

CATHERINE POUCH-MENDOLA, PRO SE

1808 2ND AVE.

TOMS RIVER, NEW JERSEY 08757

(908) 910-1013

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GILMORE & MONAHAN

FEB 10 2017

CATHERINE POUCH-MENDOLA,

PLAINTIFF;

v.

✓CVS PHARMACY AKA CVS HEALTH;

✓OCEAN COUNTY PROSECUTORS' OFFICE;

✓TOMS RIVER TOWNSHIP;

✓TOMS RIVER POLICE DEPARTMENT;

JOSEPH CORONATO;

HILLARY BRICE;

✓PTL. B. MUNDY BADGE #377

✓NICOLE A. GILI;

✓KARRIE SCLAVUNOS;

✓JOHN DOE 1-10 (fictitious persons responsible

for the damages suffered by the plaintiff)

DEFENDANTS.

SUPERIOR COURT OF NEW JERSEY

LAW DIVISION OCEAN COUNTY

DOCKET No. : L 242-17

CIVIL ACTION

AMENDED

COMPLAINT

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SUPERIOR CT., OCEAN CO.

Plaintiff, CATHERINE POUCH-MENDOLA, residing at 1808 2nd Avenue, Toms River, New Jersey 08757, in the Township of Manchester, County of Ocean, and the State of New Jersey, by way of Complaint against the above named Defendants, states as follows:

FIRST COUNT

1. On or about January 20th, 2015, Plaintiff was falsely arrested by the Toms River Police Department on a Warrant issued by Ptl. B. Mundy Badge #377 for Charges of Shoplifting on January 19th, 2015 of over \$573.- worth of merchandise from CVS Pharmacy, located at 51 Bananier Drive, Toms River, New Jersey 08755.
2. Defendants, Toms River Township, Toms River Police Department, Ptl. B. Mundy, and several of the above named John Doe, attempted to handcuff the Plaintiff, outside in the cold for approximately 30 minutes, whilst her wrist braces were on, causing her pain and distress. Their attempts to handcuff the Plaintiff outside, in the cold, were unsuccessful, painful and distressing to her. They further did not provide Plaintiff with proper care while in their custody. Whereby, they removed all Plaintiff's sweaters, jackets and gloves; and provided her with one (1) thin blanket while refusing Plaintiff's requests for additional blankets by continually moving her to holding cells further away from them and after the Plaintiff's third (3) request for an additional blanket; they placed her in a holding cell behind another door. This treatment caused Plaintiff additional pain to her wrists as she was cold and that aggravated the injuries to her wrists for which she is permanently disabled from. Plaintiff is a permanently and totally disabled individual and no consideration was given for her disabilities.
3. Defendants, Ocean County Prosecutors' Office, Joseph Coronato, Hillary Brice and several of the above named John Doe, would not release ANY information to the Plaintiff, including, but not limited to, what time the offence occurred. Plaintiff made three (3) separate O.P.R.A. requests upon the Ocean County Prosecutors' Office immediately after this offence occurred. Plaintiff was told all three (3) times that the information would be mailed to her within approximately ten (10) days or so. This was never done. This caused Plaintiff such distress, agitation, extreme anxiety (which in turn caused her pain), that it caused Plaintiff to doubt her own mind and seek Professional Mental Health services. This was something her thirteen (13) years of being totally disabled never caused her to have to do. Defendants did not do their due diligence with regard to investigating the case against the Plaintiff as shown by their lack of attempts to provide exculpatory evidence, requesting any help from the public, and not treating this case as they had treated another theft case which had occurred at an ATM in Ocean County. After about eight (8) months, the pending indictment was dismissed per the Plaintiff but remains open per a Jane Doe. This has not stopped Plaintiff's fears of being arrested in the future for acts not committed by her.

4. Defendants, CVS pharmacy, CVS Health, Nicole A. Gili, and Karrie Sclavunos, and any other of the above named John Doe, did not do their job properly and identified the Plaintiff as the perpetrator of a crime not committed by the Plaintiff causing Plaintiff irreparable harm and distress.
5. Plaintiff cannot go or even think about going shopping without having extreme anxiety and panic attacks. She is in fear of being arrested again for something she did not do and being treated improperly with total disregard for her disabilities and being a handicapped person.
6. These incidents have caused Plaintiff irreparable harm. She now suffers from Extreme Anxiety and Post-Traumatic Stress Disorder. She is in constant fear of being arrested, ANYWHERE, at any time, for something she did not do.
7. These incidents have caused Plaintiff to seek Professional Mental Health Services, which she has had to continue with due to the issues this has caused her in her life.
8. At times, the fear of being arrested was, and is, so paralyzing that the Plaintiff cannot leave her home or socialize with others. It has made her a prisoner in her own home, although, she is aware that she can get arrested there to, for something she did not do.
9. Defendants, John Doe 1-10, are individuals whose identities are not yet known to the Plaintiff, but whose actions caused severe and permanent injury to the Plaintiff.
10. All of the Defendants owed the Plaintiff a duty to provide the standard of care that an ordinary prudent person would provide in similar circumstances. By negligently and carelessly doing their jobs, the Defendants breached their duty of care.
11. As a direct and proximate cause of the Defendants' negligence as stated above, the Plaintiff has suffered severe and permanent injury.
12. The Plaintiff has suffered great mental pain and anguish, and in all reasonable probability, will continue to suffer in this matter for a long time in the future, if not for the balance of her natural life.

13. As a further result of the above negligent acts committed by the Defendants, the Plaintiff has incurred substantial medical expenses for medical care and attention and will continue to incur additional medical expenses in the foreseeable future.
14. In addition, the Plaintiff has suffered economic injury and will likely continue to suffer such and additional economic injury.

WHEREFORE, the Plaintiff demands judgment against the Defendants:

CVS Pharmacy, CVS Health, Ocean County Prosecutors Office, Toms River

Township, Toms River Police Department, Joseph Coronato, Hillary Brice, Ptl. B.

Mundy Badge #377, Nicole A. Gili, Karrie Sclavunos, and John Doe 1-10, on the

First Count for:

- (a) Compensatory Damages;
- (b) Cost of suit;
- (c) Attorney's fees (if applicable);
- (d) For such other relief as the Court may deem proper.

CERTIFICATION OF NO OTHER ACTIONS

I do hereby certify that the matter in controversy is not the subject of any other action pending in any court, is not the subject of a pending arbitration proceeding, and is not the subject of any other contemplated action or arbitration proceeding. Further, other than the parties set forth in this complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the Court and amended certification if there is a change in the facts stated in the original certification.

Dated: February 9, 2017

Signature: _____

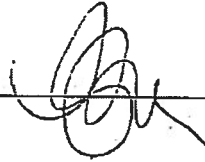


JURY DEMAND

The Plaintiff demands trial by jury on all of the triable issues of this complaint, pursuant to New Jersey Court *Rules* 1:8-2(b) and 4:35-1(a).

Dated: February 9, 2017

Signature: _____

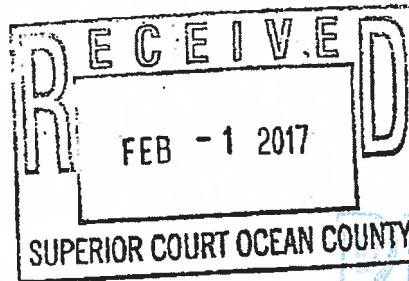
A handwritten signature in black ink, appearing to be 'C. Bu', written over a horizontal line.

CATHERINE POUCH-MENDOLA, PRO SE

1808 2ND AVENUE

TOMS RIVER, NEW JERSEY 08757

(908) 910-1013



CATHERINE POUCH-MENDOLA,
PLAINTIFF;

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CVS PHARMACY AKA CVS HEALTH;
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TOMS RIVER POLICE DEPARTMENT;
PTL. B. MUNDY BADGE #377;
NICOLE A. GILI;
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JOHN DOE 1-10 (fictitious persons
responsible for the damages suffered
by the plaintiff);
DEFENDANTS.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION OCEAN COUNTY

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SUPPLEMENTAL/AMENDED CERTIFICATION

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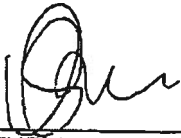
Plaintiff, CATHERINE POUCH-MENDOLA, residing at 1808 2nd Avenue, Toms River, New Jersey 08757, in the Township of Manchester, County of Ocean, and the State of New Jersey, by way of Supplemental/Amended Certification, states as follows:

There were three (3) Defendants unintentionally omitted from the original complaint which I would like to add at this time. They are the following: Joseph Coronato, Hillary Bryce, and Toms River Township.

CERTIFICATION OF NO OTHER ACTIONS

I do hereby certify that the matter in controversy is not the subject of any other action pending in any other Court, is not the subject of a pending arbitration proceeding, and is not the subject of any other contemplated action or proceeding. Further, other than the parties set forth in this Supplemental/Amended Certification and Complaint, I know of no other parties that should be made a part of this lawsuit. In addition, I recognize my continuing obligation to file and serve on all parties and the Court an amended certification if there is a change in the facts stated in the original certification.

FEBRUARY 1st, 2017



CATHERINE POUCH-MENDOLA