

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

DARREN EICHLER and DANIEL GREER

Plaintiffs,

v.

UNITED STATES OF AMERICA and
DHS DOES NOS. 1–15, in their individual
capacities,

Defendants.

Civil Case Number:

JURY TRIAL DEMANDED

COMPLAINT

1. Plaintiffs Darren Eichler and Daniel Greer (collectively, “Plaintiffs”) bring this lawsuit to redress the violent attack, arrest, and detention perpetrated against them by federal agents—despite the fact that they had committed no crime or violation—during the Trump Administration’s invasion of the Chicago area that it termed Operation Midway Blitz. The Plaintiffs seek compensation for their injuries, but more importantly, they seek to hold accountable the United States government and the defendant federal officers who believed that they could abuse and retaliate against innocent American citizens with impunity.

2. The Plaintiffs were working as groundskeepers at Concordia Cemetery in Forest Park, Illinois (“Concordia”), on the afternoon of October 7, 2025.

3. Federal agents forced their way into the cemetery’s private restricted area and retaliated against the Plaintiffs for simply expressing their disapproval of U.S. Immigration and Customs Enforcement’s (“ICE”) heavy-handed tactics during Operation Midway Blitz. The agents sprayed both of the Plaintiffs in the face with chemical irritant, shot one of them with pepper balls,

and slammed both of them into the ground. Despite the fact that the Plaintiffs had committed no crime, the officers restrained them with handcuffs and zip ties. The Plaintiffs were not provided with immediate medical care for their injuries, the effects of which lingered long after.

4. Defendants' actions were unconstitutional for multiple reasons. First, federal agents arrested and detained the Plaintiffs without a warrant or probable cause to believe that they had committed any crime. Second, federal agents used excessive and unreasonable force against the Plaintiffs, attacking them with chemical munitions and throwing them forcefully to the ground for no reason.

5. Additionally, the DHS officers' actions constituted tortious conduct under Illinois law, for which the United States government is liable under the Federal Tort Claims Act.

6. The federal agents' attack significantly harmed the Plaintiffs, both physically and emotionally. The Plaintiffs seek both compensatory damages for the injuries that they suffered as a result of the attack and punitive damages to deter future unlawful conduct. The Plaintiffs' goal is to show that no one, including federal agents, is above the law.

PARTIES

7. Plaintiff Darren Eichler is a U.S. citizen and resident of Chicago, Illinois.

8. Plaintiff Daniel Greer is a U.S. citizen and resident of Berwyn, Illinois.

9. Defendant United States of America is the employer of Defendants DHS Does 1–15. Defendant United States of America is a proper defendant for claims brought by the Plaintiffs under the Federal Tort Claims Act. 28 U.S.C. §§ 2671–2680, 1346(b). Immigration and Customs Enforcement (“ICE”) and Customs and Border Protection (“CBP”) are subcomponents of the Department of Homeland Security (“DHS”), which was at all relevant times a federal agency, organized and existing under the laws of the United States. The United States is sued for the

wrongful acts and omissions of DHS employees while acting within the scope of their employment and has waived its sovereign immunity for such claims.

10. Defendants DHS Does 1–15 (collectively, the “DHS Does 1–15”) are individuals whose identities are not currently known to the Plaintiffs, and who by their actions caused, prolonged, and/or exacerbated the various violations of law against the Plaintiffs. On information and belief, they are and were at all relevant times employees, officers, or otherwise representatives of DHS, ICE, and/or CBP. The DHS Does are each “investigative or law enforcement officers” within the meaning of 28 U.S.C. § 2680(h), as each is empowered by law to execute searches, to seize evidence, and to make arrests for violations of federal law. At all relevant times, the DHS Does acted within the scope of their office or employment with DHS, an executive agency of the United States, under the color of federal law. The Plaintiffs intend to amend this complaint upon learning the identities of DHS Does 1–15. The Plaintiffs sue each of the DHS Does in their individual capacities.

11. On information and belief:

a. Defendant DHS Doe 1 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. DHS Doe 1 also wrongfully detained Plaintiff Eichler at Rush Oak Park Hospital following the assault. *See* Figure 1.



Fig. 1: Defendant DHS Doe 1 on October 7, 2025

- b. Defendant DHS Doe 2 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. *See* Figure 2.



Fig. 2: Defendant DHS Doe 2 on October 7, 2025

- c. Defendant DHS Doe 3 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. *See* Figure 3.



Fig. 3: Defendant DHS Doe 3 on October 7, 2025

d. Defendant DHS Doe 4 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. DHS Doe 4 also wrongfully detained Plaintiff Eichler at Rush Oak Park Hospital following the assault. *See* Figure 4.



Fig. 4: Defendant DHS Doe 4 on October 7, 2025

e. Defendant DHS Doe 5 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. *See* Figure 5.



Fig. 5: Defendant DHS Doe 5 on October 7, 2025

f. Defendant DHS Doe 6 is a male federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025, at Concordia. *See* Figure 6.



Fig. 6: Defendant DHS Doe 6 on October 7, 2025

g. Defendant DHS Doe 7 is a federal agent who participated in the assault and arrest of Plaintiffs Eichler and Greer on October 7, 2025 at Concordia.

h. Defendant DHS Doe 8 is a male federal agent who participated in the arrest and detention of Plaintiff Eichler at Rush Oak Park Hospital following the assault at Concordia Cemetery.

i. Defendant DHS Does 9–10 are male federal agents who participated in the arrest and detention of Plaintiff Greer while transporting him in a van from Concordia to a DHS facility in Lombard, Illinois.

j. Defendant DHS Does 11–15 are federal agents (four male and one female) who accepted custody of Plaintiff Greer at a DHS facility in Lombard, Illinois, and continued to wrongfully hold Plaintiff Greer under arrest in a jail cell at the Lombard detention facility without cause.

JURISDICTION & VENUE

12. The Court has subject-matter jurisdiction over the Plaintiffs' claims against the Defendant United States of America under 28 U.S.C. § 1346(b)(1).

13. Defendant United States of America has waived sovereign immunity with respect to the claims asserted against it in this action. Pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674, the United States is liable for the actions of its employees in the same manner and to the same extent as a private individual under like circumstances. Defendant United States of America has further waived sovereign immunity under 28 U.S.C. § 2680(h) for tort claims arising out of certain intentional torts, including assault, battery, false imprisonment, and false arrest committed by investigative or law enforcement officers of the United States government.

14. The Plaintiffs have satisfied the administrative exhaustion requirements with respect to the claims asserted against the Defendant United States of America in this action. Prior to commencing this action, the Plaintiffs each presented an administrative tort claim to ICE, the appropriate federal agency, by submitting an executed Standard Form 95 (see Ex. 1 and Ex. 2). Plaintiff Greer's claim was presented on March 4, 2026, and Plaintiff Eichler's claim was presented on March 10, 2026. More than six months have elapsed since each claim was presented, and the agency has failed to respond to either claim.

15. This Court has subject-matter jurisdiction, pursuant to 28 U.S.C. § 1331, over the Plaintiffs' claims against the DHS Does that arise under the United States Constitution and *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971).

16. Venue is proper in the Northern District of Illinois under 28 U.S.C. §§ 1402(b) and 1391(b)(2), because the acts and omissions complained of occurred in Forest Park, Illinois, within the Northern District of Illinois, and because the Plaintiffs reside within the Northern District of Illinois.

FACTUAL ALLEGATIONS

The Trump Administration's Immigration Agenda

17. Immigration enforcement and removal has been a cornerstone of President Trump's second term agenda from the moment he took office. In his inaugural address, President Trump announced that he would not only "declare a national emergency at our southern border," but would "begin the process of returning millions and millions of criminal aliens back to the places from which they came."¹ To effectuate this, President Trump immediately signed a series of executive orders, a number of which have since been found unlawful.²

18. Throughout the spring of 2025, the Trump administration aggressively ramped up domestic immigration enforcement operations. For example, in May 2025, ICE agents began to systematically arrest immigrants after they appeared for their hearings at immigration courts.³ In

¹ Transcript: Read Trump's Full Second Inaugural Address, PBS News (Jan. 20, 2025), <https://www.pbs.org/newshour/politics/transcript-read-trumps-full-second-inaugural-address>.

² Julia Ainsley, et. al., *Trump Issues a Slew of Immigration-Related Executive Orders on First Day of New Term*, NBC News (Jan. 20, 2025), <https://www.nbcnews.com/politics/politics-news/trump-issue-10-executive-orders-immigration-taking-office-rcna188385>; Nina Totenberg, *Supreme Court Upholds Birthright Citizenship on Constitutional Grounds*, NPR (June 30, 2026), <https://www.npr.org/2026/06/30/nx-s1-5839358/birthright-citizenship-decision-scotus-trump>.

³ Joshua Goodman, et al., *They Came to a Hearing at Chicago's Immigration Court, Then Got Arrested*, Chicago Sun-Times (May 22, 2025), <https://chicago.suntimes.com/immigration/2025/05/22/ice-agents-hallways-immigration-court-trump-mass-arrest>.

June 2025, ICE agents conducted large-scale raids in Southern California, targeting immigrants as they looked for work.⁴ Such conduct provoked widescale protests, resulting in President Trump federalizing (over California Governor Gavin Newsom’s objections) and deploying the California National Guard and a contingent of U.S. Marines to Los Angeles.⁵

Operation Midway Blitz

19. By September 2025, the President had turned his attention from the West coast to the Midwest, specifically Chicago. In a September 2, 2025, statement, President Trump asserted that “Chicago is a hellhole” and said he planned to send the National Guard to the city.⁶ On September 6, 2025, the President posted an image of himself on Truth Social, his social media platform, captioned “Chipocalypse Now,” set against a burning Chicago skyline with military helicopters overhead. The image was accompanied by text reading: “‘I love the smell of deportations in the morning...’ Chicago about to find out why it’s called the Department of WAR.”⁷

See Figure 7.

⁴ Maanvi Singh, *A Year after ICE Raids Terrorized Los Angeles, a Rattled City Counts Its Scars: ‘The Arrests Never Really Stopped’*, The Guardian, (June 14, 2026), <https://www.theguardian.com/us-news/2026/jun/14/one-year-later-los-angeles-ice-raids>.

⁵ Lolita Baldor, et al., *Trump Sends 700 Marines and 2,000 National Guard Members to Los Angeles*, PBS News (June 10, 2025), <https://www.pbs.org/newshour/nation/trump-sends-700-marines-and-2000-national-guard-members-to-los-angeles>.

⁶ Sarah Schulte & Leah Hope, *Trump Calls Chicago ‘a hellhole’* ABC7 Chicago (Sept. 2, 2025), <https://abc7chicago.com/post/what-know-chicago-shootings-stats-anti-crime-efforts-donald-trump-says-hell-send-national-guard/17723687/>.

⁷ Dorothy Hernandez, et al., *Trump Warns of ‘Chipocalypse’ as Peaceful Crowd Protests Planned Federal Deployment*, Chicago Sun-Times (Sept. 6, 2025), <https://chicago.suntimes.com/immigration/2025/09/06/ice-raids-chicago-immigration-saturday-trump>. President Trump’s quote was a reference to the Vietnam War film, *Apocalypse Now*, where one of the characters states, “I love the smell of Napalm in the morning” after having bombed a coastal village.



Fig. 7: September 2, 2025 Truth Social Post

20. In the wake of the President’s statements, on September 8, 2025, DHS announced “Operation Midway Blitz,” a large-scale, ICE led, civil immigration enforcement operation in Chicago and its surrounding communities. In support of the operation, hundreds of federal agents from ICE, CBP, and other federal agencies descended on the Chicago area.⁸

21. Over the course of the next 64 days, federal agents used “unjustified,” “excessive,” and “indiscriminate” force in “numerous instances,” as subsequently documented by the Illinois Accountability Commission.⁹

⁸ *ICE Launches Operation Midway Blitz*, Department of Homeland Security Press Release, (Sept. 8, 2025), <https://www.dhs.gov/news/2025/09/08/ice-launches-operation-midway-blitz-honor-katie-abraham-target-criminal-illegal>.

⁹ State of Illinois Department of Human Rights, *Illinois Accountability Commission Final Report* (April 2026), at 74, <https://ilac.illinois.gov/content/dam/soi/en/web/ilac/documents/final-report/IAC-Final-Report-April-2026.pdf>.

22. Within the first four days of Operation Midway Blitz, federal agents fatally shot a man in suburban Franklin Park during a traffic stop without legal justification.¹⁰ Federal agents shot a woman five times in Brighton Park, again without justification, a few weeks later.¹¹

23. Federal agents routinely used “chemical agents – such as tear gas, pepper spray, and pepper balls ... on at least 63 different occasions during Operation Midway Blitz.”¹² Many of these chemical munitions were aimed at protesters, despite the fact that almost all protests at the time were peaceful, and several victims of the chemical munitions were children who happened to be in the wrong place at the wrong time.¹³

24. Outside ICE’s Broadview, Illinois detention center, protests grew larger, with community members concerned about inhumane conditions that detainees faced. In response to those growing concerns, federal agents routinely teargassed protestors, shot them with pepper balls or rubber bullets, and even arrested some after assaulting them. Agents broke up prayer circles, shot at multiple clergy members, and assaulted veterans. Members of the press were shot with pepper balls or rubber bullets even when wearing press credentials.¹⁴

25. On September 30, federal agents helicoptered to the top of a South Shore apartment complex, rappelled down, kicked in doors, threw flashbangs, and zip tied adults and kids, including U.S. citizens.¹⁵

26. On October 25, 2025, while children in costumes were getting ready to trick-or-treat, agents deployed teargas in Old Irving Park.¹⁶ On Halloween morning, federal agents engaged

¹⁰ *Id.* at 90–93.

¹¹ *Id.* at 93–96.

¹² *Id.* at 97.

¹³ *Id.* at 97–98.

¹⁴ *See id.* at 5, 67–68.

¹⁵ State of Illinois Department of Human Rights, *Illinois Accountability Commission South Shore Apartment Raids Investigation Brief* (April 2026), <https://ilac.illinois.gov/content/dam/soi/en/web/ilac/documents/final-report/inv-briefs/IAC-South-Shore-Investigation-Brief-r.pdf>.

¹⁶ *Supra* n. 9, at 98.

in aggressive and violent confrontations near Lincolnwood Elementary School and Chute Middle School in the Evanston-Skokie District.¹⁷ On November 5, 2025, around 7:00 AM, federal agents barged into a daycare while children were inside to apprehend their teacher.¹⁸

27. In early November, federal agents pepper sprayed a one-year-old baby in Cicero.¹⁹

28. Agents deployed teargas in various Chicago neighborhoods: Little Village, Lakeview, Albany Park, and Logan Square, to name a few. Operation Midway Blitz extended to the suburbs, too: Broadview, Aurora, Evanston, Edison Park, Hoffman Estates, Nilas, Skokie, Waukegan, Gurnee, and Cicero all saw federal agents use indiscriminate force against their residents.²⁰

29. Agents routinely concealed their identities with masks and face coverings, wore military or tactical gear, used military-style weapons, traveled in unmarked vehicles, and refused to identify themselves or their agency when asked.²¹ They conducted raids in residential neighborhoods, at workplaces, and outside schools, churches, and daycares.²² Agents only started to wear body-worn cameras and display alphanumeric badge numbers after a federal judge ordered them to do so.

30. The Plaintiffs were aware of reports regarding Operation Midway Blitz, as the acts and abuses perpetrated by federal agents were widely reported on in the national and local Chicago

¹⁷ *Id.* at 85–86.

¹⁸ Tahman Bradley, et al., *'Absolute terror': Day care teacher detained by ICE agents on Chicago's North Side*, WGN (Nov. 5, 2025), <https://wgntv.com/news/operation-midway-blitz/video-daycare-teacher-detained-by-ice-agents-on-chicagos-north-side/>.

¹⁹ Violet Miller, *1-year-old pepper-sprayed by federal agent in Cicero: 'My daughter didn't have to go through this'*, Chicago Sun-Times (Nov. 9, 2025), <https://chicago.suntimes.com/immigration/2025/11/09/1-year-old-pepper-sprayed-by-federal-agent-in-cicero>.

²⁰ *Supra* n. 9 at 74–130 ; see also Jonathan Bullington, et al., *On Halloween, 'state-sponsored terror' in Chicago and the north suburbs*, Chicago Tribune (Oct. 31, 2025), <https://www.chicagotribune.com/2025/10/31/chicag-halloween-immigration-raids-evanston/>.

²¹ *Supra* n. 9 at 7.

²² *Id.* at 105–13.

media. The Plaintiffs, like many other Chicago-area residents, were appalled by the aggressive tactics that federal agents deployed during Operation Midway Blitz. They believed that the actions of certain of these federal agents were unlawful and immoral.

October 7, 2025: DHS Does 1–7 Chase Unidentified Man into River

31. Against this backdrop and over a month after the start of Operation Midway Blitz, the Plaintiffs went to work at Concordia on Tuesday, October 7, 2025. The Plaintiffs are both members of the cemetery’s groundskeeping crew. In their roles, they help maintain Concordia’s facilities and ensure that the cemetery remains well-kept for visitors.

32. Founded in 1872, Concordia is a privately-owned cemetery governed by an association of six Christian churches located in the Chicago area. It is located at 7900 Madison Street, Forest Park, Illinois. A Google Maps image of Concordia Cemetery is Figure 8 below.

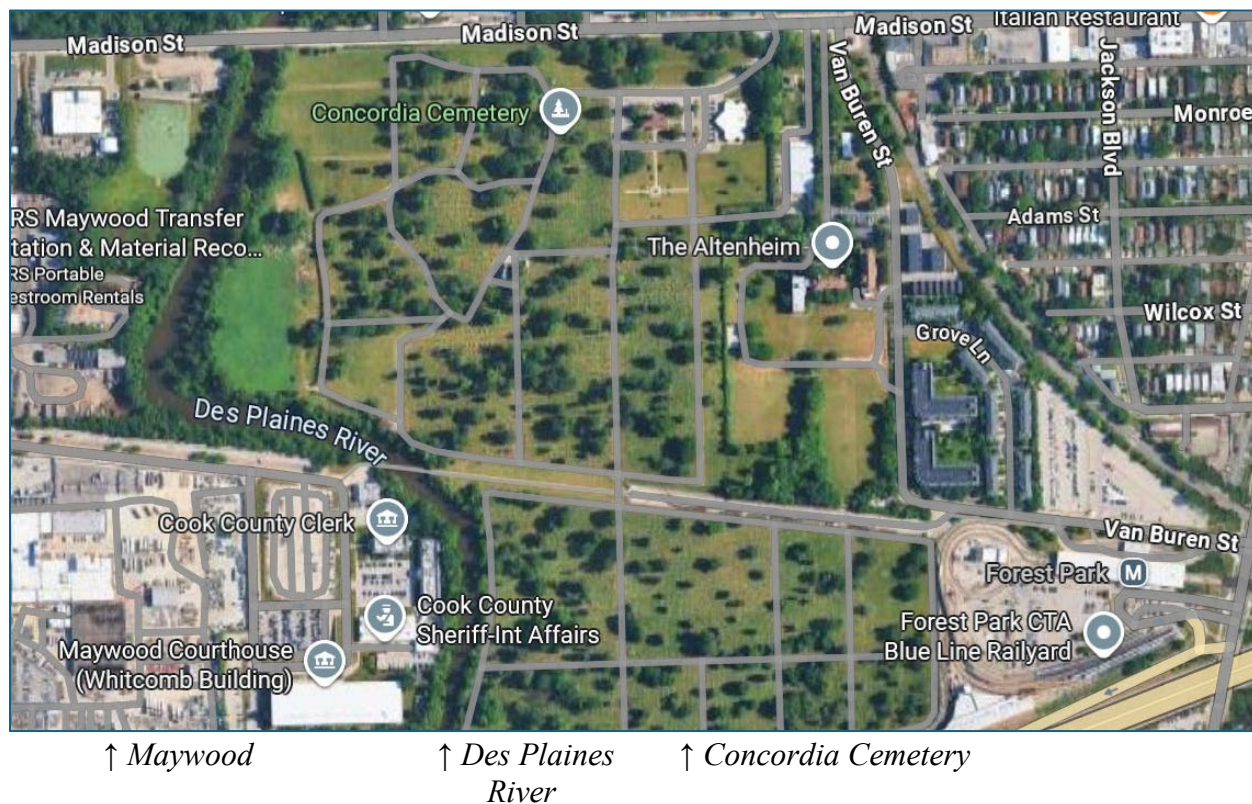


Figure 8: Map of Maywood Courthouse, Des Plaines River and Concordia Cemetery

33. Directly across from Concordia, on the other side of the Des Plaines River, is the Maywood Courthouse complex, located at 1500 Maybrook Drive, Maywood, Illinois. The Maywood Courthouse houses the Fourth Municipal District of the Circuit Court of Cook County. There is a footbridge that, as part of the Prairie Path, allows pedestrians to cross between the Maywood and Forest Park banks of the Des Plaines River. A chain-link fence separates Concordia's property from the Prairie Path, although on October 7, 2025, there were gaps or holes cut in parts of the fence that were large enough for pedestrians to enter.

34. On October 7, the Plaintiffs were performing maintenance by a water intake facility at the edge of Concordia's property on the Forest Park bank of the Des Plaines River. That day, the Plaintiffs were joined by another member of the groundskeeping crew, Cordell Walls, who was also helping service the water-intake facility. From the facility where the Plaintiffs and Walls were working, they had a partial view of the Des Plaines River.

35. At approximately 1:00 P.M., Walls noticed a fully dressed man standing in approximately thigh-deep water in the Des Plaines River. The man was in the river, a few feet away from the bank on the Maywood side. Walls called out to the Plaintiffs to come see the man.

36. When the Plaintiffs arrived, they were concerned for the man's well-being. To the Plaintiffs' knowledge, the stretch of the Des Plaines River running past the cemetery is not a location for swimming or fishing. Moreover, there had been heavy rain the previous day and the water level of the river was higher than usual. The Plaintiffs were concerned that the man in the river might be in distress.

37. The Plaintiffs and Walls called out to the man in the river, asking him if he was okay. They did not receive a response. The man remained in the river, nearer to the Maywood side,

and did not wade out any further. The Plaintiffs and Walls telephoned their supervisor at Concordia, Jason Sova, to get instructions on how to proceed. Sova arrived shortly thereafter.

38. At this point, the Plaintiffs, Walls, and Sova (collectively, the “Concordia Employees”) began to hear voices from across the river. Because their view was partially obscured by the foliage, no one in the group could see who was speaking.

39. One of the voices shouted at Plaintiff Greer words to the effect of, “if he drowns in the river, we will charge you with murder.”

40. The Plaintiffs found this threat to be confusing, because, first, they were attempting to help the man in the river, and second, they did not know the identities of the people who were shouting from the Maywood side of the river.

41. At some point, it became clear to the Plaintiffs that the threatening voices that they heard must belong to ICE or other federal agents.

42. Plaintiff Greer made statements critical of ICE and expressed words to the effect that ICE should “get the f*** out of here.” Plaintiff Eichler made similar statements criticizing ICE and its tactics and telling the agents, “f*** you.”

Plaintiffs Are Pursued and Surrounded by DHS Agents

43. Very shortly thereafter, a group of armed federal agents, later identified as DHS Does 1–7, stormed across the river toward the Plaintiffs, apparently diverting from their original target, who was still in the river, a few feet from the riverbank on the Maywood side. Several of the DHS Does were wearing facial coverings and sunglasses that obscured their identities. DHS Does 1–7 crossed over the Des Plaines River via the footbridge on the Prairie Path, moving from the Maywood side over to the Forest Park side where the cemetery is located. DHS Does 1–7 proceeded to enter the cemetery through a hole in the cemetery’s chain-link fence.

44. The Concordia Employees climbed the riverbank from the water intake facility and went inside a restricted area within the cemetery. This restricted area is bordered by the river on one side, the pump house on another, and chain-link metal fencing with a locked gate on the other two. Unlike most of the rest of the cemetery grounds, the fenced area was not open to the public and was available only to workers at the cemetery. When workers were not actively entering or exiting the area, the standard practice was to lock the gate to the restricted area with a padlock. Once inside the restricted area, the Concordia Employees locked the gate behind them.

45. The DHS Does 1–7 followed the Concordia Employees to the fenced area, where they were stopped by the locked gate.

46. DHS Doe 6 demanded several times that one of the Concordia Employees unlock the gate and allow them to enter the fenced area that was not open to the public. Because they were in a restricted, employee-only area, the DHS Does had no legal right to enter this section of the cemetery. The Concordia Employees refused entry.

47. Plaintiff Greer and Sova filmed the DHS Does from behind the locked gate, as is their right under the First Amendment. The Concordia Employees also made statements criticizing the aggressive immigration tactics that had been used in the Chicago area, as well as the federal agents who used those tactics. These statements were protected by the First Amendment.

48. Sova and Plaintiff Greer asked the DHS Does why they were demanding entry to the fenced area. The agents refused to explain, instead repeatedly demanding entry through the gate.

49. At no time did the DHS Does 1–7 inquire about or establish the Plaintiffs' immigration status. The Plaintiffs are United States citizens.

50. The Concordia Employees surmised that the DHS Does were pursuing the individual that the Concordia Employees saw earlier in the river. That individual was not within the fenced area with the Concordia Employees. In fact, Plaintiff Greer observed that the individual had climbed out of the river and was at that time on the Maywood bank, opposite from Concordia Cemetery. The Concordia Employees repeatedly told the DHS Does 1–7 that the individual was not within the fenced area with them and that he was on the other side of the river.

The DHS Does Cut Through the Lock and Attack Plaintiffs

51. After some time, DHS Doe 6 gave an instruction to his colleagues to go get bolt cutters. Defendant DHS Doe 3 procured a set of bolt cutters to force entry into the private, restricted fenced area.

52. Before Defendant DHS Doe 3 attempted to cut the lock, Sova asked, “I need to ask a question here. This is private property, we agree on that, yes? This is private property?” In reply, DHS Doe 3 stated, “Mhm. Just open the gate buddy.” Sova, then asked, “Okay. And the individual you are pursuing, is he on this property?” DHS Doe 3 then replied, “You guys are impeding us talking to him.” Sova reiterated that he was “asking if the person that you are pursuing is on this property.”

53. Instead of answering Sova’s questions, DHS Doe 3 stated, “let’s do it, you guys are done,” and attempted to cut the lock to gain entry into the private, fenced area. As DHS Doe 3 was attempting to cut the lock, another of the DHS Does stated, “you guys are going to get charged with impeding.” The Concordia Employees responded by reiterating that the individual that the DHS Does were pursuing was on the other side of the river, not within the fenced area.

54. At that point, DHS Doe 3 cut the lock. DHS Doe 1 stated in a gleeful tone, “Things have changed now, huh?” And then DHS Does 1–7 forced their way into the private, fenced area and attacked the Plaintiffs.

55. Specifically, the DHS Does opened the now-unlocked gate so forcefully that Plaintiff Eichler’s boot was caught underneath. DHS Doe 1 sprayed mace or a similar type of chemical irritant in Plaintiff Eichler’s face. Then DHS Doe 5 shot chemical pepper balls at Plaintiff Eichler’s body.

56. Further, after rushing through the gate, DHS Doe 2 body-slammed Plaintiff Eichler to the ground.

57. DHS Doe 1 sprayed Plaintiff Greer in the face with a chemical agent. Another DHS Doe tackled Plaintiff Greer to the ground.

58. While they were on the ground, the DHS Does handcuffed the Plaintiffs’ wrists with zip ties. Both of the Plaintiffs were placed under arrest, despite the fact that neither had committed a crime or violation which would justify their arrest. On information and belief, the DHS Does arrested the Plaintiffs in retaliation for the statements that they had made, including those criticizing the immigration enforcement tactics that federal agents had employed in the Chicago area.

59. After arresting the Plaintiffs, the DHS Does also seized personal property from the Concordia Employees, including the phones that Plaintiff Greer and Sova used to record the DHS Does’ actions and statements.

Plaintiff Greer Was Detained and Transported to a DHS Holding Facility

60. After being handcuffed, Plaintiff Greer experienced blurry vision and burning in his eyes due to the chemical irritant that the DHS Does sprayed in his face. He was in significant

pain. None of the DHS Does rendered medical aid, such as eye wash. Instead, one of the DHS Does poured water on Plaintiff Greer's face, which spread the chemical irritant and caused additional pain and discomfort.

61. The DHS Does zip-tied Plaintiff Greer and left him sitting on the ground for more than hour in a restrained state.

62. During that hour, the DHS Does also shackled Plaintiff Greer's ankles. Plaintiff Greer told them that he had had ankle surgery and had hardware in his ankle, and he asked the DHS Does not to place the shackles too tightly. In response, one of the DHS Does tightened the shackles around Plaintiff Greer's ankle as much as possible, causing Plaintiff Greer serious pain.

63. DHS Does 9–10 eventually moved Plaintiff Greer, along with Walls and Sova, into a van that had recently arrived at the scene. While being transported to the van, Plaintiff Greer tripped and fell due to the restraints that had been placed on his hands and ankles.

64. When in the van, the DHS Does 9–10 did not buckle or otherwise secure Plaintiff Greer. Because of the restraints on his hands and ankles, Plaintiff Greer could not secure himself. The DHS Does drove erratically and at a very high rate of speed to a DHS facility approximately 12 miles away, in Lombard, Illinois. During the drive, Plaintiff Greer feared for his life and safety.

65. After arriving at the DHS facility, Plaintiff Greer was transferred to the custody of DHS Does 11–15. These defendants detained Plaintiff Greer in a jail cell, where he remained for the next two to three hours. During that time, Plaintiff Greer was never given appropriate first aid or other medical care to treat his injuries. When Plaintiff Greer asked DHS Does 11–15 why he was being held, they replied that they did not know.

66. At approximately 6:30 P.M., Plaintiff Greer was released from federal custody. DHS Does 11–15 provided him with paperwork documenting the incident. The documents stated

that Plaintiff Greer had been arrested for allegedly “ASSAULTING, RESISTING AN OFFICER.” The arrest paperwork was false. At no point in time did Plaintiff Greer assault an officer or resist arrest.

67. Plaintiff Greer was never charged with any crime or violation of law.

68. After releasing Plaintiff Greer from the facility, DHS officials did not provide Plaintiff Greer with any transportation back to Concordia, despite transporting him approximately 12 miles away against his will.

69. Plaintiff Greer later learned that the DHS Does had attempted to delete the video taken at Concordia from Sova’s phone, but Sova was able to restore the video.

After Significant Delay, Plaintiff Eichler Was Transported to a Hospital

70. Like Plaintiff Greer, Plaintiff Eichler also experienced blurry vision and burning in his eyes after he was attacked by the DHS Does 1–7. In addition to those injuries, Plaintiff Eichler also experienced chest pain, coughing, difficulty breathing, and lightheadedness.

71. While he was restrained, Plaintiff Eichler asked the DHS Does to provide medical aid. He repeatedly asked for the DHS Does 1–7 to call an ambulance. For over an hour after the attack, the DHS Does failed to call an ambulance or otherwise render medical aid to Plaintiff Eichler.

72. Eventually, an ambulance arrived and transported Plaintiff Eichler to Rush Oak Park Hospital. While being transported, the DHS Does kept Plaintiff Eichler handcuffed. DHS Doe 1, DHS Doe 4, and DHS Doe 8 followed Plaintiff Eichler’s ambulance in a separate vehicle.

73. Upon arriving at Rush Oak Park Hospital, Plaintiff Eichler received medical treatment from several providers. At the hospital, though Plaintiff Eichler did not pose a danger to himself or others, and had committed no crime or violation, DHS Does 1, 4, and 8 refused to leave

Plaintiff Eichler's side. They kept Plaintiff Eichler handcuffed and under arrest without probable cause. The DHS Does also refused to give Plaintiff Eichler any privacy while he was being examined.

74. At approximately 5:00 P.M., somewhere between two and three hours after Plaintiff Eichler had arrived at Rush Oak Park Hospital, DHS Doe 1, DHS Doe 4 and DHS Doe 8 informed Plaintiff Eichler that he was free to leave after he had been medically cleared. One of the agents told Plaintiff Eichler words to the effect of, "happy late birthday present," referencing the fact that they were releasing him after they had pepper sprayed him, battered him, and arrested him less than a week after Plaintiff Eichler's 30th birthday.

75. After notifying Plaintiff Eichler that he was free to go, DHS Does 1, 4 and 8 abruptly left Plaintiff Eichler and proceeded towards the exit of the hospital. They did not remove Plaintiff Eichler's handcuffs before they left. Plaintiff Eichler alerted a nurse to the situation, and she pursued the three agents to tell them that Plaintiff Eichler was still restrained. After, the agents returned and removed Plaintiff Eichler's handcuffs.

76. None of the DHS Does provided Plaintiff Eichler with any paperwork documenting or explaining his arrest.

77. Plaintiff Eichler was never charged with a crime.

78. Upon his release, the DHS Does did not return any of Plaintiff Eichler's confiscated possessions. Plaintiff Eichler was left at the Rush Oak Park Hospital without his cell phone, wallet, or house keys. Plaintiff Eichler had to use the hospital's phone to call his fiancée, who took Plaintiff Eichler to her home because he could not access his own house without his keys. Before leaving the hospital, Plaintiff Eichler was forced to request donated clothes and shoes from the

hospital staff because his own clothes and boots had been destroyed by the pepper balls and chemical irritants the DHS Does 1–7 used to attack him.

79. The next day, on October 8, Plaintiff Eichler went to the DHS facility in Lombard, Illinois where Plaintiff Greer had been held. A DHS employee there returned a bag containing some of Plaintiff Eichler’s personal property, which the DHS Does had confiscated the prior day. However, the bag was missing certain items, including Plaintiff Eichler’s phone charger and a note that he kept in his wallet that had been written by a late family member. The DHS employee handling the return refused to provide a receipt of the items that were confiscated or an explanation of where the missing items had been taken. The missing items were never returned.

Plaintiffs Suffered from Continuing Injuries

80. The Plaintiffs suffered significant injuries stemming from the DHS Does’ attack on October 7, 2025, many of which continued to affect them in the days, weeks, and months after the attack.

81. Plaintiff Greer suffered chemical burns across his face and eyes from being sprayed in the face by pepper spray or a similar chemical irritant that the DHS Does employed.

82. Plaintiff Greer also suffered an injury to his ankle from being tackled to the ground and/or being shackled at the ankles. Plaintiff Greer’s ankle injury caused him significant pain and discomfort. He had difficulty walking in the days after the attack. In order to restore function in his ankle, Plaintiff Greer has since been required to attend physical therapy.

83. In addition to the physical injuries that he suffered, the DHS Does’ attack and arrest caused Plaintiff Greer to experience anxiety, fear, sleeplessness, and other symptoms of psychological distress. Plaintiff Greer twice visited a medical clinic in the weeks following the

attack, where he was diagnosed with post-traumatic stress disorder (“PTSD”) and an acute stress reaction. The clinician who saw him referred him to counseling, which he has since completed.

84. Plaintiff Eichler suffered chemical burns across his face, eyes, and throat from being sprayed in the face with pepper spray or a similar chemical irritant by the DHS Does. Plaintiff Eichler also suffered lightheadedness and difficulty breathing from the chemicals. Plaintiff Eichler was physically battered and bruised as a result of the DHS Does’ attack. These injuries necessitated Plaintiff Eichler’s immediate transport to the Rush Oak Park Hospital. In the days following the attack, Plaintiff Eichler had soreness in his right leg and right foot, as well as bruising across his body.

85. For weeks following the attack, Plaintiff Eichler experienced lingering respiratory distress and vision impairment. As follow-up for the physical injuries that he suffered, Plaintiff Eichler was required to see cardiology and ophthalmology specialists for further treatment.

86. In addition to the physical injuries that he suffered, the DHS Does’ attack and arrest have caused Plaintiff Eichler to experience anxiety, fear, sleeplessness, and other symptoms of psychological distress. Plaintiff Eichler has since received counseling for the trauma that he experienced during the DHS Does’ attack and its aftermath.

DHS Releases False Statements About Plaintiffs

87. To add insult to injury, Department of Homeland Security Public Affairs Assistant Secretary Tricia McLaughlin released a statement on or about October 7, 2025, that was riddled with falsehoods about the Plaintiffs and their conduct. DHS’s statement asserted that the Plaintiffs “tried to impede officers’ efforts to rescue [two individuals in the Des Plaines River] by blocking

them from the embankment.”²³ The statement further asserted that Plaintiffs “obstructed law enforcement from the rescue operation.”²⁴

88. These assertions were patently false. Plaintiffs did not “impede” or “obstruct” the DHS Does in any way. And the DHS Does were not attempting to “rescue” any person in the Des Plaines River. Instead, they apparently diverted from their mission of detaining the person who was on the Maywood side of the riverbank, crossed a foot bridge to Concordia Cemetery, broke into a gated area without lawful justification, attacked the Plaintiffs, and then arrested them, without any probable cause. Additionally, Plaintiffs observed only one individual, not two, in the river.

89. On information and belief, the false statements in McLaughlin’s press release were based upon false information supplied to her by one of more of the DHS Does 1–15.

CLAIMS FOR RELIEF

Count I

Excessive Force in Violation of the Fourth Amendment U.S. Constitution & *Bivens* (Against DHS Does 1–7)

90. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1–89 of this Complaint as if fully set forth herein.

91. The Fourth Amendment to the U.S. Constitution guarantees the rights of all persons to be free from the use of unreasonable or excessive force from federal law enforcement officers. Excessive force is force which is objectively unreasonable in light of the facts and circumstances confronting the law enforcement officers. *Graham v. Connor*, 490 U.S. 386 (1989).

²³ Julian Crews, *Video: ICE agents clash with cemetery workers attempting to help man in Des Plaines River*, WGN (Oct. 8, 2025), <https://wgntv.com/news/operation-midway-blitz/video-ice-agents-clash-with-cemetery-workers-attempting-to-help-man-in-des-plaines-river/>.

²⁴ *Id.*

92. Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), a plaintiff may bring a claim for damages against a federal officer, in the officer's individual capacity, for the officer's violation of the plaintiff's Fourth Amendment rights. In *Bivens*, the United States Supreme Court held that the plaintiff was entitled to pursue a claim for money damages from six federal agents, whose identities were unknown to him, for their violations of his Fourth Amendment rights, including arresting him without a warrant or probable cause and employing excessive force.

93. On October 7, 2025, while in Forest Park, Illinois, the DHS Does 1–7 used objectively unreasonable force against the Plaintiffs, as alleged above. The DHS Does sprayed both of the Plaintiffs in the face with a chemical irritant, pelted Plaintiff Eichler with pepper ball munitions, and body-slammed or threw both the Plaintiffs to the ground. The DHS Does knowingly used this force despite the fact that the Plaintiffs were unarmed, had not committed any crime or offense, posed no threat to the agents or to others, and did not physically resist DHS Does 1–7 in any fashion. On the contrary, the Plaintiffs had been separated from the DHS Does by a locked gate in a restricted area, until DHS Doe 3 cut the lock so that DHS Does 1–7 could perpetrate the attack on the Plaintiffs.

94. DHS Does 1–7 use of excessive and unreasonable force violated the Plaintiffs' Fourth Amendment right to be free from unreasonable seizure.

95. As a direct and proximate result of the DHS Does' conduct, the Plaintiffs suffered injuries and are entitled to compensatory damages, the amount of which will be proved at trial.

96. Defendant DHS Does 1–7 acted with reckless or callous indifference to the Plaintiffs' constitutional rights and therefore are liable for punitive damages.

Count II
Warrantless Arrest Without Probable Cause in Violation of the Fourth Amendment
U.S. Constitution & *Bivens*
(Against DHS Does 1–15)

97. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1–89 of this Complaint as if fully set forth herein.

98. The Fourth Amendment to the U.S. Constitution guarantees the rights of all persons to be free from warrantless arrest by federal law enforcement officers unless those officers have probable cause to believe that the person arrested has committed or is committing an offense. *Beck v. Ohio*, 379 U.S. 89 (1964).

99. Under *Bivens v. Six Unknown Named Agents of Federal Bureau of Narcotics*, 403 U.S. 388 (1971), a plaintiff may bring a claim for damages against a federal officer, in the officer's individual capacity, for the officer's violation of the plaintiff's Fourth Amendment rights. In *Bivens*, the U.S. Supreme Court held that the plaintiff was entitled to pursue a claim for money damages from six federal agents, whose identities were unknown to him, for their violations of his Fourth Amendment rights, including arresting him without a warrant or probable cause and employing excessive force.

100. On October 7, 2025, while in Forest Park, Illinois, the DHS Does 1–7 arrested the Plaintiffs without a warrant and without probable cause. The Plaintiffs had done nothing wrong. They did not forcibly impede DHS Does 1–7 from investigating or detaining the individual who was, at all relevant times, either on the bank of the Maywood side of the Des Plaines River, or in the water within a few feet of the bank on the Maywood side of the river, opposite from Concordia. Contrary to the false paperwork later handed to Plaintiff Greer, the Plaintiffs did not forcibly assault or resist any federal officer; rather, the officers cut through a locked gate and attacked the Plaintiffs. Further, the Plaintiffs are both United States citizens and DHS Does 1–7 had no

reasonable cause to believe that either Plaintiff had committed any immigration violation. DHS Does 1–7 never inquired regarding either Plaintiff’s immigration status at any time.

101. The DHS Does 1–7 restrained the Plaintiffs with handcuffs, zip-ties, and/or shackles, placed the Plaintiffs under arrest, and continued to detain the Plaintiffs for approximately one hour on the grounds of Concordia, despite having no warrant and no probable cause to believe that either Plaintiff had committed a crime or offense.

102. The DHS Does 1, 4 and 8 restrained Plaintiff Eichler in handcuffs for several hours at Rush Oak Park Hospital, despite having no warrant and no probable cause to believe that Plaintiff Eichler had committed a crime or offense.

103. DHS Does 9–10 restrained Plaintiff Greer in zip-ties and shackles in a van while transporting him to Lombard, Illinois, despite having no warrant and no probable cause to believe that Plaintiff Greer had committed a crime or offense.

104. DHS Does 11–15 restrained Plaintiff Greer in handcuffs and locked him in a jail cell for several hours at a DHS facility in Lombard, Illinois, despite having no warrant and no probable cause to believe that Plaintiff Greer had committed a crime or offense.

105. As described above, DHS Does 1–15 knowingly arrested and detained the Plaintiffs without a warrant, without probable cause, and with reckless or callous indifference to Plaintiffs’ constitutional rights.

106. DHS Does’ arrest of the Plaintiffs without a warrant or probable cause violated the Plaintiffs’ Fourth Amendment right to be free from unreasonable seizure.

107. As a direct and proximate result of the DHS Does' conduct, the Plaintiffs suffered injuries and are entitled to compensatory damages, the amount of which will be proved at trial.

108. Defendant DHS Does 1–15 acted with reckless or callous indifference to the Plaintiffs’ constitutional rights and therefore are liable for punitive damages.

Count III
Assault
Federal Tort Claims Act, 28 U.S.C. §§ 2671–2680, 1346(b)
(Against United States of America)

109. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1–89 of this Complaint as if fully set forth herein.

110. The United States is liable under the FTCA for violations of Illinois tort law committed by federal employees acting within the scope of their office or employment when those violations occurred within the state of Illinois. Under Illinois law, a defendant is liable for an assault if they have engaged in an intentional act which creates a reasonable apprehension in a plaintiff of imminent harmful or offensive contact with the plaintiff’s person.

111. On October 7, 2025, while in Forest Park, Illinois, the DHS Does 1–7 intentionally surrounded the Plaintiffs while they were within an enclosed, private area; aimed weapons at the Plaintiffs; threatened to and did cut through a locked gate on private property to get to the Plaintiffs; aggressively charged at the Plaintiffs; and otherwise caused them to reasonably apprehend imminent harmful contact to the Plaintiffs’ persons.

112. The DHS Does 1–7 were, at all relevant times, investigative or law enforcement officers of Defendant United States of America, acting within the scope of their office or employment with the federal government. Defendant United States of America is therefore liable for the DHS Does 1–7 tortious acts pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674.

113. As a direct and proximate result of the DHS Does’ acts, the Plaintiffs suffered damages, the amount of which will be proved at trial.

Count IV
Battery
Federal Tort Claims Act, 28 U.S.C. §§ 2671–2680, 1346(b)
(Against United States of America)

114. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1–89 of this Complaint as if fully set forth herein.

115. The United States is liable under the FTCA for violations of Illinois tort law committed by federal employees acting within the scope of their office or employment when those violations occurred within the state of Illinois. Under Illinois law, a defendant is liable for a battery if they intentionally caused a harmful or offensive contact with a plaintiff's person without the plaintiff's consent.

116. On October 7, 2025, while in Forest Park and Lombard, Illinois, the DHS Does intentionally caused harmful and offensive contact with the Plaintiffs' persons without their consent.

117. As further described above, the DHS Does 1–7 sprayed a chemical agent in the Plaintiffs' faces, shot Plaintiff Eichler with pepper ball munitions, body-slammed or tackled the Plaintiffs to the ground, battered the Plaintiffs, and forcibly restrained the Plaintiffs with handcuffs, zip-ties, and/or shackles.

118. DHS Does 1, 4 and 8 restrained Plaintiff Eichler in handcuffs throughout the time he was being treated at Rush Oak Park Hospital.

119. DHS Does 9-10 placed overly tight shackles on Plaintiff Greer's ankles, restrained his wrists in zip-ties, placed him in a van, and transported him against his will from Forest Park to Lombard, Illinois.

120. DHS Does 11–15 restrained Plaintiff Greer in handcuffs and in a jail cell in Lombard, Illinois.

121. The DHS Does were, at all relevant times, investigative or law enforcement officers of Defendant United States of America acting within the scope of their office or employment with the federal government. Defendant United States of America is therefore liable for the DHS Does' tortious acts pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674.

122. As a direct and proximate result of the DHS Does' acts, the Plaintiffs suffered damages, the amount of which will be proved at trial.

Count V
False Arrest/Imprisonment
Federal Tort Claims Act, 28 U.S.C. §§ 2671–2680, 1346(b)
(Against United States of America)

123. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1-89 of this Complaint as if fully set forth herein.

124. The United States is liable under the FTCA for violations of Illinois tort law committed by federal employees acting within the scope of their office or employment when those violations occurred within the state of Illinois. Under Illinois law, a defendant is liable for false arrest or false imprisonment if a plaintiff was restrained against his will, and the defendant intentionally caused the restraint without reasonable grounds to believe that the plaintiff had committed or was committing an offense.

125. On October 7, 2025, while in Forest Park and Lombard, Illinois, the DHS Does 1–15 restrained the Plaintiffs against their will, without reasonable grounds to believe the Plaintiffs had committed or were committing an offense.

126. As further described above, the DHS Does 1–7 sprayed a chemical agent in the Plaintiffs' faces, shot Plaintiff Eichler with pepper ball munitions, body-slammed or tackled the Plaintiffs to the ground, battered the Plaintiffs, and forcibly restrained the Plaintiffs with handcuffs, zip-ties, and/or shackles.

127. DHS Does 1, 4 and 8 wrongfully and without justification restrained Plaintiff Eichler in handcuffs throughout the time he was being treated at Rush Oak Park Hospital.

128. DHS Does 9–10 wrongfully and without justification placed overly tight shackles on Plaintiff Greer’s ankles, restrained his wrists in zip-ties, placed him in a van, and transported him from Forest Park to Lombard, Illinois.

129. DHS Does 11–15 wrongfully and without justification restrained Plaintiff Greer in handcuffs and in a jail cell in Lombard, Illinois for several hours.

130. The DHS Does 1–15 were, at all relevant times, investigative or law enforcement officers of Defendant United States of America acting within the scope of their office or employment with the federal government. Defendant United States of America is therefore liable for the DHS Does’ tortious acts pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674.

131. As a direct and proximate result of the DHS Does’ acts, the Plaintiffs suffered damages, the amount of which will be proved at trial.

Count VI
Negligence
Federal Tort Claims Act, 28 U.S.C. §§ 2671–2680, 1346(b)
(Against United States of America)

132. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1-89 of this Complaint as if fully set forth herein.

133. The United States is liable under the FTCA for violations of Illinois tort law committed by federal employees acting within the scope of their office or employment when those violations occurred within the state of Illinois. Under Illinois law, a defendant is liable for negligence if the defendant owed a duty of care to a plaintiff, the defendant breached that duty, and the breach proximately caused injury to the plaintiff.

134. On October 7, 2025, in Forest Park, Illinois, after taking custody of the Plaintiffs in the wake of the attack, the DHS Does owed a duty to the Plaintiffs to exercise reasonable care for the Plaintiffs' health and safety.

135. The DHS Does breached their duty to Plaintiff Greer by pouring water on his face following their attack with chemical irritants. The water spread the irritants and exacerbated the Plaintiff Greer's pain and injuries. DHS Does 11–15 again encouraged Plaintiff Greer to put water on his chemical burns while he was detained in the Lombard detention facility, which only worsened the pain. The DHS Does' actions were not effective in relieving the Plaintiffs' pain or injuries—and in fact exacerbated them—nor were they reasonable under the circumstances. DHS Does never provided Plaintiff Greer with any type of first aid or medical attention to alleviate his chemical burns or other injuries and failed to summon an ambulance or ensure that he was seen by a trained medical provider while he was under their care and custody.

136. DHS Does breached their duty by failing to timely summon medical aid upon request for Plaintiff Eichler. The DHS Does failed to call for an ambulance for more than one hour after they attacked him, despite Plaintiff Eichler's repeated requests for medical assistance and obvious symptoms.

137. The DHS Does were, at all relevant times, investigative or law enforcement officers of Defendant United States of America acting within the scope of their office or employment with the federal government. Defendant United States of America is therefore liable for the DHS Does' tortious acts and omissions pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674.

138. As a direct and proximate result of the DHS Does' acts and omissions, the Plaintiffs suffered damages, the amount of which will be proved at trial.

Count VII
Intentional Infliction of Emotional Distress
Federal Tort Claims Act, 28 U.S.C. § 2671 *et seq.*
(Against United States of America)

139. The Plaintiffs reallege and incorporate by reference the allegations contained in paragraphs 1–89 of this Complaint as if fully set forth herein.

140. The United States is liable under the FTCA for violations of Illinois tort law committed by federal employees acting within the scope of their office or employment when those violations occurred within the state of Illinois. Under Illinois law, a defendant is liable for intentional infliction of emotional distress if the defendant engaged in extreme and outrageous conduct directed at a plaintiff and the defendant intentionally or recklessly inflicted severe emotional distress upon the plaintiff.

141. On October 7, 2025, while in Forest Park, Illinois, the DHS Does intentionally inflicted severe emotional distress on the Plaintiffs. Before attacking them, the DHS Does surrounded the Plaintiffs in a fenced area on private property and threatened them with arrest, despite having no reasonable grounds to believe that the Plaintiffs had committed an offense. The DHS Does then violently attacked the Plaintiffs with chemical agents and threw or tackled them to the ground. Following the attack, the DHS Does restrained the Plaintiffs for hours and failed to timely render effective medical aid.

142. Shortly thereafter, DHS sent out a press release falsely accusing Plaintiffs of trying to “impede officers’ efforts to rescue” individuals who were allegedly drowning in the Des Plaines River. The press release further stated as an alleged fact that Plaintiffs “obstructed” law enforcement. On information and belief, these false public statements were based on false information provided by one or more of DHS Does 1–15.

143. The DHS Does intended for the Plaintiffs to suffer severe emotional distress and/or recklessly inflicted severe emotional distress upon the Plaintiffs. The Plaintiffs did, in fact, suffer such severe emotional distress, as evidenced by the counseling that both the Plaintiffs felt compelled to seek following the incident and by the anxiety, fear, and sleeplessness that the Plaintiffs experienced in the wake of the incident.

144. The DHS Does were, at all relevant times, investigative or law enforcement officers of Defendant United States of America acting within the scope of their office or employment with the federal government. Defendant United States of America is therefore liable for the DHS Does' tortious acts and omissions pursuant to 28 U.S.C. §§ 1346(b)(1) and 2674.

145. As a direct and proximate result of the DHS Does' acts, the Plaintiffs suffered damages, the amount of which will be proved at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiffs Darren Eichler and Daniel Greer respectfully request that this Court enter judgment in their favor and against the Defendants and award the following relief:

A. Compensatory damages against Defendant United States of America, in an amount not to exceed \$1 million for each of the Plaintiffs, for the physical, mental, emotional, reputational, and financial harms that Plaintiffs suffered as a result of the DHS Does' tortious conduct;

B. Compensatory damages against each of the DHS Does, in their individual capacities, in an amount to be determined at trial, for the physical, mental, emotional, reputational, and financial harms that Plaintiffs suffered as a result of the DHS Does' constitutional violations;

C. Punitive damages against each of the DHS Does, in their individual capacities, in an amount to be determined at trial, for the DHS Does' reckless or callous indifference to the Plaintiffs' constitutional rights;

- D. Pre- and post-judgment interest to the maximum extent permitted by law; and
- E. Such other and further relief as this Court deems just and equitable.

JURY DEMAND

Pursuant to Federal Rule of Civil Procedure 38(b) and the Seventh Amendment of the United States Constitution, the Plaintiffs demand a trial by jury on all claims so triable.

Dated: October 14, 2026

Respectfully Submitted,

/s/ Alexandra K. Block

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