

STEVEN P. HADDAD, P.C.
510 THORNALL ST, SUITE 270
EDISON, NJ 08837

DEVAN A. CARBONE,
Plaintiff(s)

vs.

MANASQUAN POLICE DEPARTMENT, ET AL
Defendant(s)

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: MONMOUTH COUNTY

Docket No.-MON-L-3353-14

SUMMONS

FROM THE STATE OF NEW JERSEY TO THE ABOVE-NAMED DEFENDANT(S):

The plaintiff(s), 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). A filing fee (\$135.00 for Law Division and Chancery Division) 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. 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 demand, 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 referral to an attorney by calling one of the Lawyer Referral Services. A list of these numbers is also provided.

Dated: SEPTEMBER 17TH, 2014

S./ Jennifer M. Perez

Acting Clerk of the Superior Court

Name and addresses of Defendants to be served
MANASQUAN POLICE DEPARTMENT
201 EAST MAIN STREET,
MANASQUAN, NJ 08736

RECEIVED
JMO ADM
CLERK CFO

SEP. 25 2014

DPW CONST
FD OTHER

Steven P. Haddad, Esq. (ID 006632002)

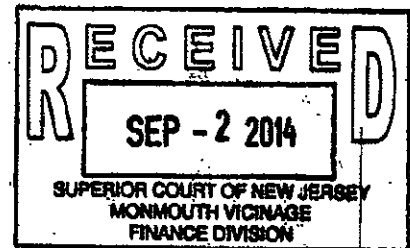
STEVEN P. HADDAD, P.C.

510 Thornall Street, Suite 270

Edison, NJ 08837

732-933-3535

Attorney for Plaintiff, Devan A. Carbone



DEVAN A. CARBONE,

Plaintiff,

vs.

NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or **ABC COMPANY 1-10** (being fictitious entities unknown at this time), and **THE BOROUGH OF MANASQUAN** and/or **ABC COMPANY 11-20** (being fictitious entities unknown at this time) and/or **JOHN DOES 11-20**, (being fictitious persons unknown at this time) and **MANASQUAN POLICE DEPARTMENT** and/or **ABC COMPANY 21-30** (being fictitious entities unknown at this time) and/or **JOHN DOES 21-30** (being fictitious entities unknown at this time).

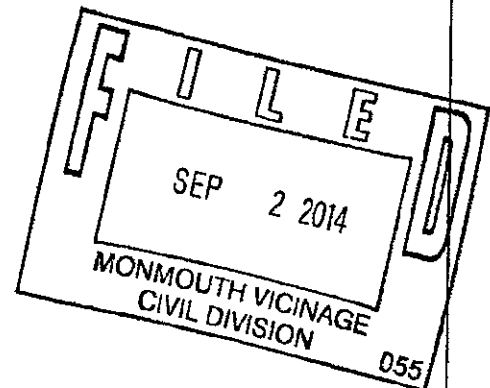
Defendants.

SUPERIOR COURT OF NEW JERSEY
MONMOUTH COUNTY - LAW DIVISION
DOCKET NO.:

L - 3853-14

CIVIL ACTION

COMPLAINT AND JURY DEMAND



Plaintiff, DEVAN A. CARBONE, residing at 3 Wyndham Drive, in the City of Bay Head, County of Ocean and State of New Jersey, by way of Complaint says:

FIRST COUNT

1. On or about March 14, 2014, the Plaintiff, DEVAN A. CARBONE, was a pedestrian lawfully on the premises of the parking lot known as 201 East Main Street, in the City of Manasquan, County of Monmouth and State of New Jersey.

2. At the aforesaid time and place, Defendant, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10

(being fictitious entities unknown at this time) was the operator of motor vehicle owned by Defendant, THE BOROUGH OF MANASQUAN and/or ABC COMPANY 11-20 (being fictitious entities unknown at this time) and/or JOHN DOES 11-20, (being fictitious persons unknown at this time) and Defendant, MANASQUAN POLICE DEPARTMENT and/or ABC COMPANY 21-30 (being fictitious entities unknown at this time) and/or JOHN DOES 21-30 (being fictitious persons unknown at this time), which was travelling in reverse in the parking lot of the premises known as 201 East Main Street, in the City of Manasquan, County of Monmouth and State of New Jersey.

3. At the time and place aforesaid, the Defendant, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time) so negligently, carelessly and/or recklessly operated, maintained, and/or controlled the vehicle owned by Defendant, THE BOROUGH OF MANASQUAN and/or ABC COMPANY 11-20 (being fictitious entities unknown at this time) and/or JOHN DOES 11-20, (being fictitious persons unknown at this time) and Defendant, MANASQUAN POLICE DEPARTMENT and/or ABC COMPANY 21-30 (being fictitious entities unknown at this time) and/or JOHN DOES 21-30 (being fictitious persons unknown at this time), so as to cause same to strike pedestrian Plaintiff.

4. At the time and place aforesaid, the Defendant, NICHOLAS J. NORCIA, and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time), was operating the motor vehicle as an agent, servant and/or employee of Defendant, THE BOROUGH OF MANASQUAN and/or ABC COMPANY 11-20 (being fictitious entities unknown at this time) and/or JOHN DOES 11-20 (being fictitious persons unknown at this time) and Defendant, MANASQUAN POLICE

DEPARTMENT and/or ABC COMPANY 21-30 (being fictitious entities unknown at this time) and/or JOHN DOES 21-30 (being fictitious persons unknown at this time).

5. At the time and place aforesaid, the Defendants, THE BOROUGH OF MANASQUAN and/or ABC COMPANY 11-20 (being fictitious entities unknown at this time) and/or JOHN DOES 11-20, (being fictitious persons unknown at this time) and Defendant, MANASQUAN POLICE DEPARTMENT and/or ABC COMPANY 21-30 (being fictitious entities unknown at this time) and/or JOHN DOES 21-30 (being fictitious persons unknown at this time), so negligently, carelessly and/or recklessly owned and/or maintained the vehicle which was being operated, maintained and/or controlled by Defendant, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time) entrusted said vehicle to Defendant, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time) and/or permitted said vehicle to be driven by Defendant, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time) so as so to cause same to strike pedestrian Plaintiff.

6. As a direct and proximate result of the negligence of Defendants, NICHOLAS J. NORCIA and/or JOHN DOES 1-10 (being fictitious persons unknown at this time) and/or ABC COMPANY 1-10 (being fictitious entities unknown at this time), and THE BOROUGH OF MANASQUAN and/or ABC COMPANY 11-20 (being fictitious entities unknown at this time) and/or JOHN DOES 11-20, (being fictitious persons unknown at this time) and Defendant, MANASQUAN POLICE DEPARTMENT and/or ABC COMPANY 21-30 (being fictitious entities unknown at this time) and/or JOHN DOES 21-30 (being fictitious persons unknown at

this time), the Plaintiff, DEVAN A. CARBONE, was injured, has incurred and in the future will incur expenses for the treatment of his injuries, has been disabled and in the future will be disabled and not able to perform his usual functions, and has been and in the future will be caused great pain and suffering, to his great loss and damages.

WHEREFORE, Plaintiff, DEVAN A. CARBONE, demands judgment against Defendants for damages, together with interest, attorney's fees, costs of suit, and any other relief the Court deems just.

DEMAND FOR ANSWERS TO INTERROGATORIES

The Plaintiff demands that each defendant supply answers to Uniform Interrogatories, Form C and C(1), within the time frame allowed by the Rules of Court.

DEMAND FOR ANSWERS TO NOTICE TO PRODUCE DOCUMENTS

The Plaintiff demands that each defendant provide documents pursuant to the following Notice to Produce Documents within the time frame provided by the Rules of Court.

1. Please produce all policies of insurance, including, but not limited to, primary policies, excess policies, umbrella policies, or any other policy that is available for coverage and payment of the Plaintiff's claim.
2. Please produce all statements made by any party to this matter.
3. Please produce all statements made by any witness to the alleged accident.
4. Please produce all background searches, C.I.B. searches, or any other search regarding past personal injury claims, or personal injury lawsuits, of any nature, made by the Plaintiff.
5. Please produce all reports regarding the accident or incident referred to in this Complaint.
6. Please produce any records of any medical treatment for the Plaintiff in this matter.

7. Please produce all photographs, videotapes, and/ or audiotapes obtained regarding the Plaintiff, the Plaintiff's vehicle, or the defendant(s) vehicle in this matter.
8. Please produce all property damage estimates for all vehicles involved in this accident.
9. Please produce any photographs of the accident scene in this matter.

DEMAND FOR DISCOVERY OF INSURANCE COVERAGE

Pursuant to R. 4:10-2, demand is hereby made that you disclose to the undersigned whether there are any insurance policies or agreements under which a person or firm carrying an insurance business may be liable to satisfy all or part of a judgment which may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

Yes () No () If the answer is yes, attach a copy of each policy, or in the alternative, state under oath or certification the following: (a) policy number; (b) name and address of the insurer or issuer; (c) inception and expiration date; (d) names and addresses of all persons insured under the policy; (e) personal injury limits; (f) property damage limits; (g) medical payment limits; (h) name and address of person who has custody and possession thereof; (i) where and when policy can be inspected.

JURY DEMAND

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

DESIGNATION OF TRIAL COUNSEL

Pursuant to R. 4:5-1(c), Steven P. Haddad, Esq. is designated as trial counsel.

NOTICE PURSUANT TO R.1:7-1

Pursuant to R.1:7-1(b), Plaintiff hereby gives notice of his/her intention to suggest to the trier of fact that unliquidated damages be calculated on a time-unit basis without reference to a specific sum.

CERTIFICATION

I hereby certify that this matter is not subject of any other action pending in any court or arbitration proceeding, that no such other action or arbitration proceeding is contemplated by this plaintiff, and that there are no other parties, whom, to the knowledge of the plaintiffs' counsel, should be joined in this action.

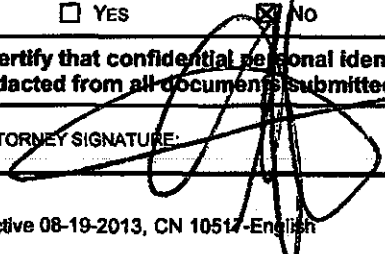
I hereby certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements made by me are willfully false, I am subject to punishment.

Dated: August 26, 2014



STEVEN P. HADDAD, ESQ.
Attorneys for Plaintiff, Devan A. Carbone

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 TYPE: ☐ CK ☐ CG ☐ CA CHG/CK NO.: _____ AMOUNT: _____ OVERPAYMENT: _____ BATCH NUMBER: _____	
	ATTORNEY / PRO SE NAME Steven P. Haddad, Esq		TELEPHONE NUMBER (732) 933-3535	COUNTY OF VENUE Monmouth
	FIRM NAME (if applicable) Law Offices of Steven P. Haddad		DOCKET NUMBER (when available)	
	OFFICE ADDRESS 510 Thornall Street, Suite 270 Edison, New Jersey 08837		DOCUMENT TYPE Complaint	
			JURY DEMAND ☒ Yes ☐ No	
NAME OF PARTY (e.g., John Doe, Plaintiff) Devan A. Carbone		CAPTION Devan A. Carbone vs. Nicholas J. Norcia, The Borough of Manasquan & Manasquan Police Department, et al		
CASE TYPE NUMBER (See reverse side for listing) 603N	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 2014 000021, 2014 000022, BB 030318, BB 030319, BB 030320		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ No		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) Self Insureds ☐ 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</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)

- | | |
|--|---|
| 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/AREXIA | 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

MONMOUTH COUNTY
SUPERIOR COURT
PO BOX 1269
FREEHOLD

NJ-07728

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (732) 677-4240
COURT HOURS 8:30 AM - 4:30 PM

DATE: SEPTEMBER 05, 2014
RE: CARBONE VS NORICA ET AL
DOCKET: MON L -003353 14

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 JAMIE S. PERRI.

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 003
AT: (732) 677-4256 EXT 4256.

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: STEVEN P. HADDAD
HADDAD STEVEN P.
510 THORNALL STREET
SUITE 270
EDISON NJ 08837

JUNVALO