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CLERK US DISTRICT COURT  
CENTRAL DIST OF CALIF.  
LOS ANGELES

*Plaintiff Pro Se*



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LACV21-5722- SVW-RD

IN THE UNITED STATES DISTRICT COURT  
FOR THE CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION

13 SIAKA MASSAQUOI  
14 as a natural person  
15 North Hollywood, California  
16 *On behalf of himself and all others similarly  
17 situated.*

Plaintiffs,

v.

18 CHRISTOPHER A. WRAY,  
19 935 Pennsylvania Avenue, NW  
20 Washington, DC 20535-0001

and

21 CHAD WARREN,  
22 11000 Wilshire Blvd #1700  
23 Los Angeles, CA 90024

and

24 THE FEDERAL BUREAU OF  
25 INVESTIGATION  
26 935 Pennsylvania Avenue, NW  
Washington, DC 20535-0001

and

27 THE UNITED STATES OF AMERICA  
28

Case No: \_\_\_\_\_

**Certification of a Class of Similarly  
Situated Plaintiffs Requested**

1 and  
2 UNIDENTIFIED FBI AGENTS #1 THROUGH  
3 #20  
4 Defendants.

5  
6 **COMPLAINT**

7 **I. INTRODUCTION**

8 Plaintiff Mr. Siaka Massaquoi (“Massaquoi”) of North Hollywood, California, on behalf  
9 of himself and all of those similarly situated (“Plaintiffs”) brings this action against Director of  
10 the Federal Bureau of Investigation (“FBI”) Christopher A. Wray, FBI Special Agent Chad  
11 Warren of The Los Angeles FBI Field Office, the FBI, the United States of America, and 11  
12 other FBI agents, who operate out of in the Los Angeles Field Office, to be named later for  
13 violations of the Plaintiffs’ constitutional rights under *Bivens v. VI Unknown Named Agents of*  
14 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971).  
15

16 **II. JURISDICTION AND VENUE**

17 1. This Court has subject matter jurisdiction over this case pursuant to 28 U.S.C. §  
18 1331 (Federal Question Jurisdiction).  
19

20 2. Venue is proper pursuant to 18 U.S.C. § 1965 and 28 U.S.C. § 1391(b)(2), (3),  
21 and (e) because the lead Plaintiff resides in this judicial district, a substantial part of the events or  
22 omissions giving rise to the claims occurred in this judicial district, the Defendants are subject to  
23 personal jurisdiction in this District, and venue is proper against the U.S. Government in any  
24 judicial district under 28 U.S.C. § 1391(e).  
25

26 **III. PARTIES**

27 **Plaintiff**

28 3. Plaintiff Siaka Massaquoi (“Massaquoi”) is an individual, a natural person, who

1 at all material times was and is now a citizen of California and resident of North Hollywood,  
2 California.

3 4. Massaquoi is an African-American, an actor, and a former high school football  
4 star from the mid-west.

5 5. Massaquoi is a former Evanston Township High School football star from Illinois.  
6 Massaquoi led the Wildkits team to an undefeated regular season back in 1997.

7 6. That year, Massaquoi was named the player of the year by the News-Gazette and  
8 homecoming king at ETHS.

9 7. He continued his football career by playing for the University of Iowa and  
10 attending the academic institution on scholarship.

11 8. Today, Massaquoi is an accomplished and successful actor.

12  
13  
14 **Defendants**

15 9. Defendant Christopher A. Wray ("Wray") is an individual and is being sued  
16 individually and in his official capacity as of Director of the FBI.

17 10. Defendant Chad Warren ("Warren") is an individual and is being sued  
18 individually and in his official capacity as a Special Agent for the FBI who operates out of the  
19 Los Angeles Field Office of the FBI.

20 11. Defendant FBI is a federal agency that is headquartered in Washington, D.C, but  
21 with field offices in the Central District of California and other locations throughout the United  
22 States and abroad.

23 12. The United States of America is the federal government, who is a proper  
24 Defendant pursuant to 28 U.S.C. § 2679(b)(1) for claims for money damages arising from or out  
25 of a negligent or wrongful act and/or omission of any federal employee or agent committed  
26 within the course and scope of their employment.

27 13. Defendants include approximately a dozen or more FBI agents other than Warren  
28

1 who raided Massaquoi's home on June 10, 2021, but did not give their names that the Plaintiff  
2 recalls.

3 14. They are each sued as UNIDENTIFIED FBI AGENTS #1 THROUGH #20 and  
4 are being sued individually and each in their official capacity as an agent of the FBI.

#### 5 **IV. STANDING**

6 15. The lead Plaintiff and Members of the Class have standing to bring this action  
7 because they have been directly affected, harmed, and victimized by the unlawful conduct of the  
8 Defendants complained of herein.

9 16. Their injuries are proximately related to the conduct of Defendants, each and  
10 every one of them, jointly and severally.

#### 11 **V. FACTS**

##### 12 Background Facts

13 17. A violation of constitutional rights even for brief periods is redressable. *See, e.g.,*  
14 *Mills v. District of Columbia*, 571 F.3d 1304 (D.C. Cir. 2009)

15 18. On January 6, 2021, hundreds of thousands, estimated as high as one million, U.S.  
16 citizens gathered in Washington, D.C. to exercise their civil and constitutional rights guaranteed  
17 under the First Amendment to the U.S. Constitution to expression of free speech (well-  
18 established to include both verbally spoken and written speech and also expressive action), to  
19 peacefully assemble, and to petition their government for redress of grievances.

20 19. Like major demonstrations before in Washington, D.C., U.S. citizens numbering  
21 as high as one million people by some estimates were 99.95% peaceful and law-abiding.

22 20. Lead Plaintiff Massaquoi sues on behalf of and asks for the certification of a class  
23 consisting of those who were peacefully protesting in Washington, D.C. on January 6, 2021, but  
24 who did not commit any crimes or engage in any violence, but who are being terrorized and  
25 chilled in the exercise of their rights, harassed, and targeted by these Defendants for peacefully  
26  
27  
28

1 expressing political opinions and ideologies.

2 21. During December 2020, no later than December 23, 2020, but on information and  
3 belief starting much earlier, publicity, marketing, advertising, organizing, and/or recruiting was  
4 spread throughout the country encouraging U.S. citizens to come to Washington, D.C. on  
5 January 6, 2021, for a variety of separate and independent peaceful demonstrations planned for  
6 different locations and different times from January 5-6, 2021.

7  
8 22. Plaintiff Massaquoi and others similarly situated chose to exercise their  
9 constitutionally protected right of free travel to come to Washington, D.C., and participate in the  
10 plans for peaceful demonstrations at the U.S. Capitol and the Ellipse near the White House.

11 23. While there were some people who chose to enter and engage in acts of violence  
12 in the U.S. Capitol, Plaintiff Massaquoi was not among those involved in any such conduct.

13 24. All Plaintiff Massaquoi did was exercise his right to peacefully assemble and  
14 protest under the First Amendment to the Constitution.

15 25. After the events of January 6, 2021, Defendant Wray, in an effort to save his own  
16 job and for other improper and unlawful reasons, personally ordered the violation of  
17 constitutional rights of countless persons who simply happened to be in the District of Columbia  
18 on January 6, 2021, including Plaintiff Massaquoi.

19 26. Defendant Wray is directly and personally involved in the commission of the  
20 constitutional violations alleged herein as they pertain to Plaintiff Massaquoi, as well as  
21 Members of the Class. Defendant Wray has made public statements and thus admissions  
22 threatening Plaintiff Massaquoi and other Members of the Class:

23 “We know who you are if you're out there, and FBI agents are coming to find you.”<sup>1</sup>

24 “My advice to people who might be inclined to follow in the footsteps of those  
25 who engaged in the kind of activity we saw last week is stay home....Look at

26  
27  
28 <sup>1</sup> <https://www.cnn.com/2021/01/14/politics/fbi-director-wray-us-capitol-suspects/index.html>

1 what's happening now to the people who were involved in the Capitol siege.”<sup>2</sup>

2 “Our posture is aggressive. It's going to stay that way though the inauguration. So  
3 in that vein, we and our partners have already arrested more than 100 individuals  
4 for their criminal activities in last week's siege of the Capitol and continue to  
5 pursue countless other related investigations.”<sup>3</sup>

6 **The FBI's Agents, analysts, and professionals alongside our partners have  
7 been working around the clock to track down those who participated in the  
8 attack to hold them accountable, we've already made over 500 arrests, with  
9 more sure to come"**

7 "...Over the past 3 years we've doubled our domestic terrorism investigations and  
8 arrests. In no small part because of the rise in racially and ethically motivated  
9 violent extremists, which I elevated to our highest threat priority level back in  
10 2019, and because of the rise in violence from anti-government anti-authority  
11 actors over the past year..."<sup>4</sup>

10 27. While testifying before Congress, Defendant Wray stated that mostly white  
11 supremacists (racially motivated violent extremism) was the FBI's top priority. "It is our highest  
12 threat priority level, commensurate with ISIS...and it is certainly true in the last few years the  
13 most lethal attacks here in the homeland have been by individuals in that racially motivated  
14 extremist category, specifically for advocating for superiority of the white race."<sup>5</sup>

16 28. In this regard, Defendant Wray has turned the FBI into what is in effect his own  
17 personal "Secret Police" or "Gestapo" to target people who were protesting in the District of  
18 Columbia on January 6, 2021.

19 29. As reported by NBC, Defendant Wray and the FBI have even resorted to  
20 pressuring family and friends of protestors to turn them in. "The FBI has been leaning on  
21 spouses, siblings, children and former romantic partners who spotted their loved ones assaulting  
22 the Capitol and responded by dropping a dime on them."<sup>6</sup> This is reminiscent of the tactics used  
23

24 \_\_\_\_\_  
<sup>2</sup> *Id.*

25 <sup>3</sup> *Id.*

26 <sup>4</sup> <https://www.youtube.com/watch?v=xBUYTBCqsZ0>

27 <sup>5</sup> <https://www.courthousenews.com/fbi-treats-white-supremacists-like-isis-except-when-it-doesnt/>

28 <sup>6</sup> [https://www.nbcnews.com/news/amp/ncna1254597#aoh=16261485808812&referrer=https%3A%2F%2Fwww.google.com&amp\\_tf=From%20%251%24s](https://www.nbcnews.com/news/amp/ncna1254597#aoh=16261485808812&referrer=https%3A%2F%2Fwww.google.com&amp_tf=From%20%251%24s)

1 by the Third Reich prior to and during World War II and the Holocaust.

2 30. On information and belief, he is doing so to appease President Biden and his  
3 administration, in an effort to save his own job as the Director of the FBI, as well as for other  
4 improper reasons.

5 31. Yet, Defendant Wray's directives and orders have resulted in the constitutional  
6 violations of countless people who did not engage in any criminal activity or violence on January  
7 6, 2021, including Plaintiff Massaquoi and Members of the Class.

8  
9 **Facts Pertaining to Violations of Plaintiff Massaquoi's Constitutional Rights**

10 32. On the morning of June 10, 2021, starting at approximately 5:45 AM local time,  
11 the home of Plaintiff Massaquoi in North Hollywood was raided by more than a dozen heavily  
12 armed FBI agents, possibly as many as 20 he recalls.

13 33. The FBI agents came in forcibly with guns drawn.

14 34. The team of about a dozen identified themselves as with the FBI.

15 35. The apparent leader of the dozen heavily-armed FBI agents identified himself as  
16 Chad Warren of the FBI's Los Angeles Field Office.

17 36. During the June 10, 2021, intrusion and search of Massaquoi's home that  
18 morning, FBI Special Agent Chad Warren did most of the talking.

19 37. FBI Special Agent Chad Warren was mostly in charge of the actions of the FBI  
20 agents on scene at Massaquoi's home.

21 38. In the home at the time with Massaquoi were his roommates Brian, Chris, and  
22 Courtney and his two godsons.

23 39. Notably, the FBI made no attempt to simply ask Massaquoi for an interview, but  
24 woke up the residents early in the morning and barged into the house.

25 40. The FBI agents handcuffed the adults and took them outside of the house not fully  
26  
27  
28

1 dressed. The Plaintiff Massaquoi, who was among those handcuffed, was taken outside with no  
2 shirt or shoes.

3 41. The FBI agents held the residents outside, they said, while they "cleared" the  
4 house, as they described it.

5 42. Massaquoi asked to see the warrant multiple times while being outside, which the  
6 lead agent Warren replied "We'll get you a copy after we clear the house."

7 43. On information and belief, the warrant was obtained by Defendants through  
8 intentional lies if not outright fraud, since, as set forth and shown below, there was absolutely no  
9 probable cause to suspect Plaintiff Massaquoi of having committed any crime.  
10

11 44. Massaquoi requested to talk to his lawyer, to which Warren responded "this is not  
12 an arrest" and "you don't need one at this time."

13 45. That was after the FBI agents handcuffed Massaquoi and the other adult residents.  
14

15 46. Massaquoi said "I don't care, I want to talk to my lawyer."  
16

17 47. The FBI agents then moved the Plaintiff Massaquoi back inside his house and sat  
18 him down on the couch.

19 48. The FBI agents then began to bring the other residents of the house back into the  
20 house. They allowed Brian to take his kids to his ex-wife's house and allowed Chris and  
21 Courtney to leave as well.

22 49. Then the agent Warren and his partner took Plaintiff Massaquoi outside to his  
23 back patio to "talk" as they put it.

24 50. Meanwhile, the other FBI agents searched the entire house and collected items  
25 they took from around the house onto the kitchen table.

26 51. The FBI agents seized and removed, as shown in the "Receipt for Property"  
27 numbered 266T-LA-3399995 and dated June 10, 2021 (these being the minimal explanations on  
28



1 the form):

- 2 a) Samsung phone with charger
- 3 b) Red MAGA hat
- 4 c) Two radios with charger
- 5 d) Lexar USB
- 6 e) Black USB
- 7 f) Purple USB
- 8 g) Micro SD card
- 9 h) HP computer with charger serial number 5CD9261PX4
- 10 i) DELL laptop
- 11 j) Black micro SD adapter
- 12 k) Micro SD adapter
- 13 l) Micro SD adapter with case
- 14 m) Red portable drive
- 15 n) Composition book
- 16 o) Samsung galaxy S8

17 52. This "Receipt for Property" numbered 266T-LA-3399995 is signed by Defendant  
18 Warren.

19 53. The descriptions by the FBI on "Receipt for Property" numbered 266T-LA-  
20 3399995 are inadequate to identify the property seized (except for the computer with serial  
21 number) and the seizure is unreasonable and improper for that reason as well, notwithstanding  
22 the lack of probable cause for the search and seizure.

23 54. Massaquoi, through counsel, has demanded the immediate return of these items  
24 unlawfully seized without probable cause from Massaquoi's home, but Defendants have refused  
25 to comply, causing continuing severe damage to Plaintiff.

26 55. Whatever may have been the obsolete practices of yesteryear, today's computer  
27 technology and techniques provides for the quick creation of a "mirror image" of any data  
28 storage, in which the entire contents of a computer hard drive, or thumb drive or other data  
storage device are duplicated or cloned entirely.

56. A "mirror image" is not merely a copy of data but an exact duplicate in which all  
aspects of the device is precisely copied, including the unseen internal structure and indices and

1 deleted data blocks or sectors.

2 57. Massaquoi's electronic devices cannot provide any evidentiary value apart from  
3 the data that a mirror image would preserve, even were there probable cause to search them,  
4 which there was not.

5 58. Therefore, the Defendants can immediately return Massaquoi's property after  
6 making "mirror images" of the data storage devices in less than a few hours.

7 59. Even assuming that the search and seizure was proper, which it was not, the  
8 Defendants have no legal basis to deprive the Plaintiff of his property and his data stored on  
9 them.

10 60. Concerning the incursion of FBI agents into his home on June 10, 2021,  
11 Massaquoi explains: "I was emotionally raw and trying my best to stay calm but was extremely  
12 upset."  
13

14 61. Warren then asked the Plaintiff Massaquoi if he went to D.C. to "disrupt a federal  
15 proceeding" to which Massaquoi responded "What? Hell no, I was there to stand outside and yell  
16 that they were assholes."  
17

18 62. FBI Special Agent Warren interrogated Massaquoi despite Massaquoi having  
19 requested the assistance of a lawyer and having been handcuffed previously.  
20

21 63. Then Agent Warren raised the topic with Massaquoi of Russ Taylor who had been  
22 raided by the FBI in February 2021.

23 64. Agent Warren explained that the reason that "they were there" was because of the  
24 fact that Massaquoi was on a Telegram group with Russ Taylor.

25 65. A law enforcement source admitted to the Los Angeles Times that "The raid took  
26 place because of the two men's associations on "a social media app," according to the law  
27

28

1 enforcement source.”<sup>7</sup>

2 66. Thus, Defendants allegedly invaded Plaintiff’s home only because he belonged to  
3 a group on a communication platform.

4 67. Telegram is an alternative social media system which provides text messaging  
5 services and internet-based telephone calls, usually running on a smart cell phone as an “app” or  
6 separate application software.

7  
8 68. However, Telegram also allows text messages to be sent to all of a user’s  
9 followers as a group, indiscriminately, rather than simply a text message from one person to  
10 another, or to all of the members of a topical or membership group.

11 69. Because of the design of Telegram, messages can be and often are broadcast out  
12 to a group without targeting a specific individual recipient or knowing if any particular  
13 individual ever read the message.

14  
15 70. The FBI agents asked Massaquoi if he knew about the text sent over Telegram  
16 about "How to bring weapons in without getting caught."

17 71. Massaquoi denied having seen or read such a text and retorted “Do you have  
18 Telegram?” and the FBI Special Agent answered said "yes."

19 72. Massaquoi then asked "what's it like when you miss a day and all those messages  
20 add up?" and "you don't go through all of them?"

21  
22 73. Agent Warren agreed with Massaquoi’s explanation.

23 74. Thus, the Defendants knew that there was insufficient probable cause to request,  
24 issue, or execute the search warrant based upon someone else’s messages that Massaquoi might  
25 or might not have read.

26 \_\_\_\_\_  
27 <sup>7</sup> See Richard Winton and Anita Chabria, “FBI raids home of L.A.-based actor who entered  
28 Capitol Jan. 6 with right-wing protesters,” June 12, 2021, Los Angeles Times,  
<https://www.latimes.com/california/story/2021-06-12/fbi-raids-home-of-los-angeles-based-actor-who-entered-u-s-capitol-on-jan-6>

1           75.     Efforts of attendees at an event gathering up to 1 million people to be able to talk  
2 with each other, as people do at sporting events, festivals, hiking, or other gatherings, are, by  
3 themselves, incapable of supporting probable cause to investigate or search anyone.

4           76.     People at an event keeping in touch with each other is an exercise of free speech  
5 and peaceable assembly.

6           77.     Next in that conversation, after Massaquoi asked to talk to a lawyer, Defendant  
7 FBI Special Agent Warren asked if Massaquoi entered the U.S. Capitol building.

8           78.     Massaquoi responded "what do you mean entered?" and gestured with his hand  
9 holding out his phone, saying "like this" while holding his arm extended.

10           79.     That is, Massaquoi responded in effect by his gesture that he had peered into an  
11 open door, walked a few steps in the U.S. Capitol, and took photographs and video with his  
12 smart phone. Then, per the request of law enforcement officers, moved away from the doorway.  
13 (Verified by Plaintiff's video).

14           80.     It is now well-established that the U.S. Capitol Police at some entrances  
15 cheerfully welcomed and let in the demonstrators in through some entrances of the U.S. Capitol  
16 on January 6, 2021, the U.S. Capitol being normally a public building.

17           81.     Plaintiff Massaquoi believes that at all times, he complied with the law, and only  
18 took a few steps into the U.S. Capitol to record on this phone because law enforcement officers  
19 were inviting people in.

20           82.     Plaintiff Massaquoi complied immediately with all directives from the law  
21 enforcement officers.

22           83.     Because the U.S. Capitol building is known nationwide as a public building  
23 normally open to and welcoming the public, known as "the People's House," most citizens who  
24 do not live in Washington, D.C., innocently assumed that they could enter the building, as they  
25  
26  
27  
28

1 have described in news media interviews.

2 84. Indeed for the same reason, it appears that some members of the U.S. Capitol  
3 Police also believed that the public should be welcomed and invited in to “the People’s House.”

4 85. It is now well-established that most of the people who peaceably entered the U.S.  
5 Capitol and/or were welcomed into the building carefully walked within the velvet crowd-control  
6 ropes and did not stray out of the marked walkways, took selfie photographs sometimes with  
7 members of the U.S. Capitol Police, and generally acted as peaceable, innocent, wide-eyed  
8 tourists sight-seeing in the building.  
9

10 86. Therefore, the Defendants knew that there was insufficient probable cause to  
11 request, issue, or execute the search warrant based merely upon someone entering the U.S.  
12 Capitol building on January 6, 2021, when it is proven by videotape that some of the U.S.  
13 Capitol Police authorized to control the entrances cheerfully welcomed and invited visitors into  
14 the building and allows those members of the public to sightsee in the building as tourists on  
15 January 6, 2021, chatted with those who entered, and took photographs with those members of  
16 the public.  
17

18 87. The actions of some of the U.S. Capitol police welcoming and inviting people  
19 into the building defeat any charge of trespass or similar statutes and render those being inside  
20 the building innocent unless they committed some other crime and/or broke in through other  
21 entrances where they were not welcomed in.  
22

23 88. On information and belief, these unconstitutional and illegal actions are being  
24 repeated across the country in efforts against anyone who attended the mostly-peaceful  
25 demonstrations in Washington, D.C., on January 6, 2021, sowing fear among U.S. citizens who  
26 peacefully exercised their constitutional rights to petition their government and express their  
27 viewpoint.  
28

1                   **Facts Pertaining to Plaintiff Being Previously Targeted Due to His Political Beliefs**

2           89.     Previously, on September 17, 2020, Massaquoi had been publicly identified in  
3 political documents posted prominently on the internet as working on the petition to recall  
4 California Governor Gavin Newsom and also exposing that the Secretaries of State of several  
5 states colluded with social media giants to censor him and other political conservatives, so as to  
6 improperly influence the election for U.S. President.  
7

8           90.     Massaquoi has been targeted as a conservative African-American to try to bury  
9 the fact that Americans of all races and religions support the return of America’s governance to  
10 the people under the populist movement of Make America Great Again promoted by Donald  
11 Trump.  
12

13           91.     Massaquoi has been targeted as an African-American conservative challenging  
14 the established political powers seeking to recall Governor Gavin Newsom.  
15

16           92.     On February 2, 2021, the Plaintiff Massaquoi attended and worked in organizing  
17 another recall petition event (one of many he worked at) and was singled out for special notice  
18 and attention by two City Council members. A sheriff’s deputy wrongfully issued Massaquoi  
19 a \$300 citation for not wearing a mask outdoors in public, and the deputy explained to  
20 Massaquoi that the two City Council members had called the Sheriff’s office. Massaquoi could  
21 see the two City Council members maliciously watching to make sure that Massaquoi received a  
22 citation.  
23

24           93.     Ever since then, Massaquoi has been on the Department of Transportation  
25 Security Administration’s flight security list and has been unable to get on airplanes without  
26 going through around 45 minutes of extended security.  
27

28                   **Facts Pertaining to Plaintiff Massaquoi’s Privacy Act Request**

          94.     On June 29, 2021, counsel, on behalf of Plaintiff Massaquoi made a request under

1 the Privacy Act to the Defendants to provide and return “any and all documents that refer or  
2 relate to my client him including but not limited to Section 302 reports, affidavits etc,” as well as  
3 his property. Exhibit 1.

4 95. Defendants have denied Plaintiff Massaquoi’s Privacy Act request, in effect  
5 stating that the search warrant, which is open-ended, is controlling. Exhibit 1. The Defendants  
6 thus refused to return Plaintiff Massaquoi’s property, which had been seized and retained without  
7 probable cause. Nor have they provided the requested Section 302 reports and documents  
8 concerning Massaquoi.  
9

## 10 **VI. CLASS ALLEGATIONS**

11 96. Plaintiff Massaquoi and Members of the Class bring this lawsuit pursuant to Rule  
12 23(b)(2) and (3) of the Federal Rules of Civil Procedure on behalf of the following proposed  
13 class (the “class”) consisting of those who were in the District of Columbia on January 6, 2021 to  
14 peacefully protest and who did not commit any crimes or engage in any violence, but like him  
15 are being terrorized, chilled in the exercise of their constitutional rights of free speech including  
16 expressive conduct, peaceable assembly, and petition to the government for redress of  
17 grievances, harassed, investigated and targeted by these Defendants for peacefully expressing  
18 political opinions disliked by the predominantly leftist political elite, through Defendants’  
19 campaign of intimidating search warrants and even arrests, having their residence and personal  
20 effects illegally searched and seized without probable cause and without due process of law.  
21

22 97. Subject to additional information obtained through further investigation and  
23 discovery, the foregoing definition of the class may be expanded or narrowed by amendment or  
24 amended complaint.  
25

26 98. Numerosity. The Members of the Class are so numerous that individual joinder is  
27 impracticable. Upon information and belief, Plaintiff and the class alleges that the class contains  
28

1 hundreds if not thousands of Members of the Class. Although the precise number of Putative  
2 Class Members is unknown to Plaintiff and the class, the true number of Putative Members is  
3 known by Defendants, and thus, may be notified of the pendency of this action by first Class  
4 mail, electronic mail, social media, and/or published notice.

5  
6 99. Existence and predominance of common questions of law and fact. Common  
7 questions of law and fact exist as to all Members of the Class and predominate over any  
8 questions affecting only individual Putative Class Members. These common legal and factual  
9 questions include, but are not limited to, the following:

- 10 a) Unconstitutional searches and seizures of their residences, property, and/or  
11 papers.
- 12 b) A failure of probable cause for searches and seizures.
- 13  
14 c) A failure of due process for searches and seizures.
- 15 d) Defendants' intent to silence, intimidate, and chill the people's expression  
16 of opinions that the Defendants and political elites don't want to be heard.
- 17 e) Entering the U.S. Capitol building on January 6, 2021, with an invitation  
18 or other actions by U.S. Capitol Police welcoming the class member into the  
19 building defeating any legal claim of trespass or similar statute.
- 20 f) Gathering on U.S. Capitol grounds on January 6, 2021, pursuant to the  
21 permission granted through a permit for the gathering apparently issued by the  
22 U.S. Capitol Police.
- 23 g) The Defendants' attempt to intentionally confuse peaceful protestors who  
24 gathered on January 6, 2021, in the U.S. Capitol with the extremely small  
25 percentage who committed trespass, the smaller percentage who committed  
26 property damage, and the even smaller percentage who attacked and brawled with  
27 police.
- 28 h) Handcuffing, frightening, humiliating, and terrorizing persons not charged  
with any crime during execution of a search warrant for information.

100. Typicality. Plaintiff's and the class's claims are typical of the claims of the other  
Members of the Class.





1 government for redress of grievances if their viewpoints disagree with the prevailing thoughts  
2 and consensus among political elites.

3 107. Defendants' actions against Massaquoi and others similar situated were acts of  
4 threat and intimidation to warn U.S. citizens to conform and obey to an all-powerful government  
5 establishment.

6 108. Plaintiff Massaquoi and those similarly situated have the civil and constitutional  
7 rights as guaranteed by the First Amendment of the U.S. Constitution to free expression of ideas,  
8 most of all for criticism of their elected leaders and governmental servants, of peaceable  
9 assembly, and to petition their government for redress of grievances.

10 109. The Defendants, acting in concert, are retaliating against and seeking to further  
11 retaliate against the Plaintiff Massaquoi and those similarly situated for their expression of  
12 political viewpoints at the January 6, 2021 demonstrations in Washington, D.C.

13 110. By contrast, Defendants, acting in concert, allowed a year of violent left-wing  
14 riots, insurrection, arson, attempted murder, murder, assault and battery to burn out of control  
15 across the country, including in Washington, D.C., as radical revolutionaries and self-described  
16 trained Marxists pursued baseless and unfounded conspiracy theories and violent actions

17 111. The tolerance of the Defendants to the year of insurrection from leftist anarchists,  
18 who as just one example repeatedly attacked a federal courthouse and attempted to burn the  
19 federal courthouse down with judicial personnel inside, contrasted with the Defendants actions in  
20 this case demonstrate malice and highlight that the actions and motivations of the Defendants,  
21 acting in concert, are improper motivations and actions of political retaliation against the  
22 Plaintiff and those similarly situated.

23 112. The totality of the circumstances demonstrates that the Defendants are not  
24 motivated to enforce the law but instead to persecute political opinions of persons with whom  
25

1 they disagree.

2 113. The fact that the Defendants, acting in concert, seized two red MAGA caps from  
3 Plaintiff Massaquoi's house further demonstrates that the Defendants actions are political and  
4 malicious and that the Defendants' justifications. (Special Agent Warren noted the seizure of  
5 one MAGA hat on the receipt, but in fact there were two hats seized.) Because of the enormous  
6 number of MAGA hats in circulation, they in particular are not probative evidence. Massaquoi  
7 owning a MAGA hat is not useful evidence because of the sheer number of MAGA hats in the  
8 country. But Defendants' seizing Massaquoi's MAGA hats is a perfect illustration of the true  
9 motive, ill-intent, and message of these politicized actions.  
10

11 114. These violations are compensable under *Bivens v. VI Unknown Named Agents of*  
12 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971).  
13

14 115. The Defendants, acting in concert, in their individual capacity were acting as  
15 federal officials or agents under the color of law as federal actors.

16 116. The actions complained of by the Defendants were violations of the Plaintiffs'  
17 constitutional rights.

18 117. By reason of the wrongful conduct of the Defendants, each and every one of  
19 them, jointly and severally, Plaintiff has suffered harm in the form of having his First  
20 Amendment rights violated, his personal, business and property rights have been violated, and  
21 his and his freedom of speech and association have been severely comprised and curtailed,  
22 guaranteed to Plaintiff and other members of the class under the U.S. Constitution.  
23

24  
25 **SECOND CAUSE OF ACTION**  
***(Bivens – Fourth Amendment Violation)***

26 118. Plaintiff repeats and re-allege all of the previous allegations of the entirety of this  
27 Complaint, including in other causes of action, and incorporate them herein in support of this  
28 count with the same force and affect, as if fully set forth herein again at length.

1           119. Plaintiff enjoys the right to be free from unreasonable searches and seizures, as  
2 guaranteed by the Fourth Amendment to the U.S. Constitution.

3           120. Plaintiff enjoys the right to be free of the issuances of warrants without probable  
4 cause.

5           121. Defendants, acting under color of federal authority and in concert, violated  
6 Plaintiff Massaquoi's Fourth Amendment rights by seizing Massaquoi and interrogating him in  
7 the early morning of June 10, 2021, with an armed team of FBI with guns drawn.

8           122. Defendants, acting under color of federal authority and in concert, violated the  
9 Fourth Amendment rights of Plaintiff Massaquoi by searching Plaintiff's home and seizing his  
10 computers, computer files, storage devices, electronic devices without probable cause and/or  
11 other legal justification.  
12

13           123. Defendants acted knowingly, willfully and/or maliciously, and with the specific  
14 intent to deprive Plaintiff of his constitutional rights, and/or with deliberate indifference to  
15 Plaintiff's constitutional rights.  
16

17           124. As a direct and proximate result of the violation of Plaintiffs' constitutional rights,  
18 Plaintiffs suffered damages and the loss of his constitutional liberties.

19           125. These violations are compensable under *Bivens v. VI Unknown Named Agents of*  
20 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971).  
21

22           126. The Defendants in their individual capacity were acting, in concert, as federal  
23 officials or agents under the color of law as federal actors.

24           127. The actions complained of by the Defendants were violations of the Plaintiffs'  
25 constitutional right.

26           128. By reason of the wrongful conduct of the Defendants, each and every one of  
27 them, jointly and severally, Plaintiff has suffered harm in the form of having his Fourth  
28

1 Amendment rights violated, his business and property rights have been violated, and his freedom  
2 of speech and association have been severely comprised, guaranteed to Plaintiff under the U.S.  
3 Constitution.

4  
5 **THIRD CAUSE OF ACTION**  
6 *(Bivens – Fifth Amendment Violation)*

7 129. Plaintiff repeats and re-alleges all of the previous allegations of the entirety of this  
8 Complaint, including in other causes of action, and incorporate them herein in support of this  
9 count with the same force and affect, as if fully set forth herein again at length.

10 130. Plaintiff enjoys the right to be free from being compelled to testify against himself  
11 as guaranteed by the Fifth Amendment to the U.S. Constitution.

12 131. Defendants, acting under color of federal authority, violated Plaintiff Massaquoi's  
13 Fifth Amendment rights by handcuffing him, intimidating, lying to and seizing Massaquoi's  
14 property and interrogating him in the early morning of June 10, 2021, with an armed team of FBI  
15 with guns drawn, even after he asked to speak to an attorney.

16 132. These violations are compensable under *Bivens v. VI Unknown Named Agents of*  
17 *Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

18 133. The Defendants in their individual capacity were acting, in concert, as federal  
19 officials or agents under the color of law as federal actors.

20 134. The actions complained of by the Defendants were violations of the Plaintiffs'  
21 constitutional rights.

22 135. By reason of the wrongful conduct of the Defendants, each and every one of  
23 them, jointly and severally, Plaintiff has suffered harm in the form of having his Fifth  
24 Amendment rights violated, his personal business, and property rights have been violated, and  
25 his and his freedom of speech and association have been severely comprised, guaranteed to  
26 Plaintiff under the U.S. Constitution.  
27  
28

1 **FOURTH CAUSE OF ACTION**

2 ***Violation of the Privacy Act***  
3 ***Plaintiff Massaquoi Only***

4 136. Plaintiff repeats and re-allege all of the previous allegations of the entirety of this  
5 Complaint, including in other causes of action, and incorporate them herein in support of this  
6 count with the same force and affect, as if fully set forth herein again at length

7 137. Defendant are unlawfully withholding records and property requested by  
8 Plaintiff's Privacy Act Request pursuant to 5 U.S.C. § 552(a) as set forth in Exhibit 1, which is  
9 incorporated herein by reference.

10 138. Plaintiff is being irreparably harmed by reason of Defendants' unlawful  
11 withholding of requested records and property, and Plaintiff will continue to be irreparably  
12 harmed unless Defendants are compelled to conform its conduct to the requirements of the law  
13

14 **VIII. PRAYER FOR RELIEF**

15 WHEREFORE, lead Plaintiff Massaquoi respectfully requests the certification of a class  
16 consisting of those who like him are being terrorized, chilled in the exercise of their rights,  
17 harassed, investigated and targeted by these Defendants for peacefully expressing political  
18 opinions disliked by the predominantly leftist political elite, through Defendants' campaign of  
19 intimidating search warrants and even arrests. The same Defendants look the other way from  
20 actual insurrection, arson, violence, rioting, murder, attempted murder, assault and battery,  
21 destruction of government property, and more through years of left-wing anarchy.  
22

23 Plaintiff and Members of the Class prays for relief and judgment against each of the  
24 Defendants, jointly and severally, as follows: general damages, special damages, punitive  
25 damages, pre-judgment and post-judgment interest as allowed by law, costs of suit incurred  
26 herein, in an aggregate amount in excess of \$3.5 billion U.S. Dollars and any other further relief  
27 the Court deems just and proper, for the illegal, unconstitutional and intentional and malicious  
28

1 acts of the Defendants, each and every one of them, acting in concert, against Plaintiff and  
2 Members of the Class.

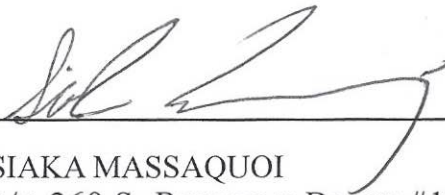
3 Moreover, Plaintiff Massaquoi requests the issuance of preliminary and permanent  
4 injunctions ordering the immediate return of the Plaintiff's property and injunctions to restrain  
5 the intimidation and chilling of the rights himself of the other Members of the Class.  
6

7 **DEMAND FOR JURY TRIAL**

8 **Plaintiff and the other Members of the Class demand a trial by jury on all counts as**  
9 **to all issues and counts so triable.**  
10

11  
12 Dated: July 15, 2021

Respectfully submitted,

13  
14  
15 

16  
17 SIKA MASSAQUOI  
18 C/O 269 S. BEVERLY DRIVE #1298  
19 BEVERLY HILLS, CA, 90621  
20 TEL: 3107507362  
21 EMAIL: [SIKAMASSAQUOI@GMAIL.COM](mailto:SIKAMASSAQUOI@GMAIL.COM)

*Plaintiff Pro Se*

22 LARRY KLAYMAN, ESQ.  
23 FREEDOM WATCH, INC.  
24 7050 W. PALMETTO PARK RD  
25 BOCA RATON, FL, 33433  
26 TEL: 561-558-5336  
27 EMAIL: [LEKLAYMAN@GMAIL.COM](mailto:LEKLAYMAN@GMAIL.COM)

*Of Counsel/ Pro Hac Vice To be Filed*

# EXHIBIT 1





Oliver Peer &lt;oliver.peerfw@gmail.com&gt;

---

**Fwd: cert of id.pdf**

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Larry Klayman &lt;klaymanlaw@gmail.com&gt;

Tue, Jun 29, 2021 at 6:39 PM

To: "Nielsen, Katherine (CRM)" &lt;katherine.nielsen@usdoj.gov&gt;

Cc: Siaka Massaquoi &lt;siakamassaquoi@gmail.com&gt;, Asher Anderson &lt;asher.b.anderson@gmail.com&gt;, Oliver Peer &lt;oliverpeerfw@gmail.com&gt;

Dear Ms. Nielsen:

Pursuant to the Privacy Act, 5 U.S.C. ch. 5 section 552a et seq. please immediately provide to me any and all documents that refer or relate to my client Siaka Massaquoi including but not limited to Section 302 reports, affidavits etc. In addition, please provide by this Friday's close of business any and all property that was seized from him by the FBI. The agency has listed the property which it seized.

Attached is authorization from Mr. Massaquoi to provide this documentation and property to me as his counsel.

Please contact me to arrange for delivery to me in advance of close of business this Friday.

Thank you for your immediate cooperation.

Larry Klayman, Esq.  
Counsel for Mr. Siaka Massaquoi

----- Forwarded message -----

From: **Siaka Massaquoi** <siakamassaquoi@gmail.com>

Date: Tue, Jun 29, 2021 at 6:26 PM

Subject: cert of id.pdf

To: Larry Klayman &lt;klaymanlaw@gmail.com&gt;, Asher Anderson &lt;Asher.b.anderson@protonmail.com&gt;, &lt;leklayman@gmail.com&gt;

Here you go

---

 **cert of id.pdf**  
1244K