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**IN THE FIRST JUDICIAL CIRCUIT COURT
IN AND FOR ESCAMBIA COUNTY, FLORIDA**

JESUS RIVERA
as a natural person
5110 West Fairfield Drive
Pensacola, Florida 32506
*On behalf of himself and all others similarly
situated.*

Plaintiffs,

v.

ANDREW S. TOKAJER
125 Romana Street
Suite 650
Pensacola, FL 32502

and

ALEX CHAN
215 Government Avenue
Niceville, FL 32578

and

CHRISTOPHER A. WRAY,
c/o 935 Pennsylvania Avenue, NW
Washington, DC 20535-0001

and

UNIDENTIFIED FBI SPECIAL AGENTS #1
THROUGH #20

and

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

CLASS ACTION COMPLAINT

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

Case No: _____

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Defendants.

CLASS ACTION COMPLAINT

I. INTRODUCTION

Plaintiff Mr. Jesus Rivera (“Rivera”) of Pensacola, Florida, on behalf of himself and all of those similarly situated (“Plaintiff and Members of the Class”) brings this action for constitutional violations of the Plaintiffs’ rights of free speech and association under the Florida Constitution. Government officials, employees, and their agents who commit unconstitutional acts are not legally immune from suit and are subject to being held personally liable. *See Trulock vs. Freeh et al, 275 F.3d 391 (4th Cir. 2001)*

II. JURISDICTION AND VENUE

1. Venue is proper in Escambia County, Florida, as Mr. Rivera is a citizen of Florida and also resides in this circuit. Mr. Rivera has been severely damaged by the conduct of the Defendants in this judicial circuit.

2. This is an action for damages in excess of \$30,000 with regard to each of the Defendants.

III. PARTIES

Plaintiff

3. Plaintiff Jesus Rivera (“Rivera“) is an individual, a natural person, who at all material times was and is now a citizen of Florida and resident of Pensacola, Florida.

4. Rivera graduated high school in 2002, being the first of his mother’s family to graduate.

1 5. On December 13, 2002, Rivera graduated Marine Corps bootcamp.

2 6. Rivera served his country in Operation Iraqi Freedom and Operation Enduring
3 Freedom, surviving rocket attacks and attacks from improvised explosive devices (IED's).

4 7. He was honorably discharged from the Marine Corps. in 2012 after 10 years of
5 service.

6
7 8. Today, Rivera is active in his local church in Florida (Jubilee), which now faces
8 scrutiny by Defendants.

9 **Defendants**

10 9. Defendant Special Agent Andrew S. Tokajer (“Tokajer”) is an individual and is
11 being sued individually as a Special Agent for the FBI who operates out of the Pensacola Office
12 of the Federal Bureau of Investigation (“FBI”).

13 10. Defendant Special Agent Alex Chan (“Chan”) is being sued individually as a
14 Special Agent for the FBI who operates out of the Jacksonville Division Office of the FBI.

15 11. Defendant Christopher A. Wray (“Wray”) is being sued as an individual.

16 12. Defendants include approximately a dozen or more FBI agents in addition to
17 Defendants Chan and Tokajer who raided Rivera’s home on January 20, 2021.

18 13. They are each sued as UNIDENTIFIED FBI AGENTS #1 THROUGH #20
19 including Director Wray and are being sued individually.

20 21
22 14. Defendant Federal Bureau of Investigation (“FBI”) is a federal agency that is
23 headquartered in Washington, D.C, but with field offices throughout Florida and this circuit.

24 **IV. STANDING**

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

28 16. Their injuries are proximately related to the conduct of Defendants, each and

1 every one of them, jointly and severally.

2 **V. FACTS**

3 **Background Facts**

4 17. A violation of constitutional rights even for brief periods is redressable and
5 damages are presumed.

6 18. A violation of individual rights gives rise to individual and personal liability by
7 the government official or agent, including but not limited to the Director of the FBI. *See Trulock*
8 *vs. Freeh et al, 275 F.3d 391 (4th Cir. 2001).*

9 19. On January 6, 2021, hundreds of thousands, some have estimated as high as one
10 million, U.S. citizens gathered in Washington, D.C. to exercise their civil and constitutional
11 rights guaranteed under the Florida Constitution to expression of free speech (well-established to
12 include both verbally spoken and written speech and also expressive action), to peaceably
13 assemble, and to petition their government for redress of grievances.

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

16 21. Lead Plaintiff Rivera sues on behalf of and asks for the certification of a class,
17 under Fla. R. Civ. P. 1.220 of the Florida Rules of Civil Procedure, consisting of those who were
18 peacefully protesting in Washington, D.C. on January 6, 2021, but who did not commit any
19 crimes or engage in any violence, but who are being terrorized and chilled in the exercise of their
20 rights, harassed, and targeted by these Defendants for peacefully expressing political opinions
21 and ideologies.

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

2 23. Plaintiff Rivera and other similarly situated Members of the Class chose to
3 exercise their constitutionally protected right of free travel to come to speak and associate in
4 Washington, D.C., and participate in the plans for peaceful demonstrations at the U.S. Capitol
5 and the Ellipse near the White House.

6
7 24. While there were a few people who chose to enter and engage in acts of violence
8 in the U.S. Capitol, Plaintiff Rivera was not among those involved in any such conduct.

9 25. All Plaintiff Rivera did was exercise his right to peacefully assemble and protest
10 under the Florida Constitution.

11 26. After the events of January 6, 2021, Defendant Wray, in an effort to save his own
12 job and for other improper and unlawful reasons, personally ordered the other Defendants to
13 violate the constitutional rights of countless persons who simply happened to be in the District of
14 Columbia, and elsewhere on January 6, 2021, including Plaintiff Rivera.

15
16 27. Defendant Wray is directly and personally involved in the commission of the
17 constitutional violations alleged herein as they pertain to Plaintiff Rivera, as well as Members of
18 the Class. Defendant Wray has made public statements threatening Plaintiff Rivera and other
19 Members of the Class:

20
21 “We know who you are if you're out there, and FBI agents are coming to find you.”¹

22 “My advice to people who might be inclined to follow in the footsteps of those
23 who engaged in the kind of activity we saw last week is stay home....Look at
24 what's happening now to the people who were involved in the Capitol siege.”²

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

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

28 ² *Id.*

³ *Id.*

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

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

10 28. While testifying before Congress, Defendant Wray stated that mostly white
11 supremacists (racially motivated violent extremists) are 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."⁵

15 29. In this regard, Defendant Wray and those acting in concert with him have turned
16 the FBI into what is in effect their own personal "Secret Police" or "Gestapo" to target people
17 who were protesting in the District of Columbia on January 6, 2021.

18 30. As reported by NBC, Defendant Wray and the FBI have even resorted to
19 pressuring, and coercing family and friends of protestors to turn them in. "The FBI has been
20 leaning on spouses, siblings, children and former romantic partners who spotted their loved ones
21 assaulting the Capitol and responded by dropping a dime on them."⁶ This is reminiscent of the
22 tactics used by Adolf Hitler's Third Reich prior to and during the Holocaust, when Germans
23 were directed to turn in Jews to the Nazi anti-Semitic government.

24 31. On information and belief, he is doing so to appease President Joe Biden and Vice
25 President Kamala Harris and his administration, in an effort to save his own job as the Director

26 ⁴ <https://www.youtube.com/watch?v=xBUYTBCqsz0>

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

28 ⁶ <https://www.nbcnews.com/news/amp/ncna1254597#aoh=16261485808812&referrer=https%3A%2F%2Fwww.google.com&tf=From%20%251%24s>

1 of the FBI, as well as for other improper reasons.

2 32. Yet, Defendant Wray's directives and orders have resulted in the constitutional
3 violations of countless people who did not engage in any criminal activity or violence on January
4 6, 2021, including Plaintiff Rivera and Members of the Class.

5
6 **Facts Pertaining to Violations of Plaintiff Rivera's Constitutional Rights**

7 33. On the morning of January 20, 2021, starting at approximately 7:30 AM local
8 time in Northern Florida, the home of Plaintiff Rivera in Pensacola was raided by more than a
9 dozen heavily armed FBI agents, possibly as many as 20 he recalls.

10 34. The FBI agents came in forcibly with guns drawn.

11 35. The team of about a dozen identified themselves as with the FBI.

12 36. The apparent leaders of the dozen heavily-armed FBI agents identified themselves
13 as Special Agent Andrew S. Tokajer and Special Agent Alex Chan of the FBI's Jacksonville
14 Field Office.

15
16 37. During the January 20, 2021, intrusion and search of Rivera's home that morning,
17 FBI Special Agent Alex Chan did most of the talking.

18 38. FBI Special Agent Andrew S. Tokajer and FBI Special Agent Alex Chan were in
19 charge of the actions of the FBI agents on scene at Rivera's home.

20 39. In the home at the time with Rivera were his sister-in-law, Angelica and brother-
21 in-law Taylor.

22
23 40. Notably, the FBI made no attempt to simply ask Rivera for an interview but woke
24 up the residents early in the morning and barged into the house.

25 41. FBI Special Agent Andrew S. Tokajer and FBI Special Agent Alex Chan, along
26 with other FBI agents broke into the house and forcefully handcuffed Rivera immediately and sat
27 him onto the couch.
28

1 42. On information and belief, the warrant was obtained by Defendants through
2 intentional lies if not outright fraud, since, as set forth and shown below, there was absolutely no
3 probable cause to suspect Plaintiff Rivera of having committed any crime.

4 43. Rivera previously on January 8, 2021, sent in his video footage from the January
5 6, 2021 Capitol gathering, to show compliance with law enforcement.

6 44. Rivera was escorted outside and put into the FBI vehicle.

7 45. Meanwhile, the other FBI agents searched the entire house and collected items
8 they took from around the house onto the kitchen table.

9 46. Rivera's wife asked for the warrant several times but did not receive it until after
10 the FBI agents were finished clearing the home.

11 47. The FBI agents then moved the Plaintiff Rivera to the FBI building in downtown
12 Pensacola.

13 48. After the arrest, the FBI and other Defendants published an article asserting that
14 Plaintiff Rivera is going to be held accountable for his violent crimes at the Capitol, disregarding
15 the fact that not one of his alleged charges were violent crimes.

16 49. After Rivera was released, the evening of January 20, 2021, he was instructed not
17 to leave his physical location. He was assigned an FBI appointed parole officer for weekly
18 check-ins and was ordered to take a drug test.

19 50. The FBI agents seized and removed, as shown in the "Receipt for Property"
20 numbered 266O-JK-3373300 and dated January 20, 2021 (these being the minimal explanations
21 on the form):

- 22 a) White iPad with case serial number DMPCF5UHLMV8
23 b) "G" External Hard Drive w/card serial number WXKIEA8ED270
24 c) I-Buy power CPU t-sones serial number ending in F90E7F811
25 d) Sony Digital Camera A7S serial number 3415868
26 e) Sandisk 52G SD Card serial number BM1331522941
27 f) Sandisk 52G Extreme SD Card serial number BM18194508202
28

- g) Sandisk 52G Extreme Plus Micro SD serial number 8291ZPE562JJ
- h) Foresee Micro SD 16G serial number Y18G...
- i) Red/Black plaid fleece button down
- j) Black Samsung cell phone
- k) iPhone 10 in a black otterbox case

51. This “Receipt for Property” numbered 266O-JK-3373300 is signed by Defendant Chan.

52. The descriptions by the FBI on “Receipt for Property” numbered 266O-JK-3373300 are inadequate to identify the property seized (except for the computer with serial number) and the seizure is unreasonable and improper for that reason as well, notwithstanding the lack of probable cause for the search and seizure.

53. Rivera, through counsel, has demanded the immediate return of these items unlawfully seized without probable cause from Rivera’s home, but Defendants have refused to comply, causing continuing severe damage to Plaintiff.

54. Today’s computer technology and techniques provides for the quick creation of a “mirror image” of any data storage, in which the entire contents of a computer hard drive, or thumb drive or other data storage device are duplicated or cloned entirely.

55. 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 deleted data blocks or sectors.

56. Rivera’s electronic devices cannot provide any evidentiary value apart from the data that a mirror image would preserve, even were there probable cause to search them, which there was not.

57. Therefore, the Defendants, could have and can immediately return Rivera’s property after making “mirror images” of the data storage devices in less than a few hours, even assuming any legitimacy to the seizure.

1 58. Even assuming that the search and seizure was proper, which it was not, the
2 Defendants have no legal basis to deprive the Plaintiff of his property and his data stored on
3 them.

4 59. Concerning the incursion of FBI agents into his home on January 20, 2021,
5 Rivera explains: “As a Marine Corps. Veteran, I felt completely betrayed by my own country.”
6

7 60. Chan then asked the Plaintiff Rivera what he was doing in Washington D.C., and
8 he responded, “This was the last time that President Trump was going to be able to speak to the
9 public as President and that he wanted to witness that.”

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

11 61. It is now well-established that most U.S. Capitol Police at some entrances
12 cheerfully welcomed the demonstrators in through some entrances of the U.S. Capitol on January
13 6, 2021, the U.S. Capitol being normally a public building.
14

15 62. Because the U.S. Capitol building is known nationwide as a public building that is
16 normally open to and welcoming the public, known as “the People’s House,” many citizens who
17 do not live in Washington, D.C., innocently assumed that they could enter the building, as they
18 have described in news media interviews.

19 63. Indeed, for the same reason, it appears that most members of the U.S. Capitol
20 Police also believed that the public should be welcomed and invited in to “the People’s house.”
21

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

27 65. The actions of many of the U.S. Capitol police welcoming and inviting people
28

1 into the building defeat any charge of trespass or similar statutes and render those being inside
2 the building innocent unless they committed some other alleged crime and/or broke in through
3 other entrances where they were not welcomed in.

4 66. These unconstitutional and illegal actions as pled herein are being repeated across
5 the country in against nearly anyone who attended the mostly peaceful demonstration in
6 Washington, D.C., on January 6, 2021, sowing fear among Florida and U.S. citizens who
7 peacefully exercised their constitutional rights to petition their government, associate, and
8 express their viewpoints for an honest government.

9 67. Ever since January 20, 2021, Rivera has been placed wrongful on the Department
10 of Transportation Security Administration's flight security list and has been unable to get on
11 airplanes without going through around 45 minutes of extended security.

12 **VI. CLASS ALLEGATIONS**

13 68. Plaintiff Rivera and Members of the Class bring this lawsuit on behalf of the
14 following proposed class (the "class") consisting of those Florida and other U.S. citizens who
15 were in the District of Columbia on or about January 6, 2021 to peacefully protest and who did
16 not commit any crimes or engage in any violence, but like him are being terrorized, chilled in the
17 exercise of their constitutional rights of Free Speech including expressive conduct, peaceable
18 assembly, and petition to the government for redress of grievances, harassed, investigated and
19 targeted by these Defendants for peacefully expressing political opinions disliked by the political
20 and federal judicial elitists, through Defendants' campaign of intimidating search warrants and
21 even arrests, having their residence and personal effects illegally searched and seized without
22 probable cause and without due process and equal protection of the law.

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

1 70. Numerosity. The Members of the class are so numerous that individual joinder is
2 impracticable. Upon information and belief, Plaintiff and the Members of the Class allege that
3 the class contains hundreds if not thousands of Members of the Class. Although the precise
4 number of Putative Class Members is unknown to Plaintiff and the class, the true number of
5 Putative class Members is known by Defendants, and thus, may be notified of the pendency of
6 this action by first class mail, electronic mail, social media, and/or published notice.
7

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

- 12 a) Unconstitutional searches and seizures of their residences, property, and/or
13 papers.
- 14 b) A failure of probable cause for searches and seizures.
- 15 c) A failure of due process for searches and seizures.
- 16 d) Defendants' intent to silence, intimidate, and chill the people's expression
17 of opinions that the Defendants and political elites don't want to be heard.
- 18 e) Gathering legally in the U.S Capitol area on or about January 6, 2021,
19 pursuant to the permission granted through a permit for the gathering apparently
20 issued by the U.S. Capitol Police.
- 21 f) The Defendants' attempt to intentionally confuse peaceful protestors who
22 gathered on or about January 6, 2021, in the U.S. Capitol area with the extremely
23 small percentage who are alleged to have committed trespassing, the smaller
24 percentage who are alleged to have committed property damage, and the even
25 smaller percentage who are alleged to have assaulted the Capitol.
- 26 g) Handcuffing, frightening, and humiliating persons not charged with any
27 crime during execution of a search warrant for information.

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

73. Adequacy of representation. Plaintiff and Members of the Class will fairly and

1 adequately protect the interests of the other Members of the Class. Further, Plaintiff and
2 Members of the Class have had no interests that are antagonistic to those other Members of the
3 Class.

4 74. Superiority. A class action is superior to all other available means for the fair and
5 efficient adjudication of this controversy. Aside from the intangible deprivation of constitutional
6 rights, the damages or other financial detriment suffered by individual Putative Class Members
7 are relatively small compared to the burden and expense that would be entailed by individual
8 litigation of their claims against Defendants.

10 **VII. CAUSES OF ACTION**

11
12 **FIRST CAUSE OF ACTION**
13 *Violation of the Florida Constitution Section 4*

14 75. Section 4 of the Florida Constitution provides that “[e]very person may speak,
15 write, and publish sentiments on all subjects but shall be responsible for the abuse of that right.
16 No law shall be passed to restrain or abridge the liberty of speech or of the press.”

17 76. Defendants have violated Jesus Rivera’s right to freedom of speech and to
18 associate under Section 4 of the Florida Constitution and its other related provisions.

19 77. Defendants have sought to, and have in fact, silenced Jesus Rivera’s private and
20 public interest advocacy and speech.

21 78. Other Members of the Class have been similarly treated and aggrieved.

22 79. Jesus Rivera seeks damages as pled herein and both temporary and permanent
23 injunctive relief barring Defendants from continuing their harassing and vexatious conduct
24 aimed to bankrupt him and silence his private and public interest advocacy, as guaranteed by
25 Section 4 of the Florida Constitution and its other related provisions.
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SECOND CAUSE OF ACTION
Violation of the Florida Constitution Section 9

80. Section 9 of the Florida Constitution provides that “no person shall be deprived of life, liberty, or property without due process of law, or be twice put in jeopardy for the same offense, or be compelled in any criminal matter to be a witness against oneself.”

81. Defendants have violated Plaintiff Jesus Rivera’s right of and to due process resulting from their illegal arrest and illegal search and seizure of his person and private property.

82. Defendants sought to, and have in fact, violate Section 9 of the Florida Constitution in order to silence and harass Jesus Rivera, by illegally arresting him and seizing his person and private property, most of which were used for his profession as a journalist. Arresting Plaintiff Jesus Rivera and seizing his person and private property without due process also furthered Defendants’ violation of Section 4 of the Florida Constitution.

83. Other Members of the Class have been similarly treated and aggrieved.

84. Jesus Rivera seeks damages and injunctive relief as pled herein.

THIRD CAUSE OF ACTION
Violation of the Florida Constitution Section 12

85. Section 12 of the Florida Constitution provides that “The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, and against the unreasonable interception of private communications by any means, shall not be violated. No warrant shall be issued except upon probable cause, supported by affidavit, particularly describing the place or places to be searched, the person or persons, thing or things to be seized, the communication to be intercepted, and the nature of evidence to be obtained.

1 This right shall be construed in conformity with the 4th Amendment to the United States
2 Constitution, as interpreted by the United States Supreme Court. Articles or information obtained
3 in violation of this right shall not be admissible in evidence if such articles or information would
4 be inadmissible under decisions of the United States Supreme Court construing the 4th
5 Amendment to the United States Constitution.”

6
7 86. Defendants broke Jesus Rivera’s home and illegally arrested and interrogated him
8 and illegally seized his personal property without probable cause, which is a violation of Section
9 12 of the Florida Constitution.

10 87. Defendants violated Jesus Rivera’s right to be secure in his person as a result of
11 the arrest that had taken place after the illegal raid and seizure of his person and property.

12 88. Other Members of the Class have been similarly treated and aggrieved.

13 89. Jesus Rivera seeks damages and injunctive relief as pled herein.
14

15 **VIII. PRAYER FOR RELIEF**

16 WHEREFORE, lead Plaintiff Rivera respectfully requests the certification of a class
17 consisting of those who like him are being terrorized, chilled in the exercise of their rights,
18 harassed, investigated and targeted by these Defendants, each and every one of them as joint
19 tortfeasors, for peacefully expressing political opinions disliked by federal government
20 establishment elitists, through Defendants’ campaign of intimidating and illegal search warrants
21 and even arrests. These same Defendants look the other way from actual insurrection, arson,
22 violence, rioting, murder, attempted murder, assault and battery, destruction of government
23 property, and more from those they agree with.
24

25
26 Plaintiff Rivera and Members of the Class prays for relief and judgment against each of
27 the Defendants, jointly and severally, as follows: general damages, special damages, pre-
28 judgment and post-judgment interest as allowed by law in excess of \$30,000.00, costs of suit

1 incurred herein, in an aggregate amount to be determined by the jury, any other further relief the
2 Court deems just and proper, for the illegal, unconstitutional and intentional and malicious acts
3 of the Defendants, each and every one of them, acting in concert, against Plaintiff and the other
4 Members of the Class.

5 Moreover, Plaintiff Rivera requests the issuance of preliminary and permanent
6 injunctions ordering the immediate return of the Plaintiff's property and the property of the other
7 Members of the Class, preliminary and permanent injunctions to restrain the intimidation and
8 chilling of the constitutional rights of himself and the other Members of the Class, and
9 preliminary and permanent injunctions for the immediate removal of all data and profiles
10 associated with a watch list concerning national security and foreign and so-called domestic
11 terrorism.
12

13
14 **DEMAND FOR JURY TRIAL**

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

17 Dated: December 21, 2021

Respectfully Submitted:

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20 */s/ Larry Klayman*

LARRY KLAYMAN, ESQ.

Chairman and General Counsel

Florida Bar No. 246220

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26 *Counsel for Jesus Rivera*
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