

STATE OF SOUTH CAROLINA)
)
 COUNTY OF CHARLESTON)
)
 GEORGE BOLOVIS,)
)
 Plaintiff,)
)
 v.)
)
 THE CITY OF CHARLESTON FIRE)
 DEPARTMENT (THE CITY OF)
 CHARLESTON); ANDREW (“KYLE”).)
 WEBB, in his individual capacity;)
 WILLIAM HAIGLER, in his individual)
 capacity; KEVIN MORRIS, in his)
 individual capacity; KEVIN CARTER, in)
 his individual capacity;)
)
 Defendants.)
 _____)

IN THE COURT OF COMMON PLEAS
 FOR THE NINTH JUDICIAL CIRCUIT
 CASE NO.: 2023-CP-10_____

SUMMONS
 (Jury Trial Demanded)

TO THE ABOVE-NAMED DEFENDANTS:

YOU ARE HEREBY SUMMONED and required to Answer the Complaint in this action, a copy of which is herewith served upon you and to serve a copy of your Answer to said Complaint on the subscriber at his office, Apostolou Law Firm, LLC, 3443 Rivers Avenue, North Charleston, South Carolina, 29405, within thirty (30) days after the service hereof, exclusive of the day of such service and if you fail to answer the Complaint within the time aforesaid, the Plaintiff in this action will apply to the Court for the relief demanded in the Complaint and will seek a default judgment against you.

APOSTOLOU LAW FIRM

/s/ Michael Thomas Cooper _____
 Michael Thomas Cooper, SC Bar 100053
 3443 Rivers Avenue
 North Charleston, SC 29405
 Ph (843) 853-3637
michael@apostoloulaw.net
Attorney for Plaintiff

Dated: Thursday, October 12, 2023
 North Charleston, South Carolina

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IN THE COURT OF COMMON PLEAS
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COMPLAINT
 (Jury Trial Demanded)

COMES NOW the Plaintiff, above-named, who would respectfully allege and show unto the Court as follows:

PREFACE

1. As preface to the present legal action, Plaintiff is a former employee of the Charleston Fire Department who sustained permanent hearing loss as a direct and proximate result of a fellow fireman placing an explosive device underneath Plaintiff’s cot within the fire station, a government building.
2. Plaintiff brings the present legal action, because Plaintiff firmly believes the residents and taxpayers of the City of Charleston deserve a fire department worthy of our beautiful and historic city.
3. Plaintiff believes and understands there is a culture of hazing, harassment, and hostility at

certain fire stations within the City that drives away talented and highly qualified recruits and fellow firemen. Within these fire stations there exists a good-ole-boy attitude and mentality that is prioritized over the safety and well-being of the public. This culture is known and tolerated by leadership within the City of Charleston Fire Department.

4. As a victim of such hazing, Plaintiff seeks to shed light on these problems and effect what change this litigation might bring about.

PARTIES AND JURISDICTION

5. Plaintiff, George Bolovis (hereinafter referred to as “Plaintiff” or “Bolovis”), is a citizen and resident of Charleston County, South Carolina. During all times relevant herein, Plaintiff was an employee of the City of Charleston and the Charleston Fire Department.
6. Defendant City of Charleston is a municipal subdivision of the State of South Carolina with its principal offices located in Charleston County, South Carolina. The City of Charleston operates the Charleston Fire Department (hereinafter “CFD” or “Fire Department”), a department within the municipal subdivision.
7. Upon information and belief, Defendant Andrew Webb (hereinafter “Defendant Webb” or “Webb”) is a resident and citizen of Charleston County, South Carolina. Defendant Webb is sued in his individual capacity, however, during all times relevant herein Defendant Webb was an employee of the City of Charleston and the Fire Department.
8. Upon information and belief, Defendant William Haigler (hereinafter “Defendant Haigler” or “Haigler”) is a resident and citizen of Charleston County, South Carolina. Defendant Haigler is sued in his individual capacity, however, during all times relevant herein Defendant Haigler was an employee of the City of Charleston and the Fire Department.

9. Upon information and belief, Defendant Kevin Morris (hereinafter “Defendant Morris” or “Morris”) is a resident and citizen of Charleston County, South Carolina. Defendant Morris is sued in his individual capacity, however, during all times relevant herein Defendant Morris was an employee of the City of Charleston and the Fire Department.
10. Upon information and belief, Defendant Kevin Carter (hereinafter “Defendant Carter” or “Carter”) is a resident and citizen of Charleston County, South Carolina. Defendant Carter is sued in his individual capacity, however, during all times relevant herein Defendant Carter was an employee of the City of Charleston and the Fire Department.
11. All events giving rise to this action took place in Charleston County, South Carolina.
12. This Court has jurisdiction to hear the matter and venue is proper pursuant to S.C. Code § 15-7-30.

FACTUAL ALLEGATIONS

13. Plaintiff realleges and incorporates by reference the above numbered paragraphs as is set forth herein verbatim.
14. Plaintiff, George Bolovis began employment with the City of Charleston in August 2019 and graduated from the 19-02 recruit class as a certified level 2 fire fighter.
15. Plaintiff was hired to serve the Charleston community as a fire fighter and EMT.
16. Upon information and belief, the Fire Department’s values are: Honor, Commitment, Community, Integrity, and Professionalism. *See* <https://www.charleston-sc.gov/2012/Mission-Vision-Values>.
17. The City defines “Commitment” as “Duty and responsibility to our community and members of the organization.”

18. The City defines “Integrity” as “Being honest, respectful, and loyal to our community and peers.”
19. The City defines “Professionalism” as “Achieve excellence through progressive training and courteous service.”
20. Plaintiff espouses these same values and ideals. However, in Plaintiff’s personal experience at the Fire Department and especially within Station 13, such values are not being upheld and there is a complete lack of accountability for their disregard.
21. At the time of Plaintiff’s hire, Plaintiff entered the Fire Department as a probationary fire fighter commonly referred to as a “grey shirt” because probationary fire fighters wear a grey uniform shirt while fully vested fire fighters wear a blue uniform shirt.
22. During a fire fighter’s probationary period, the fire fighter is supposed to perform drills with his or her unit and learn all of the ins and outs of the duties and responsibilities of a fire fighter. During this probationary period, the fire fighter conducts physical exercises as well as mental ones.
23. Plaintiff completed his probationary period and earned a blue shirt.
24. Plaintiff along several with other fire fighters from Engine 113, was awarded a Life Saving Award on November 18, 2022 for exemplary service to the Charleston Community.
25. However, the City failed to notify Plaintiff about the award or ceremony thereby excluding him from the awards ceremony. Plaintiff only later found out about the award through word of mouth.
26. Even though only possessing the rank of fire fighter, Plaintiff volunteered for and was appointed to the strategic planning committee for the City of Charleston Fire Department.

27. Plaintiff is not a South Carolina native being originally from Queens, New York.
28. Plaintiff moved to Charleston from Alabama. In Alabama, Plaintiff was a member of the Laborers Union, Local 366, employed through Day and Zimmermann, conducting job-site safety inspections and supervisions to prevent fire hazards within Browns Ferry Nuclear Power Plant.
29. Plaintiff is of Greek heritage and decent.
30. When Plaintiff joined the fire department, he was assigned to James Island, Station 13, in the City of Charleston.
31. Upon information and belief, the individual fire fighters stationed on James Island are all, if not mostly all, from James Island and the surrounding areas.
32. Upon information and belief, the individual fire fighters stationed on James Island for Plaintiff's same shift, at the time giving rise to this action, were tenured fire fighters with at least 10 years of employment with the fire department and had been working together that time.
33. Upon information and belief, these fire fighters viewed Plaintiff as an outsider and made sure to treat him the same.
34. On one occasion while Plaintiff was still a grey shirt, Defendant Carter took Plaintiff on a night drive by themselves and informed Plaintiff that Plaintiff did not belong at the James Island fire station, would not be welcome there, and that Plaintiff would never fit in there because he was an outsider.
35. On multiple occasions, Defendant Carter requested Plaintiff put in a request for a transfer out of Defendant Carter's Station on James Island.

36. Even after Plaintiff completed his probationary period and was a full-blown blue shirt, the fire fighters with whom Plaintiff was stationed continued to haze him and subject him to drills, duties, and other tasks that they singularly imposed upon him alone.
37. One example of such hazing took place when Plaintiff was forced to drill, by himself, in full fire fighter gear, including his mask with oxygen, for extensive periods of time. This drilling served no purpose except to harass, intimidate, and abuse Plaintiff.
38. On the day of the incident giving rise to this action, Plaintiff was forced to do the above-described drilling by himself and for no other reason but to harass, intimidate, and abuse Plaintiff.
39. Another example of such hazing took place where Plaintiff was made to be the only person to clean the bathrooms in the Station, as he was the lowest ranking and newest member of the force.
40. Immediately after Plaintiff would finish cleaning the bathrooms, ranking personnel, and specifically Defendant Carter, would relieve themselves/ himself by urinating on the floor of the bathroom and then direct Plaintiff to go back in to finish cleaning the bathroom. This happened on multiple occasions where ranking personnel would urinate on the floor immediately after Plaintiff had finished cleaning and then instruct him to go back into the bathroom to clean it again.
41. Another example of such hazing took place on another occasion when Plaintiff was eating dinner. Plaintiff was eating with other staff when Defendant Carter interrupted the meal to instruct Plaintiff to go clean the bathtub in the shower because Defendant Carter had “left and oyster” in the shower. Defendant Carter used this euphemism to mean that he wanted

Plaintiff to clean the showers where Defendant Carter had recently masturbated. While Plaintiff refused to follow Defendant Carter's order, Plaintiff understood Defendant Carter's intent to embarrass, intimidate, and harass Plaintiff.

42. As the newest member at the James Island station, Plaintiff was expected to singularly perform all of the "grunt" work and labor-intensive upkeep tasks, like cleaning, yard-work, and other similar tasks that would generally and ordinarily be shared among the while team of fire fighters at the station.
43. On top of having to perform all of the station duties normally shared by the shift team, Plaintiff was generally the only EMT for his shift which meant that Plaintiff had to respond to all injury calls, handle all medical aspects, and complete all paperwork relating to all injury calls. This singular responsibility fell to Plaintiff because the other fire fighters on his shift were not required to be EMTs as is the current standard and requirement because they were "grandfathered in."
44. On another occasion, the fire fighters on the same shift as Plaintiff mocked his Greek heritage when Plaintiff was asked to cook Greek food for everyone. Plaintiff made chicken gyros and tzatziki sauce. After this meal, the other members of Plaintiff's shift would mock Plaintiff about the meal repeatedly telling him how disgusting they thought it was and so on.
45. Plaintiff continually endured such hazing and harassment because Plaintiff felt called to be a fire fighter and wanted to serve the Charleston community.
46. Plaintiff hoped the hazing would stop if he endured it long enough. Unfortunately, that did not happen and the hazing never stopped.
47. On October 15, 2020, the date of the incident giving rise to this action, Plaintiff was again

- singled out and made to perform drills by himself wearing full gear including oxygen mask and other equipment.
48. After that hazing exercise ended, Plaintiff showered off and began his regular maintenance and cleaning duties around the station to include making up his bunk.
 49. On the date of the incident giving rise to this action, Plaintiff was making up his bunk when he flipped over the bunk mattress to have it made up on Plaintiff's preferred side of the mattress because there is a firm side and soft side.
 50. When Plaintiff flipped the mattress over and it landed back on the bed frame, some type of incendiary device exploded from somewhere underneath his bunk.
 51. Upon the explosion Plaintiff fell over onto the bed and then rolled onto the floor.
 52. The explosion caused an extremely loud noise, which immediately made Plaintiff nauseated and caused pain and ringing in his ears.
 53. The explosion from the incendiary device created so much sulfuric smoke that the crew had to open up the doors and windows of the fire station and turn on all of the fans to vent out the smell and smoke from the station.
 54. Right after the explosion, while Plaintiff was still on the ground, Defendant Carter came out of his office in the adjacent room and asked Plaintiff what happened telling Plaintiff that he thought that Plaintiff had brought a gun to work and shot himself in the head.
 55. Defendant Carter's comment demonstrates his actual knowledge of the hazing and its severity such that Defendant Carter thought Plaintiff might have been so suicidal that he brought a gun to work to kill himself there at the fire station.
 56. Defendant Carter then walked back out of the bunk room without offering aid or saying

- anything else to Plaintiff and leaving Plaintiff lying on the floor.
57. When the explosion happened Plaintiff immediately reported to his supervisors and ranking department employees the injury to his ears, ringing, and terrible headache that he was experiencing.
 58. Not one of Plaintiff's supervisors or ranking personnel took any action in response to the incident.
 59. Plaintiff was not offered any medical assistance or evaluation.
 60. No report was made by Plaintiff's fellow employees or supervisors to the City of Charleston or Fire Department leadership on the date of the incident about what happened or the harm to Plaintiff.
 61. After the explosion, Plaintiff finished out his shift in the computer room and on his bunk and then went home.
 62. After the incident, Plaintiff was pressured by his supervisors, including Defendant Carter and Defendant Morris, to not report the incident or his injury to the City of Charleston or the highest levels of the Fire Department.
 63. Upon information and belief, Defendants Carter, Morris, and Haigler each took overt steps to cover up the incident up to and including lying to ranking officials within the Fire Department about the incident and his/their knowledge thereof.
 64. Plaintiff ultimately had no choice but to seek medical attention because he had persistent ringing in his ears, impaired hearing, hyperacusis, and ongoing headaches.
 65. The explosion directly and proximately caused Plaintiff to suffer a permanent partial hearing loss to the extent that Plaintiff can no longer qualify to work as a fire fighter ever again.

AS A FIRST CAUSE OF ACTION

Battery

As to the Individually-Named Defendants

66. Plaintiff re-alleges and incorporates by reference all of the above paragraphs as if set forth herein verbatim.
67. The use of an incendiary device by Defendants against Plaintiff as set forth above constitutes the infliction of forcible contact on the person of another, namely Plaintiff.
68. The forcible contact with Plaintiff was the direct and proximate cause of serious physical injuries to include damage to Plaintiff's hearing, hyperacusis, and intractable headaches.
69. Upon information and belief, the above-named individual Defendants, acted in concert, jointly and severally, to cause the battery described herein and resulting injuries to Plaintiff.
70. As set forth more fully in Plaintiff's prayer for relief, the above-named individual Defendants are liable, separately, individually, and/or jointly and severally for the compensatory damages suffered by Plaintiff as a direct and proximate result of their actions as set forth herein.
71. As set forth more fully in Plaintiff's prayer for relief, the above-named individual Defendants are liable, separately and individually, for punitive damages in this action.

AS A SECOND CAUSE OF ACTION

Civil Conspiracy

As to the Individually-Named Defendants

72. Plaintiff re-alleges and incorporates by reference all of the above paragraphs as if set forth herein verbatim.
73. The above-named individual Defendants combined and conspired for the purpose of injuring Plaintiff.

74. These individual Defendants acted for the purpose of injuring Plaintiff by and through the coordinated harassment, hazing, and abuse to cause such harm to Plaintiff to make him quit his employment as a fire fighter, request transfer to another station, resign from the City of Charleston, and/or commit suicide.
75. These Defendants committed such overt acts as forcing Plaintiff to drill alone in full gear, singling Plaintiff out for hazing, pressuring other fire fighters in the station and department to remain silent about the abuse suffered upon Plaintiff, lying about such abuse to hide the truth from ranking officials with the Fire Department, and such other overt acts that might be obtained through discovery and proved at trial.
76. Plaintiff suffered special damages as a direct and proximate result of the above-described conspiracy. Those special damages include loss of employment, loss of ability to serve as a fire fighter, emotional and mental distress, harm to reputation, and such other special damages to be proved at the trial of this action.

AS A THIRD CAUSE OF ACTION

Violation of Fourteenth Amendment Pursuant to 42 U.S.C. § 1983

As to All Defendants

77. Plaintiff re-alleges and incorporates by reference all of the above paragraphs as if set forth herein verbatim.
78. The Fourteenth Amendment of the United States Constitution guarantees certain recognized substantive due process rights, including and specifically the rights to life, liberty, and bodily integrity. These rights have been incorporated through the 14th Amendment as to the States and such political subdivisions as the City of Charleston. *See e.g., Ingraham v. Wright*, 430 U.S. 651 (1977) (recognizing right to bodily integrity as a liberty interest under the 14th

Amendment).

79. The City of Charleston is a municipality subject to suit pursuant to 42 U.S.C. § 1983 as the City is a “person” as defined by the Supreme Court of the United States. *Monell v. Dept. of Social Services*, 436 U.S. 658 (1978).
80. The individually-named Defendants, at all times relevant herein, were employees of the City of Charleston Fire Department and interacted with Plaintiff in such capacity as an employee of the City of Charleston.
81. The individually-named Defendants, during all relevant times herein, were state actors and acting under the color of state law.
82. The City of Charleston, by and through the ranking supervisors, Defendant Morris, Defendant Carter, and/or Defendant Haigler, deliberately established and/or adopted policies, procedures, customs, and practices that Defendants knew violated Plaintiff’s substantive due process rights. Furthermore, Plaintiff understands and believes that Defendants intentionally adopted the practice, custom, policy, and procedure of hazing, harassment, intimidation, and abuse with the intent of harming Plaintiff including causing physical injury in addition to taking Plaintiff’s ability to work and serve his community as a fire fighter.
83. Defendants’ conduct as set forth herein above was deliberately intended to injure Plaintiff, shocks the conscience, and constitutes an arbitrary executive abuse of power. In addition and/or in the alternative, Defendants were deliberately indifferent to the substantive due process rights of Plaintiff by subjecting him to hazing and harassment culminating in the use of an explosive device intended to injure and harm Plaintiff.
84. In addition, the use of the explosive device by a person acting under the color of state law is

an intentional, conscience shocking, and deliberate assault on Plaintiff's substantive due process right to bodily integrity by the individually-named Defendants as set forth above.

85. As a direct and proximate result of the deliberate indifference and/or intentional acts by Defendants, as state actors and/or individuals acting under color of state law, Plaintiff suffered serious and permanent bodily injury in addition to other compensatory damages. The individually-named Defendants are each liable for the punitive damages arising out of their own specific and individual acts of intentional harm and deliberate indifference.

AS A FOURTH CAUSE OF ACTION
Intentional Infliction of Emotional Distress/ Outrage
As to the Individually-Named Defendants

86. Plaintiff re-alleges and incorporates by reference all of the above paragraphs as if set forth herein verbatim.
87. Defendants intentionally and/or recklessly inflicted severe emotional distress through the above-described acts and/or omissions.
88. In addition and/or in the alternative, it was certain or substantially certain that such distress would result from Defendants' conduct described more fully above.
89. Defendants' conduct was so extreme and outrageous as to exceed all possible bounds of decency and must be regarded as atrocious and utterly intolerable in a civilized community.
90. Such outrageous conduct included intentionally urinating on the floor of the bathroom so that Plaintiff would have to clean up the urine, masturbating in the facility so that Plaintiff would have to clean up Defendant's bodily fluids, forcing Plaintiff to perform drills in full gear alone and with the sole purpose of harassing, intimidating, hazing, and embarrassing Plaintiff.

91. No decent society should or would tolerate such conduct and the Charleston community should not tolerate such conduct - especially within public service departments who are employed to protect the health and safety of the community and its residents.
92. Defendants actions were the direct and proximate cause of severe emotional distress upon Plaintiff and such distress was so severe that no reasonable man could be expected to endure it.
93. Defendants are liable, individually and jointly and severally, for the compensatory damages caused by their extreme and outrageous conduct, and the punitive damages that may be awarded by the finder of fact against the individually-named Defendants separately and independently for each Defendant's own conduct.

PRAYER FOR RELIEF

94. Wherefore, Plaintiff prays for the following:
 - A. Judgment against Defendants, individually and/or jointly and severally, for all compensatory damages found and awarded by the trier of fact in this action;
 - B. Judgment against Defendants, individually and/or jointly and severally, for all special damages found and awarded by the trier of fact in this action;
 - C. Judgement against the individually-named Defendants, individually and separately, for punitive damages found and awarded by the trier of fact in this action;
 - D. An award of reasonable attorneys fees and costs pursuant to 42 U.S.C. § 1988;
 - E. And any and all such other relief that the Court and/or the trier of fact find to be just and proper.

Respectfully Submitted,

APOSTOLOU LAW FIRM

/s/ Michael Thomas Cooper _____

Michael Thomas Cooper, SC Bar 100053

3443 Rivers Avenue

North Charleston, SC 29405

Ph (843) 853-3637

michael@apostoloulaw.net

Attorney for Plaintiff

Dated: Thursday, October 12, 2023
North Charleston, South Carolina