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Wyckoff, NJ 07481
Tel: (201) 560-5000
Fax: (201) 560-1441
Attorneys for Plaintiffs
Christina Zitzman and Frank Zitzman

CHRISTINA ZITZMAN AND FRANK ZITZMAN,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: PASSAIC COUNTY
	:	DOCKET NO.: PAS-L-001240-18
	:	
Plaintiffs,	:	CIVIL ACTION
v.	:	
	:	SUMMONS
TOWNSHIP OF WEST MILFORD,	:	
TYLER FARRAH AND JOHN DOES 1-10,	:	
	:	
Defendants.	:	

From the State of New Jersey
To the Defendant(s) named above: Clerk - Township of West Milford

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The amended complaint attached to this summons states the basis for this lawsuit. If you dispute this amended 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 listed above within **35 days** from the date you received this summons, not counting the date you received it. (The address of each Deputy Clerk of the Superior Court is provided.) If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN-971, Trenton, NJ 08625.

A filing fee payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within **35 days**, the court may enter a judgment against you for the relief plaintiff demands, plus interest

and costs of suit. If judgment is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgment.

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

Dated: June 25, 2018

Michelle M. Smith /s/
Michelle M. Smith
Superior Court Clerk

Name of Defendant to be served: Clerk-Township of West Milford

Address of the Defendant: 1480 Union Valley Road
West Milford, NJ 07480

* * *

Please file your Answer to the Complaint with:

Clerk, Superior Court of New Jersey
Passaic County Superior Court
77 Hamilton Street
Paterson, NJ 07505

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CHRISTINA ZITZMAN AND FRANK ZITZMAN,	:	SUPERIOR COURT OF NEW JERSEY
	:	LAW DIVISION: PASSAIC COUNTY
	:	DOCKET NO.: PAS-L-
	:	
Plaintiffs,	:	<i>CIVIL ACTION</i>
	:	
v.	:	COMPLAINT AND JURY DEMAND
	:	
TOWNSHIP OF WEST MILFORD,	:	
TYLER FARRAH AND JOHN DOES 1-10,	:	
	:	
Defendants.	:	

Christina Zitzman and Frank Zitzman, residing in the Township of West Milford, New Jersey, County of Passaic and State of New Jersey complaining of the Defendants allege and say:

FIRST COUNT

1. Christina Zitzman and Frank Zitzman were lawful residents of West Milford residing at 107 Docherty Hollow Road.
2. The Zitzman's experienced continuing trespass, assault and harassment by John Does 1-10 riders of ATV vehicles on adjoining township property and on their own property.
3. The Zitzman's made constant reports and complaints to the Township of these dangerous and hazardous conditions and acts to no avail.
4. On or about April 16, 2016, while standing on her own property Plaintiff Christina Zitzman was violently and severely struck and injured by two (2) ATV riders (John Does 1-10) causing her substantial injuries and disability requiring continuous and expensive medical care, treatment, surgery, therapy, etc. Upon information and belief, Plaintiff's believe one of the riders was Defendant Tyler Farrah.

5. Plaintiffs continued to complain of the continuing dangerous and hazardous conditions on the Township property and their property to no avail.
6. Not only did the Township fail to take any necessary action, it began to bully and discriminate against Plaintiffs for speaking out about their civil rights and property rights.
7. In addition, the Township contacted Plaintiffs employers seeking to harm and defame them.
8. Aside from Christina Zitzman being permanently harmed and injured, her husband suffered related losses as her spouse and their property value has been affected by the stigma and continuous and dangerous trespass that continues to occur to no avail.
9. The Defendant Township is responsible for maintaining a dangerous condition and their related conduct is palpably unreasonable and the same is a proximate and foreseeable cause of harm to Plaintiffs.
10. In addition, the Defendant Township has subjected Plaintiffs to disparate and discriminatory treatment in violation of their civil rights under 42 U.S.C. § 1942 and State Law and constitutes a denial of equal protection and due process rights to their extreme detriment.

WHEREFORE, Plaintiffs demand judgment against Defendants for compensatory damages, punitive damages, interest, attorneys fees, costs and such other relief the court deems proper:

JURY DEMAND

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

TRIAL DESIGNATION

Pursuant to R. 4:25-4, SCOTT B. PIEKARSKY, is hereby designated as trial counsel.

PIEKARSKY & ASSOCIATES, L.L.C.

Attorneys for Plaintiffs
Christina Zitzman and Frank Zitzman

BY:

SCOTT B. PIEKARSKY ESQ.

Dated: April 10, 2018

CERTIFICATIONS

In accordance with Rule 4:5-1, we hereby certify that the matter in controversy is not the subject of any other action pending in any Court or of a pending arbitration proceeding. We also hereby certify that at this time, there are no other parties who should be joined to the action.

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).

PIEKARSKY & ASSOCIATES, L.L.C.

Attorneys for Plaintiffs

Christina Zitzman and Frank Zitzman

BY:

SCOTT B. PIEKARSKY, ESQ.

Dated: April 16, 2018

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

TRACK ASSIGNMENT NOTICE

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

DATE: APRIL 16, 2018
RE: ZITZMAN CHRISTINA VS TOWNSHIP OF WEST MIL FORD
DOCKET: PAS L -001240 18

THE ABOVE CASE HAS BEEN ASSIGNED TO: TRACK 3.

DISCOVERY IS 450 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 ERNEST M. CAPOSELA

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001
AT: (973) 247-8205.

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: SCOTT B. PIEKARSKY
PIEKARSKY & ASSOCIATES
191 GODWIN AVE
WYCKOFF NJ 07481

ECOURTS