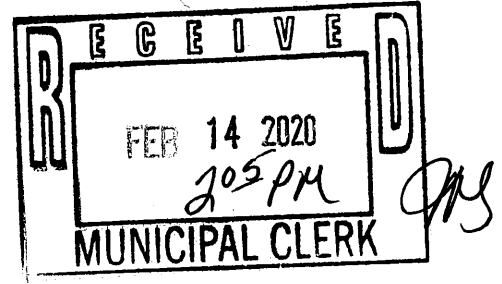


LAW OFFICE OF KEVIN T. FLOOD, ESQ, LLC
Kevin T. Flood, Esq.
204 Towne Centre Drive,
Hillsborough, NJ 08844
(908) 705-2623
NA



ATTORNEY FOR THE PLAINTIFF

SEAN GIBSON

Plaintiff

-v-

OFFICER SCOTT JEPSEN, ET AL

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
Somerset COUNTY
DOCKET NO.: SOM-L-001690-19

CIVIL ACTION

SUMMONS

FROM THE STATE OF NEW JERSEY TO: TOWNSHIP OF BRANCHBURG

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

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

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

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

DATED: February 13, 2020

Name of the Defendant(s) to be served: TOWNSHIP OF BRANCHBURG

Address of the Defendant(s) to be served: 1077 US-202, NORTH BRANCHBURG, NJ 08876

SOMERSET COUNTY SUPERIOR COURT
40 NORTH BRIDGE STREET
1ST FLR PO BOX 3000
SOMERVILLE NJ 08876-1262

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (908) 332-7700
COURT HOURS 8:30 AM - 4:30 PM

DATE: DECEMBER 17, 2019
RE: GIBSON SEAN VS JEPSEN SCOTT
DOCKET: SOM L -001690 19

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 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 ROBERT G. WILSON

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (908) 332-7700.

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: KEVIN T. FLOOD
KEVIN T FLOOD, ESQ., LLC
181 ROUTE 206
HILLSBOROUGH NJ 08844

ECOURTS

LAW OFFICE OF KEVIN T. FLOOD, ESQ., LLC
181 Route 206
Hillsborough, N.J. 08844
Phone: (908) 705-2623
Fax: (866) 900-9305
Attorneys for Plaintiff Sean Gibson
I.D. No. 005662003

Sean Gibson, Plaintiff, v. Officer Scott Jepsen, Sgt. Manual Camunas, Lt. Peter Crisafulli, Officer Fred Ghanim, Chief David Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), ABC CORPS 1-30 (Fictitious Corps), Jointly and Severally, Official and Individual Capacities. Defendants.	SUPERIOR COURT OF NEW JERSEY LAW DIVISION: SOMERSET COUNTY DOCKET NO: SOM-L-001690-19 CIVIL ACTION FIRST AMENDED COMPLAINT AND JURY DEMAND
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Plaintiff Sean Gibson residing in Neshanic Station, Somerset County, New Jersey,

by way of complaint against the Defendants says:

STATEMENT OF PRELIMINARY FACTS

1. Plaintiff Sean Gibson (hereinafter "Plaintiff Gibson") is a citizen of the United States and was a resident of the Neshanic Station, Somerset County, State of New Jersey, at the time of this incident.
2. This is an action brought for the violation of Plaintiff Gibson's civil rights under New Jersey Civil rights Act (NJCR) by the following Defendants: Officer Scott Jepsen, Sgt. Manual Camunas, Lt. Peter Crisafulli, Officer Fred Ghanim, Chief David Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps).

3. Defendant(s) Officer Scott Jepsen, Sgt. Manual Camunas, Lt. Peter Crisafulli, Officer Fred Ghanim, Chief David Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and, ABC CORPS 1-30 (Fictitious Corps) will at times herein be referred to collectively as "Defendants."

4. Plaintiff Gibson brings this civil rights action for compensatory and punitive damages, attorney fees, costs, as well as declaratory and injunctive relief, for injuries suffered as a consequence of the violations to Plaintiff Gibson's constitutional and/or civil rights by Defendant(s) Officer Scott Jepsen, Sgt. Manual Camunas, Lt. Peter Crisafulli, Officer Fred Ghanim, Chief David Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps).

5. Defendant(s) Officer Scott Jepsen, Sgt. Manual Camunas, Lt. Peter Crisafulli, Officer Fred Ghanim, Chief David Young, and JOHN DOES 1-30 (Fictitious Individuals) were at all times mentioned herein duly appointed and acting police officers of the Township of Branchburg/Branchburg Police Department and were at all times herein acting in such capacity as the agents, servants and/or employees of the Township of Branchburg and the Branchburg Police Department while acting under the color of law.

6. Defendant(s) Sgt. Manual Camunas, Lt. Peter Crisafulli, Chief David Young, JOHN DOES 1-30 (Fictitious Individuals), Township of Branchburg, Branchburg Police Department, and ABC CORPS 1-30 (Fictitious Corps), were acting in supervisory capacities while acting under color of law.

7. Defendant Township of Branchburg is a duly designated municipality of the State of New Jersey, under the laws of the State of New Jersey.
8. At all times relevant hereto, Defendant(s) Sgt. Manual Camunas, Lt. Peter Crisafulli, Chief David Young, JOHN DOES 1-30 (Fictitious Individuals), Township of Branchburg, Branchburg Police Department and ABC CORPS 1-30 (Fictitious Corps), were responsible for training, supervision, conduct and discipline of the respective Defendants, other law enforcement members of the Branchburg Police Department, and JOHN DOES 1-30 (Fictitious Individuals).
9. Suit is brought against all individually named Defendant(s) in their personal and/or individual and/or official capacities.
10. At all relevant times hereto, all named Defendant(s) herein were acting under color of law, pursuant to statutes, constitutions, ordinances, regulations, polices and customs of the State of New Jersey.

Statement of Facts.

11. On December 17, 2017, Defendant Jepsen was on routine patrol traveling South Bound on Route 202 when he observed a white Audi in the parking lot of Ridge Pool and Leisure.
12. Defendant Jepsen noted in his police report that he saw a white male standing next to the open door of the white Audi and he "appeared to be urinating."
13. Defendant Jepsen pulled over on Route 202 and waited for this individual in the white Audi to leave the parking lot, however, a large tractor-trailer drove by causing him to lose his visual of the white Audi.

14. Soon after the tractor-trailer passed, Defendant Jepsen observed a white Audi travelling on Route 202 matching the description of the white Audi in the parking lot.
15. Defendant Jepsen pulled up next to this white Audi to identify the driver and noticed he did not match the description of the individual in the parking lot.
16. Defendant Jepsen then claims that he looked into his review mirror and saw another white Audi making a left onto Old York Rd.
17. Defendant Jepsen then left his jurisdiction and drove into Readington Township in search of the white Audi.
18. Defendant Jepsen did not inform Readington Township Police that he entered their jurisdiction.
19. Defendant Jepsen did not inform his own police department that he left his jurisdiction in search of an individual who "appeared to be urinating."
20. Defendant Jepsen left his jurisdiction, without telling Branchburg Police Department or the Readington Police Department, to search for an individual who at that point could not even be charged with a crime, let alone a moving violation.
21. On December 17, 2017, Plaintiff Gibson was driving his wife's white Audi.
22. On December 17, 2018, Plaintiff Gibson stopped at the Shell Gas station in Readington Twp. at the corner of Route 202 and Pleasant Run to get gas.
23. Plaintiff Gibson parked next to a gas pump and waited for an attendant.
24. While Plaintiff Gibson was sitting in his vehicle waiting for the gas attendant, Defendant Jepsen approached Plaintiff Gibson.
25. When Defendant Jepsen approached Plaintiff Gibson he asked him if he needed gas; Plaintiff Gibson replied yes.

26. Without explanation, Defendant Jepsen ordered Plaintiff Gibson to pull his vehicle over to the side of the gas station's building when he was finished; Plaintiff Gibson complied.

27. After Defendant Jepsen ordered Plaintiff Gibson to pull his vehicle over, Defendant Jepsen finally decided to activate his Motor Vehicle Recording (MVR).

28. Defendant Jepsen also had a body microphone on his person that he turned on to record the encounter, which was only turned on after he ordered Plaintiff Gibson to pull his vehicle over to the side of the garage.

29. While Defendant Jepsen made a motor vehicle stop of Plaintiff Gibson's vehicle in the foreign jurisdiction of Readington Township, he did not radio/call the Readington Township Police Department to inform them he had done so.

30. Defendant Jepsen did not radio/call the Readington Township Police Department for assistance with the motor vehicle stop of Plaintiff Gibson.

31. Once Plaintiff Gibson parked his vehicle on the side of the gas station's building, Defendant Jepsen approached Plaintiff Gibson and identified himself; Plaintiff Gibson provided his license, registration and insurance card for the white Audi.

32. Defendant Jepsen claims he smelled alcohol emanating from the vehicle and began to question Plaintiff Gibson about where he was coming from and if he had any alcoholic beverages to drink.

33. Plaintiff Gibson informed that he just left Thirsty's where he had two beers.

34. Defendant Jepsen asked Plaintiff Gibson if he knew why he stopped him, and he replied he did not.

35. Defendant Jepsen informed Plaintiff Gibson that he observed him urinating on the side of the highway; Plaintiff Gibson informed that he had a problem with his bladder.

36. Defendant Jepsen then asked Plaintiff Gibson if he had any other issues, he replied that he would not be able to perform "the walk and turn and one leg stand" because he recently had back surgery.

37. Defendant Jepsen asked Plaintiff Gibson if he had any mental issues, he responded that he had a major concussion.

38. At that point Officer Laurence Martin of the Branchburg Police Department arrived on scene and Defendant Jepsen asked Plaintiff Gibson to step out of the vehicle in order to conduct several field sobriety tests.

39. Plaintiff Gibson again informed that he could not perform the field sobriety tests because of his disabilities; Defendant Jepsen conducted them nonetheless.

40. The field sobriety tests conducted by Defendant Jepsen were inconclusive.

41. Even though the field sobriety tests were inconclusive, Defendant Jepsen still arrested Plaintiff Gibson for Driving While Intoxicated.

42. Defendant Jepsen put handcuffs on Plaintiff Gibson and placed him in the back of Defendant Jepsen's police vehicle.

43. Plaintiff Gibson complained to Defendant Jepsen that the handcuffs were too tight and that they were hurting his wrists; Plaintiff Gibson further asked Defendant Jepsen to loosen the handcuffs up.

44. Defendant Jepsen ignored Plaintiff Gibson's requests to loosen up the handcuffs.

45. Plaintiff Gibson sustained injuries to his wrists from the handcuffs being too tight and/or Defendant Jepsen refusing to loosen them up.

46. The injuries to Plaintiff Gibson's wrists included pain that lasted several weeks, serious bruising and scarring.

47. After Plaintiff Gibson was arrested, placed in handcuffs, and secured in the back of the police vehicle, Defendant Jepsen searched the white Audi without any probable cause to do so, but rather, based upon a hunch that Plaintiff Gibson might have bought something.

48. Defendant Jepsen alleges that he retrieved an electric cigarette that contained suspected marijuana; the electric cigarette was found inside the fingertip of a woman's glove.

49. Defendant Jepsen also alleges he retrieved an empty water bottle that smelled like alcohol.

50. After the search was completed, Plaintiff Gibson was transported to the Branchburg Police Department where he provided breath samples into an Alcotest machine that tested his blood alcohol concentration (BAC) level.

51. Plaintiff Gibson's breathe samples revealed a BAC level below the legal limit of .08.

52. No Drug Recognition Expert conducted any tests on Plaintiff Gibson.

53. Even though Plaintiff Gibson's BAC was below .08%, and there was no analysis conducted by a Drug Recognition Expert, Defendant Jepson still charged Plaintiff Gibson with Driving While Intoxicated.

54. Plaintiff Gibson was read his Miranda only after Defendants obtained Plaintiff Gibson's breathe samples.

55. Defendant Jepsen then obtained urine samples from Plaintiff Gibson without a warrant, without obtaining proper consent, and without using a standard Consent to Search Form.

56. Defendant Jepsen charged Plaintiff Gibson with the following offenses: Possession of Drug Paraphernalia- 2C:36-2; Driving While Intoxicated- 39:4-50; Open container- 30:45-1a; CDS in a MV- 39:4-49.1; Careless Driving- 39:4-97; and a Town Ordinance- 3-2.7 (urinating in public/nudity).

57. Plaintiff Gibson pled not guilty to all charges.

58. After several court appearances all charges against Plaintiff Gibson were dismissed.

Count One

NJCRA: Unlawful Stop, Unlawful Seizure, Unlawful Search, Unlawful Arrest, and False Imprisonment.

59. Plaintiff Gibson incorporates herein by reference hereto the allegations above as if set forth herein at length.

60. Defendant Jepsen deprived Plaintiff of various rights and privileges set forth in the New Jersey State Constitution ("N.J. Constitution"), which deprivations are actionable pursuant to the New Jersey Civil Rights Act, NJSA 10:6-1 et seq. ("NJCRA").

61. Plaintiff Gibson was unlawfully stopped and/or unlawfully seized and/or unlawfully searched and/or unlawfully arrested and/or falsely imprisoned without probable cause.

62. The facts and circumstances within the knowledge of Defendant Jepsen were NOT sufficient to warrant a reasonable person to believe that Plaintiff Gibson had committed or was about to commit a crime.

63. Defendant Jepsen did not have probable cause to search Plaintiff Gibson's vehicle and his person.

64. Plaintiff Gibson was deprived of his liberty and his substantive due process rights when being unlawfully stopped and/or unlawfully seized and/or unlawfully searched and/or unlawfully arrested and/or falsely imprisoned by Defendant Jepsen in violation of Article 1, Paragraphs 1 and 7 of the New Jersey Constitution, which violations are actionable pursuant to the NJCRA.

65. As a direct and proximate result of the wrongful conduct by Defendant Jepsen, Plaintiff Gibson suffered damages.

WHEREFORE, the answering parties demand judgment against all defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; and (7) Such other and further relief as the court shall deem equitable and just.

Count Two
Malicious Prosecution

66. Plaintiff Gibson repeats the allegations above as if set forth at length herein.

67. Defendant(s) Jepsen, Camunas, Crisafulli, Ghanim, and JOHN DOES 1-30 (Fictitious Individuals) initiated two separate criminal proceedings against Plaintiff Gibson without probable cause and subjected him to malicious prosecution; both prosecutions were terminated in Plaintiff Gibson's favor.

68. By subjecting Plaintiff Gibson to separate malicious prosecutions, Defendants Jepsen, Camunas, Crisafulli, Ghanim, and JOHN DOES 1-30 (Fictitious Individuals) deprived Plaintiff Gibson of various rights and privileges set forth in the N.J. Constitution, which deprivations are actionable pursuant to the NJCRA.

69. As a direct and proximate result of the separate malicious prosecutions of Plaintiff Gibson, he suffered damages.

WHEREFORE, the answering parties demand judgment against all Defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; and (7) Such other and further relief as the court shall deem equitable and just.

Count Three
(Excessive Force)

70. Plaintiff incorporates herein by reference hereto the allegations above as if set forth herein at length.

71. Defendant Jepsen utilized excessive, unjustified and unreasonable force upon Plaintiff Gibson's person.

72. Under the circumstances, the conduct of Defendant Jepsen was unreasonable.

73. The aforementioned conduct by Defendant Jepsen is in violation of Plaintiff Gibson's right to liberty, freedom from unreasonable searches and seizures, excessive and unreasonable use of force, substantive due process, and other rights guaranteed by Article 1, Paragraphs 1 and 7 of the New Jersey Constitution which violations are made actionable via the NJCRA.

74. As a direct and proximate result of the excessive, unjustified and unreasonable use of force by Defendant Jepsen, Plaintiff Gibson suffered physical injury and mental anguish in connection with the deprivation of his constitutional rights set forth above.

WHEREFORE, the answering parties demand judgment against all Defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; (7) Injunctive relief, and (8) such other and further relief as the court shall deem equitable and just.

Count Four
(Supervisory Liability)

75. Plaintiff Gibson incorporates herein by reference hereto the allegations above as if set forth herein at length.

76. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and, ABC CORPS 1-30 (Fictitious Corps) were supervisory officials and/or officers in charge at the time Plaintiff Gibson was harmed.

77. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) had a duty to prevent subordinate officers from violating the constitutional rights of Plaintiff Gibson.

78. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) had knowledge of and acquiesced in his/her subordinate's violation of Plaintiff Gibson's constitutional rights.

79. As a direct and proximate result of the acts and/or omissions as set forth herein, Plaintiff Gibson suffered physical injury and mental anguish in connection with the deprivation of his constitutional rights guaranteed by N.J. Constitution which violations are made actionable by the NJCRA.

WHEREFORE, the answering parties demand judgment against all Defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein;

(4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; (7) Injunctive relief, and (8) such other and further relief as the court shall deem equitable and just.

Count Five
NJCRA: Retaliation-Freedom of Speech

80. Plaintiff Gibson incorporates herein by reference hereto the allegations above as if set forth herein at length.

81. The N.J. Constitution prohibits adverse governmental action taken against an individual in retaliation for protected activities, such as freedom of speech and/or seeking redress from the courts.

82. Plaintiff Gibson engaged in protected activity, which included, but was not limited to the following: fighting the charges filed against him by Defendant Jepsen; and/or, compelling Defendants to produce discovery that were attempting to conceal; and/or, filing a Tort Claims Notice against Defendants; and/or, Plaintiff Gibson's right to seek redress from the Courts.

83. Defendants retaliated against Plaintiff Gibson for engaging in said protected activity.

84. As a direct and proximate result of the retaliatory actions by Defendants, Plaintiff Gibson was damaged.

WHEREFORE, the answering parties demand judgment against all Defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies

provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; and (7) Such other and further relief as the court shall deem equitable and just.

Count Six
(Unlawful Policy, Custom, Practice, Inadequate Training, Failure to Discipline.)

85. Plaintiff Gibson incorporates herein by reference hereto the allegations above as if set forth herein at length.

86. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) are vested with the authority to make policy on the use of force, effectuating arrests, searches, seizures, initiating criminal proceedings, police citizen encounters, training and discipline.

87. At all times mentioned herein, Defendant(s) Jepsen, Ghanim and/or John Does 1-20, as police officers, agents, servants and/or employees of defendants Township of Branchburg and Branchburg Police Department, were acting under the direction and control of Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps), and were acting pursuant to the official policy, practice or custom of the Township of Branchburg and the Branchburg Police Department.

88. Acting under color of law pursuant to official policy, practice, or custom, Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30

(Fictitious Corps), intentionally, knowingly, recklessly and/or with deliberate indifference failed to train, instruct, supervise, control, and/or discipline, on a continuing basis Defendant(s) Jepsen, Ghanim, other law enforcement members of the Branchburg Police Department, and/or JOHN DOES 1-30 (Fictitious Individuals) in their duties to refrain from: unlawfully and maliciously assaulting, arresting, searching, and/or harassing citizens; and/or, intentionally, recklessly and/or negligently misrepresenting the facts of arrests and/or other police-citizen encounters; and/or, falsifying police and/or other official records; and/or, withholding and/or mishandling evidence; and/or, making false arrests, using unreasonable and excessive use of force; and/or, initiating criminal proceedings against citizens without probable cause; and/or, failing to follow standards operating policies and/or procedures; and/or, falsely imprisoning and/or unlawfully incarcerating individuals; and/or, retaliating against citizens for engaging in protective activities and/or speech; and/or, violating citizens' individual and/or constitutional rights.

89. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps), were aware of numerous similar police citizen encounters involving Defendant(s) Jepsen, Ghanim, other law enforcement members of the Branchburg Police Department, and/or JOHN DOES 1-30 (Fictitious Individuals) whereby they customarily and frequently subjected citizens to the tortious and constitutional wrongs set forth in the previous paragraph.

90. Despite their awareness, Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals),

and ABC CORPS 1-30 (Fictitious Corps) failed to employ any type of corrective or disciplinary measures against Defendant(s) Jepsen, Ghanim, other law enforcement members of the Branchburg Police Department, and/or JOHN DOES 1-30 (Fictitious Individuals).

91. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) had knowledge of, or, had they diligently exercised their duties to instruct, train, supervise, control, and discipline Defendant(s) Jepsen, Ghanim, other law enforcement members of the Branchburg Police Department, and/or JOHN DOES 1-30 (Fictitious Individuals) on a continuing basis, should have had knowledge that the wrongs which were done, as heretofore, were about to be committed.

92. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) had the power to prevent, or aid in preventing the commission of said wrongs, could have done so by reasonable diligence, and intentionally, knowingly, recklessly and/or with deliberate indifference failed to do so.

93. Defendant(s) Camunas, Crisafulli, Young, Township of Branchburg, Branchburg Police Department, JOHN DOES 1-30 (Fictitious Individuals), and ABC CORPS 1-30 (Fictitious Corps) directly or indirectly, under color of state law, approved or ratified the unlawful, deliberate, malicious, reckless, and wanton conduct of Defendant(s) Jepsen, Ghanim, other law enforcement members of the Branchburg Police Department, and/or JOHN DOES 1-30 (Fictitious Individuals).

94. As a direct and proximate result of the acts and/or omissions of Defendant(s) as set forth herein, Plaintiff Gibson suffered physical injury and mental anguish in connection with the deprivation of his constitutional rights guaranteed by N.J. Constitution which violations are made actionable by the NJCRA.

WHEREFORE, the answering parties demand judgment against all defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; (7) Injunctive relief, and (8) such other and further relief as the court shall deem equitable and just.

Count Seven
Civil Conspiracy

95. Plaintiff Gibson incorporates herein by reference hereto the allegations above as if set forth herein at length.

96. Defendants engaged in a civil conspiracy to deprive Plaintiff Gibson of his civil rights by two separate acts of malicious prosecutions; and/or, unlawfully arresting Plaintiff; and/or, conducting an unlawful search of Plaintiff's vehicle and his person; and/or, depriving Plaintiff of his substantive due process right to be heard in an impartial forum, the right of access and/or the right to seek redress from the courts without any form of retaliation; and/or, refusing to disclose evidence to Plaintiff; and/or, failing to follow standard operating policies and procedures.

97. As a direct and proximate result of the acts and/or omissions of Defendants as set forth herein, Plaintiff Gibson has and will continue suffer damages for being deprived of his constitutional rights set forth above.

WHEREFORE, the answering parties demand judgment against all defendant(s) named herein, including JOHN DOES 1-30, and ABC CORPS 1-30, jointly and/or severally, for: (1) General damages, (2) Compensatory damages; (3) The remedies provided for under the common law and/or any state and/or federal statutes pled herein; (4) Any other applicable contractual or statutory penalties or consequential, incidental, nominal and expectation damages; (5) Lawful interest, attorney's fees, filing fees/court costs; (6) Punitive damages as to any non-statutory tort claims pled herein only; (7) Injunctive relief, and (8) such other and further relief as the court shall deem equitable and just.

JURY DEMAND

PLEASE TAKE NOTICE that Plaintiff hereby demands a trial by jury of six (6) persons on all triable issues within the Complaint, pursuant to Rule 1:8-2(b) and Rule 4:35-1(a).

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, plaintiffs designate Kevin T. Flood, Esq., as trial counsel in this case.

DEMAND FOR INTERROGATORIES

DEMAND is hereby made of Defendants for certified answers to interrogatories which shall be served upon Defendants upon each Defendant answering.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to R. 4:10-2(b), demand is made that Defendants disclose to Plaintiff's attorney whether or not there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or indemnify or reimburse for payments made to satisfy the judgment and provide Plaintiff's attorney with true copies of those insurance agreements or policies, including, but not limited to, any and all declaration sheets. This demand shall include and cover not only primary coverage, but also any and all excess, catastrophe and umbrella policies.

CERTIFICATION PURSUANT TO RULE 4:5-1

KEVIN T. FLOOD certifies as follows:

The matter in controversy is not the subject of any other action pending in any other CIVIL Court or of a pending arbitration, and no such other action or arbitration proceeding is contemplated.

I further certify that I am not aware of any non-party who should be joined in the action pursuant to R. 4:28 or who is subject to joinder pursuant to R. 4:29-1(b).

The foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

LAW OFFICE OF KEVIN T. FLOOD, LLC
Attorneys for Plaintiffs,

By: S/ Kevin T. Flood
KEVIN T. FLOOD, ESQ.

Dated: February 11, 2020

Civil Case Information Statement

Case Details: SOMERSET | Civil Part Docket# L-001690-19

Case Caption: GIBSON SEAN VS JEPSEN SCOTT

Case Initiation Date: 12/16/2019

Attorney Name: KEVIN THOMAS FLOOD

Firm Name: KEVIN T FLOOD, ESQ., LLC

Address: 181 ROUTE 206

HILLSBOROUGH NJ 08844

Phone: 9087052623

Name of Party: PLAINTIFF : Gibson, Sean

Name of Defendant's Primary Insurance Company

(if known): Unknown

Case Type: CIVIL RIGHTS

Document Type: NJ eCourts Case Initiation Confirmation

Jury Demand: YES - 6 JURORS

Is this a professional malpractice case? NO

Related cases pending: NO

If yes, list docket numbers:

Do you anticipate adding any parties (arising out of same transaction or occurrence)? YES

Are sexual abuse claims alleged? NO

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

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

Do parties have a current, past, or recurrent relationship? YES

If yes, is that relationship: Other(explain) arrestor/arrestee

Does the statute governing this case provide for payment of fees by the losing party? YES

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

Do you or your client need any disability accommodations? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? NO

If yes, for what language:

Please check off each applicable category: Putative Class Action? NO Title 59? NO Consumer Fraud? NO

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)*

12/16/2019

Dated

/s/ KEVIN THOMAS FLOOD

Signed

NJ SUPERIOR COURT LAWYER REFERRAL AND LEGAL SERVICE LIST

ATLANTIC COUNTY:

Deputy Clerk, Superior Court
Civil Division, Direct Filing
1201 Bacharach Blvd., 1st Fl.
Atlantic City, NJ 08401
LAWYER REFERRAL
(609) 345-3444
LEGAL SERVICES
(609) 348-4200

BERGEN COUNTY:

Deputy Clerk, Superior Court
Civil Division, Room 115
Justice Center, 10 Main St.
Hackensack, NJ 07601
LAWYER REFERRAL
(201) 488-0044
LEGAL SERVICES
(201) 487-2166

BURLINGTON COUNTY:

Deputy Clerk, Superior Court
Central Processing Office
Attn: Judicial Intake
First Fl., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(609) 261-1088

CAMDEN COUNTY:

Deputy Clerk, Superior Court
Civil Processing Office
Hall of Justice
1st Fl., Suite 150
101 South 5th Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 482-0618
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

Deputy Clerk, Superior Court
9 N. Main Street
Cape May Court House, NJ
08210
LAWYER REFERRAL
(609) 463-0313
LEGAL SERVICES
(609) 465-3001

CUMBERLAND COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office
60 West Broad Street
P. O. Box 10
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 696-5550
LEGAL SERVICES
(856) 691-0494

ESSEX COUNTY:

Deputy Clerk, Superior Court
Civil Customer Service
Hall of Records, Room 201
465 Dr. Martin Luther King Jr.
Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6204
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk, Superior Court
Civil Case Management Office,
Attn: Intake, First Fl., Court
House
1 North Broad Street
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

Deputy Clerk, Superior Court
Civil Records Dept.
Brennan Court House, 1st Floor
583 Newark Avenue
Jersey City, NJ 07306
LAWYER REFERRAL
(201) 798-2727
LEGAL SERVICES
(201) 792-6363

HUNTERDON COUNTY:

Deputy Clerk, Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 236-6109
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

Deputy Clerk, Superior Court
Local Filing Office, Courthouse
175 S. Broad Street
P. O. Box 8068
Trenton, NJ 08650
LAWYER REFERRAL
(609) 585-6200
LEGAL SERVICES
(609) 695-6249

MIDDLESEX COUNTY:

Deputy Clerk, Superior Court
Middlesex Vicinage
Second Floor, Tower
56 Paterson Street
P. O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk, Superior Court
Court House
P. O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Morris County Courthouse
Civil Division
Washington & Court Streets
P. O. Box 910
Morristown, NJ 07963-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk, Superior Court
Court House, Room 121
118 Washington Street
P.O. Box 2191
Toms River, NJ 08754-2191
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

Deputy Clerk, Superior Court
Civil Division- Court House
77 Hamilton Street
Paterson, NJ 07505
LAWYER REFERRAL
(973) 278-9223
LEGAL SERVICES
(973) 523-2900

SALEM COUNTY:

Deputy Clerk, Superior Court
Attn: Civil Case Management
Office
92 Market Street
Salem, NJ 08079
LAWYER REFERRAL
(856) 935-5629
LEGAL SERVICES
(856) 691-0494

SOMERSET COUNTY:

Deputy Clerk, Superior Court
Civil Division Office
40 North Bridge Street
P. O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

Deputy Clerk, Superior
Court
Sussex County Judicial
Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 383-7400

UNION COUNTY:

Deputy Clerk, Superior
Court
1st Floor, Court House
2 Broad Street
Elizabeth, NJ 07207-
6073
LAWYER REFERRAL
(908) 353-4715
LEGAL SERVICES
(908) 354-4340

WARREN COUNTY:

Deputy Clerk, Superior
Court
Civil Division, Court
House
413 Second Street
Belvidere, NJ 07823-
1500
LAWYER REFERRAL
(908) 859-4300
LEGAL SERVICES
(908) 475-2010