

LAW OFFICE OF ERIC J. WARNER, LLC
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Attorneys for Plaintiffs

MARCUS COOK, SR., as administrator of
the ESTATE OF MARCUS COOK, JR. and
MARCUS COOK, SR., individually,
ONDREA GREEN, individually,

Plaintiffs,

v.

STATE OF NEW JERSEY; NEW JERSEY
STATE DEPARTMENT OF
TRANSPORTATION; COUNTY OF
SOMERSET; TOWNSHIP OF
BRIDGEWATER; JOSE L.
MONDRAGON ZAMUDIO; BRITTANY
L. TAPIA; HIDALGO GROCERY, LLC;
SHARON A. TAPIA; JOHN DOES (1-10)
(fictitious names); ABC GOVERNMENTAL
ENTITIES (1-10) (fictitious names); XYZ
COMPANIES (1-10) (fictitious names),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: SOMERSET COUNTY

DOCKET NO.:

CIVIL ACTION

**COMPLAINT, JURY DEMAND & DEMAND
FOR INSURANCE INFORMATION**

Plaintiffs, MARCUS COOK, SR., as administrator of the ESTATE OF MARCUS COOK, JR. and MARCUS COOK, SR., individually, and ONDREA GREEN, individually (hereinafter referred to collectively as "Plaintiffs"), of legal age, by way of Complaint against the above-captioned Defendants, say:

PARTIES

1. Plaintiff, Marcus Cook, Sr. (hereinafter referred to as "Mr. Cook"), is the father of Decedent, Marcus Cook, Jr. (hereinafter referred to as "Decedent"), and is the administrator of Plaintiff, Estate of Marcus Cook, Jr. (hereinafter referred to as the "Estate"), and currently resides at: 600 Autumn Lane, City of Garfield, County of Bergen, State of New Jersey.

2. Plaintiff, Estate of Marcus Cook, Jr., is an Estate being administered by Plaintiff, Marcus Cook, Sr., from his residence at: 600 Autumn Lane, City of Garfield, County of Bergen, State of New Jersey.

3. Plaintiff, Ondrea Green (hereinafter referred to as "Ms. Green"), is the mother of Decedent, and currently resides at: 254 Williamson Avenue, Township of Hillside, County of Union, State of New Jersey.

4. Defendant, State of New Jersey (hereinafter referred to as "Defendant State") is a State of the United States of America with its relevant seat of government located at Office of the New Jersey Attorney General, RJ Hughes Justice Complex, 25 Market Street, City of Trenton, County of Mercer, State of New Jersey.

5. Defendant, New Jersey State Department of Transportation (hereinafter referred to as Defendant DOT") is a governmental entity and a department of Defendant, State of New Jersey, operating out of 1035 Parkway Avenue, City of Trenton, County of Mercer, State of New Jersey.

6. Defendant, County of Somerset (hereinafter referred to as "Defendant County"), is a County of the State of New Jersey with its seat of government located at: 20 Grove Street, Town of Somerville, County of Somerset, State of New Jersey.

7. Defendant, Township of Bridgewater (hereinafter referred to as "Defendant Township"), is a municipality within the County of Somerset and the State of New Jersey, with its seat of

government located at: 100 Common Way, Township of Bridgewater, County of Somerset, State of New Jersey

8. Upon information and belief, Defendant, Jose L. Mondragon Zamudio (hereinafter referred to as "Defendant Zamudio"), is an individual who resides at: 45 South Bridge Street, Town of Somerville, County of Somerset, State of New Jersey.

9. Upon information and belief, Defendant, Brittany L. Tapia (hereinafter referred to as "Defendant Brittany Tapia"), is an individual who resides at 1374 Tullo Road, Community of Martinsville, County of Somerset, State of New Jersey.

10. Upon information and belief, Hidalgo Grocery, LLC (hereinafter referred to as "Defendant Hidalgo"), is a company operating out of 144 West Main Street, Town of Somerville, County of Somerset, State of New Jersey.

11. Sharon A. Tapia (hereinafter referred to as "Defendant Sharon Tapia"), is an individual residing at 1374 Tullo Road, Community of Martinsville, County of Somerset, State of New Jersey.

STATEMENT OF FACTS COMMON TO ALL COUNTS

12. On or about December 18, 2016, at or about 11:02 p.m., in the Defendant Township of Bridgewater, Decedent attempted to cross U.S. Route 22, at or about Mile Post 36.01, by foot, in an apparent effort to reach the diner on the other side of the road, at a section of U.S. Route 22 where there is no means of pedestrian crossing for several miles in both directions, and where there is no street lighting illumination.

13. While crossing the subject highway, Defendant was struck and run down by a vehicle operated by Defendant Zamudio and owned by Defendant Hidalgo Grocery, LLC, while said vehicle was travelling westbound on U.S. Route 22.

14. The aforementioned impact with Defendant Zamudio's vehicle was so forceful that it caused Decedent, who was struck in the left lane of the highway, to land in the center lane.

15. Subsequently, as Decedent laid in the center lane of westbound U.S. Route 22, a second vehicle, operated by Defendant Brittany Tapia, and owned by Defendant, Sharon Tapia, struck Decedent as he laid in the road, despite attempts of onlookers standing at or about the aforementioned diner to flag Defendant, Brittany Tapia, down to prevent the second collision.

16. When Defendant Brittany Tapia stopped her vehicle, Decedent was underneath said vehicle.

17. Decedent's injuries were so severe, that he was pronounced dead at the scene.

18. On or about March 16, 2017, Plaintiffs' former counsel filed a Notice of Tort Claim with Defendants, State of New Jersey, New Jersey Department of Transportation and Township of Bridgewater. (A true and accurate copy of said Notice of Tort Claim with accompanying correspondence and attached police report is annexed hereto as "**Exhibit A.**")

19. On or about June 6, 2018, Mr. Cook was named administrator of the Plaintiff Estate. (A true and accurate copy of the Letter of Administration is annexed hereto as "**Exhibit B.**")

COUNT ONE – GOVERNMENTAL DEFENDANTS SURVIVORSHIP

20. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

21. At all relevant times, Defendants, State of New Jersey, New Jersey Department of Transportation, County of Somerset and Township of Bridgewater (hereinafter collectively referred to as the "Governmental Defendants"), through their acts and omissions, jointly and severely caused and/or contributed to Decedent's death, by failing to ensure adequate pedestrian crossings over U.S. Route 22 and failing to provide street illumination of any kind.

22. At all relevant times, the aforementioned Governmental Defendants possessed actual and/or constructive knowledge that pedestrians frequently crossed U.S. Route 22 by foot, at and about the section of roadway where Decedent attempted to cross, since pedestrians wishing to reach the other side of the road, at or about where Decedent was killed, had (and continue to have) no other option than to cross U.S. Route 22 by traversing the surface of the roadway.

23. At all relevant times, the aforementioned Governmental Defendants, despite their actual and/or constructive knowledge of a need for safe pedestrian foot crossings for miles, in and about the area where Decedent was killed, jointly and severally failed to remediate this unsafe condition by failing to provide for safe pedestrian foot crossing of U.S. Route 22 at and about the area where Decedent was killed.

24. At all relevant times, the aforementioned Governmental Defendants possessed actual and/or constructive knowledge that multiple pedestrian injuries and deaths have occurred by motor vehicle accidents at and about the location where Decedent was killed.

25. At all relevant times, despite the aforementioned actual and/or constructive knowledge of this hazardous stretch of roadway at and about where Decedent was killed, the aforementioned Governmental Defendants failed to provide roadway illumination of any sort.

26. As a result of the joint and several liability of the aforementioned Governmental Defendants, said Governmental Defendants, jointly and severally, acted so recklessly, carelessly and negligently, by and through their aforestated acts and omissions, so as to cause and/or contribute to Decedent's death.

27. As a result of the foregoing joint and several conduct and omissions of said Governmental Defendants, Decedent was caused to experience intense pain and suffering, which resulted in his death.

WHEREFORE, Plaintiffs demands judgment against the Governmental Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

COUNT TWO – GOVERNMENTAL DEFENDANTS WRONGFUL DEATH

28. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

29. At all relevant times, the Governmental Defendants, through their acts and omissions, jointly and severely caused and/or contributed to Decedent's death, by failing to ensure adequate pedestrian crossings over U.S. Route 22 and failing to provide street illumination of any kind.

30. At all relevant times, the aforementioned Governmental Defendants possessed actual and/or constructive knowledge that pedestrians frequently crossed U.S. Route 22 by foot, at and about the section of roadway where Decedent attempted to cross, since pedestrians wishing to reach the other side of the road, at and about where Decedent was killed, had (and continue to have) no other option than to cross U.S. Route 22 by traversing the surface of the roadway.

31. At all relevant times, the aforementioned Governmental Defendants, despite their actual and/or constructive knowledge of a need for safe pedestrian foot crossings for miles, in and about the area where Decedent was killed, jointly and severally failed to remediate this unsafe condition by failing to provide for safe pedestrian foot crossing of U.S. Route 22 at and about the area where Decedent was killed.

32. At all relevant times, the aforementioned Governmental Defendants possessed actual and/or constructive knowledge that multiple pedestrian injuries and deaths have occurred by motor vehicle accidents at and about the location where Decedent was killed and prior to Decedent's death.

33. At all relevant times, despite the aforementioned actual and/or constructive knowledge of this hazardous stretch of roadway at and about where Decedent was killed, the aforementioned Governmental Defendants failed to provide roadway illumination of any sort.

34. As a result of the joint and several liability of the aforementioned Governmental Defendants, said Governmental Defendants, jointly and severally, acted so recklessly, carelessly and negligently, by and through their aforesated acts and omissions, so as to cause and/or contribute to Decedent's death.

35. As a result of the foregoing joint and several conduct and omissions of said Governmental Defendants, Mr. Cook and Ms. Green have been deprived of any and all financial benefits, emotional enrichment and fulfillment and love and companionship through their previously anticipated life-long parental relationship with Decedent.

WHEREFORE, Plaintiffs demands judgment against the Governmental Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

COMPLAINT TO 12/1/2019 2:00:00 AM BY 00124 TRANS ID: 201902171300

○ ○

COUNT THREE – INDIVIDUAL DRIVER DEFENDANTS SURVIVORSHIP

36. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

37. At all relevant times, Defendants Zamudio and Brittany Tapia, (hereinafter collectively referred to as the “Driver Defendants”), through their acts and omissions, jointly and severely caused and/or contributed to Decedent’s death, by operating their vehicles so recklessly, carelessly and negligently so as to cause their vehicles to strike down Decedent, a pedestrian traversing the roadway in said Driver Defendants’ line of sight.

38. As a result of the foregoing joint and several conduct and omissions of said Driver Defendants, Decedent was caused to experience intense pain and suffering, which resulted in his death.

WHEREFORE, Plaintiffs demands judgment against the Driver Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

COUNT FOUR – DRIVER DEFENDANTS WRONGFUL DEATH

39. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

40. At all relevant times, the Driver Defendants, through their acts and omissions, jointly and severely caused and/or contributed to Decedent’s death, by operating their vehicles so recklessly,

carelessly and negligently so as to cause their vehicles to strike down Decedent, a pedestrian traversing the roadway in said Driver Defendants' line of sight.

41. As a result of the foregoing joint and several conduct and omissions of said Driver Defendants, Mr. Cook and Ms. Green have been deprived of any and all financial benefits, emotional enrichment and fulfillment and love and companionship through their previously anticipated life-long parental relationship with Decedent.

WHEREFORE, Plaintiffs demands judgment against the Driver Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

**COUNT FIVE – INDIVIDUAL OWNER DEFENDANTS NEGLIGENT
ENTRUSTMENT/SURVIVORSHIP**

42. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

43. At all relevant times, Defendants Hidalgo Grocery, LLC and Sharon Tapia (hereinafter collectively referred to as the "Owner Defendants") owned the subject vehicles that struck down and killed Decedent.

44. On or about December 18, 2016, the Owner Defendants jointly and severally entrusted and granted use and permissive access of their vehicles to the aforementioned Driver Defendants in such a reckless, careless and negligent manner so as to entrust said vehicles to the Driver

Defendants, when Owner Defendants knew or should have known that Driver Defendants lacked the competence and ability to safely operate said motor vehicles.

45. Indeed, Driver Defendants both jointly and severally failed to operate said motor vehicles with any modicum of competency and caused said vehicles to strike down Decedent who was in their line of sight.

46. As a result of the foregoing joint and several conduct and omissions of said Owner Defendants, Decedent was caused to experience intense pain and suffering, which resulted in his death.

WHEREFORE, Plaintiffs demands judgment against the Owner Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

**COUNT SIX – INDIVIDUAL OWNER DEFENDANTS NEGLIGENT
ENTRUSTMENT/WRONGFUL DEATH**

47. Plaintiffs repeat and reallege all previous paragraphs of this Complaint as if they were set forth in full herein.

48. At all relevant times, the Owner Defendants owned the subject vehicles that struck down and killed Decedent.

49. On or about December 18, 2016, the Owner Defendants jointly and severally entrusted and granted use and permissive access of their vehicles to the aforementioned Driver Defendants in such a reckless, careless and negligent manner so as to entrust said vehicles to the Driver

Defendants, when Defendant owners knew or should have known that Defendant Drivers lacked the competence and ability to safely operate said motor vehicles.

50. Indeed, Defendant Drivers both jointly and severally failed to operate said motor vehicles with any modicum of competency and caused said vehicles to strike down Decedent who was in their line of sight.

51. As a result of the foregoing joint and several conduct and omissions of said Driver Defendants, Mr. Cook and Ms. Green have been deprived of any and all financial benefits, emotional enrichment and fulfillment and love and companionship through their previously anticipated life-long parental relationship with Decedent.

WHEREFORE, Plaintiffs demands judgment against the Owner Defendants for:

1. General compensatory damages;
2. Punitive damages;
3. Special damages;
4. Interest according to law;
5. Attorney fees and costs of suit; and
6. Such other and further relief as the court deems just and proper.

LAW OFFICE OF ERIC J. WARNER, LLC
Attorneys for Plaintiff

By: /s/Eric J. Warner
Eric J. Warner

Dated: December 15, 2018

DESIGNATION OF TRIAL COUNSEL

PLEASE TAKE NOTICE that, pursuant to R. 4:25-4, Eric J. Warner is hereby designated as trial counsel.

LAW OFFICE OF ERIC J. WARNER, LLC
Attorneys for Plaintiff

By: /s/Eric J. Warner
Eric J. Warner

Dated: December 15, 2018

CERTIFICATION PURSUANT TO RULE 4:5-1

To the best of Plaintiff's knowledge, information and belief, the matter in controversy is not the subject of any other action or arbitration, pending or contemplated. At the present time, we know of no other parties to be joined in the within action.

LAW OFFICE OF ERIC J. WARNER, LLC
Attorneys for Plaintiff

By: /s/Eric J. Warner
Eric J. Warner

Dated: December 15, 2018

JURY DEMAND

Plaintiff hereby requests a jury on all triable issues.

LAW OFFICE OF ERIC J. WARNER, LLC
Attorneys for Plaintiff

By: /s/Eric J. Warner
Eric J. Warner

Dated: December 15, 2018

DEMAND FOR INSURANCE INFORMATION

Pursuant to this Request, Defendants are each to provide Plaintiffs' counsel with their full insurance policies as per New Jersey Court Rule 4:10-2(b) and within the time provided for by New Jersey Court Rule 4:18-1.

LAW OFFICE OF ERIC J. WARNER, LLC
Attorneys for Plaintiff

By: /s/Eric J. Warner
Eric J. Warner

Dated: December 15, 2018



EXHIBIT A

JAVERBAUM WURGALT
HICKS KAHN WIKSTROM & SININS, P.C.
Certified Trial Attorneys

505 MORRIS AVENUE
SPRINGFIELD, NJ 07081
TEL: 973-379-4200
FAX: 973-379-7872
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COPY

jmerendino@lawjw.com

James Merendino, Esq.
Certified Civil Trial Attorney
Associate

VIA LAWYERS SERVICE

March 16, 2017

Department of the Treasury
Bureau of Risk Management
20 West State Street, P.O. Box 620
Trenton, New Jersey 08625
Attn.: Tort Claims Unit

Re: Marcus Cook, Sr., on behalf of the Estate of Marcus E. Cook, Jr., deceased
Date of Accident/Incident: December 18, 2016

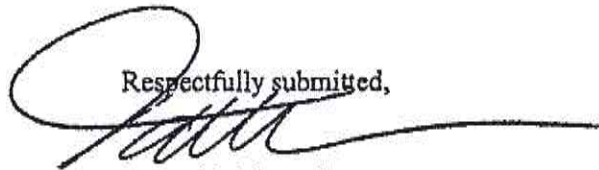
Dear Sir/Madam:

Enclosed please find a tort claim notice in connection with the above.

Please be guided accordingly.

Thank you.

Respectfully submitted,



James M. Merendino

JMM/tmg

cc: New Jersey Department of Transportation
Union County Counsel
Bridgewater Township Attorney
Administrator, Robert Wood Johnson Hospital, Somerset

INITIAL NOTICE OF CLAIM FOR DAMAGES AGAINST THE STATE OF NEW JERSEY

FORWARD TO: TORT AND CONTRACT UNIT
DEPARTMENT OF THE TREASURY, BUREAU OF RISK MGMT.
PO BOX 620
TRENTON, NEW JERSEY 08625
PHONE: (609) 292-4347

FORM MUST BE FILED WITHIN 90 DAYS OF THE ACCIDENT OR YOU MAY FORFEIT YOUR RIGHT

1. CLAIMANT:

COOK, Sr. MARCUS
LAST NAME FIRST MIDDLE
262 Harrison Street, Apartment 2C, Passaic, New Jersey 07055
ADDRESS
973-563-8018 Telephone
DATE OF BIRTH
SOCIAL SECURITY NUMBER

2. IF NOTICES AND CORRESPONDENCE IN CONNECTION WITH THIS CLAIM ARE TO BE SENT TO A PERSON OTHER THAN CLAIMANT, COMPLETE ITEM #2.

Eric Kahn, Esq. NAME
505 Morris Avenue, Springfield, New Jersey 07081 ADDRESS
Law Offices of Javerbaum Wurgaft MAILING ADDRESS
(973) 379-4200 TELEPHONE

RELATIONSHIP TO CLAIMANT: ATTORNEY AT LAW ☒ OR

EXPLAIN RELATIONSHIP

3. CIRCUMSTANCES REGARDING THE OCCURRENCE OR ACCIDENT :

12/18/2016 11:02 PM
DATE TIME
U.S. Highway 22 (WB) near Adamsville Road, Bridgewater Twp., N.J.
EXACT LOCATION OF THE OCCURRENCE

4. DESCRIBE THE ACCIDENT OR OCCURENCE.

A copy of the New Jersey Police Crash Investigation Report is attached.
*Note that this notice is filed on behalf of the Estate of Marcus E. Cook, Jr., Deceased, by his father, Marcus Cook, Sr.
Marcus E. Cook, Jr.'s date of birth is 02/21/1991 and his SSN is 153-90-8863. Residence on the day of the accident was P.O. Box 163, Stanhope, New Jersey 07874.
On December 18, 2016, Marcus E. Cook, Jr. was walking in the left lane of US Highway 22 (WB) in Bridgewater Township and was struck by two motorists. Mr. Cook was pronounced dead at the scene by paramedics.

5. STATE THE NAME AND ADDRESS OF ALL WITNESSES TO THE ABOVE ACCIDENT OR OCCURRENCE.

Jose Luis Mondragon Zamudio, 45 South Bridge Street, Somerville, New Jersey 08876
 Daniel Mondragon, 45 South Bridge Street, Somerville, New Jersey 08876
 Brittany L. Tapia, 1374 Tullo Road, Martinsville, New Jersey 08836
 Qudair McCord, 203 South Main Street, Manville, New Jersey 08835
 David A. Villegas, 154 Davenport Street, Somerville, New Jersey 08876
 Joshua A. Villegas, 154 Davenport Street, Somerville, New Jersey 08876
 Sean G. Dixon, 48 South Gaston Avenue, Somerville, New Jersey 08876

6. STATE THE NAMES AND ADDRESSES OF EACH STATE AGENCY OR AGENCIES AND EACH STATE EMPLOYEE WHOM YOU CLAIM CAUSED YOUR DAMAGES OR INJURIES.

State of New Jersey (address noted above)
 New Jersey Department of Transportation, 1035 Parkway Avenue, Trenton, New Jersey 08625
 County of Union, 2 Broad Street, Elizabeth, New Jersey 07207
 Bridgewater Township, 100 Commons Way, Bridgewater, New Jersey 08807
 Robert Wood Johnson University Hospital, Somerset, 110 Rehill Avenue, Somerville, New Jersey 08876

7. STATE THE NAME AND ADDRESS OF ALL OTHER PERSONS, COMPANIES OR GOVERNMENTAL AGENCIES WHICH YOU CLAIM ARE RESPONSIBLE FOR YOUR INJURIES OR DAMAGES.

To be determined.

8. BRIEFLY DESCRIBE THE INJURIES, DAMAGES AND LOSSES INCURRED BY YOU.

As a result of the collisions, Marcus E. Cook, Jr., suffered catastrophic injuries and was killed.

9. THE AMOUNT OF THE CLAIM. Undetermined at present.

GIVE THE BASIS FOR THE CALCULATION OF THE ABOVE DAMAGES:

Undetermined at present.

I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY STATEMENT MADE HEREIN IS WILLFULLY FALSE OR FRAUDULENT, THAT I AM SUBJECT TO PUNISHMENT PROVIDED BY LAW.

March 16, 2017

DATE

James M. Merendino, Esq., Associate, Javerbaum Wurgalt Law Offices

CLAIMANT OR PERSON FILING ON BEHALF OF CLAIMANT

Page 1 of 4		☒ Fatal		New Jersey Police Crash Investigation Report		☒ Reportable		☐ Non-Reportable		☐ Change Report	
02	1 Case Number	16291564		10 Crash Occurred On	RTE 22		11 Speed Limit	55		118a	25
01	2 Police Dept or Code	BRIDGEWATER TWP 01		12 Route No.	350		13 Milepost	2 15		118b	-
06	3 Station/Precinct			14	15		16	17 Cross Road Name		18	25
02	4 Date of Crash	12/18/16		5 Day of Week	M Tu W Th F Sa		6 Time (use 2400 hrs)	7 Municipality Code		8 Total Killed	9 Total Injured
01	10	2302		11	1806		12	13		14	15
01	23 Veh No	30D		24 Policy No	962		25 Int Code	57-5		26 Int Code	426
01	26 Driver's First Name	JOSE		27 Number and Street	45 SOUTH BRIDGE ST.		28 City	SOMERVILLE		29 State	NJ
01	30 Driver's License No	477		31 DOB	06/24		32 Expires	06/24		33 State	NJ
01	34 Owner's First Name	HIDALGO GROCERY LLC		35 Number and Street	144 W. MAIN ST.		36 City	SOMERVILLE		37 State	NJ
01	38 Make	NISSAN		39 Model	ROGUE		40 Color	SIL		41 Year	08
01	42 VIN	JNBAS58V68W106199		43 State	NJ		44 Plate No.	XERY17		45 Expires	06/17
01	46 Vehicle Removed To	☐ Driven ☐ Left at Scene ☒ Towed		47 Authority	☐ Owner ☐ Driver ☒ Police		48 Alcohol/Drug Test	Given: ☒ No ☐ Yes ☐ Refused		49 Type	☐ Breath ☐ Blood ☐ Urine
02	50 Carrier No.	☐ USDOT ☐ Other		51 Commercial Vehicle Weight	☐ ≤ 10,000 lbs ☐ 10,001 - 26,000 lbs ☐ ≥ 26,001 lbs		52 Carrier name			53	04
01	54			55			56			57	04
01	58			59			60			61	04
01	62			63			64			65	04
01	66			67			68			69	04
01	70			71			72			73	04
01	74			75			76			77	04
01	78			79			80			81	04
01	82			83			84			85	04
01	86			87			88			89	04
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01	142			143			144			145	04
01	146			147			148			149	04
01	150			151			152			153	04
01	154			155			156			157	04
01	158			159			160			161	04
01	162			163			164			165	04
01	166			167			168			169	04
01	170			171			172			173	04
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01	286			287			288			289	04
01	290			291			292			293	04
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01	302			303			304			305	04
01	306			307			308			309	04
01	310			311			312			313	04
01	314			315			316			317	04
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01	322			323			324			325	04
01	326			327			328			329	04
01	330			331			332			333	04
01	334			335			336			337	04
01	338			339			340			341	04
01	342			343			344			345	04
01	346			347			348			349	04
01	350			351			352			353	04
01	354			355			356			357	04
01	358			359			360			361	04
01	362			363			364			365	04
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01	374			375			376			377	04
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01	382			383			384			385	04
01	386			387			388			389	04
01	390			391			392			393	04
01	394			395			396			397	04
01	398			399			400			401	04
01	402			403			404			405	04
01	406			407			408			409	04
01	410			411			412			413	04
01	414			415			416			417	04
01	418			419			420			421	04
01	422			423			424			425	04
01	426			427			428			429	04
01	430			431			432			433	04
01	434			435			436			437	04
01	438			439			440			441	04
01	442			443			444			445	04
01	446			447			448			449	04
01	450			451			452			453	04
01	454			455			456			457	04
01	458			459			460			461	04
01	462			463			464			465	04
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01	558			559			560			561	04
01	562			563			564			565	04
01	566			567			568			569	04
01	570			571							

Page 2 of 4		New Jersey Police Crash Investigation Report		☒ Reportable ☐ Non-Reportable ☐ Change Report	
02	1 Case Number	16291564		10 Crash Occurred On:	RTE 22
01	7 Police Dept of	BRIDGEWATER TWP		11 Speed Limit	55
06	3 Station/Precinct	350		12 Route No. Suffix	-22-
02	4 Date of Crash	12/18/16		13 Milepost	-36.01
01	5 Day of Week	Th		14 Time	2:15
01	6 Time (use 2400 hrs)	2302		15	
01	7 Municipality Code	1806		16	
01	8 Total Killed	01		17 Cross Road Name	ADAMSVILLE RD.
01	9 Total Injured	01		18 To	
01	23 Veh No 24 Policy No	P1		19 From	
01	25 Ina Code			20 Route/Name	
01	26 Driver's First Name	MARCUS		21 Longitude	
01	27 Number and Street	PO BOX 163		22 Latitude	
01	28 City	STANHOPE		23 Longitude	
02	31 State	NJ		24 Policy No.	
02	32 Drivers License No	07874		25 Ina Code	
13	33 DOB			26 Driver's First Name	
	34 Expires			27 Number and Street	
	35 Owner's First Name			28 City	
	36 Number and Street			29 State	
	37 City			30 Zip	
	38 Make			31 State	
	39 Model			32 Drivers License No	
	40 Color			33 DOB	
	41 Year			34 Expires	
	42 Plate No.			35 Owner's First Name	
	43 State			36 Number and Street	
	44 VIN			37 City	
	45 Vehicle Removed To			38 Make	
	46 Vehicle Removed To			39 Model	
	47 Authority			40 Color	
	48 Alcohol/Drug Test			41 Year	
	49 Hazardous Material			42 Plate No.	
	50 Carrier No.			43 State	
	51 Commercial Vehicle Weight			44 VIN	
	52 Carrier name			45 Expires	
	53 Crash Description			46 Vehicle Removed To	
	54 Witnesses who were in the Bridgewater Diner parking lot attempted to stop traffic and prevent P1 from being struck while in the roadway.			47 Authority	
	55 Vehicle 2 (V2) was traveling west in the left lane of US HWY 22. Driver 2 (D2) observed the witnesses from the diner parking lot in the left			48 Alcohol/Drug Test	
	56 Damage To Other Property			49 Hazardous Material	
	57 Operator			50 Carrier No.	
	58 Charge			51 Commercial Vehicle Weight	
	59 Summons No.			52 Carrier name	
	60 Operator			53 Crash Description	
	61 Charge			54 Witnesses who were in the Bridgewater Diner parking lot attempted to stop traffic and prevent P1 from being struck while in the roadway.	
	62 Summons No.			55 Vehicle 2 (V2) was traveling west in the left lane of US HWY 22. Driver 2 (D2) observed the witnesses from the diner parking lot in the left	
	63 Operator			56 Damage To Other Property	
	64 Charge			57 Operator	
	65 Summons No.			58 Charge	
	66 Operator			59 Summons No.	
	67 Charge			60 Operator	
	68 Summons No.			61 Charge	
	69 Operator			62 Summons No.	
	70 Charge			63 Operator	
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	272 Summons No.			265 Charge	
	273 Operator			266 Summons No.	
	274 Charge			267 Operator	
	275 Summons No.			268 Charge	
	276 Operator			269 Summons No.	

Bridge Number

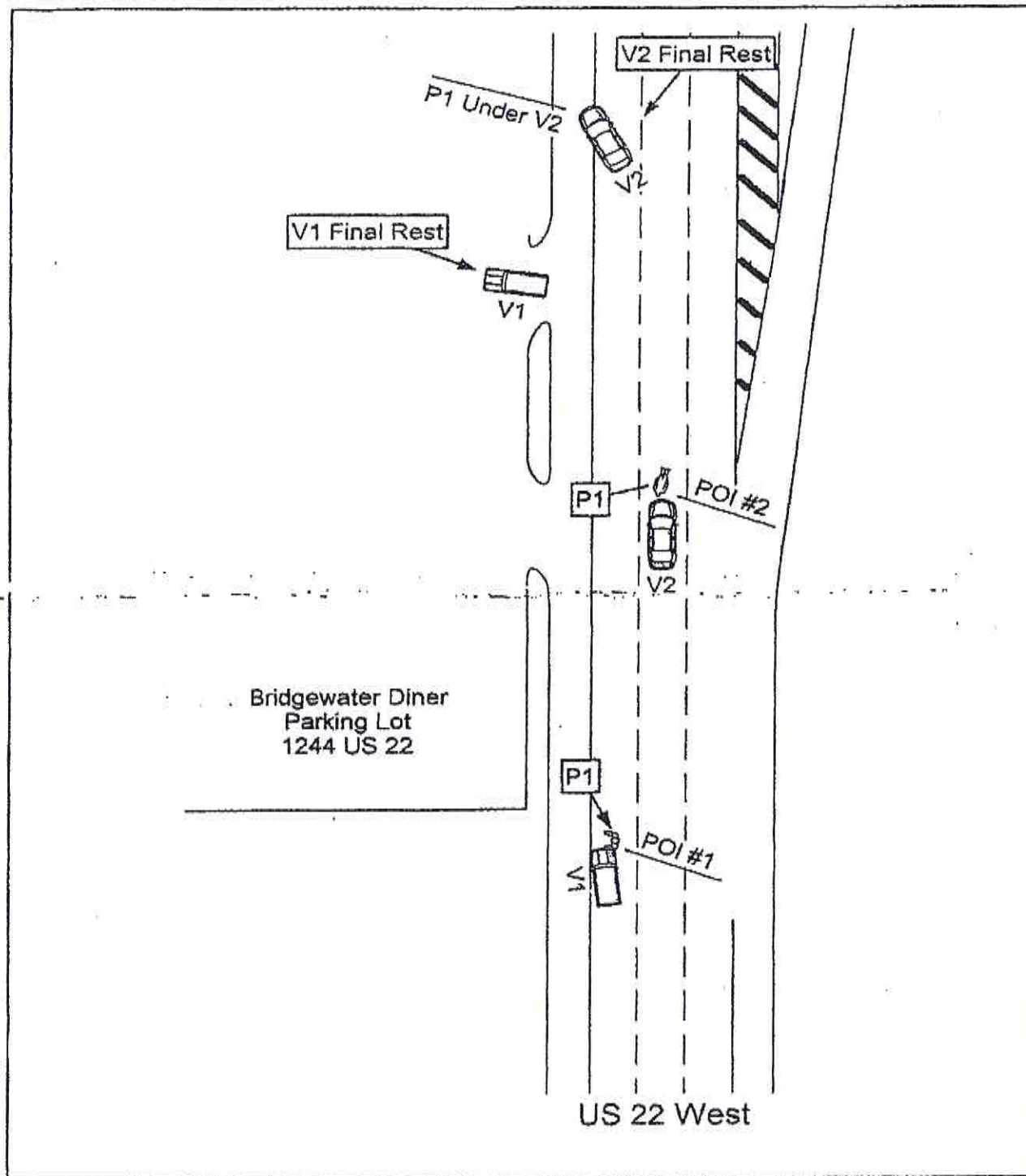
Page 4 of 4

New Jersey Police Crash Investigation Report

Police Dept: BRIDGEWATER T Code: 01

Motor Vehicle Crash Diagram

Station: - Case No: 16291564



TSU KENNEDY, J

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State of New Jersey
 OFFICE OF THE ATTORNEY GENERAL
 DEPARTMENT OF LAW AND PUBLIC SAFETY
 DIVISION OF CRIMINAL JUSTICE
 OFFICE OF THE STATE MEDICAL EXAMINER
 EDWIN H. ALBANO INSTITUTE OF FORENSIC SCIENCE
 NORTHERN REGIONAL MEDICAL EXAMINER OFFICE
 325 NORFOLK STREET
 NEWARK, NJ 07103-2701
 TELEPHONE (973) 648-7259 FAX (973) 648-3692

COPY

VISUAL IDENTIFICATION FORM

NAME OF DECEASED: Marcus Cook Jr CASE NO: 18-16-0478

ADDRESS: 90 Morris St. North Plainfield NJ

SOCIAL SECURITY: [REDACTED] DATE OF BIRTH: [REDACTED] OCCUPATION: [REDACTED]

This is to certify that I, (print name) Marcus Cook Sr

Address: 262 Harrison St Apt. 2C
Passaic NJ 07055

Telephone #: (973) 563-8018

having the relationship of: Father

to the deceased named: Marcus Cook Jr.

also known as: [REDACTED]

have visually identified a photograph of the body at the Institute of Forensic Science, Regional Medical Examiner Office in Newark and confirm the identity of the decedent.

Signed: [Signature]

WITNESSED BY: [Signature] (Signature)

WITNESSED BY: [Signature] (Signature)

DATE: 12/22/16 TIME: 12:25 hrs

EXHIBIT B

State of New Jersey

Somerset County Surrogate's Court

In the Matter of the Estate of
Marcus Edward Tyrone Cook, Jr., Deceased

LETTERS OF ADMINISTRATION
AD PROSEQUENDUM
Docket No.: 18-00829

I, **Frank Bruno**, Surrogate of **Somerset** County and State of **New Jersey**, do certify that on **6th day of June 2018**, Administration Ad Prosequendum of decedent, **Marcus Edward Tyrone Cook, Jr.**, who died intestate, late of the County of **Somerset** and State of **New Jersey** was granted by me to **Marcus Cook, Sr.** of said County of **Somerset** who is(are) duly authorized to bring an action, institute a proceeding or make a claim in his/her(their) name as such Administrator(s) Ad Prosequendum as in the statute such case provided.

WITNESS my hand and seal of office, on
June 6th, 2018.



Frank G Bruno

Hon. Frank G. Bruno
Surrogate

Civil Case Information Statement

Case Details: SOMERSET | Civil Part Docket# L-001557-18

Case Caption: COOK MARCUS VS MONDRAGON
ZAMUDIO JOSE

Case Initiation Date: 12/17/2018

Attorney Name: ERIC JAMES WARNER

Firm Name: ERIC J. WARNER, LLC

Address: 233 MT AIRY RD FIRST FL
BASKING RIDGE NJ 07920

Phone:

Name of Party: PLAINTIFF : Cook, Marcus

Name of Defendant's Primary Insurance Company
(If known): State Farm Indemnity Co.

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

Document Type: NJ eCourts Case Initiation Confirmation

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)*

12/17/2018
Dated

/s/ ERIC JAMES WARNER
Signed