

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

-----X  
ADHYL POLANCO,

Plaintiff

Docket No.

-against-

**COMPLAINT AND  
JURY DEMAND**

THE CITY OF NEW YORK, and NEW YORK CITY  
POLICE DEPARTMENT,

Defendants.

-----X

Plaintiff Adhyl Polanco, as and for his complaint by his undersigned counsel, alleges as follows:

**INTRODUCTION**

1. This is a suit to obtain relief for employment discrimination on the basis of Plaintiff's race and national origin; for violation of the plaintiff's 1<sup>st</sup> Amendment rights to free speech, and to obtain relief for retaliation to which the plaintiff has been subjected for reporting and complaining of the NYPD's illegal quota system, by the City of New York (hereinafter referred to as "the City" and the New York City Police Department (hereinafter referred to as "the NYPD").

**VENUE**

2. Venue is proper in the United District Court for the Southern District of New York pursuant to 28 U.S.C. §§1391(b) and (c) and 42 U.S.C. 2000e-5(f)(3) in that the central offices of defendants are within this district, a substantial part of the events giving rise to this claim arose in this district and records relevant to the practices complained of herein are located in this district.

**JURY DEMAND**

3. Plaintiff demands trial by jury in this action on each and every one of his claims.

**JURISDICTIONAL PREREQUISITE**

4. Plaintiff filed a charge of discrimination with the Equal Employment Opportunity Commission (“EEOC”) and a right to sue letter was issued on July 1, 2015.
5. The jurisdiction of this court is invoked pursuant to 42 U.S.C. §2000e-5(f)(3), 28 U.S.C. §§1331 and 1343(3), and 28 U.S.C. §1376(a) for claims arising under the New York State Human Rights Law and the New York City Human Rights Law based on the doctrine of supplemental jurisdiction in that such claims arise from a common nucleus of operative fact, and are so intertwined with other matters pending before the Court as to make exercise of supplemental jurisdiction appropriate.

**PARTIES**

6. The Plaintiff, Adhyl Polanco is a Latin-American male.
7. Plaintiff Adhyl Polanco is currently employed as a Police Officer by the NYPD.
8. At all times relevant, Plaintiff was an “employee” of the NYPD and of the CITY within the meaning of the relevant statutes.
9. Upon information and belief, the NYPD is a domestic government agency and is engaged in business in the state of New York, with an office and place of business in the City of New York, State of New York.
10. Upon information and belief, the City is a domestic government agency and is engaged in business in the State of New York, with an office and place of business in the City of New York, State of New York.
11. At all times relevant to this action, CITY was an “employer” for purposes of the common

law of New York and the relevant statutes.

**FACTUAL ALLEGATIONS**

12. Plaintiff Adhyl Polanco was hired by the NYPD on July 11, 2005. In 2009, plaintiff made a statement to the media about the existence of quotas in the issuance of summons and arrests warrants in the NYPD and the NYPD targeting minority communities in order to obtain the summons and arrest numbers required by the quota. The substance of Officer Polanco's statements was his opposition to the unfair, racially discriminatory and illegal mandatory enforcement activity which targets the minority African-American and Latino Community to which Officer Polanco belongs.
13. On or about November 2009, while assigned to the 41<sup>st</sup> Precinct of the NYPD, Officer Polanco spoke to the media regarding the misconduct and corruption within the precinct. He reported that the Supervisors of the precinct were aggressively using threats of termination and negative employment actions such as low performance evaluations and punitive postings, to compel police officers to issue borderline and illegal summons and make borderline and illegal arrests in order to achieve a goal of a certain number of arrests and a certain number of summons set by the department for the precinct, for that quarter.
14. On or about November 2009, while assigned to the 41<sup>st</sup> Precinct of the NYPD, Officer Polanco called the Internal Affairs Bureau of the NYPD to report misconduct and corruption within the precinct. He reported that the Supervisors of the precinct were aggressively using threats of termination and negative employment actions such as low performance evaluations and punitive postings, to compel police officers to issue borderline and illegal summons and make borderline and illegal arrests in order to

achieve a productivity goal of a certain number of arrests and a certain number of summons set by the department for the precinct, for that quarter.

15. In December 2009, Officer Polanco reported to the Internal Affairs Bureau of the NYPD that he was experiencing retaliation for his earlier report regarding the corruption and misconduct in the 41 precinct.
16. In December 2009, Officer Polanco was retaliated against for his opposition to the racially discriminatory quota practices of the NYPD, in that after being falsely and pretextually charged with insubordination, he was heavily punished as follows: 30 days suspension without pay; 1500 days suspension with pay; over 400 days of punitive posting in VIPER; over 1500 days on restricted duty psychological hold without cause; no vacation for four years; no overtime for four years; no night differential pay for four years; no training for four years; and placement on level two performance monitoring for over four years.
17. On December 23, 2009, Officer Polanco was further retaliated against for his opposition to the racially discriminatory quota practices of the NYPD by being punished as follows: 30 days suspension without pay; no paid detail; no vacation for a year and placement on performance monitoring.
18. In January 2010, Officer Polanco was further retaliated against for his opposition to the racially discriminatory quota practices of the NYPD by being placed on modified assignment transfer out of command and placed on mental watch through 2015.
19. On March 1<sup>st</sup> 2010, Channel 7 Eyewitness news broadcast an interview on television with Officer Polanco where he exposed the ongoing illegal quota activity within the 41<sup>st</sup> Precinct and the NYPD at large.

20. On August 25, 2010, the Village Voice Newspaper published an interview with Officer Polanco where he exposed the illegal quota activity within the 41<sup>st</sup> Precinct and the NYPD at large.
21. Beginning from March 2010 through December 2014, Officer Polanco was further retaliated against for his opposition to the racially discriminatory quota practices of the NYPD by being placed on performance monitoring, being suspended with pay, and being placed on dismissal probation for one year from December 2013 to December 2014.
22. From October 2014 to till date, in retaliation for his opposition to the racially discriminatory and illegal quota practices of the NYPD, plaintiff was further punished by being placed on dismissal probation and on mental watch.
23. From October 2014 till date, in retaliation for his opposition to the racially discriminatory and illegal quota practices of the NYPD, plaintiff was further punished by being placed on performance monitoring.
24. From October 2014, till date, plaintiff has been subjected to a hostile working environment as a result of his race and national origin. Plaintiff's locker was vandalized by being pasted over with photographs of PBA Union Leader Patrick Lynch and on January 23, 2015, plaintiff was accosted at the premises of the 94<sup>th</sup> precinct by police officer Steve Trugilio who verbally abused plaintiff calling him a "fucking bitch". Plaintiff complained about this treatment to the internal affairs bureau but no action was taken. Plaintiff also requested a transfer out of this precinct as his safety is under threat in this environment but his request was not addressed.
25. From October 2014 till date, plaintiff has been assigned to less desirable jobs than his white counterparts, with similar age and time on the police force.

26. From October 2014 till date, Plaintiff has been reprimanded and sanctioned, in a more severe manner than his white counterparts, for failing to meet monthly summons and arrests quotas.
27. The discriminatory actions of the Defendants are ongoing and continue to this day.
28. In April 2010, plaintiff was deposed as a witness and gave testimony in a Federal Class Action Law Suit regarding the NYPD's stop and frisk practice and how it unfairly targets the minority community. The substance of Officer Polanco's testimony was that the NYPD targets the minority community in order to attain high levels of enforcement activity numbers mandated by illegal quotas and police officers suffered punishment in their employment for not participating in the illegal quota activity.
29. After plaintiff was identified as a witness in the stop and frisk federal class action lawsuit, the retaliation against the plaintiff intensified.
30. On or about March 2013, the plaintiff testified as a witness during the trial of a federal class action law suit regarding the NYPD's stop and frisk practice and how it unfairly targets the minority community. The substance of Officer Polanco's testimony was that they NYPD targets the minority community in order to attain high levels of enforcement activity numbers mandated by illegal quotas and police officers were punished in their employment for not participating in the illegal quota activity.

**AS AND FOR A FIRST CAUSE OF ACTION**

31. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
32. The Defendants discriminated against Plaintiff on the basis of his race, in violation of Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000(e) et seq.

**AS AND FOR A SECOND CAUSE OF ACTION**

33. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
34. The Defendants discriminated against Plaintiff on the basis of his race, in violation of New York State Executive Law (Human Rights Law) §296.

**AS AND FOR A THIRD CAUSE OF ACTION**

35. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
36. The Defendants discriminated against Plaintiff on the basis of his race, in violation of Administrative Code of the City of New York.

**AS AND FOR A FOURTH CAUSE OF ACTION**

37. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
38. The Defendants retaliated against Plaintiff because he complained about the racially discriminatory and illegal quota practices of the NYPD, in violation of the Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §2000(e) et seq.

**AS AND FOR A FIFTH CAUSE OF ACTION**

39. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
40. The Defendants retaliated against Plaintiff because he complained about the racially discriminatory and illegal quota practices of the NYPD, in violation of New York State Executive Law.

**AS AND FOR A SIXTH CAUSE OF ACTION**

41. Plaintiff adopts and incorporates each allegation set forth above in support of this count.
42. In light of the foregoing therefore, the Defendants retaliated against Plaintiff because he complained about the racially discriminatory and illegal quota practices of the NYPD, in violation of the Administrative Code of the City of New York.

**AS AND FOR A SEVENTH CAUSE OF ACTION**

43. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
44. The Defendants have violated the plaintiff's rights to free speech under the First Amendment to the United States Constitution.

**AS AND FOR AN EIGHTH CAUSE OF ACTION**

45. Plaintiff repeats and re-alleges each allegation set forth above in support of this count.
46. The Defendants have violated the plaintiff's right to free speech under Article 1, §8 of the New York State Constitution.

WHEREFORE, Plaintiff Adhyl Polanco demands judgment as follows:

- a. Against the Defendants, declaring the acts and practices complained of herein are in violation of the Title VII of the Civil Rights Act of 1964, Human Rights Law of the City of New York and the Laws of the State of New York;
- b. Enjoining and permanently restraining these violations of Title VII of the Civil Rights Act of 1964, the Human Rights Law of the City of New York and the Laws of the State of New York;
- c. Directing Defendants to take such affirmative action as is necessary to ensure the effects of these unlawful employment practices are eliminated and do not continue to affect Plaintiff's employment opportunities;
- d. Directing Defendants to make him whole for all earnings Plaintiff would have received but for Defendants' unlawful conduct, including, but not limited to, wages, pension, bonuses, and other lost benefits;
- e. Issue a declaration that the defendants violated plaintiff's rights to freedom of expression

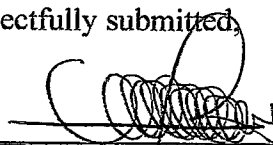


under the First Amendment of the United States Constitution and Article 1, §8 of the New York State Constitution.

- f. Issue an injunction ordering the defendants to cease from engaging in any further action in retaliation for Officer Polanco's exercise of his free speech rights and ordering the defendants to restore to Officer Polanco all benefits he lost as a result of adverse employment action to reverse any retaliatory actions taken against Officer Polanco.
- g. Directing the defendants to pay compensatory damages to the plaintiff.
- h. Directing Defendants to pay Plaintiff an additional amount as compensatory damages for his pain and suffering;
- i. Directing Defendants to pay Plaintiff an additional amount as punitive damages for their willful and/or reckless disregard for Plaintiff's statutory rights;
- j. Awarding Plaintiff such interest as is allowed by law;
- k. Awarding Plaintiff reasonable attorney's fees and costs;
- l. Trial by Jury; and
- m. Granting such and further relief as this Court deems necessary and proper.

Dated: New York, New York  
August 31, 2015

Respectfully submitted,



Emeka Nwokoro  
Nwokoro & Scola, Esquires  
Attorneys for Plaintiff  
82 Wall Street, Suite 610  
New York, NY 10005  
(212) 785-1060

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

**I. (a) PLAINTIFFS**

ADHYL POLANCO

(b) County of Residence of First Listed Plaintiff \_\_\_\_\_  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

**DEFENDANTS**

THE CITY OF NEW YORK and NEW YORK CITY POLICE DEPARTMENT

County of Residence of First Listed Defendant \_\_\_\_\_  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 4 Diversity (Indicate Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place an "X" in One Box for Plaintiff, and One Box for Defendant)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<b>PERSONAL INJURY</b> <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other  <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act  <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157  <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark  <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g))  <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input checked="" type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty  <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**V. ORIGIN** (Place an "X" in One Box Only)

- 1 Original Proceeding
- 2 Removed from State Court
- 3 Remanded from Appellate Court
- 4 Reinstated or Reopened
- 5 Transferred from Another District (specify)
- 6 Multidistrict Litigation

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
The Civil Rights Act of 1964 and the 1st Amendment to the United States Constitution.


Brief description of cause:  
A suit to obtain relief for employment discrimination and civil right violations

**VII. REQUESTED IN COMPLAINT:**

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ 5,000,000.00 CHECK YES only if demanded in complaint: JURY DEMAND:  Yes  No

**VIII. RELATED CASE(S) IF ANY**

(See instructions): JUDGE \_\_\_\_\_ DOCKET NUMBER \_\_\_\_\_

DATE 8/31/15 SIGNATURE OF ATTORNEY OF RECORD 

FOR OFFICE USE ONLY

**CERTIFICATION OF ARBITRATION ELIGIBILITY**

Local Arbitration Rule 83.10 provides that with certain exceptions, actions seeking money damages only in an amount not in excess of \$150,000, exclusive of interest and costs, are eligible for compulsory arbitration. The amount of damages is presumed to be below the threshold amount unless a certification to the contrary is filed.

I, C. Nwoko, counsel for Plaintiff, do hereby certify that the above captioned civil action is ineligible for compulsory arbitration for the following reason(s):

- monetary damages sought are in excess of \$150,000, exclusive of interest and costs,
- the complaint seeks injunctive relief,
- the matter is otherwise ineligible for the following reason

**DISCLOSURE STATEMENT - FEDERAL RULES CIVIL PROCEDURE 7.1**

Identify any parent corporation and any publicly held corporation that owns 10% or more of its stocks:

**RELATED CASE STATEMENT (Section VIII on the Front of this Form)**

Please list all cases that are arguably related pursuant to Division of Business Rule 50.3.1 in Section VIII on the front of this form. Rule 50.3.1 (a) provides that "A civil case is "related" to another civil case for purposes of this guideline when, because of the similarity of facts and legal issues or because the cases arise from the same transactions or events, a substantial saving of judicial resources is likely to result from assigning both cases to the same judge and magistrate judge." Rule 50.3.1 (b) provides that " A civil case shall not be deemed "related" to another civil case merely because the civil case: (A) involves identical legal issues, or (B) involves the same parties." Rule 50.3.1 (c) further provides that "Presumptively, and subject to the power of a judge to determine otherwise pursuant to paragraph (d), civil cases shall not be deemed to be "related" unless both cases are still pending before the court."

**NY-E DIVISION OF BUSINESS RULE 50.1(d)(2)**

- 1.) Is the civil action being filed in the Eastern District removed from a New York State Court located in Nassau or Suffolk County? NO
- 2.) If you answered "no" above:
  - a) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in Nassau or Suffolk County? NO
  - b) Did the events or omissions giving rise to the claim or claims, or a substantial part thereof, occur in the Eastern District? yes

If your answer to question 2 (b) is "No," does the defendant (or a majority of the defendants, if there is more than one) reside in Nassau or Suffolk County, or, in an interpleader action, does the claimant (or a majority of the claimants, if there is more than one) reside in Nassau or Suffolk County? \_\_\_\_\_

(Note: A corporation shall be considered a resident of the County in which it has the most significant contacts).

**BAR ADMISSION**

I am currently admitted in the Eastern District of New York and currently a member in good standing of the bar of this court.

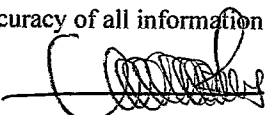
- Yes
- No

Are you currently the subject of any disciplinary action (s) in this or any other state or federal court?

- Yes (If yes, please explain)
- No

I certify the accuracy of all information provided above.

Signature:



Chukwuemeka Nwoko

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Eastern District of New York

ADHYL POLANCO

Plaintiff(s)

v.

THE CITY OF NEW YORK, and NEW YORK CITY POLICE DEPARTMENT

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) THE CITY OF NEW YORK C/O CORPORATION COUNSEL CITY OF NEW YORK, LAW DEPARTMENT 100 CHURCH STREET NEW YORK, NY 10007

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

DOUGLAS C. PALMER CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

