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COMMONWEALTH OF KENTUCKY
KENTON CIRCUIT COURT
DIVISION _____
CIVIL ACTION 26-CI-_____
Electronically filed

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TAYLOR MARSHALL,

Plaintiff,

v.

ROSS WOODWARD, individually and
in his capacity as a public official
acting under color of State law;

AND

JANE DOE, individually and in her
capacity as a public official acting
under color of State law;
AND

THE CITY OF COVINGTON, KENTUCKY,

Defendants.

COMPLAINT WITH JURY DEMAND

COMES NOW, Plaintiff Taylor Marshall ("Plaintiff Marshall"), by and through counsel, and for their Complaint and Jury Demand against Defendants Ross Woodward ("Defendant Woodward"), Jane Doe (unknown Covington Police officer) ("Defendant Doe"), and the City of Covington, Kentucky ("Defendant Covington") alleges as follows:

NATURE OF THE CASE

1. Plaintiff initiates this civil action under 42 U.S.C. § 1983.
2. This civil action resulted from the physical assault of Taylor Marshall by Defendant Woodward and Defendant Doe.
3. In physically assaulting Plaintiff Marshall, Defendant Woodward and Defendant Doe deprived Plaintiff Marshall of their rights, privileges, and immunities arising under the United States Constitution, federal law, and laws of the United States.

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4. Defendant Woodward assaulted Plaintiff Marshall individually and in his capacity as a police officer and public official acting under color of State law.

5. Defendant Doe assaulted Plaintiff Marshall individually and in her capacity as a police officer and public official acting under color of State law.

6. Plaintiff Marshall alleges that Defendant Woodward (a) retaliated against them for exercising their First Amendment rights; (b) used excessive force against them, and (c) deprived them of their procedural and substantive due process rights protected by the Fifth and Fourteenth Amendments to the United States Constitution.

7. Plaintiff Marshall alleges that Defendant Doe (a) retaliated against them for exercising their First Amendment rights; (b) used excessive force against them, and (c) deprived them of their procedural and substantive due process rights protected by the Fifth and Fourteenth Amendments to the United States Constitution.

8. Plaintiff Marshall also proceeds separately against Defendant Covington in its own right under Section 1983, *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658 (1978), and its progeny, for approving, adopting, ratifying, and endorsing the unlawful and unconstitutional conduct of Defendant Woodward and Defendant Doe pursuant to its policies, procedures, and customs, which were the driving force behind the acts and omissions of the facts underpinning this Complaint.

9. Plaintiff Marshall is also pursuing tort claims arising under Kentucky law against Defendant Woodward and Defendant Doe for negligence, negligent infliction of emotional distress, and assault and battery.

10. Plaintiff Marshall is seeking relief in the form of compensatory damages, statutory relief, damages for emotional distress and psychological injuries, punitive damages, attorneys fees and costs, and all other relief to which they are entitled to under the law, which damages exceed the jurisdictional threshold of this Court.

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PARTIES, JURISDICTION, AND VENUE

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11. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

12. Plaintiff Marshall, at all times relevant to this Complaint, resided in Hamilton County, Ohio.

13. Woodward, at all times relevant to this Complaint, has been a City of Covington, Kentucky police officer.

14. Defendant Woodward, on information and belief, is a resident of Kenton County, Kentucky.

15. Defendant Woodward is named in a separate lawsuit filed by fellow protester Suzanne Bratt in the United States District Court for the Eastern District of Kentucky, Case No. 2:26-cv-00297. Woodward is alleged to have used excessive force in that matter as well, which relates to the same protest as the one underlying the claims in this case.

16. Defendant Jane Doe, at all times relevant to this Complaint, has been a City of Covington, Kentucky police officer with an unknown residence.

17. By service on the City of Covington, Officer Jane Doe should know and understand that she is subject to the instant action, and Covington should make her so aware.

18. Defendant Covington, at all times relevant to this Complaint, has been a home-rule class municipality located in Kenton County, Kentucky.

19. This Court has subject matter jurisdiction over the controversy alleged in this Complaint under Ky. Const. § 112 and KRS § 23A.010, as the Circuit Court has original jurisdiction of all justiciable causes not vested in some other court, including claims arising under federal law pursuant to 42 U.S.C. § 1983 and claims arising under the laws of the Commonwealth of Kentucky, all deriving from a common nucleus of operative facts.

20. Venue is proper in Kenton County Circuit Court under KRS § 452.460, as the injury occurred in Kenton County, Kentucky, and Defendant Covington is located in Kenton County, Kentucky.

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STATEMENT OF FACTS

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21. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

22. On July 17, 2025, Covington Police arrested multiple people during a demonstration on the John A. Roebling Suspension Bridge (the "Bridge").

23. Plaintiff Marshall was among those arrested.

24. The demonstrators were marching to protest the U.S. Immigration and Customs Enforcement agency's detention of Imam Ayman Soliman.

25. The march began after a vigil at The Banks in Cincinnati.

26. Demonstrators marched along the south lane of the bridge.

27. While the march was ongoing, the Covington Police Department dispatched several officers to the scene of the Bridge.

28. Defendant Woodward was one of the officers dispatched to the scene of the Bridge.

29. Defendant Doe was one of the officers dispatched to the scene of the Bridge.

30. At some point, police officers of the Covington Police Department ordered the demonstrators to disperse.

31. Specifically, officers ordered the demonstrators onto the pedestrian walkways lining the bridge and out of the roadway.

32. Plaintiff Marshall was among those ordered to disperse.

33. In close proximity to the time that officers ordered the demonstrators to disperse, officers began making arrests.

34. Citizens of the United States, Plaintiff Marshall among them, were exercising their First Amendment Rights on the Bridge.

35. This was a peaceful demonstration until the Covington Police Department began deploying tazers and less-lethal projectiles.

36. ~~Video evidence shows that police, not the protesters, were rioting; they assaulted numerous protesters.~~

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37. Defendant Woodward first encountered Plaintiff Marshall, relevant to this Complaint, on the bridge in the center of the roadway.
38. During the incident, Defendant Woodward struck Plaintiff Marshall's head with numerous blows using both open and closed fists and possibly a blunt object.
39. The attack is on video.
40. Defendant Doe unlawfully restrained Plaintiff Marshall in such a manner as to deliberately or wantonly cause Plaintiff Marshall injury and aid Defendant Woodward's assault.
41. Defendant Woodward repeatedly struck Plaintiff Marshall's head.
42. At times, Plaintiff Marshall was restrained by Doe.
43. At no point did Plaintiff Marshall resist arrest.
44. As a result of the attack, Plaintiff Marshall was left visibly wounded.
45. Plaintiff Marshall's injuries, caused by Defendant Woodward, were all over their body, but especially on Marshall's head.
46. These injuries caused Marshall swelling and substantial pain.
47. Immediately after the assault, Marshall began experiencing aphasia (loss of verbal acuity) and memory loss.
48. The actions of Defendants caused Marshall to seek medical treatment, on a prolonged and continuing basis.
49. After being released from custody, Marshall was diagnosed with a concussion.
50. Marshall's brain injuries are enduring and medically recorded:
51. Marshall continues to have serious memory loss and aphasia, which has affected their quality of life and ability to work.
52. Marshall continues to have pains related to the assault.
53. These injuries resulted in Marshall missing work and employment opportunities.
54. Marshall required months of treatment.
55. Defendants' conduct also caused Marshall extreme mental anguish and trauma.

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56. Marshall had trouble concentrating and with memory recall for months following the assault.
57. Marshall was charged with felony riot following their arrest.
58. The charge does not appear to be supported by video evidence.
59. Video evidence suggests that police were rioting and assaulted numerous protesters.
60. After nearly a full year under a felony charge, on July 9, 2026, Marshall received an offer to settle their criminal case for a plea to misdemeanor failure to disperse.
61. Marshall accepted the offer on July 16, 2026 in writing.
62. Marshall relied on the promise to their detriment by retaining counsel to enter the plea, at cost.
63. Defendant Covington held a press conference in which they labeled Plaintiff Marshall and others as suspects resisting arrest.
64. At all times relevant to this Complaint, Defendant Woodward and Defendant Doe were employees, agents, or representatives of Defendant Covington.
65. Under Section 1983, State actors are prohibited from violating the civil rights of others.
66. Section 1983 states, in relevant part, that: "every person who, under color of any statute, ordinance, regulation, custom, or usage, of any State or Territory or the District of Columbia, subjects, or caused to be subjected, any citizen of the United States or other person within the jurisdiction there to the deprivation of any rights, privileges, or immunities secured by the Constitution and laws, shall be liable to the party injured in an action at law, suit in equity, or other proper proceeding for redress."
67. Defendant Woodward is a "person" within the meaning of Section 1983.
68. Defendant Doe is a "person" within the meaning of Section 1983.

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**COUNT ONE: 42 U.S.C. SECTION 1983: EXCESSIVE FORCE
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

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69. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

70. Defendant Woodward knowingly, intentionally, wantonly, and maliciously used objectively unreasonable force against Plaintiff Marshall in effectuating the arrest of Marshall.

71. Defendant Doe knowingly, intentionally, wantonly, and maliciously used objectively unreasonable force against Plaintiff Marshall in effectuating the arrest of Marshall.

72. Defendant Woodward's conduct, as described in this Complaint, amounts to a violation of Plaintiff Marshall's clearly established constitutional right to be free from excessive force under the Fourth and Fourteenth Amendments.

73. Defendant Doe's conduct, as described in this Complaint, amounts to a violation of Plaintiff Marshall's clearly established constitutional right to be free from excessive force under the Fourth and Fourteenth Amendments.

74. Defendant Woodward's conduct further deprived Plaintiff Marshall of their rights under federal law and the laws of the United States.

75. Defendant Doe's conduct further deprived Plaintiff Marshall of their rights under federal law and the laws of the United States.

76. As a direct and proximate result of Defendant Woodward and Defendant Doe's actions, Plaintiff Marshall has suffered compensable injuries, harm, and damages in an amount to be determined by the evidence at trial.

**COUNT TWO: RETALIATION, VIOLATIONS OF THE FIRST AMENDMENT
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

77. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

78. Plaintiff Marshall was engaged in constitutionally protected activity at the time of their arrest: a protest in public streets.

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79. Defendant Woodward, with intent to suppress such speech, arrested Plaintiff Marshall and assaulted them.

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80. Defendant Woodward was attacking protesters, even those in the process of complying with the disbursement order, with a zeal motivated by his desire to suppress Plaintiff Marshall's protected speech.

81. Defendant Doe aided Defendant Woodward in this suppression of Plaintiff Marshall's protected speech.

82. As a direct and proximate result of Defendant Woodward and Defendant Doe's actions, Plaintiff Marshall has suffered compensable injuries, harm, and damages in an amount to be determined by the evidence at trial.

**COUNT THREE: DEPRIVATION OF PROCEDURAL AND
SUBSTANTIVE DUE PROCESS
UNDER FIFTH AND FOURTEENTH AMENDMENTS
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

83. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

84. Under the Fifth and Fourteenth Amendments, Plaintiff Marshall shall not be deprived of life, liberty, or property, without due process of law.

85. As described in this Complaint, Defendants Doe and Woodward deprived Plaintiff Marshall of their protected interest in their bodily autonomy and right to be free from bodily restraint without affording them adequate procedural rights and protections before doing so, and in a manner that would shock the conscience, and in no way is rationally related to advancing any legitimate state interest.

86. As a direct and proximate result of Defendant Woodward and Defendant Doe's actions, Plaintiff Marshall has suffered compensable injuries, harm, and damages in an amount to be determined by the evidence at trial.

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**COUNT FOUR: *MONELL* LIABILITY
(DEFENDANT COVINGTON)**

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87. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

88. Defendant Covington is liable in its own right under Section 1983 and *Monell v. Dep't of Soc. Servs.*, 436 U.S. 658 (1978) and its progeny for Defendant Woodward's and Defendant Doe's actions giving rise to this Complaint.

89. The driving and motivating acts and omissions of Defendant Woodward and Defendant Doe in causing Plaintiff Marshall's injuries, in their capacities as police officers and public officials acting under color of State law, was the execution of Defendant Covington's policies, procedures, and customs.

90. This is the case whether or not Defendant Covington's policies, procedures, and custom are directly or indirectly derived from the official acts and edicts of lawmakers and officials and/or formal approval through Defendant Covington's official decision-making channels.

91. Defendant Covington had a custom, policy, or deliberate indifference to a clear pattern of misconduct by Defendant Woodward and the Covington Police Department.

92. That is, Defendant Covington is also liable in its own right under Section 1983, *Monell* and its progeny because the officially executed policies, procedures, and customs of the Covington Police Department, and/or its tolerance of the same lead to, caused, and resulted in the deprivation of Plaintiff Marshall's constitutional rights under the First, Fourth, Fifth, and Fourteenth Amendments as alleged in this Complaint and secured by federal law, and the laws of the United States, due to the inaction of Defendant Covington.

93. But for the acts and omissions of Defendant Covington through its officials in the Covington Police Department who had final decision-making authority, as a matter of policy or custom, Defendant Covington has tolerated, endorsed, accepted, ratified, approved of, and acquiesced to the violations of Plaintiff Marshall's constitutional rights under the First, Fourth,

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Fifth, and Fourteenth Amendments, as secured by federal law and the laws of the United States, without limitation in their negligent or deliberately indifferent:

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- Hiring and retaining of Defendant Woodward;
- Failure to properly train Defendant Woodward;
- Failure to properly supervise Defendant Woodward; and
- Failure to discipline and correct the unlawful acts and omissions of Defendant Woodward.

94. As described in this Complaint, Defendant Covington also ratified, approved of, supported, endorsed, adopted, and acquiesced to Defendant Woodward's unlawful and unconstitutional acts and omissions by allowing him to continue serving on the police force.

95. But for Defendant Covington's approval, adoption, toleration, ratification, endorsement, and acquiescence to the unlawful and unconstitutional conduct of Defendant Woodward and Defendant Doe, as described in this Complaint, as a matter of custom, policy, and procedure, which was the driving and motivating force behind the same, Plaintiff Marshall would not have been subject to the deprivation of their First, Fourth, Fifth, and Fourteenth Amendment Rights as secured by federal law and the laws of the United States.

96. As a direct and proximate result of Defendant Covington's actions as described above, Plaintiff Marshall has suffered compensable injuries, harm, and damages in an amount to be determined by the evidence at trial.

**COUNT FIVE: CONSPIRACY TO VIOLATE CIVIL RIGHTS
VIOLATION OF 42 U.S.C. § 1985(3)
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

97. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

98. As described in this Complaint, and at all relevant times to the same, Officers Woodward and Jane Doe directly or indirectly combined, conspired, and coordinated by force, intimidation, or threat to deprive Marshall of their rights arising under the United States Constitution, and the

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equal protection of the laws, privileges, and immunities, secured by federal law and the laws of the United States in violation of 42 U.S.C. § 1985(3).
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99. As a direct and proximate result of their violations of 42 U.S.C. § 1985(3), Officers Woodward and Jane Doe have caused Plaintiff compensable injuries, harm, and damages in excess of the jurisdictional threshold of this Court to be determined by the trier of fact.

**COUNT SIX: NEGLIGENCE
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

100. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

101. Defendants Woodward and Doe owed Plaintiff Marshall a duty of care when arresting them.

102. Though these were discretionary acts, Defendants Woodward and Doe in arresting Plaintiff Marshall were so grossly negligent as to demonstrate a substantial lack of concern for injuring Plaintiff Marshall.

103. As a direct and proximate result of Defendant Woodward and Defendant Doe's actions, Plaintiff Marshall has suffered compensable injuries, harm, and damages in an amount to be determined by the evidence at trial.

**COUNT SEVEN: ASSAULT AND BATTERY
(DEFENDANT WOODWARD AND DEFENDANT DOE)**

104. Plaintiff Marshall incorporates by reference each of the foregoing allegations as if fully restated herein.

105. Assault is any attempt or offer with force or violence to do a corporeal hurt to another, whether from malice or wantonness, under such circumstances as shows an intention to do it, coupled with the present ability to carry such intent into effect.

106. Battery is any unlawful touching of the person of another by the aggressor, or by any substance set in motion by the aggressor.

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107. Intent is an essential element of assault and battery, referring to the intent to make contact with the person, not the intent to cause harm.

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108. Defendant Woodward's conduct as described above constituted a tort of assault and battery in violation of Plaintiff Marshall's rights as secured by the common law of the Commonwealth of Kentucky.

109. Defendant Doe's conduct as described above constituted a tort of assault and battery in violation of Plaintiff Marshall's rights as secured by the common law of the Commonwealth of Kentucky.

110. Defendant Woodward's conduct was the direct and proximate cause of Plaintiff's injuries as described above, all to Plaintiff Marshall's damage in an amount to be determined by the evidence at trial.

111. Defendant Doe's conduct was the direct and proximate cause of Plaintiff's injuries as described above, all to Plaintiff Marshall's damage in an amount to be determined by the evidence at trial.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Marshall demands Judgment against Defendants as follows:

1. That Plaintiff be awarded compensatory damages against Defendants in an amount to be determined at trial;
2. That Plaintiff be awarded punitive damages against Defendants Woodward and Doe in an amount to be determined at trial;
3. That Plaintiff be awarded reasonable attorney's fees pursuant to 42 U.S.C. § 1988;
4. That Plaintiff be awarded costs of this action;
5. For a Trial by Jury; and
6. Any other relief to which Plaintiff may be entitled.

JURY DEMAND

Plaintiff Marshall demands trial by jury on all counts.

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Respectfully submitted,

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/s/ Benjamin Potash

BENJAMIN POTASH
1009 South 4th Street
Louisville, KY 40203
(502)584-8583 (office)
potashlaw@gmail.com*Counsel for Plaintiff*

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