

Levinson Axelrod^{P.A.}

ATTORNEYS AT LAW

302 Route 206 South, Hillsborough, NJ 08844

T: (908) 359-0110 F: (908) 359-0955

In Memoriam

Jacob Levinson

(1934-1988)

Robert J. Axelrod

(1961-2000)

Alfred A. Levinson

(1948-2006)

Partners

Richard J. Levinson

Ronald B. Grayzel *

Richard J. Marcolus **

James J. Dunn *

Mark V. Kuminski *

Adam L. Rothenberg *

Brett R. Greiner *

Kimberly L. Gozsa *

Todd D. Wachtel **

Robert Y. Cook *

Michael B. Fusco *

Matthew P. Pietrowski

Of Counsel

Patrick R. Caulfield **

Jefferson T. Barnes *

Associates

Rosemary E. McGeady, M.D.

Kathleen M. DiGiovanni *

David A. Cook

Patrick J. Flinn *

Brian P. McElroy

Roberto Benites

Celine M. Vitale

Christopher A. DeAngelo

Catherine M. Carton

Erin M. Kolodziejczyk

Charles R. Mathis IV

January 24, 2019

JAN 31 2019

Michael P. O'Grodnick, Esq.

Savo, Schalk, Gillespie, O'Grodnick, & Fisher

77 North Bridge St.

Somerville, NJ 08876

Re: Chadwick v. Mendoza, et al.

Docket No.: SOM-L-000092-19

Dear Mr. O'Grodnick:

In connection with the above-captioned matter, attached please find a copy of the new Complaint, which was filed on January 24, 2019. Please sign the attached Acknowledgement of Service and return to my office so that I may file with the court.

BPM/nal

Enc.

Very truly yours,



BRIAN P. MCELROY

* Certified Civil Trial Attorney

** Certified Workers' Comp. Attorney

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: JANUARY 24, 2019
RE: CHADWICK PATRICIA VS MENDOZA ANTHONY
DOCKET: SOM L -000092 19

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 YOLANDA CICCONE

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: BRIAN P. MC ELROY
LEVINSON AXELROD
302 ROUTE 206 SOUTH
HILLSBOROUGH NJ 08844

ECOURTS

Brian P. McElroy, Esq. - 036492006
LEVINSON AXELROD
302 Route 206 South
Hillsborough, New Jersey 08844
908-359-0110
Attorney for Plaintiff

PATRICIA CHADWICK,

Plaintiff,

v.

ANTHONY C. MENDOZA, BRIDGEWATER
TOWNSHIP, BRIDGEWATER POLICE
DEPARTMENT, and JOHN DOES 1-10
(representing presently
unidentified individuals,
businesses, and/or corporations
who owned, operated, maintained,
supervised, designed, constructed,
repaired, an/or controlled the
vehicle in question or otherwise
employed the defendant),

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: SOMERSET COUNTY
DOCKET NO.:

CIVIL ACTION

Complaint, Jury Demand, Demand
for Discovery of Insurance,
Notice to Produce, Demand for
Answers to Interrogatories

PATRICIA CHADWICK, residing 182 Seabreeze Avenue, Township of
Middletown, County of Monmouth, State of New Jersey complaining of
the defendants, say:

FIRST COUNT

1. On or about October 29, 2016, plaintiff, PATRICIA
CHADWICK, was a passenger in a vehicle operated by Kevin Lamey and
owned by Bridgewater Township traveling on Chimney Rock Road,
Township of Bridgewater, County of Somerset, and State of New
Jersey.

2. At the time and place aforesaid, the defendant, **ANTHONY C. MENDOZA**, was the driver of a motor vehicle owned by the defendant, **BRIDGEWATER TOWNSHIP** and **BRIDGEWATER POLICE DEPARTMENT**, and traveling on Chimney Rock Road, Township of Bridgewater, County of Somerset, and State of New Jersey.

3. As a direct and proximate result of the negligence of the defendant, **ANTHONY C. MENDOZA**, in the operation, control, and supervision of his motor vehicle, a collision occurred and the plaintiff, **PATRICIA CHADWICK**, was caused to sustain severe, serious and permanent injuries; was caused to suffer great pain and will in the future be caused to suffer great pain; was caused to incur medical expenses and will in the future be caused to incur medical expenses.

WHEREFORE, the plaintiff, **PATRICIA CHADWICK**, demands judgment against the defendants, **ANTHONY C. MENDOZA**, **BRIDGEWATER TOWNSHIP**, and **BRIDGEWATER POLICE DEPARTMENT**, jointly and severally, for damages, interest and costs of suit and any other remedy this Court deems just.

SECOND COUNT

1. Plaintiff, **PATRICIA CHADWICK**, repeats and realleges each and every allegation contained in the First Count and makes them a part herein.

2. At the time and place aforesaid, the defendants, **JOHN DOES 1-10 (representing presently unknown persons)**, operated a

motor vehicle on Chimney Rock Road, Township of Bridgewater, County of Somerset, and State of New Jersey.

3. At the time and place aforesaid, the defendants, JOHN DOES 1-10 (representing presently unknown persons), negligently and/or carelessly in the operation, control, and supervision of their motor vehicle, caused a collision to occur and the plaintiff, PATRICIA CHADWICK, was caused to sustain severe, serious and permanent injuries; was caused to suffer great pain and will in the future be caused to suffer great pain; was caused to incur medical expenses and will in the future be caused to incur medical expenses.

WHEREFORE, the Plaintiff, PATRICIA CHADWICK, demands judgment against the defendants, JOHN DOES 1-10 (representing presently unknown persons), for damages, interest and costs of suit.

THIRD COUNT

1. Plaintiff, PATRICIA CHADWICK, repeats and realleges each and every allegation contained in the prior Counts and makes them a part herein.

2. Plaintiff alleges there was a breach of motor vehicle and other statutes and this constitutes a statutory tort.

WHEREFORE, plaintiff, PATRICIA CHADWICK, demands judgment against the defendants, ANTHONY C. MENDOZA, BRIDGEWATER TOWNSHIP, BRIDGEWATER POLICE DEPARTMENT, and JOHN DOES 1-10 (representing presently unknown persons), jointly and severally, for damages,

interest and cost of suit and any other remedy this Court deems just.

JURY DEMAND

Pursuant to R.4:35-1, plaintiffs hereby demand a trial by jury on all issues of the within matter.

DESIGNATION OF TRIAL COUNSEL

Pursuant to R.4:25-4, Brian P. McElroy, Esq., is hereby designated as trial counsel in the within matter for the firm of Levinson Axelrod, P.C., attorneys for plaintiff.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to R.4:10-2(b), demand is hereby made that defendants disclose to plaintiff's attorneys whether 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 and provide plaintiff's attorneys with true copies of such insurance agreements or policies including, but not limited to, any and all declaration sheets. This demand shall be deemed to include and cover not only primary coverage but also any and all excess, catastrophe and umbrella policies.

NOTICE TO PRODUCE

Pursuant to R. 4:18-1, plaintiff hereby demands that the defendants produce the following documents at this office within thirty (30) days, as prescribed by the Rules of Court. Additionally, please be advised that the following requests are

ongoing and continuing in nature and the defendants are therefore required to continuously update their responses thereto as new information or documentation comes into existence.

REQUEST FOR ADMISSIONS

The Plaintiff requests the defendants, within thirty (30) days after the service of this request, to make the following admissions for the purpose of this action, subject to pertinent objections to admissibility which may be interposed at the trial:

1. Admit that on October 29, 2016, the vehicle that the defendant, Anthony C. Mendoza, was driving had PIP benefits at the time of the accident.

_____ *Admit*

_____ *Deny*

Documents Requested

1. The amounts of any and all insurance coverage covering the defendants, including but not limited to, primary insurance policies, secondary insurance policies and/or umbrella insurance policies. For each such policy of insurance, supply a copy of the declaration page therefrom.

2. Copies of any and all documentation or reports, including but not limited to, police reports, accident reports and/or incident reports concerning the happening of the accident in question or any subsequent investigation of same.

3. Copies or duplicates of any and all photographs, motion pictures, videotapes, films, drawings, diagrams, sketches or other reproductions, descriptions or accounts concerning the individuals

involved in the incident in question, the property damage sustained, the accident scene, or anything else relevant to the incident in question.

4. Copies of any and all signed or unsigned statements, documents, communications, and/or transmissions, whether in writing, made orally or otherwise recorded by any mechanical or electronic means, made by any party to this action, any witness, or any other individual, business, corporation, investigative authority or other entity concerning anything relevant to the incident in question.

5. Copies of any and all documentation, including but not limited to, any contracts between the owner of the property or product involved in the incident in question and any of the parties involved in this matter.

6. Copies of any and all documentation, including but not limited to safety manuals, statutes, rules, regulations, books, and/or industry standards which refer to, reflect or otherwise relate to the incident in question or any potential defense to the action in question.

7. Copies of any and all discovery received from any other parties to the action in question.

8. Copies of any and all reports on the plaintiff received by the defendants, or any other party to this suit, from either the Central Index Bureau (C.I.B.) or from any other source.

9. Copies of any and all medical information and/or documentation concerning the plaintiff in this matter whether it concerns any medical condition or treatment which took place before, during or after the time of the accident in question.

10. Copies of any and all records of any type subpoenaed by the defendants or received from any other source concerning the plaintiff or the accident in question.

Please be advised that plaintiff hereby objects to the taking of any photographs, x-ray films or other reproductions concerning the plaintiff or the plaintiff's injuries at the time of the defense examination.

DEMAND FOR ANSWERS TO INTERROGATORIES

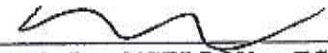
Demand is hereby made on the defendants to answer fully and responsively Form C and Form C(1) Uniform Interrogatories, found in Appendix II as provided by R. 4:17-1(b)(ii) and other applicable Rules of Court. Demand is hereby made that Defendants answer the attached Supplemental Interrogatories as prescribed by the Rules of Court.

Levinson Axelrod, P.C.

Dated:

1/21/14

By:


BRIAN P. MCELROY, ESQ.

CERTIFICATION PURSUANT TO R.4:5-1

BRIAN P. MCELROY, ESQ. of full age, hereby certifies and says:

1. I am an attorney-at-law of the State of New Jersey, and am an attorney in the law firm of Levinson Axelrod, P.C., attorneys for plaintiff in the above-captioned matter.

2. To the best of my knowledge, information and belief, there is no other action pending about the subject matter of this Complaint in any Court or arbitration proceeding.

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

Dated:

1/11/19


BRIAN P. MCELROY, ESQ.

CERTIFICATION PURSUANT TO R.1:38-7b

BRIAN P. MCELROY, ESQ. of full age, hereby certifies and says:

1. I am an attorney-at-law of the State of New Jersey, and am an attorney in the law firm of Levinson Axelrod, P.C., attorneys for plaintiff in the above-captioned matter.

2. To the best of my knowledge, all confidential personal identifiers have been redacted and all subsequent papers

submitted to the court will not contain confidential personal identifiers in accordance with R.1:38-7b.

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



BRIAN P. MCELROY, ESQ.

Dated:

1/21/19

SUPPLEMENTAL INTERROGATORIES

1. Did you review the police report that was generated as a result of this collision?
2. If the answer to the prior question is in the affirmative, state whether the police report is accurate. If inaccurate, state the specific provisions that are inaccurate.
3. State whether there were any obstructions to your view at the time and location of the collision here at issue.
4. If the answer to the prior question is in the affirmative, set forth a description of each visual obstruction including its location relative to the point where the vehicular collision occurred.
5. State the cellular phone number and carrier for the person operating the defendant's vehicle at the time of the collision.
6. State all attempts or actions undertaken by defendant to avoid this collision, once it became apparent that a collision was imminent.
7. If this party does not accept full responsibility for the happening of the accident, please indicate what the driver of the other vehicle did that contributed to the happening of this accident.
8. Indicate violations for which Defendant has points on his/her license covering the ten (10) years preceding the collision here at issue.
9. Please detail all conversations you had with the plaintiff or overheard being had by plaintiff with anyone else after the accident in question until you left the accident scene.

Civil Case Information Statement

Case Details: SOMERSET | Civil Part Docket# L-000092-19

Case Caption: CHADWICK PATRICIA VS MENDOZA ANTHONY

Case Initiation Date: 01/24/2019

Attorney Name: BRIAN PATRICK MC ELROY

Firm Name: LEVINSON AXELROD

Address: 302 ROUTE 206 SOUTH
HILLSBOROUGH NJ 08844

Phone:

Name of Party: PLAINTIFF : Chadwick, Patricia

Name of Defendant's Primary Insurance Company
(if known): Unknown

Case Type: AUTO NEGLIGENCE-PERSONAL INJURY (NON-
VERBAL THRESHOLD)

Document Type: Complaint with Jury Demand

Jury Demand: YES - 6 JURORS

Hurricane Sandy related? NO

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)?** 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? NO

If yes, is that relationship:

Does the statute governing this case provide for payment of fees by the losing party? 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? NO

If yes, please identify the requested accommodation:

Will an interpreter be needed? 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 *Rule 1:38-7(b)*

01/24/2019
Dated

/s/ BRIAN PATRICK MC ELROY
Signed