

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHRISTOPHER COUSINEAU & ZACHARY FLEURY,

Plaintiffs,

v.

Case No: 2:25-cv-1541

CITY OF MILWAUKEE & AARON W. FROH, JR.,

Defendants.

COMPLAINT

Plaintiffs Christopher Cousineau and Zachary Fleury, by their attorneys, Strang Bradley, LLC, for their complaint against Defendants, state:

INTRODUCTION

1. This is a civil rights lawsuit brought pursuant to 42 U.S.C. § 1983 to redress the deprivation under color of law of Plaintiffs Christopher Cousineau and Zachary Fleury's constitutional right to be free from unreasonable search and seizure in violation of the Fourth Amendment of the United States Constitution.

2. Christopher Cousineau does merchandising for a bookstore in Milwaukee. As part of that work, he receives a lot of packages.

3. In the early afternoon of Wednesday, September 24, 2025, Milwaukee Police Department Officer Aaron Froh responded to a report from a delivery driver that packages were piling up at a home.

4. Froh responded to Plaintiffs' house and observed one small package outside the front door and a number of packages inside the front door of the house.

5. The front door was locked, meaning someone was moving the packages inside.

6. Without trying to identify the name the packages were addressed to in order to contact the home owner, without checking to see if the homeowner's phone number was on any of the package labels, without asking dispatch if they had any contact information for the homeowner, and without asking any of the neighbors to find out who lives at the house, how often they are usually around, or if any of the neighbors have the homeowner's cellphone number, Froh put on his sun glasses, extended his baton and smashed the glass front door to break into Plaintiffs' house. This interaction is depicted in the following video recording: <https://StrangBradley.com/AaronFroh.mp4>.

JURISDICTION AND VENUE

7. This Court has jurisdiction over federal claims pursuant to 28 U.S.C. § 1331 and the state law claims for indemnification pursuant to 28 U.S.C. § 1367.

8. Venue is proper under 28 U.S.C. § 1391(b). Defendant City of Milwaukee is a political subdivision of the state of Wisconsin located within this judicial district. Additionally, the events giving rise to the claims asserted herein occurred within this judicial district.

PARTIES

9. Plaintiff Christopher Cousineau is a resident of the State of Wisconsin.

10. Plaintiff Zachary Fleury is a resident of the State of Wisconsin.

11. Defendant City of Milwaukee is a political subdivision of the state of Wisconsin and is or was the employer of Defendant Aaron Froh and is required to pay any tort judgment for damages for which its employees are liable for acts within the scope of their employment.

12. Defendant Aaron Froh was, at the time of this occurrence, employed as a police officer for the City of Milwaukee Police Department.

13. At all times Defendant Froh interacted with Plaintiffs or their house on September 24, 2025, Froh was on duty, acting under color of state law, ordinance, and regulation.

14. At all times Defendant Froh interacted with Plaintiffs or their house on September 24, 2025, Froh acted within the scope of his employment with the City of Milwaukee.

FACTS

15. On September 24, 2025, a contracted package delivery driver came to the Plaintiffs' house to deliver a small package. While there were no other packages outside the Plaintiffs' home when the delivery driver arrived, there were a number of packages inside the front door of Plaintiffs' house.

16. After the contract delivery driver left the house, he called the police to say that he just delivered a package to the Plaintiffs' address and that "packages are piling up and he just wants to make sure the person is ok who lives there."

17. Approximately 10 minutes after the call to the police, Defendant Froh arrived at Plaintiffs' house.

18. Froh saw one small package outside the front door of Plaintiffs' home.

19. Froh saw that there were multiple packages inside the Plaintiffs' home.

20. Froh attempted to open the front door but discovered it was locked.

21. Froh conducted no further investigation. He didn't check the labels on the packages for information about the homeowner, he didn't try to contact any neighbors, and he didn't ask dispatch to look up the owner of the house.

22. Froh rang the smart doorbell, which announced, "Nobody is home right now."

23. Froh then put on his sunglasses and gloves, got out his baton, and prepared to smash in the glass on the door.

24. Plaintiff Fleury saw notifications on his phone from the smart doorbell and could see Froh standing outside his door.

25. Through the smart doorbell, Fleury yelled, "Nobody is home! Nobody is home!"

26. Froh then smashed the glass of the front door, reached in and unlocked it, and entered Plaintiffs' home, as depicted below:



27. Plaintiff Cousineau then also saw notifications on his phone from the smart doorbell. He could also see Froh smashing the glass of his front door.

28. Cousineau called 911 to report that he was watching a police officer break into his house.

29. Dispatch reported to Froh that the homeowner had called.

30. Froh continued to search Plaintiffs' home.

31. Cousineau arrived at his house within minutes of Froh breaking in.

32. Cousineau ran inside and found Froh.

33. Cousineau asked Froh what he was doing and told him to leave.

34. Cousineau then went to check on his dogs, who were, luckily, in crates.

35. Froh refused to leave and instead continued to search Plaintiffs' home.

36. When later questioned about why he broke into Plaintiffs' house, Froh explained that he did so because there were numerous packages inside the house and nobody was answering when he knocked on the door.

37. Froh did not have a warrant authorizing him to enter Plaintiffs' home.

38. Froh did not obtain consent to enter Plaintiffs' home.

39. There were no exceptions to the warrant requirement permitting Froh to enter Plaintiffs' home or remain there after being asked to leave.

40. As a direct and proximate result of the acts of Defendant Froh, as detailed above, Plaintiffs suffered, *inter alia*, mental distress, humiliation, and have incurred and will incur expenses to repair the damage to their house.

COUNT 1:
42 U.S.C. § 1983 Claim for Unlawful Entry to Home

41. Plaintiffs reallege the above paragraphs.

42. The actions of Defendant Froh in entering, searching, and refusing to leave Plaintiffs' home without a warrant or any other permissible lawful reason to do so violated Plaintiffs' Fourth Amendment right to be free from unreasonable search and seizure. Froh is thus liable under Section 1983.

43. The aforementioned actions of Defendant Froh were the direct and proximate cause of the constitutional violations set forth above and of Plaintiffs' injuries and damages set forth above.

WHEREFORE, pursuant to 42 U.S.C. §§ 1983 & 1988, Plaintiff demands actual or compensatory damages against Defendant Froh and because he acted in reckless disregard for Plaintiffs' rights, punitive damages; the costs of this action, attorneys' fees; and such other relief that the Court deems just and equitable.

**COUNT 2:
Indemnification Claim Against City of Milwaukee**

44. Plaintiffs reallege the above paragraphs.

45. Wisconsin law, WIS. STAT. § 895.46, requires public entities to pay any tort judgment for damages for which employees are liable, for acts within the scope of their employment.

46. At all times relevant to this action, Defendant Froh engaged in the conduct complained of while he was on duty and in the course and scope of his employment with the City of Milwaukee.

WHEREFORE, Plaintiff asks this Court to find that the City of Milwaukee is liable to defend this action against Defendant Froh and to satisfy any judgment entered against him, by virtue of WIS. STAT. § 895.46.

JURY DEMAND

Plaintiffs hereby demand a trial by jury, pursuant to FED. R. CIV. PRO. 38(b), on all issues so triable.

Respectfully submitted,

Dated: 7 October 2025,

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