

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

NOAH LEBLANC, STEPHEN	:	
GARLICK, MANUEL BENEVIDES,	:	
SCOTT MCDONALD, and STEVEN	:	
COMO,	:	C.A. No. 1:23-cv-00511-MSM-LDA
Plaintiffs	:	
v.	:	
	:	
CITY OF PAWTUCKET, by and through :	:	
its Finance Director Mark Stankiewicz, :	:	
alias, MARIO COMELLA, alias, :	:	
individually and in his official capacity as :	:	
a police officer in the City of Pawtucket :	:	
Police Department, and JOHN :	:	
TRENTESEAUX, alias, individually and :	:	
in his official capacity as Fire Chief in the :	:	
City of Pawtucket Fire Department, :	:	
Defendants	:	

CONSENT JUDGMENT

Upon stipulation and consent of the parties, by and through their respective attorneys, this Consent Judgment having been presented to the Court, and the Court having determined that this Consent Judgment is fair and reasonable,

DOES HEREBY DECLARE AND ORDER AS FOLLOWS:

1. That the Defendants’ September 5, 2023 search of the personal lockers of each Plaintiff assigned to the fire station located at 835 Newport Avenue, Pawtucket Rhode Island (“Fire Station”), which was assigned for his or her sole use for storage of personal items located within the “residential” private area of the Fire Station, without consent of each Plaintiff, a warrant supported by probable cause, or probable cause and exigent circumstances sufficient to constitute an exception to the warrant requirement under the Fourth and Fourteenth Amendments to the United States Constitution and Article 1, §§ 2 and 6 of the Rhode Island Constitution prohibiting unlawful searches and seizures, denied each Plaintiff their rights under the Fourth and Fourteenth Amendments to the United States Constitution, Article 1, §§ 2 and 6 of the Rhode Island Constitution, and the Rhode

Island Right to Privacy Act, R.I. Gen. Laws §9-1-28.1, thereby entitling Plaintiffs to relief under 42 U.S.C. §1983 and the Rhode Island Right to Privacy Act, R.I. Gen. Laws §9-1-28.1.

2. That the Defendant City of Pawtucket shall pay the sum of **One Thousand and no/100 (\$1,000.00) Dollars** to each of the Plaintiffs as compensatory damages.

3. That the Defendant City of Pawtucket shall pay the sum of **Fifty-Nine Thousand One Hundred Sixty-Three and 09/100 (\$59,163.09) Dollars** to Plaintiffs' counsel, **Sinapi Law Associates, Ltd.**, as payment for attorney's fees and costs incurred in prosecuting the within case, which said sum shall be paid within thirty (30) days of the entry of the within judgment. The sharing of the tribunal-approved award with the American Civil Liberties Union Foundation of Rhode Island is consistent with this Court's decision in *Inmates of the Rhode Island Training School v. Martinez*, 465 F. Supp. 2d 131 (D.R.I. 2006), and Rhode Island R.P.C. 5.4(a)(4).

4. This is a final judgment that resolves all pending claims.

Entered as a **Judgment** of this Court on the 10th day of jULY, **2024**.

ENTER:

PER ORDER:



C. Potter

Mary S. McElroy, District Court Judge

Clerk

ASSENTED TO AS TO FORM AND SUBSTANCE:

Plaintiffs,
By their attorneys,
SINAPI LAW ASSOCIATES, LTD.

Date: July 9, 2024

/s/ Danilo A. Borgas
/s/ Richard A. Sinapi
Danilo A. Borgas, Esq. (#9403)
Richard A. Sinapi, Esq. (#2977)
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Of counsel:

Date: July 9, 2024

/s/ Lynette Labinger
Lynette Labinger, Esq. (#1645)
Cooperating Counsel,
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Rhode Island
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Providence, RI 02903
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Email: ll@labingerlaw.com

Defendant **City of Pawtucket,**
By its attorneys,

Date: July 9, 2024

/s/ Marc DeSisto
Marc DeSisto, Esq. (#2757)
DeSisto Law LLC
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Providence, Rhode Island 02903
Phone: (401) 272-4442
Email: marc@desistolaw.com

I hereby certify that a true and accurate copy of the within Consent Judgment was filed and served electronically by operation of the Court's CM/ECF System upon the following counsel on this **9th day of July, 2024:**

Marc DeSisto, Esq. (#2757)
Sarah D. Boucher, Esq. (#10272)
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sarah@desistolaw.com

/s/ Danilo A. Borgas _____