

GILL & CHAMAS, LLC
By: Raymond A. Gill (025191977)
655 Florida Grove Road
Woodbridge, NJ 07095
732-324-7600 phone
Attorney for Plaintiff(s)

GABRIELLA ARIAS,

Plaintiff,

-VS-

LETTUCE SERVE YOU LLC, d/b/a MANSION
ON THE PLAZA, GEORGE MELASSANOS,
DIANE MELASSONAS, JOHN DOES 1-5 (said
names fictitious real name currently unknown),
JOHN DOE EMPLOYEES 6-10, ABC
SECURITY COMPANIES 1-5 (said names
fictitious real name currently unknown),
FEDERAL REALTY INVESTMENT TRUST,
DEF MANAGEMENT COMPANIES 1-5, (said
names fictitious real name currently unknown),
GHI SECURITY COMPANIES 1-5, (said names
fictitious real name currently unknown), BRICK
TOWNSHIP POLICE EMS, MONMOUTH
OCEAN HOSPITAL SERVICES, ESTEBAN
CHAVEZ-MATA and FULVIO BERMUDEZ
Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO.: MON-L-508-15

CIVIL ACTION

SUMMONS

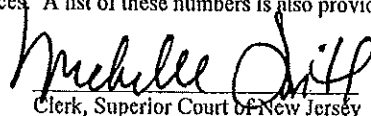
From the State of New Jersey
to the Defendant(s) named above: Brick Township EMS

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint, you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ 08625. A filing fee[^] payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

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

If you cannot afford an attorney, you may call the legal services office in the county where you live. A list of these offices is provided. If you do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: February 26, 2015


Clerk, Superior Court of New Jersey

Name of Defendant to be Served: Brick Township EMS
Address of Defendant to be Served: 401 Chambers Bridge Road, Brick Township NJ 08723

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

ATLANTIC COUNTY:

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

CAMDEN COUNTY

Deputy Clerk of the Superior Court
Civil Processing Office
1st Fl. Hall of Records-101 S. Fifth St.
Camden, NJ 08103
LAWYER REFERRAL
(609) 984 4520
LAWYER REFERRAL
(609) 984 2010

ESSEX COUNTY:

Deputy Clerk of the Superior Court
237 Hall of Records
485 Dr. Martin Luther King, Jr. Blvd.
Newark, NJ 07102
LAWYER REFERRAL
(201) 622 6207
LEGAL SERVICES
(201) 624 4500

HUNTERDON COUNTY

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08862
LAWYER REFERRAL
(609) 736 2611
LEGAL SERVICES
(609) 782 7979

MONMOUTH COUNTY

Deputy Clerk of the Superior Court
71 Monument Park PO Box 1262
Court House, East Wing
Freehold, NJ 07728
LAWYER REFERRAL
(732) 431 5644
LEGAL SERVICES
(732) 666 0020

PASSAIC COUNTY

Deputy Clerk of the Superior Court
Civil Division
Court House 77 Hamilton St.
Paterson, NJ 07505
LAWYER REFERRAL
(201) 278 9223
LEGAL SERVICES
(201) 346 7171

SUSSEX COUNTY

Deputy Clerk of the Superior Court
Sussex County Judicial Center
43-47 High Street
Newton, NJ 07860
LAWYER REFERRAL
(201) 267 6882
LEGAL SERVICES
(201) 383 7400

BERGEN COUNTY

Deputy Clerk of the Superior Court
Case Processing Section, Room 119
Justice Center 10 Main Street
Hackensack, NJ 07601-0769
LAWYER REFERRAL
(201) 488 0044
LEGAL SERVICES
(201) 487 2166

CAPE MAY COUNTY

Deputy Clerk of the Superior Court
Central Processing Office
9 N. Main Street Box DN-209
Cape May Court House, NJ 08210
LAWYER REFERRAL
(609) 463 0313
LEGAL SERVICES
(609) 465 3001

GLOUCESTER COUNTY

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake - First Fl. Court House
1 North Broad Street., PO Box 129
Woodbury, NJ 08096
LAWYER REFERRAL
(609) 848 4689
LEGAL SERVICES
(609) 848 6360

MERCER COUNTY

Deputy Clerk of the Superior Court
Local Filing Office, Courthouse
175 South Broad St, PO Box 8068
Trenton, NJ 08660
LAWYER REFERRAL
(609) 585 6200
LEGAL SERVICES
(609) 695 6249

MORRIS COUNTY

Deputy Clerk of the Superior Court
Civil Division
30 Schuyler Pl. PO Box 910
Morristown, NJ 07960-0910
LAWYER REFERRAL
(201) 267 6882
LEGAL SERVICES
(201) 286 6911

SALEM COUNTY

Deputy Clerk of the Superior Court
92 Market St., PO Box 18
Salem, NJ 08079
LAWYER REFERRAL
(609) 678 8363
LEGAL SERVICES
(609) 451 0003

UNION COUNTY

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

BURLINGTON COUNTY

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First F., Courts Facility
49 Rancocas Road
Mt. Holly, NJ 08060
LAWYER REFERRAL
(609) 261 4882
LEGAL SERVICES
(609) 261 1088

CUMBERLAND COUNTY

Deputy Clerk of the Superior Court
Civil Case Management Office
Broad & Fayette Sts., PO Box 816
Bridgeport, NJ 08302
LAWYER REFERRAL
(609) 892 6207
LEGAL SERVICES
(609) 451 0003

HUDSON COUNTY

Deputy Clerk of the Superior Court
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

MIDDLESEX COUNTY

Deputy Clerk of the Superior Court
Administration Building Third Floor
1 Kennedy Sq., PO Box 2833
New Brunswick, NJ 08903-2833
LAWYER REFERRAL
(732) 828 0953
LEGAL SERVICES
(732) 249 7600

OCEAN COUNTY

Deputy Clerk of the Superior Court
Court House, Room 119
18 Washington Street
Toms River, NJ 08764
LAWYER REFERRAL
(908) 240 3686
LEGAL SERVICES
(908) 341 2727

SOMERSET COUNTY

Deputy Clerk of the Superior Court
Civil Division Office
New Court House, 3rd Floor
PO Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 686 2323
LEGAL SERVICES
(908) 231 0840

WARREN COUNTY

Deputy Clerk of the Superior Court
Civil Division Office
Court House
Belvidere, NJ 07823-1500
LAWYER REFERRAL
(201) 267 6882
LEGAL SERVICES
(201) 476 2010

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1269
FREEHOLD

NJ 07728

COURT TELEPHONE NO. (732) 677-4240
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: FEBRUARY 13, 2015
RE: ARIAS VS LETTICE SERVE YOU LLC ET AL
DOCKET: MON 1 -000508 15

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 RETRIAL JUDGE ASSIGNED IS: HON JOSEPH P. QUINN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (732) 677-4667 EXT 4667.

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:SA-2.

ATTENTION:

ATT: FRANCIS E. WILTON
GILL & CHAMAS
655 FLORIDA GROVE RD
PO BOX 760
WOODBRIIDGE NJ 07095

JUNESKI

1
2 GILL & CHAMAS, LLC
3 By: Raymond A. Gill (025191977)
4 655 Florida Grove Road
5 Woodbridge, NJ 07095
6 732-324-7600 phone
7 Attorney for Plaintiff(s)

8 GABRIELLA ARIAS,

9 Plaintiff,

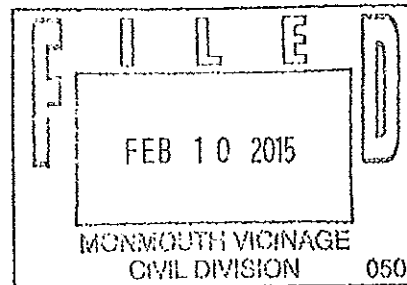
10 -vs-

11 LETTUCE SERVE YOU LLC, d/b/a
12 MANSION ON THE PLAZA, GEORGE
13 MELASSANOS, DIANE
14 MELASSONAS, JOHN DOES 1-5 (said
15 names fictitious real name currently
16 unknown), JOHN DOE EMPLOYEES 6-
17 10, ABC SECURITY COMPANIES 1-5
18 (said names fictitious real name currently
19 unknown), FEDERAL REALTY
20 INVESTMENT TRUST, DEF
21 MANAGEMENT COMPANIES 1-5,
22 (said names fictitious real name currently
23 unknown), GHI SECURITY
24 COMPANIES 1-5, (said names fictitious
25 real name currently unknown), BRICK
26 TOWNSHIP POLICE EMS,
27 MONMOUTH OCEAN HOSPITAL
28 SERVICES, ESTEBAN CHAVEZ-MATA
29 and FULVIO BERMUDEZ Defendant(s).

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY
DOCKET NO.: MON-L-508-15

CIVIL ACTION

FIRST COMPLAINT, JURY DEMAND, AND
DESIGNATION OF TRIAL COUNSEL



30 Plaintiff, GABRIELLA ARIAS, residing at 814 Eldridge Street, in the Borough of
31 Coffeetown, County of Montgomery, State of New Jersey, by way of Complaint against the
32 defendants says:

FIRST COUNT

1. Plaintiff, Gabriella Arias is fiancé of and natural mother to the three children born to Gabriella Arias and Francisco Ortega.

2. On or about March 3, 2013, Francisco Ortega was lawfully upon the premises located at 108 Brick Plaza, Brick Township, New Jersey, commonly known as "MANSION ON THE PLAZA".

3. At all relevant times "MANSION ON THE PLAZA" was a nightclub open to members of the public and authorized to conduct business in the State of New Jersey, including service of alcoholic beverages.

4. At all relevant times herein, "MANSION ON THE PLAZA" was owned, operated controlled maintained by the defendants, GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU LLC, d/b/a MANSION ON THE PLAZA, and JOHN DOES 1-5 (said names fictitious real name currently unknown).

5. At the time and place aforesaid, the defendants, GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC., d/b/a MANSION ON THE PLAZA and JOHN DOES 1-5 (said names fictitious real name currently unknown), through their agents, servants, and/or employees owed a duty to Francisco Ortega and others lawfully upon the premises to provide a safe environment so that no bodily harm would be inflicted upon them.

6. At the time and place aforesaid the defendants, GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU LLC, d/b/a MANSION ON THE PLAZA, and JOHN DOES 1-5 (said names fictitious real name currently unknown), through their agents, servants and employees negligently and carelessly owned, operated, controlled, maintained

1 and/or controlled the premises so as to permit unsafe conditions and activities. Such carelessness
2 and negligence included failing to provide adequate security measures, failing to properly train
3 and supervise employees, failure to monitor premises and failing to maintain a safe environment.
4

5 7. As a direct and proximate cause of the negligence of the defendants aforesaid, Francisco
6 Ortega was caused to sustain serious permanent injuries. He has suffered and will in the future,
7 suffer great pain, he has and will in the future be required to expend large sums of money for the
8 care and treatment of his injuries, and he has been and will in the future be in the future be
9 unable to pursue his daily activities as before.
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11
12 8. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
13 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
14 severe emotional distress and other diverse injuries.
15

16 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
17 and has suffered severe emotional distress and other diverse injuries demand judgment for
18 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
19 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
20 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
21 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
22 and JOHN DOES 1-5 (said names fictitious real name currently unknown) either jointly,
23 severally, or in the alternative for compensatory and punitive damages together with interests and
24 costs of suit.
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SECOND COUNT

1. The plaintiff, repeats each and every allegation contained in the First Count and makes same a part hereof as though set forth herein at length.

2. At the time and place aforesaid the defendant, ABC SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown), were hired by defendants, GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and JOHN DOES 1-5 (said names fictitious real name currently unknown), to provide security and maintenance at said premises.

3. At the time and place aforesaid, the defendants, ABC SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown) were negligent in their actions and omissions thereby permitting dangerous activities and conditions to exist upon the premises

4. As a direct and proximate cause of the negligence of the defendants aforesaid, Francisco Ortega was caused to sustain serious permanent injuries. He has suffered and will in the future, suffer great pain, he has and will in the future be required to expend large sums of money for the care and treatment of his injuries, and he has been and will in the future be in the future be unable to pursue his daily activities as before.

5. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff, Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered severe emotional distress and other diverse injuries.

WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega, and has suffered severe emotional distress and other diverse injuries demand judgment for damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),

1 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
2 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
3 JOHN DOES 1-5 (said names fictitious real name currently unknown), and ABC SECURITY
4 COMPANIES 1-5 (said names fictitious real name currently unknown), either jointly, severally,
5 or in the alternative for compensatory and punitive damages together with interests and costs of
6 suit.
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9 THIRD COUNT

10 1. The plaintiff, repeats each and every allegation contained in the First and Second Count
11 and makes same a part hereof as though set forth herein at length.
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13 2. At the time and place aforesaid and at all times relevant hereto, defendant, ESTEBAN
14 CHAVEZ-MATA was an employee of the defendants, GEORGE MELASSONAS, DIANE
15 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and
16 JOHN DOES 1-5 (said names fictitious real name currently unknown), ABC SECURITY
17 COMPANIES 1-5 (said names fictitious real name currently unknown) and hired to perform
18 services under the control and supervision of said defendants.
19

20 3. At the time and place aforesaid, defendant, ESTEBAN CHAVEZ-MATA was negligent
21 in the performance of services for the defendants, GEORGE MELASSONAS, DIANE
22 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA, and
23 JOHN DOES 1-5 and ABC Companies 1-5 (said names fictitious real name currently unknown).
24

25 4. As a direct and proximate result of the negligent conduct of defendant, ESTEBAN
26 CHAVEZ-MATA, Francisco Ortega suffered severe injuries. He has suffered and will in the
27 future, suffer great pain, he has and will in the future be required to expend large sums of money
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1 for the care and treatment of his injuries, and he has been and will in the future be in the future
2 be unable to pursue his daily activities as before.

3 5. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
4 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
5 severe emotional distress and other diverse injuries.
6

7 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
8 and has suffered severe emotional distress and other diverse injuries demand judgment for
9 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
10 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
11 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
12 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
13 and JOHN DOES 1-5 (said names fictitious real name currently unknown), ABC SECURITY
14 COMPANIES 1-5 (said names fictitious real name currently unknown) and ESTEBAN
15 CHAVEZ-MATA, either jointly, severally, or in the alternative for compensatory and punitive
16 damages together with interests and costs of suit.
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21 FOURTH COUNT
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23 1. The plaintiff, repeat each and every allegation contained in the prior Counts and makes
24 same a part hereof as though set forth herein at length.

25 2. At the time and place aforesaid and at all times relevant hereto, defendants, JOHN DOES
26 6-10 (said names being fictitious real names currently unknown) were employees of the
27 defendants, GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU,
28 LLC, d/b/a MANSION ON THE PLAZA and JOHN DOES 1-5 (said names fictitious real name
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1 currently unknown), and ABC SECURITY COMPANIES 1-5 (said names fictitious real name
2 currently unknown) hired to perform services for said defendants.

3 3. At the time and place aforesaid, defendants, JOHN DOE EMPLOYEES 6-10 (said names
4 fictitious real name currently unknown), while under the control and supervision of defendants,
5 GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a
6 MANSION ON THE PLAZA, and ABC SECURITY COMPANIES 1-5 (said names fictitious
7 real name currently unknown), were negligent in the performance of their duties so as to cause
8 Francisco Ortega to be assaulted and suffer serious injuries.
9
10

11 4. As a direct and proximate result of the negligence of defendants, JOHN DOES
12 EMPLOYEES 6-10, Francisco Ortega suffered severe injuries. He has suffered and will in the
13 future, suffer great pain, he has and will in the future be required to expend large sums of money
14 for the care and treatment of his injuries, and he has been and will in the future be in the future
15 be unable to pursue his daily activities as before.
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18 5. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
19 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
20 severe emotional distress and other diverse injuries.
21
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23 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
24 and has suffered severe emotional distress and other diverse injuries demand judgment for
25 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
26 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
27 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
28 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
29 and JOHN DOES 6-10 (said names fictitious real name currently unknown), ABC SECURITY
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1 COMPANIES 1-5 (said names fictitious real name currently unknown), either jointly, severally,
2 or in the alternative for compensatory and punitive damages together with interests and costs of
3 suit.
4

5 FIFTH COUNT

6 1. The plaintiff, repeats each and every allegation contained in the prior Counts and makes
7 same a part hereof as though set forth herein at length.
8

9 2. At the time and place aforesaid the defendant, GEORGE MELASSONAS, DIANE
10 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and ABC
11 SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown), had a duty
12 to exercise reasonable care in selecting and hiring competent and fit employees used in the
13 course of business.
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16 3. At the time and place aforesaid the defendant, GEORGE MELASSONAS, DIANE
17 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and ABC
18 SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown), breached
19 their duty by negligently hiring employees including ESTEBAN CHAVEZ-MATA, FULVIO
20 BERMUDEZ and JOHN DOES 6-10, who were incompetent, unskilled, unfit to carry out the job
21 for which they were hired.
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23

24 4. As a direct and proximate cause of the negligence of the defendants aforesaid, Francisco
25 Ortega was caused to be assaulted and suffer serious personal injuries. He has suffered and will
26 in the future, suffer great pain, he has and will in the future be required to expend large sums of
27 money for the care and treatment of his injuries, and he has been and will in the future be in the
28 future be unable to pursue his daily activities as before.
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5. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff, Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered severe emotional distress and other diverse injuries.

WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega, and has suffered severe emotional distress and other diverse injuries demand judgment for damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004), and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and JOHN DOES 6-10 (said names fictitious real name currently unknown), ABC SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown), ESTEBAN CHAVEZ-MATA AND FULVIO BERMUDEZ, either jointly, severally, or in the alternative for compensatory and punitive damages together with interests and costs of suit.

SIXTH COUNT

1. The plaintiff, repeats each and every allegation contained in the prior Count and makes same a part hereof as though set forth herein at length.

2. At the time and place aforesaid the defendants, ESTEBAN CHAVEZ-MATA, FULVIO BERMUDEZ and JOHN DOES 6-10 (said names fictitious real names currently unknown), were employed by GEORGE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and ABC SECURITY COMPANIES 1-5 (said names fictitious real name currently unknown)

3. At the time and place aforesaid the defendants, ESTEBAN CHAVEZ-MATA, FULVIO BERMUDEZ and JOHN DOES 6-10 (said names fictitious real names currently unknown),

1 intentionally committed an act of offensive touching and assault upon Francisco, including
2 restraining, choking and physically throwing Francisco Ortega to the ground.

3 4. The actions of the defendants, ESTEBAN CHAVEZ-MATA, FULVIO BERMUDEZ and
4 JOHN DOES 6-10 (said names fictitious real name currently unknown) were malicious and
5 committed with a willful and wanton disregard for the foreseeable harm to Francisco Ortega.
6

7 5. As a direct and proximate cause of such actions or omissions of ESTEBAN CHAVEZ-
8 MATA, FULVIO BERMUDEZ and JOHN DOES 6-10 (said names fictitious real name
9 currently unknown), Francisco Ortega was caused to suffer serious personal injuries. He has
10 suffered and will in the future, suffer great pain, he has and will in the future be required to
11 expend large sums of money for the care and treatment of his injuries, and he has been and will
12 in the future be in the future be unable to pursue his daily activities as before.
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14 6. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
15 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
16 severe emotional distress and other diverse injuries.
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18 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
19 and has suffered severe emotional distress and other diverse injuries demand judgment for
20 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
21 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
22 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
23 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
24 and JOHN DOES 6-10 (said names fictitious real name currently unknown), ABC SECURITY
25 COMPANIES 1-5 (said names fictitious real name currently unknown), ESTEBAN CHABVEZ-
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1 MATA, either jointly, severally, or in the alternative for compensatory and punitive damages
2 together with interests and costs of suit.

3 SEVENTH COUNT
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5 1. The plaintiff, repeats each and every allegation contained in the prior Counts and makes
6 same a part hereof as though set forth herein at length.

7
8 2. At the time and place aforesaid the defendants, GEORGE MELASSONAS, DIANE
9 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA, and
10 JOHN DOES 1-5 (said names fictitious real name currently unknown), and, operated,
11 controlled, maintained the premises located at 108 Brick Plaza, Brick Township, New Jersey,
12 commonly known as "MANSION ON THE PLAZA".
13

14 3. At all times relevant "MANSION ON THE PLAZA" was a nightclub open to members
15 of the public and authorized to conduct business in the State of New Jersey, including service of
16 alcoholic beverages.
17

18 4. At the time and place aforesaid the defendants, GEORGE MELASSONAS, DIANE
19 MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA, and
20 JOHN DOES 1-5 (said names fictitious real name currently unknown), owed a duty patrons of
21 "THE MANSION ON THE PLAZA" to provide a safe environment so that no bodily harm
22 would be inflicted upon the patrons.
23
24

25 5. At the time and place aforesaid, the defendants, through their acts and omissions willfully
26 and wantonly disregarded their duties to the plaintiff and other patrons.
27

28 6. As a direct and proximate cause of such actions or omissions of GEORGE
29 MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION
30 ON THE PLAZA, and JOHN DOES 1-5 (said names fictitious real name currently unknown)
31
32

1 Francisco Ortega was caused to suffer serious personal injuries. He has suffered and will in the
2 future, suffer great pain, he has and will in the future be required to expend large sums of money
3 for the care and treatment of his injuries, and he has been and will in the future be in the future
4 be unable to pursue his daily activities as before.
5

6 7. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
7 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
8 severe emotional distress and other diverse injuries.
9

10 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
11 and has suffered severe emotional distress and other diverse injuries demand judgment for
12 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
13 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
14 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
15 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
16 and JOHN-DOES 1-5 (said names fictitious real name currently unknown), either jointly,
17 severally, or in the alternative for compensatory and punitive damages together with interests and
18 costs of suit.
19
20
21
22

23 EIGHTH COUNT

24 1. The plaintiff, repeats each and every allegation contained in the prior Counts and makes
25 same a part hereof as though set forth herein at length.
26

27 2. At all relevant times herein, the defendant, FEDERAL REALTY INVESTMENT
28 TRUST, was a commercial business entity with headquarters located at 1626 East Jefferson
29 Street, Rockville, Maryland, engaged in the ownership, management, operation and development
30 of retail business property.
31
32

1 3. At all relevant times herein the defendant, FEDERAL REALTY INVESTMENT
2 TRUST, owned, controlled, managed and operated certain real property located in Brick
3 Township commonly known as Brick Plaza. Said property contained numerous building units
4
5 lased by the defendant to various tenants.

6 4. At all relevant times herein, the defendant, FEDERAL REALTY INVESTMENT
7 TRUST, leased the premises located at 108 Brick Plaza to the defendants, GEORGE
8 MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION
9 ON THE PLAZA, and JOHN DOES 1-5 (said names fictitious real name currently unknown) for
10
11 the use in the operation of a business and nightclub open to the general public, thereby deriving
12
13 an economic benefit from the activities at said location.

14 5. At all relevant times herein, the defendant, FEDERAL REALTY INVESTMENT
15 TRUST, through their agents, servants and or employees so negligently and carelessly owned,
16
17 maintained, managed, monitored and controlled the property and activities under their control so
18
19 as to permit dangerous activities and conditions to exist on and about the premises.

20 6. As a direct and proximate cause of such actions or omissions of the defendant,
21 FEDERAL REALTY INVESTMENT TRUST, Francisco Ortega was caused to suffer serious
22
23 personal injuries. He has suffered and will in the future, suffer great pain, he has and will in the
24
25 future be required to expend large sums of money for the care and treatment of his injuries, and
26
27 he has been and will in the future be in the future be unable to pursue his daily activities as
before.

28 7. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
29 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
30
31 severe emotional distress and other diverse injuries.
32

WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega, and has suffered severe emotional distress and other diverse injuries demand judgment for damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004), and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS, DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA and JOHN DOES 1-5 (said names fictitious real name currently unknown), FEDERAL REALTY INVESTMENT TRUST, either jointly, severally, or in the alternative for compensatory and punitive damages together with interests and costs of suit.

NINTH COUNT

1. The plaintiff, repeats each and every allegation contained in the prior Counts and makes same a part hereof as though set forth herein at length.

2. At all relevant times herein, the defendant, DBF MANAGEMENT COMPANIES 1-5 (said name being fictitious real names currently unknown) on behalf of defendant, FEDERAL REALTY INVESTMENT TRUST, was responsible for the operation and management of the Brick Plaza Shopping Center located in Brick Township, New Jersey which was open to members of the general public.

3. At all relevant times herein, the defendant, DEF MANAGEMENT COMPANIES 1-5 (said names being fictitious real names currently unknown) through their agents, servants and/or employees was negligent in the performance of their duties and management of the Brick Plaza Shopping Center so as to permit dangerous activities and conditions to exist upon the premises.

4. As a direct and proximate cause of the negligence of the defendant, DEF
MANAGEMENT COMPANIES 1-5 (said name being fictitious real names currently unknown),

1 through their agents, servants and/or employees, Francisco Ortega was caused to suffer serious
2 personal injuries. He has suffered and will in the future, suffer great pain, he has and will in the
3 future be required to expend large sums of money for the care and treatment of his injuries, and
4 he has been and will in the future be in the future be unable to pursue his daily activities as
5 before.
6

7
8 5. As a direct and proximate cause of the negligence of the defendants aforesaid, Plaintiff,
9 Gabriella Arias was caused to witness said assault upon Francisco Ortega, and has suffered
10 severe emotional distress and other diverse injuries.
11

12 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
13 and has suffered severe emotional distress and other diverse injuries demand judgment for
14 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
15 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
16 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
17 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA
18 and JOHN DOES 1-5 (said names fictitious real name currently unknown), ABC SECURITY
19 COMPANIES 1-5 (said names fictitious real name currently unknown), DBF MANAGEMENT
20 COMPANIES 1-5 (said names fictitious real name currently unknown), AND REALTY
21 INVESTMENT TRUST, either jointly, severally, or in the alternative for compensatory and
22 punitive damages together with interests and costs of suit.
23
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25
26

27 **TENTH COUNT**

28 1. The plaintiff, repeats each and every allegation contained in the prior Counts and
29 makes same a part hereof as though set forth herein at length.
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31
32

1 2. At all relevant times herein, the defendant, GHI SECURITY COMPANIES 1-5 (said
2 name being fictitious real names currently unknown) were responsible for providing security
3 services on behalf of defendant FEDERAL REALTY INVESTMENT TRUST upon the
4 premises known as Brick Plaza Shopping Center located at 108 Brick Plaza, Brick Township,
5 New Jersey,
6

7 3. At all relevant times herein, the defendant, GHI SECURITY COMPANIES 1-5 (said
8 names being fictitious real names currently unknown) was negligent in providing security
9 services upon the premises of the Brick Plaza Shopping Center so as to permit dangerous
10 activities and conditions to exist upon the premises.
11
12

13 4. As a direct and proximate cause of the negligence of the defendant, GHI SECURITY
14 COMPANIES 1-5 (said name being fictitious real names currently unknown), Francisco Ortega
15 was caused to suffer serious personal injuries. He has suffered and will in the future, suffer great
16 pain, he has and will in the future be required to expend large sums of money for the care and
17 treatment of his injuries, and he has been and will in the future be in the future be unable to
18 pursue his daily activities as before.
19
20

21 5. As a direct and proximate cause of the negligence of the defendants GHI SECURITY
22 COMPANIES 1-5 aforesaid, Plaintiff, Gabriella Arias was caused to witness said assault upon
23 Francisco Ortega, and has suffered severe emotional distress and other diverse injuries.
24

25 WHEREFORE, Plaintiff, Gabriella Arias, witnessed said assault upon Francisco Ortega,
26 and has suffered severe emotional distress and other diverse injuries demand judgment for
27 damages pursuant to Portee v. Jaffee, 84 N.J. 88 (1980), Jablonowska v. Suther, 195 N.J. 91, 111
28 (2008), and Ortiz v. John D. Pittenger Builder, Inc., 382 N.J. Super. 552, 563 (Law Div. 2004),
29 and Hinton v. Meyers, A-5700-08T1, against the defendants GEORGE MELASSONAS,
30
31
32

1 DIANE MELASSONAS, LETTUCE SERVE YOU, LLC, d/b/a MANSION ON THE PLAZA.
2 and JOHN DOES 1-5 (said names fictitious real name currently unknown), ABC SECURITY
3 COMPANIES 1-5 (said names fictitious real name currently unknown), GHI SECUTIV
4 COMPANIES 1-5 (said names fictitious real name currently unknown), either jointly, severally,
5 or in the alternative for compensatory and punitive damages together with interests and costs of
6 suit,
7
8

9 **JURY DEMAND**

10 Plaintiff hereby demand a trial by jury as to all issues.
11

12 **DESIGNATION OF TRIAL COUNSEL**

13 Pursuant to the Rules of Court, Francis E. Wilton, Esq., is hereby designated as trial
14 counsel of the within matter.
15

16 **DEMAND FOR PRODUCTION OF INSURANCE AGREEMENTS**

17 Pursuant to R. 4:10-2(b), demand is hereby made that you disclose to the undersigned whether
18 there are any insurance agreements or policies under which any person or firm carrying on an
19 insurance business may be liable to satisfy all or part of a judgment which may be entered in the
20 action or to indemnify or reimburse for payment made to satisfy the judgment. If so, please
21 attach a copy of each, or in the alternative state, under oath and certification: (a) policy number;
22 (b) name and address of insurer; (c) inception and expiration date; (d) names and addresses of all
23 persons insured thereunder; (e) personal injury limits; (f) property damage limits; and (g)
24 medical payment limits.
25
26

27
28 GILL & CHAMAS, L.L.C.
29 Attorney for Plaintiff

30 By:

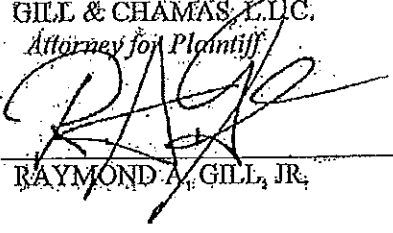
31 RAYMOND A. GILL, JR.
32

DATED: February 6, 2015

1 **DEMAND FOR ANSWERS TO INTERROGATORIES**

2 Pursuant to Rule 4:17-1(b), the Plaintiff hereby demands that all Defendants herein
3 provide answers to the uniform interrogatories set forth in Form C, C(2) of Appendix II of the
4 Rules Governing the Courts of the State of New Jersey.
5

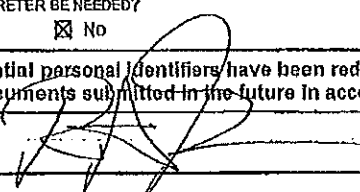
6
7
8 GILL & CHAMAS, L.L.C.
 Attorney for Plaintiff

9
10
11 By:  _____

12 RAYMOND A. GILL, JR.

13 DATED: February 6, 2015
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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 TYPE: ☐ CK ☐ CG ☐ CA CHG/CK NO. _____ AMOUNT: _____ OVERPAYMENT: _____ BATCH NUMBER: _____	
	ATTORNEY / PRO SE NAME RAYMOND A. GILL, ESQ.		TELEPHONE NUMBER (732) 324-7600	COUNTY OF VENUE Monmouth
	FIRM NAME (If applicable) Gill and Chamas		DOCKET NUMBER (when available) _____	
OFFICE ADDRESS 655 Florida Grove Road Woodbridge, NJ 07095			DOCUMENT TYPE Amended Complaint JURY DEMAND ☒ Yes ☐ No	
NAME OF PARTY (e.g., John Doe, Plaintiff) GABRIELLA ARIAS, Plaintiff		CAPTION ARIAS V. LETTUCE SERVE YOU, LLC, et al.		
CASE TYPE NUMBER (See reverse side for listing) 603	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 _____		
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: 				



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
- 176 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)
- 508 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

- 303 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/AREZIA | 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 |
| 288 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