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JOHN G. DEVLIN

MEMBER OF NJ & PA BAR

PAUL A. DEVLIN

MEMBER OF NJ & PA BAR
CERTIFIED BY THE SUPREME COURT
OF NEW JERSEY AS A WORKERS'
COMPENSATION ATTORNEY

SAM C. TOMA

MEMBER OF NJ BAR

OF COUNSEL

JOHN W. DEVLIN

BENJAMIN N. CITTADINO

CERTIFIED BY THE SUPREME COURT
OF NEW JERSEY AS A CIVIL TRIAL ATTORNEY

Direct email: jdevlin@dcslaw.com

ROBERT SHAW (1964 -1992)

September 11, 2014

Sent Certified Mail

Township of Robbinsville
Attn: Municipal Clerk
One Washington Blvd., Suite 6
Robbinsville, NJ 08691

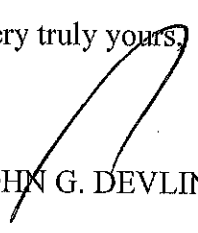
Re: My Client: Bashemah Rountree
Docket No: MER-L-1956-14
Date of Accident: September 17, 2012

Dear Sir/Madam:

Enclosed you will find a Summons and Complaint to be served upon the Township of Robbinsville in connection with this accident, which occurred on the above date. You should forward this matter on to the insurance carrier that provided coverage to the Township of Robbinsville at the time of this accident.

Thanking you, I remain,

Very truly yours,


JOHN G. DEVLIN

JGD:jb
Enclosure

Certified Mail No: 7012 3050 0001 1177 8768

DEVLIN, CITTADINO & SHAW, P.C.

3131 Princeton Pike

Trenton, New Jersey 08648

(609) 896-2222

Attorneys for Plaintiff(s)

BASHEMAH ROUNTREE

Plaintiffs

vs.

TOWNSHIP OF ROBBINSVILLE, et al

Defendants

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION, MERCER COUNTY
DOCKET NO. MER-L-1956-14**

Civil Action

SUMMONS

The State of New Jersey, to the above named Defendant(s):

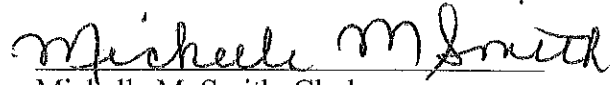
TOWNSHIP OF ROBBINSVILLE

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 attorneys 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. *Clerk of Superior Court, Mercer County Civil Courts Building, 175 South Broad Street, Trenton, New Jersey.* 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 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: September 11, 2014


Michelle M. Smith, Clerk

Name of defendant to be served: **Township of Robbinsville**

Attn: Municipal Clerk

One Washington Blvd., Suite 6

Robbinsville, NJ 08691

*\$105.00 FOR CHANCERY DIVISION CASES OR \$110.00 FOR LAW DIVISION CASES.

LAWYER REFERRAL SERVICE

Atlantic County	Lawyer Referral Service - (609) 345-3444
Bergen County	Lawyer Referral Service - (201) 488-0044
Burlington County	Burlington County Bar Association - (609) 261-4862
Camden County	Lawyer Referral Service - (609) 964-4520
Cape May County	Cape May Bar Association - (609) 368-4428
Cumberland County	New Jersey State Bar Association - (800) 792-8315
Essex County	Lawyer Referral Service - (201) 622-6227
Gloucester County	Lawyer Referral Service - (609) 848-4589
Hudson County	Lawyer Referral Service - (201) 322-9669
Hunterdon County	Hunterdon County Bar Association - (908) 788-5112
Mercer County	Lawyer Referral Service - (609) 585-6200
Middlesex County	Lawyer Referral Service - (908) 828-0053, 494-2929
Monmouth County	Monmouth Bar Referral Program - (908) 431-5544
Morris County	Lawyer Referral Service - (201) 267-5882
Ocean County	Ocean County Bar Association - (908) 240-3666
Passaic County	Lawyer Referral Service - (201) 278-9223
Salem County	Lawyer Referral Service - (609) 678-3217
Somerset County	Lawyer Referral Service - (908) 231-9300
Sussex County	New Jersey State Bar Association - (800) 792-8315
Union County	Lawyer Referral Service - (908) 343-4715
Warren County	New Jersey State Bar Association - (800) 792-8315

LEGAL SERVICES OFFICES

(Servicios Legales)

Atlantic County	(609) 348-4208
Bergen County	(201) 487-2166
Burlington County	(609) 964-2010 (See Camden County)
Camden County	(609) 964-2010 (See Gloucester, Salem, Cumberland and Burlington Counties)
Cape May County	(609) 465-3001
Cumberland County	(609) 692-2710
Essex County	(201) 624-4500
Gloucester County	(609) 964-2010 (See Camden County)
Hudson County	(201) 792-6363
Hunterdon County	(908) 782-7979
Mercer County	(609) 695-6249
Middlesex County	(908) 249-7600
Monmouth County	(908) 747-7400
Morris County	(201) 285-6391
Ocean County	(908) 341-2727
Passaic County	(201) 345-7171
Salem County	(609) 964-2010 (See Camden County)
Somerset County	(908) 545-6243
Sussex County	(201) 383-7400
Union County	(908) 527-4769
Warren County	(908) 475-2010

AUG 28 2014

Sue Regan
SUE REGAN
CLERK OF SUPERIOR COURT

DEVLIN, CITTADINO & SHAW, P.C.
By: John G. Devlin Esq. Attorney No. 029081988
3131 Princeton Pike, Bldg. 1-A
Lawrenceville, New Jersey 08648
(609) 896-2222
Attorneys for Plaintiff

BASHEMAH ROUNTREE,

Plaintiff,

v.

**SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MERCER COUNTY
DOCKET NO.: L- 1956-14**

Civil Action

**TOWNSHIP OF ROBBINSVILLE,
ROBBINSVILLE TOWNSHIP
POLICE DEPARTMENT,
MARK LEE, AND JOHN DOES
1-15, names being fictitious,
Representing unknown employees
Of the Township of Robbinsville,
And JOHN ROES, unknown
Individuals,**

COMPLAINT AND JURY DEMAND

Defendants.

Plaintiff, Bashemah Rountree, residing at 352 Brunswick Avenue, Trenton, New Jersey 08618, by way of Complaint against the defendants, says:

PARTIES

1. Plaintiff, Bashemah Rountree, is an adult individual who at all times relevant hereto resided at Project Freedom, an independent living facility for disabled persons, specifically located at 23 Hutchinson Road, Apartment 14, in the Township of Robbinsville, County of Mercer and State of New Jersey.
2. At all times relevant hereto, Defendant, Township of Robbinsville, was a public entity having its principal place of business located at 1117 Route 130 North, Township of Robbinsville, County of Mercer and State of New Jersey. At all times relevant hereto, the Robbinsville Township Police Department was a division of the Township of Robbinsville.

3. Defendant, Mark Lee, was at all times relevant hereto, an adult individual and employee of the Township of Robbinsville, more specifically, Defendant Lee was a Sergeant in the Robbinsville Township Police Department and at all times relevant hereto was acting under the color of State law with a principal place of business located at 1117 Route 130 North, Township of Robbinsville, County of Mercer and State of New Jersey. He is being sued in both his individual and official capacities.

4. Defendants, John Does (1-15) are and were at all times relevant to this action unknown employees, agents, servants and/or officials of the Township of Robbinsville and were acting in their official capacities and under the color of State law.

5. Defendants, John Roes (1-15) are and were at all times relevant to this action unknown individuals who knew or should have known that Defendant Lee was a damage to the community.

6. It is upon information and belief that on or about October 24, 2012, Tort Claims Notices were served upon the Defendants.

BACKGROUND

7. On or about September 17, 2012, at approximately 9:30 p.m., Plaintiff, Bashemah Rountree, was an in home adult caregiver detailed to the home of N.S. and S.S. (whose initials are used to protect the identity of their minor child) who resided at 223 Hutchinson Road, Apt. 14, in the Township of Robbinsville, County of Mercer and State of New Jersey.

8. Soon thereafter, Defendant Lee, attired in the official uniform of the Robbinsville Township Police Department and at all times relevant hereto acting under the color of law knocked on the door of the apartment in which Plaintiff was employed.

9. Defendant Lee gained access to the apartment of the Plaintiff where he began a violent and unprovoked attack upon the Plaintiff and the other residents of the home.

10. Defendant Lee disrobed in Plaintiff's apartment and attempted to remove clothing the residents' minor child and continue with his physical assault.

11. Upon observing this action, Plaintiff who had already been assaulted by Defendant Lee attempted to intervene and protect the child and was again thrown against the wall by Defendant Lee.

12. It is upon information and belief that Defendant Lee had been acting in an unstable fashion, and/or exhibited signs prior to the events of the evening described above, and the Defendants, and each of them, did not prevent him from performing his duties as a sworn police officer for the Township of Robbinsville.

13. The Defendants, and each of them, knew or should have known that Defendant Lee was mentally unstable and incapable of performing his duties as required.

FIRST COUNT

14. The Plaintiff, Bashemah Rountree, repeats and incorporates the allegations of Paragraphs 1-13 as though more fully set forth at length herein.

15. Plaintiff was violently and without provocation attacked by Defendant Lee.

16. Plaintiff was assaulted and battered by Defendant Lee about the head and body causing serious bodily injury, emotional and psychological injuries and Plaintiff was caused to suffer injuries permanent in nature.

17. Said acts caused Plaintiff to suffer serious bodily, emotional and psychological injuries which are permanent nature.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and

E. Such other and further relief as appears reasonable and just.

SECOND COUNT

18. Plaintiff repeats and incorporates her allegations of Paragraphs 1-17 as though more fully set forth at length herein.

19. At all times relevant herein, the Defendant Lee acted as the agent, servant, workman, and/or employee of Defendants, Township of Robbinsville, Division of Robbinsville Police who was responsible for providing supervision, safety and police safety to the Plaintiff during the course and scope of his agency and/or employment.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

THIRD COUNT

20. Plaintiff repeats and incorporates her allegations of Paragraphs 1-19 as though more fully set forth at length herein.

21. The above-described conduct of Defendants and each of them constituted violations of the Plaintiff's Rights secured by the Constitution of the State of New Jersey, the Statutes of New Jersey and Common Law of New Jersey which include but not limited to unreasonable and excessive force.

22. The use of such unreasonable and excessive force by Defendants acting under the color of state law, deprived Plaintiff of her right to be secure against unreasonable seizure of their person and from unreasonable force in violation of the laws and Constitution of the State of

New Jersey, including but not limited to N.J.S.A. 10:6-1 et seq. and Law Against Discrimination as well as common law.

23. As a direct and proximate result of Defendants' actions, Plaintiff suffered and continues to suffer from injuries, including but not limited to, the head and body, causing serious bodily and psychological injuries which may be permanent.

24. As a direct and proximate result of Defendants' actions, Plaintiff suffered and continues to suffer serious mental anguish, psychological and emotional distress, humiliation, physical pain and suffering, some or all of which may be permanent.

25. As a direct and proximate result of Defendants' actions, Plaintiff was detained without just and probable cause.

26. The acts and omissions of Defendants and each of them as set forth above were intentional, wanton, malicious, reckless and/or oppressive.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

FOURTH COUNT

27. Plaintiff repeats and incorporates her allegations of Paragraphs 1-26 as though more fully set forth herein at length.

28. The above-described conduct of Defendants and each of them constituted violations of the Plaintiff's unalienable Rights secured by the Constitution of the State of New Jersey, Statutes of New Jersey and Common Law of New Jersey.

29. The actions and/or inactions of the Defendants and each of them violated the substantive due process rights of the Plaintiff.

30. The Defendants acted in a willful, careless and/or reckless disregard for the rights and privileges of Plaintiff and in violation of the constitutional right to equal protection, due process, life, liberty and the pursuit of happiness of the aforesaid individual.

31. Those acts included but are not limited to the following:

- a. Failed to conform to the rights and privileges secured by the Constitution of the State of New Jersey.
- b. Failed to conform to the rights and privileges secured by the Statutes of the State of New Jersey including but not limited to the New Jersey Civil Rights Act;
- c. Failed to conform to the rights and privileges secured by the Common Law of the State of New Jersey;
- d. Failed to notify, protect and/or act as required when the danger was known or should have been known;
- e. Failed to take reasonable measures to assure that the rights, privileges and immunities of the Plaintiff were protected;
- f. Failed to take reasonable and necessary measures to assure the safety of the Plaintiff.

32. As a direct and proximate result of Defendants' actions, Plaintiff suffered and continues to suffer from serious mental anguish psychological and emotional stress, humiliation, physical pain and suffering, some or all of which may be permanent.

33. The acts and omissions of Defendants and each of them as set forth above were intentional, wanton, malicious, reckless and/or oppressive.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;

- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

FIFTH COUNT

34. Plaintiff repeats and incorporates her allegations contained in Paragraphs 1-33 as though more fully set forth at length herein.

35. The Defendants and each of them acted intentionally, recklessly and/or willfully in a fashion intended to produce emotional distress and/or recklessness and deliberate disregard of a high degree of probability that emotional distress would follow. The result of the act(s) the Defendants committed is previously described herein.

36. Defendants further had a duty imposed upon them to reasonably act in compliance with the laws, rules and regulations of the State of New Jersey and to act consistent therewith.

37. The Defendants and each of them failed to comply with the obligations imposed upon them by the aforementioned laws, rules and regulations and the obligations of reasonableness.

38. The acts of the Defendants and the failure to act consistent with the rules, regulations, laws, obligations and to act in a reasonable manner was a breach of the aforementioned duty resulting in the injuries to Plaintiff who suffered great emotional and physical injury.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and

E. Such other and further relief as appears reasonable and just.

SIXTH COUNT

39. Plaintiff hereby repeats and incorporates her allegations contained in Paragraphs 1-38 as though more fully set forth at length herein.

40. The Defendants and each of them acted negligently and/or recklessly in a fashion that produced emotional distress. The result of the acts the Defendants committed is previously described herein.

41. The Defendants had a duty imposed on them to reasonably act in compliance with the laws, rules and regulations of the State of New Jersey and to act consistent therewith.

42. The Defendants and each of them failed to comply with the obligations imposed upon them by the aforementioned laws, rules and regulations and the obligations of reasonableness.

43. The negligent and/or reckless acts of the Defendants and the failure to act consistent with the rules, regulations, laws, obligations and to act in a reasonable manner was a breach in the aforementioned duty resulting in the injuries to the Plaintiff who suffered great emotional and physical injury,

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

SEVENTH COUNT

44. Plaintiff repeats and incorporates her allegations contained in Paragraphs 1-45 as though more fully set forth at length herein.

45. Prior to the incident described above, the Defendants, in a willful, careless and/or reckless disregard for the safety and welfare of the citizens of the Township of Robbinsville, acted in violation of the Constitution of the State of New Jersey, Statutes of the State of New Jersey, which include but are not limited to N.J.S.A. 10:6-1 et seq. and Law Against Discrimination, as well as the common law against the aforesaid residents, including Plaintiff, which was invited encouraged and/or promoted by a variety of policies and practices.

46. Those practices included but are not limited to the following:

- a. Failure to provide adequate training;
- b. Failing to provide a policy of action when employees are behaving inappropriately;
- c. Failure to provide adequate policies and procedures for the training of officers;
- d. Failure to eliminate the improper use of force;
- e. Failing to provide proper training and/or enact proper procedures;
- f. Failing to properly monitor employees; and
- g. Such other acts that are to be discovered during the course and scope of this litigation.

47. As a result of these and other policies and practices and the aforesaid actions of the Defendants acting under color of State law, the Plaintiff was denied her rights, privileges and immunities secured by the Constitution of the State of New Jersey and the Civil Rights Act of New Jersey including the right to equal protection and the right to life, liberty and the pursuit of happiness.

48. The aforesaid actions of the Defendants also violate the New Jersey Tort Claims Act.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;

- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

EIGHTH COUNT

49. Plaintiff hereby repeats and incorporates her allegations contained in Paragraphs 1-48 as though more fully set forth at length herein.

50. At the time of the aforesaid incident, Defendants, Mark Lee, Township of Robbinsville, John Does (1-15) and John Roes (1-15) were acting under the direction and control of the Township of Robbinsville.

51. Defendants John Does (1-15) and John Roes (1-15) and the Township of Robbinsville were obligated to instruct, supervise, control and/or discipline Defendant Mark Lee and knew or should have known that the wrongs perpetrated were about to be committed.

52. The Township of Robbinsville is vested by State and local law with the authority to make, implement and enforce policies and procedures for the conduct and behavior of its employees.

53. The Township of Robbinsville and Defendants John Does (1-15) and John Roes (1-15) knew or should have known of Defendant Lee's pattern of unstable actions.

54. Acting under color of law and pursuant to official policy, practice and/or custom, the Township of Robbinsville and Defendants John Does (1-15) and John Roes (1-15) negligently, intentionally, knowingly and/or recklessly failed to instruct, supervise, train, control and discipline on a continuing basis. The allegations of this Paragraph are likely to have evidentiary support after a reasonable opportunity for further investigation and discovery.

55. The Township of Robbinsville and Defendants John Does (1-15) and John Roes (1-15) and Defendant Lee through their actions, omissions and general practices with respect to police discipline, created and encouraged an atmosphere of condoning police misconduct.

WHEREFORE, Plaintiff requests the following relief:

- A. Compensatory damages;
- B. Punitive damages;
- C. Reasonable attorneys' fees and costs;
- D. Pre- and post-Judgment interest; and
- E. Such other and further relief as appears reasonable and just.

NINTH COUNT

56. Plaintiff repeats and incorporates her allegations contained in Paragraphs 1-55 as though set forth at length herein.

57. At no time during the encounter did the Plaintiff commit any offense against the Laws of the State of New Jersey for which an arrest may be lawfully made and there was no legal justification for a seizure of the Plaintiff.

58. The conduct of the Defendants and each of them acting individually and together resulted in the Plaintiff being falsely, negligently, maliciously and unlawfully seized, imprisoned, arrested and/or detained.

59. As a result of the unlawful detention and arrest, Plaintiff was deprived of her rights and privileges as secured under the Constitution and Laws of the State of New Jersey and in violation of the New Jersey Civil Rights Act.

60. Plaintiff was detained without just and probable cause.

61. As a direct and proximate result of the Defendants' actions, Plaintiff suffered severe and permanent injuries as described above.

TENTH COUNT

62. Plaintiff repeats and incorporates her allegations contained in Paragraphs 1-61 as though more fully set forth therein.

63. On or about September 17, 2012, Plaintiff, Bashemah Rountree, was carelessly, recklessly and negligently assaulted and struck by Defendant, Mark Lee, to whom the Plaintiff had not given any just provocation or offense.

64. As a result of the carelessness, recklessness and negligence of Defendant, Mark Lee, and his disregard for the safety of others, Plaintiff, Bashemah Rountree, was caused to suffer severe bodily injuries, some of which are permanent in nature, has been caused and will be caused to expend large sums of money for medical treatment necessary to effect a cure for her injuries, has been caused and will in the future be caused great pain and suffering, has been caused and will in the future be caused to be unable to pursue her usual activities and has been and will in the future be caused to lose large sums of money due to her inability to pursue her usual occupation.

WHEREFORE, Plaintiff demands judgment for damages generally against the defendant, Mark Lee, together with interest and costs of suit.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues of fact.

CERTIFICATION

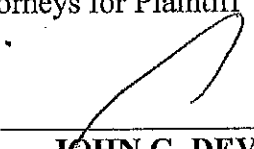
Pursuant to the provision of Rule 4:5-1, the undersigned attorney certifies that to the best of his knowledge, the above matter is not the subject of any other action pending in any court or of a pending arbitration proceeding, nor, is any other action or arbitration proceeding contemplated.

DESIGNATION OF TRIAL COUNSEL

Pursuant to the provision of Rule 4:25-4, the Court is advised that John G. Devlin is hereby designated as trial counsel.

DATED: August 26, 2014

DEVLIN, CITTADINO & SHAW
Attorneys for Plaintiff

By: 

JOHN G. DEVLIN

Appendix XII-B1

	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 OF COURT COSTS ☐ COSTS CA REGISTERED AND FILED AMOUNT: AUG 28 2014 OVERPAYMENT: BATCH NUMBER: <i>Regan</i>	
	ATTORNEY / PRO SE NAME John G. Devlin, Esq.	TELEPHONE NUMBER (609) 896-2222	COUNTY OF VENUE: REGAN Mercer County Superior Court	
	FIRM NAME (if applicable) Devlin, Cittadino & Shaw		DOCKET NUMBER (when available) 21958-14	
OFFICE ADDRESS 3131 Princeton Pike, Building 1A, Suite 202 Trenton, NJ 08648		DOCUMENT TYPE Complaint		
		JURY DEMAND ☒ Yes ☐ No		
NAME OF PARTY (e.g., John Doe, Plaintiff) Bashemah Rountree, Plaintiff		CAPTION Bashemah Rountree v Township of Robbinsville, et al		
CASE TYPE NUMBER (See reverse side for listing) 605	HURRICANE SANDY RELATED? ☐ YES ☒ NO	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.		
RELATED CASES PENDING? ☒ Yes ☐ No		IF YES, LIST DOCKET NUMBERS L-001888-14		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ Yes ☒ No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ 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 <i>Rule 1:38-7(b)</i> .				
ATTORNEY SIGNATURE: <i>[Signature]</i>				



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

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 288 PRUDENTIAL TORT LITIGATION |
| 271 ACCUTANE/ISOTRETINOIN | 289 REGLAN |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 278 ZOMETHA/AREXIA | 291 PELVIC MESH/GYNECARE |
| 279 GADOLINIUM | 292 PELVIC MESH/BARD |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 282 FOSAMAX | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 284 NUVARING | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 601 ASBESTOS |
| 287 YAZ/YASMIN/OCELLA | 623 PROPECIA |

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

MERCER COUNTY COURTHOUSE
CIVIL CASE MANAGEMENT OFFICE
175 SOUTH BROAD ST P O BOX 8068
TRENTON NJ 08650-0068

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (609) 571-4490
COURT HOURS 8:30 AM - 4:30 PM

DATE: SEPTEMBER 08, 2014
RE: ROUNTREE V TWP OF ROBBINSVILLE ET AL
DOCKET: MER L -001956 14

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 2.

DISCOVERY IS 300 DAYS AND RUNS FROM THE FIRST ANSWER OR 90 DAYS
FROM SERVICE ON THE FIRST DEFENDANT, WHICHEVER COMES FIRST.

THE PRETRIAL JUDGE ASSIGNED IS: HON WILLIAM X. ANKLOWITZ

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 020
AT: (609) 571-4456.

IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

ATT: JOHN G. DEVLIN
DEVLIN CITIADINO SHAW
3131 PRINCETON PIKE
TRENTON NJ 08648

JUMMORI