

IN THE CIRCUIT COURT FOR THE STATE OF OREGON
FOR MULTNOMAH COUNTY

MASON LAKE

Plaintiff

vs

CITY OF PORTLAND

Defendant

Case No.

COMPLAINT

Battery
Injunctive Relief

Not Subject to Mandatory Arbitration
Amount in Controversy: \$450,000
Fee Authority: ORS 21.160(1)(c)
Jury Trial Requested

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FACTUAL ALLEGATIONS

Mr. Lake is a professional photographer. On May 31, 2020 while Mr. Lake was peacefully filming a protest in downtown Portland, City of Portland police officers opened fire on Mr. Lake with military-style weapons including chemical weapons and explosive devices, and intentionally launched a projectile into Mr. Lake's arm, resulting in an instant loss of feeling in his arm and swelling and broken skin, causing him pain, discomfort and distress. A week after being assaulted by the City of Portland police officers, Mr. Lake continues to experience pain and limited range of movement of his hand and arm. At no time during the protest did Mr. Lake ever act physically aggressive toward anyone. Mr. Lake believes he was specifically targeted by City of Portland police officers because he was a photographer documenting police brutality.

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3 **CLAIM FOR RELIEF**

4 **Battery**

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6 The City of Portland is a municipal corporation and public body within the
7 State of Oregon located in Multnomah County. The City of Portland police officers
8 who launched a projectile into Mr. Lake was working under the authority and scope
9 of their employment for the City of Portland Police Bureau, and so the City of
10 Portland is legally responsible for the police officer's behavior. As alleged in this
11 complaint, the City of Portland police officers intentionally launched a projectile into
12 Mr. Lake's arm and attempted to and did cause harmful, offensive physical contact
13 with Mr. Lake, causing Mr. Lake pain, discomfort and distress. Mr. Lake requests
14 fair compensation for his harm in an amount to be determined by the jury to be
15 reasonable, ranging from \$1, all the way up to \$450,000, whatever the jury decides
16 is fair. Mr. Lake reserves the right to amend this complaint to adjust the request for
17 compensation to conform to the evidence as well as to add additional defendants and
18 new claims, including a claim for punitive damages, as new information is learned
19 in discovery. Mr. Lake also seeks an injunction prohibiting the City of Portland from
20 continuing to use military-style weapons including chemical weapons and explosive
21 devices on peaceful protesters in the future.
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3 **PRAYER FOR RELIEF**

4 Mr. Lake respectfully requests relief as sought above, and maximum interest,
5 attorney fees, costs, disbursements, expenses, and any other relief the Court deems
6 appropriate.
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8 **4.**

9 **REQUEST FOR JURY TRIAL**

10 Mr. Lake respectfully requests a trial by a jury.
11

12
13 June 6, 2020

14 **RESPECTFULLY FILED,**

15 /s/ Michael Fuller

16 **Michael Fuller, OSB No. 09357**

17 Lead Trial Attorney for Plaintiff

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