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Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

NOV 18 2024

UNITED STATES DISTRICT COURT

CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF IOWA

for the

Southern District of Iowa

Davenport Division

Paul Anthony Reed, Sr. (Pro Se)

Case No. 3:24-CV-00088 (to be filled in by the Clerk's Office)

Plaintiff(s)

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-v-

City of West Liberty, West Liberty Fire Department, City Manager Lee Geertz, Fire Chief Kirt Sickels, Assistant Fire Chief Tom Christensen, and Mayor Mark Smith

Defendant(s)

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

COMPLAINT AND REQUEST FOR INJUNCTION

I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name Paul Anthony Reed, Sr.
Street Address 111 Maxson Dr.
City and County West Liberty (Muscatine)
State and Zip Code Iowa 52776-1115
Telephone Number (563)-206-4944
E-mail Address preedsr@outlook.com

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

Defendant No. 1

Name	<u>West Liberty Fire and EMS</u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u>109 E. Second St.</u>
City and County	<u>West Liberty (Muscatine)</u>
State and Zip Code	<u>Iowa 52776</u>
Telephone Number	<u>319-627-2303</u>
E-mail Address <i>(if known)</i>	<u>fire@CityOfWestLibertyIA.org</u>

Defendant No. 2

Name	<u>City of West Liberty</u>
Job or Title <i>(if known)</i>	<u></u>
Street Address	<u>409 N Calhoun St</u>
City and County	<u>West Liberty (Muscatine)</u>
State and Zip Code	<u>Iowa 52776</u>
Telephone Number	<u>(319) 627-2418</u>
E-mail Address <i>(if known)</i>	<u>shoffert@cityofwestlibertyia.org</u>

Defendant No. 3

Name	<u>Mark Smith</u>
Job or Title <i>(if known)</i>	<u>West Liberty Mayor</u>
Street Address	<u>409 N Calhoun St</u>
City and County	<u>West Liberty (Muscatine)</u>
State and Zip Code	<u>Iowa 52776</u>
Telephone Number	<u>(319) 627-2418</u>
E-mail Address <i>(if known)</i>	<u>mayorsmith@cityofwestlibertyia.org</u>

Defendant No. 4

Name	<u>Lee Geertz</u>
Job or Title <i>(if known)</i>	<u>City Manager</u>
Street Address	<u>409 N Calhoun St</u>
City and County	<u>West Liberty (Muscatine)</u>
State and Zip Code	<u>Iowa 52776</u>
Telephone Number	<u>(319) 627-2418</u>
E-mail Address <i>(if known)</i>	<u>lgeertz@cityofwestlibertyia.org</u>

Defendant No. 5

Name	Kirt Sickels
Job or Title (if known)	Fire Chief
Street Address	109 E. Second St.
City and County	West Liberty (Muscatine)
State and Zip	Iowa 52776
Code Telephone	319-627-2303
Number E-mail Address (if known)	ksickels@cityofwestlibertyia.org

Defendant No. 6

Name	Tom Christensen
Job or Title (if known)	Assistant Fire Chief
Street Address	109 E. Second St.
City and County	West Liberty (Muscatine)
State and Zip	Iowa 52776
Code Telephone	319-627-2303
Number E-mail Address (if known)	bodyworks57@live.com

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

- Federal question
- Diversity of citizenship

Fill out the paragraphs in this section that apply to this case.

A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

See addendum 1

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

a. If the plaintiff is an individual

The plaintiff, *(name)* _____, is a citizen of the State of *(name)* _____.

b. If the plaintiff is a corporation

The plaintiff, *(name)* _____, is incorporated under the laws of the State of *(name)* _____, and has its principal place of business in the State of *(name)* _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

a. If the defendant is an individual

The defendant, *(name)* _____, is a citizen of the State of *(name)* _____ . Or is a citizen of *(foreign nation)* _____.

Addendum 1

This case arises from the wrongful termination of Plaintiff Paul Reed, a volunteer firefighter with the West Liberty Fire Department, without being afforded his constitutional right to due process. The plaintiff's termination resulted from an investigation marred by procedural neglect, mishandling, and failure to follow required protocols, in violation of the Fourteenth Amendment's Due Process Clause. Under 42 U.S.C. § 1983, Plaintiff brings this civil action against City Manager Lee Geertz, Fire Chief Kirt Sickels, Assistant Fire Chief Tom Christensen, Mayor Mark Smith, West Liberty Fire Department, and the City of West Liberty, alleging that Defendants, acting under color of state law, deprived him of his constitutionally protected property interest in his position without proper notice or an opportunity to be heard. Plaintiff was placed on administrative leave on September 25, 2023, based on vague allegations of misconduct, but was not informed that the allegations related to sexual harassment until 11 days later. Furthermore, Plaintiff was denied access to critical witness statements until three to four months after his termination on October 24, 2023, depriving him of a meaningful opportunity to rebut or challenge the claims against him before the termination decision was finalized. In a meeting on September 5, 2024, City Manager Lee Geertz admitted to mishandling the investigation and to procedural neglect, stating that certain individuals involved in the process had acted improperly. Despite these admissions, Mayor Mark Smith, who was present during the meeting, took no corrective action to address the deficiencies in the investigation or to prevent Plaintiff's wrongful termination. Plaintiff seeks compensatory damages, punitive damages, and injunctive relief, including reinstatement, for the deprivation of his due process rights under 42 U.S.C. § 1983.

Addendum 1

1.) **42 U.S.C. § 1983—Civil Action for Deprivation of Rights:** This statute allows individuals to sue for the deprivation of constitutional rights by persons acting under the color of state law. I am alleging that the defendants violated my due process rights during the investigation and termination process.

2.) **Fourteenth Amendment to the United States Constitution—Due Process Clause:** The Fourteenth Amendment protects individuals from being deprived of life, liberty, or property without due process of law. I claim that my due process rights were violated when I was terminated without being given sufficient notice, an opportunity to be heard, or access to the evidence used against me.

b. If the defendant is a corporation

The defendant, (name) _____, is incorporated under the laws of the State of (name) _____, and has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of (foreign nation) _____, and has its principal place of business in (name) _____.

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant.)

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because (explain):

See Addendum 2

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the injunction or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

A. Where did the events giving rise to your claim(s) occur?

The events giving rise to my claims occurred at the West Liberty Fire Department, located in West Liberty, Iowa, as well as at the West Liberty City Hall.

B. What date and approximate time did the events giving rise to your claim(s) occur?

The events began on September 25, 2023, when I was placed on administrative leave and culminated on October 24, 2023, when I was terminated from my role as a volunteer firefighter. Additionally, on October 11, 2023, I participated in an interview where the scope of the questioning was limited. On September 5, 2024, during a meeting with City Manager Lee Geertz, Mayor Mark Smith, and Dana Dominguez (my fiancée and West Liberty Council Member), further admissions about the mishandling of the investigation were made.

Addendum 2

The amount in controversy in this case exceeds \$75,000, exclusive of interest and court costs, because:

1.) **Compensatory Damages:** I am seeking \$10,000 for the loss of stipends and income I would have earned as a volunteer firefighter had I not been wrongfully terminated. Additionally, I am claiming \$15,000 for emotional distress caused by the procedural mishandling of the investigation, which has caused ongoing mental suffering.

2.) **Reputational Damages:** I am requesting \$30,000 in damages for the harm to my personal and community reputation. The wrongful termination and false accusations of misconduct have negatively impacted my standing in the community where I have served as a volunteer firefighter, damaging my relationships and public image.

3.) **Punitive Damages:** I am claiming \$100,000 in punitive damages. The defendants acted with reckless disregard for my due process rights, knowingly mishandling the investigation despite the advice of legal counsel, and failing to take corrective action after acknowledging procedural failures. This reckless and willful misconduct justifies punitive damages to punish the defendants and deter future misconduct.

4.) **Injunctive Relief with Prejudice:** In addition to monetary relief, I am requesting injunctive relief with prejudice, including immediate reinstatement to my role as a volunteer firefighter and the removal of all references to the wrongful termination and baseless allegations from my employment records. These actions are necessary to prevent ongoing harm to my reputation and future employment prospects.

Pro Se 2 (Rev. 12/16) Complaint and Request for Injunction

- C. What are the facts underlying your claim(s)? *(For example: What happened to you? Who did what? Was anyone else involved? Who else saw what happened?)*
See Addendum 3

IV. Irreparable Injury

Explain why monetary damages at a later time would not adequately compensate you for the injuries you sustained, are sustaining, or will sustain as a result of the events described above, or why such compensation could not be measured.
See Addendum 4

V. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.
See Addendum 5

Addendum 3

1.) **Initial Placement on Administrative Leave:** On September 25, 2023, the West Liberty Fire Department placed me on administrative leave without giving clear or detailed reasons for this action. I was informed that there were claims of "*alleged misconduct*," but the specific nature of the allegations was not disclosed at that time.

2.) **Delayed Notification of Allegations:** It wasn't until 11 days later—that I was informed the allegations against me were related to sexual harassment. However, I was still not provided with any detailed information about the specific allegations, including what was alleged to have been said or done by me. A Gag order was also set by stating, "You are prohibited from speaking about this Notice of Administrative Interview and the investigation with any West Liberty, Iowa volunteer and employee, except that you may direct questions to me or the City Manager. You also may speak with your representative about this matter if you choose to have a representative. Your representative cannot be a witness in this investigation." This severely flawed the investigation by not allowing me access to critical witnesses from within the fire department.

3.) **Interview Without Key Evidence:** On October 11, 2023, I attended an interview with officials from the City of West Liberty and the West Liberty Fire Department to respond to the allegations. However, I was only given limited information, as provided in the Notice of Administrative Interview, and I was not shown any of the witness statements or other evidence being used against me at that time.

4.) **Termination Without Access to Evidence:** Despite participating in the interview, I was terminated from my role as a volunteer firefighter on October 24, 2023. I did not receive access to the crucial witness statements or other supporting evidence until three to four months after my termination. This denial of access to evidence prevented me from defending myself effectively against the allegations. Additionally, after finally being able to review the statements, it was found that the witness statements were full of "Subjective Interpretations" of my supposed behavior rather than factual sexual harassment claims.

5.) **Admission of Procedural Mishandling:** On September 5, 2024, during a meeting attended by City Manager Lee Geertz, Mayor Mark Smith, and my fiancée, Dana Dominguez (a West Liberty City Council Member), City Manager Geertz admitted that the investigation had been mishandled. Specifically, Geertz acknowledged that unauthorized individuals (Previous Police Chief Eric Werling) were involved in the investigation, which was determined not to be accurate based on evidence that will be

provided in the discovery. She admitted to acting against the advice of the city attorney, who had told her that "*she shouldn't have allowed herself to get sucked into this.*"

6.) Failure to Take Corrective Action: Despite Mayor Mark Smith being present during this meeting on September 5, 2024, no corrective actions were taken after the admission of procedural failures. My termination was allowed to stand, even though it was based on a flawed and procedurally improper investigation and subjective interpretations instead of facts and/or evidence to support the claims made.

Claims:

Claim 1 – Denial of Due Process:

- The West Liberty Fire Department, through its officials—City Manager Lee Geertz, Fire Chief Kirt Sickels, Assistant Fire Chief Tom Christensen, and Mayor Mark Smith—denied me due process by failing to provide adequate notice of the allegations, denying me timely access to evidence, placing a gag order on me which halted my ability to gather witnesses, and conducting a procedurally flawed investigation that involved subjective interpretations instead of facts, that led to my termination.

Claim 2 – Wrongful Termination:

- My termination on October 24, 2023, was the result of a procedurally flawed investigation and a denial of my due process rights, including the opportunity to fully defend myself against the allegations of misconduct and sexual harassment.

Case Law

1. Schmidt v. State (2018) – Iowa Constitution Article I, Section 9 (Due Process Clause)

- **Relevance:** In the Plaintiff's case, the City of West Liberty and the Fire Department failed to provide the Plaintiff with proper notice and an opportunity to defend himself before terminating him. The Schmidt case reinforces that due process requires fair procedures when the state deprives someone of life, liberty, or property. By not giving the Plaintiff timely notice of the allegations and withholding witness statements until months after the Plaintiff's termination, the defendants violated the Plaintiff's due process rights under Article I, Section 9 of the Iowa Constitution.

- **Fact:** The plaintiff's termination process was procedurally deficient, citing the Schmidt case to highlight the importance of due process under Iowa law and how those standards were not met.

2. McQuiston v. City of Clinton (2015) – Violation of Due Process & Negligent Supervision

- **Relevance:** The McQuiston case directly relates to the Plaintiff's claim that the investigation and subsequent termination were flawed. In the Plaintiff's case, the City of West Liberty and its officials failed to follow proper protocols during the Plaintiff's termination, which violated the Plaintiff's due process rights. Additionally, the City's negligent supervision of its officials and their mishandling of the Plaintiff's case aligns with the negligent supervision claims discussed in McQuiston. The defendants had a duty to oversee the investigation properly, and their failure to do so resulted in the Plaintiff's wrongful termination.

- **Fact:** This supports the Plaintiff's due process and negligent supervision and retention claims. The City was responsible for ensuring proper investigation practices but failed to do so.

3. 42 U.S.C. § 1983 – Violation of Due Process

- **Relevance:** This statute allows the Plaintiff to sue government officials (including city officials and fire department personnel) for depriving the Plaintiff of his constitutional rights. In the Plaintiff's case, the Plaintiff can claim that the City and its officials acted

"under color of state law" to violate the Plaintiff's due process rights during the investigation and termination process. The delay in notifying the Plaintiff of the charges, denying access to evidence, and the procedural errors all support a 42 U.S.C. § 1983 Claim.

- **Fact:** The Plaintiff, without a reasonable doubt, has due process violations he suffered at the hands of city officials—the improper actions taken by Lee Geertz, Kirt Sickels, and others in connection with the Plaintiff's termination.

4. Iowa Code § 80F.1 – Firefighter Bill of Rights

- **Relevance:** Iowa law provides specific procedural protections to firefighters, such as ensuring that any disciplinary action follows due process. In the Plaintiff's case, the plaintiff was denied those procedural rights when the City and the Fire Department terminated the Plaintiff without a proper investigation or adherence to internal protocols. The fact that the Plaintiff was not given timely access to evidence or the opportunity to challenge the allegations further shows a violation of Iowa Code § 80F.1.

- **Fact:** The plaintiff's rights under Iowa Code § 80F.1 were violated because the City and Fire Department failed to follow the required procedures for disciplining firefighters, contributing to the Plaintiff's wrongful termination.

5. Jasper v. H. Nizam, Inc. (2009) – Wrongful Termination

- **Relevance:** The Jasper case establishes that an employee may sue for wrongful termination if the firing violates public policy, such as retaliating against an employee for refusing to commit an illegal act or exercising statutory rights. In the Plaintiff's case, if the Plaintiff's termination was in retaliation for raising concerns about the fairness of the investigation or challenging the City's procedures, this case provides solid legal precedent. Additionally, if the termination was procedurally flawed, the Plaintiff will have grounds for a wrongful termination claim.

- **Fact:** Jasper v. H. Nizam, Inc. supports the Plaintiff's wrongful termination claim. The plaintiff's firing violated public policy because it was based on an improperly conducted investigation and may have been retaliatory in nature.

6. Negligent Supervision and Retention – McQuiston v. City of Clinton (2015)

- **Relevance:** The McQuiston case also supports the Plaintiff's negligent supervision and retention claim. In the Plaintiff's case, the City of West Liberty failed to supervise and properly manage the individuals responsible for the Plaintiff's investigation and termination. By allowing individuals like Lee Geertz and Kirt Sickels to continue in their roles despite mishandling the investigation, the City negligently retained them in positions of authority, leading to the Plaintiff's wrongful termination.
- **Fact:** The City and Fire Department failed in their duty to supervise and manage the officials responsible for the Plaintiff's case. Their negligent retention of these officials led to procedural errors that directly harmed the Plaintiff.

Case Law Summary

- **Schmidt v. State (2018) and McQuiston v. City of Clinton (2015)** Support the Plaintiff's due process violation claims under both the Iowa Constitution and 42 U.S.C. § 1983.
- **Jasper v. H. Nizam, Inc. (2009)** Establishes grounds for wrongful termination based on public policy violations and procedural flaws.
- **Iowa Code § 80F.1** Demonstrates that the Plaintiff's rights as a firefighter were violated when the City and Fire Department did not follow the proper procedures.
- **McQuiston v. City of Clinton (2015)** Supports the Plaintiff's negligent supervision and retention claim, highlighting the City's failure to manage those involved in the Plaintiff's termination process properly.

Addendum 4

Monetary damages alone would not adequately compensate me for the injuries I sustained, am sustaining, or will sustain as a result of the events described above for several reasons:

1.) **Damage to Professional Reputation:** My wrongful termination based on allegations of misconduct, particularly sexual harassment (subjective interpretations), has significantly damaged my reputation within my profession and the broader community. The stigma associated with these accusations makes it exceedingly difficult for me to secure future employment, especially in similar roles of public trust. The harm to my reputation is not something that can be repaired solely through financial compensation, as it affects my ability to continue in my chosen profession and undermines the trust I have built in my community over many years. This kind of damage is intangible and ongoing and cannot be fully remedied by a financial award.

2.) **Emotional Distress and Mental Health Impact:** The improper handling of the investigation and denial of due process have caused severe emotional distress, including anxiety, depression, and a loss of self-worth. The ongoing psychological impact has affected my personal and professional life in ways that are not easily quantifiable. While monetary compensation may help cover the costs of therapy or counseling, it cannot restore the emotional and mental toll that has already been inflicted or the stress and suffering that will continue to arise from the public nature of the allegations.

3.) **Loss of Trust and Opportunity:** Being wrongfully terminated from a public position of trust, such as a firefighter, undermines future opportunities to serve in similar capacities. The loss of this opportunity to contribute to my community and maintain a meaningful career in public service is irreplaceable. No amount of money can restore the career path that has been taken from me as a result of these events. I am not only deprived of financial earnings but also of my ability to make a positive impact in the lives of others, which was a core part of my role.

4.) **Continued Harm to Reputation:** As long as the wrongful termination and false allegations remain unaddressed, I will continue to suffer ongoing harm to my reputation and personal relationships. This harm extends beyond the workplace, impacting how I am perceived in my community and among colleagues. Financial compensation cannot undo the public perception of guilt or restore the standing I had before these events occurred.

Conclusion:

For these reasons, monetary damages alone cannot adequately compensate me for the injuries I have sustained and will continue to sustain. An immediate injunction, including reinstatement to my position (with prejudice), is necessary to mitigate these irreparable harms, restore my ability to serve in my profession, repair my reputation, and begin to heal from the emotional and psychological effects of these wrongful actions.

Addendum 5

1.) Compensatory Damages:

- I seek compensatory damages in the amount of \$10,000 for the loss of stipends and the inability to continue earning stipends based on the number of emergency calls I responded to as a volunteer firefighter. The stipends were paid every four months and depended on the number of calls. My wrongful termination resulted in the loss of these stipends, and this amount is a reasonable estimate of the compensation I would have received during the period in question.

- Additionally, I request \$15,000 in compensatory damages for the emotional distress caused by the mishandling of the investigation. The procedural failures and wrongful termination have caused significant anxiety, stress, and ongoing mental suffering, which has affected my daily life and overall well-being.

2.) Reputational Damages:

- I seek \$30,000 in damages for the harm to my personal reputation within the community. As a long-serving volunteer firefighter, my wrongful termination and the nature of the unfounded allegations have caused a loss of trust and respect within the local community. This damage goes beyond professional opportunities; it has affected my personal relationships, community standing, and the way others perceive me in a town where I have dedicated time to public service. Rebuilding this trust will take significant time, and the Reputational harm continues to affect me personally and socially.

3.) Punitive Damages:

- I request punitive damages in the amount of \$100,000 to hold the defendants accountable for their reckless disregard for my due process rights and procedural misconduct. The willful failure to follow proper investigative protocols, as admitted by City Manager Lee Geertz and Mayor Mark Smith's lack of corrective actions, justifies punitive damages to punish the defendants and deter future similar misconduct.

4.) Injunctive Relief (With Prejudice):

- I request immediate reinstatement to my position as a volunteer firefighter with the West Liberty Fire Department, with prejudice, meaning the wrongful termination and allegations cannot be brought against me again. The termination was based on

subjective interpretations and a procedurally flawed investigation. Reinstatement is necessary to restore my role in the community and allow me to continue serving.

- Additionally, I ask the Court to order the removal of all references to the wrongful termination and unfounded allegations from my employment records, to prevent future harm to my standing and opportunities.

5.) Continuing Harm:

- The harm from the wrongful termination and baseless allegations is ongoing, with my community standing and relationships continuing to suffer. Without immediate reinstatement with prejudice and corrective actions to restore my reputation, this harm will persist and further damage my personal and social standing.

VI. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

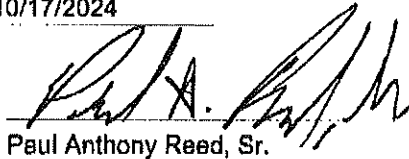
A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 10/17/2024

Signature of Plaintiff

Printed Name of Plaintiff


Paul Anthony Reed, Sr.

B. For Attorneys

Date of signing: _____

Signature of Attorney _____

Printed Name of Attorney _____

Bar Number _____

Name of Law Firm _____

Street Address _____

State and Zip Code _____

Telephone Number _____

E-mail Address _____

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

UNITED STATES DISTRICT COURT
for the
Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

West Liberty Fire & EMS
c/o Fire Chief and/or Executive Board

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Liberty Fire & EMS
c/o Fire Chief and/or Executive Board
109 E. Second St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT
for the
Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

West Liberty Fire Chief
Kirt Sickels

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Liberty Fire Chief
Kirt Sickels
109 E. Second St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT
for the
Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

West Liberty Assistant Fire Chief
Tom Christensen

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Liberty Assistant Fire Chief
Tom Christensen
109 E. Second St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the summons on the individual at *(place)* _____
on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

City of West Liberty
c/o Shari Hoffert

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) City of West Liberty
c/o Shari Hoffert
409 N Calhoun St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

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was received by me on *(date)* _____.

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_____ on *(date)* _____; or

I left the summons at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT
for the
Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

West Liberty Mayor
Mark Smith

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Liberty Mayor
Mark Smith
409 N Calhoun St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

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on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the summons unexecuted because _____; or

Other *(specify)*: _____

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

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

UNITED STATES DISTRICT COURT

for the

Southern District of Iowa

Paul Anthony Reed, Sr. (Pro Se)

Plaintiff(s)

v.

West Liberty City Manager
Lee Geertz

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) West Liberty City Manager
Lee Geertz
409 N Calhoun St.
West Liberty, IA. 52776
(Muscatine County)

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: Paul Anthony Reed, Sr. (Pro Se)
111 Maxson Dr.
West Liberty, IA. 52776-1115
(Muscatine County)

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.

CLERK OF COURT

Date: _____

Signature of Clerk or Deputy Clerk

AO 440 (Rev. 06/12) Summons in a Civil Action (Page 2)

Civil Action No. _____

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I served the summons on *(name of individual)* _____, who is
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I returned the summons unexecuted because _____; or

Other *(specify)*: _____

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I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

CIVIL COVER SHEET

JS 44 (Rev. 10/20)

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

Paul Anthony Reed, Sr. (Pro Se)

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

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

DEFENDANTS

City of West Liberty, West Liberty Fire Department, Lee Gaertz, Kirt Sickels, Tom Christensen, and Mark Smith County of Residence of First Listed Defendant Muscatine (IN U.S. PLAINTIFF CASES ONLY)

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

Attorneys (If Known)

Holly A. Corkery (Attorney) Lynch Dallas, P.C.

NOV 18 2024

CLERK U.S. DISTRICT COURT SOUTHERN DISTRICT OF IOWA

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

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 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)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF, DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

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

Click here for: Nature of Suit Code Descriptions.

Table with columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes codes like 110 Insurance, 210 Land Condemnation, 310 Airplane, 440 Other Civil Rights, 625 Drug Related Seizure, 710 Fair Labor Standards Act, 820 Copyrights, 861 HIA (1395f), 870 Taxes (U.S. Plaintiff or Defendant), 375 False Claims Act, etc.

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, 6 Multidistrict Litigation - Transfer, 8 Multidistrict Litigation - Direct File

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 42 U.S.C. § 1983 Due Process Violation & 14th Admendment Violation. Brief description of cause: See Addendum 1

VII. REQUESTED IN COMPLAINT:

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

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE DOCKET NUMBER

DATE SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE