

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF LOUISIANA

OFFICER JOHN DOE

v.

DERAY MCKESSON AND
BLACK LIVES MATTER

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CIVIL NO.:

16-CR-742-BAJ-RLB

DEFENDANT DERAY MCKESSON’S MOTION FOR SUMMARY JUDGMENT

NOW INTO COURT, through undersigned counsel, comes defendant DeRay Mckesson, who respectfully requests that this Honorable Court enter summary judgment dismissing the lawsuit filed against him by Officer John Ford.

I.

On July 9, 2016, defendant DeRay Mckesson and hundreds of other individuals attended a protest in Baton Rouge, Louisiana in the aftermath of the death of Alton Sterling.

II.

Officer John Ford contends that he was injured during that protest by an unknown assailant who hit him in the face with a piece of concrete and that Mr. Mckesson is responsible for the actions of this unknown assailant because Mckesson “negligently organized” the protest.

III.

However, Officer Ford cannot prove that Mr. Mckesson organized the protest at all, that Mr. Mckesson breached any duty owed to Officer Ford, or that Mr. Mckesson was the cause-in-fact of Officer Ford’s injuries.

IV.

For the reasons outlined in the attached memorandum, the Court should grant this motion and dismiss Officer Ford's lawsuit.

Respectfully submitted,

/s/ William P. Gibbens

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CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing pleading was served upon opposing counsel of record this 31st day of January, 2024, by e-filing same into the CM/ECF system which will automatically deliver a copy of same to all counsel.

/s/ William P. Gibbens
WILIAM P. GIBBENS