

Attorney(s):
Law Firm:
Address:

JOEL M. BACHER, ESQ.
ATTN ID NO: 012381975
269 HAMBURG TURNPIKE TOWNSHIP OF WAYNE
WAYNE, N.J. 07470 RECEIVED

Telephone No.: (973) 720-8111
Fax No.: (973) 553-0148
E-mail: JBACHER269@GMAIL.COM
Attorney(s) for Plaintiff(s): VICTORIA PACHECO

16 MAR 31 PM 4:18

Emel: Ballet
Gardner
Searsolin
Mrs Iso
The: Citation

VICTORIA PACHECO

Plaintiff(s)

vs.

TOWNSHIP OF WAYNE, NEW JERSEY, WAYNE TOWNSHIP
POLICE DEPT., COUNTY OF PASSAIC, PASSAIC COUNTY
SHERIFF'S DEPT., JOHN AND JANE DOES, et al.

Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION
PASSAIC COUNTY

DOCKET NO. PAS-L-1046-16

CIVIL ACTION
Summons

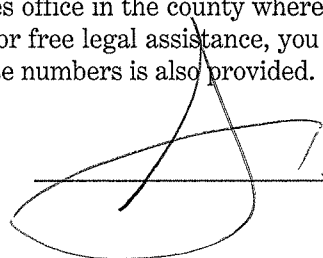
From the State of New Jersey
To the Defendant(s) Named Above: **WAYNE TOWNSHIP POLICE DEPARTMENT**

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, P.O. Box 971, Trenton, NJ 08625-0971. A filing fee payable to the Treasurer, State of New Jersey, and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee of **\$135.00** and completed Case Information Statement) if you want the court to hear your defense.

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

If you cannot afford an attorney, you may call the Legal Services office in the county where you live. 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: **March 29, 2016**


Superior Court Clerk

Name of Defendant To Be Served: **WAYNE POLICE DEPT.**

Address of Defendant To Be Served: **475 VALLEY ROAD
WAYNE, NJ 07470**

Note: Adopted July 13, 1994, effective September 1, 1994; amended June 28, 1996, effective September 1, 1996; address/phone information updated July 1, 1999, effective September 1, 1999; amended July 12, 2002 to be effective September 3, 2002; amended July 27, 2006 to be effective September 1, 2006; address/phone information updated October 10, 2006 to be effective immediately; address/phone information updated November 1, 2006 to be effective immediately; address/phone information updated November 17, 2006 to be effective immediately.

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

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

BURLINGTON COUNTY:

Deputy Clerk of the Superior Court
Central Processing Office
Attn: Judicial Intake
First Floor, Court Facility,
49 Rancocas Road
Mount Holly, NJ 08060
LAWYER REFERRAL
(609) 261-4862
LEGAL SERVICES
(800) 496-4570

CAMDEN COUNTY:

Deputy Clerk of the Superior Court
Civil Processing Office
First Floor, Hall of Records
101 South Fifth Street
Camden, NJ 08103
LAWYER REFERRAL
(856) 964-4520
LEGAL SERVICES
(856) 964-2010

CAPE MAY COUNTY:

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

CUMBERLAND COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Broad & Fayette Streets, P.O. Box 615
Bridgeton, NJ 08302
LAWYER REFERRAL
(856) 692-6207
LEGAL SERVICES
(856) 451-0003

ESSEX COUNTY:

Deputy Clerk of the Superior Court
50 West Market Street, Room 131
Newark, NJ 07102
LAWYER REFERRAL
(973) 622-6207
LEGAL SERVICES
(973) 624-4500

GLOUCESTER COUNTY:

Deputy Clerk of the Superior Court
Civil Case Management Office
Attn: Intake
First Floor, Court House
1 North Broad Street, P.O. Box 750
Woodbury, NJ 08096
LAWYER REFERRAL
(856) 848-4589
LEGAL SERVICES
(856) 848-5360

HUDSON COUNTY:

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

HUNTERDON COUNTY:

Deputy Clerk of the Superior Court
Civil Division
65 Park Avenue
Flemington, NJ 08822
LAWYER REFERRAL
(908) 263-6109
LEGAL SERVICES
(908) 782-7979

MERCER COUNTY:

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

MIDDLESEX COUNTY:

Deputy Clerk of the Superior Court
Administration Building, 3rd Floor
1 Kennedy Square, P.O. Box 2633
New Brunswick, NJ 08903-2633
LAWYER REFERRAL
(732) 828-0053
LEGAL SERVICES
(732) 249-7600

MONMOUTH COUNTY:

Deputy Clerk of the Superior Court
Monmouth County Courthouse
71 Monument Park, P.O. Box 1269
Freehold, NJ 07728-1269
LAWYER REFERRAL
(732) 431-5544
LEGAL SERVICES
(732) 866-0020

MORRIS COUNTY:

Deputy Clerk of the Superior Court
Civil Division
30 Schuyler Place, P.O. Box 910
Morristown, NJ 07960-0910
LAWYER REFERRAL
(973) 267-5882
LEGAL SERVICES
(973) 285-6911

OCEAN COUNTY:

Deputy Clerk of the Superior Court
Court House, Room 119
118 Washington Street
Toms River, NJ 08754
LAWYER REFERRAL
(732) 240-3666
LEGAL SERVICES
(732) 341-2727

PASSAIC COUNTY:

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

SALEM COUNTY:

Deputy Clerk of the Superior Court
92 Market Street, P.O. Box 18
Salem, NJ 08079
LAWYER REFERRAL
(856) 678-8363
LEGAL SERVICES
(856) 451-0003

SOMERSET COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
New Court House, 3rd Floor
P.O. Box 3000
Somerville, NJ 08876
LAWYER REFERRAL
(908) 685-2323
LEGAL SERVICES
(908) 231-0840

SUSSEX COUNTY:

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

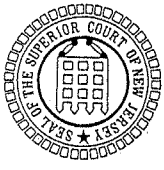
UNION COUNTY:

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

WARREN COUNTY:

Deputy Clerk of the Superior Court
Civil Division Office
Warren County Courthouse
413 Second Street
Belvidere, NJ 07823-1500
LAWYER REFERRAL
(908) 387-1835
LEGAL SERVICES
(908) 475-2010

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 JOEL M. BACHER, ESQ		TELEPHONE NUMBER (973) 720-8111	
	COUNTY OF VENUE Passaic		DOCKET NUMBER (when available) L-1046-16	
FIRM NAME (if applicable) ATTN ID NO: 012381975			OFFICE ADDRESS 269 HAMBURG TURNPIKE WAYNE, NJ 07470	
NAME OF PARTY (e.g., John Doe, Plaintiff) VICTORIA PACHECO			CAPTION PACHECO vs. TOWNSHIP OF WAYNE, NEW JERSEY, WAYNE TOWNSHIP POLICE DEPT., COUNTY OF PASSAIC, PASSAIC COUNTY SHERIFFS DEPT, ET AL.	
CASE TYPE NUMBER (See reverse side for listing) 699		HURRICANE SANDY RELATED? ☐ YES ☒ NO		
RELATED CASES PENDING? ☐ 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. 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: _____				

RECEIVED & FILED
 SUPERIOR COURT OF NEW JERSEY
 MAR 21 2016
 PASSAIC COUNTY



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)

- | | |
|--|---|
| 266 HORMONE REPLACEMENT THERAPY (HRT) | 288 PRUDENTIAL TORT LITIGATION |
| 271 ACCUTANE/ISOTRETINOIN | 289 REGLAN |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 278 ZOMETA/AREDIA | 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 |
| 286 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

JOEL M. BACHER, ESQ.
Attorney ID No: 012381975
269 HAMBURG TURNPIKE
WAYNE, NJ 07470
ATTORNEY FOR PLAINTIFF
973-720-8111

RECEIVED & FILED
SUPERIOR COURT OF NEW JERSEY
MAR 21 2016
PASSAIC COUNTY

VICTORIA PACHECO,

Plaintiff,

VS.

SUPERIOR COURT STATE OF
NEW JERSEY
LAW DIVISION: PASSAIC COUNTY

DOCKET No:

L - 1046-16

TOWNSHIP OF WAYNE, NEW JERSEY,
WAYNE TOWNSHIP POLICE DEPARTMENT,
COUNTY OF PASSAIC, NEW JERSEY,
PASSAIC COUNTY SHERIFFS DEPARTMENT,
JOHN & JANE DOES 1-100, said
Names fictitious and meant to represent culpable persons as yet
Unknown.
Defendant(s).

COMPLAINT AND JURY DEMAND

Plaintiff, Victoria Pacheco, residing in the Township of Wayne, County of Passaic and State of NJ by way of complaint against the above defendants says:

FIRST COUNT

1. At all times hereinafter mentioned the Plaintiff, Victoria Pacheco, is an individual residing in the City of Paterson, County of Passaic and State of New Jersey.
2. The Defendant, Township of Wayne (Wayne) is a Public Entity in the State of New Jersey.
3. The Defendant, Wayne Township Police Department (Wayne PD), is a Public Entity in the State of New Jersey.
4. The Defendant, County of Passaic, (County), is a Public Entity in the State of New Jersey.
5. The Defendant, Passaic County Sheriff's Department (PC Sheriff) is a Public Entity of the State of New Jersey.
6. The defendants, John & Jane Doe(s) 1-100 (DOES), are fictitious names meant to represent persons as yet unknown to the plaintiff who were employees of the

various named Defendants and who were responsible for the actions alleged herein.

7. The various Defendants are Public Entities of the State of New Jersey and or persons who were agents, servants or employees of the various Public Entities who were responsible for the negligent injury of plaintiff, Victoria Pacheco.
8. On May 23, 2014 The Defendants responded to 53 Redwood Avenue, Wayne, NJ on a call regarding a hostage situation. Upon arriving at the above place the Defendants were confronted by Francisco Pacheco holding his mother, Plaintiff, Victoria Pacheco, while also holding a knife. An unidentified Wayne police officer fired one rifle shot intending to hit Francisco but instead negligently shot the hostage, Victoria Pacheco, causing her serious and permanent personal injury.
9. The defendants, and each and every one of them, negligently failed to perform their respective duties and responsibilities to protect Plaintiff. They negligently failed to: Conduct the necessary training and supervision of the Wayne PD; Failed to conduct the necessary training and supervision of the PC Sheriff's Department and were otherwise negligent and derelict in the performance of their respective duties and responsibilities towards Plaintiff.
10. As a direct and proximate cause of the Defendants negligence as described above, Plaintiff, Victoria Pacheco, was caused to suffer severe personal injuries including psychological injuries and trauma as a result of being shot by a rifle on May 23, 2014. Plaintiff has suffered psychologically and emotionally; Plaintiff has lost time and wages from work and has incurred medical expenses. As a result of being shot Plaintiff has suffered severe and permanent personal injuries as well as other psychological and emotional injuries.
11. Plaintiff timely served all defendants with a notice of claim pursuant to NJSA Title 59 on or about June 25, 2014.
12. The defendants have made no attempt to settle this matter nor have they or anyone of them made any attempt to settle or discuss settlement. More then six months has elapsed and the plaintiff has a right to institute suit under Title 59.
13. The plaintiff has suffered such serious and permanent personal injuries such as to meet the threshold requirements of Title 59 and has a right to institute suit.

WHEREFORE: Plaintiff, Victoria Pacheco, demands judgment for damages against all of the defendants and each of them for personal injuries suffered, lost wages, medical expenses incurred, interest, costs of suit, attorney's fees and such other relief as this Court deems just and equitable.

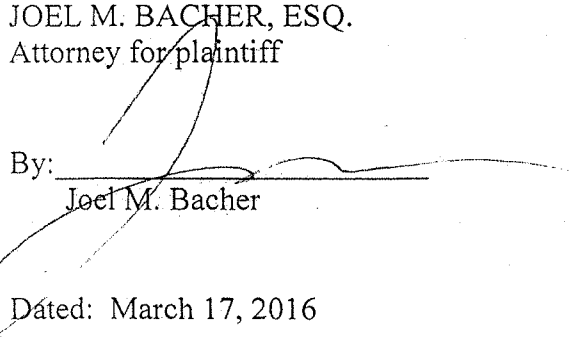
CERTIFICATION PURSUANT TO RULE 4:5-1

It is hereby certified that to the best present knowledge of counsel for the plaintiff that the subject of this litigation involving the named parties is not the subject matter of controversy in any other pending litigation or arbitration proceeding.

JURY DEMAND

Plaintiff hereby demands a trial by jury as to all issues herein.

JOEL M. BACHER, ESQ.
Attorney for plaintiff

By: 
Joel M. Bacher

Dated: March 17, 2016

PASSAIC SUPERIOR COURT
PASSAIC COUNTY COURTHOUSE
77 HAMILTON STREET
PATERSON NJ 07505

COURT TELEPHONE NO. (973) 247-8176
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: MARCH 21, 2016
RE: PACHECO VS TOWNSHIP OF WAYNE ET ALS
DOCKET: PAS L -001046 16

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 THOMAS J. LACONTE

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 002
AT: (973) 247-8171.

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: JOEL M. BACHER
BACHER JOEL M
269 HAMBURG TURNPIKE
WAYNE NJ 07470

JUESM2