

125. The case before the Board of Public Safety prosecuted by Beachkofsky over Robert's objection that she had conflict of interest.

126. Hurley over Robert's objection allowed to sit at table with Beachkofsky throughout hearing after separation of witness order entered.

127. Ross and Hurley listed and called as witnesses in the hearing by Robert.

128. Hurley permitted to listen to Ross testimony prior to being called as witness by Robert.

129. At time instant Complaint filed the Board of Public Safety had not issued its findings.

FIRST CAUSE OF ACTION-FEDERAL LAW CLAIMS

Plaintiff for his first cause of action against defendants says:

130. Plaintiff hereby incorporates by reference the same as if fully set forth in full the fact allegations contained in Parts I-IV, paragraphs 1-129 inclusive, of this complaint.

131. The above-described conduct of Mayor Buttigieg, COSB, Walters, Hurley, Beachkofsky, Ross, Yearly, Toppel and Hall unlawfully deprived Robert of his constitutional and civil rights to procedural due process and equal protection under the Fourteenth Amendment to the United States Constitution. (Ex. 8-1, 8-2, 8-3, 8-4, 8-5, 8-6, 8-7, 8-9, 8-10)

132. Defendants Mayor Buttigieg, COSB, Walters, Hurley, Beachkofsky, Ross, Yearly, Toppel and Hall acted with reckless indifference to Robert's constitutional and civil rights and was the proximate cause of the deprivation of Robert's constitutional and civil rights.

133. At all times relevant to this complaint, defendant Mayor Buttigieg, COSB, Walters, Hurley, Beachkofsky, Ross, Yearly, Toppel and Hall acted under color of state law.