

JOHN J. FLYNN
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(732) 528-8000
FAX (732) 223-7367
Email: jjflynn2640@yahoo.com

January 6, 2022

Via Regular Mail and Certified Mail Return
Receipt Requested

Borough of Lavallette
1306 Grand Central Avenue
Lavallette, New Jersey 08735

Via Regular Mail and Certified Mail Return
Receipt Requested

County of Ocean
101 Hooper Avenue
Toms River, New Jersey 08753

Via Regular Mail and Certified Mail Return
Receipt Requested

State of New Jersey
c/o Office of the Attorney General
P.O. Box 080
Trenton, New Jersey 08625-0080

Via Regular Mail and Certified Mail Return
Receipt Requested

State of New Jersey
Department of Transportation
P.O. Box 600
Trenton, New Jersey 08625-0600

RE: Claimant: Kyle Coleman
Date of accident: October 21, 2021
Location of Accident: Route 35 South and
Washington Avenue, Lavallette, NJ
Our File No.: 5722.0001

Dear Sir/Madam:

Please be advised that this Firm represents Kyle Coleman in connection with the injuries and losses sustained as a result of an accident which occurred on October 21, 2021. This letter is being sent to you as a Notice of Claim pursuant to New Jersey Revised Statute 59:8-4. My office reserves the right to amend, supplement or modify this notice as the full circumstances of the accident and injuries are revealed.

A. The name and post office address of the claimant:

Kyle Coleman
138 Woodland Avenue
Bay Head, New Jersey 08742

B. The post office address to which the person presenting the claim desires notices to be sent:

John Flynn, Esq.
3349 Highway 138
Building C, Suite D
Wall, New Jersey 07719

C. The date, place and other circumstances of the occurrence or transaction which gave rise to the claim asserted:

On October 21, 2021, Mr. Coleman was traveling southbound on Route 35 and entered its intersection with Washington Avenue in Lavallette, New Jersey. At the same time and place, a motor vehicle being operated by Vincent Percella and owed by the Borough of Lavallette, was traveling westbound on Washington Avenue, entered its intersection with Route 35, and collided with Mr. Coleman's vehicle. Upon information and belief, Vincent Percella was negligent in the operation of his vehicle, resulting in injuries to Mr. Coleman. Upon information and belief, Vincent Percella is an employee/agent of the Borough of Lavallette.

Upon information and belief, the tort entities named herein, knew or should have known that knew or should have known that Vincent Percella was a reckless, incompetent and/or irresponsible operator; had access to and did, in fact, use and operate the motor vehicle; failed in preventing Vincent Percella's use and operation of the motor vehicle; and negligently and recklessly permitted Vincent Percella to operate said motor vehicle in a careless and reckless manner. In addition, the tort entities named herein are responsible for the acts and/or omissions of Vincent Percella.

D. A general description of the injury, damage or loss incurred so far as it may be known at the time of presentation of the claim:

All injuries and losses experienced by Kyle Coleman as a result of this accident of October 21, 2021, include, but not limited to, injuries to his neck, back and head. Mr. Coleman also sustained a traumatic brain injury.

E. The name or names of the public entity, employee or employees causing the injury, damage or loss, if known:

State of New Jersey; State of New Jersey, Department of Transportation; Borough of Lavallette; County of Ocean; and such entities, employees, and/or agents and others to be determined upon continuing investigation.

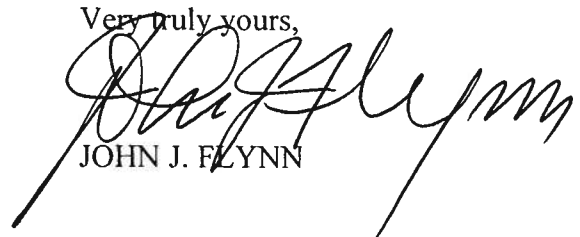
F. The amount claimed as of the date of presentation of the claim, including the estimated amount of any prospective injury, damage, or loss, insofar as it may be known at the time of the presentation of the claim, together with the basis of computation of the amount claimed:

It is impossible to provide a complete estimate of the damages suffered by our client at this time (see above); however, considering the pain and suffering, the physical, emotional, and psychological injuries experienced by Mr. Coleman and his other losses, the Claimant's initial demand is \$5,000,000.00.

The above information is being sent to you in compliance with New Jersey Revised Statute 59:8-4. I would very much appreciate your having the appropriate representative contact me to discuss this claim.

Thank you in advance for your cooperation.

Very truly yours,

A handwritten signature in black ink, appearing to read "John J. Flynn", is written over the typed name. The signature is fluid and cursive, with a long horizontal stroke extending to the left.

JOHN J. FLYNN

JJF:thw

BRANDON J. BRODERICK

ATTORNEY AT LAW

A Limited Liability Company

65 East Route 4, First Floor
RIVER EDGE, NEW JERSEY 07661
PHONE: 201-853-1505
FAX: 201-489-0878w

August 5, 2022

Borough of Lavallette
1306 Grand Central Avenue
Lavallette, NJ 08735
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9783 9970
RRR#: 9414 8149 0225 0580 2248 82

Borough of Lavallette Public Works
120 Washington Avenue
Lavallette, NJ 08735
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9785 6755
RRR#: 9414 8149 0225 0580 2248 99

County of Ocean
118 Washington Street
Toms River, NJ 08753
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9787 5706
RRR#: 9414 8149 0225 0580 2249 05

Attorney General
Bureau of Risk Management
P.O Box 620
Trenton, NJ 08625
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9788 9882
RRR#: 9414 8149 0225 0580 2249 12

State of NJ – Dept of Law & Safety
R.J Hughes Complex
25 Market Street
Trenton, NJ 08625
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9790 6797
RRR#: 9414 8149 0225 0580 2249 29

County of Ocean
101 Hooper Avenue
Toms River, NJ 08753
Attn: Tort Claims Unit/Legal Dept
FedEx#: 7775 9791 9271
RRR#: 9414 8149 0225 0580 2249 36

Re:	Accident Date:	07/16/2022
	My Client(s):	Ms. Helen Tubello
	Location:	Sidewalk in front of the Dunkin Donuts located at 604 Grand Central Avenue in the Borough of Lavallette, NJ

Dear Sir/Madam:

Please find enclosed notice to the Borough of Lavallette, Borough of Lavallette Public Works, County of Ocean and the State of New Jersey pursuant to the New Jersey Tort Claims Act.

Kindly turn this letter over to your insurance carrier and have them contact me.

Very truly yours,

BRANDON J. BRODERICK ESQ.

BJB/as, Enclosure (s)

NOTICE OF CLAIM FOR DAMAGES

1. **Name & Addresses:** Ms. Helen Tubello
18 Brooklyn Street
Deer Park, NY 11729
2. **Date of Birth & Social Security No. of Claimant(s):** 06/15/1956
To Be Provided
3. **Send all correspondence to:** Brandon J. Broderick, Esq.
65 East Route 4, First Floor
River Edge, New Jersey 07661
4. **Date of Incident:** 07/16/2022
5. **Place of Incident:** Sidewalk in front of the Dunkin Donuts located at
604 Grand Central Avenue in the Borough of
Lavallette, NJ
6. **Description of Incident:** Claimant was walking at the above-mentioned
location when she tripped and fell due to the uneven
ground. (Please see attached photos).
7. **Name of Public entity causing injury and/or
damage:** Borough of Lavallette, Borough of Lavallette Public
Works, County of Ocean and the State of New
Jersey pursuant to the New Jersey Tort Claims Act.
8. **Injuries Incurred:** Injuries to claimant include but are not limited to a
right wrist fracture as well as lacerations above her
eyebrow requiring stitches.
9. **Amount of Claim:** \$1,000,000.00

Date: 08/05/2022


Brandon J. Broderick, Esq.
Attorney for Ms. Helen Tubello