

1 Donald Williams  
44 1/2 S. Division Apt., 37  
2 Grand Rapids, MI., 49503

Honorable Robert Holmes Bell  
06 OCT 27 PM 2:14  
Chief United States District Judge

FILED - GR  
CLERK  
U.S. DISTRICT COURT  
WESTERN DISTRICT MICH

3  
4 ***In The United States District Court***  
5 ***For The Western District Of Michigan***

6 Donald Williams, ) Case No.: 1:06-cv-635  
7 )  
8 Plaintiff, ) AFFIDAVIT OF DAMAGES  
9 vs. )  
10 Grand Rapids Public Library, )  
11 Defendant, )  
12 )

13 Comes Now, the Plaintiff Donald Williams, with his Affidavit Of Damages.

14 **AFFIDAVIT OF DAMAGES**

15 STATE OF MICHIGAN )  
16 )  
17 COUNTY OF KENT )

18 Plaintiff submits the following testimony, evidence, and exhibits to this court in  
19 supportive substantiation of his claims. I Donald Williams, Of lawful  
20 age, first duly sworn upon oath, state and swears as follows: I am the Plaintiff, Donald  
21 Williams in the present case and I have personal knowledge concerning the matters set  
22 forth herein.

23 **A. AFFIDAVIT**

24 1. These DAMAGES are a true and correct copy of the original in the complaint.  
25

1 **B. DAMAGES**

2 **a) Fiscal Year Budget of The City Of Grand Rapids, Michigan**

- 3  
4 1. The City of Grand Rapids, Michigan, Fiscal Year Budget for 2005 is \$265,  
5 000,000, <http://www.grand-rapids.mi.us/>.

6 **b) Injunctive Relief**

- 7 1. District court has power to grant injunctive relief where there has been  
8 deprivation of civil rights. Sewell v. Pegelow, C.A.4 (Va.) 1961, 291 F.2d 196.  
9 Schnell v. City Of Chicago, C.A.7 (Ill.) 1969, 407 F.2d 1084. Dixon v. Duncan,  
10 D.C. Va. 1963, 218 F.Supp. 157.

11 **WHEREFORE**, the Plaintiff requests that this Court enter an Order:

- 12  
13 2. Declaring that the discriminatory customs, policies, practices, procedures and  
14 prejudices of the Defendant's purposeful, willful and intentional deprivation of  
15 Plaintiffs Civil Rights to public library facilities violate Title 28 U.S.C.A. § 1331,  
16 1332, 1343; Title 42 U.S.C.A. § 1983; Rev. Stat. § 1979; Const. Amend. 1, 5, 8,  
17 14 § 1 and such deprivations of Plaintiffs Civil Rights by Defendant's  
18 discriminatory customs, policies, practices, procedures and prejudices are  
19 unconstitutional, and
- 20 3. Enjoining Defendant, their employees, agents, and successors, and all other  
21 persons in active concert or participation with them from engaging in any act or  
22 practice which on the basis of any discriminatory customs, policies, practices,  
23 procedures and prejudices deprives any Civil Rights secured by Title 28 U.S.C.A.  
24 § 1331, 1332, 1343; Title 42 U.S.C.A. § 1983; Rev. Stat. § 1979; Const. Amend.  
25 1, 5, 8, 14 § 1, and

4. Requiring Defendant, their employees, agents, and successors, and all other persons in active concert or participation with any of them to take such affirmative steps as may be necessary to remedy the past unlawful conduct of deprivation of Civil Rights, discriminatory customs, policies, practices, procedures and prejudices.

**c) Compensatory Relief**

1. The Plaintiff further prays for such additional relief as the interests of justice may require together with compensatory, mental and emotional stress and punitive damages.
2. Compensatory damages for deprivation of federal rights are governed by federal standards, both federal and state rules may be utilized. Sullivan v. Little Hunting Park, Inc., U.S. Va. 1969, 90 S.Ct. 400, 396 U.S. 229, 24 L.Ed.2d 386. Compensatory damages in Sec. 1983 may not only include out-of-pocket loss and monetary harms but also injuries as impairment of reputation, personal humiliation and mental anguish and suffering. Coleman v. Rahija, C.A.8 (Iowa) 1997, 114 F.3d 778.

<b>Compensatory Relief</b>	
Personal Humiliation – Told could not view nude picture in the library and told to leave the library in Violation of Civil Rights to privileges and immunities, services and facilities, and of life and liberties.	\$1,500,000.00
Harassment - Defendant subjecting Plaintiff to cruel and unusual punishments (harassing Plaintiff to leave public library, Constitutional Amendment 8) and abridging Plaintiffs privileges and immunities and depriving Plaintiff of life and liberty without due process and equal protection of the law.	\$1,500,000.00
<b>Total Compensatory Damages</b>	<b>\$3,000,000.00</b>

**Table 1 Compensatory Relief**

**d) Mental & Emotional Stress Relief**

<b>Mental &amp; Emotional Stress Relief</b>	
Mental Anguish – Had to leave library in violation of Civil Rights to access public facilities.	\$1,000,000.00
Emotional Anguish – Could not redress violation of Civil Rights Defendant has no complaint form, had to File United States District Court.	\$1,000,000.00
<b>Total Mental, Emotional &amp; Financial Damages</b>	<b>\$2,000,000.00</b>

**Table 2 Mental & Emotional Stress Relief**

**e) Punitive Relief**

1. Punitive Damages are imposed in civil rights action for their effect on defendant and to vindicate public interest in deterring malicious or wanton conduct by public officials and in arriving at appropriate amount to be awarded in punitive damages, court must take into consideration severity of constitutional violation and what is necessary to reasonably deter such conduct in the future. Aumiller v. University of Delaware, D.C. Del., 1977, 434 F.Supp 1273.

<b>Punitive Relief</b>	
Deprivation of Federally Secured and Protected Constitutional Rights, Const. Amend. 1, 5, 8, 14 § 1, Due Process and Equal Protection of the Law.	\$10,000,000.00
<b>Total Punitive Damages</b>	<b>\$10,000,000.00</b>

**Table 3 Punitive Relief**

**f) Total Relief**

<b>Total Relief</b>	
<b>Total Damages</b>	<b>\$15,000,000.00</b>

**Table 4 Total Relief**

Dated This Friday, October ~~26~~, 2006  
27

By:

*Donald Williams*

**Donald V. Williams**  
**44 1/2 S. Division St., SE., Apt., 37**  
**Grand Rapids, MI., 49503**

**C. DECLARATION UNDER PENALTY OF PERJURY**

I declare (or certify, verify, or state) under penalty of perjury that the foregoing [Affidavit] is true and correct. 28 U.S.C. § 1746; 18 U.S.C. §§ 1621, et seq.

Dated This Friday, October ~~26~~, 2006  
27

By:

*Donald Williams*

**Donald V. Williams**

Further Affidavit Saith Not

**D. NOTARIZATION**

Subscribed and sworn before me this 27<sup>th</sup> day of October 2006.

*Walter L Mathis Sr*

Notary Republic

02 - 02 - 12

My Commission Expires

WALTER L. MATHIS SR.  
NOTARY PUBLIC, STATE OF MI  
COUNTY OF KENT  
MY COMMISSION EXPIRES Feb 2, 2012  
ACTING IN COUNTY OF *Kent*

By:

*Walter L Mathis Sr*

Dated This ~~Tuesday~~, September ~~5~~, 2006  
*Friday* *October 27*,