Court's Address and Phone Number:	**Superior Court of New Jersey** **Law Division, Special Civil Part**
OCEAN Special Civil Part 118 WASHINGTON ST., ROOM 121, P.O. BOX 2191 TOMS RIVER, NJ 08754-2191 732-929-2016	**OCEAN** County Docket No: **OCN-DC-011619-19** **Civil Action** **CONTRACT DISPUTE**

YOU ARE BEING SUED!

Person or Business Suing You (*Plaintiff*)	**Person or Business Being Sued (*Defendant*)**
Michael C Kern	Township of Berkeley
Plaintiff's Attorney Information	**The Person or Business Suing You Claims You Owe the Following:**

Demand Amount	$8622.00
Filing Fee	$75.00
Service Fee	$7.00
Attorney's Fees	$0.00
TOTAL	**$8704.00**

FOR JUDICIARY USE ONLY

In the attached complaint, the person or business suing you briefly tells the court his or her version of the facts of the case and how much money he or she claims you owe. **If you do not answer the complaint, you may lose the case automatically and the court may give the plaintiff what the plaintiff is asking for, plus interest and court costs. You have 35 days from the date of service to file your answer or a signed agreement.** If a judgment is entered against you, a Special Civil Part Officer may seize your money, wages or personal property to pay all or part of the judgment. The judgment is valid for 20 years.

IF YOU DISAGREE WITH THE PLAINTIFF'S CLAIMS, A WRITTEN ANSWER OR SIGNED AGREEMENT MUST BE RECEIVED BY THE COURT ABOVE, ON OR BEFORE 12/20/2019, OR THE COURT MAY RULE AGAINST YOU. IF YOU DISAGREE WITH THE PLAINTIFF, YOU MUST DO ONE OR BOTH OF THE FOLLOWING:

1. ***Answer the complaint***. An answer form that will explain how to respond to the complaint is available at any of the New Jersey Special Civil Part Offices or on the Judiciary's Internet site njcourts.gov under the section for Forms. If you decide to file an answer to the complaint made against you:
   - Fill out the Answer form AND pay the applicable filing fee by check or money order payable to: ***Treasurer, State of New Jersey***. Include **OCN-DC-011619-19** (your Docket Number) on the check.
   - Mail or hand deliver the completed Answer form and the check or money order to the court's address listed above.
   - Hand deliver or send by regular mail a copy of the completed Answer form to the plaintiff's attorney. If the plaintiff does not have an attorney, send your completed answer form to the plaintiff by regular and certified mail. This MUST be done at the same time you file your Answer with the court on or before **12/20/2019**.
2. ***Resolve the dispute.*** Contact the plaintiff's attorney, or contact the plaintiff if the plaintiff does not have an attorney, to resolve this dispute. The plaintiff may agree to accept payment arrangements. If you reach an agreement, mail or hand deliver the **SIGNED** agreement to the court's address listed above on or before **12/20/2019**.

Please Note - You may wish to get an attorney to represent you. If you cannot afford to pay for an attorney, free legal advice may be available by contacting Legal Services at 732-608-7794. If you can afford to pay an attorney but do not know one, you may call the Lawyer Referral Services of your local County Bar Association at 732-240-3666. Notify the court now if you need an interpreter or an accommodation for a disability for any future court appearance.

/s/ Michelle M. Smith
Clerk of the Superior Court

Dirección y teléfono del tribunal Parte Civil Especial de OCEAN 118 WASHINGTON ST., ROOM 121, P.O. BOX 2191 TOMS RIVER, NJ 08754-2191 732-929-2016	**El Tribunal Superior de Nueva Jersey** **División de Derecho, Parte Civil Especial** Condado de **OCEAN** Número del expediente **OCN-DC-011619-19** **Demanda de Acción Civil** **NOTIFICACIÓN DE DEMANDA** **CONTRACT DISPUTE**

¡LE ESTÁN DEMANDANDO!

Persona o entidad comercial que le está demandando *(el demandante)*
Michael C Kern

Información sobre el abogado del demandante

Persona o comercial ser demandada *(el demandado)*
Township of Berkeley

La persona o comercial que le está demandando afirma que usted le debe lo siguiente:

Cantidad a la vista	$8622.00
Tasa judicial	$75.00
Cargo del emplazamiento	$7.00
Honorarios del abogado	$0.00
TOTAL	**$8704.00**

PARA USO EXCLUSIVO DEL PODER JUDICIAL

En la demanda adjunta la persona o entidad comercial que le está demandando le informa brevemente al juez su versión de los hechos de la causa y la suma de dinero que afirma que usted le debe. **Si usted no responde a la demanda puede perder la causa automáticamente y el juez puede dar al demandante lo que está pidiendo más intereses y los costos legales. Usted tiene 35 días a partir de la fecha del emplazamiento para presentar su respuesta o un acuerdo firmado.** Si se dicta un fallo en su contra, un Oficial de la Parte Civil Especial puede embargar su dinero, sueldo o sus bienes muebles (personales) para pagar todo el fallo o una parte del mismo. El fallo es válido por 20 años.

SI USTED NO ESTÁ DE ACUERDO CON LAS ALEGACIONES DEL DEMANDANTE, EL TRIBUNAL TIENE QUE RECIBIR UNA RESPUESTA POR ESCRITO O UN ACUERDO FIRMADO PARA EL 12/20/2019 O ANTES DE ESA FECHA, O EL JUEZ PUEDE EMITIR UN FALLO EN SU CONTRA. SI USTED NO ESTÁ DE ACUERDO CON EL DEMANDANTE, DEBE HACER UNA DE LAS SIGUIENTES COSAS O LAS DOS:

1. ***Responder a la demanda***. Un formulario de respuesta que le explicará cómo responder a la demanda está disponible en cualquiera de las Oficinas de la Parte Civil Especial de Nueva Jersey o en el sitio Internet del Poder Judicial njcourts.gov bajo la sección de formularios (Forms). Si usted decide presentar una respuesta a la demanda que se hizo en su contra:
   - Llene el formulario de Respuesta Y pague la tasa judicial de presentación que corresponda mediante un cheque o giro bancario o postal acreditable al: "***Treasurer, State of New Jersey*** " (Tesorero del Estado de Nueva Jersey). Incluya **OCN-DC-011619-19** (el número de su expediente) en el cheque.
   - Envíe por correo el formulario de Repuesta llenado y el cheque o giro bancario o postal a la dirección del tribunal que figura más arriba, o entréguelos personalmente en dicha dirección.
   - Entregue personalmente o envíe por correo común una copia del formulario de Repuesta llenado al abogado del demandante. Si el demandante no tiene abogado, envíe su formulario de respuesta llenado al demandante por correo común y por correo certificado. Esto SE TIENE que hacer al mismo tiempo que presente su Respuesta al tribunal a más tardar el **12/20/2019**.
2. ***Resolver la disputa.*** Comuníquese con el abogado del demandante, o con el demandante si éste no tiene abogado, para resolver esta disputa. El demandante puede estar de acuerdo con aceptar arreglos de pago. **Si llegara a un acuerdo, envíe por correo o entregar personalmente el acuerdo FIRMADO** a la dirección del tribunal que figura más arriba, o entréguelo personalmente en dicha dirección a más tardar el **12/20/2019**.

Nota - Puede que usted quiera conseguir que un abogado para que lo represente. Si usted no puede pagar a un abogado, podría obtener consejos legales gratuitos si se comunica con Legal Services (Servicios Legales) llamando al 732-608-7794. Si usted puede pagar a un abogado, pero no conoce a ninguno, puede llamar al Lawyer Referral Services (Servicios de Recomendación de Abogados) del Colegio de Abogados (Bar Association) de su condado local al 732-240-3666. Notifique al tribunal ahora si usted necesita un intérprete o un arreglo por una discapacidad para cualquier comparecencia futura en el tribunal.

/s/ Michelle M. Smith
Subsecretario(a) del Tribunal Superior

Court's Address and Phone Number:
OCEAN Special Civil Part
120 Hooper Ave
TomsRiver NJ 08754
Telephone No. 732-929-2042
732-504-0700

Superior Court of New Jersey
Law Division, Special Civil Part
OCEAN County
Docket No: DC

Civil Action
SUMMONS

Check one ☒ Contract ☐ Tort

YOU ARE BEING SUED!

Person or Business Suing You (*Plaintiff*)

Michael C. KERN
717 NARRAGANSETT AVE
OCEAN GATE NJ 08740

(See the following page(s) for additional plaintiffs)

Plaintiff's Attorney Information

BATCH 126
(CK) MO CA
CK/Rec# 755
Amount $ 82.7
DATE 11-7-19
OVP
Initials DG

Person or Business Being Sued (*Defendant*)

Township of Berkeley
627 Pinewald Keswick Rd.
PO Box B Bayville NJ 08721-0287

(See the following page(s) for additional defendants)

The Person or Business Suing You Claims You Owe the Following:

Demand Amount	$ 8622
Filing Fee	$ 75
Service Fee	$ 7
Attorney's Fees	$
TOTAL	$ 8704 0.00

In the attached complaint, the person or business suing you briefly tells the court his or her version of the facts of the case and how much money he or she claims you owe. **If you do not answer the complaint, you may lose the case automatically and the court may give the plaintiff what the plaintiff is asking for, plus interest and court costs. You have 35 days from the date of service to file your answer or a signed agreement.** If a judgment is entered against you, a Special Civil Part Officer may seize your money, wages or personal property to pay all or part of the judgment. The judgment is valid for 20 years.

IF YOU DISAGREE WITH THE PLAINTIFF'S CLAIMS, A WRITTEN ANSWER OR SIGNED AGREEMENT MUST BE RECEIVED BY THE COURT ABOVE, ON OR BEFORE _____, OR THE COURT MAY RULE AGAINST YOU. IF YOU DISAGREE WITH THE PLAINTIFF, YOU MUST DO ONE OR BOTH OF THE FOLLOWING:

1. ***Answer the complaint.*** An answer form that will explain how to respond to the complaint is available at any of the New Jersey Special Civil Part Offices or on the Judiciary's Internet site njcourts.gov. If you decide to file an answer to the complaint made against you:
   - Fill out the Answer form AND pay the applicable filing fee by check or money order payable to: ***Treasurer, State of New Jersey***. Include ***DC*** _____ (your Docket Number) on the check.
   - Mail or hand deliver the completed Answer form and the check or money order to the court's address listed above.
   - Hand deliver or send by regular mail a copy of the completed Answer form to the plaintiff's attorney. If the plaintiff does not have an attorney, send your completed answer form to the plaintiff by regular and certified mail. This MUST be done at the same time you file your Answer with the court on or before _____.

RECEIVED
NOV - 7 2019
SUPERIOR COURT OCEAN COUNTY
LAW DIVISION

2. ***Resolve the dispute.*** Contact the plaintiff's attorney, or contact the plaintiff if the plaintiff does not have an attorney, to resolve this dispute. The plaintiff may agree to accept payment arrangements. If you reach an agreement, mail or hand deliver the **SIGNED** agreement to the court's address listed above on or before _____.

Please Note - You may wish to get an attorney to represent you. If you cannot afford to pay for an attorney, free legal advice may be available by contacting Legal Services at _____. If you can afford to pay an attorney but do not know one, you may call the Lawyer Referral Services of your local County Bar Association at _____. Notify the court now if you need an interpreter or an accommodation for a disability for any future court appearance.

/s/ Name _____
Clerk of the Superior Court

Revised 06/26/2017, CN 10541
Revised effective 9/1/2018 by 9/14/2018 Notice to the Bar, CN 11808, DC Summons - Appendix XI-A(1)
Revisado con vigor a partir del 1 de septiembre, 2018, mediante un Aviso al Colegio de Abogados del 14 de septiembre de 2018
CN 11808, DC Summons - Apéndice XI-A(1)

Form A

MICHAEL C. KERN
Plaintiff's Name (first, middle, last)
717 NARRAGANNSETTE AVE
Street Address
Ocean Gate NJ 08740-1378
City, State, Zip
732-932-4207
Telephone Number

Township of Berkeley
Defendant's Name (first, middle, last)
627 PINEWALD-KESWICK RD PO BOX B
Street Address
Bayville NJ, 08721-0287
City, State, Zip
732-244-7400
Telephone Number

Superior Court of New Jersey
Law Division, Special Civil Part
OCEAN County
Docket Number _____
(to be provided by the court)

Civil Action
Complaint

Type or print the reasons you, the Plaintiff(s), are suing the Defendant(s): (See instruction B)
Attach additional sheets if necessary.
I AM SUING my former employer Berkeley Twp for WAGES owed me per Agreement - see attached pays stubs and Agreement which show they still owe me 307 sick time hrs, 140.68 VACATION, 24hrs personal, 8hrs holiday hr. rate 18.649

The amount you, the Plaintiff(s) are demanding from the Defendant(s) $ 8622.1 .

At the trial Plaintiff will need:
An interpreter ☐ Yes ☒ No Indicate language: _____
An accommodation for disability ☐ Yes ☒ No Indicate accommodation _____

I certify that the matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in this action.

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).

11/1/19
Date

Michael Kern
Your Signature

MICHAEL KERN
Name Typed, Stamped or Printed

Township of Berkeley
-and-
International Brotherhood of Teamsters Local 97
SETTLEMENT AGREEMENT
Employee Michael Kern

In consideration of Mr. Kern's seniority status and;
In light of outstanding issues that remain unclosed and;
In hopes of resolving any current issues, the parties agree to the following:

1. Mr. Kern shall resign his position as Animal Control Officer effective immediately.

2. Mr. Kern shall receive payment for any unused sick, vacation and personal time he has accrued during his years of service.

3. The Township agrees that this is a general resignation and will only report to perspective employers the years of service Mr. Kern had with the township, his hire date, his title, and the date he voluntarily resigned from his position with Berkeley Township.

4. Any and all current and further investigations into Mr. Kern's employment and his performance as a Township Employee shall be dropped and all investigations relative to same shall be closed.

5. Mr. Kern agrees to indemnify and hold harmless Berkeley Township and its employees in regards to his relationships with same during his tenure as a Township Employee. This provision covers employment-related matters only. Mr. Kern further agrees to only divulge the fact that he voluntarily resigned from Berkeley Township and to not speak derogatorily about Berkeley Township, its Administration and/or employees.

6. This agreement is binding between all parties, however, it is not precedent setting nor does it show past practice.

FOR THE EMPLOYER

Date: 7/19/16

FOR THE UNION

Jill Pitman

Date: 7/18/16

EMPLOYEE:

"This agreement has been explained to me in detail. My signature reflects my agreement to adhere to this settlement document. I am signing under my own free will and under no duress from Berkeley Township or Teamsters Local 97."

Signature: Michael Kern Date: 7/18/16

BERKELEY TOWNSHIP
EARNINGS RECORD - RETAIN FOR YOUR RECORDS

No. 049786

PERIOD ENDING	DATE ISSUED	CHECK NO.
08/18/16	08/18/16	49786

LOCATION	DEPARTMENT	EMPLOYEE NO.	SOCIAL SECURITY NO.	EMPLOYEE NAME
	00034-00	KERN0005	**********	Kern, Michael C

EARNINGS	HOURS	RATE	CURRENT AMOUNT
Sick	144.00	17.8440	2,569.54
Sick	60.00	18.1500	1,089.00
Vacation	19.32	18.1500	350.66

TAX WITHHOLDINGS	CURRENT AMOUNT	YTD AMOUNT
FEDERAL	786.91	3,385.52
STATE	188.72	714.57
FICA	248.57	1,773.17
MEDICARE	58.13	414.68
OTHER STATE	20.25	147.11

ACCRUED HOURS	HOURS USED	HOURS REMAINING
SICK		
VACATION	204.00	307.00
PERSONAL	19.32	140.68
COMP	0.00	24.00
OTHER	0.00	0.00
HOLIDAY	0.00	0.00
	0.00	8.00

DEDUCTIONS/ADDT'L EARNINGS	CURRENT AMOUNT	YTD AMOUNT
H Dental	0.00	55.16-
HLT Health	0.00	476.14-
I Contrib In	0.00	108.84-
J Pers Loans	0.00	1,516.86-
Q P.E.R.S	0.00	1,541.46-
ROT RETRO OT	0.00	35.80
RTR RETRO REG	0.00	1.92
V Teamsters	0.00	273.00-
Direct Deposit:		
**********	100.00	
**********	2,581.62	
**********	25.00	

DEDUCTIONS/ADDT'L EARNINGS	CURRENT AMOUNT	YTD AMOUNT

THEY OWE ME THIS MONEY! REFUSE TO PAY ME!

Hours 479
$ 8,62?

CURRENT EARNINGS	YTD EARNINGS	NET PAY	YTD NET
4,009.20	29,130.61	2,706.62	18,724.10

132 V

DETACH BEFORE DEPOSITING

MGL PRINTING SOLUTIONS, 908-619-80

THIS DOCUMENT HAS A COLORED BACKGROUND AND FLUORESCENT FIBERS • SEE ADDITIONAL SECURITY FEATURES ON REVERSE SIDE • MISSING A FEATURE INDICATES A COPY

BERKELEY TOWNSHIP
PAYROLL ACCOUNT
627 PINEWALD-KESWICK ROAD - P.O. BOX B
BAYVILLE, N.J. 08721-0287

OCEAN FIRST BANK
975 HOOPER AVENUE
TOMS RIVER NJ 08753

No. 049786

55-7035
2312

DATE	CHECK NO.	AMOUNT
08/18/16	49786	$**********0.00

VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*VOID*

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

TO THE ORDER OF
Michael C Kern
P.O. Box 1083
Ocean Gate, NJ 08740-1083

⑈049786⑈ ⑆231270353⑆ 23006000839⑈

BERKELEY TOWNSHIP
EARNINGS RECORD - RETAIN FOR YOUR RECORDS

No. 072090

PERIOD ENDING	DATE ISSUED	CHECK NO
10/25/18	10/25/18	72090

LOCATION	DEPARTMENT	EMPLOYEE NO.	SOCIAL SECURITY NO.	EMPLOYEE NAME
	00034-00	KERN0005	**********	Kern, Michael C

EARNINGS	HOURS	RATE	CURRENT AMOUNT
Comp	11.00	18.6490	205.14

TAX WITHHOLDINGS	CURRENT AMOUNT	YTD AMOUNT
FEDERAL	0.00	0.00
STATE	2.50	2.50
FICA	12.72	12.72
MEDICARE	2.97	2.97
OTHER STATE	1.05	1.05

ACCRUED HOURS	HOURS USED	HOURS REMAINING
SICK		
VACATION	0.00	307.00
PERSONAL	0.00	140.68
COMP	0.00	24.00
OTHER	11.00	11.00
HOLIDAY	0.00	0.00
	~~0.00~~	~~8.00~~

DEDUCTIONS/ADDT'L EARNINGS	CURRENT AMOUNT	YTD AMOUNT	DEDUCTIONS/ADDT'L EARNINGS	CURRENT AMOUNT	YTD AMOUNT

CURRENT EARNINGS	YTD EARNINGS	NET PAY	YTD NET
205.14	205.14	185.90	185.90

DETACH BEFORE DEPOSITING