

**SUBJECT INDEX**

TABLE OF AUTHORITIES

I. INTRODUCTION ..... 2

II. APPLICABLE LAW ..... 2

III. STATEMENT OF FACTS ..... 3

IV. ARGUMENT ..... 13

*The Constitutional deprivations predicated upon Mr. Fisher was the product of a policy or custom of Defendant City* ..... 14

*Mr. Fisher has provided adequate notice to Defendant City* ..... 17

*There is no heightened pleading for the “policy or custom” requirement of demonstrating municipal liability* ..... 19

V. ASSUMING *ARGUENDO* THAT THE COURT FINDS MERIT TO DEFENDANT CITY’S ARGUMENT, PLAINTIFF REQUESTS LEAVE TO AMEND COMPLAINT ..... 20

VI. CONCLUSION ..... 21