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ATTORNEYS FOR PLAINTIFFS

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY**

CHARLES MAJOR; MAJOR TOURS, INC.; VICTORIA DANIELS; M & M TOURS LLC; JAMES WRIGHT; JW AUTO, INC. d/b/a OCEAN TOURS; GLEN RAGIN, SR. d/b/a JAMM TOURS; ROBERT ALLEN; CARL REVELS d/b/a CMT EXPRESS,

Plaintiffs,

v.

NEW JERSEY DEPARTMENT OF TRANSPORTATION; NEW JERSEY MOTOR VEHICLE COMMISSION; KRIS KOLLURI, individually and as Commissioner of the New Jersey Department of Transportation; JOHN F. LETTIERE, individually and as Commissioner of the New Jersey Department of Transportation; SHARON HARRINGTON, individually and as Chief Administrator of the New Jersey Motor Vehicle Commission; DIANE LEGREIDE, individually and as Chief Administrator of the New Jersey Motor Vehicle Commission; VINCENT SCHULZE, individually and as Chief of the Commercial Bus Inspection and Investigation Unit for the New Jersey Department of Transportation; MICHAEL CALOREL, individually and as Principal Investigator for the New Jersey Department of Transportation; JIMMY'S LAKESIDE GARAGE; JAMES RESTUCCIO, individually and proprietor of Jimmy's Lakeside Garage,

Defendants.

No. 05-CV-03091

Judge Jerome B.
Simandle

Magistrate Judge Joel
Schneider

**SECOND AMENDED
COMPLAINT AND
JURY DEMAND**

Plaintiffs Charles Major, Major Tours, Inc., Victoria Daniels, M & M Tours LLC, James Wright, JW Auto, Inc., Glen Ragin, Sr., Robert Allen, and Carl Revels, through their undersigned counsel, for their Complaint against Defendants New Jersey Department Of Transportation, New Jersey Motor Vehicle Commission, Kris Kolluri, John F. Lettiere, Sharon Harrington, Diane Legreide, Vincent Schulze, Michael Calorel, Jimmy's Lakeside Garage, James Restuccio, allege, upon knowledge as to their own conduct and upon information and belief as to the conduct of others:

INTRODUCTION

1. This action seeks damages and injunctive relief to redress Defendants' past and continuing violation of Plaintiffs' civil rights through racial profiling. Plaintiffs are African-American owners and operators of commercial bus tours between Pennsylvania and Atlantic City, New Jersey. Because of Plaintiffs' race, Defendants and their associates have targeted their buses for improper, illegal, and unreasonably burdensome stops, inspections, and seizures.

PARTIES

Plaintiffs

2. **CHARLES MAJOR** ("Major"), an African-American resident of the Commonwealth of Pennsylvania, is and was at all relevant times described the sole shareholder of Major Tours, Inc.

3. **MAJOR TOURS, INC.** ("Major Tours") is a minority-owned business, incorporated under the laws of The Commonwealth of Pennsylvania, with its principal place of business at 1628 S. 52nd Street, Philadelphia, PA 19143. It holds an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey.

4. **VICTORIA DANIELS** (“Daniels”) an African-American resident of the Commonwealth of Pennsylvania, is and was at all relevant times described the sole shareholder of M & M Tours LLC.

5. **M & M TOURS LLC** (“M & M”) is a minority-owned Tour Company, incorporated under the laws of the State of Delaware, with its principal place of business at 1628 S. 52nd Street, Philadelphia, PA 19143. It holds an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey.

6. **JAMES WRIGHT** (“Wright”), an African-American resident of the Commonwealth of Pennsylvania, is and was at all relevant times described the sole shareholder of JW Auto, Inc.

7. **JW AUTO, INC. d/b/a OCEAN TOURS** (“Ocean”) is a minority-owned Tour Company, incorporated under the laws of The Commonwealth of Pennsylvania, with its principal place of business at 280 South 62nd Street, Philadelphia, PA 19139. It holds an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey.

8. **GLEN RAGIN, SR.** (“Ragin”), an African-American resident of the Commonwealth of Pennsylvania, is and was at all relevant times described the sole proprietor of JAMM Tours. JAMM Tours (“Jamm”) is a minority-owned Tour Company with its principal place of business at 5459 West Diamond Street, Philadelphia, PA 19131. It holds an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey.

9. **ROBERT ALLEN** (“Allen”), an African-American resident of the Commonwealth of Pennsylvania, was at all relevant times described the sole shareholder of RAC Tours, LLC, a minority-owned tour company, incorporated under the laws of the Commonwealth of Pennsylvania, with a principal place of business at 1416 South 54th Street, Philadelphia, PA

19143. RAC Tours—which Allen has since sold to a non-party—held an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey..

10. **CARL REVELS** (“Revels”), an African-American resident of the Commonwealth of Pennsylvania, is and was at all relevant times described the sole proprietor of CMT Express. CMT Express (“CMT”) is a minority-owned Tour Company with its principal place of business at 3316 East Hayes Road, Norristown, PA 19403. It holds an Interstate Commerce Commission License to operate, *inter alia*, between Pennsylvania and New Jersey.

Defendants

11. **NEW JERSEY DEPARTMENT OF TRANSPORTATION** (“NJDOT”) is a New Jersey governmental body with a principal place of business in Trenton, New Jersey.

12. **NEW JERSEY MOTOR VEHICLE COMMISSION** (“NJMVC”) is a New Jersey governmental body with a principal place of business in Trenton, New Jersey.

13. **KRIS KOLLURI** (“Kolluri”), a resident of the State of New Jersey, is and was at all relevant times the Commissioner of the New Jersey Department of Transportation.

14. **JOHN F. LETTIERE** (“Lettiere”), a resident of the State of New Jersey, was at all relevant times the Commissioner of the New Jersey Department of Transportation.

15. **SHARON HARRINGTON** (“Harrington”), a resident of the State of New Jersey, is and was at all relevant times the Chief Administrator of NJMVC.

16. **DIANE LEGREIDE** (“Legreide”), a resident of the State of New Jersey, was at all relevant times the Chief Administrator of NJMVC.

17. **VINCENT SCHULZE** (“Shultz”), a resident of the State of New Jersey, is and was at all relevant times Chief of the Commercial Bus Inspection and Investigation Unit for NJDOT.

18. **MICHAEL CALOREL** ("Calorel"), a resident of the State of New Jersey, is and was at all relevant times a Principal Investigator for NJDOT.

19. **JIMMY'S LAKESIDE GARAGE** is and was at all relevant times a business operating in the State of New Jersey, Township of Hammonton.

20. **JAMES RESTUCCIO** ("Restuccio"), a resident of the State of New Jersey, is and was at all relevant times the owner of Jimmy's Lakeside Garage.

JURISDICTION AND VENUE

21. This action arises under 42 USC §§ 1981, 1983, 1985, and 1988—laws of the United States. As part of the same case and controversy, Plaintiffs also assert related and intertwined state-law claims for violation of civil rights under N.J.S.A. 10:6-2, conversion, and civil conspiracy.

22. This Court has subject-matter jurisdiction over this action under 28 USC §§ 1331, 1332, 1343(a), and 1367.

23. Venue in this district is proper under 28 U.S.C. 1391(b) because a substantial part of the events giving rise to Plaintiffs' claims occurred in this district.

FACTUAL ALLEGATIONS

24. Plaintiffs—African Americans and African-American-owned businesses—own and/or operate tour buses between Pennsylvania and Atlantic City, New Jersey. Plaintiffs' clientele and drivers are also largely African American. Plaintiffs operate tours to various casinos with largely African-American clienteles—particularly the Showboat Casino—on Friday and Saturday nights.

25. Defendants NJDOT, NJMVC, Legriede, Harrington, Schulze, and Calorel ("State Defendants") and their agents and accomplices, Jimmy's Lakeside Garage and Restuccio ("Jimmy's"), have discriminated against Plaintiffs on account of their race: *inter alia*, ticketing

and fining Plaintiffs without just cause, stopping and inspecting their vehicles without just cause, conducting *unduly burdensome inspections without just cause, and impounding their vehicles* without just cause.

26. On Friday nights, Defendants and their agents gather near certain casinos with primarily African-American clientele—particularly the Showboat Casino. After stopping Plaintiffs' buses without cause and issuing unwarranted tickets, Defendants arbitrarily take the buses out of service, impound them, and turn them over to a towing company—often Jimmy's—to be towed miles and miles away from Atlantic City. These racially-motivated actions contravene applicable regulations and have caused Plaintiffs severe economic harm.

27. Defendants' persecution of Plaintiffs began in or about 2000, when NJMVC assumed responsibility for commercial bus safety inspection from the State Police. NJMVC, in coordination with the other State Defendants, purports to carry out its inspection duties in accordance with the Motor Carrier Safety Assistance Program (MCSAP) regulations. MCSAP is a Federal grant program, administered by the Federal Motor Carrier Safety Administrations, that provides financial assistance to States to improve commercial motor vehicle safety. However, in contravention of MCSAP regulations, Defendants conduct discriminatory, arbitrary, and capricious inspections of Plaintiffs buses.

28. Plaintiffs have attempted to eliminate their unfair treatment by ensuring perfect compliance with Defendants standards. To that end, Plaintiffs sought a written statement of Defendants' standards and operating procedures from the Attorney General, who referred the matter to defendant Legreide. But Legreide responded with a letter containing vague standards that appear to give little guidance to Defendants' inspectors on the ground. The Attorney General has found that the lack of "clearly spelled out" standards, resulting in excessive

discretion on the ground, led to widespread and illegal racial profiling in the State Police's operations. Racially-motivated arrests in turn "generate[d] statistics that confirm[ed] higher crime rates among minorities, which in turn, reinforce[d] the underpinnings of the very stereotypes that gave rise to the initial stops." *See generally* Peter Verniero, Interim Report of the State Police Review Team Regarding Allegations of Racial Profiling (April 20, 1999). The same appears to be the case here. All things being equal, MCSAP regulations require inspectors to randomly select buses for inspection. But buses may also be stopped based on data collected during prior inspections, available through federal databases. Defendants' illegal and erroneous stops and inspections therefore taint Plaintiffs' records in these databases and create a pretext for further stops and inspections.

29. MCSAP regulations require inspectors to clearly identify themselves by appearing in uniform, with badges and photographic identification. But Defendants and their agents have stopped Plaintiffs' buses without identifying themselves, and have even refused to identify themselves.

30. MCSAP regulations allow vehicles to be taken out of service with an "out of service" sticker only for serious violations that would likely lead to an accident or breakdown. Vehicles bearing an "out of service" sticker cannot be opened, and must be towed. In contravention of MSCAP regulations and under color of New Jersey law, Defendants, allow vehicles to be towed at their inspectors' discretion. Defendants have exercised this discretion in a discriminatory manner, targeting Plaintiffs' buses for towing because of Plaintiffs' race.

31. Defendants have subjected Plaintiffs to stricter scrutiny than white-owned bus operators with inferior safety and compliance records. For example, Defendants routinely and

unnecessarily subject Plaintiffs to the highest level of inspection—Level 1—requiring inspection of the inside, outside, passenger compartment, and undercarriage of the bus.

32. A Level 1 inspection should take approximately one hour. But Defendant's inspections of Plaintiffs' buses—and other similarly situated owners' and operators' buses—typically take three to four hours.

33. When a vehicle passes a Level 1 inspection, Defendants are supposed to receive a Commercial Vehicle Safety Alliance (CVSA) sticker, which prevents the vehicle from being inspected again during the quarter during which the sticker was issued. None of Plaintiffs' buses—even new ones—have ever received a CVSA sticker. And Plaintiffs are not aware of any similarly-situated owners or operators whose buses have received CVSA stickers.

34. Defendants typically allow white owners or operators to repair buses that fail safety inspection on the bus lot near the inspection site. But Defendants often require Plaintiffs—on account of their race—to have their buses towed away, at great expense, to distant locations such as Jimmy's—totally disregarding Plaintiffs' passengers, for whom Plaintiffs must then arrange alternative transportation at the last minute at great expense.

35. Because Jimmy's typically cannot perform the allegedly necessary repairs, Plaintiffs must often have their buses towed *back* to Atlantic City from Jimmy's for repairs—again at great expense. Defendants have allowed white-owned owners and operators to avoid this expense by driving their buses directly to appropriate repair centers—even when those owners and operators have inferior safety records.

36. State Defendants and Jimmy's have conspired to persecute Plaintiffs on account of their race. After illegally impounding buses, State Defendants have turned them over to Jimmy's for towing. Jimmy's has then charged Plaintiffs towing fees that were far above

prevailing market rates. Jimmy's has refused to release buses absent payment of outrageous storages fees that were far above prevailing market rates. On account of Plaintiffs' race, Jimmy's has subjected them to humiliating treatment, including verbal abuse.

37. Plaintiffs have attempted to eliminate their unfair treatment by purchasing new buses. But without just cause, on account of Plaintiffs' race and contrary to MCSAP regulations, Defendants have fabricated violations and declared Plaintiffs' new or nearly-new buses unsafe and taken them out of service, forcing Plaintiffs to pay thousands of dollars in illegal fines, unnecessary repair and towing costs, and other expenses. Defendants do not subject white owners or operators to this treatment, even with older buses with poor safety records.

38. Defendants and their agents have taken all of these discriminatory and harassing actions both directly and through ratification of others' acts. State Defendants and Jimmy's have acted against Plaintiffs in concert, under color of law, and on account of Plaintiffs' race.

39. Defendants' discriminatory actions have, *inter alia*: (1) forced Plaintiffs to pay unwarranted, illegal, and substantial amounts for, *inter alia*, unnecessary towing, repairs, substitute bus service, storage fees, fines, and court fees; (2) harmed Plaintiffs' business reputation, costing them customer goodwill and confidence and forcing Plaintiffs to reduce their rates to offset their customers' legitimate fears of being arbitrarily stopped and stranded on each trip to Atlantic City; and (3) caused Plaintiffs to suffer severe revenue loss by, *inter alia*, putting Plaintiffs' buses out of service for long periods of time and causing Plaintiffs to waste time—during business hours—attempting to remedy Defendants' illegal acts.

40. Defendants' discriminatory harassment has become so severe in recent years that Plaintiffs have been forced to dramatically reduce or even eliminate their trips to Atlantic City, resulting in severe loss of business and economic harm. Defendants' actions have forced some

Plaintiffs into bankruptcy and forced others to sell their businesses at significant and unwarranted discounts from market rates.

41. Upon being informed of the illegal acts set forth above, Defendants, individually and acting in concert, have failed to take appropriate preventative, investigative, and remedial actions to prevent further violations of the civil and constitutional rights of Plaintiffs.

42. Upon being informed of the illegal acts set forth above, Defendants, individually and acting in concert, have attempted to cover-up the illegal conduct, and in so doing have attempted to deny Plaintiffs meaningful access to the courts in order to redress their grievances. Upon information and belief, these cover-up acts include spoliating evidence, making false statements about their actions and investigatory efforts outside of judicial proceedings, and giving false and/or misleading testimony and evidence in judicial proceedings.

CAUSES OF ACTION

Count I – Deprivation of Constitutional Rights Under Color of State Law – 42 U.S.C. 1983

43. Plaintiffs incorporate by reference the allegations contained all foregoing paragraphs as though fully set forth herein.

44. Under color of state law, Defendants deprived Plaintiffs of their rights, privileges, and immunities secured by the Constitution and laws of the United States:

Equal Protection – U.S. Const. amend. XIV, § 1.

45. Under color of state law and their official positions, Defendants have denied Plaintiffs equal protection of under the law by discriminating against them on account of their race and treating them more harshly than similarly-situated white bus operators.

Due Process – U.S. Const. amend. XIV, § 1.

46. Under color of state law and their official positions, Defendants have deprived Plaintiffs of their property without due process of law, without just cause, and without providing any right to a hearing.

47. Under color of state law and their official positions, Defendants have attempted to cover-up the illegal acts set forth herein, thereby depriving Plaintiffs of meaningful access to the courts in order to redress their grievances.

Interstate Commerce – U.S. Const. art. 1, § 8.

48. Under color of state law and their official positions, Defendants have interfered with interstate commerce by preventing Plaintiffs from serving groups traveling to Atlantic City, New Jersey from other states, including the Commonwealth of Pennsylvania.

Right to Travel – e.g., *Saenz v. Roe*, 526 U.S. 489 (1999).

49. Under color of state law and their official positions, Defendants have interfered with and prevented Plaintiffs from exercising their Constitutional right to travel freely between the several states.

50. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

51. Defendants committed the foregoing acts intentionally and with actual malice.

52. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

53. WHEREFORE, Plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs.

Count II – Discriminatory Interference with Right to Contract – 42 U.S.C. § 1981

54. Plaintiffs incorporate by reference the allegations contained all foregoing paragraphs as though fully set forth herein.

55. Defendants, on the basis of race, have deprived Plaintiffs of the enjoyment of all benefits, privileges, terms, and conditions of the contractual relationship. Defendants have prevented Plaintiffs from making and performing contracts with their customers—*i.e.*, serving groups traveling to casinos in Atlantic City, NJ. Defendants have also prevented Plaintiffs from contracting with towing companies of Plaintiffs' choice, instead forcing them to use Jimmy's, located miles away from the area where Plaintiffs' buses were stopped.

56. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

57. Defendants committed the foregoing acts intentionally and with actual malice.

58. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

59. WHEREFORE, Plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs.

Count III – Conspiracy to Violate Civil Rights – 42 U.S.C. § 1985(3)

60. Plaintiffs incorporate by reference the allegations contained all foregoing paragraphs as though fully set forth herein.

61. Defendants have conspired among themselves and with others for the purpose of depriving Plaintiffs of the equal protection of the laws, and of equal privileges and immunities under the laws by discriminating against them on account of their race and treating them more harshly than similarly-situated white bus operators.

62. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

63. Defendants committed the foregoing acts intentionally and with actual malice.

64. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

65. WHEREFORE, Plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs.

Count IV – Violations of The New Jersey Civil Rights Act – N.J.S.A. 10:6-2(c), (e)

66. Plaintiffs incorporate by reference the allegations contained all foregoing paragraphs as though fully set forth herein.

67. By the foregoing acts, Defendants have deprive Plaintiffs of substantive due process and equal protection rights, privileges and immunities secured by the Constitution and laws of the United States, as well as substantive rights, privileges or immunities secured by the Constitution and laws of the State of New Jersey:

Due Process – N.J. Const. art. 1, § 1.

68. By the foregoing acts, Defendants have deprived Plaintiffs of their property without due process of law, without just cause, and without providing any right to a hearing, thus depriving Plaintiffs of their “natural and unalienable rights . . . of acquiring, possessing, and protecting property.” N.J. Const. art. 1, § 1.

Equal Protection – N.J. Const. art. 1, §§ 1, 5.

69. By the foregoing acts, Defendants have denied plaintiffs the enjoyment of their rights and discriminated against them on account of their race, treating them more harshly than similarly-situated white bus operators.

Official Deprivation of Civil Rights: Racial Profiling – N.J.S.A. 2C:30-5-7

70. In targeting Plaintiffs because of their race, Defendants have violated New Jersey law's prohibition against "using racial characteristics as color, either alone or in conjunction with other composite characteristics, such as a generalized vehicle description . . . as the basis for initiating an investigative stop." N.J.S.A. 2C:30-5(d).

71. By the foregoing acts, Defendants have committed "official deprivation of civil rights" because, "knowing that [their] conduct is unlawful, and acting with the purpose to intimidate or discriminate against an individual or group of individuals because of race, color," Defendants "subject[ed] [Plaintiffs] to unlawful . . . detention, including but not limited to, motor vehicle investigative stops, search, seizure, dispossession, assessment, lien or other infringement of person or property rights," and "denie[d] or impede[d] [Plaintiffs] in the lawful exercise or enjoyment of any right, privilege, power or immunity" N.J.S.A. 2C:30-6(a). Specifically, Defendants have, *inter alia*, stopped, inspected, and impounded Plaintiffs' vehicles because of Plaintiffs' race.

72. By the foregoing acts, Defendants have engaged in a pattern of official misconduct in violation of N.J.S.A. 2C:30-7(a).

73. Pursuant to the New Jersey statute, racial profiling in connection with vehicles is barred, and pursuant to Article I of the Constitution of New Jersey, racial discrimination is barred, as a result of which Defendants are barred under New Jersey law from engaging in racial profiling, such as alleged herein.

74. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

75. Defendants committed the foregoing acts intentionally and with actual malice.

76. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

77. WHEREFORE, plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs.

Count V – Conversion

78. Plaintiffs incorporate by reference the allegations contained in all foregoing paragraphs as though fully set forth herein.

79. Defendant Jimmy's did unlawfully deprive Plaintiffs Major and Major Tours of their property and the income derived therefrom. After being told to release the vehicle by the State Defendants, he refused to release the bus without additional conditions, when these were met he still refused to release Plaintiffs' bus, thus permanently depriving Plaintiff of the use and control of his vehicle until released by court order.

80. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

81. Defendants committed the foregoing acts intentionally and with actual malice.

82. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

83. WHEREFORE, plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs.

Count VI – Civil Conspiracy

84. Plaintiffs incorporate by reference the allegations contained in all foregoing paragraphs as though fully set forth herein.

85. Defendants agreed among themselves and with others to commit all the foregoing acts.

86. As described above, Defendants and their co-conspirators took substantial steps in furtherance of that agreement.

87. As a direct and proximate result of said acts, Plaintiffs have suffered serious and continuing injury.

88. Defendants committed the foregoing acts intentionally and with actual malice.

89. Because Defendants' conduct is ongoing, Plaintiffs have no adequate remedy at law to redress all of their injuries and to prevent further injury.

90. WHEREFORE, plaintiffs pray on this count for compensatory and punitive damages, injunctive relief, and such other relief as the Court may deem appropriate, including attorneys' fees and costs..

DEMAND FOR JURY TRIAL

91. Pursuant to Federal Rule of Civil Procedure 38, Plaintiff hereby demands a trial by jury as to all issues so triable.

PRAYER FOR RELIEF

92. WHEREFORE, Plaintiffs respectfully request that the Court enter an Order:

- (a) awarding Plaintiffs all appropriate compensatory and punitive damages, attorneys' fees, and costs on each foregoing count;

- (b) ordering Defendants to immediately return any of Plaintiffs buses that Defendants, their agents and successors in office, and all persons working in concert with them still hold;
- (c) ordering Defendants to disgorge any illegally-collected fees, charges, or other sums that Plaintiffs have paid as a proximate result of Defendants' discriminatory and illegal acts;
- (d) declaring that Defendants have violated 42 U.S.C. §§ 1981, 1983, 1985; N.J.S.A. 10:6-2, 2C:30-5-7; N.J. Const. art 1., §§ 1, 5; and U.S. Const. amend. XVI § 1 by, *inter alia*, targeting Plaintiffs for discrimination on account of their race, denying Plaintiffs equal protection of the laws, and seizing their property without due process of law; and
- (e) permanently enjoining Defendants, their agents and successors in office, and all persons working in concert with them, engaging in racial profiling, race discrimination, or any other violations of Plaintiffs' rights, privileges, and immunities secured by the Constitution and laws of the United States and the State of New Jersey.

Respectfully submitted,

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