

04-521 OBER V. BROWN, ET AL.

QUESTIONS PRESENTED

1. Under the facts below were petitioner's remedies limited to Federal Rule of Civil Procedure 11 sanctions, or did petitioner suffer an actionable First Amendment injury?
2. Are criminal acts performed by lawyers and a police investigator, which are designed to deter and discourage a police officer plaintiff from pursuing his civil rights claims, within the "scope of representation" of defendants lawyers, such that the plaintiff's only recourse is to Rule 11 sanctions and no First Amendment claims can lie?