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OCT 10 2025

CLERK, U.S. DISTRICT COURT
ST. PAUL, MINNESOTA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

MARCUS RUSHING,)
)
 Plaintiff,)
)
 v.)
)
 McGaw Medical Center of Northwestern)
 University;)
)
 And)
)
 Wood Health Company LLC;)
)
 And)
)
 U.S. Bank National Association;)
)
 And)
)
 State of Illinois, ex rel. Office of the)
 Attorney General (official capacity);)
)
 And)
)
 State of Ohio, ex rel. Office of the)
 Attorney General (official capacity);)
)
 And)
)
 State of Minnesota, ex. Rel. Office of the)
 Attorney General (official capacity only, for)
 venue and oversight purposes)
)
 Defendants.)

Case No.

Plaintiff, Marcus Rushing, represented Pro Se, alleges as follows:

INTRODUCTION

1. Plaintiff Marcus Rushing brings this action under the Constitution and laws of the United States, including 42 U.S.C. §§ 1981, 1983, 1985, and related statutes, as well as Minnesota statutory law.
2. This complaint seeks both declaratory and injunctive relief and monetary damages arising from constitutional violations, deprivation of statutory rights, and tortious conduct by Defendants.
3. The acts complained of include coordinated misconduct by private employers and state actors in Illinois and Ohio, resulting in ongoing injury in Minnesota, including unlawful disclosure of Safe-at-Home address information, unauthorized access to financial records, retaliatory garnishments, and reputational harm.
4. Plaintiff requests a **jury trial** on all triable issues.

I. JURISDICTION AND VENUE

5. This action arises under the Constitution and laws of the United States, including but not limited to:
 - (a) the **Fifth and Fourteenth Amendments** to the United States Constitution;
 - (b) **42 U.S.C. §§ 1981, 1983, and 1985(3)** (civil rights violations and conspiracy to interfere with civil rights);
 - (c) the **Declaratory Judgment Act, 28 U.S.C. § 2201**; and
 - (d) the **All Writs Act, 28 U.S.C. § 1651(a)**.
6. This Court has subject-matter jurisdiction pursuant to:
 - (a) **28 U.S.C. § 1331**, because this action presents substantial federal questions arising under the Constitution and federal civil rights statutes;
 - (b) **28 U.S.C. § 1343(a)(3)–(4)**, because this action seeks to redress the deprivation, under color of state law, of rights, privileges, and immunities secured by the Constitution and laws of the United States;
 - (c) **28 U.S.C. § 1367(a)**, which grants supplemental jurisdiction over Plaintiff's state law claims, including those brought under Minnesota statutes, because they are so related to the federal claims that they form part of the same case or controversy.

7. This Court also has **authority to grant declaratory and equitable relief** under 28 U.S.C. §§ 2201–2202, and to issue orders necessary to protect its jurisdiction and prevent manifest injustice pursuant to 28 U.S.C. § 1651(a).

8. Venue is proper in the **United States District Court for the District of Minnesota** pursuant to 28 U.S.C. § 1391(b), because:

- a. A substantial part of the events or omissions giving rise to the claims occurred within the State of Minnesota;
- b. Defendant U.S. Bank National Association, a Minnesota-based financial institution, maintained and closed Plaintiff's business bank account without notice, and disclosed Plaintiff's private financial and residential information to out-of-state actors in violation of Minnesota law;
- c. Plaintiff suffered injury in Minnesota, including the deprivation of financial access, exposure of a confidential Safe at Home address, reputational harm, and denial of access to impartial adjudication; and
- d. Defendant State of Minnesota, ex rel. Office of the Attorney General, is included solely in its official capacity to ensure compliance, oversight, and enforcement of Minnesota laws and constitutional protections affecting a Minnesota resident and venue.

9. Personal jurisdiction exists over all Defendants because:

- a. Each Defendant purposefully directed acts toward the State of Minnesota and engaged in conduct causing foreseeable harm within this District;
- b. Defendant **U.S. Bank National Association** maintains its principal place of business in Minnesota and conducted the financial transactions and disclosures giving rise to the Minnesota statutory claims;
- c. Defendants McGaw Medical Center of Northwestern University and Wood Health Company, LLC, while located in Illinois and Ohio respectively, engaged in intentional torts—including interference with protected rights and communications with Minnesota-based institutions—that caused direct and substantial effects in Minnesota; and
- d. The inclusion of the official-capacity defendants from Illinois and Ohio is limited to prospective and declaratory relief to remedy constitutional violations and ensure compliance with federal law.

10. This case is properly filed in the **District of Minnesota** because Plaintiff's constitutional injuries, financial harm, and privacy violations occurred within this jurisdiction, and because ongoing enforcement and relief will be administered within Minnesota.

11. Plaintiff seeks **declaratory, injunctive, compensatory, and punitive relief, as well as equitable and supervisory remedies** necessary to prevent the continued deprivation of constitutional rights and to redress the manifest injustice described herein.

II. PARTIES TO THIS COMPLAINT

1. **Plaintiff, Marcus Rushing**, is a United States citizen of African descent and resident of the State of Minnesota. Plaintiff is a registered participant in Minnesota's Safe-at-Home address-

confidentiality program (Minn. Stat § 5B.01 et seq.), maintains business and banking relationships headquartered in Minnesota, and has suffered constitutional, reputational, and economic injury within this District.

2. **Defendant McGaw Medical Center of Northwestern University** is an Illinois corporation engaged in healthcare services and employer of Plaintiff during relevant times with an address of 420 E. Superior St, STE 9-900, Chicago, IL 60611.

3. **Defendant Wood Health, LLC** is a corporation with an address of 950 W Wooster St, Bowling Green, OH 43402 (hereinafter “Wood Hospital”).

4. **Defendant U.S. Bank National Association**, is a national banking association headquartered at 800 Nicollet Mall, Minneapolis, Minnesota.

5. **Defendant State of Illinois, ex rel. Office of the Attorney General, State of Ohio, ex rel. Office of the Attorney General, and State of Minnesota, ex rel. Office of the Attorney General** are included in official capacities only for declaratory and prospective oversight relief.

III. STATEMENT OF FACTS

6. Plaintiff is a Minnesota resident and Safe-at-Home participant.

7. Plaintiff was employed by Defendant McGaw Medical Center (Illinois) and later by Wood Health Company, LLC (Ohio).

8. Plaintiff filed EEOC claims against prior employers for discrimination, retaliation, and breach of settlement agreements.

9. An Illinois divorce proceeding (Case 2019D8356, Circuit Court of Cook County, Illinois) commenced while Plaintiff resided in Minnesota.

10. Defendant McGaw engaged in conduct that interfered with the Illinois tribunal to influence proceedings.

(a) Defendant McGaw, who was not a party to the Illinois tribunal at that point in time, requested that an attorney who was not a party to the case, request that the Plaintiff quash a subpoena to McGaw.

(b) The Plaintiff formally denied the Motion to Quash the subpoena to McGaw which the Plaintiff did not issue.

(c) Following this denial, Defendant McGaw contacted opposing counsel in the tribunal, requesting that counsel produce only a limited response to the subpoena

(d) Defendant McGaw's actions appeared to conceal items that disparaged Plaintiff professionally, when Plaintiff was not aware of those items inclusion in the settlement agreement.

(e) Shortly after Plaintiff denied the Motion to Quash, opposing counsel and the presiding Illinois judicial officer issued a garnishment order against the Plaintiff, based on an order previously adjudicated by a different judge in the same proceeding, when at that point in time the Plaintiff was paying child support timely and in full, including prepayment of a future support obligation that had not yet been credited.

(f) The aforementioned events resulted in Plaintiff's financial and professional harm, and demonstrate coordination between Defendant Employer and other actors in the tribunal that directly affected the adjudication and enforcement of orders in which Plaintiff had a vested interest.

10. During the Illinois divorce proceeding, which lasted from Oct of 2019 until the present, the following occurred to deprive Plaintiff of parenting time:

(a) Despite repeated requests, Plaintiff was allowed fewer than 20 days of parenting time during this period.

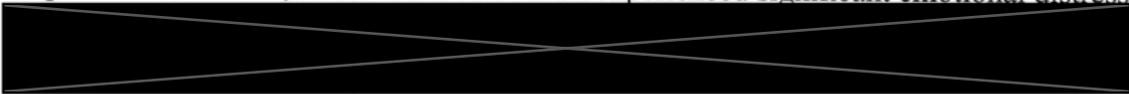
(b) A final allocation judgement in May of 2023 did not provide for any parenting time

(c) No legal justification was provided for restricting Plaintiff's parenting time.

(d) The reduction was not based on any findings of neglect, abuse, or unfitness.

(e) Attorneys for the parties and the Guardian ad Litem, who was an alumnus of Northwestern University, refused to facilitate reasonable access to the children.

(f) As a result, Plaintiff was prevented from exercising his constitutionally protected right to parent his children, and the minor children experienced significant emotional distress.



(g) the ongoing denial of parenting time interfered with Plaintiff' s ability to maintain a meaningful parental relationship and caused demonstrable harm to the children' s emotional well-being.

10. The Plaintiff then engaged in federally protected activity against the employer by filing an EEOC complaint.
11. Even after being notified of Plaintiff' s federally protected activity, the Illinois judge allowed Defendant McGaw to file documents into the divorce proceeding.
12. Ex parte communications, shifting court dates, and denial of modification to child support orders prevented Plaintiff from challenging the garnishments.
13. The Illinois judicial officer issued an order of protection enabling Defendant McGaw to evade lawful subpoenas and conceal exhibits disparaging Plaintiff professionally.
14. While employed by Defendant Wood Health Company, Plaintiff' s Human Resources department informed him that they had communicated with the Illinois judicial officer as well as counsel for the former employer Defendant McGaw.
15. The Illinois judicial officer authorizes garnishments from Defendant Wood Health Co. pursuant to the Child Support Order in paragraph 10 above.
16. The Illinois judicial officer also authorizes garnishment from Defendant Wood Health Co. on behalf of the attorney (Henderson Banks) that Defendant McGaw reached out to get the Plaintiff to Quash the Subpoena to McGaw.
17. Service of process was misdirected to Defendant Wood Health Co, resulting in a Default Judgment in the divorce proceeding.
18. Plaintiff lost his home, custody of his children, and faced financial obligations beyond his ability to pay.
18. Approximately 1 week after the Default judgement was entered against the Plaintiff, the Plaintiff was then terminated by Wood Health Co.
19. Another Illinois attorney, Darrel Dunham, representing Plaintiff in the divorce proceeding engaged in ex parte communication with the Illinois judge and Defendant McGaw, disclosing privileged information including private and health information.
20. Upon information and belief of the Plaintiff, the Illinois judge while aware of the ongoing EEOC claim, its associated right to sue with an upcoming expiry, then issues a body attachment order against the Plaintiff.
21. The aforementioned served to obstruct the Plaintiff' s access to justice.

23. Motions to vacate or modify orders were delayed or denied.
24. Plaintiff retained several counsel to litigate against prior employers; though retained through contingency agreements to litigate, all refused, creating the appearance of strategic interference by Defendants.
25. In or about April of 2024, Plaintiff filed two separate state proceedings: one in the **Circuit Court of Cook County, Illinois** (filed on 4/24/24), and another in the **Court of Common Pleas, Lucas County, Ohio** (filed on 4/29/25).
26. Plaintiff then filed a Federal Question complaint on around May 10, 2025 seeking equitable consolidation of two Tile 7 claims.
27. Plaintiff would later amend the Illinois state complaint (9/11/2024) to add Defendants and claims for fraudulent inducement, misrepresentation and concealment, conspiracy against civil rights, breach of contract, tortious interference, and defamation per se.
28. The Federal Question complaint was dismissed for failure to state a claim.
29. Although Plaintiff timely submitted pleadings and motions, including a motion to strike an improper sur-reply brief filed by the Illinois defendant-employer without leave of court, **no hearing was held and no substantive rulings were issued.**
30. The Plaintiff never received service of notice of the dismissal but only learned of the details of the dismissal when a Google search of the Plaintiff' s yielded a published legal document regarding the ruling (see paragraph 36).
31. Believing that procedural irregularities and continuing violations warranted renewed review, Plaintiff filed his claim in the **U.S. District Court for the District of Minnesota (Eighth Circuit).**
31. The Plaintiff filed a Federal Claim in the 8th Circuit against Defendant McGaw, Wood County Hospital, Unity Point Health, and HealthPartners for additional claims including blacklisting, false designation of origin, abuse of process, and breach of contract.
32. Following the filing of the Federal Claim, the presiding state judges began to issue sua sponte orders reversing amended complaints, without knowledge of the plaintiff.
33. These orders appeared to rely on the prior Federal Question claim, potentially creating an appearance that res judicata from earlier federal proceedings applied, even though the federal case was still pending in the Eighth Circuit.
34. During this same time period, a publication of the un-amended original complaint appeared on the first page of a Google Search of the Plaintiff' s name.

35. The legal document was published even though there was an active amended complaint on file.
36. Additionally, a Google Search of the Plaintiff's name also showed a published version of a Memo from the Federal Complaint, which the Plaintiff had not yet been formally notified of that suggested that the Plaintiff's previous Federal Question was a final judgement, despite the federal case not having been dismissed with prejudice and while remaining adjudication was pending in the Eighth Circuit.
37. During this same time, the Defendants or their agents **publicly disseminated and optimized online postings** of the prior federal case docket through internet search engines, **falsely implying that a final adjudication on the merits had been entered** against the Plaintiff.
38. These postings, which referenced the prior **Sixth Circuit federal complaint**, were manipulated to appear in public search results associated with Plaintiff's name, creating a **false light and defamatory impression** of adjudicated wrongdoing.
39. Then, the Ohio and State Judicial officers presiding over the state tribunals against Defendants McGaw and Wood County Hospital began to engage in conduct suggestive of ex parte communication, including reversing and/or denying amended complaints apparently sua sponte, despite no proper service notifying the Plaintiff.
40. These Orders appeared to rely on a prior federal proceeding that had non-identical defendants as the two state proceedings and when there was a remaining pending adjudication in the Eighth Circuit.
41. These actions by the state judges had the effect of disenfranchising Plaintiff's rights by misrepresenting the status of federal and state proceedings, interfering with Plaintiff's ability to pursue claims, and creating public records that could impact Plaintiff's professional and personal reputation.
42. Almost simultaneously, the **Illinois** and **Ohio** state tribunals lifted previously entered stays and proceeded to issue adverse rulings against Plaintiff, including threatened dismissal *with prejudice*, while Plaintiff's federal case remained pending or unresolved.
43. Upon filing in the 8th Circuit, **none of the defendants returned the waiver of service of summons**, and Plaintiff continued to experience retaliatory actions by one or more defendants, including blacklisting, interference with business relations, and misuse of ongoing state proceedings.
44. Despite the filing of motions for injunctive relief and judicial review, the Minnesota federal action was dismissed without prejudice prior to any hearing or consideration of Plaintiff's motions.

45. At the same time, the Illinois state court proceeding posted an earlier, superseded version of Plaintiff's complaint through similar means, while **concealing that an amended complaint had already been approved by the court.**

46. Subsequent to ex parte communications between the Illinois state judge and counsel for the Illinois defendant, the judge **sua sponte reversed** his prior order allowing the amended complaint, thereby creating the appearance that the outdated online filing was the operative pleading.

47. The aforementioned conduct prompted the Plaintiff to file a Motion to Disqualify the Ohio Judge with the Ohio Supreme Court as well as a Writ of Prohibition to halt the Ohio state court proceeding. The Writ of Prohibition remains pending.

48. These events prompted Plaintiff to file a **Petition for Supervisory Order** in the **Supreme Court of Illinois** seeking the substitution of judge for cause and review of fraudulent proceedings. That petition remains pending.

49. The combined actions of the Illinois and Ohio judicial officers, private attorneys, and employers have resulted in **manifest injustice, systemic denial of due process, and ongoing constitutional injury** to the Plaintiff.

Supplemental Complaint Regarding U.S. Bank.

50. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

51. The Plaintiff is a participant in the Minnesota State Safe-At-Home Address Confidentiality Program, which protects the location and identifying information of program participants from unauthorized disclosure.

52. Defendant U.S. Bank National Association ("U.S. Bank") maintained a business account in Plaintiff's name, with Plaintiff as the sole depositor and account holder.

53. Without notice of Plaintiff and without a judicial subpoena, search warrant, or administrative order, U.S. Bank disclosed, transmitted, or otherwise made available Plaintiff's private financial records and account information to one or more out-of state judicial officers or government agencies or private citizens located in Illinois.

54. Upon information and belief of Plaintiff, Defendant U.S. Bank did not employ adequate administrative, technical, and physical safeguards to prevent unauthorized access to Plaintiff's financial records.

55. Defendant U.S. Bank closed the Plaintiff's business bank account without proper notice to the Plaintiff.

56. Defendant U.S. Bank distributed funds from the Plaintiff's closed business bank account to an address not affiliated with the business bank account.

57. The address to which the funds were sent was never authorized as a recipient of funds from the account.

58. As a result, Plaintiff was deprived of access to the account funds and was required to take additional steps to attempt recovery of the misdirected funds.

59.. Defendant US. Bank admitted that the release of Plaintiff's account information and subsequent account

IV. CAUSES OF ACTION

Count I — Violation of Civil Rights (42 U.S.C. § 1983 – Due Process)

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes); and U.S. Bank National Association)

60. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

61. This claim is brought under 42 U.S.C. § 1983, which provides a remedy against any person who, under color of state law, deprives a citizen of the United States of any rights, privileges, or immunities secured by the Constitution and laws of the United States.

62. The Fourteenth Amendment to the United States Constitution guarantees that no State shall "deprive any person of life, liberty, or property, without due process of law."

63. Both procedural due process (fair procedures before deprivation of protected rights) and substantive due process (freedom from arbitrary or abusive state action) are protected under the Fourteenth Amendment.

64. The actions and omissions of Defendants constitute violations of Plaintiff's procedural and substantive due process rights within the meaning of § 1983.

B. Factual Allegations Supporting the Violation

65. Plaintiff was deprived of protected property and liberty interests—including his business bank account, professional reputation, and access to an impartial judicial forum—through actions undertaken jointly and in concert by state officials and private entities acting under color of law.

66. Defendants McGaw Medical Center of Northwestern University and Wood Health Company, LLC, in coordination with state actors, engaged in retaliatory conduct and made false and stigmatizing statements that damaged Plaintiff's professional and personal standing without affording any opportunity for notice or hearing.

67. Defendant U.S. Bank National Association unlawfully disclosed Plaintiff's confidential financial information and closed his business bank account without prior notice, judicial authorization, or any opportunity for Plaintiff to contest the deprivation, in violation of Plaintiff's statutory and constitutional rights.

68. The disclosure and account closure were undertaken after communication between the bank and state entities in Illinois, which sought or obtained Plaintiff's personal and financial data outside any lawful subpoena, warrant, or administrative process.

69. State Defendants (Illinois, Ohio, and Minnesota, ex rel. Attorneys General) knew or should have known that such actions constituted unconstitutional interference with protected property and privacy rights, yet failed to intervene or to provide adequate process to correct the violations once they were discovered.

70. Defendants, acting jointly and with mutual understanding, caused or permitted the enforcement of void, fraudulent, or retaliatory state orders and administrative actions, depriving Plaintiff of his right to fair procedure, impartial adjudication, and equal access to the courts.

71. The combined effect of these acts resulted in the deprivation of Plaintiff's liberty to pursue his occupation, maintain his reputation, and access lawful banking services—interests that are protected by the Constitution and recognized as fundamental under *Board of Regents v. Roth*, 408 U.S. 564 (1972), and *Mathews v. Eldridge*, 424 U.S. 319 (1976).

C. Acting Under Color of Law

72. Defendants Illinois, Ohio, and Minnesota, through their respective Attorneys General, acted under color of state law.

73. Private Defendants McGaw Medical Center, Wood Health Company, and U.S. Bank National Association acted under color of state law by (a) cooperating with, assisting, or executing joint objectives with state actors, (b) receiving direct or indirect direction from government officials, and (c) performing traditionally governmental functions, such as enforcement of orders and disclosure of protected records.

74. The conduct of all Defendants was therefore taken "under color of state law" within the meaning of 42 U.S.C. § 1983.

E. Nature of the Deprivation

75. Plaintiff was denied both procedural due process, because he received no notice or opportunity to be heard prior to the deprivation of property, liberty, and statutory privacy rights;

and substantive due process, because the deprivations were arbitrary, capricious, retaliatory, and without lawful justification.

76. The Defendants' acts were intentional, malicious, and reckless, undertaken with deliberate indifference to Plaintiff's constitutional rights.

F. Damages and Relief

77. As a direct and proximate result of Defendants' unconstitutional acts and omissions, Plaintiff suffered:

- a. Loss of business and professional income;
- b. Reputational injury and stigma;
- c. Emotional distress and humiliation;
- d. Denial of access to financial services and state judicial remedies;
- e. Loss of liberty and opportunity to pursue his occupation; and
- f. Ongoing harm from reliance on void and fraudulent orders.

78. Plaintiff is entitled to declaratory and injunctive relief as set forth in the Prayer for Relief, as well as compensatory and punitive damages pursuant to 42 U.S.C. §§ 1983 and 1988.

79. WHEREFORE, Plaintiff respectfully requests that this Court enter judgment in his favor and against all Defendants jointly and severally, awarding:

- (a) Declaratory judgment recognizing the violations described;
- (b) Prospective injunctive relief to prevent further constitutional deprivations;
- (c) Compensatory and punitive damages in an amount to be determined at trial;
- (d) Costs and attorney's fees pursuant to 42 U.S.C. § 1988; and
- (e) Any other relief this Court deems just and proper.

Count II — Violation of Civil Rights (42 U.S.C. § 1983 – Equal Protection)

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and U.S. Bank)

80. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

81. This Count is brought under 42 U.S.C. § 1983, which provides a cause of action against any person who, under color of state law, deprives another of rights, privileges, or immunities secured by the Constitution and laws of the United States.

82. The Equal Protection Clause of the Fourteenth Amendment prohibits the States and those acting under color of state law from intentionally treating similarly situated individuals differently based on impermissible or arbitrary classifications, and from retaliating against individuals for engaging in constitutionally protected activity.

83. Retaliation for exercising protected rights under the Constitution—such as opposing discrimination, petitioning the courts for redress, or asserting privacy and due process protections—constitutes an independent violation of the Equal Protection and Due Process Clauses. *See Mt. Healthy City Sch. Dist. Bd. of Educ. v. Doyle*, 429 U.S. 274 (1977); *Village of Willowbrook v. Olech*, 528 U.S. 562 (2000).

B. Factual Allegations Supporting the Violation

84. Plaintiff engaged in constitutionally protected conduct, including:

- a. Filing and participating in legal proceedings to vindicate his federal civil rights;
- b. Opposing unlawful discrimination and retaliatory actions by his employers; and
- c. Asserting privacy protections under Minnesota's Safe-at-Home program and related statutory safeguards.

85. Following these protected activities, Defendants—acting in concert with one another and under color of state law—engaged in retaliatory and discriminatory conduct directed toward Plaintiff, including:

- a. Facilitating or participating in improper ex parte communications between private employers and state officials;
- b. Disclosing confidential and protected information about Plaintiff's identity and residence;
- c. Inducing or allowing retaliatory employment and financial actions against Plaintiff;
- d. Depriving Plaintiff of fair and impartial proceedings in Illinois and Ohio tribunals; and
- e. Failing to intervene or correct known constitutional violations once they were brought to the attention of state agencies and attorneys general.

86. Defendants' actions were taken with discriminatory purpose and retaliatory intent, and lacked any rational basis or legitimate state interest.

Similarly situated individuals who had not engaged in protected conduct or challenged state or employer actions were not subjected to comparable treatment, deprivation, or retaliation.

87. The discriminatory and retaliatory conduct directly caused Plaintiff to suffer loss of professional opportunities, reputational harm, closure of financial accounts, and deprivation of access to lawful state and federal remedies.

88. The cumulative effect of these acts constitutes a pattern of unconstitutional retaliation and unequal treatment under the Fourteenth Amendment.

C. Acting Under Color of Law

89. The State Defendants acted under color of state law through their official offices and agents. Private Defendants acted jointly with, and under the direction or influence of, state officials in Illinois and Ohio, thereby satisfying the "state action" requirement of § 1983 under the joint participation and symbiotic relationship doctrines. See *Dennis v. Sparks*, 449 U.S. 24 (1980); *Lugar v. Edmondson Oil Co.*, 457 U.S. 922 (1982).

D. Nature of the Deprivation

90. Plaintiff was deprived of the equal protection of the laws and the right to be free from retaliation for engaging in protected conduct.

91. Defendants' actions were intentional, malicious, and undertaken with reckless disregard for Plaintiff's constitutional rights.

92. The ongoing enforcement and collateral use of void or retaliatory actions continue to perpetuate unequal treatment and constitutional injury.

E. Damages and Relief

93. As a direct and proximate result of Defendants' conduct, Plaintiff has suffered:

- a. Loss of employment and business opportunities;
- b. Financial and reputational injury;
- c. Emotional distress and humiliation;
- d. Deprivation of liberty and property without equal protection of law; and
- e. Continuing harm from retaliatory acts and denial of redress.

94. Plaintiff is entitled to declaratory, injunctive, compensatory, and punitive relief under 42 U.S.C. §§ 1983 and 1988.

95. WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Declare that Defendants' conduct violated Plaintiff's rights to equal protection and freedom from retaliation;
- (b) Enjoin Defendants from further discriminatory or retaliatory acts;
- (c) Award Plaintiff compensatory and punitive damages in an amount to be determined at trial;
- (d) Grant reasonable costs and attorney's fees pursuant to 42 U.S.C. § 1988; and
- (e) Award such other and further relief as this Court deems just and proper.

Count III — Deprivation of Access to Impartial Tribunal (42 U.S.C. § 1983)

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes)

96. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

97. This Count arises under 42 U.S.C. § 1983, which provides a remedy to individuals deprived of constitutional rights by persons acting under color of state law.

98. The First Amendment guarantees every person the right to petition the government for redress of grievances, which includes meaningful access to the courts. *See California Motor Transport Co. v. Trucking Unlimited*, 404 U.S. 508 (1972).

99. The Fourteenth Amendment's Due Process Clause protects the fundamental right of access to the courts and prohibits any state action or concerted private conduct that obstructs that right. *See Bounds v. Smith*, 430 U.S. 817 (1977); *Christopher v. Harbury*, 536 U.S. 403 (2002).

B. Factual Allegations Supporting the Violation

100. Plaintiff engaged in protected legal and administrative proceedings, including:

- a. Filing EEOC charges and asserting claims under Title VII and related federal laws;
- b. Seeking modification and redress in Illinois and Ohio tribunals; and
- c. Filing federal actions to protect his civil rights and correct ongoing retaliation and fraud.

101. After Plaintiff initiated and participated in these proceedings, Defendants and those acting in concert with them engaged in coordinated actions designed to obstruct, delay, and retaliate against Plaintiff's exercise of his constitutional right to seek redress.

102. These actions included, but were not limited to:

- a. Ex parte communications between Defendant employers and state judicial officers;
- b. Suppression and concealment of evidence, including the concealment of exhibits relevant to Plaintiff's EEOC and contract claims;
- c. Fraudulent and retaliatory judicial orders, entered without proper service or notice;
- d. Interference with Plaintiff's legal counsel, resulting in counsel withdrawal or conflicts of interest;

e. Improper garnishment and seizure of funds intended to obstruct Plaintiff's ability to finance legal representation; and

f. Defamation and publication of judicial materials online to discredit Plaintiff and chill his participation in legal proceedings.

103. Defendants' actions had the intent and effect of obstructing Plaintiff's ability to file, pursue, or fairly adjudicate his claims in both state and federal courts.

104. The coordinated acts of state and private Defendants deprived Plaintiff of a fair and impartial forum in which to assert his claims, thereby violating his constitutional rights.

105. The obstruction was not a result of mere negligence or procedural error but of deliberate acts undertaken to suppress Plaintiff's protected legal activities and shield state and private actors from liability.

C. Acting Under Color of Law

107. The State Defendants, through their official offices and employees, acted under color of state law.

108. Private Defendants—including McGaw Medical Center of Northwestern University, and Wood Health Company, LLC,—acted jointly with state officials and received substantial assistance or direction from them, establishing state action for purposes of 42 U.S.C. § 1983. *See Adickes v. S.H. Kress & Co.*, 398 U.S. 144 (1970).

D. Nature of the Deprivation

109. Defendants' actions deprived Plaintiff of meaningful access to courts and the ability to seek redress for legal injuries.

110. Defendants' interference also infringed upon Plaintiff's First Amendment right to petition the government and Fourteenth Amendment right to due process of law.

111. As a result, Plaintiff suffered dismissal or adverse rulings in proceedings tainted by extrinsic fraud, financial injury due to improper garnishment, and reputational and emotional harm.

E. Damages and Relief

112. As a direct and proximate result of Defendants' unlawful acts, Plaintiff has sustained:

a. Loss of access to judicial remedies and relief;

b. Financial harm, including seizure of funds and loss of employment;

c. Emotional distress, humiliation, and mental anguish; and

d. Continuing harm due to ongoing publication and use of false or fraudulent judicial documents.

113. Defendants' actions were willful, malicious, and in reckless disregard of Plaintiff's constitutional rights, entitling Plaintiff to punitive damages.

114. WHEREFORE, Plaintiff respectfully requests that this Court:

(a) Declare that Defendants' conduct violated Plaintiff's rights to access the courts and to petition for redress under the First and Fourteenth Amendments;

(b) Enjoin Defendants from any further acts interfering with Plaintiff's access to judicial or administrative proceedings;

(c) Order the expungement or nullification of fraudulent judicial orders obtained through collusion and concealment;

(d) Award compensatory and punitive damages in an amount to be proven at trial;

(e) Award Plaintiff reasonable costs and attorney's fees pursuant to 42 U.S.C. § 1988; and

(f) Grant such other and further relief as this Court deems just and proper.

Count IV — Retaliation for Protected Activity (42 U.S.C. § 1983)

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and U.S. Bank National Association)

115. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

116. This Count arises under 42 U.S.C. § 1983, which provides a remedy to individuals deprived of rights secured by the Constitution and laws of the United States by persons acting under color of state law.

117. The Fourteenth Amendment guarantees that no state shall deprive any person of life, liberty, or property without due process of law, and that all persons shall receive equal protection of the laws.

118. A civil rights conspiracy exists under §1983 where two or more persons, acting under color of law, conspire to deprive another of constitutional rights. *See Adickes v. S.H. Kress & Co.*, 398 U.S. 144 (1970); *Dennis v. Sparks*, 449 U.S. 24 (1980).

C. Factual Allegations Supporting the Violation

119. Plaintiff engaged in protected legal and administrative actions, including Title VII complaints, contract enforcement actions, and civil rights proceedings in multiple jurisdictions.

120. In retaliation and to obstruct Plaintiff's lawful redress, Defendants and their agents entered into an agreement, tacit or express, to use state judicial machinery and official authority to deprive Plaintiff of constitutional rights.

121. Upon information and belief, this coordinated conduct included:

- a. Defendant McGaw's use of its influence and connections to prompt adverse judicial actions in a domestic proceeding while Plaintiff was a resident of Minnesota;
- b. Communication and coordination between the Illinois employer, Ohio employer, and judicial officers to create parallel proceedings and adverse orders undermining Plaintiff's pending civil rights complaints;
- c. Improper disclosure of Plaintiff's confidential financial information by Defendant U.S. Bank to one or more state entities, in violation of Minnesota privacy and banking laws;
- d. Fraudulent use of garnishment and support orders to seize funds from Plaintiff's Minnesota-based financial accounts, without notice or due process;
- e. Defamatory and false publication of judicial records and orders by or at the direction of state actors, with intent to discredit Plaintiff and chill future protected activity;
- f. Suppression of Plaintiff's pleadings and exhibits in state tribunals, and manipulation of dockets and hearings to foreclose fair adjudication; and
- g. Use of state power and judicial orders to intimidate, obstruct, and financially harm Plaintiff, preventing him from exercising his constitutional and statutory rights.

122. Each Defendant acted either directly or in concert with others to perpetuate this coordinated deprivation.

123. The conspiratorial actions of Defendants resulted in:

- (a) Loss of Plaintiff's business and professional reputation;
- (b) Unlawful seizure and closure of his financial accounts;
- (c) Loss of parental rights and family access;
- (d) Loss of home; and
- (e) The inability to obtain fair judicial review in multiple jurisdictions.

124. Defendants' concerted efforts were motivated by discriminatory animus and retaliatory purpose, particularly following Plaintiff's protected civil rights activities and filings before the EEOC and federal courts.

D. Acting Under Color of Law

125. The State Defendants, through their offices, agencies, and representatives, acted under color of state law.

126. The private Defendants—including McGaw Medical Center of Northwestern University, Wood Health Company, LLC, and U.S. Bank National Association—acted jointly and in concert with state officials and received significant aid, encouragement, and cooperation from them, satisfying the "under color of law" requirement for §1983 liability. See *Lugar v. Edmondson Oil Co.*, 457 U.S. 922 (1982).

E. Nature of the Deprivation

127. The actions of Defendants, acting in concert, deprived Plaintiff of:

- (a) His liberty interest in family relationships and parental access;
- (b) His property interests in earned income, bank deposits, and real property;
- (c) His right to due process before deprivation of those interests;
- (d) His right to equal protection of the laws; and
- (e) His right to seek redress and access an impartial tribunal.
- (f) The deprivation was accomplished through extrinsic fraud, procedural manipulation, and the misuse of state processes for retaliatory and obstructive purposes.
- (g) The conduct described herein constitutes a pattern of ongoing civil rights violations that continues to cause harm in Minnesota, where Plaintiff resides and where part of the injury—including closure of accounts and publication of false records—occurred.

F. Damages and Relief

128. As a direct and proximate result of Defendants' actions, Plaintiff has suffered:

- (a) Economic loss, including seized wages and closed accounts;
 - (b) Loss of employment and business opportunities;
 - (c) Loss of familial relationships and reputation;
 - (d) Severe emotional distress and mental anguish; and
- Continuing injury due to ongoing use and publication of fraudulent judicial records.

129. Defendants' conduct was intentional, malicious, and in reckless disregard of Plaintiff's constitutional rights, warranting compensatory and punitive damages.

130. WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Declare that Defendants' conduct constituted a conspiracy under 42 U.S.C. § 1983;
 - (b) Declare that the acts described deprived Plaintiff of liberty and property interests without due process of law and denied equal protection;
 - (c) Enjoin Defendants from continuing to use fraudulent or retaliatory judicial orders or records;
 - (d) Order the restoration and correction of official records affected by such conduct;
 - (e) Award compensatory and punitive damages in an amount to be proven at trial;
 - (f) Award Plaintiff costs, interest, and attorney's fees pursuant to 42 U.S.C. § 1988; and
- Grant such other and further relief as this Court deems just and proper.

Count V — Conspiracy to Interfere with Civil Rights (42 U.S.C. § 1985(3))

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel.

Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and all other persons acting in concert with them, whether named or unnamed)

131. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

132. This cause of action arises under 42 U.S.C. § 1985(3), which prohibits conspiracies to deprive any person or class of persons of the equal protection of the laws or of equal privileges and immunities under the laws.

133. To state a claim under § 1985(3), Plaintiff must show:

- (a) A conspiracy;
- (b) For the purpose of depriving a person or class of persons of equal protection or equal privileges;
- (c) An act in furtherance of the conspiracy; and
- (d) An injury or deprivation of rights resulting from that act. *See Griffin v. Breckenridge*, 403 U.S. 88 (1971); *Haddle v. Garrison*, 525 U.S. 121 (1998).

134. The conspirators need not all be state actors; a § 1985(3) claim may lie against private parties who conspire with state officials or among themselves to achieve unconstitutional objectives.

B. Factual Allegations Supporting the Conspiracy

135. Beginning in or about 2021 and continuing through the present, Defendants and their agents entered into a tacit and/or express agreement to retaliate against, intimidate, and obstruct Plaintiff's lawful pursuit of civil rights, employment, and judicial remedies.

136. The conspiracy's objectives included:

- a. Suppressing Plaintiff's exercise of protected rights under 42 U.S.C. §§ 1981 and 1983 and the First and Fourteenth Amendments;
- b. Preventing Plaintiff from obtaining and retaining lawful employment by circulating defamatory statements and false records;
- c. Using state judicial machinery to impose unlawful orders, seizures, and liens without due process; and
- d. Deterring Plaintiff and similarly situated individuals from engaging in protected legal activity opposing race-based discrimination and retaliation.

137. Defendants knowingly communicated and coordinated across state lines—including through Illinois, Ohio, and Minnesota—by electronic correspondence, telephonic communications, and court filings, to advance the conspiracy's objectives.

138. The acts in furtherance of the conspiracy included, without limitation:

- (a) The filing and manipulation of duplicative or fraudulent state proceedings to discredit Plaintiff's pending federal claims;
- (b) The misuse of subpoenas, garnishments, and judicial orders to seize Plaintiff's property and finances;
- (c) Dissemination of false or defamatory records to prospective employers and public agencies;
- (d) Concealment or suppression of material evidence in state tribunals; and
- (e) Coordinated efforts to obstruct Plaintiff's access to counsel and to federal courts.

139. These actions were motivated by discriminatory and retaliatory animus directed at Plaintiff as a member of a protected class and as a citizen asserting civil-rights protections guaranteed by federal law.

140. The conspiracy was facilitated by the cooperation of both public and private actors, including certain judicial officers and employers in Illinois and Ohio employers (McGaw and Wood Health);

C. Injury and Deprivation

141. As a direct and proximate result of Defendants' conspiracy and acts in furtherance thereof, Plaintiff suffered:

- (a) Loss of employment and future career opportunities;
- (b) Financial deprivation through unlawful garnishments and account closures;
- (c) Emotional distress, humiliation, and reputational harm;
- (d) Loss of parental and familial relations; and
- (e) Continued denial of access to an impartial forum to redress these wrongs.

142. The overt acts of each Defendant were intended to, and did, deprive Plaintiff of the equal protection of the laws, and were carried out with reckless disregard for Plaintiff's federally protected rights.

D. Willfulness and Class-Based Animus

143. The conspiratorial conduct described herein was motivated, at least in part, by class-based, invidiously discriminatory animus based on Plaintiff's race and his opposition to racially discriminatory and retaliatory practices, in violation of *Griffin v. Breckenridge*, *supra*.

144. Alternatively, Defendants' concerted actions were undertaken in retaliation for Plaintiff's exercise of federal rights to petition and seek redress, which independently satisfies § 1985(3) when the conspirators' purpose is to hinder or punish federal court access. See *Kush v. Rutledge*, 460 U.S. 719 (1983).

E. Relief Requested

145. Plaintiff is entitled to recover compensatory and punitive damages for the injuries sustained as a result of Defendants' unlawful conspiracy.

146. Plaintiff further seeks declaratory and injunctive relief to prevent Defendants from continuing to disseminate false information, enforce fraudulent orders, or otherwise act in concert to obstruct Plaintiff's civil rights.

147. WHEREFORE, Plaintiff respectfully requests that this Court:

- (a) Declare that Defendants' conduct constituted a conspiracy to interfere with Plaintiff's civil rights in violation of 42 U.S.C. § 1985(3);
- (b) Permanently enjoin Defendants and their agents from continuing such conduct;
- (c) Award Plaintiff compensatory and punitive damages in an amount to be determined at trial;
- (d) Award Plaintiff his costs and attorney's fees pursuant to 42 U.S.C. § 1988; and
- (e) Grant such other and further relief as the Court deems just and proper.

**Count VI — Invasion of Privacy/Breach of Safe at Home Confidentiality
(Minn. Stat. §§ 5B.01-5B.12; Common Law Right of Privacy; 42 U.S.C. §1983)**
(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and all other persons acting in concert with them, whether named or unnamed)

148. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

149. This cause of action arises under:

- a. Minn. Stat. §§ 5B.01–5B.12, which establish Minnesota's Safe at Home address confidentiality program to protect participants from disclosure of residential addresses and identifying information;
- b. The common law torts of invasion of privacy, intrusion upon seclusion, and public disclosure of private facts recognized under Minnesota law; and
- c. The Fourteenth Amendment and 42 U.S.C. § 1983, insofar as Defendants, acting jointly and under color of state law, violated Plaintiff's constitutional right to privacy and informational security.

B. Factual Allegations

150. At all times relevant, Plaintiff was a duly certified participant in Minnesota's Safe at Home program, established pursuant to Minn. Stat. ch. 5B, and was entitled to the full confidentiality protections afforded by law.

151. Plaintiff's true residential address and contact information were statutorily confidential and maintained only by the Minnesota Secretary of State.

152. Defendants, including one or more Illinois judicial officers and Illinois state agencies, obtained knowledge of Plaintiff's confidential address and other identifying information through

indirect communications with Defendant U.S. Bank National Association, whose principal offices are in Minnesota and which maintained Plaintiff's business and deposit accounts.

153. Defendant U.S. Bank, without warrant, subpoena, court order, or Plaintiff's consent, disclosed Plaintiff's personal identifying and financial information—including Plaintiff's residential address—to third parties outside Minnesota.

154. The unauthorized disclosures enabled one or more Illinois state officials to identify Plaintiff's location and initiate garnishment, closure, or seizure of Plaintiff's Minnesota bank accounts.

155. No notice of such disclosures or account closures was provided to Plaintiff's Safe at Home address, telephone number, or email address on file with U.S. Bank, contrary to statutory and contractual obligations.

156. The disclosure of Plaintiff's confidential Safe at Home address and related data directly contravened:

(a) Minn. Stat. § 5B.07, which prohibits disclosure of a participant's address except as expressly authorized;

(b) Minn. Stat. § 13A.02, which restricts government access to financial records absent lawful process; and

(c) Minn. Stat. § 46A.02, which mandates that financial institutions safeguard customer information.

157. Upon information and belief, Defendants exchanged this information deliberately and in concert for the purpose of assisting out-of-state litigation adverse to Plaintiff, constituting a knowing and willful breach of Plaintiff's statutory and constitutional privacy rights.

C. Injury and Damages

158. As a direct and proximate result of Defendants' wrongful acts and omissions, Plaintiff suffered:

(a) Compromise of his legally protected confidential address and location;

(b) Loss of financial access due to account closures and garnishments;

(c) Fear, humiliation, emotional distress, and loss of security associated with the exposure of his

(d) Safe at Home identity; and

(e) Consequential damages from the misuse of unlawfully disclosed information in out-of-state judicial proceedings.

159. Defendants' actions were undertaken with willful disregard for Plaintiff's statutory protections, and with knowledge that unauthorized disclosure of Safe at Home participant data poses grave safety and privacy risks.

D. Relief Requested

160. Plaintiff seeks:

a. A declaration that Defendants' disclosure and use of Safe at Home information violated Minn. Stat. §§ 5B.01–5B.12 and Plaintiff's constitutional rights to privacy and due process;

- b. An injunction prohibiting Defendants from any further dissemination or use of Plaintiff's confidential address, identifying information, or financial records;
- c. Compensatory and punitive damages in an amount to be determined at trial;
- d. Costs, disbursements, and reasonable attorney's fees under 42 U.S.C. § 1988 and Minn. Stat. § 5B.11; and
- e. Such other and further relief as this Court deems just and equitable.

161. WHEREFORE, Plaintiff respectfully demands judgment against Defendants for violation of Plaintiff's privacy and confidentiality rights, and for all declaratory, injunctive, and monetary relief described herein.

**Count VII — Defamation and False Light
(Minnesota Common Law; 42 U.S.C. §1983 – Constitutional Deprivation of
Liberty Interest in Reputation)**

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and all other persons acting in concert with them, whether named or unnamed)

162. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Legal Basis

163. This cause of action arises under:

- a. The common law torts of defamation and false light recognized under Minnesota law; and
- b. 42 U.S.C. § 1983, insofar as the acts of Defendants, acting under color of state law and in concert with one another, deprived Plaintiff of a protected liberty interest in his reputation, professional standing, and good name without due process of law, in violation of the Fourteenth Amendment.

B. Factual Allegations

164. Defendants knowingly and willfully disseminated, published, or caused to be published false and disparaging statements concerning Plaintiff, both in court filings and in communications to third parties, including but not limited to employers, counsel, and financial institutions.

165. Defendant McGaw Medical Center of Northwestern University, directly and through its representatives, disseminated false statements alleging professional misconduct, moral unfitness, and disreputable behavior by Plaintiff, with the intent and effect of harming Plaintiff's career prospects and reputation.

166. Defendant Wood Health Company, LLC, in coordination with Illinois state officials, furthered this campaign by engaging in extrajudicial communications with tribunals and third

parties to characterize Plaintiff as dishonest, unstable, or professionally incompetent, despite actual knowledge of the falsity of such assertions.

167. Defendants' false and defamatory statements were included in, or attached to, judicial filings that were later unlawfully published online and indexed by public search engines, including Google, causing widespread and ongoing reputational harm to Plaintiff.

168. Upon information and belief, certain of these publications were deliberately maintained on public databases to ensure their accessibility to potential employers, clients, and professional peers, constituting a knowing and malicious act of professional defamation.

169. Defendant U.S. Bank National Association, by disclosing Plaintiff's confidential Safe at Home information and closing his business bank account without lawful basis, created a public implication of financial misconduct or fraud, further placing Plaintiff in a false light before the public.

170. Defendants' collective actions were not mere negligence but part of a coordinated effort to damage Plaintiff's credibility and foreclose his access to fair adjudication and future employment opportunities, constituting a deliberate deprivation of liberty interest protected under the Fourteenth Amendment.

171. Defendants acted with actual malice, knowing that their statements were false or with reckless disregard for their truth, and with the intent to injure Plaintiff's reputation, cause emotional distress, and destroy his ability to obtain future employment in his professional field.

D. Injury and Damages

172. As a direct and proximate result of Defendants' defamatory publications and false light portrayals, Plaintiff suffered:

- (a) Severe reputational injury and loss of standing in his professional community;
- (b) Loss of employment and future economic opportunities;
- (c) Emotional distress, humiliation, and anxiety; and
- (d) Continuing harm due to the permanent digital publication of defamatory statements.

173. The wrongful conduct of Defendants constitutes defamation per se, as it imputes dishonesty, professional incompetence, and misconduct in Plaintiff's trade or occupation, and is actionable without proof of special damages.

D. Relief Requested

174. Plaintiff seeks:

- a. A declaration that Defendants' statements and publications were false, defamatory, and made in reckless disregard of the truth;
- b. An injunction requiring Defendants to retract and remove the defamatory publications from all public sources and court-related databases under their control;

- c. Compensatory damages in an amount to be determined at trial for reputational harm, economic loss, and emotional distress;
- d. Punitive damages sufficient to deter similar misconduct;
- e. Costs and attorney's fees under 42 U.S.C. § 1988 and applicable Minnesota law; and
- f. Such other and further relief as this Court deems just and proper.

175. WHEREFORE, Plaintiff respectfully demands judgment against all Defendants, jointly and severally, for defamation and false light invasion of privacy, and requests all declaratory, injunctive, and monetary relief described herein.

**Count VIII — Petition for Federal Remedy for Manifest Injustice and Denial of Constitutional Rights
(Pursuant to 28 USC §§1331, 1343, 2201, and 1651(a); U.S. Const. Amends. V & XIV)**

(Defendants McGaw Medical Center of Northwestern University; Wood Health Company, LLC; State of Illinois ex rel. Office of the Attorney General (official capacity); State of Ohio ex rel. Office of the Attorney General (official capacity); and State of Minnesota ex rel. Office of the Attorney General (official capacity, for venue and oversight purposes; and all other persons acting in concert with them, whether named or unnamed)

176. Plaintiff realleges and incorporates by reference all preceding paragraphs as though fully set forth herein.

A. Nature of this Petition

177. This Count constitutes a Petition for Federal Remedy invoking this Court's inherent equitable and supervisory authority, the Declaratory Judgment Act, and the All Writs Act, to redress and prevent ongoing constitutional injury, systemic denial of due process, and the perpetuation of manifest injustice arising from the coordinated acts of Defendants and associated state instrumentalities.

178. Plaintiff seeks intervention and declaratory relief not merely as a matter of private redress, but to vindicate federal constitutional guarantees of due process, equal protection, and access to an impartial tribunal.

B. Legal Basis

179. The **Fifth and Fourteenth Amendments** to the U.S. Constitution guarantee that no person shall be deprived of life, liberty, or property without due process of law and that all persons shall receive equal protection of the laws.

180. Under **28 U.S.C. § 1651(a)**, the federal courts are empowered to issue writs "necessary or appropriate in aid of their respective jurisdictions and agreeable to the usages and principles of law."

181. Under **28 U.S.C. § 2201**, federal courts may declare the rights and legal relations of parties in cases of actual controversy.

182. These statutory and constitutional authorities collectively authorize the federal judiciary to intervene when state processes or private actors acting under color of state law have systemically denied a litigant constitutional fairness, thereby rendering state remedies inadequate.

C. Factual Allegations Supporting Manifest Injustice

183. As alleged in detail in preceding Counts, Defendants—acting in concert and under color of state law—engaged in a coordinated pattern of interference with Plaintiff’s access to impartial adjudication in both Illinois and Ohio tribunals.

184. Through acts including ex parte communications, fraudulent orders, concealment of service, misuse of judicial authority, and the extrajudicial publication of defamatory materials,

185. Defendants caused the constructive denial of Plaintiff’s fundamental rights to: fair notice and opportunity to be heard, impartial adjudication free from corruption or external influence, freedom from retaliatory deprivation of property and employment, and protection from reputational and familial destruction through abuse of judicial mechanisms.

186. The cumulative result of these acts has been to defeat the core constitutional purpose of due process—a fair and neutral forum—and to perpetuate ongoing injury through continued reliance upon and publication of fraudulent or void judicial orders.

187. These actions constitute manifest injustice: a condition in which the normal operation of law has been subverted to such an extent that constitutional rights cannot be vindicated through existing state procedures.

188. The inclusion of the State of Minnesota, ex rel. Office of the Attorney General, in this Petition is for venue, jurisdictional propriety, and oversight purposes, as the injuries to Plaintiff’s financial and privacy interests occurred within Minnesota, and continuing relief will require enforcement within this district.

D. Continuing Harm and Federal Necessity

189. The ongoing use and dissemination of fraudulent orders and defamatory materials continue to inflict irreparable harm to Plaintiff’s constitutional rights, employment prospects, and familial relationships.

190. State remedies have proven inadequate, as those same judicial actors whose conduct caused the injury continue to control the state forums in which redress would otherwise be sought.

191. Absent federal intervention, Plaintiff’s constitutional rights will remain denied, and **the manifest injustice already committed** will persist unchecked.

E. Relief Requested

192. WHEREFORE, Plaintiff respectfully petitions this Court to:

- (a) Declare that the acts, omissions, and proceedings described herein—occurring in the States of Illinois and Ohio—were undertaken in violation of Plaintiff’s constitutional rights to due process, equal protection, and access to an impartial tribunal;
- (b) Declare that all orders and judgments obtained through fraud, concealment, ex parte communication, or bias are constitutionally void and unenforceable;
- (c) Enjoin any further enforcement, reliance upon, or collateral use of such void and fraudulent orders by any state actor, agency, or private party acting under color of law;
- (d) Mandate appropriate federal oversight to ensure that any future related proceedings be conducted before impartial tribunals consistent with due process and equal protection;
- (e) Affirm that Plaintiff’s rights to pursue relief under 42 U.S.C. §§ 1981, 1983, and 1985 are protected from interference, retaliation, or obstruction by any state or private actor;
- (f) Award equitable and supervisory relief under 28 U.S.C. §§ 2201 and 1651(a) to prevent ongoing manifest injustice and restore the integrity of the judicial process;
- (g) Award compensatory and punitive damages as warranted to redress the constitutional and economic injuries sustained;
- (h) Grant such other and further relief as this Court deems just, equitable, and proper in the interests of justice.
- (i) JURY DEMAND. Plaintiff demands a trial by jury on all issues so triable.

Count IX — Violation of Minn. Stat. § 13A.02 (Unauthorized Access to Financial Records)
(Defendant U.S. Bank)

195. Plaintiff re-alleges and incorporates by reference all preceding paragraphs as though fully set forth herein.
196. Defendant U.S. Bank National Association (“U.S. Bank”) maintained a business account in Plaintiff’s name, with Plaintiff as the sole depositor and account holder.
197. Plaintiff was a participant in Minnesota’s **Safe-at-Home Address Confidentiality Program**, which protects the location and identifying information of program participants from unauthorized disclosure.
198. Without notice to Plaintiff and **without a judicial subpoena, search warrant, or administrative order**, U.S. Bank disclosed, transmitted, or otherwise made available Plaintiff’s private financial records and account information to one or more out-of-state judicial officers or government agencies located in Illinois.
199. Such disclosure included or revealed Plaintiff’s confidential Minnesota address and financial identifiers.
200. These actions violated **Minn. Stat. § 13A.02**, which expressly prohibits any financial institution from releasing or transferring a customer’s financial records to a government authority except pursuant to lawful process or with the customer’s written consent.

201. Defendant's disclosure was willful, reckless, or negligent and directly resulted in the unauthorized release of Plaintiff's confidential information, subsequent retaliatory garnishments, and economic and reputational injury.

202. As a proximate result, Plaintiff suffered loss of funds, business disruption, emotional distress, and invasion of statutory and constitutional privacy rights.

203. WHEREFORE, Plaintiff demands judgment against U.S. Bank National Association for actual, statutory, and punitive damages, declaratory relief deeming the disclosure unlawful, and such other relief as the Court deems just and proper.

Count X — Violation of Minn. Stat. § 46A.02 (Safeguarding Customer Information)
(Against Defendant U.S. Bank)

204. Plaintiff re-alleges and incorporates all preceding paragraphs.

205. Under Minn. Stat. § 46A.02, financial institutions in Minnesota are required to implement and maintain procedures reasonably designed to safeguard the confidentiality and integrity of customer information.

206. Defendant U.S. Bank failed to employ adequate administrative, technical, and physical safeguards to prevent unauthorized access to Plaintiff's financial records.

207. Defendant admitted that the release of Plaintiff's account information and subsequent account closure resulted from "technical error" and/or "human error," confirming its failure to meet the standard of care required by statute.

208. As a direct and foreseeable result, Plaintiff's confidential financial information was accessed and transmitted to unauthorized parties, causing financial loss, reputational harm, and emotional distress.

209. Defendant's conduct constitutes a violation of Minn. Stat. § 46A.02 and demonstrates reckless disregard for the security of customer data.

210. WHEREFORE, Plaintiff seeks compensatory and punitive damages, declaratory relief finding U.S. Bank's safeguards inadequate under Minnesota law, and such other and further relief as the Court deems equitable and proper.

Count XI — Violation of Minn. Stat. § 325D.44 (Deceptive Trade Practices)
(Against Defendant US Bank)

211. Plaintiff re-alleges and incorporates all preceding paragraphs.

212. Defendant U.S. Bank represented to Plaintiff and the public that it maintained secure, confidential, and protected financial services in compliance with state and federal law.

213. Defendant's representations were false and misleading because it failed to protect Plaintiff's confidential records, disclosed such records without lawful authority, and closed Plaintiff's business account without prior notice or explanation.

214. Defendant's conduct constitutes deceptive and unfair trade practices under Minn. Stat. § 325D.44, subd. 1(13), (17), and related provisions.

215. Defendant's actions were willful, reckless, or grossly negligent, likely to cause confusion and misunderstanding among consumers, and resulted in direct injury to Plaintiff's business and personal interests.

216. Plaintiff is entitled to injunctive and monetary relief under Minn. Stat. § 325D.45, including reasonable attorney's fees and costs.

217. WHEREFORE, Plaintiff requests:

- (a) A declaratory judgment that U.S. Bank's conduct constitutes deceptive trade practices;
- (b) An injunction prohibiting further dissemination or use of Plaintiff's financial data;
- (c) Compensatory and punitive damages; and
- (d) Such other relief as this Court deems just and proper.

VI. PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully prays that this Honorable Court enter judgment in Petitioner's favor and grant the following relief:

1. Declare Defendants' acts unconstitutional and in violation of Minnesota law;
2. Declare all fraudulent, coercive, or unauthorized orders and disclosures void and unenforceable;
3. Enjoin Defendants from further disclosure, enforcement, or retaliation;
4. Direct oversight to ensure future proceedings respect Plaintiff's constitutional rights;
5. Award **compensatory, statutory, and punitive damages**;
6. Award **injunctive relief**, including protection of Safe-at-Home confidentiality;
7. Award costs and attorney's fees under 42 U.S.C. § 1988;
8. Grant any additional relief necessary to prevent manifest injustice; and
9. **Empanel a jury for all triable issues.**

A. Declaratory and Injunctive Relief

1. **Declaration of Constitutional Violation**
Declare that the acts, omissions, and proceedings described herein—occurring in the State of Illinois and the State of Ohio—were undertaken in violation of Petitioner’s rights to due process, equal protection, and access to an impartial tribunal under the Constitution of the United States.
2. **Declaration that Fraudulent Orders Are Void and Unenforceable**
Declare that any orders, judgments, or directives issued in the referenced Illinois and Ohio proceedings, obtained through extrinsic fraud, concealment of service, ex parte communications, or judicial bias, are constitutionally void and unenforceable.
3. **Prospective Injunctive Relief**
Enjoin any further enforcement, reliance upon, or collateral use of such void and fraudulent orders by state actors, agencies, or private parties acting under color of state law, where such enforcement would perpetuate ongoing violations of Petitioner’s constitutional rights.
4. **Restoration of Access to Impartial Adjudication**
Direct appropriate federal oversight, including a mandate to ensure that any future proceedings in related state or federal matters be conducted before impartial tribunals that comply with the requirements of due process, equal protection, and fair procedure.
5. **Protection of Federal Civil Rights Remedies**
Declare that Petitioner’s rights to pursue federal civil rights relief under 42 U.S.C. §§ 1981, 1983, and 1985 are protected from interference, intimidation, retaliation, or obstruction by any state actor, officer of the court, or private individual acting under color of law.
6. **Equitable and Supervisory Relief to Prevent Manifest Injustice**
Grant such further declaratory and equitable relief as may be necessary under 28 U.S.C. § 2201 and the All Writs Act, 28 U.S.C. § 1651(a), to prevent manifest injustice, protect the integrity of the judicial process, and restore Petitioner’s constitutional rights.
7. **Other Relief Deemed Just and Proper**
Grant such other and further relief as this Court deems just, equitable, and proper in the interests of justice.

B. Monetary and Compensatory Relief

8. Award Plaintiff compensatory damages in an amount to be determined at trial for economic, emotional, and reputational harm.
9. Award punitive damages against private Defendants for willful and malicious conduct.
10. Award Plaintiff costs, fees, and attorney’s fees pursuant to 42 U.S.C. § 1988.
11. Grant any other relief the Court deems just and proper, including restoration of Safe-at-Home confidentiality and safeguards against further unauthorized disclosures.

C. Prayer for Relief (as to Counts against U.S. Bank)

12. Plaintiff respectfully requests that this Court:
13. Declare that Defendant U.S. Bank violated Minnesota law and Plaintiff's statutory privacy rights;
14. Award compensatory, statutory, and punitive damages in an amount to be determined at trial;
15. Issue injunctive relief to prevent further dissemination or use of Plaintiff's financial information; and
16. Grant such further equitable relief as the Court deems just and proper.

VII. CONCLUSION

For the reasons set forth herein, Petitioner respectfully requests that this Honorable Court exercise its equitable and constitutional authority to prevent further manifest injustice and irreparable harm.

Petitioner seeks a federal remedy for the continuing violations of due process, equal protection, and access to the courts that have arisen through actions taken under color of state law in the States of Illinois and Ohio, and respectfully requests declaratory and prospective injunctive relief as outlined in the foregoing *Prayer for Relief*.

Petitioner further requests such other and additional relief as this Court deems just, equitable, and proper in the interests of justice and in the preservation of constitutional rights.

VIII. VERIFICATION

I, **Marcus Rushing** being duly sworn, depose and state under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in the foregoing Petition for Federal Remedy for Manifest Injustice and Denial of Constitutional Rights; that I have read the foregoing Petition; and that the facts stated therein are true and correct to the best of my knowledge, information, and belief.

Marcus Rushing

