

David T. Pfund, Esq. – Attorney ID: 039431991

024-4724

PFUND MCDONNELL, P.C.

139 Prospect Street, 2nd Floor

Ridgewood, NJ 07450

(201) 857-5040

Attorneys for Defendants, Housing Authority of the Township of Brick, Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson a/k/a Alesia Humphrey

Plaintiff(s)

ANTHONY MATTHEWS

vs.

Defendant(s)

HOUSING AUTHORITY OF THE
TOWNSHIP OF BRICK, a public body
corporate and politic; DENNIS M.
SALERNO; STEPHEN S. SCATURRO;
AND ALESIA WATSON a/k/a ALESIA
HUMPHREY

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY

DOCKET NO. OCN-L-2308-17

CIVIL ACTION

STIPULATION EXTENDING TIME TO
ANSWER

It is hereby stipulated and agreed by and between the attorney~~s~~ for the Plaintiff~~s~~ and the attorneys for the Defendants, Housing Authority of the Township of Brick, Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson a/k/a Alesia Humphrey, that the time within which the said Defendant(s) may serve and file a responsive pleading is hereby extended for a period of thirty (30) days to **November 11, 2017**.

KEVIN M. FITZPATRICK
FITZPATRICK & WATERMAN

DATED: 10/12/17


Attorney~~s~~ for Plaintiff

PFUND MCDONNELL, PC.

DATED: _____


Attorneys for Defendants,
Housing Authority of the Township of Brick,
Dennis M. Salerno, Stephen S. Scatturo and
Alesia Watson a/k/a Alesia Humphrey

David T. Pfund, Esq. - Attorney ID #: 039431991

Pfund McDonnell, P.C.
139 Prospect Street, 2nd Floor
Ridgewood, NJ 07450
(201) 857-5040

Attorneys for Defendants, Housing Authority of the Township of Brick, Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson a/k/a Alesia Humphrey

Plaintiff(s)

ANTHONY MATTHEWS

vs.

Defendant(s)

HOUSING AUTHORITY OF THE
TOWNSHIP OF BRICK, a public body
corporate and politic; DENNIS M.
SALERNO; STEPHEN S. SCATURRO;
AND ALESIA WATSON a/k/a ALESIA
HUMPHREY

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY

DOCKET NO. OCN-L-2308-17

CIVIL ACTION

ANSWER, SEPARATE DEFENSES,
REQUEST FOR DAMAGES, JURY
DEMAND, DESIGNATION OF TRIAL
COUNSEL AND CERTIFICATION

Defendants, Housing Authority of the Township of Brick, Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson a/k/a Alesia Humphrey, by way of Answer to the Complaint filed herein, hereby says:

PARTIES

1. These Defendants are without knowledge or information to form a belief as to the truth of the allegations contained in this paragraph and leaves Plaintiff to his proofs.
2. These Defendants admit the allegations contained in this paragraph.
3. These Defendants admit the allegations contained in this paragraph.
4. These Defendants deny the allegations contained in this paragraph.
5. These Defendants admit the allegations contained in this paragraph.

STATEMENT OF FACTS

6. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

7. These Defendants deny the allegations contained in this paragraph.

8. These Defendants deny the allegations contained in this paragraph.

9. These Defendants deny the allegations contained in this paragraph.

10. These Defendants deny the allegations contained in this paragraph.

11. These Defendants deny the allegations contained in this paragraph.

12. These Defendants deny the allegations contained in this paragraph.

13. The Brick Housing Authority by-laws speak for themselves.

14. These Defendants deny the allegations contained in this paragraph.

15. While it is admitted that an e-mail was sent, all other allegations are denied.

16. While is it admitted that a writing exists, all other allegations are denied.

17. While is it admitted that a writing exists, all other allegations are denied.

18. While is it admitted that a writing exists, all other allegations are denied.

19. While is it admitted that a writing exists, all other allegations are denied.

20. These Defendants deny the allegations contained in this paragraph.

21. These Defendants deny the allegations contained in this paragraph.

22. These Defendants deny the allegations contained in this paragraph.

23. These Defendants deny the allegations contained in this paragraph.

24. These Defendants deny the allegations contained in this paragraph.

25. These Defendants deny the allegations contained in this paragraph.

26. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

27. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

28. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

29. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

30. These Defendants deny the allegations contained in this paragraph.

31. These Defendants deny the allegations contained in this paragraph.

32. These Defendants deny the allegations contained in this paragraph.

33. These Defendants deny the allegations contained in this paragraph.

34. These Defendants deny the allegations contained in this paragraph.

35. These Defendants deny the allegations contained in this paragraph.

36. These Defendants deny the allegations contained in this paragraph.

37. These Defendants deny the allegations contained in this paragraph.

38. The Brick Housing Authority by-laws speak for themselves. All other allegations are denied.

39. These Defendants deny the allegations contained in this paragraph.

40. These Defendants deny the allegations contained in this paragraph.

41. These Defendants deny the allegations contained in this paragraph.

42. These Defendants admit the allegations contained in this paragraph.

43. These Defendants admit the allegations contained in this paragraph.

44. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

45. These Defendants admit the allegations contained in this paragraph.

46. These Defendants deny the allegations contained in this paragraph.

47. These Defendants deny the allegations contained in this paragraph.

48. These Defendants deny the allegations contained in this paragraph.

49. These Defendants deny the allegations contained in this paragraph.

50. These Defendants deny the allegations contained in this paragraph.

51. These Defendants deny the allegations contained in this paragraph.

52. These Defendants deny the allegations contained in this paragraph.

53. These Defendants deny the allegations contained in this paragraph.

54. These Defendants deny the allegations contained in this paragraph.

55. These Defendants admit the allegations contained in this paragraph.

56. These Defendants deny the allegations contained in this paragraph.

57. These Defendants deny the allegations contained in this paragraph.

58. These Defendants admit the allegations contained in this paragraph.

59. These Defendants deny the allegations contained in this paragraph.

60. These Defendants deny the allegations contained in this paragraph.

61. These Defendants deny the allegations contained in this paragraph.

AS TO COUNT ONE
(Breach of Contract)

62. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

63. These Defendants deny the allegations contained in this paragraph.

64. These Defendants deny the allegations contained in this paragraph.

65. These Defendants deny the allegations contained in this paragraph.

66. These Defendants deny the allegations contained in this paragraph.

AS TO COUNT TWO
(Breach of Covenant of Good Faith and Fair Dealing)

67. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

68. These Defendants deny the allegations contained in this paragraph.

69. These Defendants deny the allegations contained in this paragraph.

70. These Defendants deny the allegations contained in this paragraph.

71. These Defendants deny the allegations contained in this paragraph.

COUNT THREE
(Fraud/Misrepresentation in Hiring)

72. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

73. These Defendants deny the allegations contained in this paragraph.

74. These Defendants deny the allegations contained in this paragraph.

75. These Defendants deny the allegations contained in this paragraph.

76. These Defendants deny the allegations contained in this paragraph.

77. These Defendants deny the allegations contained in this paragraph.

78. These Defendants deny the allegations contained in this paragraph.

COUNT FOUR
(Promissory Estoppel)

79. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

80. These Defendants deny the allegations contained in this paragraph.

81. These Defendants deny the allegations contained in this paragraph.

82. These Defendants deny the allegations contained in this paragraph.

83. These Defendants deny the allegations contained in this paragraph.

COUNT FIVE
(Unjust Enrichmentt)

84. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

85. These Defendants deny the allegations contained in this paragraph.

86. These Defendants deny the allegations contained in this paragraph.

COUNT SIX
(Quantum Meruit)

87. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

88. These Defendants admit the allegations contained in this paragraph.

89. These Defendants have insufficient knowledge at this time upon which to form a belief as to the truth of the allegations contained in this paragraph, and leaves Plaintiff to his proofs.

90. These Defendants deny the allegations contained in this paragraph.

91. These Defendants deny the allegations contained in this paragraph.

92. These Defendants deny the allegations contained in this paragraph.

COUNT SEVEN
(Violations of Open Public Meetings Act)

93. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

94. These Defendants admit the allegations contained in this paragraph.

95. These Defendants deny the allegations contained in this paragraph.

96. These Defendants deny the allegations contained in this paragraph.

97. These Defendants deny the allegations contained in this paragraph.

98. These Defendants deny the allegations contained in this paragraph.

99. These Defendants deny the allegations contained in this paragraph.

100. These Defendants deny the allegations contained in this paragraph.

COUNT EIGHT
(Tortious Interference with a Contract)

101. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

102. These Defendants deny the allegations contained in this paragraph.

103. These Defendants deny the allegations contained in this paragraph.

104. These Defendants admit the allegations contained in this paragraph.

105. These Defendants deny the allegations contained in this paragraph.

106. These Defendants deny the allegations contained in this paragraph.

107. These Defendants deny the allegations contained in this paragraph.

COUNT NINE
(Tortious Interference with a Prospective Economic Advantage)

108. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

109. These Defendants deny the allegations contained in this paragraph.

110. These Defendants deny the allegations contained in this paragraph.

111. These Defendants deny the allegations contained in this paragraph.

112. These Defendants deny the allegations contained in this paragraph.

COUNT TEN
(Tortious Interference with a Contract)

113. These Defendants repeat and reiterate each and every answer to the allegations contained in previous paragraphs of the Complaint as if set forth herein at length and verbatim.

114. These Defendants deny the allegations contained in this paragraph.

115. These Defendants deny the allegations contained in this paragraph.

- 116. These Defendants admit the allegations contained in this paragraph.
- 117. These Defendants deny the allegations contained in this paragraph.
- 118. These Defendants deny the allegations contained in this paragraph.
- 119. These Defendants deny the allegations contained in this paragraph.

FIRST SEPARATE DEFENSE

The Complaint fails to state a claim upon which relief can be granted.

SECOND SEPARATE DEFENSE

Plaintiff's common law claims are barred by the application of the New Jersey Tort Claims Act, N.J.S.A. 59:1-1 et. seq.

THIRD SEPARATE DEFENSE

Plaintiff's Complaint is barred as there was no fraud committed.

FOURTH SEPARATE DEFENSE

Plaintiff's claims, or some of them, are barred by the doctrine of laches, waiver and estoppel.

FIFTH SEPARATE DEFENSE

At all times these Defendants followed plans, specifications and contracts set by a governmental body and did not deviate from said plans, specifications and contracts and therefore is cloaked with immunity.

SIXTH SEPARATE DEFENSE

Plaintiff's Complaint is barred by collateral estoppel and/or res judicata.

SEVENTH SEPARATE DEFENSE

The claims against these Defendants are barred by the applicable Statute of Limitations.

EIGHTH SEPARATE DEFENSE

These Defendants are public entities within the contemplation of the New Jersey Torts Claims Act, and is entitled to all of the provisions, immunities, exemptions and limitations of said Act, and consequently, is not liable to Plaintiffs, or if liable, only as limited by said Act.

NINTH SEPARATE DEFENSE

These Defendants reserve the right to assert additional defenses upon completion of Discovery and Investigation.

REQUEST FOR DAMAGES

You are hereby requested and required to furnish the undersigned, within five (5) days a written statement of the amount of damages claimed in this action.

JURY DEMAND

Please take notice that demand is hereby made for trial by jury on all issues so triable.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:25-4, David T. Pfund, Esq. is designated as Trial Counsel.

CERTIFICATION

I hereby certify that pursuant to Rule 4:5-1: (1) the within matter in controversy is not the subject of any other action pending in any other court or arbitration; (2) no other action or arbitration proceeding is contemplated, and (3) no other necessary party to be joined in the subject litigation is presently known.

I hereby certify that the foregoing pleading has been served within the time provided by Rule 4.6.

PFUND MCDONNELL, P.C.
Attorneys for Defendants,
Housing Authority of the Township of Brick,
Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson
a/k/a Alesia Humphrey

By: 
DAVID T. PFUND, ESQ.

Dated: October 30, 2017

David T. Pfund, Esq. - Attorney ID #: 039431991

Pfund McDonnell, P.C.

139 Prospect Street, 2nd Floor

Ridgewood, NJ 07450

(201) 857-5040

Attorneys for Defendants, Housing Authority of the Township of Brick, Dennis M. Salerno, Stephen S. Scatturo and Alesia Watson a/k/a Alesia Humphrey

Plaintiff(s)

ANTHONY MATTHEWS

vs.

Defendant(s)

HOUSING AUTHORITY OF THE
TOWNSHIP OF BRICK, a public body
corporate and politic; DENNIS M.
SALERNO; STEPHEN S. SCATURRO;
AND ALESIA WATSON a/k/a ALESIA
HUMPHREY

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY

DOCKET NO. OCN-L-2308-17

CIVIL ACTION

PROOF OF MAILING

STATE OF NEW JERSEY)

SS:

COUNTY OF BERGEN)

I, DIANNA C. BAUER, of full age, being duly sworn according to law, upon her oath deposes and says:

1. I am a secretary to DAVID T. PFUND, Attorney-at-Law of the State of New Jersey and a member with the law firm of PFUND MCDONNELL, P.C.

2. In compliance with Rule 1:6, et seq., Defendant(s) Answer has been electronically filed through the New Jersey Court's Judiciary website. The following attorneys have been simultaneously served with the moving papers electronically and by regular mail, pursuant to Rule 1:5, et seq.

**Kevin M. Fitzpatrick, Esq.
Fitzpatrick & Waterman
90 West 40th Street
Bayonne, NJ 07002**

Pursuant to Rule 1:4-4(b), I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.


DIANNA BAUER

Dated: October 30, 2017