147. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTEENTH CAUSE OF ACTION:
BATTERY as to ALAN RAMIREZ**

148. Claimant realleges and incorporates by reference all preceding paragraphs.

149. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

150. The Claimant did not consent to the Gang Assaults.

151. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

152. The force used on the Claimant violated Corrections Law §137(5).

153. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

154. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTEENTH CAUSE OF ACTION:
BATTERY as to TERRELL RICE**

155. Claimant realleges and incorporates by reference all preceding paragraphs.

156. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

157. The Claimant did not consent to the Gang Assaults.

158. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

159. The force used on the Claimant violated Corrections Law §137(5).

160. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

161. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETEENTH CAUSE OF ACTION:
BATTERY as to JOSEPH RODRIGUEZ**

162. Claimant realleges and incorporates by reference all preceding paragraphs.

163. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

164. The Claimant did not consent to the Gang Assaults.

165. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

166. The force used on the Claimant violated Corrections Law §137(5).

167. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

168. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTIETH CAUSE OF ACTION:
BATTERY as to JONATHAN SANCHEZ**

169. Claimant realleges and incorporates by reference all preceding paragraphs.

170. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

171. The Claimant did not consent to the Gang Assaults.

172. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

173. The force used on the Claimant violated Corrections Law §137(5).

174. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

175. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-FIRST CAUSE OF ACTION:
BATTERY as to RONAL SANDOVAL-CAMPOS**

176. Claimant realleges and incorporates by reference all preceding paragraphs.

177. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

178. The Claimant did not consent to the Gang Assaults.

179. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

180. The force used on the Claimant violated Corrections Law §137(5).

181. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

182. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-SECOND CAUSE OF ACTION:
BATTERY as to STACY STRICKLIN**

183. Claimant realleges and incorporates by reference all preceding paragraphs.

184. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

185. The Claimant did not consent to the Gang Assaults.

186. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

187. The force used on the Claimant violated Corrections Law §137(5).

188. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

189. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-THIRD CAUSE OF ACTION:
BATTERY as to MICHAEL THOMPSON**

190. Claimant realleges and incorporates by reference all preceding paragraphs.

191. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

192. The Claimant did not consent to the Gang Assaults.

193. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

194. The force used on the Claimant violated Corrections Law §137(5).

195. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

196. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-FOURTH CAUSE OF ACTION:
BATTERY as to ANDRE VELEZ**

197. Claimant realleges and incorporates by reference all preceding paragraphs.

198. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

199. The Claimant did not consent to the Gang Assaults.

200. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

201. The force used on the Claimant violated Corrections Law §137(5).

202. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

203. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-FIFTH CAUSE OF ACTION:
BATTERY as to ANTHONY WAGER**

204. Claimant realleges and incorporates by reference all preceding paragraphs.

205. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

206. The Claimant did not consent to the Gang Assaults.

207. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

208. The force used on the Claimant violated Corrections Law §137(5).

209. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

210. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-SIXTH CAUSE OF ACTION:
BATTERY as to MARVIN WINKFIELD**

211. Claimant realleges and incorporates by reference all preceding paragraphs.

212. In executing the Gang Assaults, the above-referenced agents of New York State engaged in physical contact with Claimant intentionally.

213. The Claimant did not consent to the Gang Assaults.

214. The force used on the Claimant was not commensurate with the force necessary under the circumstances.

215. The force used on the Claimant violated Corrections Law §137(5).

216. The Gang Assaults involved bodily touchings of the Claimant that were offensive, harmful, painful, and caused damages as set forth above.

217. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-SEVENTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO EDWARD BOWDEN**

218. Claimant realleges and incorporates by reference all preceding paragraphs.

219. The Gang Assaults reflected extreme and outrageous conduct.

220. The purpose of the Gang Assaults was to cause severe emotional distress.

221. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

222. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

223. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-EIGHTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO WILBER BUTLER**

224. Claimant realleges and incorporates by reference all preceding paragraphs.

225. The Gang Assaults reflected extreme and outrageous conduct.

226. The purpose of the Gang Assaults was to cause severe emotional distress.

227. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

228. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

229. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**TWENTY-NINTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO SILVESTRE CAMPO**

230. Claimant realleges and incorporates by reference all preceding paragraphs.

231. The Gang Assaults reflected extreme and outrageous conduct.

232. The purpose of the Gang Assaults was to cause severe emotional distress.

233. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

234. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

235. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTIETH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO AUBREY CARTER**

236. Claimant realleges and incorporates by reference all preceding paragraphs.

237. The Gang Assaults reflected extreme and outrageous conduct.

238. The purpose of the Gang Assaults was to cause severe emotional distress.

239. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

240. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

241. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-FIRST CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO SEAN DAVIS**

242. Claimant realleges and incorporates by reference all preceding paragraphs.

243. The Gang Assaults reflected extreme and outrageous conduct.

244. The purpose of the Gang Assaults was to cause severe emotional distress.

245. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

246. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

247. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-SECOND CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ROBERT GREGORY**

248. Claimant realleges and incorporates by reference all preceding paragraphs.

249. The Gang Assaults reflected extreme and outrageous conduct.

250. The purpose of the Gang Assaults was to cause severe emotional distress.

251. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

252. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

253. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-THIRD CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANTHONY GRIGOROFF**

254. Claimant realleges and incorporates by reference all preceding paragraphs.

255. The Gang Assaults reflected extreme and outrageous conduct.

256. The purpose of the Gang Assaults was to cause severe emotional distress.

257. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

258. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

259. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-FOURTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO SHARDELL HALL**

260. Claimant realleges and incorporates by reference all preceding paragraphs.

261. The Gang Assaults reflected extreme and outrageous conduct.

262. The purpose of the Gang Assaults was to cause severe emotional distress.

263. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

264. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

265. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-FIFTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO AARON JACKSON**

266. Claimant realleges and incorporates by reference all preceding paragraphs.

267. The Gang Assaults reflected extreme and outrageous conduct.

268. The purpose of the Gang Assaults was to cause severe emotional distress.

269. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

270. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

271. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-SIXTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO BRIAN JOHNSON**

272. Claimant realleges and incorporates by reference all preceding paragraphs.

273. The Gang Assaults reflected extreme and outrageous conduct.

274. The purpose of the Gang Assaults was to cause severe emotional distress.

275. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

276. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

277. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-SEVENTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO DANIEL JONES**

278. Claimant realleges and incorporates by reference all preceding paragraphs.

279. The Gang Assaults reflected extreme and outrageous conduct.

280. The purpose of the Gang Assaults was to cause severe emotional distress.

281. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

282. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

283. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-EIGHTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO TRAVIS MATTHEWS**

284. Claimant realleges and incorporates by reference all preceding paragraphs.

285. The Gang Assaults reflected extreme and outrageous conduct.

286. The purpose of the Gang Assaults was to cause severe emotional distress.

287. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

288. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

289. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**THIRTY-NINTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANTHONY MCNAUGHTY**

290. Claimant realleges and incorporates by reference all preceding paragraphs.

291. The Gang Assaults reflected extreme and outrageous conduct.

292. The purpose of the Gang Assaults was to cause severe emotional distress.

293. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

294. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

295. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTIETH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANTONIO PEGUES**

296. Claimant realleges and incorporates by reference all preceding paragraphs.

297. The Gang Assaults reflected extreme and outrageous conduct.

298. The purpose of the Gang Assaults was to cause severe emotional distress.

299. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

300. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

301. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-FIRST CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO KEITH PHOENIX**

302. Claimant realleges and incorporates by reference all preceding paragraphs.

303. The Gang Assaults reflected extreme and outrageous conduct.

304. The purpose of the Gang Assaults was to cause severe emotional distress.

305. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

306. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

307. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-SECOND CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO VINCENT POLIANDRO**

308. Claimant realleges and incorporates by reference all preceding paragraphs.

309. The Gang Assaults reflected extreme and outrageous conduct.

310. The purpose of the Gang Assaults was to cause severe emotional distress.

311. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

312. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

313. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-THIRD CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ALAN RAMIREZ**

314. Claimant realleges and incorporates by reference all preceding paragraphs.

315. The Gang Assaults reflected extreme and outrageous conduct.

316. The purpose of the Gang Assaults was to cause severe emotional distress.

317. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

318. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

319. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-FOURTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO TERRELL RICE**

320. Claimant realleges and incorporates by reference all preceding paragraphs.
321. The Gang Assaults reflected extreme and outrageous conduct.
322. The purpose of the Gang Assaults was to cause severe emotional distress.
323. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.
324. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.
325. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-FIFTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO JOSEPH RODRIGUEZ**

326. Claimant realleges and incorporates by reference all preceding paragraphs.
327. The Gang Assaults reflected extreme and outrageous conduct.
328. The purpose of the Gang Assaults was to cause severe emotional distress.
329. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.
330. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

331. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-SIXTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO JONATHAN SANCHEZ**

332. Claimant realleges and incorporates by reference all preceding paragraphs.

333. The Gang Assaults reflected extreme and outrageous conduct.

334. The purpose of the Gang Assaults was to cause severe emotional distress.

335. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

336. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

337. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-SEVENTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO RONAL SANDOVAL-CAMPOS**

338. Claimant realleges and incorporates by reference all preceding paragraphs.

339. The Gang Assaults reflected extreme and outrageous conduct.

340. The purpose of the Gang Assaults was to cause severe emotional distress.

341. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

342. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

343. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-EIGHTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO STACY STRICKLIN**

344. Claimant realleges and incorporates by reference all preceding paragraphs.

345. The Gang Assaults reflected extreme and outrageous conduct.

346. The purpose of the Gang Assaults was to cause severe emotional distress.

347. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

348. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

349. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FORTY-NINTH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO MICHAEL THOMPSON**

350. Claimant realleges and incorporates by reference all preceding paragraphs.

351. The Gang Assaults reflected extreme and outrageous conduct.

352. The purpose of the Gang Assaults was to cause severe emotional distress.

353. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

354. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

355. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTIETH CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANDRE VELEZ**

356. Claimant realleges and incorporates by reference all preceding paragraphs.

357. The Gang Assaults reflected extreme and outrageous conduct.

358. The purpose of the Gang Assaults was to cause severe emotional distress.

359. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

360. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

361. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-FIRST CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO ANTHONY WAGER**

362. Claimant realleges and incorporates by reference all preceding paragraphs.

363. The Gang Assaults reflected extreme and outrageous conduct.

364. The purpose of the Gang Assaults was to cause severe emotional distress.

365. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

366. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

367. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-SECOND CAUSE OF ACTION:
INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS
AS TO MARVIN WINKFIELD**

368. Claimant realleges and incorporates by reference all preceding paragraphs.

369. The Gang Assaults reflected extreme and outrageous conduct.

370. The purpose of the Gang Assaults was to cause severe emotional distress.

371. The above-referenced officers who engaged in the Gang Assaults disregarded a substantial probability of causing severe emotional distress.

372. The Claimant suffered severe emotional distress as a consequence of the Gang Assaults, including but not limited to fear of imminent death, post-traumatic stress, nightmares, and long-term emotional distress.

373. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-THIRD CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO EDWARD BOWDEN**

374. Claimant realleges and incorporates by reference all preceding paragraphs.

375. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

376. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

377. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

378. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

379. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

380. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

381. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

382. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

383. The Claimant suffered conscious physical and emotional pain and suffering.

384. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-FOURTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO WILBER BUTLER**

385. Claimant realleges and incorporates by reference all preceding paragraphs.

386. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

387. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

388. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

389. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

390. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

391. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

392. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

393. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

394. The Claimant suffered conscious physical and emotional pain and suffering.

395. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-FIFTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO SILVESTRE CAMPO**

396. Claimant realleges and incorporates by reference all preceding paragraphs.

397. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

398. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

399. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

400. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

401. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

402. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

403. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

404. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

405. The Claimant suffered conscious physical and emotional pain and suffering.

406. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-SIXTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO AUBREY CARTER**

407. Claimant realleges and incorporates by reference all preceding paragraphs.

408. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

409. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

410. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

411. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

412. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

413. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

414. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

415. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

416. The Claimant suffered conscious physical and emotional pain and suffering.

417. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-SEVENTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO SEAN DAVIS**

418. Claimant realleges and incorporates by reference all preceding paragraphs.

419. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

420. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

421. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

422. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

423. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

424. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

425. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

426. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

427. The Claimant suffered conscious physical and emotional pain and suffering.

428. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-EIGHTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ROBERT GREGORY**

429. Claimant realleges and incorporates by reference all preceding paragraphs.

430. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

431. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

432. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

433. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

434. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

435. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

436. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

437. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

438. The Claimant suffered conscious physical and emotional pain and suffering.

439. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**FIFTY-NINTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ANTHONY GRIGOROFF**

440. Claimant realleges and incorporates by reference all preceding paragraphs.

441. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

442. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

443. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

444. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

445. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

446. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

447. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

448. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

449. The Claimant suffered conscious physical and emotional pain and suffering.

450. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTIETH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO SHARDELL HALL**

451. Claimant realleges and incorporates by reference all preceding paragraphs.

452. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

453. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

454. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

455. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

456. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

457. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

458. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

459. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

460. The Claimant suffered conscious physical and emotional pain and suffering.

461. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-FIRST CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO AARON JACKSON**

462. Claimant realleges and incorporates by reference all preceding paragraphs.

463. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

464. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

465. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

466. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

467. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

468. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

469. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

470. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

471. The Claimant suffered conscious physical and emotional pain and suffering.

472. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-SECOND CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO BRIAN JOHNSON**

473. Claimant realleges and incorporates by reference all preceding paragraphs.

474. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

475. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

476. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

477. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

478. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

479. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

480. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

481. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

482. The Claimant suffered conscious physical and emotional pain and suffering.

483. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-THIRD CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO DANIEL JONES**

484. Claimant realleges and incorporates by reference all preceding paragraphs.

485. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

486. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

487. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

488. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

489. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

490. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

491. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

492. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

493. The Claimant suffered conscious physical and emotional pain and suffering.

494. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-FOURTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO TRAVIS MATTHEWS**

495. Claimant realleges and incorporates by reference all preceding paragraphs.

496. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

497. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

498. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

499. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

500. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

501. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

502. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

503. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

504. The Claimant suffered conscious physical and emotional pain and suffering.

505. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-FIFTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ANTHONY MCNAUGHTY**

506. Claimant realleges and incorporates by reference all preceding paragraphs.

507. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

508. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

509. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

510. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

511. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

512. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

513. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

514. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

515. The Claimant suffered conscious physical and emotional pain and suffering.

516. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-SIXTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ANTONIO PEGUES**

517. Claimant realleges and incorporates by reference all preceding paragraphs.

518. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

519. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

520. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

521. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

522. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

523. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

524. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

525. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

526. The Claimant suffered conscious physical and emotional pain and suffering.

527. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-SEVENTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO KEITH PHOENIX**

528. Claimant realleges and incorporates by reference all preceding paragraphs.

529. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

530. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

531. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

532. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

533. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

534. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

535. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

536. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

537. The Claimant suffered conscious physical and emotional pain and suffering.

538. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-EIGHTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO VINCENT POLIANDRO**

539. Claimant realleges and incorporates by reference all preceding paragraphs.

540. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

541. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

542. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

543. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

544. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

545. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

546. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

547. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

548. The Claimant suffered conscious physical and emotional pain and suffering.

549. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SIXTY-NINTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ALAN RAMIREZ**

550. Claimant realleges and incorporates by reference all preceding paragraphs.

551. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

552. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

553. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

554. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

555. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

556. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

557. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

558. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

559. The Claimant suffered conscious physical and emotional pain and suffering.

560. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTIETH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO TERRELL RICE**

561. Claimant realleges and incorporates by reference all preceding paragraphs.

562. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

563. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

564. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

565. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

566. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

567. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

568. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

569. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

570. The Claimant suffered conscious physical and emotional pain and suffering.

571. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-FIRST CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO JOSEPH RODRIGUEZ**

572. Claimant realleges and incorporates by reference all preceding paragraphs.

573. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

574. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

575. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

576. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

577. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

578. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

579. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

580. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

581. The Claimant suffered conscious physical and emotional pain and suffering.

582. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-SECOND CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO JONATHAN SANCHEZ**

583. Claimant realleges and incorporates by reference all preceding paragraphs.

584. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

585. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

586. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

587. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

588. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

589. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

590. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

591. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

592. The Claimant suffered conscious physical and emotional pain and suffering.

593. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-THIRD CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO RONAL SANDOVAL-CAMPOS**

594. Claimant realleges and incorporates by reference all preceding paragraphs.

595. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

596. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

597. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

598. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

599. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

600. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

601. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

602. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

603. The Claimant suffered conscious physical and emotional pain and suffering.

604. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-FOURTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO STACY STRICKLIN**

605. Claimant realleges and incorporates by reference all preceding paragraphs.

606. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

607. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

608. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

609. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

610. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

611. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

612. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

613. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

614. The Claimant suffered conscious physical and emotional pain and suffering.

615. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-FIFTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO MICHAEL THOMPSON**

616. Claimant realleges and incorporates by reference all preceding paragraphs.

617. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

618. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

619. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

620. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

621. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

622. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

623. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

624. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

625. The Claimant suffered conscious physical and emotional pain and suffering.

626. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-SIXTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ANDRE VELEZ**

627. Claimant realleges and incorporates by reference all preceding paragraphs.

628. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

629. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

630. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

631. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

632. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

633. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

634. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

635. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

636. The Claimant suffered conscious physical and emotional pain and suffering.

637. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-SEVENTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO ANTHONY WAGER**

638. Claimant realleges and incorporates by reference all preceding paragraphs.

639. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

640. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

641. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

642. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

643. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

644. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

645. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

646. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

647. The Claimant suffered conscious physical and emotional pain and suffering.

648. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-EIGHTH CAUSE OF ACTION:
NEGLIGENT FAILURE TO INTERVENE AS TO MARVIN WINKFIELD**

649. Claimant realleges and incorporates by reference all preceding paragraphs.

650. Employees of the Prison and State owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

651. Having assumed physical custody of prisoners, the employees of the Prison and State owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

652. On information and belief, unidentified employees of the Prison and State knew of the violent propensities of the State employees and agents who engaged in the Gang Assaults.

653. On information and belief, unidentified employees of the Prison and State were in a position to intervene to prevent or mitigate the Gang Assaults.

654. On information and belief, such unidentified employees of the Prison and State took no reasonable steps to intervene to prevent or mitigate the Gang Assaults.

655. On information and belief, if there had been such intervention then the Gang Assaults would have been stopped.

656. The Claimant's injuries were reasonably foreseeable consequences of the failure to intervene.

657. The unidentified employees of the Prison and State were at all relevant times acting as officers and employees of the State and within the scope of their employment.

658. The Claimant suffered conscious physical and emotional pain and suffering.

659. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**SEVENTY-NINTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO EDWARD BOWDEN**

660. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

661. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

662. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

663. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

664. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

665. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

666. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

667. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

668. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

669. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

670. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

671. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

672. The Claimant suffered conscious physical and emotional pain and suffering.

673. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTIETH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO WILBER BUTLER**

674. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

675. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

676. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

677. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

678. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

679. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

680. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

681. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

682. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

683. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

684. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

685. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

686. The Claimant suffered conscious physical and emotional pain and suffering.

687. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-FIRST CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO SILVESTRE CAMPO**

688. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

689. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

690. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

691. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

692. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

693. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

694. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

695. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

696. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

697. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

698. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

699. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

700. The Claimant suffered conscious physical and emotional pain and suffering.

701. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-SECOND CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO AUBREY CARTER**

702. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

703. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

704. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

705. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

706. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

707. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

708. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

709. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

710. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

711. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

712. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

713. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

714. The Claimant suffered conscious physical and emotional pain and suffering.

715. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-THIRD CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO SEAN DAVIS**

716. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

717. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

718. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

719. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

720. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

721. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

722. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

723. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

724. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

725. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

726. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

727. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

728. The Claimant suffered conscious physical and emotional pain and suffering.

729. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-FOURTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ROBERT GREGORY**

730. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

731. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

732. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

733. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

734. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

735. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

736. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

737. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

738. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

739. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

740. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

741. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

742. The Claimant suffered conscious physical and emotional pain and suffering.

743. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-FIFTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ANTHONY GRIGOROFF**

744. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

745. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

746. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

747. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

748. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

749. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

750. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

751. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

752. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

753. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

754. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

755. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

756. The Claimant suffered conscious physical and emotional pain and suffering.

757. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-SIXTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO SHARDELL HALL**

758. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

759. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

760. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

761. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

762. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

763. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

764. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

765. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

766. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

767. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

768. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

769. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

770. The Claimant suffered conscious physical and emotional pain and suffering.

771. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-SEVENTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO AARON JACKSON**

772. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

773. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

774. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

775. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

776. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

777. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

778. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

779. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

780. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

781. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

782. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

783. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

784. The Claimant suffered conscious physical and emotional pain and suffering.

785. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-EIGHTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO BRIAN JOHNSON**

786. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

787. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

788. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

789. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

790. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

791. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

792. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

793. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

794. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

795. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

796. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

797. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

798. The Claimant suffered conscious physical and emotional pain and suffering.

799. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**EIGHTY-NINTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO DANIEL JONES**

800. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

801. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

802. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

803. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

804. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

805. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

806. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

807. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

808. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

809. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

810. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

811. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

812. The Claimant suffered conscious physical and emotional pain and suffering.

813. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETIETH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO TRAVIS MATTHEWS**

814. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

815. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

816. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

817. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

818. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

819. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

820. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

821. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

822. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

823. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

824. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

825. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

826. The Claimant suffered conscious physical and emotional pain and suffering.

827. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-FIRST CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ANTHONY MCNAUGHTY**

828. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

829. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

830. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

831. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

832. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

833. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

834. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

835. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

836. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

837. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

838. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

839. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

840. The Claimant suffered conscious physical and emotional pain and suffering.

841. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-SECOND CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ANTONIO PEGUES**

842. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

843. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

844. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

845. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

846. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

847. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

848. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

849. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

850. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

851. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

852. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

853. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

854. The Claimant suffered conscious physical and emotional pain and suffering.

855. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-THIRD CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO KEITH PHOENIX**

856. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

857. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

858. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

859. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

860. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

861. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

862. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

863. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

864. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

865. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

866. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

867. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

868. The Claimant suffered conscious physical and emotional pain and suffering.

869. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-FOURTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO VINCENT POLIANDRO**

870. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

871. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

872. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

873. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

874. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

875. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

876. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

877. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

878. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

879. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

880. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

881. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

882. The Claimant suffered conscious physical and emotional pain and suffering.

883. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-FIFTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ALAN RAMIREZ**

884. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

885. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

886. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

887. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

888. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

889. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

890. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

891. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

892. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

893. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

894. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

895. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

896. The Claimant suffered conscious physical and emotional pain and suffering.

897. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-SIXTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO TERRELL RICE**

898. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

899. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

900. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

901. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

902. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

903. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

904. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

905. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

906. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

907. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

908. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

909. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

910. The Claimant suffered conscious physical and emotional pain and suffering.

911. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-SEVENTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO JOSEPH RODRIGUEZ**

912. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

913. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

914. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

915. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

916. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

917. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

918. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

919. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

920. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

921. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

922. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

923. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

924. The Claimant suffered conscious physical and emotional pain and suffering.

925. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-EIGHTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO JONATHAN SANCHEZ**

926. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

927. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

928. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

929. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

930. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

931. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

932. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

933. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

934. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

935. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

936. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

937. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

938. The Claimant suffered conscious physical and emotional pain and suffering.

939. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**NINETY-NINTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO RONAL SANDOVAL-CAMPOS**

940. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

941. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

942. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

943. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

944. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

945. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

946. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

947. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

948. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

949. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

950. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

951. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

952. The Claimant suffered conscious physical and emotional pain and suffering.

953. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ONE-HUNDREDTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO STACY STRICKLIN**

954. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

955. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

956. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

957. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

958. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

959. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

960. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

961. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

962. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

963. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

964. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

965. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

966. The Claimant suffered conscious physical and emotional pain and suffering.

967. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ONE HUNDRED-AND-FIRST CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO MICHAEL THOMPSON**

968. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

969. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

970. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

971. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

972. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

973. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

974. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

975. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

976. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

977. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

978. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

979. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

980. The Claimant suffered conscious physical and emotional pain and suffering.

981. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ONE-HUNDRED-AND-SECOND CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ANDRE VELEZ**

982. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

983. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

984. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

985. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

986. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

987. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

988. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

989. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

990. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

991. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

992. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

993. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

994. The Claimant suffered conscious physical and emotional pain and suffering.

995. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ONE-HUNDRED-AND-THIRD CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO ANTHONY WAGER**

996. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

997. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

998. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

999. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

1000. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

1001. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

1002. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

1003. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

1004. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

1005. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

1006. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

1007. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

1008. The Claimant suffered conscious physical and emotional pain and suffering.

1009. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

**ONE-HUNDRED-AND-FOURTH CAUSE OF ACTION:
NEGLIGENT HIRING, TRAINING, DISCIPLINE AND RETENTION
AS TO MARVIN WINKFIELD**

1010. Claimant realleges and incorporates by reference all preceding paragraphs except as to those allegations below that specifically make allegations in the alternative to prior allegations.

1011. The employees of the Prison owed a duty of reasonable care in attempting to maintain the safety of prisoners in their custody.

1012. Having assumed physical custody of prisoners, the employees of the Prison owed a duty to safeguard them against reasonably foreseeable violence from other Prison employees.

1013. On information and belief, the officers and employees of the State who engaged in the Gang Assaults had violent propensities, having assaulted and used unconstitutional degrees of force against other prisoners in the past.

1014. Unidentified employees of the Prison and State were in charge of hiring, training, and/or retaining the agents and employees who executed the Gang Assaults.

1015. The State lacked appropriate screening mechanisms in reviewing and interviewing job applicants that, if instituted, would filter out applicants with violent propensities.

1016. Alternatively, unidentified agents of the State knew of the violent propensities of the Gang Assault perpetrators and yet hired and allowed them to remain employees at the Prison.

1017. Unidentified agents of the State failed to institute reasonable training and discipline at the Prison to punish, deter, and prevent mistreatment by guards on prisoners.

1018. As a consequence of these training and disciplinary lapses, guards and members of CERT felt above the law with respect to their treatment of prisoners.

1019. In the alternative to the allegations in the prior causes of action herein, the agents who perpetrated the Gang Assaults were acting outside the scope of their employments in executing the Gang Assaults, but engaged in such behavior as a consequence of the hiring, training, disciplinary, and retention failures of the Prison and State.

1020. The Gang Assaults were a reasonably foreseeable consequence of the hiring, training, disciplinary, and retention lapses of the Prison and State.

1021. In failing to promote appropriate training, discipline, and retention practices, unidentified employees and agents of the State were at all relevant times acting with the State's assent, for its benefit and under its control, in the scope of their employment for the State.

1022. The Claimant suffered conscious physical and emotional pain and suffering.

1023. Claimant is entitled to compensatory damages for past and future pain and suffering, as well as for emotional distress; and is entitled to punitive damages large enough to deter such misconduct in the future.

DAMAGES

1024. Claimants reallege and incorporate by reference the preceding paragraphs.

1025. The wrongful acts and omissions of the State caused and/or cause Claimants' conscious pain and suffering, fear of imminent death, and emotional distress.

1026. Each Claimant is entitled to \$500,000 in compensatory damages and \$500,000 in punitive damages.

1027. The aforesaid injuries did not result from any negligence or fault on the part of the Claimants.

WHEREFORE, Claimants request the following relief:

1028. An award of full and fair compensatory damages of at least \$13,000,000.00;

1029. An award of full and fair punitive damages; and

1030. Granting such other and further relief as the Court deems just and proper.

Dated: Garden City, New York
January 30, 2023

Respectfully submitted,

**BARKET EPSTEIN KEARON ALDEA
& LOTURCO, LLP**

By: _____



Alexander Klein, Esq.

Danielle Muscatello, Esq.

Martin Tankleff, Esq.

Victoria Broderick, Esq.

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ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Edward Bowden being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

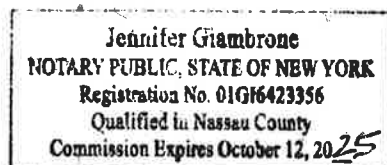
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Wilber Butler being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

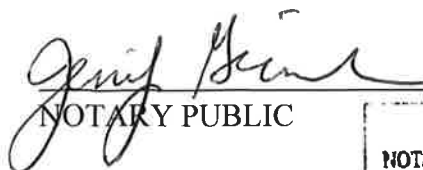
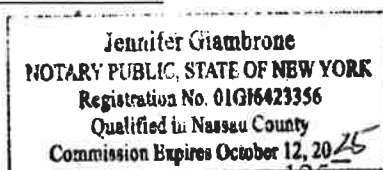
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Silvestre Campo being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

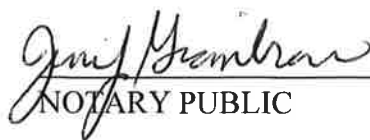
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023

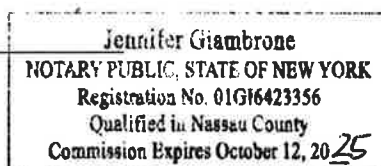


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Sworn to before me this
30th day of January 2023



NOTARY PUBLIC



ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Aubrey Carter being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

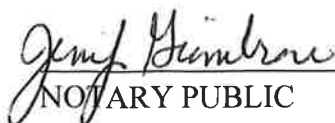
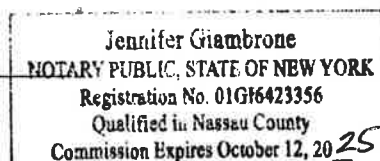
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Sean Davis being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.


I am providing this Verification because the Claimant does not reside within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Robert Gregory being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
~~30th~~ day of January 2023


NOTARY PUBLIC

Jennifer Giambone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Anthony Grigoroff being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

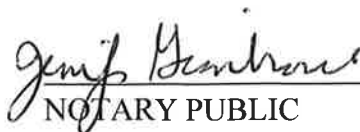
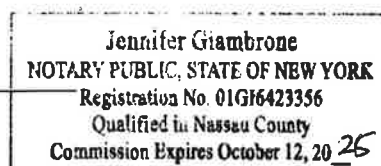
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Shardell Hall being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

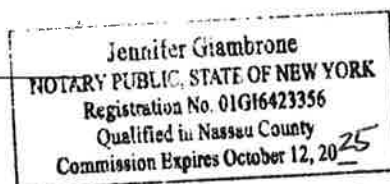
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Aaron Jackson being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023


Alexander Klein, Esq.
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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Brian Johnson being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

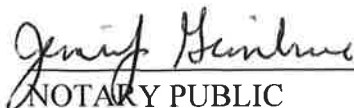
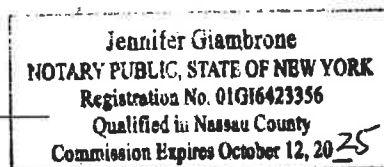
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Daniel Jones being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023



NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01GH6423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Travis Matthews being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

I am providing this Verification because the Claimant is not within the County in which my office is located.

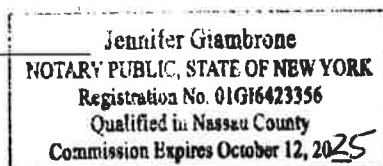
Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
666 Old Country Road, Suite 700
Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC



ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Anthony McNaughty being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.


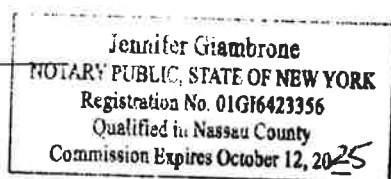
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



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Garden City, New York 11530
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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


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ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Antonio Pegues being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

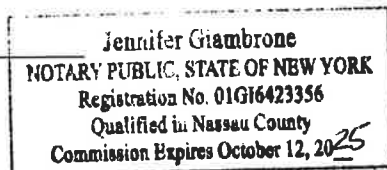
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

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30th day of January 2023


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ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Keith Phoenix being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.


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Dated: Garden City, New York
January 30, 2023

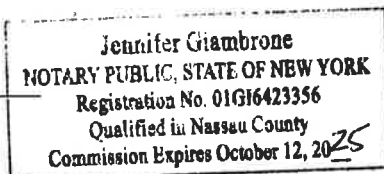


Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023



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ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Vincent Poliandro being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

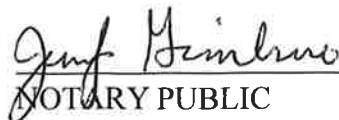
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023

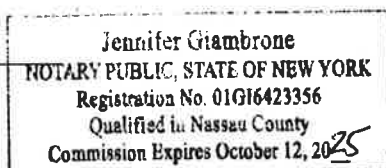


Alexander Klein, Esq.
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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023



NOTARY PUBLIC



ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Alan Ramirez being duly sworn, states the following under penalty of perjury:

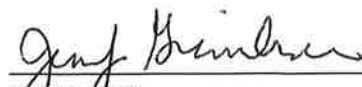
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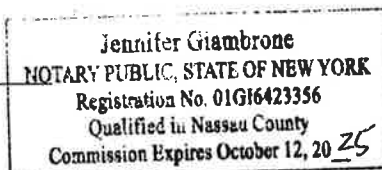
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023


Alexander Klein, Esq.
666 Old Country Road, Suite 700
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(516) 745-1500
aklein@barketepstein.com

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30th day of January 2023


NOTARY PUBLIC



ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Terrell Rice being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

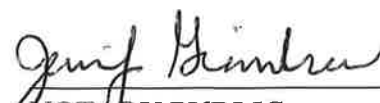
I am providing this Verification because the Claimant is not within the County in which my office is located.

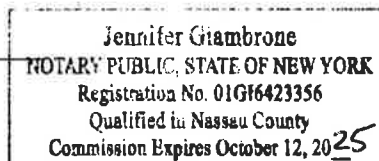
Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023



NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Joseph Rodriguez being duly sworn, states the following under penalty of perjury:

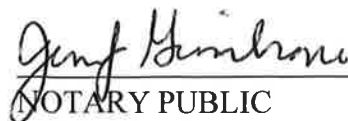
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Dated: Garden City, New York
January 30, 2023


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Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Jonathan Sanchez being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

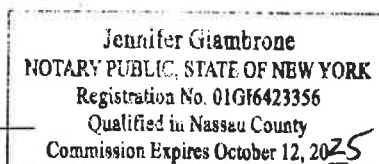
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023


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Garden City, New York 11530
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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


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ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Ronal Sandoval-Campos being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

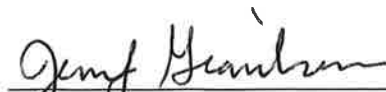
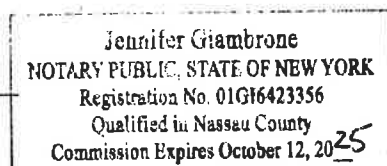
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023



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Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Stacy Stricklin being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

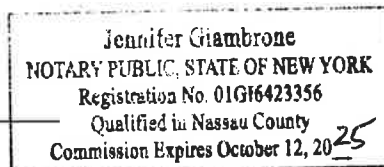
I am providing this Verification because the Claimant is not within the County in which my office is located.

Dated: Garden City, New York
January 30, 2023


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666 Old Country Road, Suite 700
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Sworn to before me this
30th day of January 2023


NOTARY PUBLIC



ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Michael Thompson being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

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Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01616423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Andre Velez being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

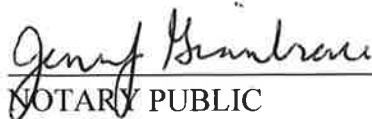
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Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
666 Old Country Road, Suite 700
Garden City, New York 11530
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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Anthony Wager being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

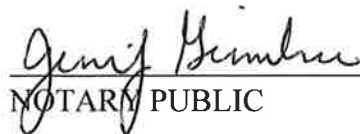
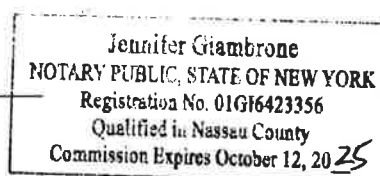
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Dated: Garden City, New York
January 30, 2023



Alexander Klein, Esq.
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Garden City, New York 11530
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aklein@barketepstein.com

Sworn to before me this
30th day of January 2023


NOTARY PUBLIC

ATTORNEY VERIFICATION

ALEXANDER KLEIN, ESQ., duly admitted to practice law in the State of New York and an attorney at Barket Epstein Kearon Aldea & LoTurco, LLP, the firm of record for the Claimant Marvin Winkfield being duly sworn, states the following under penalty of perjury:

I have read the foregoing Claim, know its contents, and they are true to my knowledge, except those matters that constitute legal argument or are alleged on information and belief, and as to those matters I believe them to be true. I am familiar with the facts and circumstances surrounding this action. And the bases for all matters alleged herein, unless otherwise stated, are an inspection of the record of this case, internal correspondences, independent investigation and research, and other relevant materials.

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Dated: Garden City, New York
January 30, 2023


Alexander Klein, Esq.
666 Old Country Road, Suite 700
Garden City, New York 11530
(516) 745-1500
aklein@barketepstein.com

Sworn to before me this
~~30th~~ day of January 2023


NOTARY PUBLIC

Jennifer Giambrone
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 01G16423356
Qualified in Nassau County
Commission Expires October 12, 2025

EXHIBIT A

EXHIBIT A

STATEMENT OF

Edward Bowden

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Edward Bowden, being duly sworn, deposes and says:

1. My name is Edward Bowden, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 17A0749. My date of birth is [REDACTED].

3. My current cell number is L-80 and which is located in A Block. On November 9, my cell number was K-4 which is located in A Block.

4. On November 9, 2022, at approximately 2pm, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to move to the back of my cell, put my hands on the wall which I complied without any hesitation or resistance.

5. There were approximately 7 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell 2 officers were Blaming me against the wall while other officers were throwing my property around. Officers were yelling at me to

Stop resisting even though I wasn't at all.

6. I was assaulted by a number of officers. They used their fists, knees, batons, and feet. They threw me on the bed and handcuffed me.

7. After I was handcuffed, I was taken to medical. Photos were taken at medical.

8. I suffered the following injuries: I had bruises on several areas of my body. I'm still suffering back issues.

9. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

Em Brown

Sworn to before me this
2nd day of December 2022

Martin Harold Tankleff
Notary Public



- 7a. While medical was trying to evaluate me, the officers that assaulted me, were present.
- 7b. I was let at medical for about 2 hours.
- 7c. While I was in medical, I observed officers assaulting other prisoners.
- 7d. I was in Coxswain with the officers that assaulted me.
- 7e. The officers were: C.O. M. Ryan, C.O. Caswell and C.O. Augustino - all were
- 7f. After I was in medical for about 2 hours, I was taken to the SHU.
- 7g. I was given a tier III ticket for: assault on Staff, Violent conduct, Search procedures and disobeying a direct order.
- 7h. I was found guilty and given 15 days SHU.
- 7i. My radio, fan, clothes and headphones were stolen from me by the officers

Sworn to before me
this 2nd day of December
2022.

Martin Tan



3

Em Br

EXHIBIT B

EXHIBIT B

STATEMENT OF WILBER BUTLER

STATE OF NEW YORK)
 SS.:
COUNTY OF WESTCHESTER)

WILBER BUTLER, being duly sworn, deposes and says:

1. My name is Wilber Butler, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 19A2461. My date of birth is [REDACTED]

3. My cell number is 65 and is located at HBB W65.

4. On November 10, 2022, at approximately 5:45^{PM}, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

1. I was directed to strip down to boxers + slippers, put my hands on my head

2. I complied and faced the wall as directed w/ my hands interlocked over the back of my head. I heard yelling + banging all day and knew what was coming.

3. _____.

4. Three members of what I believe to be the Correctional Emergency Response Team entered my cell yelling not to move. Their names were Euter, Christian, + Gonzalez

5. These individuals restrained me immediately and I asked what was going on. The men started punching me and one or more poked me with a baton. At one point I was in a chokehold
on my bed. They handcuffed me behind my back →

and stood me up and took me out. I was screaming and a female officer
Mr. Fung Sing put his hand over my mouth. A CERT team member
then banged my head against the gate. They bent me over + dragged me to medical.

8. I suffered bruised ribs, swollen jaw, scrapes, + scratches
about my body. I had intense back pain + a pinching feeling in
my lungs and had trouble breathing, + was ultimately taken to Mount Vernon
hospital.

9. After the events in the question, I received a ticket,
had a tier III hearing, lost privileges, + received 90 days
in the Special Housing Unit.

10. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.

W. Butler

WILBER BUTLER DIN: 19A2461

Sworn to before me this
29th day of November 2022

Danielle Muscatello
Notary Public



EXHIBIT C

EXHIBIT C

STATEMENT OF

Silvestre Campo

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Silvestre Campo, being duly sworn, deposes and says:

1. My name is Silvestre Campo, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 18-A-4793. My date of birth is [REDACTED]

3. My current cell number is 268 and is located m B Block.

On November 10, my cell number was 268 m B Block.

4. On November 10, 2022, at approximately 7^{am}, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items,

nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to

stand up. I stood up and my cell door opened and I was struck in the face, body and ribs by the officers fists and knife.

5. There were approximately 2 members of what I believe to be the Correctional

Emergency Response Team entered my cell

and one remained outside of my cell.

After I was hit by the officer I was taken to the medical unit.

At the medical unit photos were taken

of me. Later in the day, a Sgt. came to my cell and told me they had to take more photos.

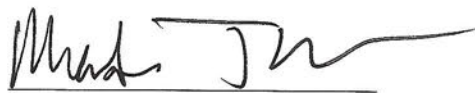
6. On the way to the medical unit, I was forced to walk past a lot of officer who hit me when I walked past them.

7. I suffered the following injuries: my jaw and ribs. Still have ongoing pain in my face and ribs.

8. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.



Sworn to before me this
1st day of December 2022



Notary Public



EXHIBIT D

EXHIBIT D

STATEMENT OF AUBREY CARTER

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

AUBREY CARTER, being duly sworn, deposes and says:

1. My name is Aubrey Carter, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN is 18-A-4711. My date of birth is [REDACTED].

3. My current cell number is 67 and which is located in A Block. On November 9, 2022, my cell number was 67 which is located in L Gallery A Block.

4. On November 9, 2022, at approximately 7:30 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip down to my boxers and my slippers and face the back of my cell with my hands interlocked behind my head. I complied.

5. There were approximately 4 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell. There were 3 males and one female. Among the officers were D. Vance and K. Euter. One officer immediately grabbed

He under my arms from behind and threw me on the bed. The officers then took turns punching me in the back of my head. I believe two officers had knees on my back as I was face down on the bed. The officers kept yelling "Stop Resisting" even though I was defenseless.

~~My hands were stopped by~~

One of the officers kicked me on the top of my head.

7. I was handcuffed behind my back and walked down to medical bent over with an officer pressing down on my neck. I felt helpless and humiliated.

8. I was given Ibuprofen and photos were taken. I have made follow-up requests for medical care, which have been ignored.

9.

10.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

12. I suffered the following injuries: headaches, pain to lower back.

I am still experiencing headaches and back pain today

13. I filed grievances complaining about the following: I was given a tier

III ticket for violent conduct, which has now been dismissed

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

Aubrey Carter

AUBREY CARTER; DIN: 18-A-4711

Sworn to before me this
12th day of December 2022

Danielle Muscatello

Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/20 26

EXHIBIT E

EXHIBIT E

STATEMENT OF

Sean Davis

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Sean Davis, being duly sworn, deposes and says:

1. My name is Sean Davis, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 12A1486. My date of birth is [REDACTED]

3. My current cell number is W-23 and which is located in B Block. On November 10, my cell number was W-23 which is located in B Block.

4. On November 10, 2022, at approximately 6:50 PM, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to Strip down to my boxers, go to the back wall and put my hands on the wall. I complied with each direct order.

5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell and they started to assault me using their fists, elbows, feet, batons. At some point the officers restrained me

with handcuffs. After I was handcuffed
I was taken to the medical unit.

6. At the medical unit, I was jumped
again and assaulted by the same officers.
Photos were taken of me while I
was at medical.

7. Medical staff did not properly
treat me. Officers were present during the
time I was with medical staff.

8. I suffered the following injuries: my neck and back
were injured and I am still suffering.

9. This statement is truthful and accurate. I make this statement voluntarily. I have
not been promised anything in exchange for this statement.

[Signature]

Sworn to before me this
2nd day of December 2022

[Signature]
Notary Public



7a. After being in medical for a few hours, I was eventually taken to Building 5, which was used as a temporary SHU.

7b. On November 11, 2022, I requested emergency medical, and was only given OTC medication.

7c. I received Tier III ticket, charging me with: assault on staff, violent conduct, disobeying a direct order and failure to comply with search procedures.

7d. Sgt. Brooks testified at my hearing that the report was false. Sgt. Brooks is an employee at Sing Sing. I was found NOT guilty at the hearing.

7e. I know one officer that assaulted me was from Coxsackie C.F.

7f. My TV, radio, clippers (were broke), hot pot, and fan were taken from me.

Sworn to before me this
2nd day of December, 2022

Martin Harold Tankleff
Notary Public



EXHIBIT F

EXHIBIT F

①

On 11/10/22, I Robert Gregory, was subjected to a facility shut down search. At the time my lock in location was B block Y gallery 27 cell. During the search C.O J Montgomery and two other unknown C.O., aproched my cell and told me to stand up and place my hands on the wall. As I stood up I asked the officer if he wanted me to strip down to my boxers because I was confused as to why I was given instructions contrary to what I over heard and witnessed others being instructed to do so. Again I asked the officer Montgomery "are you sure you do not want me to strip down to my boxer briefs, and he replied, No follow directions and put your hands on the wall. At this time I stood up and placed my hands on the wall closest to me over my bed frame. Officer Montgomery then instructed for my cell to be opened and immediately rushed into my cell attacking me with a variety of punches that made me instantly curl up in defence on my bed as two other officers unknown, entered and joined in by attacking me and yelling stop resisting. All of this was happening while C.O Montgomery began to bend and twist my left wrist hand and thumb claiming he was going to break my hand if I did not put my hands behind my back. Although at this point I had no control to move my arms or any thing because I was pinned by all three

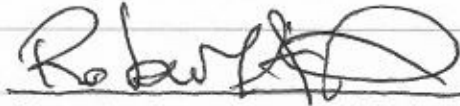
C.O's they continued to punch and bend my Ligaments eventually positioning my hands behind my back and hand cuffing me with excessive force that cut into my hands. eventually after about another minute of being punched in the ribs and side of head I was taken out of the cell and handed over to two other unknow Cert officers wereing Camo uniforms who then escorted me down to medical. Once inside of the medical room one of the C.O asked me if I had exposed myself to a female officer or something and laughed with the rest of the C.O's in the room including C.O montgomery as well they continued to joke with C.O montgomery asking are you alright bro and making a joke out of the situation. After takeing pictures and letting the nurse know about the injury obtained to my wrist. Shortly after I was brought to the SHU.

I suffered pain to my left wrist and I have limited movement and use of my left wrist and left thumb. I received a ticket and received 90 days in the SHU after my tier 3 hearing.

The events happened on 11/10/22 between 9 and 10 am. I was following all rules, I was locked in my cell, I had not been fighting, and I did not resist. I have not received medical treatment for my wrist. This statement is true and is not based on any promises. I began writing this statement on my own and then my attorney helped me finish

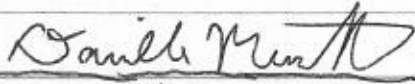
3

because I was handcuffed. I have read this entire statement, and
~~and must~~ it is truthful and accurate.



Robert Gregory DIN: 15-A-0902

Sworn to before me this
29th day of November 2022



Notary Public

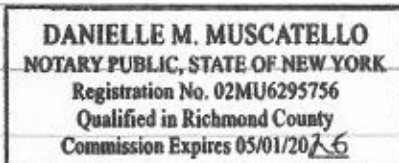


EXHIBIT G

EXHIBIT G

STATEMENT OF ANTHONY GRIGOROFF (DIN# 17A4091)

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

ANTHONY GRIGOROFF, being duly sworn, deposes and says:

1. My name is Anthony Grigoroff, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 17A4091. My date of birth is [REDACTED] [REDACTED] *MHT AG.*

3. My cell number is BW-67 and is located Sing Sing C.F.

4. On November 10, 2022, at approximately 5:30 p.m. I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

5. I was directed to strip down to my boxer shorts and wear my sandals, and I complied.

6. I then stood facing the wall of my cell with my hands over head.

7. Three members of what I believe to be the Correctional Emergency Response Team entered my cell along with a male individual wearing *Tan MHT* army fatigues, and began striking me repeatedly about my head, face, and body.

8. These men pinned me down on the bed, beat me, and searched my cell.

9. After I was repeatedly assaulted, I was removed from my cell, and then they searched my cell.

10. I did not resist or fight back in any way.

MHT AG.

11. I suffered a black eye, Scrape on right knee and
Some on my back.

must
AG

12. I did not receive any medical attention. Rather, I was left alone in my cell to clean up the tobacco the men spit everywhere and put my belongings back in place.

13. I did not save the tobacco spit as I
was more focused on cleaning my cell.

must
AG

14. I observed other prisoners being assaulted.
Some were taken to the SHU, while others
were not.

must
AG

15. I was not given any tickets or summonses.

16. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

A. Grigoroff
ANTHONY GRIGOROFF, DIN#17A4091

Sworn to before me this
21st day of November 2022

[Signature]

Notary Public



EXHIBIT H

EXHIBIT H

STATEMENT OF SHARDELL HALL

STATE OF NEW YORK)
) ss.:
COUNTY OF WESTCHESTER)

SHARDELL HALL, being duly sworn, deposes and says:

1. My name is Shardell Hall, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN: is 17-A-2015. My date of birth is _____

3. My current cell number is 66 and is located in the V Gallery, B Block. On November 10, 2022, my cell number was 66 which is located in the V Gallery, B Block.

4. On November 10, 2022, at/between approximately 7:00 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to face the wall and step down to boxes and ~~face the~~
~~with~~ interlock my hands behind my head. They then told me
to turn around and open my mouth. I complied.

5. There were approximately 4 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell. They were dressed in black tactical gear. One officer yelled "STOP RESISTING" and then another officer (the one that was giving me instructions) punched me in my stomach. They then

threw me on the bed. They had my arms and legs while another officer had his knee on the back of my neck. I was face down and told them that I

could not breathe. They then continued punching me in my head, back, and all over my body.

I remember the officers wearing padded black gloves. They continued hitting me after I was handcuffed.

7. Eventually, they took me out of my cell, bent over, and beat me. ~~Every time I looked up, an officer~~ S.H. ~~stuck me in the~~

8. My head was down and if I looked up the officers escorting me would hit me again. When I was in the hallway, someone in plain clothes told me they wanted information,

and the man told me if I did not tell them what they wanted to know I would get a ticket. I got a Tier III ticket, had a hearing, and got a "counsel & reprimand."

10. I was taken to medical. Sgt. Gonzalez was there and so were the officers who assaulted me. They talked about taking me to SHU but brought me back to my cell.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

12. I suffered the following injuries: I had a knot in the back of my neck and pain and soreness about my body. I still have back pain.

13. I filed grievances complaining about the following: My assault, I have been through facility searches in the past and have never experienced anything like this

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

S.H. Shardell Hall
~~BRIAN JORDISON, DIN: 12-B-0703~~
SHARDELL HALL, DIN: 17-A-2015

Sworn to before me this
17 day of December 2022

Danielle M. Muscatello
Notary Public

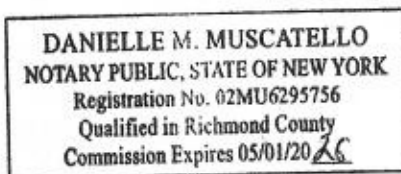


EXHIBIT I

EXHIBIT I

STATEMENT OF AARON JACKSON

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

AARON JACKSON, being duly sworn, deposes and says:

1. My name is Aaron Jackson, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN: is 11-B-0258. My date of birth is [REDACTED].

3. My current cell number is 85 and is located in the P Gallery, A Block. On November 9, 2022, my cell number was 85 which is located in the P Gallery, A Block.

4. On November 9, 2022, at/between approximately 7:20 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip down to my boxers and slippers. I complied.
I was told to face the wall and put my hands behind my back.
I complied. I said nothing.

5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell. I did not see numbers or names on the officers. One officer
punched me in the back of my head and I fell on the
bed. Officers then continued to punch me in the head, back,

and genital. It felt like they were all trying to get blows in. They kept saying "stop resisting" and "This is our house." I never resisted. They cuffled me and continued

or hitting me when I was face down on the bed. Sgt. Alvarado from Jing Sing was present. Eventually they pulled me out of the cell, my arms lifted high.

7. As I was being walked down the gallery, EERS officers took turns as I passed punching and kicking me in the ribs and head (left side).

8. I was taken to medical with the same officers who assaulted me. A nurse with a Russian accent asked me what was wrong and I didn't say anything because I was scared. ~~Sgt~~

9. Since this happened, I have been sleeping in my clothes. I have requested mental health help and have not gotten any.

10. _____

11. The following property was either destroyed or taken by the officers that searched my cell for no reason. _____

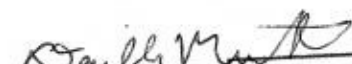
12. I suffered the following injuries: I suffered intense back pain and
am still experiencing a lot of pain I have trouble sleeping and my
movement ~~and~~ is limited. The next day I urinated blood.

13. I filed grievances complaining about the following: My assault. I was
interviewed by OSI and it was recorded. I never resisted. I
screamed that I was not resisting as they beat my body.

14. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.


AARON JACKSON; DIN: 11-B-0258

Sworn to before me this
15th day of December 2022


Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/20 26

Two days ago I was sent to Mount Vernon Hospital for X-rays.



EXHIBIT J

EXHIBIT J

SS.:

BRIAN JOHNSON, being duly sworn, deposes and says:

2. My DIN: is 13-B-0703. My date of birth is [REDACTED]

4. On November 9, 2022, at/between approximately 8:00 a.m., I was locked in my

5. There were approximately 5 members of what I believe to be the Correctional

once the search of my cell had concluded. First, the female (Primo #22-20) told me to face the wall. I was still holding my mattress. I knew something was going to happen. The officers then attacked

me and began punching and kicking me. I went to the ground. The female grabbed my genitals and kept covering my mouth. They had my head against the toilet rim and my headlocks were in the toilet. They were yelling "stop resisting." An officer then grabbed my hair and pulled me back. I backed up and fell out of the cell.

7. Sgt. Gonzalez told me to let them ~~apprehend~~ apprehend me. They then cuffed me behind my back, bent me over, raised my arms, and escorted me to medical.

8. I was barefoot and wearing my boxers. When I got to the bottom of the stairs Officer #22-38 punched me in the left side of my face. I was then brought to

9. disciplinary. #22-38 and another officer were shaking my face into the wall. My foot (right) achilles was swollen and they then took me to medical. The officers who assaulted

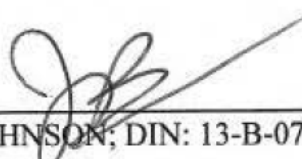
10. me stayed in medical. I was given a ~~catheter~~ shot in my left arm by Nurse Rita. They took photos. My body was shaking.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason. They took my hot pot, television, and
clippers

12. I suffered the following injuries: pain to lower back, right achilles,
head, left jaw and my right thigh. I was sent for X-rays
to my heel and a catscan to my back. Mt. Vernon gave me pain
medicine.

13. I filed grievances complaining about the following: my assault.
I am eligible for release 3/2023. I never swung back or resisted.
I was humiliated. I was interviewed by OSI twice, audio, & video statement
taken.

14. This statement is truthful and accurate. I make this statement voluntarily. I have
not been promised anything in exchange for this statement.


BRIAN JOHNSON; DIN: 13-B-0703

Sworn to before me this
14th day of December 2022

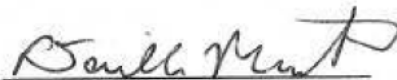

Notary Public



EXHIBIT K

EXHIBIT K

STATEMENT OF DANIEL JONES

STATE OF NEW YORK)

COUNTY OF WESTCHESTER)

ss.:)

DANIEL JONES, being duly sworn, deposes and says:

1. My name is Daniel Jones, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 18-A-1403. My date of birth is [REDACTED].

3. My cell number is 50 and is located HBB-U-50.

4. On November 10, 2022, ^{between} at approximately 6:45 and ^{7:30 a.m.}, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

1. I was directed to strip down to my boxers and slippers by Officer Kenneth Lamb. ~~to~~ I heard marching and I knew the CERT team was coming. We were locked down. It was ~~a~~ very cold. I heard the inmate in HBB-U-52 getting beat up and then I stripped as directed.

2. ~~3 or 4~~ ^{2 P.S.} members of what I believe to be the Correctional Emergency Response Team entered my cell. I was facing the wall w/ my hands interlaced over my head. I had sneakers on because I have an injury to my achilles heel (right). I had asked permission to allow me to wear sneakers to avoid falling and hurting myself worse. I immediately started getting punched in the head and body. I then came off the wall to defend myself. C.O. K. Lamb was on my bed

at punching me. I threw punches at the men. Lamb was in regular blue uniform and he screamed an order to the others to spray me. They used pepper spray. →

I stated, "I am not resisting," "I have ~~asthma~~ asthma," and I laid on the floor. The men sprayed my face and head. They then handcuffed me, sprayed me more, and punched, kicked, and stomped me. Lamb said he did not give a fuck that I had asthma.

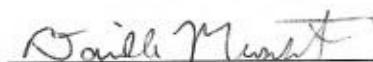
4. I suffered swollen lips, cracked tooth (back to p left), black left eye (top), bite to upper right chest, scraped right shoulder, ^{and pain to thumb & wrist.} From my cell, I was handcuffed behind my back, bent over, arms up, w/ my neck held down

5. I was walked to medical and photographed. I was positioned against the wall and told if I moved it would be taken as aggression. I could not see because of the spray and I was having trouble breathing. I was told to stick in my lips before the photographs. I asked for my asthma pump and they asked for information

6. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.


DANIEL JONES, DIN: 18-A-1403

Sworn to before me this
30th day of November 2022


Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

→ They asked me if I wanted to keep my leg and then kicked my my bad leg. They asked me if I wanted to keep my dick and someone touched my penis. They accused me of having a weapon. I never had a weapon. They asked me if I wanted to keep my ass and someone shoved a stick between my buttocks over my boxers. They continued to punch & kick me while handcuffed and blind. I had a tier III hearing and was found to have assaulted an officer, I got 4 months in SHU

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

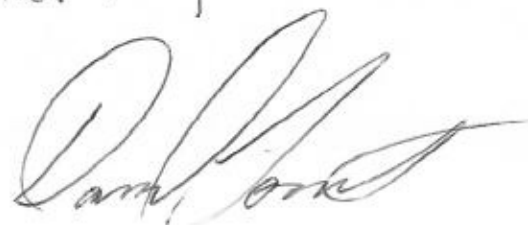


EXHIBIT L

EXHIBIT L

STATEMENT OF TRAVIS MATTHEWS

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

TRAVIS MATTHEWS, being duly sworn, deposes and says:

1. My name is Travis Matthews, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 12-A-3246. My date of birth is [REDACTED]

3. My cell number is 64 and is located HBB Z 64.

4. On November 10, 2022, at approximately 6:45 a.m., I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

1. I was directed to put my razor and ID on the gate and to strip down to my underwear and slippers. I complied. As soon as I put my razor and ID on the gate, the cell opened and multiple CERT officers rushed in my cell.

2. Approx 5 members of what I believe to be the Correctional Emergency Response Team entered my cell. I believe they were wearing body cameras. Officer Wilson hit me in the face, they all tackled me and began punching, kicking, and stomping me. Next, I was handcuffed behind my back and they continued to beat me and slam my head against the ground. I did not resist. They kept saying stop resisting.

3. They dragged ^{me} out of the cell, boxers & no slippers and

My genitals were exposed. I was immediately stuck by another officer in the face. As they walked me down the gallery, CERT officers took turns punching me in the face. I also watched them do the same thing to cell inmates 68, 67, & 66.

4. I suffered swelling and knots to my right forehead, scrapes & scuffs to my right shoulder and back, left finger (middle) jammed, busted lip, pain, and complete humiliation.

5. They took me to the medical bullpen. A female officer ^(OSI) told another officer to put my penis back in my boxers. Photos were taken of me. I was given a ticket, but I beat it at my tier ¹¹ hearing on 11/29/22. I never resisted or fought back. I was violated. I sought counseling.

6. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.


TRAVIS MATTHEWS DIN: 12A3246

Sworn to before me this
30 day of November 2022

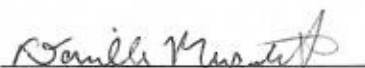

Notary Public



EXHIBIT M

EXHIBIT M

STATEMENT OF ANTHONY MCNAUGHTY

STATE OF NEW YORK)
)
) ss.:
COUNTY OF WESTCHESTER)

ANTHONY MCNAUGHTY, being duly sworn, deposes and says:

1. My name is Anthony McNaughty, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.
2. My DIN# is 22R0902. My date of birth is [REDACTED]
3. My cell number is 52 and is located HBB U - 52.
4. On November 10, 2022, at approximately 7:50 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.
1. I was directed to strip down to my boxers and slippers, put my hands
over my head and face the wall. The jail had been on lockdown since 11/8/22 and I heard searching and knew CERT was searching the facility. I complied with the order and.
3. faced the wall and put my hands interlocked behind my head.
4. At least 4 members of what I believe to be the Correctional Emergency Response Team entered my cell and one immediately put me in a chokehold.
5. These individuals then put me on the bed, knees on my back,
and punched me about the head + side of my face. one officer
had my left hand and pulled my fingers. I started screaming.
I told the officers I couldn't breathe. They handcuffed me
because they still had me pinned
down, face down on the bed, w/
pressure on my neck

behind my back, my fingers on left hand were dangling and. I
had no feeling. They walked me to the clinic. One officer
pulled at my left fingers again. Initially I got no medical treatment.

8. I suffered a chip fracture to my left hand, a small cut
to my chin, + scrapes and bruising and pain about my body.
I was treated at Mount Vernon Hospital after waiting 2 days in the SHU.

9. Officers took photos of me in the infirmary. I was given
a ticket, had my time ill leaving, and was given 45 days in the
SHU. Officers Ostrander, Euter, + Quagenbush were involved.

10. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.


ANTHONY MCNAUGHTY DIN. 22R0902

Sworn to before me this
29th day of November 2022


Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

EXHIBIT N

EXHIBIT N

^G
STATEMENT OF ANTONIO PEQUES

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

^G
ANTONIO PEQUES, being duly sworn, deposes and says:

1. My name is Antonio Pe^gques, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 07-A-1014. My date of birth is [REDACTED].

3. My current cell number is 31 and which is located in B Block. On November 10, 2022, my cell number was 31 which is located in R Gallery B Block.

4. On November 10, 2022, ^{between} at approximately 5pm-6pm I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip down to underwear + sit. I complied and waited for approx 40 minutes. I heard the rush of coats and yells "stop resisting". I was told to get my mattress and step out. I complied. I was then told to step back in and face the back wall. I complied. After 10 minutes, I asked if I could put my ^{mattress down.}

5. There were approximately 3 members of what I believe to be the Correctional ^{He said} Emergency Response Team and/or other members of corrections that entered my cell. ^{yes} ^{officer} ^{#4311} Officer 4311, who was breathing on me and standing close, hit me in the back with his baton. I said let me go. I didn't know

what was happening. Another officer hit me in the right knee with a baton. #4311 was pushing my face into the wall, an officer held my left hand, pulling it behind my back, and a third officer was ~~hitting~~ hitting me.

6. I was ~~hand~~ handcuffed behind my back, thumbs up. I was then lead down the narrow galley bent over with my arms up. The nurse in medical said she did not see bruises on me and told the officers to send me back.

7. Other officers # 4334 #4332.

During the process I am fearing for my life. As an incarcerated.

8. Individual who has experienced approx. 5 CERT team searches I have been dealing with bouts of anxiety problems

9. sleeping. I have found myself fighting back tears regularly in hopes of moving past the incident request for therapy

10. have been ignored.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason. my clothing was in the toilet. My radio was in multiple pieces; missing shoes; destroyed personal photos

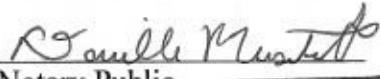
12. I suffered the following injuries: pain to ribs, lower back,
right knee, & shoulders

13. I filed grievances complaining about the following: I filed a grievance
for the way I was beaten for no reason

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.


ANTONIO PEQUES, DIN: 07-A-1014
Step G

Sworn to before me this
12th day of December 2022


Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

EXHIBIT O

EXHIBIT O

STATEMENT OF KEITH PHOENIX

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

KEITH PHOENIX, being duly sworn, deposes and says:

1. My name is Keith Phoenix and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN is 10-A-4038. My date of birth is [REDACTED].

3. My current cell number is 4 and which is located in B Block. On November 10, 2022, my cell number was 4 which is located in V Gallery B Block. (the Flats)

4. On November 10, 2022, at approximately 7:30 pm, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip down to my boxers and sandals, face the wall and put my hands on the wall. All day, I heard yelling about the CERT team destroying property, I heard batons, bed frames moving, and people getting hit. I complied and put my hands against the wall.

5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell. I had a jammed pinky on my right finger from basketball, and my pinky was not flat. An officer told me, "I told you

to put your fucking hands flat on the wall. You didn't comply." An officer then hit my pinky with his stick and I went to the floor in pain. The officer then put his knee on my neck and threatened me, as my face was pinned on toilet rim.

6. Next, I was told to pick up my mattress and step out of my cell, which I did. I could not see the search. After, I went back and locked in my cell.

7. I asked for medical attention and was refused.

8. I have never resisted an order or had a physical altercation with another officer. I have never been through anything like this in the years I spent in prison.

9. I saw a lot of people get really hurt.

10.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

12. I suffered the following injuries: substantial pain to right pinky.
I could not move my finger at all.

13. I filed grievances complaining about the following: the assault.

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

Keith Phoenix

KEITH PHOENIX; DIN: 10-A-4038

Sworn to before me this
12th day of December 2022

Danielle Muscatello
Notary Public

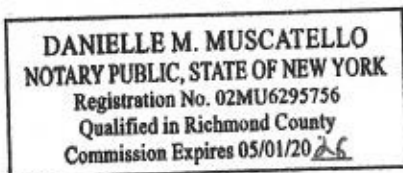


EXHIBIT P

EXHIBIT P

STATEMENT OF VINCENT POLIANDRO

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

VINCENT POLIANDRO, being duly sworn, deposes and says:

1. My name is Vincent Poliandro, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN: is 13A0391. My date of birth is [REDACTED].

3. My current cell number is 25 and is located in the U Gallery, B Block. On November 10, 2022, my cell number was 25 which is located in the U Gallery, B Block.

4. On November 10, 2022, at/between approximately 9:00 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip to my boxers and shower shoes and get my mattress to be screened. I complied. I exited my cell w/ my mattress and was screened accordingly to protocol. There were men in black tactical gear, with vests that started "CERT".

5. ~~There were approximately _____ members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell~~ After being screened, I was standing outside my cell and I was told not to move. Twice my eyes followed items being thrown out of my cell. I was then handcuffed. Then I tried to tell one of the officers about a medical device I had, and the officer behind me lifted me off the ground by my handcuffs and started walking me down the gallery.

As we were walking, one of the ~~corrections~~ correction officers present told us to stop. He told the other officers to step back and then he sprayed OC spray all over my face and body while ~~I was~~ I was handcuffed in my boxes. Every part of my body was burning, like nothing I ever experienced. I was then dragged to medical. They sat me next to a sink, but did not allow me to rinse

7. People were laughing at me and calling me "animated" I was photographed and given baby shampoo to rinse my eyes.

8. I was then brought back to my cell.

9. I was totally blind for over a week and deaf in my right ear.

10. I've never been assaulted like this before. I received a T-10 III ticket for violent conduct and disobeying a direct order (and others) but I never had a hearing.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason. My TV, charges for tablet, (lamp), Tens Unit (medical device) for nerve problems

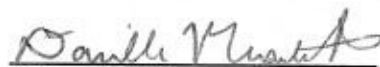
12. I suffered the following injuries: large abrasion to left shoulder/
chest area. I was blind for over a week and partially deaf,

13. I filed grievances complaining about the following: about my assault and
never heard back.

14. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.


VINCENT POLIANDRO

Sworn to before me this
17th day of January 2023


Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

EXHIBIT Q

EXHIBIT Q

STATEMENT OF Alan Ramirez

STATE OF NEW YORK)

ss.:)

COUNTY OF WESTCHESTER)

Alan Ramirez, being duly sworn, deposes and says:

1. My name is Alan Ramirez, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 94A5171. My date of birth is [REDACTED].

3. My current cell number is HB5-B-9 and is located n SHU.

On November 7, my cell number was HB5-B-9.
- 7 AR.

4. On November 10, 2022, at approximately 7-9 AM, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to

exit the cell and was told, "If you start
complaining, you know what happens."

5. There were approximately 2-3 members of what I believe to be the Correctional

Emergency Response Team entered my cell and started to search. When I asked to view search my head was slammed into the wall.

6. I was also either kicked or punched in my lower back by the officer who threw my head into the wall.

7. I suffered the following injuries: Swelling on forehead; since then constant headaches. Lower back pain from where I was hit.

8. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.



Sworn to before me this
1st day of December 2022



Notary Public



EXHIBIT R



EXHIBIT R

STATEMENT OF TERRELL RICE

STATE OF NEW YORK)
 ss.:
COUNTY OF ST. LAWRENCE)

TERRELL RICE, being duly sworn, deposes and says:

1. My name is Terrell Rice, and I am currently incarcerated at Gouverneur Correctional Facility, located at 112 Scotch Settlement Road, Gouverneur, New York, 13642.

2. My DIN is 09-A-3334. My date of birth is [REDACTED] [REDACTED].

3. I am being housed in cell B240, which is in the Residential Rehabilitation Unit ("RRU") at Gouverneur.

4. On November 9, 2022, I was incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street, Ossining, New York 10562

5. I was moved from Sing Sing on or about Thursday December 1, 2022, and arrived at Gouverneur on or about Monday December 5, 2022.

6. On November 9, 2022, when I was still at Sing Sing, my cell number was 16, which is located in A Block, P Gallery.

7. On November 9, 2022, between approximately 7:00 a.m. and 8:00 a.m., I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

8. I was directed to strip down to my boxers, face the wall, and put my hands on the wall, and I complied. I was then directed to move between the lockers and the toilet in my cell, and I

complied with that order as well, moved over, and kept my hands on the wall. As I stood there, I heard several officers talking outside my cell. They were wearing tactical gear and face masks.

9. Next, approximately 4 to 6 members of what I believe to be the Correctional Emergency Response Team rushed into my cell yelling, "Stop Resisting!" I had not moved.

10. The first officer punched me in the back of the the head, and another hit me in the head with a stick. I went to the ground, and officers continued beating me about head and body with sticks, punches, and kicks. As I curled up on the ground, one or two officers stood on the bed hitting me with a stick and kicking me. The officers also tried bashing my face into the locker.

11. I never resisted. I only asked them why they were doing this.

12. At one point my head was on the floor, and the officers were trying to stuff my head into the property bag as I yelled to them that I could not breath.

13. Eventually, the officers handcuffed me behind my back and pulled me out of my cell in my boxers. They then dragged me, barefoot, to the hospital, as my body and knees scraped along the floor. My wrists were bleeding from the handcuffs, and it felt like my arms were going to break.

14. I suffered a large bruise to my ribs, a bruise on the left side of my hip, a busted lip, a cut over my left eye, and back and head pain. Nurse Peta did not to want to mark my injuries and stood far away while photographing me. I did not receive medical care.

15. I was given a Tier 3 ticket for assaulting an officer, lost my hearing, and was given time in the Special Housing Unit. I was then transferred out of Sing Sing to Gouverneur, where I am now.

16. I filed a grievance and never got a response. I have also appealed my disciplinary disposition.

17. I did not assault anyone on November 9, 2022, nor have I ever, in the 15 years that I have been incarcerated, assaulted an officer. I just finished Alcohol and Substance Abuse Treatment (ASAT) and Aggression Replacement Training (ART), I was going to vocational training, and I am due to see the parole board in November 2024.

18. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.


TERRELL RICE; DIN: 09-A-3334

Sworn to before me this
18th day of ~~December 2022~~

January 2023


Notary Public

ANGELA KAY HAMAL
Notary Public - State of New York
No. 01HA6423407
Qualified in Greene County
My Commission Expires 10/12/2025

EXHIBIT S

EXHIBIT S

STATEMENT OF JOSEPH RODRIGUEZ

STATE OF NEW YORK)
)
) ss.:
COUNTY OF WESTCHESTER)

JOSEPH RODRIGUEZ, being duly sworn, deposes and says:

1. My name is Joseph Rodriguez and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN is 12-A-5100. My date of birth is _____

3. My current cell number is 86 and which is located in A Block. On November 11/9/22, my cell number was 86 which is located in H Gallery A Block.

4. On November 9, 2022, at approximately 6pm-7:00pm ^{between} was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to Strip down to my boxers and sandals and face the wall and put my hands behind my head. I complied.

5. There were approximately 2 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell and pressed me against the wall and asked me what kind of day I would like to have. I said a good day.

I tried to stay quiet and get through it. They then spun me around and directed me to get my mattress and pillow to get searched. I complied.

6. While the officers searched my cell, I was being held against the wall outside my cell by a CERT member. I told him my arm was burning because it was pressed against the radiator. He told me not to move.

7. I asked for medical treatment for my burn but they just left me locked in my cell.

8. Eventually on or about November 15, 2022, I got medical treatment and photos were taken of my burn.

9.

10.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

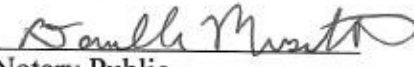
12. I suffered the following injuries: a burn from the radiator
to my right arm (upper, near right elbow).

13. I filed grievances complaining about the following: about the burn to
my right arm (elbow).

14. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.


JOSEPH RODRIGUEZ; DIN: 12-A-5100

Sworn to before me this
12 day of December 2022


Notary Public

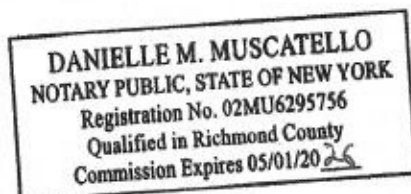


EXHIBIT T

EXHIBIT T

STATEMENT OF Johnathan Sanchez

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Johnathan Sanchez, being duly sworn, deposes and says:

1. My name is Johnathan Sanchez, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 2B1847. My date of birth is [REDACTED].

3. My current cell number is C-1-17 and is located in C Block SHU.

On November 9, my cell number was H-6 in A Block.

4. On November 9, 2022, at approximately 8:25PM, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to face the back wall of my cell, which I
complied with immediately and without
any issues.

5. There were approximately 2 members of what I believe to be the Correctional
Emergency Response Team entered my cell

and they started to hit me in
my head and face area. They also
tried to pull out my dreads. After I
was assaulted, I was taken to the medical
unit.

where pictures were taken. On the 19th,
more photos were taken.

6. I received 2 Tier III tickets, for possession
of a weapon & assault on staff. I did not
assault anyone or possess a weapon. After my
Tier III hearing, I was found guilty & given 9 months
S.H.U.

7. I suffered the following injuries: I was hit about my head
and face and suffered a concussion. I
still have migraines, trouble remembering, etc.

8. This statement is truthful and accurate. I make this statement voluntarily. I have
not been promised anything in exchange for this statement.

AGS

Sworn to before me this
1st day of December 2022

Martin Harold Tankleff

Notary Public



On 11-9-22 approx. 8:25 PM, I was assaulted by two CERT Team Officers in my cell at Sing Sing Correctional Facility during a facility wide shut down & search. They rushed in my cell punching my head & face & even tried to rip my dread locks off my head. I did nothing to provoke that assault. I had bumps & bruises on my head & face. (On 11-17-22, I went to Mt. Vernon Hospital where I was told I suffered a Concussion due to that assault).

After I was assaulted, I was escorted to the medical unit where I was taken to nurse Peter who said I had no injuries without even looking at me. Then Sergeant Averado took injury photos of me & asked the CERT Team officers who escorted me why was I still standing & that I should be assaulted further.

On 11-10-22 I recieved two misbehavior reports that was fabricated including a Weapon Charge. On 11-16-22 after pleading my case I was sentenced to 270 days in the S.H.U. I am currently waiting on an answer to my appeal.

JCS

Sworn to before
me this 1st Day
of December 2022

Martin Tankleff
Notary Public.



EXHIBIT U

EXHIBIT U

STATE OF NEW YORK)
)
) SS.:
COUNTY OF WESTCHESTER)

1. My name is Ronal Sandoval Campos, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

3. My current cell number is 44 and is located in the K Gallery, A Block. On
number 10, 2022, my cell number was 101 which is located in the Z Gallery, B Block.

5. There were approximately 3 members of what I believe to be the Correctional
Emergency Response Team and/or other members of corrections that entered my cell

and placed a cuff on my right hand and then tried to force me to the floor. They punched me repeatedly in my right ribs and back. One officer kept

putting his stick into my left thigh. I remember the first hit was to the right side of my face. I was also hit very hard in the back of my head.

6. Eventually they cuffed my second hand. They were kicking me on the inside of my right calf. They kept yelling at me not to move, but I never resisted.

7. While this was happening, I saw men in tan military fatigues.

8. They bent me over and raised my arms behind my back and pushed my head down causing pain to my shoulder / collarbones.

9. When they took me out of my cell, I was asked for my name. They seemed to have trouble understanding me and then one of the men (in blue/black) slammed my head into a metal fan.

10. They brought me to the infirmary and searched me. I was freezing and in my boxers. They gave me socks and took photos. The nurse looked at me and then I was put in a holdy room.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

→ I was told not to move. I was then brought back to my cell.

12. I suffered the following injuries: Substantial pain to my right ear and jaw and to my right ribs. It still hurts to eat, cough, and when I move certain ways. I had a large bruise to my right leg and left thigh also pain to my back and head

13. I filed grievances complaining about the following: I filed a grievance about my assault. I was so afraid I thought they would kill me. I have been asking for mental health. I need to talk to someone

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

R Campos

RONAL SANDOVAL CAMPOS

Sworn to before me this
17th day of January 2023

Danielle Muscatello
Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

→ two or three weeks after I was assaulted I was taken to Mt. Vernon Hospital for X-rays. I've only been given Ibuprofen. I am nervous and have trouble sleeping.

* R Campos

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/2026

EXHIBIT V

EXHIBIT V

STATEMENT OF

Stacy Stricklin

STATE OF NEW YORK)

ss.:)

COUNTY OF WESTCHESTER)

Stacy Stricklin

, being duly sworn, deposes and says:

1. My name is Stacy Stricklin, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.
2. My DIN# is 13A2462. My date of birth is [REDACTED].
3. My current cell number is M-82 and which is located in A Block. On November 10, my cell number was X-24 which is located in B Block.
4. On November 10, 2022, at approximately 3pm, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to dress down to my boxers and slippers, which I complied with. I was then directed to go to the back of my cell and put my hands on the wall.
5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell hand cuffed me behind my back and started to beat me. I was hit with fists, knees and I was kicked. I was

dragged down to the ground where they continued to beat me.

6. After I was assaulted I was taken to medical. Three officers escorted me. Their names are: CO Morris, CO Matthews & CO Coswell.

At medical, an officer shoved a weapon into my mouth.

7. Photos were taken at medical. Officers were present when medical staff were trying to evaluate me.

8. I suffered the following injuries: my ribs and ribs were bruised. My back still hurts. I am still hurting and being denied proper medical care.

9. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

Stacy Stricklin

Sworn to before me this
2nd day of December 2022

Martin Tan

Notary Public



7a. After medical, I was brought back to my cell.

7b. The following morning, I was brought to the SHU. by Sing Sing Officers.

7c. The officers who assaulted me, to my knowledge were not from Sing Sing.

7d. After I was assaulted, I received a Tier III and a Tier II tickets. There is no truth to the charges. Both tickets are fabricated.

7e. The tickets reflect that they found a weapon before they conducted the search.

7f. I beat the Tier III, the knife ticket.

7g. My hot pot, TV, Clippers, fan were all broken by the officers.

Stacey Strickler

Sworn to before me this
2nd day of December, 2022

Matt Tan



EXHIBIT W

EXHIBIT W

STATEMENT OF MICHAEL THOMPSON

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

MICHAEL THOMPSON, being duly sworn, deposes and says:

1. My name is Michael Thompson, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 12A2004. My date of birth is [REDACTED]

3. My cell number is 66 and is located HB3 266.

4. On November 10, 2022, at approximately 6:55am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance.

1. I was directed to strip down to my boxers and slippers and put my
hands behind my head, interlocked fingers, and face back
of my cell. I complied. We had just been given breakfast
and a female announced the search. She was leading the CERT team. I
could hear marching, and ~~their~~ their presence was known

4. 3 members of what I believe to be the Correctional Emergency Response Team entered my cell, and one rushed in my cell and punched me in the right side of my head 3 times ~~in the face~~

5. These individuals forced me down on the bed. The first
officer put a knee into my lower back and hit me a couple more times.
I was face down on the bed. Someone yelled "stop resisting!" but
I was not resisting. They had trouble cuffing me because of

my size, & they therefore double cuffed me. They stood me up and
took me out barefoot in my underwear. They walked me
down the 3-foot wide gallery as other CERT officers punched me and
pushed their sticks into my chest as I walked by. I made eye contact
8. ~~I suffered~~

with the superintendent, Michael Carpen. At the infirmary, they took
pictures of me. I had knots on the back and side of my head, my

9. wrists were bleeding from the cuffs, large bruise on my left thigh
and pain to my back & neck, which still hurt. I am very anxious.
I received a misbehavior report, had a tier III hearing, and never received a disposition.

10. This statement is truthful and accurate. I make this statement voluntarily. I have not
been promised anything in exchange for this statement.


MICHAEL THOMPSON DIN: 12A2004

Sworn to before me this
29th day of November 2022


Notary Public

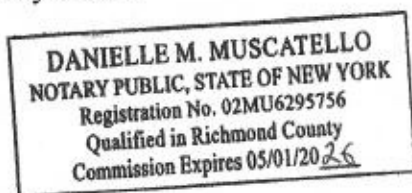


EXHIBIT X

EXHIBIT X

STATEMENT OF ANDRE VELEZ

STATE OF NEW YORK)
 ss.:
COUNTY OF WESTCHESTER)

ANDRE VELEZ, being duly sworn, deposes and says:

1. My name is Andre Velez and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN is 11-A-4961. My date of birth is [REDACTED].

3. My current cell number is 65 and which is located in A Block. On November 9, 2022, my cell number was 65 which is located in K Gallery A Block.

4. On November 9, 2022, at approximately 1:20pm, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to strip down to my boxers and slippers and face the back of my cell with my hands interlocked behind my head. I complied. I stood there for 2-5 minutes and I could hear officers talking about how they were going to beat me up. I heard others getting beaten throughout the day.

5. There were approximately 4 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell. They were from team #17. C.O.s Murray and T. Christy were among those the men who came in my cell.

The cell opened and an officer said "don't move." I didn't. I got hit in the back of the head and stumbled. Another officer then grabbed me and put me on the bed. Multiple officers then punched me about my head and body.

6. I tried to shield my face. An officer then put his knee on my back and the officers handcuffed me behind my back. I was then lead to the disciplinary area and strip searched.

7. Next, I was taken to medical and photos were taken of me.

8. I was given a misbehavior report. I was called for a hearing and my ticket was dismissed.

9. This is the 3rd CERT search I have been through, and I never experienced anything like this.

10. While I was being punched, the officers were yelling, "Stop Resisting!" I never resisted.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason.

12. I suffered the following injuries: Knot to the back of my head,
Scrapes to your back and leg. Bruising on my back and
legs.

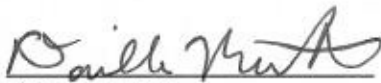
13. I filed grievances complaining about the following: I was assaulted
for no reason.

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.



ANDRE VELEZ; DIN: 11-A-4961

Sworn to before me this
12th day of December 2022



Notary Public

DANIELLE M. MUSCATELLO
NOTARY PUBLIC, STATE OF NEW YORK
Registration No. 02MU6295756
Qualified in Richmond County
Commission Expires 05/01/20 26

EXHIBIT Y

EXHIBIT Y

STATEMENT OF ANTHONY WAGNER

STATE OF NEW YORK)
COUNTY OF WESTCHESTER) ss.:
)

ANTHONY WAGNER, being duly sworn, deposes and says:

1. My name is Anthony Wagner, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.
2. My DIN: is 99A1668. My date of birth is [REDACTED].
3. My current cell number is 14 and is located in the H Gallery, A Block. On November 9, 2022, my cell number was 38 which is located in the H Gallery, A Block.
4. On November 9, 2022, at/between approximately 8:00 am, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to not move and put my hands through the feed up slots. I was handcuffed immediately. There were three men from Albany Correctional Emergency Response Team (CERT) wearing tan army fatigues. There was also a female correctional officer.
5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team ~~and/or other members of corrections that entered my cell~~ who pulled me out of my cell and slanted me against the wall. I asked what was happening and they told me to shut up. They then took me to disciplinary, where they strip searched me. I had been wearing boxers and a t-shirt.

After the strip search I was handcuffed again and the CERT members kept throwing me against the wall and the gate. I was then left in the bullpen for what

6. Seemed like seven hours, handcuffed in my boxers. Eventually, I was taken to a new cell, H-14, after they told me my cell was compromised. I asked to go to medical and they refused. I had

7. a lot of pain in my shoulders. Men and women from OSI were present.

8. I never got a ticket.

9. I never resisted.

10. I saw many other incarcerated individuals injured and also being assaulted. I saw officers assaulting Elijah Moody.

11. The following property was either destroyed or taken by the officers that searched my cell for no reason. all of my legal paperwork was taken, as were all of my photos, and some clothing.

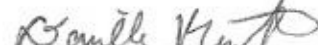
12. I suffered the following injuries: pain to my shoulders and
brung to my left knee, ~~injury~~ and also swelling and pain
to my wrists. I finally was seen by Dr. Eze Ezekeume who believes I have
a torn ligament. I am waiting for an MRI.

13. I filed grievances complaining about the following: about my destroyed
property and about the injuries I suffered.

14. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.


ANTHONY WAGNER

Sworn to before me this
17 day of January 2023


Notary Public

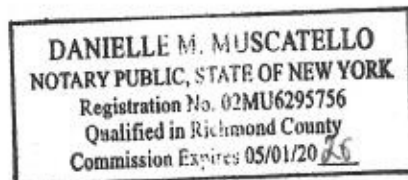


EXHIBIT Z

EXHIBIT Z

STATEMENT OF

Marun Winkfield

STATE OF NEW YORK)

ss.:

COUNTY OF WESTCHESTER)

Marun Winkfield, being duly sworn, deposes and says:

1. My name is Marun Winkfield, and I am currently incarcerated at Sing Sing Correctional Facility, located at 354 Hunter Street in Ossining, New York 10562.

2. My DIN# is 07A5480. My date of birth is [REDACTED]

3. My current cell number is 1202¹²⁵ and which is located in 5th Block. On November 10, my cell number was U-62 which is located in B Block.

4. On November 10, 2022, at approximately 6:25 AM, I was locked in my cell following all laws, rules, and guidelines. I was not in possession of any contraband or other prohibited items, nor had I been involved in any fighting, illegal conduct, or other disturbance. I was directed to Strip down to my boxers. I followed the officers direction. At this time, I observed only the one officer.

5. There were approximately 3 members of what I believe to be the Correctional Emergency Response Team and/or other members of corrections that entered my cell and they started to punch me, kick me and use batons on and about my body. I was not resisting but was curled up

to try and protect my face.

6. They (the officers) dragged me to the ground and started to kick me. I put my head under my bed to protect my head. An officer grabbed my hand and threatened to break it.

7. I was taken to medical where photos were taken. The CERT Team stood around me and would not let medical fully evaluate me.

8. I suffered the following injuries: I had a lot of body bruises, swelling of my head, I still have headaches and problems with my eyes.

9. This statement is truthful and accurate. I make this statement voluntarily. I have not been promised anything in exchange for this statement.

[Signature]

Sworn to before me this
28 day of December 2022

[Signature]

Notary Public



8a. After medical, I was brought to disciplinary housing.

8b. I was given a Tier III ticket. Found guilty and am in SHU now.

8c. After I was placed in disciplinary housing, a sergeant removed the metal cuffs and replaced them with plastic ones. While this is happening, an officer was slamming my head against the wall.

8d. Over an hour later, I was taken to SHU, where I am currently housed.

8e. All of the officers that assaulted me, to my knowledge do not work at Sing Sing.

Martin Tankeff

Sworn to before me
this 2nd Day of
December 2022

Martin Tankeff

