

Donna Belton

18-1052

From: Anonymous <opra+request-2358-59a5fe84@requests.opramachine.com>
Sent: Tuesday, August 21, 2018 5:44 PM
To: clerkforms
Subject: OPRA request - D.A. vs A.A. Lawsuit

Dear Howell Township,

This is a request for public records made under OPRA and the common law right of access. Please acknowledge receipt of this message.

Records requested:

Copy of Complaint D.A. vs A.A. L 363 18 MON Copy of all Answers filed

Yours faithfully,

Anonymous

Please use this UNIQUE email address for all replies to this request and no other:
opra+request-2358-59a5fe84@requests.opramachine.com

Is clerkforms@twp.howell.nj.us the wrong address for OPRA requests to Howell Township? If so, please contact us using this form:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fchange_request%2fnew%3fbody%3dhowell_township&c=E,1_zoqDI7qORVKOj7DZC7rAx6jTKLLtsWeSa3A1GtyQHsrm4mO7U2bzTTuVuk7yAh4F6kKWGRAzTlahw7B8Mg6bbY84bOXRYIH_PK9JFZIO1Gjs8LplqwO&typo=1

Disclaimer: This message and any reply that you make will be published on the internet. Our privacy and copyright policies:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2fhelp%2fofficers&c=E,1_cChM9zHTTIDxSDz4gsLPiTfOTcZ0zxvxaDYMAERE-sfyfG1ucxYQWGGU529JcyoUqCMGdKClT9dJuvKHpNLm6UCotJlcyCgK9NqF8_3Bn5Ko0nFhchfdvqYElt&typo=1

View this OPRA request & responses online:

https://linkprotect.cudasvc.com/url?a=https%3a%2f%2fopramachine.com%2frequest%2fda_vs_aa_lawsuit&c=E,1_v2xNfINkMR6OHatigV4Vm2SoSo54xaDUZgJPSvljMog2gx1N2LxsvpI9SXLOxpIGL3uurImdFyuS2dzdycPWGdxzFdTgH3pSw5rS4BgyuD9V-r-HSUW-ye10ywG&typo=1

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

2018 AUG 22 A 8:14
CLERK'S OFFICE
TOWNSHIP OF HOWELL
RECEIVED

Donna Belton

From: Anonymous <opra+request-2358-59a5fe84@requests.opramachine.com>
Sent: Wednesday, August 22, 2018 7:45 PM
To: Donna Belton
Subject: Re: OPRA

Dear Donna Belton,

A docket number was provided.

This is a lawsuit in which Howell Township Police Dept and Howell Township are named DF.

Also included included in this suit is Deirdre Amonte PF Andrew Amonte DF Transportation Srv Provider DF Heather Scherbinski DF

Yours sincerely,

Anonymous

-----Original Message-----

Good Morning,

After reviewing your request which I have attached, I will need more information we would have NO idea about any complaints with just initials.

"Copy of Complaint for D.A. vs A.A." could never be found. At this point I will await your response before moving forward with this request.

Thank you in advance.

Regards,

Donna Belton

Administrative Assistant

Clerk's Office

4567 Route 9 North

Howell, NJ 07731

732-938-4500, ext. 2000

Charles M. Crocco, Esq.

Attorney ID# 019531996
Nelson, Fromer, Crocco & Jordan
2300 Route 66, Suite 102
Neptune, NJ 07753
Phone: (732) 774-6443
Fax: (732) 774-7155
Attorneys for Plaintiff

TOWNSHIP OF HOWELL
RECEIVED
2018 FEB - 6 P 1:55
CLERK'S OFFICE

DEIRDRE AMONTE;

Plaintiff,

vs.

ANDREW F. AMONTE;
TRANSPORTATION SRV PROVIDER;
HEATHER E. SCHERBINSKI;
TOWNSHIP OF HOWELL;
HOWELL TOWNSHIP POLICE DEPARTMENT
JOHN DOE, ABC, Inc.,

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION-MONMOUTH COUNTY

DOCKET NO.: MON-L-363-18

Civil Action

SUMMONS

From The State of New Jersey To: TOWNSHIP OF HOWELL

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. (The address of each deputy clerk of the Superior Court is provided.) 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, CN-971, Trenton, New Jersey 08625. A filing fee * payable to the Clerk of the Superior Court 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 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. A list of these offices is provided. 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 list of these numbers is also provided.

Dated: February 2, 2018

/s/ Michelle M. Smith

MICHELLE M. SMITH, Clerk of the Superior Court

Name of Defendant to be Served:
Address of Defendant to be Served:

Township of Howell
4567 U.S. Highway 9 North
Howell, NJ 07712

Charles M. Crocco, Esq.
Attorney ID# 019531996
Nelson, Fromer, Crocco & Jordan
2300 Route 66, Suite 102
Neptune, NJ 07753
Phone: (732) 774-6443
Fax: (732) 774-7155
Attorneys for Plaintiff

DEIRDRE AMONTE;

Plaintiff,

vs.

ANDREW F. AMONTE;
TRANSPORTATION SRV PROVIDER;
HEATHER E. SCHERBINSKI;
TOWNSHIP OF HOWELL;
HOWELL TOWNSHIP POLICE
DEPARTMENT;
JOHN DOE, ABC, Inc.,
fictitious names;

Defendants.

: SUPERIOR COURT OF NEW JERSEY
: LAW DIVISION-MONMOUTH COUNTY

: DOCKET NO.

: Civil Action

: **COMPLAINT, DEMAND FOR JURY**
: **TRIAL, AND DESIGNATION OF**
: **TRIAL COUNSEL**

Plaintiff, DEIRDRE AMONTE, residing at 1001 Route 547, in the Township of Howell, County of Monmouth, State of New Jersey, complaining of the defendants, hereby say:

COUNT ONE

1. At all times hereinafter mentioned, and at all times relevant herein, on or about February 1, 2016, plaintiff, DEIRDRE AMONTE was a passenger in a 2000 Toyota vehicle, operated by defendant, ANDREW AMONTE and owned by co-defendant, TRANSPORTATION SRV PROVIDER, bearing license plate number 023576,

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Attorneys for Plaintiff

which was traveling on Oak Glen Road at or near the intersection of Route 547, in the Township of Howell, County of Monmouth, State of New Jersey.

2. At all times relevant herein, and on the date aforesaid, defendants, TOWNSHIP OF HOWELL and HOWELL TOWNSHIP POLICE DEPARTMENT, were public corporations or other public entities which was the owner and co-defendant, HEATHER E. SCHERBINSKI was the operator of the 2011 Ford vehicle, bearing license plate number MG91351, which was traveling on Route 547 at or near the intersection of Oak Glen Road, in the Township of Howell, County of Monmouth, State of New Jersey.

3. At all times relevant herein, the defendant, TOWNSHIP OF HOWELL, 4567 U.S. Highway 9 North, Freehold, New Jersey 07731, is a municipal corporation duly organized under the laws of the State of New Jersey.

4. At all times relevant herein, the defendant, HOWELL TOWNSHIP POLICE DEPARTMENT, 300 Old Tavern Road, Howell, New Jersey 07731, is a municipal corporation duly organized under the laws of the State of New Jersey.

5. At all times relevant herein and on the date aforesaid, the defendant, HEATHER R. SCHERBINSKI, was in the course of her employment and possession and control of the aforesaid vehicle at the time of the accident, or alternatively acting in an individual capacity, which was, upon information and belief, owned by defendant, TOWNSHIP OF HOWELL and/or HOWELL TOWNSHIP POLICE DEPARTMENT, and was otherwise the agent, servant, representative and permissive user of the aforesaid vehicle for and on behalf of the defendants, TOWNSHIP OF HOWELL and/or HOWELL TOWNSHIP POLICE DEPARTMENT.

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Attorneys for Plaintiff

6. A Notice of Claim has been served upon the defendants in regard to the within action pursuant to the provisions of N.J.S.A. 59:1-1, et seq.

7. At the time and place aforesaid, the defendants, each of them, maintained, assigned, entrusted, and controlled the vehicle in such a careless, reckless and negligent manner so as to cause a collision to occur.

8. The defendants were negligent, inter alia, in causing their vehicles to strike the vehicle in which the plaintiff was occupying; to enter into the path of other vehicles on the roadway; failing to observe and stop for traffic control signals; failing to make proper observations of the vehicles operated by others; failing to make proper road observations; failing to maintain their vehicles under proper control; failing to use circumspection; failing to exercise automobile operation procedures and adhere to road traffic regulations; failing to supervise; failing to act prudently; and otherwise failing to operate, maintain and control their vehicles in a careful and prudent manner.

9. As a direct and proximate result of the defendants' negligence and carelessness as aforesaid, plaintiff, DEIRDRE AMONTE, was precipitated in and about the vehicle in which she were in, and have been caused to sustain severe physiological and psychological injuries, which have continued to the present, and which will in the future so continue, with concomitant pain and suffering and a shocking to her nervous system, which have caused the plaintiffs great pain and suffering. Moreover, plaintiffs have been caused to incur, with the possibility of future surgery, and past, present and future loss of income, for which the defendants should be held liable.

Charles M. Crocco, Esq.
Attorney ID# 019531996
Nelson, Fromer, Crocco & Jordan
2300 Route 66, Suite 102
Neptune, NJ 07753
Phone: (732) 774-6443
Fax: (732) 774-7155
Attorneys for Plaintiff

WHEREFORE, plaintiff, DEIRDRE AMONTE, demands judgment against the defendants, for damages, jointly and severally, interest, attorney's fees and costs of suit.

SECOND COUNT

10. Plaintiffs hereby repeat and re-allege the allegations of the First Count of the Complaint as though the same were fully set forth at length herein.

11. The defendant, John Doe and ABC, Inc., are fictitious names intended to identify any and all parties, and/or other entities whose identities are presently unknown to the plaintiff, who together with the named defendants herein, were responsible for, or in any way, caused or contributed to plaintiff's injuries.

12. As a direct and proximate result of the negligence of the defendants as aforesaid, the plaintiff has suffered serious and permanent personal injuries; have suffered and will in the future suffer great pain; have been and will in the future be forced to expend large sums of money for medical care and attention; have lost and will in the future lose large sums of money for wages; and have been and will in the future be unable to attend to her usual pursuits and occupation.

WHEREFORE, plaintiff, DEIRDRE AMONTE, demands judgment against the defendants, jointly, severally or, in the alternative, for damages, interest, costs of suit, attorney's fees and such other and further relief as this Court may deem equitable and just.

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Phone: (732) 774-6443
Fax: (732) 774-7155
Attorneys for Plaintiff

DEMAND FOR JURY TRIAL

PLEASE TAKE NOTICE that the plaintiffs hereby demand a trial by jury as to all issues raised by the within matter.

DESIGNATION OF TRIAL COUNSEL

PURSUANT to R. 4:25-4, notice is hereby given that Charles M. Crocco, Esq., is designated as trial counsel for and on behalf of the plaintiff in the within matter.

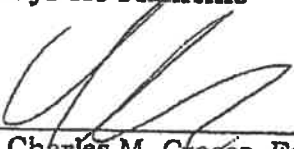
CERTIFICATION

PURSUANT to Court Rule, I hereby certify that the matter in controversy is not the subject of any other action or arbitration proceeding filed by the plaintiff, either now or contemplated.

NELSON, FROMER, CROCCO & JORDAN
Attorneys for Plaintiffs

Dated: January 30, 2018

By: _____


Charles M. Crocco, Esq.
Attorney ID# 019531996

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for Initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY PAYMENT TYPE: ☐ CK ☐ CG ☐ CA CHG/CK NO: _____ AMOUNT: _____ OVERPAYMENT: _____ BATCH NUMBER: _____	
	ATTORNEY / PRO SE NAME Charles M. Crocco, Esq.		TELEPHONE NUMBER (732) 774-6443	COUNTY OF VENUE Monmouth
	FIRM NAME (if applicable) Nelson, Fromer, Crocco & Jordan		DOCKET NUMBER (when available)	
	OFFICE ADDRESS 2300 Route 66 - Suite 102 P.O. Box 279 Neptune, N.J. 07754		DOCUMENT TYPE Complaint	
			JURY DEMAND ☒ Yes ☐ No	
NAME OF PARTY (e.g., John Doe, Plaintiff) Dierdre Amonte		CAPTION Deirdre Amonte v. Andrew F. Amonte, et als.		
CASE TYPE NUMBER (See reverse side for listing) 603N		IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53A-27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? ☐ Yes ☒ No		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ Yes ☒ No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) UNKNOWN ☐ NONE ☐ UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ Yes ☒ No		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☐ Yes ☒ No				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ Yes ☒ No IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION				
WILL AN INTERPRETER BE NEEDED? ☐ Yes ☒ No IF YES, FOR WHAT LANGUAGE?				
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 Rule 1:38-7(b).				
ATTORNEY SIGNATURE: 				

Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Centrally Managed Litigation (Track IV)

- 280 ZELNORM
- 285 STRYKER TRIDENT HIP IMPLANTS
- 288 PRUDENTIAL TORT LITIGATION

- 290 POMPTON LAKES ENVIRONMENTAL LITIGATION
- 291 PELVIC MESH/GYNECARE
- 292 PELVIC MESH/BARD

Mass Tort (Track IV)

- 248 CIBA GEIGY
- 266 HORMONE REPLACEMENT THERAPY (HRT)
- 271 ACCUTANE
- 274 RISPERDAL/SEROQUEL/ZYPREXA
- 276 ORTHO EVRA
- 277 MAHWAH TOXIC DUMP SITE
- 278 ZOMETA/AREXIA
- 279 GADOLINIUM

- 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL
- 282 FOSAMAX
- 283 DIGITEK
- 284 NUVARING
- 286 LEVAQUIN
- 287 YAZ/YASMIN/OCELLA
- 501 ASBESTOS

If you believe this case requires a track other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics."

Please check off each applicable category ☐ Putative Class Action ☐ Title 59

Civil Case Information Statement

Case Details: MONMOUTH | Civil Part Docket# L-000363-18

Case Caption: AMONTE DEIRDRE VS AMONTE ANDREW

Case Initiation Date: 01/31/2018

Attorney Name: CHARLES MICHAEL CROCCO

Firm Name: NELSON FROMER CROCCO & JORDAN

Address: 2300 ROUTE 66 SUITE 102

NEPTUNE TWP NJ 07753

Phone:

Name of Party: PLAINTIFF : Amonte, Deirdre

Name of Defendant's Primary Insurance Company

(If known): Unknown

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-
VERBAL THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Hurricane Sandy related? NO

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same
transaction or occurrence)? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION

Do parties have a current, past, or recurrent relationship? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? NO

Use this space to alert the court to any special case characteristics that may warrant individual
management or accelerated disposition:

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

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 *Rule 1:38-7(b)*

01/31/2018

Dated

/s/ CHARLES MICHAEL CROCCO

Signed