

4. The Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA individually, were at all times relevant to the allegations of the Complaint, duly appointed Berwyn Police officers and were acting within their scope of employment and under color of law.
5. On or about November 2021, the Plaintiff, SEAN PAUL REYES, was lawfully in the Berwyn City Hall.
6. The Plaintiff filmed some of the activities in City Hall.
7. Plaintiff SEAN PAUL REYES was not committing a crime or breaking any laws.
8. One of the Defendants seized the plaintiff restricting his movement and taking him into custody.
9. The plaintiff was not free to go.
10. The Defendants, after a period of time, escorted the plaintiff outside the building.
11. The Plaintiff attempted to film GHILONI but his phone was forced out of his hands by one of the officers and confiscated.
12. There were no facts to support any probable cause that Plaintiff was committing any crime.
13. The plaintiff was arrested and charged with disorderly conduct.
14. The Defendants' actions constituted an unlawful seizure and arrest.
15. The actions of the Defendants were intentional, willful, and wanton.
16. As a result of the Defendants' actions, the plaintiff was seized and handcuffed.
17. The actions of the Defendants constituted a violation of the Plaintiff SEAN PAUL REYES's Fourth Amendment rights as protected by 42 U.S.C. § 1983.
18. As a result of the actions of the Defendants, the Plaintiff, SEAN PAUL REYES,

suffered fear, anxiety, pain and suffering, emotional distress, and money damages.

WHEREFORE, the Plaintiff, SEAN PAUL REYES, prays for judgment in his favor and against the Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA, individually, in an amount of fair and reasonable compensatory damages, punitive damages, attorneys' fees and costs.

COUNT II- CONSPIRACY

1-18. The Plaintiff hereby realleges and incorporates his allegations of paragraphs 1-18 of Count I as his respective allegations of paragraphs 1-18 of Count II as though fully set forth herein.

19. The Defendant Ruth Siaba was the City Administrator of Berwyn.

20. During the time he was handcuffed and in custody, the defendants got Ruth Siaba Green, the city administrator to sign a criminal complaint.

21. The Defendants did not have probable cause to have the plaintiff arrested or charged.

22. The defendants conspired to have Sean Paul Reyes criminally arrested and charged.

23. The actions of the arrest constituted a violation of the Plaintiff's Fourth Amendment rights.

24. The actions of the Defendants were intentional, willful, and wanton.

25. The actions of the Defendants constituted a violation of the Plaintiff' Fourth Amended rights as protected by 42 U.S.C. § 1983.

26. As a result of the actions of the Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA, individually, the Plaintiff, SEAN PAUL REYES, suffered fear, anxiety, pain and suffering, emotional distress, and money damages.

WHEREFORE, the Plaintiff, SEAN PAUL REYES prays for judgment in his favor and against the Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA, individually, in an amount of fair and reasonable compensatory damages, punitive damages, attorneys' fees and costs.

COUNT III- MALICIOUS PROSECUTOR

1-26. The Plaintiff hereby realleges and incorporates his allegations of paragraphs 1-26 of Count II as his respective allegations of paragraphs 1-26 of Count III as though fully set forth herein.

27. The defendant proceeded with prosecution of their charges knowing they were false.

28. The Plaintiff retained counsel for his defense.

29. The charges were ultimately dismissed in his favor.

WHEREFORE, the Plaintiff, SEAN PAUL REYES's prays for judgment in his favor and against the Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA, individually, in an amount of fair and reasonable compensatory damages, punitive damages, attorneys' fees and costs.

COUNT IV- CITY OF BERWYN/INDEMNIFICATION

1-29. Plaintiff hereby realleges and incorporates his allegations of paragraphs 1-29 of Count I-III as his respective allegations of paragraph 1-29 of Count I-III as his respective allegations of paragraph 1-29 of Count IV as though fully set forth herein.

30. Illinois law provides that public entities are directed to pay any tort judgment for compensatory damages for which employees are liable within the scope of their employment activities.

31. Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI,

and RUTH SIABA are or were employees of the CITY OF BERWYN and acted within the scope of their employment in committing the misconduct described herein.

WHEREFORE, should Defendants, RICHARD VOLANTI, DETECTIVE MONACO, OFFICER GHILONI, and RUTH SIABA be found liable for the acts alleged above, the Defendant CITY OF BERWYN would be liable to pay the Plaintiff any judgment obtained against said Defendants.

WHEREFORE, the Plaintiff, SEAN PAUL REYES prays for judgment against the Defendant CITY OF BERWYN for reasonable compensatory damages plus attorney's fees and costs.

JURY DEMAND

The Plaintiff, SEAN PAUL REYES, hereby requests a trial by jury.

Respectfully submitted,
SEAN PAUL REYES

By: /s/ Gregory E. Kulis
One of Plaintiff' Attorneys

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