

ALBERT H. WUNSCH, III, ESQ. 045871988
400 Sylvan Avenue
Englewood Cliffs, NJ 07632
(201) 541-0500
Attorney for Plaintiff,

SGT. KEVIN DOYLE, SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY/LAW DIVISION

Plaintiff, DOCKET NO.: BER L 000399-18

-vs-

BOROUGH OF ORADELL
ORADELL POLICE
DEPARTMENT,

CIVIL ACTION

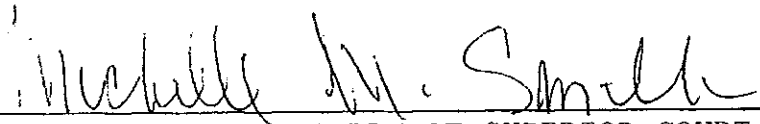
Defendants, SUMMONS

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

Borough of Oradell

YOU ARE HEREBY SUMMONED in a Civil Action in the Superior Court of New Jersey, instituted by the above named plaintiff(s), and required to serve upon the attorney(s) for the plaintiff(s), whose name and office address appears above, an answer to the annexed complaint within thirty (35) days after the service of the summons and complaint upon you, exclusive of the day of service. If you fail to answer, judgment by default may be rendered against you for the relief demanded in the complaint. You shall promptly file your answer and proof of service thereof in duplicate with the Clerk of the Superior Court, CN-971, Trenton, New Jersey 08625, in accordance with the rules of civil practice and procedure.

If you cannot afford to pay an attorney, call a Legal Services Office. An individual not eligible for free legal assistance may obtain a referral to an attorney by calling a county lawyer referral service. These numbers may be listed in the yellow pages of your phone book or may be obtained by calling the New Jersey State Bar Association Lawyer Referral Service toll-free 800-792-8315 (within New Jersey) or 201-249-5000 (from out of state). The phone numbers for the county in which this action is pending are: Lawyers Referral Service, 201-488-0044, Legal Services Office 201-487-2166.


MICHELLE M. SMITH, CLERK OF SUPERIOR COURT

Dated: January 22, 2018

Name of defendant to be served: Borough of Oradell

Address of defendant to be served: 355 Kinderkamanck Road
Oradell, NJ 07469

ALBERT H. WUNSCH, III, ESQ. 045871988
400 Sylvan Avenue
Englewood Cliffs, NJ 07632
(201) 541-0500
Attorney for Plaintiff,

SGT. KEVIN DOYLE, SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY/LAW DIVISION

Plaintiff, DOCKET NO.: BER L 000399-18

-vs-

BOROUGH OF ORADELL
ORADELL POLICE
DEPARTMENT, CIVIL ACTION

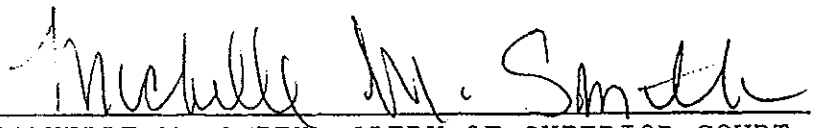
Defendants, SUMMONS

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Borough of Oradell

YOU ARE HEREBY SUMMONED in a Civil Action in the Superior Court of New Jersey, instituted by the above named plaintiff(s), and required to serve upon the attorney(s) for the plaintiff(s), whose name and office address appears above, an answer to the annexed complaint within thirty (35) days after the service of the summons and complaint upon you, exclusive of the day of service. If you fail to answer, judgment by default may be rendered against you for the relief demanded in the complaint. You shall promptly file your answer and proof of service thereof in duplicate with the Clerk of the Superior Court, CN-971, Trenton, New Jersey 08625, in accordance with the rules of civil practice and procedure.

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400 Sylvan Avenue
Englewood Cliffs, NJ 07632
(201) 541-0500
Attorney for Plaintiff,

SGT. KEVIN DOYLE,

SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY/LAW DIVISION

Plaintiff,

DOCKET NO.: BER L 000399-18

-vs-

BOROUGH OF ORADELL
ORADELL POLICE
DEPARTMENT,

CIVIL ACTION

Defendants,

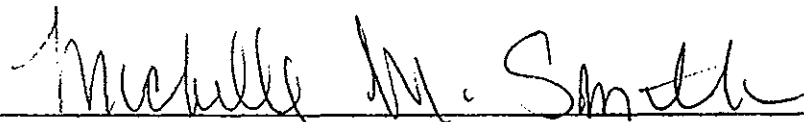
SUMMONS

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

Borough of Oradell

YOU ARE HEREBY SUMMONED in a Civil Action in the Superior-Court of New Jersey, instituted by the above named plaintiff(s), and required to serve upon the attorney(s) for the plaintiff(s), whose name and office address appears above, an answer to the annexed complaint within thirty (35) days after the service of the summons and complaint upon you, exclusive of the day of service. If you fail to answer, judgment by default may be rendered against you for the relief demanded in the complaint. You shall promptly file your answer and proof of service thereof in duplicate with the Clerk of the Superior Court, CN-971, Trenton, New Jersey 08625, in accordance with the rules of civil practice and procedure.

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Outlook Mail

ALBERT WUNSCH,...



Search Mail and People

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Undo

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Conversation History
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Square Payments 36
tickets
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NJ eCourts Case Initiation Confirmation - Civil Case BER-L-000399-18

E eCourtsCivilDoNotReply@mailbox@njcourts.gov
Today, 3:04 PM
You: WUNSCH3@VERIZON.NET

Reply |

SUPERIOR COURT OF NEW JERSEY - eCOURTS

The following was filed by WUNSCH, ALBERT H on 01/17/2018 at 3:04 PM:

Plaintiff Name: KEVIN DOYLE

Defendant Name: BOROUGH OF ORADELL, ORADELL POLICE DEPARTMENT

Case Caption: DOYLE KEVIN VS BOROUGH OF ORADELL

Case Number: BER-L-000399-18

Docket Text: COMPLAINT for BER-L-000399-18 submitted by WUNSCH, ALBERT H, ALBERT H. WUNSCH, III on behalf of KEVIN DOYLE against BOROUGH OF ORADELL, ORADELL POLICE DEPARTMENT

Transaction ID: LCV2018100579

Law Firm Case ID:

Documents Attached:

Document Type	File Name	Document Description
COMPLAINT	KevinDoyleComplaintandJuryDemandPt.1.pdf	Complaint with Jury Demand
Miscellaneous	KevinDoyleComplaintandJryDemandPt2.pdf	Complaint Pt. 2
Miscellaneous	CISKevinDoyle.pdf	CIS Sheet

This communication is for notification purposes only.

This email was sent from a notification-only address that cannot accept incoming mail. Please do not reply to this message.

Case Details: Case Number: BERG1000398218

Case Caption: DOYLE KEVIN VS BOROUGH OF ORADELL

Court: Civil Part

Venue: BERGEN

Case Initiation: 01/17/2018

Case Track: 1

Case Status: Active

Jury Demand: YES - 6 JURORS

Case Type: OTHER

Judge: PEREZ-FRISCIA, LISA

Team: 4

Law Firm Case ID:

Transaction Information

Transaction ID: LCV2018100579

Received by eCourts On: 01/17/2018

Total Payment Amount: \$250.00

Documents Received:

COMPLAINT

Miscellaneous

Miscellaneous

Case Information Statement

ALBERT H. WUNSCH, III, ESQ. 045871988
400 Sylvan Avenue
Englewood Cliffs, NJ 07632
201-541-0500
Attorney for Plaintiff, Sgt. Kevin Doyle

SGT. KEVIN DOYLE,

SUPERIOR COURT OF NEW JERSEY
BERGEN COUNTY/LAW DIVISION

Plaintiff,

-vs-

DOCKET NO.: *BER L 000399-18*

BOROUGH OF ORADELL
ORADELL POLICE
DEPARTMENT

CIVIL ACTION

Defendant,

COMPLAINT AND JURY DEMAND

Plaintiff Sgt. Kevin Doyle ("plaintiff"), by and through his attorneys, Law Offices of Albert H. Wunsch, III, as and for a Complaint alleges as follows:

PRELIMINARY STATEMENT

1. This is an action brought by plaintiff against his employers, the Borough of Oradell and the Oradell Police Department ("Defendants: or "the Borough", or the "Dept.>"). Plaintiff seeks judgment of this Court against Defendant for relief permitted under the Conscientious Employee Protection Act, **N.J.S.A. 39:19-2 et seq.** ("CEPA").

2. This is an action brought under the laws of the State of New Jersey, specifically the New Jersey Conscientious Employee Protection Act ("CEPA"), **N.J.S.A. 39:19.1, et seq.**, and to redress the deprivation, under color of statute, ordinance, regulation, custom or usage of right, privilege, or immunity secured to Plaintiff under the First and Fourteenth Amendments to the United States Constitution and provision of the New Jersey

State Constitution including but not limited to Article I, Paragraph I; and arising under the laws and statutes of the United States, specifically 42 U.S.C, §1981, §1983, §1985 and §2000, *et seq.* (42 U.S.C. §1983, or "§1983").

3. Plaintiff, in addition to monetary damages, seeks declaratory and injunctive relief against Defendants, permanently enjoining and restraining Defendants, their agents, servants and employees from taking any further retaliatory action against Plaintiff, including but not limited to retaliation, harassment and intimidation based on his perceived and whistle-blowing activities.

JURISDICTION

4. Jurisdiction is properly laid in Superior Court of New Jersey in that Defendants are subject to personal jurisdiction in the State of New Jersey.

5. Venue is proper in Bergen County as the events giving rise to the instant claim occurred within the County of Bergen, State of New Jersey.

PARTIES

6. Plaintiff is an employee of Defendant within the meaning of CEPA.

7. At all times relevant to this Complaint, Defendant was the employer within the meaning of CEPA.

8. Defendant Borough of Oradell is a political subdivision, and a municipal and/or public entity located in the

County of Bergen, State of New Jersey Defendant Oradell Police Department is the police department located in the subject town.

STATEMENT OF FACTS

9. Defendant currently employs Plaintiff as a Sergeant in the Borough's Police Department ("the department"). Plaintiff has been employed by Defendant since in or about 1996.

10. Plaintiff has extensive police experience as well as training. He is the recipient of numerous Commendations and Awards for acts of service and heroism. He has handled numerous assignments and responsibilities in an impeccable fashion. In or about September of 2015 he received a 92% on the written exam for the Captain's position in his Department. He also secured the number one position for the oral portion of said exam.

11. This exam had two other participants: Sergeant Wicker and Sergeant Zdanowicz. It was determined that Sergeant Wicker scored 94% on the written exam and scored second in the oral examination. Sergeant Zdanowicz failed both, upon information and belief. The oral was administered by the State's Chief of Police Association. Plaintiff's weighted score between written and oral and personnel jacket review put him one-half a point behind Sergeant Wicker.

12. The Plaintiff was notified that the Captain position was to be awarded to Sergeant Wicker in November of 2015.

13. On or about April of 2016, the sign-up list for the position of Lieutenant was posted. Plaintiff notified Borough of

intent to apply and was required to submit to an outside evaluation to be conducted by a Forensic Psychology expert. This was done, suspiciously, in lieu of written exam.

14. On or about May of 2016, Plaintiff received a memo that the position of Chief was also accepting applicants. Plaintiff notified Borough of intent to apply and was required to return for another evaluation from the same Forensic Psychology expert. Once again, no exam was conducted.

15. Both exams required Plaintiff to sign a HIPPA release and for said results to be sent to Borough for review and evaluation. Said results, however, were never revealed to plaintiff or other applicants to Plaintiff's knowledge.

16. In or about June 2016 and prior to any interviews for the Lieutenant Position, Plaintiff was advised that Councilman Eric Schuler, who was the Police Commissioner, had publicly and privately declared that he was not voting for Plaintiff to be promoted. Despite this information and declaration, Councilman Schuler was permitted to participate in the Lieutenant interview process. Schuler acted disinterested, unprofessional and prejudicial to Plaintiff when his interview occurred.

17. Or about late June 2016, all candidates for Lieutenant were interviewed again. This time, the Police Commissioner, Eric Schuler was prohibited from participating and was told that he must abstain from the promotional processes for Lieutenant as well as Chief.

18. Plaintiff was denied promotion to Lieutenant as well as promotion to Chief. It is alleged that the Police Commissioner had poisoned and tainted the process in retaliation for Plaintiff's Complaints about dangerous, improper, illegal and unprofessional activities of several Oradell Police Officers including, but not limited to, Chief Frank Florio (ret.) and Lt. Michael Oslacky.

WHISTLE BLOWER ACTIVITY

19. In October of 2013, Plaintiff confronted Chief Florio about suspected drug-use of an Oradell Police Officer (Officer to be known as John Doe). The matter was allegedly investigated by the Oradell Police Department and resulted in charges pressed against Sgt. Doyle, another Officer, and the Officer suspected of drug use. Chief Florio and his Internal Affairs Officer, Lt. Michael Oslacky, knew about Officer Doe's drug issues and withheld this information to the detriment and safety of the Oradell Police Department. This fact came out during a police disciplinary hearing of the plaintiff.

20. Officer Doe was ultimately permitted to retire with an Ordinary Disability Pension with the improper assistance of the defendant, Oradell Police Department. Sgt. Doyle underwent a lengthy and emotionally straining disciplinary hearing wherein he was looking at demotion, lengthy suspension and/or termination.

21. Subsequently to closing submissions in this hearing, the Defendants dismissed all charges against Sergeant Doyle.

There was no judicial determination. Sergeant Doyle signed a release which, in return for dismissal and no retaliation by the Borough, acknowledged that he would not seek action against the Borough.

22. In August of 2014, Plaintiff became aware that Chief Florio had revealed to the public confidential medical information about the Plaintiff. Chief Florio violated Defendant's HIPPA rights by disseminating embarrassing medical information about the Plaintiff. He joked about Plaintiff's condition. Even more seriously, Chief Florio made indiscreet sexual comments about Plaintiff and even inappropriately touched and fondled the Plaintiff in a sexual manner. These complaints were forwarded to the Borough Administrator who hired independent counsel to conduct an investigation. This counsel conducted an incomplete investigation and no charges were brought against the Chief. The matter was closed in January of 2015.

23. In January of 2016, Plaintiff submitted approximately eleven (11) violations of Departmental Rules and Regulations against Lieutenant Michael Oslacky. These charges directly related to clear violations by Lieutenant Oslacky in his position as Internal Affairs Officer as it related to his investigation of Plaintiff. The Officer conducting this "investigation", Sergeant Zdanowicz, failed to undertake same in a diligent and/or competent fashion. The charges were never acted upon and Lieutenant Oslacky was permitted to retire. It is upon

information and belief that members with pending charges are not permitted to retire.

COUNT ONE

Retaliatory Harassment

24. Plaintiff Doyle engaged in protected activity pursuant to New Jersey Law.

25. The employers engaged in activities in violation of the New Jersey Law including actions that were severe or pervasive enough to make a reasonable person believe that the conditions of employment were altered and the working environment was hostile or abusive.

26. Plaintiff Doyle considered the actions of his employer to be severe or pervasive enough to make a reasonable person think twice before reporting any additional workplace issues.

27. As a direct and proximate result of the actions of the employer, Plaintiff Doyle suffered retaliatory harassment in violation of the New Jersey Law Against Discrimination, N.J.S.A. 10:5-1. *et seq.*

28. As a direct and proximate result of Defendants' actions, Plaintiff Doyle has suffered emotional distress, humiliation, embarrassment, bodily injury, coupled with physical manifestation of emotional distress, loss of income and benefits, and other severe financial losses.

29. Foregoing actions were knowing, willful and deliberate violations of law and deprivation of plaintiff Doyle's statutory

rights and Plaintiff is entitled to punitive damages under the applicable law.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

(a) Awarding Plaintiff damages, including but not limited to, equitable, punitive and compensatory damages on all lost benefits, wages and rights including but not limited to back pay, lost earnings power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, and other economic and non-economic damages for emotional distress together with both pre-judgment and post-judgment interest and attorney's fees and costs for defendants' violation of plaintiff's civil rights;

(b) Awarding Plaintiff damages, including but not limited to equitable, punitive and compensatory damages on all lost benefits, wages rights including but not limited to back pay, lost earning power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, other economic and non-economic damages for emotional distress, together with both pre-judgment and post-judgment interest and attorney's fees and costs of court with regard to retaliation engaged in by the defendants against Plaintiff all with regard to the adverse employment action taken against the Plaintiff without any basis

in law or fact;

(c) For an Order of the Court retaining jurisdiction over this action until Defendants have fully complied with the orders of this court and that the court require Defendants to file such reports as may be necessary to supervise such compliance;

(d) For such other additional relief as the Court deems just and proper.

COUNT TWO

Retaliation

22. Plaintiff repeats and incorporates the preceding paragraphs as set forth in their entirety.

23. In response to plaintiff's protected activities Defendants retaliated against Plaintiff.

24. The foregoing actions were knowing, willful and deliberate violations of law and deprivations of Plaintiff's statutory and civil rights, and in violation of the New Jersey Law Against Discrimination N.J.S.A. 10:5-1 *et seq.* and Plaintiff is entitled to damages.

25. As a direct and proximate result of Defendants' actions, plaintiff has suffered severe emotional distress, humiliation, embarrassment, bodily injury, coupled with physical manifestation of emotional distress, loss of income and benefits and other severe financial loss.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

(a) Awarding Plaintiff damages, including but not limited to, equitable, punitive and compensatory damages on all lost benefits, wages and rights including but not limited to back pay, lost earnings power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, and other economic and non-economic damages for emotional distress together with both pre-judgement and post-judgement interest and attorney's fees and costs for defendants' violation of plaintiff's civil rights;

(b) Awarding Plaintiff damages, including but not limited to equitable, punitive and compensatory damages on all lost benefits, wages rights including but not limited to back pay, lost earning power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, other economic and non-economic damages for emotional distress, together with both pre-judgement and post-judgement interest and attorney's fees and costs of court with regard to retaliation engaged in by the defendants against Plaintiff all with regard to the adverse employment action taken against the Plaintiff without any basis in law or fact;

(c) For an Order of the Court retaining jurisdiction over this action until Defendants have fully complied with the orders of this court and that the court require Defendants to file such

reports as may be necessary to supervise such compliance;

(d) For such other additional relief as the Court deems just and proper.

COUNT THREE

NJCRA

26. Plaintiff repeats and incorporates the preceding paragraphs as set forth in their entirety.

27. Defendants' actions are in violation of the **NJCRA** under **N.J.S.A. 10:6-1 et seq.**

28. Defendants' have deprived Plaintiff of rights, privileges and or immunities secured by the New Jersey State Constitution. Through Defendants' illegal acts, Plaintiff's exercise and enjoyment of these rights, privileges or immunities has been interfered with by treats, intimidation or coercion by a person acting under color of law. Defendants have also imposed adverse employment actions against Plaintiff, as outlined above, in retaliation for Plaintiff having engaged in protected activities.

29. The foregoing actions were taken pursuant to an official and extant policy and practice of Defendants, and were taken by individuals with final policy making authority over such actions.

30. These violations of law were overseen by agents, officials, employees and/or other individuals acting on Defendants' behalf who ratified such violation by Defendant's

actions, which were retaliatory and violations of law, and being in a position to stop the illegal behavior Defendants failed to take remedial action in willful indifference to the violations of Plaintiff's civil rights.

31. The illegal acts of Defendant against Plaintiff as outlined above were initiated by Defendants for the purpose of retaliating against, harassing and intimidating Plaintiff or his whistle blowing activities.

32. As a direct and proximate result of Defendants' harassing and retaliatory actions, Plaintiff has suffered economic and non-economic damages, including emotional distress.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

(a) Awarding Plaintiff damages, including but not limited to, equitable, punitive and compensatory damages on all lost benefits, wages and rights including but not limited to back pay, lost earnings power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, and other economic and non-economic damages for emotional distress together with both pre-judgement and post-judgement interest and attorney's fees and costs for defendants' violation of plaintiff's civil rights;

(b) Awarding Plaintiff damages, including but not limited to equitable, punitive and compensatory damages on all lost

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(c) For an Order of the Court retaining jurisdiction over this action until Defendants have fully complied with the orders of this court and that the court require Defendants to file such reports as may be necessary to supervise such compliance;

(d) For such other additional relief as the Court deems just and proper.

COUNT FOUR

CEPA

33. Plaintiff repeats and incorporates the proceeding paragraphs as set forth in their entirety.

34. Defendants actions were in violation of the Conscientious Employee Protection Act, N.J.S.A. 34:19-1, et seq.

35. Plaintiff engaged in protected whistle blowing activities in that he disclosed an employee of the Defendants' conduct which he reasonably believed was in violation of law and

or public policy, and/or rules or regulations promulgated pursuant to law and or public policy to a governmental agency between 2013 and 2017. Plaintiff provided information which became known to the defendants related to his protected whistle blowing activity between 2013 and 2016.

36. Plaintiff engaged in further whistle blowing activities when he disclosed the Departments retaliatory conduct against him as well as various Department misconduct, cover-ups and fraud which he reasonable believed were in violation of law and or public policy, and/or rules and regulations promulgated pursuant to law or public policy to a governmental agency to which he provided information between 2015 and 2016.

37. Retaliation for Plaintiff's whistle blowing activities, Plaintiff has suffered adverse employment action(s), including but not limited to repeated harassment, denial of promotions, removal of assignments and unwarranted investigations and disciplinary actions.

38. As a direct and proximate result of Defendant's actions, Plaintiff has suffered emotional distress, humiliation, embarrassment, bodily injury, coupled with physical manifestation of emotional distress, loss of income and benefits and other severe financial losses.

39. The foregoing actions were knowing, willful and deliberate violations of law and deprivation of plaintiff's statutory rights, and Plaintiff is entitled to punitive damages

under applicable law.

WHEREFORE, Plaintiff demands judgment against Defendants as follows:

(a) Awarding Plaintiff damages, including but not limited to, equitable, punitive and compensatory damages on all lost benefits, wages and rights including but not limited to back pay, lost earnings power, as well as commensurate pension benefits, the adverse tax consequences of lump sum award, and other benefits with respect to plaintiff's employment, and other economic and non-economic damages for emotional distress together with both pre-judgement and post-judgement interest and attorney's fees and costs for defendants' violation of plaintiff's civil rights;

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(c) For an Order of the Court retaining jurisdiction over this action until Defendants have fully complied with the orders of this court and that the court require Defendants to file such reports as may be necessary to supervise such compliance;

(d) For such other additional relief as the Court deems just and proper.

JURY DEMAND

Plaintiff hereby demands a Trial by Jury on all issues triable by a jury.

DESIGNATION OF TRIAL COUNSEL

Plaintiff hereby designates ALBERT H. WUNSCH, III, as his trial counsel in this matter.

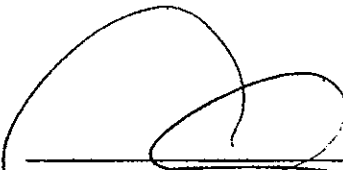
CERTIFICATION

I certify that the original of this pleading has been filed with the clerk of the Bergen County Superior Court via electronic filing.

CERTIFICATION PURSUANT TO R. 4:5-1

Pursuant to Rule 4:5-1, the undersigned hereby certifies that the matter in controversy is not the subject of any other action pending in any other court or of a pending arbitration proceeding, and no other actions or arbitration proceeding is contemplated, and the undersigned is unaware of any other party who is potentially responsible to any party of the basis of the facts set forth herein and who should be joined in this action pursuant to Rules 4:28 and 4:29-1, et seq.

Pursuant to Rule 4:5-1(b)(3), the undersigned hereby certifies that the 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).



ALBERT H. WUNSCH, III, ESQ.

DATED: 1/17/18

**CIVIL CASE INFORMATION STATEMENT
(CIS)**

Payment Type: CK CG CA

Use for initial Law Division - Civil Part pleadings
motions) under Rule 4:5-1.
Pleasings will be rejected for filing, under Rule 1:5-6(c),
If information above the black bar is not completed or
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CHG/CK NO
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<u>Attorney Name/Pro Se Name</u> ALBERT H. WUNSCH, III, ESQ.	<u>Telephone Number</u> 201-541-0500	<u>County of Venue</u> Bergen
<u>Firm Name</u>		<u>Docket Number</u>
<u>Office Address</u> ALBERT H. WUNSCH, III, ESQ. 400 Sylvan Avenue Englewood Cliffs, NJ 07632		<u>Document Type</u> Complaint <u>Jury Demand</u> <u>X</u> <u>Yes</u> <u>No</u>
<u>Name of Party (e.g. John Doe, Plaintiff)</u> Kevin Doyle		<u>Caption:</u> Doyle v. Borough of Oradell
<u>Case Type Number</u> (See reverse side for listing) 616	<u>Hurricane Sandy Related</u> <u>Yes</u> <u>X</u> <u>No</u>	<u>Is this a Professional Malpractice Case?</u> <u>Yes</u> <u>X</u> <u>No</u> If you have checked "Yes" see N.J.S.A. 2A:53A-27 Regarding your obligation to file an Affidavit of Merit.
<u>Related Cases Pending</u> <u>Yes</u> <u>X</u> <u>No</u>		<u>If yes, list Docket Numbers.</u>
<u>Do you anticipate adding any</u> <u>If Known Parties (arising out of same</u> <u>transaction or occurrence</u> <u>Yes</u> <u>X</u> <u>No</u>		<u>Name of Defendants Primary Insurance Company,</u> <u>X</u> <u>None</u> <u>Unknown</u>

THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE

Case Characteristics for Purposes of Determining if case is appropriate for mediation

A. Do Parties have Current, Past or Recurrent Relationship? If that is yes, Relationship Employer-Employee Friend Other
Yes X No Familial Business

B. Does the Statute Governing this case Provide for Payment of Fees by the Losing Party. Yes X No

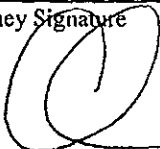
Use this space to alert the Court to any special characteristics that may warrant individual management or accelerated Disposition:

Do you or your client need any disability accommodations? Yes X No If yes, please identify the requested accommodation:

Will an Interpreter be needed? Yes X 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 Rule 1:38-7(b).

Attorney Signature



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 Record Act (Summary Action)
- 999 Other

Track II—300 days' discovery

- 305 Construction
- 509 Employment (other than CEPA or LAD)
- 599 Contract/Commercial Transaction
- 603 N Auto Negligence - Personal Injury
- 603 Y Auto Negligence - Personal Injury
- 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 Action in Lieu of Prerogative Writ

Multicounty Litigation (Track IV)

- | | |
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| 271 Accutane/isotretinoin | 288 Prudential Tort Litigation |
| 274 Risperdal/Seroquel/Sypresa | 289 Reglan |
| 278 Zometax/Aredia | 290 Pompton Lakes Environmental Litigation |
| 279 Gadolinium | 291 Pelvic Mesh/Gynecare |
| 281 Bristol-Myers Squibb Environmental | 292 Pelvic Mesh/Bard |
| 282 Fosamax | 293 Depuy ASR Hip Implant Litigation |
| | 295 Alloderm Regenerative Tissue Matrix |
| | 296 Stryker Rejuvenated/ABG II Modular Hip Stem Components |
| 285 Stryker Trident Hip Implants | 297 Mirena Contraceptive Device |
| 286 Levaquin | 299 Olmesartan Medoxomil Medications/benica |
| 287 Yaz/Yasmin/Ocella | 300 Talc-Based Body Powders |
| | 601 Abestos |
| | 623 Propecia |

If you believe this case requires a tract other than that provided above, please indicate the reason on Side 1, in the space under "Case Characteristics".

Please check of each applicable category:

☐ Putative Class Action

☐ Title 59