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SUMMONS

Attorney(s) Catherine Pouch-Mendola, Pro Se
Office Address 1808 2nd Ave.
Town, State, Zip Code Toms River, NJ 08757
Telephone Number 908-910-1013
Attorney(s) for Plaintiff _____

GILMORE & MONAHAN
Superior Court of
New Jersey

Ocean COUNTY
LAW DIVISION

Docket No: L-242-17

Catherine Pouch-Mendola
Plaintiff(s)

C/S Pharmacy, C/S Health, Ocean
County Prosecutor's Office, et al.
Defendant(s)

CIVIL ACTION
SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of \$175.00 and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

If you cannot afford an attorney, you may call the Legal Services office in the county where you live or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.judiciary.state.nj.us/prose/10153_deptyclerklawref.pdf.

Clerk of the Superior Court

DATED: _____

Name of Defendant to Be Served: Toms River Police Department

Address of Defendant to Be Served: 255 Oak Ave. Toms River, NJ 08753

CATHERINE POUCH-MENDOLA, PRO SE

1808 2ND AVE.

TOMS RIVER, NEW JERSEY 08757

(908) 910-1013

RECEIVED
JAN 20 2017
GILMORE & MONAHAN

CATHERINE POUCH-MENDOLA,

PLAINTIFF;

v.

CVS PHARMACY AKA CVS HEALTH;

OCEAN COUNTY PROSECUTORS' OFFICE;

TOMS RIVER POLICE DEPARTMENT;

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.

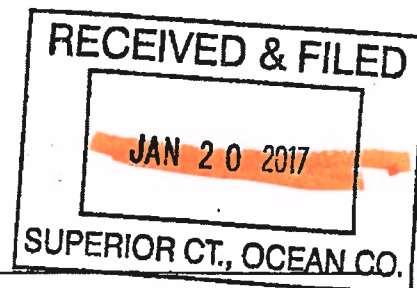
SUPERIOR COURT OF NEW JERSEY

LAW DIVISION OCEAN COUNTY

DOCKET No. : L 242-17

CIVIL ACTION

COMPLAINT



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 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 Police Department, 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; provided her with one (1) thin blanket and refused Plaintiff's request 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.
3. Defendants, Ocean County Prosecutors' Office, would not release ANY information to the Plaintiff, including but not limited to what time the offence occurred. This caused Plaintiff such distress, agitation, extreme anxiety, and pain so as to doubt her own mind and seek Professional Mental Health services; 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 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.
4. Defendants, CVS, Nicole A. Gili, and Karrie Sclavunos, 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 disregard for 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, 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 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 economic injury.

WHEREFORE, the Plaintiff demands judgment against the Defendants, CVS,

Ocean County Prosecutors Office, Toms River Police Department, Ptl. B. Mundy

#377, Nicole A. Gili, Karrie Sclavunos, and John Doe 1-10, on the First Count for:

- (a) Compensatory Damages;
- (b) Cost of suit;
- (c) Attorneys 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: January 19, 2017

Signature: _____

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

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: January 19, 2017

Signature: _____

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

Appendix XII-B1

OCT - 2 2017

CIVIL CASE INFORMATION STATEMENT (CIS)		FOR USE BY CLERK'S OFFICE ONLY	
 Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule 4:5-1</i> Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>, if information above the black bar is not completed or attorney's signature is not affixed		PAYMENT TYPE: ☐ CK ☐ CG ☐ CA	
		CHG/CK NO.	
		AMOUNT:	
		OVERPAYMENT:	
		BATCH NUMBER:	
1. ATTORNEY / PRO SE NAME CATHERINE POUCH-MENDOLA		2. TELEPHONE NUMBER 908-910-1013	
3. COUNTY OF VENUE OCEAN		4. FIRM NAME (if applicable)	
5. DOCKET NUMBER (when available)		6. OFFICE ADDRESS 1808 2nd Ave. Toms River, New Jersey 08757	
7. DOCUMENT TYPE COMPLAINT		8. JURY DEMAND ☐ Yes ☐ No	
9. NAME OF PARTY (e.g., John Doe, Plaintiff) Catherine Pouch-Mendola		10. CAPTION CATHERINE POUCH-MENDOLA VS PHARMACY AKA CVS HEALTH, OCEAN COUNTY PROSECUTORS OFFICE, TOMS RIVER POLICE DEPARTMENT, PTL. S. MURPHY #377, Nicole Gil; Kacie Schavunos, John Doe 1-10	
11. CASE TYPE NUMBER (See reverse side for listing) DDS		12. HURRICANE SANDY RELATED? ☐ YES ☒ NO	
13. IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		14. RELATED CASES PENDING? ☐ YES ☒ NO	
15. IF YES, LIST DOCKET NUMBERS		16. DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ NO	
17. NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ NONE ☒ UNKNOWN		18. DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ YES ☒ NO	
19. DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☒ YES ☐ NO		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS	
20. USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION until this matter is resolved in the courts, it continues to cause extreme anxiety to the plaintiff which in turn impairs her ability to do task required for daily living. No Due Diligence by the Ocean County Prosecutors Office, Improper Treatment by the Toms River Police Department, FALSE ARREST Complaint filed by CVS Pharmacy & store employees.			
21. DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ YES ☒ NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION	
22. WILL AN INTERPRETER BE NEEDED? ☐ YES ☒ NO		IF YES, FOR WHAT LANGUAGE?	
23. I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> .			
24. ATTORNEY SIGNATURE: PROSE 			