

SUMMONS

Attorney(s) Gregg L. Zeff; Eva C. Zelson

Office Address 100 Century Parkway Suite 305

Town, State, Zip Code Mt. Laure, NJ 08054

Telephone Number (856)778-9700

Attorney(s) for Plaintiff Gregg L. Zeff; Eva C. Zelson

Vuanu Wood

Plaintiff(s)

vs.

Borough of Lindenwold et, al

Defendant(s)

Superior Court of New Jersey

Camden County

Law Division

Docket No: L-2480-17

CIVIL ACTION SUMMONS

From The State of New Jersey To The Defendant(s) Named Above:

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. (A directory of the addresses of each deputy clerk of the Superior Court is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.) 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 \$175.00 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 or the Legal Services of New Jersey Statewide Hotline at 1-888-LSNJ-LAW (1-888-576-5529). 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 directory with contact information for local Legal Services Offices and Lawyer Referral Services is available in the Civil Division Management Office in the county listed above and online at http://www.njcourts.gov/forms/10153_deptyclerklawref.pdf.

Michelle M Smith
Clerk of the Superior Court

DATED: 06/15/2017

Name of Defendant to Be Served: Borough of Lindenwold et, al

Address of Defendant to Be Served: 2001 Egg Harbor Road, Lindenwold, NJ 08021

CAMDEN COUNTY
SUPERIOR COURT
HALL OF JUSTICE
CAMDEN NJ 08103

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (856) 379-2200
COURT HOURS 8.30 AM - 4:30 PM

DATE: JUNE 19, 2017
RE. WOOD VS LINDENWOLD BOROUGH OF
DOCKET: CAM L -002480 17

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 YOLANDA C. RODRIGUEZ

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 102
AT: (856) 379-2200 EXT 3060.

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.SA-2.

ATTENTION:

ATT. GREGG L. ZEFF
GREGG L. ZEFF
100 CENTURY PARKWAY 305
MOUNT LAUREL NJ 08054-1182

JUAXTS

JUN 16 2017

This lawsuit addresses violations of civil rights aimed at an African American woman, who committed no offense other than being a concerned parent. The Defendants used their positions of power granted to them by the State of New Jersey to inflict physical and emotional pain upon Mrs. Wood. On July 29, 2015, Defendant(s) brutalized Mrs. Wood without basis.

PARTIES

1. Plaintiff, Vuanu Wood ("Mrs. Wood"), is forty-seven-year-old African American resident of Lindenwold Borough.
2. Defendant Lindenwold Borough is a municipality organized under the laws of the State of New Jersey. Defendant provides police services through the Lindenwold Police Department.
3. Defendant Thomas J. Brennan is the Chief of Police. He is sued in his official capacity for prospective injunctive relief.
4. Defendant Glenn Martin Bailey ("Bailey"), at all times relevant, was a police officer acting under the color of state law as an employee of the State of New Jersey and the Lindenwold Police Department.
5. Defendant Winford Christy ("Christy"), at all times relevant, was a police officer acting under the color of state law as an employee of the State of New Jersey and the Lindenwold Police Department.
6. Defendant Officer Vogt ("Vogt"), at all times relevant, was a police officer acting under the color of state law as an employee of the State of New Jersey and the Lindenwold Police Department.
7. Defendant Captain McCarthy ("McCarthy"), at all times relevant, was a police officer acting under the color of state law as an employee of the State of New Jersey and the Lindenwold Police Department.
8. Defendant(s) John Doe(s) (fictitious parties), at all times relevant, were police officers acting under the color of state law as employees of the State of New Jersey and the Lindenwold Police Department.

FACTS

9. On July 29, 2015, officers from the Lindenwold Police Department arrived at Mrs. Wood's home to arrest Mrs. Wood's daughter, Desiree Bracey.
10. The officers that arrived at Mrs. Wood's home were Defendants Bailey, Christy, Vogt, and McCarthy.
11. Mrs. Wood was concerned about why the police were at her home arresting her daughter; so she asked the police what her daughter was being arrested for, as any other concerned parent would. Mrs. Wood's questioning of the officers obviously infuriated Defendant Bailey.
12. Once Mrs. Wood questioned the officers, Defendant Bailey grabbed Mrs. Wood by her hair and hurled her onto the pavement kneeling her after she was on the ground.
13. At no time did the other officers present attempt to prevent Defendant Bailey from using unnecessary force against Mrs. Wood.
14. Mrs. Wood was rendered unconscious and rushed to Kennedy hospital after being attacked by Defendant Bailey.
15. Mrs. Wood remained hospitalized for three days after this incident.
16. Subsequently, Defendants deceitfully charged Mrs. Wood with aggravated assault.
17. Mrs. Wood suffers from asthma, and the chronic, progressive nerve condition Charcot Marie Tooth ("CMT"). As a result of Mrs. Wood's condition she has a progressive inability to walk from weakness, balance

problems, and orthopedic problems.

18. At the time Defendants' falsely accused Mrs. Wood of assaulting Defendant Bailey Mrs. Wood could barely walk without the aid of a four-legged cane.
19. Although the criminal charges against Mrs. Wood were ultimately dismissed, as a result of Defendants' acts and/or omissions Mrs. Wood suffered multiple physical injuries including a shoulder injury, and nerve damage to her right hand resulting in an inability to open her right hand.
20. Additionally, as a result of Defendants' acts and/or omissions Mrs. Wood suffers from panic attacks, nightmares, and anxiety.
21. Mrs. Wood now fears police officers and spends very little time outside of her home because she is fearful.

COUNT ONE
MALICIOUS PROSECUTION
PLAINTIFF v. ALL INDIVIDUAL DEFENDANTS

22. Plaintiff incorporates by reference the preceding allegations of this complaint as though each were set forth herein at length.
23. Defendant(s) knowingly instituted a baseless criminal action against Mrs. Wood. Defendants' acts and/or omissions were motivated by malice.
24. Although, the criminal action Defendant(s) instituted against Mrs. Wood was terminated in her favor, as a result of Defendants' acts and/or omissions Mrs. Wood now suffers from panic attacks, nightmares, and anxiety.

WHEREFORE, Plaintiff demands judgment against defendant in an amount in excess of One Hundred Thousand Dollars (\$100,000.00) plus interest, costs, attorney's fees and punitive damages.

COUNT TWO
BATTERY
PLAINTIFF v. DEFENDANT BAILEY

25. Each of the foregoing paragraphs are incorporated as if fully set forth herein.

26. By his intentional words and actions described above, Officer Bailey committed the tort of battery upon Mrs. Wood.

27. As a direct and proximate result of Officer Bailey's actions, Mrs. Wood suffered bodily injuries requiring medical attention, and resulting in, pain and suffering, inconvenience, mental anguish, and the loss of capacity for the enjoyment of life.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for compensatory damages, punitive damages, attorney's fees, costs, fees, and all other appropriate relief.

COUNT THREE
ASSAULT
PLAINTIFF v. DEFENDANT BAILEY

28. Each of the foregoing paragraphs are incorporated as if fully set forth herein.

By his intentional words and actions described above, Officer Bailey committed the tort of assault upon Mrs. Wood.

29. As a direct and proximate result of Officer Bailey's actions, Mrs. Wood suffered bodily injuries requiring medical attention, and resulting in, pain and suffering, inconvenience, mental anguish, and the loss of capacity for the enjoyment of life.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for compensatory damages, punitive damages, attorney's fees, costs, fees, and all other

appropriate relief.

COUNT FOUR
NEW JERSEY CIVIL RIGHTS ACT N.J.S.A. 10:6-2
NEW JERSEY CONSTITUTION PROCEDURAL DUE PROCESS
PLAINTIFF v. ALL INDIVIDUAL DEFENDANTS

30. Each and every allegation of the Complaint is incorporated herein as if fully set forth.

31. The foregoing actions and inactions of Defendants' resulted in Mrs. Wood being deprived of constitutionally protected interests without due process of law, which was a substantial factor leading to, and proximate cause of, the physical, emotional, developmental, psychological, and/or psychiatric harm Mrs. Wood has suffered.

32. Mrs. Wood was vested, with certain state-created interests protected by the State's Due Process Clause, including the right to be free from physical, legal or psychological abuse.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount in excess of One Hundred Thousand Dollars (\$100,000.00) plus interest, costs, and attorney's fees.

COUNT FIVE
NEW JERSEY CIVIL RIGHTS ACT N.J.S.A. 10:6-2
FAILURE TO TRAIN
PLAINTIFF v. BOROUGH OF LINDENWOLD

33. Each of the foregoing paragraphs is incorporated as if fully set forth herein.

34. Defendants developed and maintained a number of deficient policies, practices, and/or customs regarding the use of force which caused the deprivation of Mrs. Wood's constitutional rights.

35. Defendants failed to properly train its employees with regards to these deficient

- policies, practices, and/customs regarding how to deal with using force on civilians.
36. Defendants' policies and customs encouraged officers to believe they could violate the constitutional rights of civilians with impunity and with the explicit or tacit approval of the Defendants.
37. As a direct and proximate result of the aforementioned acts and omissions of the Defendants' substantial physical, emotional, developmental, psychological, and/or psychiatric harm was caused to Mrs. Wood.

WHEREFORE, Plaintiff demands judgment against Defendants in an amount in excess of One Hundred Thousand Dollars (\$100,000.00) plus interest, costs, and attorney's fees.

COUNT SIX
NEW JERSEY TORT CLAIMS ACT NEGLIGENCE
PLAINTIFF v. ALL INDIVIDUAL DEFENDANTS

38. Each of the foregoing paragraphs are incorporated as if fully set forth herein.
39. Plaintiff has complied with the notice requirements of the Tort Claims Act. N.J.S.A. 59:1-1 et seq.
40. Defendants owed numerous duties to Mrs. Wood.
41. By its acts and omissions, Defendants violated its duty of care owed to Mrs. Wood. Defendants acted with gross negligence and/or recklessly.
42. By its acts and omissions, Defendants proximately caused permanent injuries to Mrs. Wood, including substantial physical, emotional, developmental, psychological, and/or psychiatric harm.
43. Defendants' acts and omissions were a material element and/or a substantial factor in bringing harm about to Mrs. Wood. The harms sustained by the Mrs. Wood were reasonably foreseeable.

44. By the foregoing, Defendants are liable for Mrs. Wood's injuries pursuant to N.J.S.A. 59:1-1 et seq.

WHEREFORE, Plaintiff demands judgment against Defendants as aforesaid, in an amount in excess of One Hundred Thousand Dollars (\$100,000.00) plus interest, costs, and attorney's fees.

COUNT SEVEN
VIOLATIONS OF THE NEW JERSEY STATE CONSTITUTION
AND THE NEW JERSEY CIVIL RIGHTS ACT, N.J.S.A. § 10:6-2
SUBSTANTIVE DUE PROCESS
PLAINTIFF v. ALL INDIVIDUAL DEFENDANTS

45. Each of the foregoing paragraphs are incorporated as if fully set forth herein.

46. Defendants' actions set forth above have deprived Mrs. Wood of her rights to procedural and substantive due process under Article I, paragraph 1 of the New Jersey Constitution, including, but not limited to, her rights to liberty, safety, and happiness.

47. Defendants denied Mrs. Wood her right to equal protection under the law pursuant to Article 1, paragraph 5 of the New Jersey Constitution.

48. Defendants also denied Mrs. Wood her right to be free from unreasonable searches and seizures under Article 1, paragraph 7 of the New Jersey Constitution.

49. As a direct and proximate result of these constitutional violations, Plaintiff suffered a deprivation of freedom, bodily injury, pain and suffering, inconvenience, mental anguish, loss of capacity for the enjoyment of life, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally,

for compensatory damages, punitive damages, attorney's fees, costs, fees, and all other appropriate relief.

COUNT EIGHT
INTENTIONAL INFLICTION OF
EMOTIONAL DISTRESS
PLAINTIFF v. ALL INDIVIDUAL DEFENDANTS

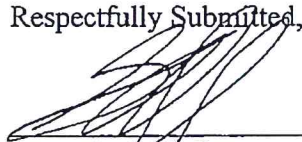
50. Each of the foregoing paragraphs are incorporated as if fully set forth herein.

51. Defendants engaged in outrageous conduct toward Mrs. Wood with the intention to cause or with reckless disregard for the probability of causing Mrs. Wood to suffer severe emotional distress. To the extent that this outrageous conduct was perpetrated by certain Defendants, the remaining Defendants adopted and ratified this conduct with a wanton and reckless disregard of the deleterious consequences to Mrs. Wood.

52. As a direct and/or proximate result Defendants' intentional infliction of emotional distress, Mrs. Wood suffered and continues to suffer mental anguish, humiliation, extreme mental distress, loss of capacity for the enjoyment of life, and other damages.

WHEREFORE, Plaintiff demands judgment against Defendants, jointly and severally, for compensatory damages, punitive damages, attorney's fees, costs, fees, and all other appropriate relief.

Respectfully Submitted,

A handwritten signature in dark ink, appearing to read 'Gregg L. Zeff', is written over a horizontal line.

Gregg L. Zeff, Esq.
Attorneys for Plaintiff

Dated:

9/15/17

CERTIFICATION

I certify pursuant to Rule 4:5-1 that I know of no other proceedings pending or that are contemplating in any court or arbitration proceeding that concerns this subject matter and know of no other parties that need be joined with action.

DEMAND FOR JURY

Demand is hereby requested for jury trial as to all factual issues.

TRIAL DESIGNTION

Pursuant to R. 4:5-1(c), Gregg L. Zeff, is designated as Trial Counsel for the above mentioned Plaintiff.

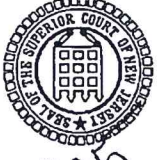
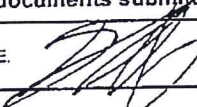
Dated:

6/15/17



Gregg L. Zeff, Esquire
Attorney for Plaintiff

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under <i>Rule</i> 4:5-1 Pleading will be rejected for filing, under <i>Rule</i> 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY PAYMENT ☒ Cash ☐ Check ☐ CA CHG/CK NO. Money Order Fee Paid & Entered AMOUNT JUN 16 2017 OVERPAYMENT \$ 4551 BATCH Amount \$ 250 Batch # 031	
	ATTORNEY/PROSE NAME 042531988 Gregg L. Zeff, Esquire; Eva C. Zelson		TELEPHONE NUMBER (856) 778-9700	
	COUNTY OF VENUE Camden		DOCKET NUMBER (when available) L-248017	
	FIRM NAME (if applicable) Zeff Law Firm, LLC		DOCUMENT TYPE Complaint	
	OFFICE ADDRESS 100 Century Parkway Suite 305 Mt. Laurel NJ 08054		JURY DEMAND ☒ Yes ☐ No	
NAME OF PARTY (e.g., John Doe, Plaintiff) Vuanu Wood, Plaintiff		CAPTION Wood v. Borough of Lindenwold; Borough of Lindenwold Chief of Police Thomas J. Brennan; Officer Glenn Bailey; Officer Winford Christy; Officer Vogt; Captain McCarthy and John Doe(S) (Fictitious Parties)		
CASE TYPE NUMBER (See reverse side for listing) 005	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 IF YES, LIST DOCKET NUMBERS		
RELATED CASES PENDING? ☐ YES ☒ NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ NONE ☒ UNKNOWN		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ 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? ☐ 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</i> 1:38-7(b).				
ATTORNEY SIGNATURE. 				



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 | 292 PELVIC MESH/BARD |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 282 FOSAMAX | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR |
| 287 YAZ/YASMIN/OCELLA | 300 TALC-BASED BODY POWDERS |
| 289 REGLAN | 601 ASBESTOS |
| 290 POMPTON LAKES ENVIRONMENTAL LITIGATION | 623 PROPECIA |
| 291 PELVIC MESH/GYNECARE | |

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