



350 Hudson Ave, Twp. of Washington, NJ 07676-4799, Tel: 201-664-4425 Fax 201-664-8281
Office of the Township Clerk, Susan Witkowski



September 30, 2025/OPRA 441

Concerned Resident

Via email: opra+request-79746-90e9d39f@requests.opramachine.com

Concerned Resident,

The Township of Washington received your Open Public Records Act (OPRA) request on August 18, 2025. The official Records Custodian Susan Witkowski received your OPRA request on August 18, 2025. As such, the seven (7) business day deadline to respond to your request is August 27, 2025. An extension was requested via letter dated August 27, 2025 to September 30, 2025.

Your OPRA request sought access to the following:

*"I would like one year of any letters, recorded conversations, *title 59 tort claim act notices, written complaints, internal affairs complaints, internal affairs investigations, major discipline report, documents related to major discipline actions written about or submitted to the township of Washington, township police department, township employees, police personnel, or emergency service personnel from the date of 7/01/2024 through 7/31/2025."*

Your OPRA request is exempt from disclosure under OPRA for the following reason: (with the exception of ***title 59 Tort Claim Act Notices**).

Your request for letters, recorded conversations, written complaints, internal affairs complaints and investigations, discipline reports and related documents are exempt from OPRA disclosure pursuant to N.J.S.A. 47:1A-10 (personnel records) and N.J.S.A. 47:1A-1.1 (information generated by or on behalf of public employers or public employees in connection with any grievances filed by or against an individual)."

The table below identifies the records that being denied in whole or in part as well as the legal basis for each denial, as is required by N.J.S.A. 47:1A-6.

List of all records responsive to OPRA request (include the number of pages for each record).	List of all records provided, <u>with redactions</u> , or denied in their entirety.	If records are disclosed with redactions, give a general nature description of the redactions.	If records were denied in their entirety, give a general nature description of the record.	List the legal explanation and statutory citation for the denial of access to records in their <u>entirety</u> or <u>with redactions</u> .
Tort Claim (11 pages)	Tort Claim (11 pages)	Personal Identifying Information	N/A	<u>N.J.S.A. 47:1A-1.1</u> (20)
Tort Claim Liability Notice (7 pages)	Tort Claim Liability Notice (7 pages)	Personal Identifying Information	N/A	(28) Personal Identifying Information HIPPA Data

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Township of Washington to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

/s/ Susan Witkowski

Susan Witkowski, RMC
Township of Washington
switkowski@twpofwashington.us
201-664-4425



350 Hudson Ave, Twp. of Washington, NJ 07676-4799, Tel: 201-664-4425 Fax 201-664-8281
Office of the Township Clerk, Susan Witkowski



August 27, 2025/OPRA 441

Concerned Resident

Via email: opra+request-79746-90e9d39f@requests.opramachine.com

Concerned Resident,

The Township of Washington received your Open Public Records Act (OPRA) request on August 18, 2025. The official Records Custodian Susan Witkowski received your OPRA request on August 18, 2025. As such, the seven (7) business day deadline to respond to your request is August 27, 2025. This response to your request is being provided to you on the 6th business day after the custodian's receipt of said request.

Your OPRA request sought access to the following:

"I would like one year of any letters, recorded conversations, title 59 tort claim act notices, written complaints, internal affairs complaints, internal affairs investigations, major discipline report, documents related to major discipline actions written about or submitted to the township of Washington, township police department, township employees, police personnel, or emergency service personnel from the date of 7/01/2024 through 7/31/2025."

Your request requires additional time beyond the seven (7) business days to the information to respond to your request. OPRA allows custodians to seek extensions of time pursuant to N.J.S.A. 47:1A-5.i. Specifically, OPRA states that, "the requestor shall be advised by the custodian when the record can be made available. If the record is not made available by that time, access shall be deemed denied.

Your request requires an extension of time until September 30, 2025.

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Township of Washington to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council (GRC) by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ, 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc. The GRC can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Sincerely,

/s/ Susan Witkowski

Susan Witkowski, RMC
Township of Washington
switkowski@twpofwashington.us
201-664-4425

OR- 441

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

From: concerned resident <opra+request-79746-90e9d39f@requests.opramachine.com>

Sent: Monday, August 18, 2025 1:27 PM

To: Town Clerk <townclerk@twpofwashington.us>

Subject: OPRA request - Internal affairs

RECEIVED

AUG 18 2025

TOWNSHIP CLERK

Caution: External E-mail

Dear Washington Township (Bergen),

Please accept this electronic request for public records made under OPRA and the common law right of access. I am not required to fill out an official form or use a particular software platform to submit my request per NJSA 47:1A-6(f), which states that an email from a requestor including all of the information required on the adopted form shall suffice in place of a completed form as a valid government record request.

I HAVE NOT been convicted of any indictable offense under the laws of New Jersey, any other state, or the United States.

I WILL NOT use the requested government records for a commercial purpose.

I AM NOT seeking records in connection with a legal proceeding.

Records requested:

I would like one year of any letters, recorded conversations, title 59 tort claim act notices, written complaints, internal affairs complaints, internal affairs investigations, major discipline report, documents related to major discipline actions written about or submitted to the township of Washington, township police department, township employees, police personnel, or emergency service personnel from the date of 7/01/2024 through 7/31/2025.

My preferred delivery method for response(s) to this request is by E-mail as attachments. Please confirm you have received this request. If you are not the custodian of records, please forward my request to that person and provide their email address to me for future reference.

Yours faithfully,

concerned resident

Please deliver records electronically via email to the below UNIQUE address for all replies to this request:

opra+request-79746-90e9d39f@requests.opramachine.com

Is townclerk@twpofwashington.us the wrong address for OPRA requests to Washington Township (Bergen)? If so, please contact us using this form:

https://urldefense.proofpoint.com/v2/url?u=https-3A_opramachine.com_change-5Frequest_new-3Fbody-3Dwashington-5Ftownship-5Fbergen&d=DwlFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=xe6LILGY4fBqf2qF2SfWyQPyzkOmFj7ck01xsbil5ts&m=IEqOnCEoqCm-KK18Y3DyyHTYJCv8zgJTPQBp6WB3COGSrO2t1rFecszFc617u-n3&s=VGOD9j6MAIBBsZXuX19-ZVWgqWRwsW0XEvoyPmVf5TA&e=

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

https://urldefense.proofpoint.com/v2/url?u=https-3A_opramachine.com_help_officers&d=DwlFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=xe6LILGY4fBqf2qF2SfWyQPyzkOmFj7ck01xsbil5ts&m=IEqOnCEoqCm-KK18Y3DyyHTYJCv8zgJTPQBp6WB3COGSrO2t1rFecszFc617u-n3&s=kD8Q7lfotWN8uVcKrX2Z2JhZeKdggAtqfsDEvVBFaCw&e=

View this OPRA request & responses online:

https://urldefense.proofpoint.com/v2/url?u=https-3A_opramachine.com_request_internal-5Faffairs-5F3&d=DwlFaQ&c=euGZstcaTDllvimEN8b7jXrwqOf-v5A_CdpgnVfiiMM&r=xe6LILGY4fBqf2qF2SfWyQPyzkOmFj7ck01xsbil5ts&m=IEqOnCEoqCm-KK18Y3DyyHTYJCv8zgJTPQBp6WB3COGSrO2t1rFecszFc617u-n3&s=wsLLi_sSU9DzWZQEIPVwdEGNiKzXb5oumhDZg4GA4wg&e=

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.

"OPRAMachine's mission is to give people easy and affordable access to New Jersey public records.

For more information, contact us at: (732) 707-1628 or PO Box 3180, New Brunswick, NJ 08903."

LAW OFFICES OF
DAVIS, SAPERSTEIN & SALOMON, P.C.

375 CEDAR LANE
TEANECK, NJ 07666-3433

FACSIMILE: (201) 692-0444

Email: lawinfo@dsslaw.com

(201) 907-5000

August 5, 2025

800 INMAN AVENUE
COLONIA, NJ 07067
(732) 510-1000

23 ROUTE 31 NORTH, SUITE B10
PENNINGTON, NJ 08534
(609) 945-3112

250 BROADWAY, 6TH FLOOR
NEW YORK, NY 10007
(212) 608-1917

CERTIFIED CIVIL TRIAL ATT'Y †
PENNSYLVANIA BAR ■
NEW JERSEY BAR ■
NEW YORK BAR ○
LOUISIANA BAR ○
FLORIDA BAR ▲
GEORGIA BAR - EMERITUS ○
ILLINOIS BAR ●
D.C. BAR ○

REPLY TO TEANECK

SAMUEL L. DAVIS ●†
MARC C. SAPERSTEIN ●●†
GARRY R. SALOMON ●†
STEVEN BENVENISTI ●†
PAUL A. GARFIELD ●†
ADAM LEDERMAN ●†
STEVEN H. COHEN ●●
PATRICIA Z. BOGUSLAWSKI †
EVAN D. BAKER ●●†
LUIS L. HAQUIA ●●†
RACHAEL NASS ●●
JEFFREY E. SALOMON ●●
SHERWIN TSAI ●†
GRACE ROBOL ●†

MANUEL B. SAMEIRO ●
ARIELLE HEO ●●
DANIEL BUCHHEISTER ●
JEREMIAH W.M. LARKIN, JR. ●
JOHN M. PIRO ●●†
ALBERT C. ASPHALL ●●
STACEY L. RYAN ●
CHRISTIAN CORREA ●
MATTHEW A. SCHROEDER ●●
GAYLE HALEVY ●●
MARC WISEL ●●

Via Certified Mail, RRR

Township of Washington

Attn: Twp. Clerk

350 Hudson Avenue

Township of Washington, NJ 07676

Re: Lomba, Siera P. -v- Xplosive Entertainment/ Party Rentals LLC
File No: 39690
Date of Injury: 6/19/2025

Dear Sir/Madam:

Pursuant to Title 59 of the New Jersey Statutes, please be advised of the following claim:

The name and address of the claimant is Ms. Siera Lomba [REDACTED]

Notices are to be sent to Davis, Saperstein & Salomon P.C. at the above address.

The injuries occurred on June 19, 2025 as a result of your failure to warn about hazardous conditions that create dangerous circumstances that are palpably unreasonable, more specifically, failure to provide adequate protective gear to claimant as well as failure to provide sufficient matting that caused claimant injuries.

Claimant suffered the following injuries which are considered permanent in nature: head, neck, as well as, other injuries the nature of which are to be determined through future medical care and diagnosis. The medical bills are anticipated to exceed the statutory minimum of \$3600.

Entities involved are the Westwood Board of Ed, Borough of Westwood, Township of Washington, Borough of East Rutherford, County of Bergen, New Jersey Sports and Exposition



Authority, Meadowlands Racing & Entertainment, State of New Jersey, John Does 1-30, John Roe, ABC Corp. 1-30 (said names being fictitious and unknown) and, any others who may be found through discovery and to whom notice will be given.

The amount of the claim cannot presently be determined.

Please contact me upon receipt of this letter.

Very truly yours,
DAVIS, SAPERSTEIN & SALOMON P.C.

/s/ Jeffrey Salomon
JEFFREY SALOMON
For the Firm

JS/osa

BERGEN COUNTY MUNICIPAL JOINT INSURANCE FUND

CLAIMANT INFORMATION

Name: Siera P. Lomba

Telephone: [REDACTED]

Address: [REDACTED]
[REDACTED]

Date of Birth: [REDACTED]

Email: [REDACTED]

ATTORNEY INFORMATION (If Applicable)

Name: Jeffrey Salomon, Esq.

Telephone: 201-907-5000

Address: 375 Cedar Lane
Teaneck, NJ 07666

Fax: 201-692-0044

File No.: 39690

Email: ncc@dsslaw.com

Send Notices to: ☐ Claimant

☒ Attorney

GENERAL INSTRUCTIONS: Pursuant to the provisions of the New Jersey Tort Claims Act, this Notice of Tort Claim form has been adopted as the official form for the filing of claims against the .

The questions are to be answered to the extent of all information available to the Claimant or to his or her attorneys, agents, servants, and employees, under oath. The fully completed Claim Form and the documents requested shall be returned to the:

Insert town name and address

and

**JIF Claims, LLC
373 Kinderkamack Road
Westwood, NJ 07675**

NOTE CAREFULLY: Your claim will not be considered filed as required under the New Jersey Tort Claims Act until this completed form has been filed with the municipality. Failure to provide the information requested, including such responses as “to Be Provided” or “Under Investigation” will result in the claim being treated as not being properly filed.

Timely Notices of Claim must be filed within 90 days after the incident giving rise to the claim.

This form is designed as a general form for use with respect to all claims. Some of the questions may not be applicable to your particular claim. For example, if your claim does not arise out of an automobile accident, questions regarding road conditions might not be applicable. In that event, please indicate “Not Applicable.”

If you are unable to answer any questions because of a lack of information available to you, specify the reason the information is not available to you. If a question asks that you identify a document, it will be sufficient to furnish true and legible copies. Where a question asks that you “identify all persons,” provide the name, address and telephone number of the person.

If you need more space to provide a full answer, attach supplementary pages, identifying the continuation of the answer with the number of the applicable question.

DEFINITIONS:

“Claimant” shall refer to the person or persons on whose behalf the Notice of Claim has been filed with the Township.

“Documents” shall refer to any written, photographic, or electronic representation, and any copy thereof, including, but not limited to, computer tapes and/or disks, videotapes and other material relating to the subject matter of the claim.

“Person” shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

“Public Entity” shall refer to the along with any agent, official, or employee of the against whom a claim is asserted by the Claimant.

NOTE: That the questions are divided into sections relating to the claimant, the claim, property damage, personal injury and the basis for the claim against the public entity or public employee.

If the claim involves only property damage, the portion on personal injuries need not be answered. If the claim involves no property damage, then the portion on property damage need not be answered.

INFORMATION ON THE CLAIMANT

1. Provide the following information with respect to the Claimant:

Y Any other name by which the claimant is known.
N/A

Y Address at the time of the incident giving rise to the claim.

[REDACTED]

Y Marital Status (at the time of the incident and current).
Single

Y Identify each person residing with the claimant and the relationship, if any, of the person to the Claimant.

To be announced

2. Provide all addresses of the Claimant for the last 10 years, the dates of the residence, the persons residing at the addresses at the same time as the Claimant resided at the address and the relation, of any of the persons to the Claimant.

To be announced

INFORMATION ON ALL CLAIMS

3. Provide the exact date, time and place of the incident forming the basis of the claim and the weather conditions prevailing at the time.

06/18/2025, at approximately 9:46 PM, located at Meadowlands Racing & Entertainment, 1 Racetrack Drive, East Rutherford NJ 07073

4. Provide the Claimant's complete version of the events the form the basis of the claim.

Claimant was participating in a sumo outfit wrestling event with fellow classmates, when claimant was injured as a result of inadequate safety equipment and supervision

5. List any and all individuals who were witnesses to or who have knowledge of the facts of the incident which gives rise to the claim. Provide the full name and address of each individual.

To be determined upon further investigation.

6. Identify all public entities or public employees (by name and position) alleged to have caused the injury or property damage and specify as to each public entity or employee the exact nature of the act or omission alleged to have caused the injury or property damage.

1) Xplosive Entertainment Party Rentals LLC, 223 Englishtown-Freehold Road Suite 105, Manalapan Township, NJ 07726
2) Party Perfect Rentals LLC, 312 Squankum Yellowbrook, Farmingdale NJ 07727
3) Westwood Board of Education, 701 Ridgewood Road, Township of Washington, NJ 07676
4) Borough of Westwood, 101 Washington Avenue, Westwood NJ 07675
5) Township of Washington, 350 Hudson Avenue, Township of Washington NJ 07676
6) Borough of East Rutherford, 1 Everett Place, East Rutherford NJ 07073
7) County of Bergen, 1 Bergen County Plaza, Hackensack NJ 07601
8) New Jersey Sports & Exposition Authority, One Dekorte Park Plaza, P.O. Box 640, Lyndhurst NJ 07071
9) Meadowlands Racing & Entertainment, 1 Racetrack Drive, East Rutherford NJ 07073
10) State of New Jersey, 20 West State Street, 6th Floor, Trenton NJ 08625

7. If you claim that the injury or property damage was caused by a dangerous condition of property under the control of the public entity, specify the nature of the alleged dangerous condition, and the manner in which you claim the condition caused the injury.

The injuries occurred on June 19, 2025 as a result of your failure to warn about hazardous conditions that create dangerous circumstances that are palpably unreasonable, more specifically, failure to provide adequate protective gear to claimant as well as failure to provide sufficient matting and supervision.

8. If you allege a dangerous condition of public property, state the specific basis on which you claim that the public entity was responsible for the condition and the specific basis and date on which you claim that the public entity was given notice of the alleged dangerous condition. **Statements such as "should have known" and "common knowledge" are insufficient.**

The injuries occurred on June 19, 2025 as a result of your failure to warn about hazardous conditions that create dangerous circumstances that are palpably unreasonable, more specifically, failure to provide adequate protective gear to claimant as well as failure to provide sufficient matting and supervision.

9. If you or any other party or witness consume any alcoholic beverages, drugs or medications within twelve hours before the incident forming the basis of the Claim, identify the person consuming the same and for each person (a) what was consumed, (b) the quantity thereof, (c) where consumed, (d) the names and addresses of all persons present.

N/A

10. If you have received any money or thing of value for your injuries or damages from any person, firm or corporation, state the amounts received, the dates, names and addresses of the payers. Specifically list any policies of insurance, including policy number and claim number, from which benefits have been paid to you or to any person of your behalf, including doctors, hospitals or any person repairing damage to property.

To be announced

11. If any photographs, sketches, charts, or maps were made with respect to anything which is the subject matter of the Claim, state the date thereof, the names and addresses of the persons making the maps and of the persons who have present possession thereof. Attach copies of any photographs, sketched, charts or maps.

To be announced

12. If you or any of the parties to this action or any of the witnesses made any statements or admissions, set forth what was said; by whom said; the date and place where said; and in whose presence, giving names and addresses of any persons having knowledge thereof.

To be determined upon further investigation

13. State the total amount of your claim and the basis on which you calculated the amount claimed.

The medical bills are anticipated to exceed the statutory minimum of \$3600.

14. Provide copies of all documents, memoranda, correspondence, reports (including police reports), etc. Which discuss, mention or pertain to the subject matter of this claim.

To be provided upon further investigation

15. Provide the names and addresses of all persons or entities against whom claims have been made for injuries or damages arising out of the incident forming the basis of this claim and give the basis for the claim against each.

- 1) Xplosive Entertainment Party Rentals LLC, 223 Englishtown-Freehold Road Suite 105, Manalapan Township, NJ 07726
- 2) Party Perfect Rentals LLC, 312 Squankum Yellowbrook, Farmingdale NJ 07727
- 3) Westwood Board of Education, 701 Ridgewood Road, Township of Washington, NJ 07676
- 4) Borough of Westwood, 101 Washington Avenue, Westwood NJ 07675
- 5) Township of Washington, 350 Hudson Avenue, Township of Washington NJ 07676
- 6) Borough of East Rutherford, 1 Everett Place, East Rutherford NJ 07073
- 7) County of Bergen, 1 Bergen County Plaza, Hackensack NJ 07601
- 8) New Jersey Sports & Exposition Authority, One Dekorte Park Plaza, P.O. Box 640, Lyndhurst NJ 07071
- 9) Meadowlands Racing & Entertainment, 1 Racetrack Drive, East Rutherford NJ 07073
- 10) State of New Jersey, 20 West State Street, 6th Floor, Trenton NJ 08625

PROPERTY DAMAGE CLAIM

16. If your claim is for property damage, attach a description of the property and an estimate of the cost of repair. If your claim does not involve any claim for property damage, enter "None."

None

Note: If your claim is for property damage only, initial here and proceed directly to the certification section on the next to last page of this form.

☐ Initials: _____

PERSONAL INJURY CLAIMS

17. Was any complaint made to the public entity or to any official or employee of the public entity. State the time and place of the complaint and the person or persons to whom the complaint was made.

To be announced

18. Describe in detail the nature, extent and duration of any and all injuries.

[REDACTED]

19. Describe in detail any injury or condition claimed to be permanent.

[REDACTED]

20. If confined to any hospital, state name and address of each and the dates of admissions and discharge. Include all hospital admissions prior to and subsequent to the alleged injury and give the reason for each admission.

[REDACTED]

21. If x-rays were taken, state (a) the address of the place where each was taken, (b) the name and address of the person who took them, (c) the date when each was taken, (d) what each disclosed, (e) where and in whose possession they now are. Include all x-rays, whether prior to or subsequent to the alleged injury forming the basis of the claim.

To be announced

22. If treated by doctors, including psychiatrist or psychologist, state (a) the name and present address of each doctor, (b) the dates and places where treatments were treatments are continuing, the schedule of continuing treatments. Provide true copies of all written reports rendered to you or about you by any doctor whom you propose to have testify on your behalf.

[REDACTED]

23. If you have any physical impairment which you allege is caused by the injury forming the basis of your claim and which is affecting your ordinary movement, hearing or sight, state in detail, the nature and extent of the impairment and what corrective appliances, support or device you use to overcome or alleviate the impairment.

To be announced upon further investigation

24. If you claim that a previous injury has been aggravated or exacerbated, describe the injury and give the name and present address of each doctor who treated you for the condition, the period during which treatment was received and the cause of the previous injury. Specifically list any impairment, including use of eyeglasses, hearing aid or similar device, which existed at the time of the injury forming the basis of the claim.

To be announced upon further investigation

25. If any treatments, operations, or other form of surgery in the future has been recommended to alleviate any injury or condition resulting from the incident which forms the basis of the claim, state in detail (a) the nature and extent of the treatment, operation, or surgery, (b) the purpose thereof and the results anticipated or expected, (c) the name and address of the doctor who recommended the treatments operations or surgery, (d) the name and address of doctor who will administer or perform the same, (e) the estimated medical expenses to be incurred, (f) the estimated length of time of treatments, operation or surgery, period of hospitalization and period of convalescence, (g) all other losses or expenditure anticipated as a result of the treatment, operations or surgery, (h) further if it is your intention to undergo the treatments, operation or surgery, please give an approximate date.

To be determined upon further investigation

26. Itemize any and all expense incurred for hospital, doctors, nurses, x-rays, medicines, care and appliances and indicate which expenses were paid by any insurance coverage.

The medical bills are anticipated to exceed the statutory minimum of \$3600.

27. If employed at the time of the alleged injury forming the basis of the claim state (a) the name and address of the employer, (b) position held and the nature of the work performed, (c) average weekly wages for the year prior to the injury, (d) period of time lost from employment, giving dated, (e) amount of wages lost, if any. List any sources of income continuation or replacement, including, but not limited to, workers' compensation, disability income, social security and income continuation insurance.

N/A

28. If other loss of income, profit or earnings is claimed, state (a) total amount of loss, (b) give a complete detailed computation of the loss, (c) the nature and dates of the loss.

To be announced upon further investigation

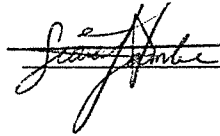
29. If you are claiming lost wages state (a) the date that the employment began, (b) the name and address of the employer, (c) the position held and the nature of the work performed, (d) the average weekly wages. Attach copies of pay stubs or other complete payroll record for all wages received during the year.

N/A

DOCUMENT REQUEST: Provide all documents identified in your answers to the above questions.

CERTIFICATION: I hereby certify that the information provided is the truth and is the full and complete response to the questions, to the best of my knowledge.

Signature of Claimant:

 08/05/2025
[Date]

TITLE 59 TORT LIABILITY NOTICE
DATED: October 23, 2024

SENT VIA REGULAR AND CERTIFIED U.S. MAIL (RETURN RECEIPT REQUESTED) TO:
The Borough of Paramus (Municipal Government)
1 W Jockish Square, Paramus, NJ 07652

The Township of Washington (Municipal Government)
350 Hudson Avenue, Township of Washington, Bergen County, NJ 07676

Re:

Notice of Claim for Damages Pursuant to New Jersey Title 59
(Tort Liability Notice) AND LETTER OF DEMAND/INTENT TO FILE LAWSUIT

Dear Sir/Madam:

Please be advised that I am submitting this letter as a follow-up to complaints I sent by email regarding an incident on July 28, 2024, in which it appeared two police dispatchers both refused to assist the undersigned, who was requesting an ambulance for a life-threatening emergency, which ultimately resulted in the undersigned's grandmother being admitted to an intensive care unit. Furthermore, the incident on July 28 was the latest in a pattern of incidents in which first responders appeared to refuse to assist the undersigned or a family during a bona-fide emergency, or otherwise subjected the undersigned or a family member to abuse or mistreatment. More specifically, as a result of your negligence, misconduct, tortious actions, and failure to supervise, the below-named claimants were subjected to unlawful retaliation or reprisals against the Conscientious Employee Protection Act ("CEPA", more commonly known as the "Whistleblower's Act"), discrimination, harassment, intimidation, intentional infliction of emotional distress, and substandard medical care during life-threatening emergencies and suffered physical harm and injury, long-term and undue adverse health effects, mental anguish, mental distress, undue pain and suffering, humiliation, embarrassment, anxiety, among other losses and injuries.

As referenced above, the undersigned emailed the Police Departments of Paramus and Township of Washington to complain of the actions of their dispatchers on the morning of July 28, 2024. To put it simply, the undersigned was under the belief that his nearly 90-year-old and terminally ill grandmother was "being left for dead" and "being left to suffer needlessly" and was highly upset when his email was written. In that email, the undersigned made it known that he himself is a professional first responder who previously held supervisory positions with the Township of Washington. Both police departments appeared to respond by faulting the actions of the undersigned, *who was off-duty and handling a personal emergency or emergency involving his family member, and NOT acting in any kind of official capacity what-so-ever*, and to accuse the undersigned of acting against emergency services protocols. It is acknowledged that at the time, the undersigned responded by apologizing and withdrawing his complaint, as he was pre-occupied and wished for no further trouble. However, upon further examination and contemplation, the attack on the undersigned's professionalism and actions during his personal/grandmother's emergency was wrongful.

Page 1 of 7

TITLE 59 TORT LIABILITY NOTICE

DATED: October 23, 2024

The July 28 incident came only just over a month after a previous incident that the undersigned complained about and submitted a tort notice (dated Sept 13). In this June 2024 incident, the undersigned and his sister, both medical professionals, separately contacted emergency services to report that their mother was in a life-threatening condition, after becoming ill with COVID-19. Their call for help resulted in an EMT from Paramus arguing repeatedly with undersigned and his family against providing further help for their mother, starting within approximately one minute of said EMTs arrival on scene. Again, in this incident, undersigned was strictly off-duty and not in an official capacity. The July 2024 email and September 2024 tort notice complaining of the June 2024 incident are referenced and incorporated herein.

The June and July 2024 incidents in which various first responders refused or attempted to refuse to assist the undersigned during life-threatening emergencies came after the undersigned sent a tort notice in September 2023 to the Township of Washington and its Ambulance Corps complaining of violations of the NJ Law Against Discrimination, and a years-long pattern in which his fellow first responders repeatedly and severely slandered the undersigned and interfered with the operations of a company that he owns. Likewise, the September 2023 tort notice is hereby referenced and incorporated herein.

It should also be noted that the undersigned, by way of counsel, filed a worker's compensation claim in February 2024 as well as a lawsuit in New Jersey Superior Court against the Township of Washington and its ambulance corps for physical injuries and damages. Additionally, the undersigned was interviewed by the Township of Washington Police Department in July 2022 regarding the abuse and mistreatment, up until that time, from his fellow first responders. Therefore, Complaint #I-2022-006524 / Case #183-22 is referenced and incorporated herein.

Upon further contemplation and evaluation, the undersigned finds it unrealistic that the two occurrences of his and his family being denied emergency services, in light of ongoing and pending litigation against the Township of Washington, its ambulance corps, and other first responders working in the same area, happened by coincidence and does believe that he was being retaliated against by his co-workers, against the Whistleblower's Act/CEPA.

Please accept this letter (hereinafter and interchangeably referred to as "Tort Notice") as formal notification of our intent to pursue a claim and legal actions against and all of the potential defendants named below, and other entities that may be determined to be responsible pursuant to the provisions of the New Jersey Tort Claims Act, specifically, N.J.S.A. 59:1-1, et seq.

With regard to the provisions of N.J.S.A. 59:8-4, please be advised of the following:

A. The claimants are Justin G. TSAI, Xiu Duan ZOU, Joseph TSAI Sr, Joseph TSAI

TITLE 59 TORT LIABILITY NOTICE
DATED: October 23, 2024

Jr, Yi Yun Tsai unnamed home aides 1-10, and unknown persons or entities 1-10. Justin G. Tsai is the grandson of Xiu Duan ZOU. Justin G. Tsai presently holds New Jersey EMT License [REDACTED], was initially credentialed as an EMT on June 24, 2015, and was a former member of the nursing profession bearing license # [REDACTED] until he voluntarily gave up his nursing license in lieu of professional pursuits he deemed more suitable to himself. Xiu Duan ZOU is grandmother of Justin G. Tsai, mother of Joseph Tsai Jr, and wife of Joseph Tsai Sr. Xiu Duan ZOU is a retired healthcare executive, former community health nurse (New York City, from ~1987-~2000), former critical care nurse (PR China, ~1961-1987), and former paramedic (China, ~1961-1987). Xiu Duan ZOU is at present terminally ill with end-stage dementia and no longer has the ability to communicate meaningfully or make decisions. Xiu Duan ZOU did sign a number of documents to include living wills and advanced directives while she still possessed the capacity to do so, with both of her daughters-in-law witnessing her signature, which then named Justin G. Tsai as her primary healthcare agent and decision-maker at such time she is no longer possesses the capability to make her own decisions. Joseph X. Tsai, Sr has been married to Xiu Duan ZOU since the 1960s and was physically at his wife's bedside and witnessed her wanton and needless suffering during the time of the unnecessary delay in obtaining emergency services and an ambulance for his wife, thus suffering undue psychological harm and distress as a result. Joseph Tsai Jr. was on the phone with his father and watching via a live video-feed his mother's suffering and thus suffered undue psychological harm and distress. Zou's unnamed aides, who are extremely dedicated to her care and comfort, also suffered undue harm while helpless and watching their client suffer needlessly. Yi Yun TSAI was standing besides her husband (Joseph Jr) and son (Justin) and observed the events as they unfolded, and was able to view her mother-in-law's suffering through video-feed, thus causing her undue psychological harm and distress. Justin G. TSAI most certainly suffered needlessly as he frantically and desperately searched for a dispatcher willing to send an ambulance to care for his grandmother. All members claimants most certainly suffered psychological harm and distress when made aware of the claim that their own actions caused their family member's suffering.

Justin G. Tsai, Joseph Tsai Jr, and Yi Yun Tsai reside at [REDACTED], [REDACTED].

Joseph Tsai Sr and Xiu Duan Zou reside at [REDACTED], [REDACTED], [REDACTED].

Note: Justin G. Tsai was at all times relevant designated in writing by Xiu Duan ZOU to be her decision-maker at any time she is no longer able to make decisions for herself. Therefore, the written documents signed by ZOU also excludes him from any liability for any actions or decisions made in good faith;

B. All notices, letters and communications should be sent to: myself, Justin G. Tsai, 144 Ivanhoe Dr, Paramus, NJ 07652-4135;

TITLE 59 TORT LIABILITY NOTICE
DATED: October 23, 2024

C. On or about the morning of July 28, 2024, the home aides caring for Claimant ZOU phoned Claimant Justin and Joseph Jr. to notify both that ZOU was appearing to be struggling to breathe. Joseph Sr. had just recovered from COVID19 and ZOU appeared to be showing typical COVID19 symptoms. As the aides are not licensed medical professionals, they lacked the authority to make decisions on behalf of ZOU and were unable to summon further medical help for ZOU. Therefore, they reported their concerns instead to Justin and Joseph Jr., and left the decision to the family whether to seek further help and to do so themselves. Justin and Joseph Jr. were at that time located at their residence in Paramus, NJ. This was not the first time that Justin has had to call an ambulance for any of his grandparents, all NYC residents, while physically located in New Jersey, and has been able to request a New York City dispatcher through a New Jersey dispatcher in the past.

Incidentally, the night prior, Justin had phoned the Paramus Police on their landline to report that someone had tampered with his vehicle. With the Paramus Police landline showing at the top, Justin without hesitation pushed the button to dial Paramus Police and notified the dispatcher of the situation. As detailed in the complaint email, referenced and incorporated herein, the dispatcher provided Justin instead with a phone number that ultimately lead to a NYPD voicemail box and not a person who could assist. With his grandmother's life in danger and time running out, and not receiving the needed help from Paramus, he then called Township of Washington, as he was at the time still on medical leave from their Ambulance Corps, with a similar plea for assistance. Again, he was denied. He called 911 in hopes of reaching any other dispatcher, only to reach the same person he spoke to moments ago at Paramus. The same dispatcher asked him to wait. At the same time, another family member reached an NYPD precinct through a landline, and found a desk officer who was willing to transfer the call appropriately. Justin thus spoke to the NYPD desk officer and obtained an ambulance for his grandmother.

Justin was then and now dumbfounded as to how the previous two dispatchers, each who were sitting in dispatch centers with a variety of communications equipment available to them, were unable to contact New York City ('s emergency services) and relay the information Justin had just provided. He therefore emailed to both ask and complain, and received answers that faulted him for using landlines as opposed to simply dialing 911.

The claim that Justin's contacting law enforcement through landlines rendered responders unable to help is faulty for a number of reasons.

To begin with, Tsai was off duty and handling a personal emergency involving his family member, not acting in a professional or official capacity. While it is true that Justin boasts a number of years of emergency services experience and was most recently self-employed as a consultant, there is a fundamental difference between handling an emergency on-duty and off-duty. Justin never has been nor has ever claimed to be a trained emergency services dispatcher.

Because of the fundamental difference between on-duty and off-duty actions, various legal principles, such as the Good Samaritan law, renders Justin exempt from any form of liability for his off-duty actions or actions while caring for a family

member, provided that he is acting in good-faith. In other words, it is recognized that Justin cannot be held to the same standards he would be as a professional, when off duty or caring for a family member.

The faulting of Justin for his actions while caring for an ill and dying family member is wrongful also because it is fundamentally recognized that the circumstances that Justin was in would be highly upsetting for the typical person if not the vast majority of people. It is well-known that plenty of people have phoned for emergency services while emotional, irrational, and distraught and were able to receive the assistance they needed through professional responders who problem-solved and helped calm down the person(s) seeking assistance. Yet, in Justin's case, coincidentally at the same time he was seeking damages from other first responders, he was denied the help he desperately needed and faulted over an honest mistake.

It is also well known that there are a variety of ways that an emergency may be reported or resources requested. A person may approach a facility or uniformed (on-duty) personnel to report a situation in person. An officer on patrol may come across a situation, and contact or radio dispatch to request additional resources. First responders at the scene of an emergency may likewise request an additional resource by contacting, radioing, or calling a dispatcher. Dispatch centers routinely contact each other whether it be by phone (landline) or by radio to request additional help or to report a stolen vehicle or suspect potentially fleeing into a neighboring jurisdiction.

While claimants will endeavor to report their emergencies through 911 and refrain from contacting emergency services through landline numbers, to say that claimants must follow an exact procedure perfectly to report a life-threatening emergency or risk being declined help is also completely unrealistic.

Lastly, while claimants recognize that the actions complained about do not represent the vast majority of first responders, Paramus and its police department, and Washington Twp. and its police department, it also should be recognized that no member of Justin's family has ever played a role in any of the disputes ongoing between his (former) colleagues and Justin;

D. As a result of aforementioned incident(s), each claimant has suffered serious and permanent injuries as a result of the consequences of the acts of the potential defendants. These injuries include psychological damages, psychiatric injury, emotional damages and physical injuries, all of which occurred as a result of the aforementioned incident.

The following are the Damages Sought/Charges to be Filed as a result of the aforementioned course of conduct:

- Violation of the Conscientious Employees Protection Act (Whistleblower's Act/CEPA)
- Harassment,

TITLE 59 TORT LIABILITY NOTICE

DATED: October 23, 2024

- Intimidation,
- Bullying,
- Intentional Infliction of Emotional Distress,
- Discrimination,
- Violation of Civil Rights,
- Violation of Constitutional Rights,
- Violation of New Jersey Law Against Discrimination (the "NJLAD").
- Medical Expenses
- Physical and Psychological Pain and Suffering
- Physical Injuries;

E. The potential defendants are:

1. **Borough of Paramus**, 1 Jockish Square, Paramus Boro, Bergen County, NJ 07652, a municipal corporation/entity.
1. **Township of Washington**, 350 Hudson Ave, Twp of Washington, Bergen County, NJ 07676, a municipal corporation/entity.
2. **Paramus Police Department**, a subordinate entity to the Borough of Paramus.
3. **Unknown Supervisors of the Township of Washington Police Department #1 - 100** in their official capacities for failure to properly supervise.
4. **Unknown Supervisors of the Borough of Paramus Police Department # 1 - 100** in their official capacities for failure to properly supervise.
5. **Unknown Dispatchers of the Township of Washington (Police Department) #1 - 10** in their personal and official capacities
6. **Unknown Dispatchers of the Borough of Paramus (Police Department) # 1 - 10** in their personal and official capacities
7. **All defendants named in the September 2024 and September 2023 tort notices, all defendants named in the February 2024 worker's compensation claim, and all defendants named in the October 2024 lawsuit (docket # BER-L-5946-24).**
8. **Municipal Entitles 1-100**
9. **ABC Corporations 1-100**
10. **John Does 1-100, individually and in their official capacities**
and their agents, servants and/or employees,
and other agencies/entities to be determined at a later time;

F. Claimants are demanding compensation up to and in the amount of \$10,000,000 (ten million dollars) USD per victim. The amount claimed is yet to be determined

TITLE 59 TORT LIABILITY NOTICE
DATED: October 23, 2024

because of ongoing evaluations and treatment;

Should you require any additional information, please do not hesitate to contact me. Please be advised that, should any portion of this notice be held invalid or unenforceable, the rest of this notice shall remain in full effect.

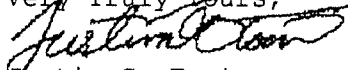
If you have a Title 59 Notice of Claim form to be completed, please forward that form to us immediately.

Today's Date:

October 23, 2024

Paramus, New Jersey

Very Truly Yours,



Justin G. Tsai