

THOMAS FRIELDS,)
 in his official capacity as Supervisory Agent)
 in Charge, Washington Field Office,)
 Federal Bureau of Investigation)
 Fourth and F Streets, N.W.)
 Washington, D.C. 20535)
)
 and)
)
 GEORGE STUKENBROKER,)
 in his official capacity as Chief of Security,)
 Washington Field Office)
 Federal Bureau of Investigation)
 Fourth and F Streets, N.W.)
 Washington, D.C. 20530)
)
 Defendants.)
 _____)

**COMPLAINT FOR DECLARATORY AND
INJUNCTIVE RELIEF AND FOR DAMAGES**

This is an action seeking declaratory relief and damages against Defendants U.S. Department of Justice and Federal Bureau of Investigation, pursuant to the Privacy Act, 5 U.S.C. § 552a, *et seq.*, for violations as a result of, *inter alia*, the wrongful disclosure of confidential information about Plaintiff that is contained in Privacy Act systems of records. This is also an action under the Administrative Procedures Act as well as the First and Fifth Amendments of the United States Constitution for declaratory and injunctive relief to enjoin the above named Defendants from depriving Plaintiff of her Constitutional rights.

JURISDICTION AND VENUE

1. This action arises under the Privacy Act of 1974, as amended, 5 U.S.C. §§ 552a(b), (c), (e)(6), (e)(7), (e)(9), (e)(10), the Administrative Procedures Act, 5 U.S.C. §§ 551-552 and 701-706, and the First Amendment and Fifth Amendment of the United States Constitution. This Court

has jurisdiction over this matter pursuant to the Privacy Act, 5 U.S.C. §§ 552a(g)(1)(D) and (5), the Administrative Procedures Act, 5 U.S.C. §§ 551-552 and 701-706, and pursuant to the United States Code of Judicial Procedure, 28 U.S.C. § 1331.

2. Venue is proper in this District pursuant to the Privacy Act, 5 U.S.C. § 552a(g)(5), and pursuant to the United States Code of Judicial Procedure, 28 U.S.C. § 1391.

PARTIES

3. Plaintiff Sibel D. Edmonds was formerly employed by the Defendants as a contract linguist and she is a citizen of the United States.

4. Defendant U.S. Department of Justice (“DOJ”) is an agency of the United States government and maintains and is responsible for Privacy Act systems of records containing information about Plaintiff, and Defendant DOJ took illegal action against Plaintiff.

5. Defendant Federal Bureau of Investigation (“FBI”) is an agency of the United States government and a component of Defendant DOJ, and maintains and is responsible for Privacy Act systems of records containing information about Plaintiff, and Defendant FBI took illegal action against Plaintiff.

6. Defendant John Ashcroft is the Attorney General of the United States, and he is sued in his official capacity.

7. Defendant Robert S. Mueller, III, is the Director of the Federal Bureau of Investigation, and he is sued in his official capacity.

8. Defendant Thomas Frields is a Supervisory Agent in Charge at the Washington Field Office of the Federal Bureau of Investigation in Washington, D.C., and he is sued in his official capacity.

9. Defendant George Stukenbroker, is the Chief of Security at the Washington Field Office of the Federal Bureau of Investigation in Washington, D.C., and he is sued in his official capacity.

FACTS

10. In September, 2001, Plaintiff Sibel D. Edmonds was hired by Defendants as a contract linguist to perform translation services at the FBI Washington Field Office (“WFO”) after September 11, 2001, and she was assigned to work on FBI counter-terrorism and counter-intelligence investigations.

11. FBI contract linguists perform document-to-document or audio-to-document translation services, and translate into English from the target language the speech and/or writings of non-English speaking individuals and, on occasion, render translations from English into the target language. FBI contract monitors perform summary translations of voice recordings.

12. Between September, 2001, and March, 2002, Plaintiff performed translation services as an FBI contract linguist in one foreign language in which she is fluent, and Plaintiff performed some services as a contract monitor in two other languages. Plaintiff’s primary duties for Defendants were working as a contract linguist translating information from the foreign language in which she is fluent into English.

13. As a condition of employment all FBI contract linguists and FBI contract monitors are required to pass a polygraph examination and a 10-year scope background investigation and obtain a security clearance.

14. Plaintiff passed a polygraph examination and a full background investigation and was granted a security clearance by the FBI prior to commencing her employment in September, 2001.

15. Between December, 2001, and March, 2002, Plaintiff reported a number of whistleblower allegations to FBI management officials concerning serious breaches in the FBI security program and a break-down in the quality of translations as a result of willful misconduct and gross incompetence.

16. Plaintiff's reports of misconduct included, but were not limited to, the allegations that: (a) another employee, a contract monitor, who was granted a security clearance by the FBI, had past and ongoing association with one or more targets of an ongoing FBI investigation; (b) this same other employee was translating information obtained from FBI wire-taps concerning one or more targets with whom she had past and ongoing improper contacts; (c) the same other employee was suspected of leaking information to one or more targets of an FBI investigation to which she was assigned to perform translation services; (d) the other employee improperly instructed Plaintiff and another employee not to listen and translate certain FBI wire-taps because she knew the subjects and was confident that there would be nothing important to translate concerning those subjects or their conversations; (e) Plaintiff's supervisor issued instructions that assisted the other employee in carrying out misconduct; (f) the other employee threatened the lives and safety of Plaintiff and Plaintiff's family members, who were citizens of, and resided in, a foreign country, because Plaintiff refused to go along with the other employee's scheme to obstruct justice and because Plaintiff reported her concerns about the other employee's wrongdoing to FBI management; (g) both as a result of misconduct by the other employee and Plaintiff's supervisor, and as a result of gross incompetence in the department, numerous translations were not properly conducted, and/or intentionally not conducted, which threatened intelligence and law enforcement investigations related to September 11th and other ongoing counter-terrorist, counter-intelligence and law

enforcement investigations; (h) work order documents concerning translations related to September 11th investigations were falsified and contained forgeries of Plaintiff's name and/or initials; (I) Plaintiff's supervisor issued an instruction forbidding Plaintiff from raising her concerns to the FBI Special Agent assigned to the case, or others, without the permission of Plaintiff's supervisor; (j) extremely sensitive and material information was deliberately withheld from translations; and (k) FBI management had failed to take corrective action in response to Plaintiff's reports and serious concerns, and retaliated against Plaintiff for reporting her concerns.

17. On or about February 7, 2002, Plaintiff wrote a detailed memorandum to the Acting Assistant Supervisory Agent in Charge ("ASAC"), documenting concerns about security and management problems in the language department and requesting that prompt corrective action be taken.

18. Plaintiff also informed the ASAC and other FBI management officials that Plaintiff was deeply concerned for her personal safety and the safety of her family as a result of the conduct of, threats made by another employee, and Plaintiff requested that the FBI take immediate steps to address these problems.

19. FBI management at the FBI's Washington Field Office failed to take prompt corrective action as requested by Plaintiff and instead Plaintiff was subjected to reprisal and retaliation as a direct result of raising her concerns.

20. By letter dated February 13, 2002, Plaintiff wrote to Dale L. Watson, Executive Assistant Director for Counterterrorism/Counterintelligence, FBI, notifying him of Plaintiff's serious security concerns which potentially put Plaintiff's personal safety and the safety of her family at risk. In her letter Plaintiff informed Mr. Watson that she had already reported her concerns to the

management in her department but that no corrective action had been taken and that Plaintiff's management expressed a "let's just sweep it under the rug" attitude.

21. On February 27, 2002, Mr. Watson signed the certified mail Domestic Return Receipt that was attached to Plaintiff's letter dated February 13, 2002.

22. On or about March 7, 2002, Plaintiff personally met with James T. Caruso, Deputy Assistant Director for Counterterrorism/Counterintelligence, FBI, who was Mr. Watson's direct deputy, about Plaintiff's concerns. During the course of their meeting, which lasted between one and a half to two hours, Mr. Caruso listened to Plaintiff's reports of misconduct and her detailed concerns about serious security breaches and misconduct in the language department. However, Mr. Caruso did not take any notes during his meeting with Plaintiff and at the conclusion of the meeting he failed to commit to taking corrective action of any kind.

23. On or about March 7, 2002, Plaintiff filed complaints with the FBI Office of Professional Responsibility ("OPR") and the DOJ Office of Inspector General ("OIG") in which Plaintiff reported her allegations of serious security breaches and misconduct. Plaintiff also alleged in her complaints to FBI OPR and DOJ OIG that she was being subjected to harassment and retaliation for making reports of serious security breaches and misconduct.

24. On March 22, 2002, Plaintiff's employment with the FBI was terminated. Plaintiff was escorted from the building and informed by a FBI management official, Defendant Thomas Fields, and WFO security chief, Defendant George Stukenbroker, that Plaintiff would never step foot in the FBI again. Plaintiff requested those FBI officials in attendance at the meeting on March 22nd to provide her with a written reason for her termination, but she was told that nothing in writing would be provided by the FBI. Plaintiff also specifically requested to return to her work

station to retrieve her personal belongings, including a personal calendar, notes and family photographs, but her request was expressly denied and she was escorted out of the building. Defendants Frields and Stukenbroker physically escorted Plaintiff from the WFO building on March 22, 2002.

25. By letter dated April 2, 2002, Defendants officially notified Plaintiff that her contract was “terminated completely for the Government’s convenience.”

26. By letter dated May 8, 2002, Plaintiff, through counsel, notified Attorney General John Ashcroft and FBI Director Robert S. Mueller, III, that as a direct result of the FBI’s failure to address or correct the serious misconduct and security breaches that were reported by Plaintiff the safety and security of Plaintiff and her family has been jeopardized and that a foreign country has targeted Plaintiff’s sister to be interrogated “and taken/arrested by force.” Plaintiff’s counsel’s letter of May 8, 2002 to the Attorney General and FBI Director also provided them with a copy of the arrest warrant served by the foreign country at the residence of Plaintiff’s sister in the foreign country together with a copy of the English translation of the arrest warrant.

27. Also by letter dated May 8, 2002, Senator Charles E. Grassley, Ranking Member of the Subcommittee on Crime and Drugs, notified FBI Director Mueller that Plaintiff “has come forward with a number of disturbing allegations about misconduct, incompetence, potential security violations and retaliatory threats.” Senator Grassley also provided Director Mueller with a copy of the arrest warrant served at the residence of Plaintiff’s sister in the foreign country and asked Director Mueller to review the letter from Plaintiff’s counsel to the DOJ OIG expressing concerns about the arrest warrant. Senator Grassley also asked Director Mueller to “emphasize to officials

in the Washington Field Office that retaliation against current or former FBI employees is not acceptable, especially when retaliation endangers a person's family member."

28. On June 8, 2002, the Associated Press ("AP") published an article, which was widely disseminated on its news wire, quoting "Government officials, who spoke only on condition of anonymity," about Plaintiff.

29. The June 8, 2002 AP article reported the Defendants were investigating Plaintiff's whistleblower "allegations of security lapses in the translator program that has played an important role interpreting interviews and intercepts of Osama bin Laden's network since Sept. 11." Citing only "Government officials, who spoke only on condition of anonymity," the AP reported that "the FBI has been unable to corroborate the whistle-blower's allegations."

30. In addition, again citing to unnamed government officials, the AP reported on June 8, 2002 that Plaintiff, "a contract employee in the FBI linguist program, was fired last spring for performance issues. She subsequently was subjected to a security review herself, the officials said."

31. The June 8, 2002 AP article also reported that "The FBI has focused its investigation on whether either the accused or the whistle-blower compromised national security, officials said."

32. On June 18, 2002, the Washington *Post* published an article citing to "Government officials" who said "the FBI fired" Plaintiff "because her 'disruptiveness' hurt her on-the-job 'performance.'" In addition, the Washington *Post* reported in its June 18th article that "FBI officials" said that Plaintiff "had been found to have breached security."

COUNT I

(Violations of the Privacy Act by Defendants DOJ and FBI)

33. Plaintiff hereby restates and re-alleges paragraphs 1 through 32, above, and further states and alleges as follows:

34. Information about Plaintiff's security clearance, her employment as a contract linguist and any and all investigations of Plaintiff, including security reviews, is maintained by Defendants in a "system of records," as that term is defined by the Privacy Act, 5 U.S.C. § 552a(a)(5).

35. Defendants' systems of records contain confidential information about Plaintiff's FBI employment and her security clearance and any investigations of Plaintiff conducted by Defendants and also contain personal and confidential information about Plaintiff, including, but not limited to, her education, financial transactions, medical history, and employment history and also contain her name, social security number and other personal identifiers and/or identifying information.

36. Confidential information pertaining to Plaintiff's FBI employment, the termination of her employment and security review is a "record," as that term is defined by the Privacy Act, 5 U.S.C. § 552a(a)(4).

37. Defendants DOJ and FBI, through their officers, employees, agents, and representatives, commenced intentionally and/or willfully disclosing and releasing to unauthorized persons the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff in violation of the Privacy Act of 1974, as amended, 5 U.S.C. § 552a. The contents of records intentionally, willfully, and unlawfully disclosed by Defendants to unauthorized persons without Plaintiff's consent included, but were not limited to, the information that Plaintiff was subject to a security review, Plaintiff's job performance and other information contained in the Defendants' personnel, security and investigative files about Plaintiff.

38. Defendants' intentional and willful disclosures to unauthorized third persons of information about Plaintiff contained in Privacy Act systems of records has occurred on several occasions since March of 2002 through the present, and Defendants' unauthorized disclosure of such information is continuing and ongoing.

39. Defendants, through their officers, employees, agents, and representatives, commenced intentionally and/or willfully disclosing and releasing to unauthorized persons the contents of records maintained by Defendants in a system of records, pertaining to Plaintiff without any official need or any official purpose.

40. Defendants, through their officers, employees, agents, and representatives, commenced intentionally and/or willfully disclosing and releasing to unauthorized persons the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff without advance consent and without providing Plaintiff any prior notice or an opportunity to protest the disclosure, so that Plaintiff had no opportunity to protect certain, if not all, of the information contained within the records from release to third parties.

41. Defendants, through their officers, employees, agents, and representatives, commenced intentionally and/or willfully disclosing and releasing to unauthorized persons the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff without any making any reasonable efforts to assure that the information contained within the records were "accurate, complete, timely, and relevant for agency purposes," in violation of 5 U.S.C. § 552a(e)(6).

42. Defendants, through their officers, employees, agents, and representatives, have violated 5 U.S.C. § 552a(e)(9) by intentionally and willfully failing to establish rules of conduct for

persons involved in the design, development, operation or maintenance of any system of records, or in maintaining any record, and Defendants have failed to instruct each person with respect to such rules and the penalties for non-compliance.

43. Defendants, through their officers, employees, agents, and representatives, have violated 5 U.S.C. § 552a(e)(10) by intentionally and willfully failing to establish appropriate administrative, technical, and physical safeguards to insure the security and confidentiality of records and to protect against any anticipated threats or hazards to their security or integrity which could result in substantial harm, embarrassment, inconvenience, or unfairness to any individual, including Plaintiff, on whom information is maintained.

44. Defendants have failed to properly make and keep an accounting for each unauthorized intentional and willful disclosure to third parties of information about Plaintiff from one or more systems of records as required by 5 U.S.C. §552a©)(1).

45. As a direct result of the above-referenced violations of the Privacy Act of 1974 by Defendants disclosures of the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff have occurred on numerous occasions since March 22, 2002, and sensitive personal information about Plaintiff has been release to third parties and reprinted and reported throughout the world by several media sources and news organizations.

46. Plaintiff did nothing to create or contribute to the risk of the disclosure and release of the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff.

47. The Defendants' intentional and willful disclosure and release of the contents of records maintained by Defendants in one or more systems of records pertaining to Plaintiff was not consistent with the purpose for which the information was originally collected.

48. As a direct and proximate result of the above-referenced intentional and willful violations of the Privacy Act of 1974 by Defendants, including but not limited to the unauthorized disclosures of information about the FBI's review of Plaintiff's security clearance and termination of Plaintiff's employment, the Plaintiff has suffered an "adverse effect," as defined in 5 U.S.C. § 552a(g)(1)(D), and has suffered damages, including but not limited to, actual pecuniary damages and actual non-pecuniary damages in the form of direct and indirect injury to Plaintiff's reputation, extreme public embarrassment, humiliation, anxiety, ridicule, physical upset, emotional upset, mental anguish, physical pain and suffering, trauma, past, present and future loss of income, and damage to career and her professional reputation, and Plaintiff has been subjected to substantial harm, embarrassment, physical danger, inconvenience, and unfairness as a result of the Privacy Act violations committed by Defendants.

49. As a direct and proximate result of Defendants' intentional and willful violations of the Privacy Act, the Plaintiff has been broadly precluded from pursuing her chosen career as a linguist, and Defendants' actions have seriously affected and destroyed Plaintiff's ability to follow her chosen career, or a future career in government service in the field of law enforcement or national security, and substantially reduced the value of plaintiff's human capital in violation of her right to follow a chosen trade or profession without governmental interference.

COUNT II

(Violations of the APA and the First Amendment to the U.S. Constitution)

50. Plaintiff hereby restates and re-alleges paragraphs 1 through 49, above, and further states and alleges as follows:

51. Plaintiff has engaged in activity protected by the First Amendment to the U.S. Constitution by reporting serious problems within the FBI translator program which has a direct and significant bearing on matters of widespread public concern.

52. As a direct and proximate result of engaging in activity protected by the First Amendment to the U.S. Constitution, Defendants have retaliated against Plaintiff by, *inter alia*, terminating Plaintiff from her position with the FBI.

53. Defendants' termination of Plaintiff's employment as well as the other adverse action taken by Defendants against Plaintiff is final agency action that is also subject to review pursuant to the Administrative Procedures Act. The actions taken by Defendants against Plaintiff are arbitrary, capricious and in violation of law and the First Amendment of the U.S. Constitution.

54. Prior to Plaintiff's reports of misconduct and gross incompetence in the FBI language program she had received letters of commendation for her work as a contract linguist for her work on translations related to September 11th detainee issues and for work related to ongoing FBI counterterrorism and counterintelligence investigations. Only after Defendants learned that Plaintiff had engaged in activity protected by the First Amendment did Defendants criticize Plaintiff's work performance and otherwise retaliate against Plaintiff for engaging in speech on matters of public concern.

55. Defendants' actions, regulations, memoranda, directives, and conduct have adversely affected Plaintiff and threaten other similarly situated current employees in their exercise of duly protected rights under the laws of the United States and the First Amendment to the U.S.

Constitution with the effect and/or intent to prevent Plaintiff, and others similarly situated, from raising matters of public concern or reporting information that an employee of the defendants would reasonably believe is illegal or a matter of public concern.

56. Plaintiff has risked and experienced loss of job and other adverse action for engaging in activities protected by the laws of the United States and the First Amendment to the U.S. Constitution. Plaintiff also alleges that Defendants' actions, regulations, memoranda, directives, and conduct have interfered with the ability of Plaintiff and others similarly situated to speak on topics of public concern and deprive them of their constitutional rights of freedom of speech and due process.

57. Defendants' actions, regulations, memoranda, directives and conduct have constrained Plaintiff and others similarly situated in the exercise of duly protected rights under the laws of the United States and of freedom of speech guaranteed by the First Amendment, continue to deprive and severely chill others similarly situated from engaging in said protected rights, and deny the American people access to information concerning the operation of their government.

58. Defendants' reasons for taking action against Plaintiff are pretextual and Plaintiff has been subjected to disparate treatment when her work performance and record is compared with other employees. For example, other persons employed by Defendants in the FBI language department, who did not speak on matters of public concern, had work performance problems, violated Defendants' rules, policies or regulations, or presented security risks, but were not disciplined or treated adversely as was Plaintiff.

59. Defendants should also be ordered to reinstate Plaintiff to her position as a contract linguist and Defendants should be enjoined from taking any future retaliatory action, disciplinary

action or other action against Plaintiff, and other similarly situated persons, because the Plaintiff and other similarly situated employees have been deprived of their rights under the U.S. Constitution.

60. Defendants should be enjoined from enforcing or issuing regulations, memoranda, directives or taking any action that has constrained, or will constrain, Plaintiff and others similarly situated in the exercise of duly protected rights under the laws of the United States and of freedom of speech guaranteed by the First Amendment.

61. Defendants should be enjoined from taking any reprisal or retaliatory action against Plaintiff or her family, and Defendants should be ordered to fully protect Plaintiff and her family from further harm because Plaintiff has engaged in rights protected by the laws of the United States and the First Amendment to the United States Constitution.

COUNT III

(Violations of the APA and the Fifth Amendment to the U.S. Constitution)

62. Plaintiff hereby restates and re-alleges paragraphs 1 through 61, above, and further states and alleges as follows:

63. Defendants have violated Plaintiff's right to procedural due process and her due process liberty interest pursuant to the Fifth Amendment to the U.S. Constitution as a result of Defendants' termination of Plaintiff's employment and Defendants' interference with Plaintiff's opportunity to obtain future employment in her chosen career.

64. Defendants have intentionally and willfully released derogatory and confidential information about Plaintiff and made defamatory statements about Plaintiff in addition to discharging her from her duties in violation of Plaintiff's right to due process.

65. Defendants' termination of Plaintiff's employment as well as the other adverse action taken by Defendants against Plaintiff is final agency action that is also subject to review pursuant to the Administrative Procedures Act. The actions taken by Defendants against Plaintiff are arbitrary, capricious and in violation of law and the Fifth Amendment of the U.S. Constitution.

66. Defendants' adverse action has also imposed a stigma and disability on Plaintiff that forecloses her freedom to take advantage of other employment opportunities.

67. In addition to plaintiff being formally and automatically excluded from all FBI work as a result of Defendants' actions, Plaintiff has also been broadly precluded from pursuing her chosen career as a linguist and from pursuing a government career in law enforcement and/or national security. Defendants' actions have seriously affected and destroyed plaintiff's ability to follow her chosen career path and substantially reduced the value of plaintiff's human capital in violation of her constitutional right to follow a chosen trade or profession without governmental interference.

68. When Plaintiff's employment was terminated on March 22, 2002, Defendant Frields, an FBI management official at the Washington Field Office, informed Plaintiff that she would never be allowed to set foot on FBI premises again and he stated to Plaintiff that the next time he would meet her would be in jail. Defendants Frields and Stukenbroker physically escorted Plaintiff from the WFO on March 22, 2002.

69. Defendants' adverse actions against Plaintiff have resulted in automatically disqualifying Plaintiff from all future FBI work, and have irreparably damaged Plaintiff's ability to obtain government employment, thus resulting in an effected change in Plaintiff's status sufficient to implicate a liberty interest, with attendant needs for due process protection. This binding effect

is automatic and formal, and not merely placing plaintiff at a competitive disadvantage relative to other applicants to other government positions.

70. Defendants' actions have also imposed a broad effect of largely precluding Plaintiff from pursuing her chosen career. In addition to discharging Plaintiff from employment as a contract linguist, barring her from further work at the FBI and escorting her from the premises by security under threat of future criminal prosecution, Defendants have also irreparably damaged Plaintiff's reputation and career path through the leaking of derogatory and negative information about her to the news media, and, as a result of all of Defendants' conduct, Plaintiff's ability to obtain employment either as a government translator, or pursuing a future career in law enforcement and/or national security, has been severely affected, if not destroyed. As a direct and proximate result of Defendants' actions any future applications for such employment by Plaintiff will be met with an inhospitable reception and will be denied.

71. Defendants have also violated their own rules, policies and procedures in taking adverse action against Plaintiff which deprived Plaintiff of her Fifth Amendment right to due process.

72. Defendants' actions, regulations, memoranda, directives, and conduct have adversely affected Plaintiff, deprived Plaintiff of her personal property without due process of law (including but not limited to Defendants' wrongful withholding of Plaintiff's personal family photographs, personal calendars and personal notes and papers) and violate Plaintiff's right to due process under the laws of the United States and the Fifth Amendment to the U.S. Constitution.

73. As a direct and proximate result of Defendants' intentional and willful conduct, the Plaintiff has been broadly precluded from pursuing her chosen career as a linguist, or from pursuing

a future career in government service in the field of law enforcement or national security, and Defendants' actions have seriously affected and destroyed Plaintiff's ability to follow her chosen career and substantially reduced the value of plaintiff's human capital in violation of her right to follow a chosen trade or profession without governmental interference.

74. Defendants should also be ordered to reinstate Plaintiff to her position as a contract linguist and Defendants should be enjoined from taking any future action against Plaintiff because the Plaintiff has been deprived of their rights under the U.S. Constitution.

75. Defendants should be enjoined from taking any action against Plaintiff or her family, and Defendants should be ordered to fully protect Plaintiff and her family from further harm.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for relief from this Court, as follows:

- (a) Order preliminary and permanent injunctive relief, as appropriate;
- (b) Order declaratory relief, as appropriate;
- (c) Award Plaintiff damages, subject to proof and in an amount to be determined at trial, pursuant to the Privacy Act, including but not limited to actual, compensatory damages for, *inter alia*, harm to reputation, physical pain and physical sickness, and emotional distress and humiliation, as well as for damages to Plaintiff's career;
- (d) Award Plaintiff damages in an amount not less than \$1,000 for each and every violation of the Privacy Act;
- (e) Award Plaintiff her costs and reasonable attorney fees pursuant to the Privacy Act, the Equal Access to Justice Act, or as appropriate; and
- (f) Grant such other and further relief as the Court may deem just and proper.

Respectfully submitted,

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