

James M. Almasy, Esq.
Attorney ID#004411996
Almasy & Almasy, LLC
429 Amboy Avenue
Woodbridge, NJ 07095
732-326-1200
Attorney for Plaintiff

KATHLEEN FERRARA-RUPERTO,

PLAINTIFF,

V.

BETHANY M. CISTERNINO,
MICHAEL McLAUGHLIN, ESQ.,
SOMERSET COUNTY PROSECUTORS
OFFICE, DETECTIVE CLIFF P. DELANEY,
BRIDGEWATER POLICE DEPARTMENT,
THE CHEESECAKE FACTORY,
and JOHN DOES 1-5,

DEFENDANTS.

X SUPERIOR COURT OF NEW JERSEY
X LAW DIVISION
X SOMERSET COUNTY
X
X DOCKET NO.: Som L-1367-15
X CIVIL ACTION
X
X
X VERIFIED COMPLAINT
X JURY DEMAND AND
X DESIGNATION OF
X TRIAL COUNSEL
X
X
X
X
X

PLAINTIFF, Kathleen Ferrara-Ruperto, residing at 45 Rock Avenue, Watchung,
New Jersey, 07069, by way of Complaint against the Defendants says:

COUNT ONE
MALICIOUS PROSECUTION & ABUSE OF PROCESS

1. On October 13, 2013, Plaintiff Kathleen Ferrara-Ruperto was a invitee customer at the Defendant Cheesecake Factory located at 400 Commons Way, Bridgewater, New Jersey, Somerset County.
2. On said date Plaintiff Kathleen Ferrara-Ruperto was standing on line at the register to purchase food at Defendant Cheesecake Factory.

Defendant Bethany M. Cisterino was immediately ahead of Plaintiff Kathleen Ferrara-

Ruperto in line to purchase food at Defendant Cheesecake Factory.

3. Defendant Bethany M. Cisterino paid for her food at Defendant Cheesecake Factory, took her food in her bag and left the line in front of the register.

4. Plaintiff Kathleen Ferrara-Ruperto then paid Defendant Cheesecake Factory for her food.

5. Defendant Bethany M. Cisterino came back to the register at the Defendant Cheesecake Factory and claimed that she was missing her wallet.

6. Plaintiff Kathleen Ferrara-Ruperto attempted to assist Defendant Bethany M. Cisterino with locating her missing wallet, however she was unsuccessful.

7. Defendant Bethany M. Cisternino requested to see the Defendant Cheesecake Factory surveillance video.

8. Defendant Cheesecake Factory representative informed Bethany M. Cisternino that she could not see the video, only the police can view the video.

9. The police viewed the Defendant Cheesecake surveillance video.

10. Without consent from the Plaintiff Kathleen Ferrara-Ruperto and without a warrant Defendant Cheesecake Factory released to Defendant personal confidential information including but not limited to the Plaintiff's credit card information and her name.

11. On October 13, 2013, Defendant Bethany M. Cisternino informed Officer J. Albanese from the Bridgewater Police Department that her black Michael Kors wallet was left on the counter at The Cheesecake Factory and it was removed by Plaintiff Kathleen Ferrara-Ruperto.

12. On October 25, 2013, Defendant Bethany M. Cisternino informed the Defendant

Detective Cliff P. Delaney that she was upset that Plaintiff Kathleen Ferrara-Ruperto took her wallet.

13. On November 4, 2013, Defendant Bethany M. Cisternino provided Defendant Cliff P. Delaney a false statement of purchase from Michael Kors Retail Inc. for a wallet in the sum of \$372.36.

14. On November 13, 2013, Defendant Detective Cliff P. Delaney, employee at the Defendant Bridgewater Township Police Department, filed a complaint against Plaintiff Kathleen Ferrara-Ruperto, with a charge of NJSA 2C:20-3A claiming the missing wallet was valued over \$200.00.

15. The Defendants Detective Cliff P. Delaney and Defendant Bridgewater Township Police Department had no probable cause to pursue the arrest, incarceration and prosecution of the Plaintiff Kathleen Ferrara-Ruperto since they were lacking any logical or viable proofs whatsoever. They detained the Plaintiff Kathleen Ferrara-Ruperto, against her will, effectuated an arrest wherein the Plaintiff Kathleen Ferrara-Ruperto was incarcerated, a complaint warrant was signed and filed in the Municipal Court of Bridgewater by Defendant Detective Cliff P. Delaney. SEE EXHIBIT A.

16. On January 2, 2014, Defendant Michael McLaughlin, Esq., an employee of Defendant Somerset County Prosecutor's Office presented to a Grand Jury the witness Defendant Detective Cliff P. Delaney.

17. Defendant Michael McLaughlin, Esq., conducted a voir dire of Defendant Detective Cliff P. Delaney during the Grand Jury hearing which consisted of biased, inaccurate and improper leading questions including:

QUESTION: "As soon as she left the store, the woman behind her in line placed her handbag over the wallet, purchased an item, and then placed the wallet of the victim inside her own handbag, is that correct?"

ANSWER: "That is correct."

QUESTION: And the cost of the wallet is \$372, is that correct?"

ANSWER: "Yes, sir."

18. Defendant Michael McLaughlin, Esq., and Defendant Somerset County Prosecutor's Office improper Grand Jury voir dire resulted in the Grand Jury granted a True Bill under the indictment for NJSA 2C:20-3 Theft, 4th Degree on January 2, 2014, upon the value of the wallet being in excess of \$200. SEE EXHIBIT B. There was no probable cause to pursue the arrest, incarceration and prosecution of the Plaintiff Kathleen Ferrara-Ruperto, since they were lacking any logical or viable proofs whatsoever. They detained the Plaintiff Kathleen Ferrara-Ruperto, against her will, effectuated an arrest wherein the Plaintiff Kathleen Ferrara-Ruperto was incarcerated at the Bridgewater Police Station.

19. Defendant Michael McLaughlin, Esq., and Defendant Somerset County Prosecutor's Office thereafter filed a motion to dismiss the indictment which was placed on the record on March 21, 2014, and the court granted the dismissal of the indictment based upon the value of the missing wallet being less than \$200 required for an indictable offense. SEE EXHIBIT C.

20. Defendants Detective Cliff P. Delaney and Defendant Bridgewater Township Police Department continued to prosecute the complaint in the Bridgewater Municipal Court, based upon the missing wallet being valued at \$138. SEE EXHIBIT D.

22. The trial on September 17, 2014, resulted in a verdict of not guilty.

23. Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney, Bridgewater Township Police Department and Bethany M. Cisternino prosecution of the Plaintiff Kathleen Ferrara-Ruperto was done maliciously, intentionally and in a tortious manner with malice and an abuse of judicial process.

24. As a result of intentional, tortious and malicious acts and abuse of process committed by the Defendants, the Plaintiff Kathleen Ferrara-Ruperto was severely and permanently damaged and greatly inconvenienced, embarrassed, humiliated and subjected to mental suffering and emotional injury. Further as a result of the conduct of the Defendants, the Plaintiff Kathleen Ferrara-Ruperto was damaged by having to expend large sums of money by having to defend herself and hindered and prevented her from transacting her regular and necessary business affairs, aside from financial losses, injury to Plaintiff Kathleen Ferrara-Ruperto personal reputation.

WHEREFORE, Plaintiffs Kathleen Ferrara-Ruperto, demand judgment against Defendants Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department jointly and severally for:

- A. Compensatory Damages; and
- B. Pain and Suffering; and
- C. Consequential Damages; and
- D. Punitive Damages; and
- E. Attorneys fees and costs of suit.

COUNT TWO
SLANDER AND/OR LIBEL

25. The Plaintiff repeats each and every allegation as contained in the First Count of the Complaint as if set forth herein at length.

26. Defendant Bethany M. Cisternino placed a defamatory and threatening statement on Facebook "To the woman who stole my wallet at Cheesecake Factory last night; you are on video AND you paid with a credit card so the police have your name. Good Job. 1. Don't piss off the seemingly little blonde that can bench press you. Do not piss off the hungry, tired, hostile, Italian husband with connections in waste management."

27. Defendants Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department, engaged in a course of defamation by word, action and deed, knowing or should have known that such actions were false or were in reckless disregard of the truth.

28. The misdeeds of the Defendants Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department, and other agents of the defendant's either written or spoken, were made negligently or intentionally with an utter disregard of the truth wherein such defendants knew or should have known the Plaintiff would be harmed.

29. As a result of the actions and conduct of the defendants Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department, the Plaintiff was damaged and her reputation ruined, compromised and/or destroyed. The damage to the Plaintiff includes but is not limited to, psychological upset and humiliation.

WHEREFORE, Plaintiffs Kathleen Ferrara-Ruperto, demand judgment against Defendants Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department jointly and severally for:

- A. Compensatory Damages; and
- B. Pain and Suffering; and
- C. Consequential Damages; and
- D. Punitive Damages; and
- E. Attorneys fees and costs of suit.

COUNT THREE
FALSE IMRISONMENT

30. The Plaintiff repeats each and every allegation as contained in the First Count and Second Counts of the Complaint as if set forth herein at length.

31. Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department engaged in a course of conduct against the Plaintiff consisting of malicious prosecution, abuse of process and defamation by various intentional and negligent misdeeds, actions and behavior as stated above.

32. In continuing tortious behavior, exhibited against the Plaintiff, the Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department confined and without legal justification, intentionally imprisoned and/or restrained the Plaintiff or otherwise detained

her against her will while under the unlawful and improper care and custody of the defendants.

33. In addition to the above mentioned behavior, the Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department, or other agents of the defendants, instigated, instituted and initiated false criminal proceedings against the Plaintiff which resulted in incarceration and or confinement at the Bridgewater Police Department facility.

34. All of the defendants acted maliciously, recklessly or grossly negligent without probable cause.

35. As a result of the actions and conduct of the defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department, the Plaintiff was damaged and her reputation ruined, compromised and/or destroyed. The damage to the Plaintiff includes but is not limited to, psychological upset and humiliation.

WHEREFORE, Plaintiffs Kathleen Ferrara-Ruperto, demand judgment against Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney and Bridgewater Township Police Department jointly and severally for:

- A. Compensatory Damages; and
- B. Pain and Suffering; and
- C. Consequential Damages; and
- D. Punitive Damages; and
- E. Attorneys fees and costs of suit.

COUNT FOUR
PRIVACY

36. The Plaintiff repeats each and every allegation as contained in the First Count, Second Count and Third Count of the Complaint as if set forth herein at length.

37. Defendant Cheesecake Factory without authorization from Plaintiff and without being served a warrant to provide information and documentation provided Defendants Detective Cliff P. Delaney and Bridgewater Township Police Department Plaintiff's personal and confidential credit card receipt which is an invasion of Plaintiff's privacy.

38. Plaintiff Kathleen Ferrara-Ruperto has incurred harm to her interest in privacy resulting from the invasion, including but not limited to mental distress, special damages as the result of the criminal charges that resulted from the wrongful disclosure of information and documentation.

WHEREFORE, Plaintiffs Kathleen Ferrara-Ruperto, demand judgment against Defendant The Cheesecake Factory for:

- A. Compensatory Damages; and
- B. Pain and Suffering; and
- C. Consequential Damages; and
- D. Punitive Damages; and
- E. Attorneys fees and costs of suit.

COUNT FIVE
RESPONDEAT SUPERIOR

39. The Plaintiff repeats each and every allegation as contained in the First Count, Second Count, Third Count and Fourth of the Complaint as if set forth herein.

40. Defendant Michael McLaughlin, Esq., is an employee and/or agent of Defendant Somerset County Prosecutor's Office.

41. Detective Cliff P. Delaney is an employee and/or agent of Defendant Bridgewater Township Police Department.

42. The Defendant Somerset County Prosecutor's Office, Defendant Bridgewater Township Police Department, and The Cheesecake Factory through the doctrine of respondeat superior, is responsible for any and all acts and omission by its employees during the course of their employment.

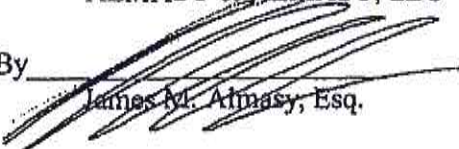
WHEREFORE, Plaintiffs Kathleen Ferrara-Ruperto, demand judgment against Defendants Michael McLaughlin, Esq., Somerset County Prosecutor's Office, Detective Cliff P. Delaney, Bridgewater Township Police Department and The Cheesecake Factory jointly and severally for:

- A. Compensatory Damages; and
- B. Pain and Suffering; and
- C. Consequential Damages; and
- D. Punitive Damages; and
- E. Attorneys fees and costs of suit.

DATED: 10/7/15

ALMASY & ALMASY, LLC

By


James M. Almasy, Esq.

JURY DEMAND

Plaintiff demands a trial by jury on all issues triable.

DATED: 10/7/15

ALMASY & ALMASY, LLC

By

James M. Almasy, Esq.

CERTIFICATION ACCORDING TO RULE 4:5-1

JAMES M. ALMASY, of full age hereby certifies as follows:

1. I am an attorney at law of the State of New Jersey and a member of the firm of Almasy & Almasy, LLC attorneys for the Plaintiff in the within matter.
2. The matter involved here in is not the subject of any other action pending in this or any other Court, nor is the subject of any pending arbitration proceeding or Workers Compensation petition.
3. I know of no party who should be joined in this action who has not already been joined.
4. 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, I am subject to punishment.

DATED: 10/7/15

James M. Almasy, Esq.

DESIGNATION OF TRIAL COUNSEL

In accordance with R. 4:25-4 James M. Almasy, Esq. is hereby designated as trial counsel for the Plaintiff, in the above stated matter.

DATED: 10/7/15

James M. Almasy, Esq.

VERIFICATION OF PLEADINGS

Kathleen Ferrera-Ruperto, hereby states the following:

- 1) I am the Plaintiff in the above captioned matter.
- 2) I have read the foregoing Complaint and based upon my own personal knowledge, I know the facts set forth herein are true and they are incorporated in this certification by reference.
- 3) I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by us are false, I am subject to punishment.

Dated:


KATHLEEN FERRARA-RUPERTO

FILED
2020
JAN 14
CLERK
14:35

EXHIBIT A

COMPLAINT - SUMMONS

COMPLAINANT NUMBER

1806 S 2013 000361

THE STATE OF NEW JERSEY

VS.

KATHLEEN FERRERA-RUPERTO

BRIDGEWATER TWP COURT

100 COMMONS WAY

NJ 08807

(908) 725-6375

COUNTY OF: SOMERSET

ADDRESS:

45 ROCK AVENUE

WATCHUNG

NJ 07069

of CHARGES

DO-DEFTS

POLICE CASE #

2

13-3570

DEFENDANT INFORMATION

SEX: EYE COLOR:

DOB: 02-03-1982

DRIVER'S LIC. #

DL STATE:

SOCIAL SECURITY #:

SSI #:

TELEPHONE #:

COMPLAINANT
NAME:

CLIFF P DELANEY

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 10-13-2013 in BRIDGEWATER TWP, SOMERSET County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, TO WIT, A WALLET, WITH A VALUE OF AT LEAST \$200.00 BUT NOT EXCEEDING \$500.00, BELONGING TO JANE DOE (DOB: 10/15/1980) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF. FOURTH DEGREE.

WITHIN THE JURISDICTION OF THIS COURT, TAKE OR OBTAIN A CREDIT CARD FROM THE PERSON, POSSESSION, CUSTODY OR CONTROL OF ANOTHER, WITH THE INTENT TO USE THE CREDIT CARD. FOURTH DEGREE.

In violation of:

Original Charge

1) 2C:20-3A

2) 2C:21-6C(1)

3)

Amended Charge

OATH:

Subscribed and sworn to me this

NOV

12 2013

Signed:

(Signature of Complainant Witness)

Signed:

Lisa Ferrera

(Signature of Person Administering Oath and Title)

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS:

YOU ARE HEREBY SUMMONED to appear before this court to answer this complaint. If you fail to appear on the date and at the time stated below, a warrant may be issued for your arrest.

DATE TO APPEAR: 11-08-2013 TIME: 1:30pm

Det. C. [Signature] 82

Signature of Person Issuing Summons

11/13/2013

Date

☐ Domestic Violence - Confidential☐ Related Traffic Tickets or Other Complaints☐ Serious Personal Injury/ Death Involved

Special conditions of release:

- ☐ No phone, mail or other personal contact w/victim
☐ No possession firearms/weapons
☐ Other (specify):

DEFENDANT'S COPY

Page 4 of 7

NJ-COR-1.5/1/2005

JRA

EXHIBIT B

13000766

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION (CRIMINAL)
SOMERSET COUNTY

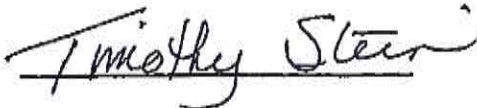
THE STATE OF NEW JERSEY : Indictment No. 14-01-00003-I
v. :
KATHLEEN FERRERA-RUPERTO, :
Defendant :
CHARGE: Theft, 4th Degree

COUNT ONE

The Grand Jurors of the State of New Jersey, for the County of Somerset, upon their oaths present that KATHLEEN FERRERA-RUPERTO, on or about the 13th day of October, 2013, in the Township of Bridgewater, County of Somerset, and within the jurisdiction of this Court, knowingly did unlawfully take or exercise unlawful control over the movable property of another, that is, a wallet and its contents, including personal identifying information, cash and credit cards, with a value in excess of \$200.00, but no more than \$500.00, with purpose to deprive the owner thereof, contrary to the provisions of N.J.S.A. 2C:20-3, and against the peace of this State, the Government and dignity of the same.


GEOFFREY D. SORIANO
PROSECUTOR

Endorsed: As a True Bill

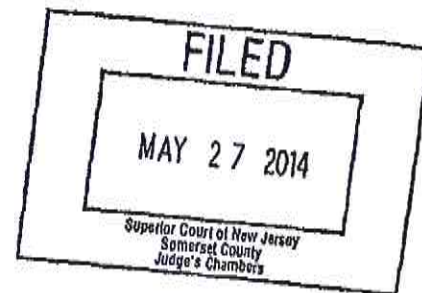


mmw
1/2/14

EXHIBIT C

GEOFFREY D. SORIANO
PROSECUTOR
Somerset County Prosecutor's Office
40 North Bridge Street
Somerville, New Jersey 08876
(908) 231-7100

CERTIFIED TO BE
A TRUE COPY



Attorney ID #031272004

STATE OF NEW JERSEY,

v.

KATHLEEN FERRERA-RUPERTO,
Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – SOMERSET COUNTY

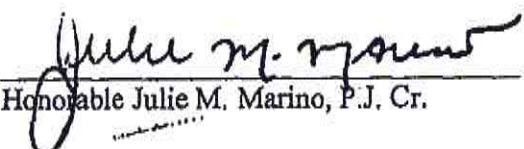
Indictment No. 14-01-00003-I

ORDER DISMISSING INDICTMENT NO.
14-01-00003-I

This matter having been opened before the Court by Michael McLaughlin, Assistant Prosecutor, appearing on behalf of the State, on notice to James Almasy, Esq., counsel for the defendant, and both parties consenting to the dismissal of the above-captioned indictment, and the Court having considered the reasons provided by Affidavit on May 14, 2014,

IT IS on this 27th day of May, 2014,

ORDERED that the State's motion to dismiss the above-captioned Indictment is GRANTED, and Indictment No. 14-01-00003-I is hereby DISMISSED.


Honorable Julie M. Marino, P.J. Cr.

TRUE COPY

GEOFFREY D. SORIANO
PROSECUTOR
Somerset County Prosecutor's Office
40 North Bridge Street
Somerville, New Jersey 08876
(908) 231-7100

Attorney ID #031272004

RECEIVED/FILED

2014 MAY 15 A 9:17

CRIMINAL DIVISION
SOMERSET COUNTY N.J.

STATE OF NEW JERSEY,

v.

KATHLEEN FERRERA-RUPERTO,
Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION - SOMERSET COUNTY

Indictment No. 14-01-00003-1

NOTICE OF MOTION TO DISMISS
INDICTMENT

To: James Almasy, Esq.
429 Amboy Avenue
Woodbridge, New Jersey 07095

PLEASE TAKE NOTICE that on a date and time to be determined by the court, or on the papers, the undersigned, Michael McLaughlin, Assistant Prosecutor, will move before the Superior Court of New Jersey, at the Somerset County Court House, Somerville, New Jersey for an Order dismissing the above-captioned counts of the indictment. In support thereof, the State will rely upon the enclosed Certification.

Respectfully submitted,

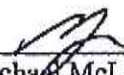
GEOFFREY D. SORIANO
PROSECUTOR


Michael McLaughlin
Assistant Prosecutor

Dated: 5/19/14

CERTIFICATION OF SERVICE

I, Michael McLaughlin, of full age, do hereby certify that I served the within Notice of Motion and corresponding papers upon James Almasy, Esq. on May 15, 2014 via regular mail. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me is willfully false, I am subject to punishment.



Michael McLaughlin
Assistant Prosecutor

Dated: 5/14/14

GEOFFREY D. SORIANO
PROSECUTOR
Somerset County Prosecutor's Office
40 North Bridge Street
Somerville, New Jersey 08876
(908) 231-7100

STATE OF NEW JERSEY,

v.

KATHLEEN FERRERA-RUPERTO,
Defendant.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION – SOMERSET COUNTY

Indictment No. 14-01-00003-I

CERTIFICATION IN SUPPORT OF
MOTION TO DISMISS
INDICTMENT

I, Michael McLaughlin, of full age, do hereby certify as follows:

1. I am an Assistant Prosecutor in the Somerset County Prosecutor's Office and I am responsible for prosecuting the above-captioned matter.
2. During the discovery process the State became aware that the evidence in this matter only rose to the level of a disorderly persons offense, not an indictable crime.
3. I placed this information on the record on March 21, 2014, before your Honor and informed the Court that I would be submitting papers for a dismissal of Indictment.
4. Thus, the Somerset County Prosecutor's Office has determined that dismissal of the above-captioned Indictment is appropriate and the matter will be handled in the Bridgewater Municipal Court as a disorderly persons offense.


Michael McLaughlin
Assistant Prosecutor

Sworn and subscribed to
before me this 14th day
of May, 2014.


Attorney At Law, State of NJ

EXHIBIT D

COMPLAINT - SUMMONS

COMPLAINT NUMBER				THE STATE OF NEW JERSEY	
1806	S	2014	000211	VS.	
COURT CODE	PREFIX	YEAR	SEQUENCE NO.		
BRIDGEWATER TWP COURT 100 COMMONS WAY BRIDGEWATER NJ 08807 (908) 725-6375 COUNTY OF: SOMERSET				ADDRESS: 45 ROCK AVE WATCHUNG NJ 07069	
# of CHARGES 1	CO-DEPTS	POLICE CASE #: 13-3570	DEFENDANT INFORMATION SEX: F EYE COLOR: BROWN DOB: 02-03-1982 DRIVER'S LIC. #: 765684333 SOCIAL SECURITY #: 067-66-9614 SBI: DL STATE: NY TELEPHONE #:		
COMPLAINANT NAME: CLIFF P DELANEY					

By certification or on oath, the complainant says that to the best of his/her knowledge, information and belief the named defendant on or about 10-13-2013 in BRIDGEWATER TWP, SOMERSET County, NJ did: WITHIN THE JURISDICTION OF THIS COURT, COMMIT THE OFFENSE OF THEFT BY UNLAWFULLY TAKING OR EXERCISING CONTROL OVER CERTAIN MOVEABLE PROPERTY, A MICHAEL KORS WALLET VALUED AT \$138.00, BELONGING TO JANE DOE (DOB 10/15/1980) WITH THE INTENT TO DEPRIVE THE OWNER THEREOF. DISORDERLY PERSON.

In violation of:

Original Charge	1) 2C:20-3A	2)	3)
Amended Charge			

OATH:Subscribed and sworn to me this 20th day of JUNE Y. 2014Signed: Det. C. Delaney CLIFF P DELANEY
(Signature of Complainant/Witness)Signed: SGT [Signature] OTC 80
(Signature of Person Administering Oath and Title)

The complaining witness is a law enforcement officer and a judicial probable cause determination is not required prior to the issuance of this Complaint-Summons.

SUMMONS:

YOU ARE HEREBY SUMMONED to appear before this court to answer this complaint. If you fail to appear on the date and at the time listed below, a warrant may be issued for your arrest.

DATE TO APPEAR: 07-09-2014 **TIME:** 8:30am
CLIFF P DELANEY
Signature of Person Issuing Summons

06-20-2014
Date

Domestic Violence - Confidential

☐ Related Traffic Tickets
or Other Complaints

☐ Serious Personal Injury/ Death
Involved

Additional conditions of release:

no phone, mail or other personal contact w/victim
possession firearms/weapons
other (specify):

DEFENDANT'S COPY

Page 4 of 7

NJ/CDR1 8/1/2005

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 James M. Almasy, Esq.	TELEPHONE NUMBER (732) 326-1200	COUNTY OF VENUE Somerset ☒		
	FIRM NAME (if applicable) Almasy & Almasy, LLC		DOCKET NUMBER (when available) L-1367-15		
OFFICE ADDRESS 429 Amboy Avenue, Woodbridge, NJ 07095		DOCUMENT TYPE Verified Complaint JURY DEMAND ☒ Yes ☐ No			
NAME OF PARTY (e.g., John Doe, Plaintiff) Kathleen Ferrara-Ruperto, Plaintiff		CAPTION Kathleen Ferrara-Ruperto v Bethany M. Cisternino, Michael McLaughlin, Esq., Somerset County Prosecutors Office, Detective Cliff P. Delaney, Bridgewater Police Department, The Cheesecake Factory,			
CASE TYPE NUMBER (See reverse side for listing) 699	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: James M. Almasy, Esq.					



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 156 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 508 COMPLEX COMMERCIAL
- 513 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 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 |
| 285 STRYKER TRIDENT HIP IMPLANTS | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 286 LEVAQUIN | 297 MIRENA CONTRACEPTIVE DEVICE |
| 287 YAZ/YASMIN/OCELLA | 601 ASBESTOS |
| 288 PRUDENTIAL TORT LITIGATION | 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

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

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (908) 231-7054
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 15, 2015
RE: FERRARA RUPERTO VS CISTERNINO
DOCKET: SOM L -001367 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 PRETRIAL JUDGE ASSIGNED IS: HON MARGARET GOODZEIT

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (908) 203-6034.

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: JAMES M. ALMASY
ALMASY & ALMASY LLC
429 AMBOY AVENUE
WOODBIDGE NJ 07095

JUTLOB0