

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS, EASTERN DIVISION

OMAR ALI,)
)
Plaintiff,)
vs.)
)
VILLAGE OF TINLEY PARK,)
a municipal corporation,)
JOHN DOE FIREFIGHTERS,)
Tinley Park firefighters,)
)
Defendants.)

COMPLAINT

Jurisdiction/Venue

1. This incident on or about May 6, 2014 in the Village of Tinley Park, Cook County, Illinois.
2. The jurisdiction of this Court is invoked pursuant to the Civil Rights Act, 42 U.S.C. § 1981, 1983, § 1988, the judicial code 28 U.S.C. § 1331 and § 1343(a); the Constitution of the United States, and pendent jurisdiction, as provided under U.S.C. § 1367(a).

Parties

3. At all relevant times pertaining to this occurrence, Plaintiff Omar Ali, 30, was a resident of Tinley Park.
4. The Plaintiff is African American, of Muslim faith.
5. At the time of the occurrence, Defendant Tinley Park was a municipal corporation, and the principal employer of Defendant John Doe Firefighters who were acting under color of law and in the scope of their employment with Defendant Village of

Tinley Park as firefighters.

6. There were three John Doe Firefighters, all white males, who committed the acts alleged in this complaint.

Facts

7. On or about May 6, 2014, at about 2:30 p.m., the Plaintiff was walking home, alone, from Centennial Park in Tinley Park, on a sidewalk across the street from the Tinley Park Fire Department.
8. At about this time and place, three John Doe Firefighters sprayed the Plaintiff with a powerful water hose, attached to their fire truck, causing the Plaintiff, pain, fear, wetness, discomfort, humiliation and severe emotional distress.
9. The three John Doe Firefighters sprayed the Plaintiff with their powerful water hose based on his race and/or Muslim faith.
10. At the time the Plaintiff was sprayed, he was wearing a clearly visible Turbin on his head.
11. The Plaintiff, later that day, confronted these firefighters, and at least two firefighters admitted, on videotape, that they sprayed the Plaintiff with their powerful water hose.
12. One of the John Doe firefighters told the Plaintiff the firefighters “didn’t mean to” do it, he offered to apologize, and one of them indicated the firefighters were “just kidding.”
13. The spraying was neither an accident nor a joke, but a purposeful act that was directly related to the Plaintiff’s race and/or ethnicity.
14. The Plaintiff brings state law claims against all the Defendants of (a) hate crime (720 ILCS 5/12-7.1), (b) intentional infliction of emotional distress, (c) battery, and (d)

willful and wanton misconduct.

15. The Plaintiff also brings federal Section 1981 (denial of equal protection based on race/ethnicity) and Section 1983 claims (denial of equal protection, excessive force, and failure to intervene) against the John Doe Firefighters.
16. The Plaintiff also brings an indemnification claim against the Village of Tinley Park for all federal claims.
17. The Plaintiff seeks compensatory damages against all Defendants, punitive damages against the individual Defendant Firefighters, and attorney's fees and costs, in addition to any other relief that is equitable and just.

PLAINTIFF DEMANDS TRIAL BY JURY

Respectfully submitted,

By: s/ Richard Dvorak

Richard Dvorak,
Attorney for the Plaintiff

Richard Dvorak
THE LAW OFFICES OF RICHARD DVORAK
18W140 Butterfield Road, 15th Floor
Oakbrook Terrace, IL 60181
(312) 593-7146 (phone)
(312) 276-4868 (fax)
richard.dvorak@civilrightdefenders.com