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## Novel Arguments Citing New Supreme Court Ruling Led Federal Court to Grant Yankwitt LLP's Motion for Judgment on Pleadings

Yankwitt LLP prevailed on a Motion for Judgment on Pleadings in a case brought against a United States Park Police Officer pursuant to *Bivens v. United States*, a U.S. Supreme Court case that recognizes an injured person's right to be protected from unreasonable searches and seizures. The plaintiff asserted claims of excessive force, false arrest, and violation of the right to a fair trial in connection with the officer's arrest of the plaintiff. Yankwitt LLP was retained by the U.S. Department of Justice to represent the defendant through its private counsel retention program.

During the pendency of the litigation, the Supreme Court decided *Egbert v. Boule*, 142 S. Ct. 1793 (2022), substantially restricting the availability of Bivens relief. Based on a detailed assessment of the facts of the case, Yankwitt LLP determined that it could argue the plaintiff's claims were foreclosed by *Egbert* and the novel line of cases following that decision. Relying on that precedent, Yankwitt crafted a compelling Motion for Judgment on Pleadings, persuading the judge that the plaintiff could not maintain a *Bivens* claim against the defendant and leading to the complete dismissal of all claims against our client.