

C# 16-1711

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Attorneys for Plaintiff
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Our File No.: 214153

MARGARET B. BRADY and BRIAN
HARPER,

Plaintiff,

v.

OCEAN COUNTY, RAYMOND KURI,
BOROUGH OF POINT PLEASANT,
POINT PLEASANT POLICE
DEPARTMENT, TOWNSHIP OF
BRICK, BRICK POLICE
DEPARTMENT, OCEAN COUNTY
ENGINEER, OCEAN COUNTY
BRIDGE DEPARTMENT, RUTH
ALCANTARA, VALERIE
RICCARDELLI, ESTATE OF
MARGARET E. BRADY, PATRICIA
HARPER, MICHAEL COMMUNE,
ANNE P. WALSH, ANDREW WALSH,
BRAD A. BARRROWS, MATTHEW R.
MILLER, DEBORAH A. HOBBS,
GRIFFIN P. BALDINO, REBECCA N.
BALDINO, SHANNON BONAFIDE,
ELIZABETH A. CARONE, JANE DOE
1-10, JOHN DOE 1-10 (said names being
fictitious), NEW JERSEY
MANUFACTURERS INSURANCE
COMPANY, TOYOTA LEASE TRUST,
ABC CORP. 1-10, (said names being
fictitious),

Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY

CIVIL ACTION

DOCKET NO.: OCN-L-13-16

SUMMONS

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

BOROUGH OF POINT PLEASANT 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 thirty-five (35) days after the service of the Summons and Complaint upon you, exclusive of the day of service. If the complaint is one in foreclosure, then you must file your written answer to 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 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 the plaintiff's attorney whose name and address appear above, or to the 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 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 (609) 394-1101 (from out of state). The phone numbers for the county in which this action is pending are: Lawyer Referral Service (732) 240-3666, Legal Service Office (732) 866-0020.

/s/ Michelle M. Smith, Clerk

MICHELLE M. SMITH, CLERK

Dated: January 13, 2016

Name of Defendant(s):

**BOROUGH OF POINT PLEASANT POLICE
DEPARTMENT**

Address to be Served:

**2233 Bridge Avenue
Point Pleasant Beach, New Jersey 08742**

OCEAN COUNTY SUPERIOR COURT
OCEAN COUNTY COURTHOUSE
CIVIL LAW DIVISION
TOMS RIVER NJ 08754

COURT TELEPHONE NO. (732) 929-2016
COURT HOURS 8:30 AM - 4:30 PM

TRACK ASSIGNMENT NOTICE

DATE: JANUARY 05, 2016
RE: BRADY VS OCEAN COUNTY
DOCKET: CCN L-000013 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 JAMES DEN OYL

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 601
AT: (732) 268-7830 EXT 7830.

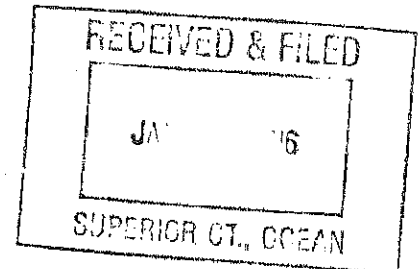
IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE
WITH R.4:5A-2.

ATTENTION:

STUBBEN CHRISTIANE
1386 PALISADE AVE
FORT LEE NJ 07024

JAMES

CHRISTIAN P. STUEBEN, ESQ.
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Tel: (201) 344-2000
Attorney for Plaintiff
Attorney ID: 284791972



MARGARET B. BRADY and BRIAN
HARPER,

Plaintiff

vs.

OCEAN COUNTY, RAYMOND KURI,
BOROUGH OF POINT PLEASANT, POINT
PLEASANT POLICE DEPARTMENT,
TOWNSHIP OF BRICK, BRICK POLICE
DEPARTMENT, OCEAN COUNTY
ENGINEER, OCEAN COUNTY BRIDGE
DEPARTMENT, RUTH ALCANTARA,
VALERIE RICCARDELLI, ESTATE OF
MARGARET E. BRADY, PATRICIA
HARPER, MICHAEL COMMUNE, ANNE P.
WALSH, ANDREW WALSH, BRAD A.
BARRROWS, MATTHEW R. MILLER,
DEBORAH A. HOBBS, GRIFFIN P.
BALDINO, REBECCA N. BALDINO,
SHANNON BONAFIDE, ELIZABETH A.
CARONE, JANE DOE 1-10, JOHN DOE 1-10
(said names being fictitious), NEW JERSEY
MANUFACTURERS INSURANCE
COMPANY, TOYOTA LEASE TRUST, ABC
CORP. 1-10, (said names being fictitious)
Defendants.

SUPERIOR COURT OF NEW JERSEY
LAW DIVISION: OCEAN COUNTY
DOCKET NO.: OCN-L-

813-16

CIVIL ACTION

COMPLAINT AND JURY DEMAND

Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, residing at 2415 Mallow
Street, Point Pleasant, New Jersey by way of Complaint against the Defendants, says:

FIRST COUNT

1. On or about January 10, 2014, the plaintiff, MARGARET B. BRADY and BRIAN HARPER, were passengers in a motor vehicle owned by Patricia Harper and operated by Margaret E. Brady, which vehicle was traveling on the Beaver Dam Bridge southbound, which premises were owned, operated, maintained, managed and/or controlled by the Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or "ABC CORP 1-10" (said names being fictitious).

2. At the aforesaid time and place, the Defendant, RAYMOND KURI and/or "JOHN DOE 1-10" (said names being fictitious), was the bridge tender of the Beaver Dam Bridge owned, operated, maintained, managed and/or controlled by Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or "ABC CORP. 1-10" (said names being fictitious), which roads were icy in the Township of Point Pleasant, County of Ocean, State of New Jersey.

3. At the aforesaid time and Place, Defendant, RAYMOND KURI and/or "JOHN DOE 1-10" (said names being fictitious) were in the course of their employment or acting as an agent, servant and/or employee of Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or "ABC CORP. 1-10" (said names being fictitious) and are liable for the negligent acts and/or omissions of their agents, servants and/or employees under the doctrine of respondent superior.

4. At the aforesaid time and place, the Defendants owed a duty to Plaintiffs and persons such as Plaintiffs to keep its premises in a safe and proper condition, and free and clear

of any and all hazardous, dangerous and palpably unreasonable condition and disrepairs which would endanger the safety of Plaintiffs or persons such as Plaintiffs.

5. At the aforesaid time and place, the Defendants so negligently, carelessly and with palpable unreasonableness owned, operated, maintained, managed and/or controlled the subject bridge in such a way so as to the cause the Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, to suffer pain, suffering and severe emotional distress and other injuries.

6. At the aforesaid time and place, the Defendants owed a duty to Plaintiffs and persons such as Plaintiffs to keep its bridge in a safe and proper condition, and free and clear of any and all hazardous and dangerous conditions and disrepairs which would endanger the safety of Plaintiffs or persons such as Plaintiffs.

7. At the aforesaid time and place the Defendants had a duty to safely operate, maintain, manage, control, and/or supervise the aforesaid bridge with the regard to the weather and /or traffic conditions.

8. The aforesaid Defendants breached their duty owed to Plaintiffs aforesaid and negligently, carelessly and palpably unreasonably allowed their premises to be improperly, dangerously and unreasonably maintained and allowed said premises to remain in an unsafe and dangerous condition by allowing a hazardous, dangerous and palpably unreasonable condition to exist on said premises which condition the defendants had actual notice of or by reasonable inspection and/or maintenance thereof would have discovered and/or defendants operated, maintained, managed, controlled and/or supervised the aforesaid bridge in a negligent and/or palpably unreasonable manner.

9. That at all times hereinafter mentioned, the said Defendants had actual notice of said hazardous, dangerous and unreasonable conditions and/or by reasonable inspection thereof, would have and should have discovered the hazardous, dangerous and palpably unreasonable condition existing and corrected same.

10. As a proximate cause and reasonably foreseeable result of the aforesaid carelessness, negligence and palpably unreasonableness of the Defendants, the Plaintiffs were caused to suffer pain, suffering and severe emotional distress and other injuries.

WHEREFORE, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, individually, demands judgment against Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) jointly, severally, and/or jointly and severally for damages together with interest and costs of suit.

SECOND COUNT

1. Plaintiffs repeat each and every allegation contained in all previous Counts, as if set forth herein at length.

2. Defendant, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI, and/or JOHN DOE 1-10 (said names being fictitious) had a duty to exercise reasonable care and to hire/or utilize and/or train and/or retain only competent, qualified and trained employees to authorize, organize, create, set up, operate, staff, manage, maintain, control and supervise the aforesaid bridge.

3. At all times relevant hereto, Defendants breached their duty owed to the Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, by failing to exercise reasonable care and/or in the hiring, training, supervision and retention of its employees, including, but not limited to Defendant, RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious).

4. As a proximate cause and reasonably foreseeable result of the breach of duty to Plaintiffs by Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE

DEPARTMENT, and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) Plaintiffs suffered pain, suffering and severe emotional distress.

5.The severe, permanent injuries, both mental and physical, sustained by Plaintiffs were a reasonably foreseeable consequence of the careless, negligent, hiring, training, supervision and/or retention of its employees, of Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) its agents, servants, and/or employees (and others whose identities are not yet known to Plaintiffs).

6.The failure of Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious), to exercise reasonable care in the hiring training, supervision and/or retention of its employees, was a proximate cause of the Plaintiffs' severe and permanent injuries.

WHEREFORE, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, individually, demands judgment against Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) jointly, severally, and/or jointly and severally for damages together with interest and costs of suit.

THIRD COUNT

1. Plaintiffs repeat each and every allegation contained in all previous Counts, as if set forth herein at length.

2. Defendants, OCEAN COUNTY, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees JOHN DOE 1-10 (said names being fictitious) had a duty to exercise reasonable care and to hire/or utilize and/or train and/or retain only competent, qualified and trained employees to authorize, organize, create, set up, operate, staff, manage, maintain, control and supervise the aforesaid bridge.

3. At all times relevant hereto, Defendants breached their duty owed to the Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, by failing to exercise reasonable care and/or in the hiring, training, supervision and retention of its employees, including, but not limited to, JOHN DOE 1-10 (said names being fictitious).

4. As a proximate cause and reasonably foreseeable result of the breach of duty to Plaintiffs by Defendants, OCEAN COUNTY, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees JOHN DOE 1-10 (said names being fictitious) Plaintiffs suffered pain, suffering and severe emotional distress.

5. The severe, permanent injuries, both mental and physical, sustained by Plaintiff were a reasonably foreseeable consequence of the careless, negligent, hiring, training, supervision and/or retention of its employees, of Defendants OCEAN COUNTY, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees JOHN DOE 1-10 (said names being fictitious) its agents, servants, and/or employees (and others whose identities are not yet known to Plaintiffs).

6. The failure of Defendants OCEAN COUNTY, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT and/or ABC CORP 1-10 (said names being fictitious), its agents, servants and/or employees JOHN DOE 1-10 (said names being fictitious),

to exercise reasonable care in the hiring training, supervision and/or retention of its employees, was a proximate cause of the Plaintiffs' severe and permanent injuries.

WHEREFORE, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, individually, demands judgment against Defendants OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) jointly, severally, and/or jointly and severally for damages together with interest and costs of suit.

FOURTH COUNT

1. Plaintiffs repeat each and every allegation contained in the previous counts of the Complaint, as if set forth herein at length.

2. On or about January 10, 2014, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, were passengers in a motor vehicle owned by Defendant PATRICIA HARPER and/or "JANE DOE 1-10" and operated by Defendant ESTATE OF MARGARET E. BRADY and/or "JANE DOE 1-10", which motor vehicle was traveling in a generally southerly direction on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

3. At the aforesaid time and place, Defendant RUTH ALCANTARA, and/or "JANE DOE 1 through 10" (being fictitious designations) was the operator of a motor vehicle owned by Defendant VALERIE R. RICCARDELLI and/or "JANE DOE 1-10" (being fictitious designations) which was stopped on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

4. At all times herein mentioned, Defendants owed a duty to Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, and persons such as Plaintiffs, to operate their motor vehicles without carelessness and/or negligence, to use reasonable care and caution in the operation of their motor vehicles and to maintain control of their motor vehicles at all times.

5. At the aforesaid time and place, Defendants breached their duty of care to Plaintiffs by operating their motor vehicles with carelessness and/or negligence and/or wanton disregard for the safety of Plaintiffs and persons such as Plaintiffs and operated their motor vehicles in such a careless and negligent manner so as to cause a collision with the vehicle in which Plaintiffs were passengers.

6. As a proximate cause and reasonably foreseeable result of Defendants' aforesaid negligence, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, suffered severe and permanent injuries, were disabled and disfigured, have suffered and will continue to suffer great pain and torment, both mental and physical, and have been and will in the future be compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to their usual occupation, duties, activities and business.

WHEREFORE, Plaintiffs, MARGARET B. BRADY and BRIAN HARPER, demands judgment against Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) and/or ESTATE OF MARGARET E. BRADY, PATRICIA HARPER, RUTH ALCANTARA, VALERIE R. RICCARDELLI, "JANE DOE 1-10" and/or "JOHN DOE 1-10" (being fictitious designations), jointly, severally and/or jointly and severally, for damages, interest and costs of suit.

FIFTH COUNT

1. Plaintiffs repeat each and every allegation contained in the previous counts of the Complaint, as if set forth herein at length.

2. At the aforesaid time and place, Defendant MICHAEL COMMUNE, and/or "JOHNDOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

3. At the aforesaid time and place, Defendant ANNE P. WALSH, and/or "JANE DOE 1-10" (being fictitious designations) was the owner of a motor vehicle operated by Defendant ANDREW WALSH and/or "JOHN DOE 1-10" which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

4. At the aforesaid time and place, Defendant TOYOTA LEASE TRUST, and/or "ABC CORP 1-10" (being fictitious designations) was the owner of a motor vehicle operated by Defendant BRAD A. BARROWS and/or "JOHN DOE 1-10" which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

5. At the aforesaid time and place, Defendant MATTHEW R. MILLER, and/or "JOHN DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

6. At the aforesaid time and place, Defendant DEBORAH A. HOBBS, and/or "JANE DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

7. At the aforesaid time and place, Defendant REBECCA N. BALDINO, and/or "JANE DOE 1-10" (being fictitious designations) was the owner of a motor vehicle operated by Defendant GRIFFIN P. BALADINO and/or "JOHN DOE 1-10" which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

8. At the aforesaid time and place, Defendant SHANNON BONAFIDE, and/or "JANE DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

9. At the aforesaid time and place, Defendant ELIZABETH A. CARONE, and/or

"JANE DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

10. At the aforesaid time and place, Defendant KYLE L. WEISE, and/or "JOHN DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

11. At the aforesaid time and place, Defendant JOSEPH H. GILES, and/or "JOHN DOE 1-10" (being fictitious designations) was the owner and operator of a motor vehicle which was traveling on the Beaver Dam Bridge southbound in Township of Point Pleasant, County of Ocean, State of New Jersey.

12. On or about January 10, 2014, Plaintiffs, MARGARET B. BRADY AND BRIAN HARPER were in close physical proximity to Margaret E. Brady and/or the area where the aforementioned accidents occurred.

13. At all times relevant hereto, Plaintiff, MARGARET B. BRADY, was the daughter of the decedent, Margaret E. Brady.

14. At all times relevant hereto, Plaintiff, BRIAN HARPER, was the grandson of the decedent, Margaret E. Brady.

15. On or about January 10, 2014, the Plaintiffs, witnessed and observed, through all of their senses, Margaret E. Brady to suffer severe and permanent injuries resulting in death all the while being in the "zone of danger".

16. As a result of the negligence and carelessness of Defendants, the Plaintiffs, MARGARET B. BRADY AND BRIAN HARPER, suffered severe and permanent emotional distress, fear, was disabled, has suffered and will continue to suffer great torment.

17. As a further result of Defendants' aforesaid negligence and carelessness conduct and the injuries thereby caused to Plaintiffs, has been and will be in the future compelled to spend great and diverse sums of money for medical aid and treatment, and has been and will be prevented from attending to his usual occupation, duties, activities and business.

18. As a direct and proximate result of any and all of the foregoing acts and/or omissions, the Plaintiffs, MARGARET B. BRADY AND BRIAN HARPER, are entitled to damages under the doctrine espoused in Portee vs. Jaffe.

WHEREFORE, MARGARET B. BRADY and BRIAN HARPER, individually, demands judgment against the Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) and/or ESTATE OF MARGARET E. BRADY, PATRICIA HARPER, RUTH ALCANTARA, VALERIE R. RICCARDELLI, "JANE DOE 1-10" and/or "JOHN DOE 1-10" (being fictitious designations) and/or MICHAEL D. COMMUNE, ANNE P. WALSH, ANDREW T. WALSH, BRAD D. BARROWS, TOYOTA LEASE TRUST, MATTHEW R. MILLER, DEBORAH A. HOBBS, GRIFFIN P. BALDINO, REBECCA BALDINO, SHANNON BONAFIDE, ELIZABETH A. CARONE, KYLE L. WEISE, JOSEPH H. GILES, "JOHN DOE 1-10", "JANE DOE 1-10" and/or "ABC CORP. 1-10" (said names being fictitious), together with attorney fees, interest and costs of suit.

SIXTH COUNT

1. Plaintiff repeats each and every allegation contained in the previous counts, as if set forth herein at length.

2. On or about January 10, 2014, the Plaintiffs, MARGARET B. BRADY and BRIAN HARPER were passengers in a motor vehicle operated by Margaret E. Brady and owned by Patricia Harper, her sister, with her express permission and consent, who is the named insured on a personal automobile policy written by the Defendant, NEW JERSEY MANUFACTURERS INSURANCE COMPANY and "ABC COMPANY 1-10" (being fictitious designations), under policy number F018234.

3. The aforementioned personal automobile insurance policy provided uninsured motorist coverage, in the amount of \$500,000.00 per accident, for which the insured was required to pay an additional premium.

4. On or about January 10, 2014, Margaret E. Brady was the operator of a motor vehicle, which was traveling southbound on the Beaver Dam Bridge, Township of Point Pleasant, Ocean County and the State of New Jersey.

5. At the aforesaid time and place, an unidentified motor vehicle operated by defendant, JOHN DOE 1-10 (said names being fictitious) negligently struck the vehicle in which Plaintiffs were passengers and caused an accident involving the Plaintiffs.

6. As a proximate cause and reasonably foreseeable result of the negligence and carelessness of the defendant, JOHN DOE 1-10 (said names being fictitious) uninsured motorist, Plaintiffs, MARGARET B. BRADY AND BRIAN HARPER, were caused to suffer severe emotional distress due to the death of Margaret E. Brady.

WHEREFORE, MARGARET B. BRADY and BRIAN HARPER, individually, demands judgment against the Defendants, OCEAN COUNTY, BOROUGH OF POINT PLEASANT, POINT PLEASANT POLICE DEPARTMENT, TOWNSHIP OF BRICK, BRICK POLICE DEPARTMENT, OCEAN COUNTY ENGINEER, OCEAN COUNTY BRIDGE DEPARTMENT, and/or ABC CORP 1- 10 (said names being fictitious), its agents, servants and/or employees and/or RAYMOND KURI and/or JOHN DOE 1-10 (said names being fictitious) and/or ESTATE OF MARGARET E. BRADY, PATRICIA HARPER, RUTH ALCANTARA, VALERIE R. RICCARDELLI, "JANE DOE 1-10" and/or "JOHN DOE 1-10" (being fictitious designations) and/or MICHAEL D. COMMUNE, ANNE P. WALSH, ANDREW T. WALSH, BRAD D. BARROWS, TOYOTA LEASE TRUST, MATTHEW R. MILLER, DEBORAH A. HOBBS, GRIFFIN P. BALDINO, REBECCA BALDINO, SHANNON BONAFIDE, ELIZABETH A. CARONE, KYLE L. WEISE, JOSEPH H. GILES, NEW JERSEY MANUFACTURERS INSURANCE COMPANY, "JOHN DOE 1-10", "JANE DOE 1-10" and/or "ABC CORP. 1-10" (said names being fictitious), together with attorney fees, interest and costs of suit.

JURY DEMAND

Plaintiff demands a trial by jury on all issues so triable.

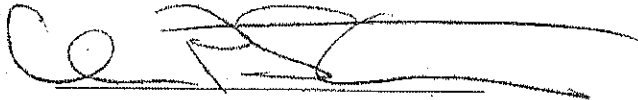
DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, Christian P. Stueben, Esq. is designated as trial counsel.

CERTIFICATION

I hereby certify that this matter is not the subject of any other action pending in any court or arbitration proceeding; that no such other action or arbitration proceeding is contemplated by these Plaintiffs, 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.

A handwritten signature in black ink, appearing to read 'C. Stueben', written over a horizontal line.

CHRISTIAN P. STUEBEN

Dated: December 21, 2015

Appendix XII-B1

 CIVIL CASE INFORMATION STATEMENT (CIS) 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		FOR USE BY CLERK'S OFFICE ONLY	
		PAYMENT TYPE: ☐ CK ☐ CG ☐ CA CHG/CK NO. AMOUNT: OVERPAYMENT: BATCH NUMBER:	
ATTORNEY / PRO SE NAME CHRISTIAN P. STUEBEN, ESQ.		TELEPHONE NUMBER (201) 344-2000	COUNTY OF VENUE Ocean
FIRM NAME (if applicable)		DOCKET NUMBER (when available) OCN-L- 213-16	
OFFICE ADDRESS 1386 PALISADE AVENUE FORT LEE, NEW JERSEY 07024		DOCUMENT TYPE COMPLAINT	
		JURY DEMAND ☒ YES ☐ NO	
NAME OF PARTY (e.g., John Doe, Plaintiff) MARGARET B. BRADY and BRIAN HARPER		CAPTION MARGARET B. BRADY, ET AL VS. OCEAN COUNTY, ET ALS	
CASE TYPE NUMBER (See reverse side for listing) 603Y	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	
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			
RECEIVED & FILED JA. 16 SUPERIOR CT., OCEAN			
 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: _____			



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)
- 806 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
- 802 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 | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 291 PELVIC MESH/GYNECARE |
| 278 ZOMETA/ARELIA | 292 PELVIC MESH/BARD |
| 279 GADOLINIUM | 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 |
| 288 PRUDENTIAL TORT LITIGATION | 601 ASBESTOS |
| 289 REGLAN | 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