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NOTE: Where it is feasible, a syllabus (headnote) will be released, as is being done in connection with this case, at the time the opinion is issued. The syllabus constitutes no part of the opinion of the Court but has been prepared by the Reporter of Decisions for the convenience of the reader. See *United States* v. *Detroit Timber & Lumber Co.*, 200 U. S. 321, 337.

SUPREME COURT OF THE UNITED STATES

Syllabus

HADDLE *v.* GARRISON ET AL.

CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE ELEVENTH CIRCUIT

No. 97–1472. Argued November 10, 1998– Decided December 14, 1998

Petitioner, an at-will employee, filed this action for damages against respondents alleging, *inter alia,* that they conspired to have him fired in retaliation for obeying a federal grand jury subpoena and to deter him from testifying at their upcoming criminal trial for Medicare fraud, and that their acts had "injured [him] in his person or property" in violation of 42 U. S. C. §1985(2). In dismissing the suit for failure to state a claim, the District Court relied on Circuit precedent holding that an at-will employee discharged pursuant to a conspiracy proscribed by §1985(2) has suffered no actual injury because he has no constitutionally protected interest in continued employment. The Eleventh Circuit affirmed.

Held: The sort of the harm alleged by petitioner– essentially third-party interference with at-will employment relationships– states a claim for damages under §1985(2). In relevant part, the statute proscribes conspiracies to "deter, by force, intimidation, or threat, any . . . witness in any [federal] court . . . from attending such court, or from testifying in any matter pending therein, . . . or to injure [him] in his person or property on account of his having so attended or testified," §1985(2), and provides that if conspirators "do . . . any act in furtherance of . . . such conspiracy, whereby another is injured in his person or property, . . . the party so injured . . . may" recover damages, §1985(3). The Eleventh Circuit erred in concluding that petitioner must suffer an injury to a "constitutionally protected property interest" to state a claim. Nothing in the language or purpose of the proscriptions in the first clause of §1985(2), nor in its attendant remedial provisions, establishes such a requirement. The gist of the wrong at which §1985(2) is directed is not deprivation of property, but intimidation or retaliation against witnesses in federal-court pro-

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ceedings. The terms "injured in his person or property" define the harm that the victim may suffer as a result of the conspiracy to intimidate or retaliate. Thus, the fact that employment at will is not "property" for purposes of the Due Process Clause, see *Bishop* v. *Wood*, 426 U. S. 341, 345–347, does not mean that loss of at-will employment may not "injur[e] [petitioner] in his person or property" for §1985(2)'s purposes. Such harm has long been, and remains, a compensable injury under tort law, and there is no reason to ignore this tradition here. To the extent that the terms "injured in his person or property" refer to such tort principles, there is ample support for the Court's holding. Pp. 3–6.

132 F. 3d 46, reversed and remanded.

REHNQUIST, C. J., delivered the opinion for a unanimous Court.