

JOSHUA DAVIS,

Plaintiff,

vs.

CITY OF SALEM, SEAN SIMPKINS,  
JEFF PENVEN; WILLIAM ROBINSON,  
CHRISTOPHER PEW, CODY  
HENDERSON, CARLOS DE LA PAZ,  
JOHN DOES 1-50, j.s.a

Defendants.

SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION – SALEM COUNTY

CIVIL ACTION NO. L-171-17

**ORDER RE: DEFENDANTS' MOTION TO  
DISMISS THE COMPLAINT WITH  
PREJUDICE PURSUANT TO RULE  
4:23-5(a)(2).**

This matter having come before the Court upon application of Deasey, Mahoney, & Valentini, Ltd., counsel for Defendants, City of Salem, Sean Simpkins, William Robinson, Christopher Pew, Cody Henderson and Carlos de la Paz, and the Court having read and considered the papers submitted and heard oral argument of counsel, if any, and for good cause shown,

It is on this 7 day of December, 2018, it is

**ORDERED** that Defendants' City of Salem, Sean Simpkins, William Robinson, Christopher Pew, Cody Henderson and Carlos de la Paz Motion to Dismiss with Prejudice Pursuant to Rule 4:23-5(a)(2) is hereby **GRANTED**.

~~**IT IS FURTHER ORDERED** that Plaintiff must pay attorney's fees and expenses related to the filing of Defendants' underlying Motion to Compel as well as the Motion to Dismiss.~~

# JERRY C. GOLDHAGEN

Attorney at Law  
CENTRAL PARK EAST  
222 NEW ROAD  
LINWOOD, NEW JERSEY 08221  
Telephone: 609-927-9227  
Facsimile : 609-927-9233  
Email: [goldhagenlaw@yahoo.com](mailto:goldhagenlaw@yahoo.com)

ADMITTED 1979

NJ, PA, NY BARS

October 11, 2016

Via email [j.carney@nationwide.com](mailto:j.carney@nationwide.com)

Jim Carney  
Senior Claims Specialist  
E&S/Specialty Claims

RE: Our Client : JOSHUA M. DAVIS  
Our File No. : 5425  
Date of Loss : 09/13/2015

Dear Mr. Carney:

I only received basic limited information, and no reports or other documents, despite my repeated requests. Based upon my investigation, there is a strong case of false arrest, false imprisonment, malicious prosecution, abuse of process, defamation, and violation of Mr. Davis' civil rights. He has authorized me to file suit against the public entities and officers involved, including but not limited to the City of Salem and its police officers.

If you have information or documentation to explain how and why Mr. Davis was arrested, charged and incarcerated, and then the charges dropped please provide same in the next 15 days. We intend to file suit otherwise and then the defendants will be required by the Court to respond and disclose. However, before then the defendants are required to retain all potential evidence until the final disposition of all charges and civil claims.

Please confirm this obligation is being complied with, and describe what tapes, photos, statements, and other discovery evidence is being retained failure to do so is unlawful destruction of evidence.

Very truly yours,



JERRY C. GOLDHAGEN

JCG/dm

CC: Clerk, Salem County  
Chief of Police, Salem Police Department  
Joshua Davis

December 9, 2015

Salem Police Department  
129 West Broadway  
Salem, New Jersey 08079

Salem County Prosecutor's Office  
Fenwick Building, 2<sup>nd</sup> Floor  
87 Market Street  
P. O. Box 462  
Salem, New Jersey 08079-0462

**RE: Joshua Davis**  
**Date of Incident: September 13, 2015**

### NOTICE OF CLAIM

I, Joshua Davis, hereby present this claim to the Salem Police Department and the Salem County Prosecutor's Office pursuant to the New Jersey Tort Claims Act and all relevant sections, *N.J.S.A. 59:8-1, et. seq.*

1. The name and address of the claimant is as follows:

Joshua Davis  
1021 North Spruce Street  
Wilmington, Delaware 19806

2. The address to which correspondences should be sent:

1021 North Spruce Street  
Wilmington, Delaware, 19806

3. Date, Place, Circumstances of Occurrence:

Date: September 13, 2015

Place: Salem County, New Jersey

Description of Occurrence:

On or about September 13, 2015, I was going to the liquor store when two men exited the liquor store and start shooting at other people. I was caught in the crossfire of the shooting and was grazed on left forearm. I went to the Salem Police Department to advise that I had witnessed the shooting and to attempt to press charges against the shooters. I went back to the liquor store the following

# **JERRY C. GOLDHAGEN**

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Facsimile : 609-927-9233  
Email: [goldhagenlaw@yahoo.com](mailto:goldhagenlaw@yahoo.com)

ADMITTED 1979

NJ, PA, NY BARS

June 13, 2016

Via: **CERTIFIED MAIL RRR#7014287000086325636 and FIRST CLASS MAIL**  
Salem Police Department  
129 West Broadway  
Salem, New Jersey 08079

Via: **CERTIFIED MAIL RRR#7014287000086325636 and FIRST CLASS MAIL**  
Salem County Prosecutor's Office  
Fenwick Building, 2<sup>nd</sup> Floor  
87 Market Street, PO Box 462  
Salem, New Jersey 08079-0462

Via: **CERTIFIED MAIL RRR#70150640000596555826 and FIRST CLASS MAIL**  
Kathleen L. Keen, Clerk  
Salem City Clerk's Office  
17 New Market Street  
Salem, New Jersey 08079

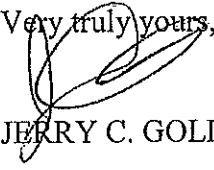
RE: Our Client : DAVIS, Joshua  
Our File No. : 5425  
Date of Loss : 09/13/2015

Dear Sir/Madam:

Please refer to my 4-15-16 correspondence (copy enclosed). I have received no response. I would prefer not to file suit just to obtain documents needed to investigate this matter further. If I do not receive an appropriate response within 14 days, I will have no choice but to file a Complaint and/or motion in Court.

Thank you for your anticipated voluntary cooperation.

Very truly yours,

  
JERRY C. GOLDHAGEN

JCG/dd  
CC: Clerk, Salem County  
Mr. Joshua Davis

Please confirm the names and addresses and present location of the actual shooting suspects, believed to be Richard Lewis and Shamar Sales.

Please confirm the names and addresses of the two store workers and employees who witnessed the shooters, or whom were questioned by the police about the shooting, and who provided the police with surveillance tapes.

We demand all such evidence be retained until the final disposition of Mr. Davis's Civil claims, advised to you in a writing from this attorney, as well as the disposition of any criminal charges.

We are demanding you retain, and preserve, all potential evidence, including but not limited to, all records, reports, tapes, photographs, charges, arrest or search warrants, affidavits or statements, witnesses statements, investigation reports, the criminal report of the shootings, suspects, and for Mr. Davis's incarceration and communications between and among, from or to, the police, prosecutor's office, and Mr. Davis or the two shooting suspects, including remand or dismissal notices.

If you believe other persons, besides employees and officers of Salem County, the City of Salem have partial or complete liability, please promptly advise of their names and addresses, and job titles with a brief statement on your theory of liability as to each.

I will be glad to promptly pay any reasonable charge for your compliance with the above request/demand.

I make the same request/demand and offer to Salem County, and the Salem County Prosecutor's Office.

As you should be aware, failure to retain potential evidence could be considered spoliation of evidence by the Court, exposing you and your principals to severe Court sanctions and/or even civil claims for destruction of evidence.

Thank you for your consideration and anticipated voluntary cooperation.

Very truly yours,



JERRY C. GOLDHAGEN

JCG/dm

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Mr. Joshua Davis

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JCG/dm

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Mr. Joshua Davis

December 9, 2015

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129 West Broadway  
Salem, New Jersey 08079

Salem County Prosecutor's Office  
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87 Market Street  
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Salem, New Jersey 08079-0462

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Page 2

Salem Police Department  
Salem County Prosecutor's Office  
December 9, 2015

day and was falsely arrested by the police who were there investigating the incident and was charged with 2C:39-4A (possession of a weapon for unlawful purpose); 2C:39-5B (unlawful possession of a weapon) and falsely arrested in violation of my state and federal constitutional rights. I was released from false imprisonment on September 15, 2015, after all charges against him had been voluntarily dismissed.

4. General Description of Injury, Damage or Loss Incurred:

As a result, I was falsely charged, falsely arrested, falsely imprisoned for crimes which I did not commit in violation of my state and federal constitutional rights. I was released from false imprisonment on September 15, 2015, after all charges against me had been voluntarily dismissed.

5. Names and Addresses of Public Entities, Employees(s) Causing Injury or Damage:

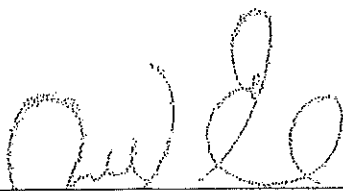
The entities and individuals responsible are named above as the individuals who falsely charged and arrested me and falsely imprisoned me overnight as well as any entity and/or independent contractor performing services on behalf of the above.

6. Damages are unliquidated, but I seek compensatory damages.

If you require any additional information, please do not hesitate to contact me and I will, accordingly, provide said information. If you are aware of any additional entities or individuals who may have involvement in this matter, I am hereby asking that you identify said individuals as soon as possible, since the time limit to file a claim expires on or before December 13, 2015.

Thank you for your courtesy and cooperation in this matter.

Dated: December 9, 2015



Mitchell Lee Goldfield, Esquire  
On Behalf of Joshua Davis

December 9, 2015

Salem Police Department  
129 West Broadway  
Salem, New Jersey 08079

Salem County Prosecutor's Office  
Fenwick Building, 2<sup>nd</sup> Floor  
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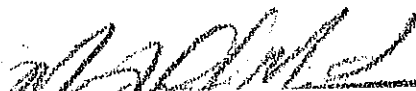
Thomas Minter  
c/o Salem County Correctional Facility  
125 Cemetery Road  
Woodstown New Jersey 08098

August 20, 2012

City of Salem  
Administrative Offices  
17 Market Street  
Salem New Jersey 08079

RE: Notice as required by New Jersey Tort  
Claims Act. N.J.S.A. 59:3-8

- 1. CLAIMANT: Thomas Minter 252 SINKICKSON STREET Salem N.J. 08079
- 2. DATE OF OCCURENCE: August 8, 2012
- 3. LOCATION OF OCCURENCE: 129 WEST BROADWAY SALEM, NEW JERSEY 08079
- 4. DESCRIPTION OF EVENT: AFTER POLICE REQUESTED MY ASSISTANCE REGARDING  
A RESIDENTIAL INCIDENT WITH A FORMER ACQUAINTANCE, I WAS  
ARRESTED UPON A SUMMONS AND LATER ISSUED A WARRANT  
UNRELATED TO THE SUMMONS.
- 5. CAUSES OF INJURY/DAMAGE: Salem Municipal Police Department Officer  
CARLOS DE LA PAZ 129 WEST BROADWAY SALEM NEW JERSEY 08079
- 6. PRESENT AMOUNT CLAIMED: \$75,000.00 LOSS OF EMPLOYMENT, FALSE ARREST  
FALSE IMPRISONMENT AND MALICIOUS PROSECUTION.



SALEM CO CIVIL CASE MGMT  
SUPERIOR COURT LAW DIV  
92 MARKET STREET  
SALEM NJ 08079

TRACK ASSIGNMENT NOTICE

COURT TELEPHONE NO. (856) 935-7510  
COURT HOURS 8:30 AM - 4:30 PM

DATE: OCTOBER 10, 2014  
RE: GROSS VS PELURA  
DOCKET: SLM L -000179 14

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 DARRELL M. FINEMAN

IF YOU HAVE ANY QUESTIONS, CONTACT TEAM 001  
AT: (856) 935-7510 EXT 8210.

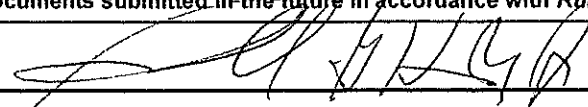
IF YOU BELIEVE THAT THE TRACK IS INAPPROPRIATE YOU MUST FILE A  
CERTIFICATION OF GOOD CAUSE WITHIN 30 DAYS OF THE FILING OF YOUR PLEADING.  
PLAINTIFF MUST SERVE COPIES OF THIS FORM ON ALL OTHER PARTIES IN ACCORDANCE  
WITH R.4:5A-2.

ATTENTION:

ATT: ROLAND G. HARDY  
HARDY LAW OFFICE LLC  
759 NORTH BROADWAY  
PITMAN NJ 08071

JULPK

**Appendix XII-B1**

|                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|
|                                                                                                                                             | <b>CIVIL CASE INFORMATION STATEMENT</b><br><b>(CIS)</b><br><br>Use for initial Law Division<br>Civil Part pleadings (not motions) under <i>Rule 4:5-1</i><br><b>Pleading will be rejected for filing, under <i>Rule 1:5-6(c)</i>,<br/>         if information above the black bar is not completed<br/>         or attorney's signature is not affixed</b> |                                                                                                                                                                                                                                                                                                                 | FOR USE BY CLERK'S OFFICE ONLY<br>PAYMENT TYPE: <input type="checkbox"/> CH <input type="checkbox"/> CC <input type="checkbox"/> CA<br>CHG/CK NO.<br><br>AMOUNT: <b>OCT 01 2014</b><br><br>OVERPAYMENT:<br><b>SUPERIOR COURT OF NEW JERSEY</b><br>BATCH NUMBER: <b>SAL EM COUNTY CIVIL PART</b> |                          |
|                                                                                                                                                                                                                              | ATTORNEY / PRO SE NAME<br>Roland G. Hardy, Jr.                                                                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                                 | TELEPHONE NUMBER<br>(856) 203-5206                                                                                                                                                                                                                                                              | COUNTY OF VENUE<br>Salem |
|                                                                                                                                                                                                                              | FIRM NAME (if applicable)<br>The Hardy Law Office, LLC                                                                                                                                                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                 | DOCKET NUMBER (when available)                                                                                                                                                                                                                                                                  |                          |
|                                                                                                                                                                                                                              | OFFICE ADDRESS<br>759 N. Broadway<br>Pitman, NJ 08071                                                                                                                                                                                                                                                                                                      |                                                                                                                                                                                                                                                                                                                 | DOCUMENT TYPE<br>Complaint                                                                                                                                                                                                                                                                      |                          |
|                                                                                                                                                                                                                              |                                                                                                                                                                                                                                                                                                                                                            | JURY DEMAND <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
| NAME OF PARTY (e.g., John Doe, Plaintiff)<br>Terri Gross                                                                                                                                                                     |                                                                                                                                                                                                                                                                                                                                                            | CAPTION<br>Gross v. City of Salem, et al                                                                                                                                                                                                                                                                        |                                                                                                                                                                                                                                                                                                 |                          |
| CASE TYPE NUMBER<br>(See reverse side for listing)<br>005, 618                                                                                                                                                               | HURRICANE SANDY<br>RELATED?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO                                                                                                                                                                                                                                                         | IS THIS A PROFESSIONAL MALPRACTICE CASE? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO<br>IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW<br>REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.                                                         |                                                                                                                                                                                                                                                                                                 |                          |
| RELATED CASES PENDING?<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                                                                                |                                                                                                                                                                                                                                                                                                                                                            | IF YES, LIST DOCKET NUMBERS<br>State v. Terri Gross                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                 |                          |
| DO YOU ANTICIPATE ADDING ANY PARTIES<br>(arising out of same transaction or occurrence)?<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                              |                                                                                                                                                                                                                                                                                                                                                            | NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known)<br><div style="text-align: right; font-size: x-small;">           RECEIVED FOR<br/>           2014 OCT -<br/>           SALEM COUNTY<br/>           SUPERIOR COURT<br/>           NONE<br/> <input checked="" type="checkbox"/> UNKNOWN         </div> |                                                                                                                                                                                                                                                                                                 |                          |
| <b>THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.</b>                                                                                                                                             |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
| CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION                                                                                                                                        |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
| DO PARTIES HAVE A CURRENT, PAST OR<br>RECURRENT RELATIONSHIP?<br><input checked="" type="checkbox"/> YES <input type="checkbox"/> NO                                                                                         |                                                                                                                                                                                                                                                                                                                                                            | IF YES, IS THAT RELATIONSHIP:<br><input checked="" type="checkbox"/> EMPLOYER/EMPLOYEE <input type="checkbox"/> FRIEND/NEIGHBOR<br><input type="checkbox"/> FAMILIAL <input type="checkbox"/> BUSINESS<br><input type="checkbox"/> OTHER (explain)                                                              |                                                                                                                                                                                                                                                                                                 |                          |
| DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? <input type="checkbox"/> YES <input type="checkbox"/> NO                                                                               |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
| USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR<br>ACCELERATED DISPOSITION                                                                                   |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
|  DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO         |                                                                                                                                                                                                                                                                                                                                                            | IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION                                                                                                                                                                                                                                                             |                                                                                                                                                                                                                                                                                                 |                          |
| WILL AN INTERPRETER BE NEEDED?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> 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<br>redacted from all documents submitted in the future in accordance with <i>Rule 1:38-7(b)</i> . |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |
| ATTORNEY SIGNATURE:                                                                                                                       |                                                                                                                                                                                                                                                                                                                                                            |                                                                                                                                                                                                                                                                                                                 |                                                                                                                                                                                                                                                                                                 |                          |

THE HARDY LAW OFFICE, LLC  
759 N. BROADWAY  
PITMAN, NEW JERSEY 08071  
(856) 203-5206  
Attorney for Plaintiff  
Roland G. Hardy, Jr., Esq  
Attorney ID 002781978

RECEIVED & FILED

OCT 01 2014

SUPERIOR COURT OF NEW JERSEY  
SALEM COUNTY CIVIL PART

Terri Gross

Plaintiff

Vs.

John Pelura, Anthony Vanaman,  
Sharon Vanaman, Dominique Callahan  
Frederick Parkell, Brian Facemeyer,  
David Cornman, City of Salem, Salem  
County Prosecutor's Office; John  
Does 1-10 and, Jane Does 1-3; J/S/A

Defendant(s)

SUPERIOR COURT OF NEW JERSEY  
SALEM COUNTY  
LAW DIVISION

Docket No.

Civil Action

COMPLAINT AND JURY DEMAND

SUPERIOR COURT  
SALEM COUNTY  
2014 OCT -1 AM 10:51  
RECEIVED NOT FILED  
FINANCE

Plaintiff, Terri Gross, residing at 207 Smith Street in the City and County of Salem,

State of New Jersey, by way of complaint herein alleges as follows:

**Parties**

1. Plaintiff, Terri Gross, is and at all times relevant hereto, was a citizen of the United States residing at 207 Smith Street, Salem, New Jersey and active member of the United States Air Force Reserves. Plaintiff holds the rank of Master Sergeant and until the filing of the false charges held secret security military clearance, which clearance she held since 1982.

2. Defendant, John Pelura was, at all times relevant hereto, the duly appointed Police Chief of the City of Salem Police Department and as such was acting under the color of law pursuant to statutes, ordinances, policies and customs of the City of Salem and the State of New Jersey. Defendant Pelura is sued in his official and individual capacities.

3. Defendants, Anthony Vanaman, Sharon Vanaman and Dominique Callahan were, at all times relevant hereto, employees of the City of Salem in the Police Department and acting under the color of law pursuant to statutes, ordinances, policies and customs of the City of Salem and the State of New Jersey. Defendants are sued in their official and individual capacities.

4. Defendant, City of Salem, is a duly incorporated municipality organized under the laws of the State of New Jersey.

5. Defendants, Frederick Parkell, Brian Facemeyer, David Cornman, and Jane Does 1 through 3 were, at all times relevant hereto, employees of the Salem County Prosecutor's Office and acting under the color of law pursuant to statutes, ordinances, policies and customs of the State of New Jersey and within the scope of their authority as employees of the Salem County Prosecutor's office. Defendants Parkell, Facemeyer, Cornman and Jane Does are sued in their official and individual capacities.

6. Defendants, **JOHN DOES, 1-5**, and **JANE DOES, 1-3** are unidentified individuals, who engaged in and/or contributed to the below described violations of Plaintiff's rights in violation of 42 U.S.C. section 1983, 1985;; New Jersey Law Against Discrimination, N.J.S.A. 10:5-12, the New Jersey Constitution, Article I, and New Jersey P.L. 1990, C. 12

(amending P.L. 1945, c. 169 and P.L. 1986 c. 105) and common law rights.

**Factual Background**

7. On or about February 14, 2006 plaintiff was employed as a Clerk/Typist for the City of Salem police department.

8. At all times relevant hereto, plaintiff was engaged in active military service in the United States Air Force Reserves and complied with the employer's approved advance notice requirement for leave of absence due to her military duty.

9. At all times relevant hereto, employer, City of Salem, had a military leave policy that granted leave of absence for "days of military field training for reserve unit members."

10. In or about February 2007 plaintiff was recommended for promotion to Senior Clerk/Typist by then Chief of Police Ronald Sorrell.

11. On or about March 5, 2007 Salem City Council adopted a resolution promoting plaintiff to the position of Senior Clerk/Typist.

12. Sometime during 2008 defendant John Pelura was appointed Chief of Police for the City of Salem.

13. At the time of defendant Pelura's appointment, he was informed of the military leave policy that entitled plaintiff to take military leave for duty calls.

14. Despite being advised that plaintiff was entitled to receive paid leave for military service, defendant Pelura began a course of harassing plaintiff about taking time off for military duty.

15. On various occasions during the period between 2009 and November 28, 2012, defendant Pelura told police department staff that he was going to put a stop to plaintiff's military leave.

16. In or about 2009 defendant Pelura falsely reported to Salem City Council that plaintiff was abusing military leave by taking time that had not been approved.

17. Plaintiff is informed and believes and on that basis alleges that in or about 2009, the Salem Police Department dispatcher functions were transferred to the County of Salem. Defendant, Sharon Vanaman held the position of dispatcher for the City of Salem Police department. Vanaman is a white female.

18. Although the dispatcher functions were transferred, plaintiff is informed and believes and on that basis alleges that defendant Sharon Vanaman was maintained as an employee of the City of Salem Police department without a formal job description.

19. Plaintiff is informed and believes and on that basis alleges that defendant Pelura engaged in conduct and adverse actions against plaintiff because of her race and military service and intended to replace plaintiff with Vanaman.

20. At all times relevant hereto, plaintiff was qualified for the positions of clerk/typist and Senior clerk/typist, was a good employee and was performing her duties to the satisfaction of her employer. Plaintiff is an African American female.

21. In or about June 2010 plaintiff complained to Mayor Robert Davis about the harassment she was receiving from defendant Pelura about her military service.

22. In or about June 2010 defendant Pelura was directed to refrain from harassing plaintiff about her military duty by Mayor Robert Davis.

23. In retaliation for plaintiff complaining to Mayor Davis, Pelura begin circulating false information and making accusations that plaintiff did not live in the City; began conducting surveillance of plaintiff after she left work; solicited Anthony Vanaman to surveil plaintiff's activities at work; solicited Sharon Vanaman, Dominique Callahan and others to follow plaintiff after she left work; increased his conversations with staff telling them that plaintiff was not performing her duties because she was taking too much time off for military duty; conducting staff meetings without including plaintiff and engaging in other harassing conduct. Said conduct continued through November 28, 2012.

24. Plaintiff is informed and believes and on that basis alleges that in or about 2011, Defendant Pelura had a microphone installed in the vent of plaintiff's room to monitor plaintiff's conversations.

25. At the same time, defendant used an internal security camera to monitor Plaintiff while she was in her room. This monitoring was not directed at any non-military or non-minority employee.

26. In or about December 2011 defendant Pelura began to lobby City Council to replace plaintiff with defendant Sharon Vanaman in the position of Clerk/Typist stating that Vanaman was qualified for the position and had more time on the job.

27. Plaintiff was one of two clerk/typists employed by the City of Salem in the Police Department. Dominique Callahan, a white female, was the other clerk/typist employed In the City of Salem Police Department.

28. At all times during plaintiff's employment at the City of Salem Police

Department, she was paid less than Dominique Callahan, despite having similar and greater job responsibilities than Callahan.

29. Plaintiff is informed and believes and on that basis alleges that on or about January 21, 2012 defendant Pelura falsely represented to Salem City Council that plaintiff was missing time from work without authorization and was not keeping up with her work.

30. On or about January 23, 2012 defendant Pelura falsely accused plaintiff of not properly waiting for a state background check before seeking approval for firearms application.

31. Plaintiff is informed and believes and on that basis alleges that defendant Pelura knew that plaintiff had not been administratively promoted to the classification of Senior Clerk/Typist despite having been approved by Salem City Council.

32. Plaintiff is informed and believes and on that basis alleges that defendant Pelura attempted to circumvent the Salem City Council resolution approving plaintiff's promotion to Senior Clerk/Typist in an attempt to secure a permanent position for Sharon Vanaman in the Salem Police department.

33. Plaintiff is informed and believes and on that basis alleges that on or about March 1, 2012 defendant Sharon Vanaman communicated to a Salem City police officer that she was going to take measures to adversely affect plaintiff's employment.

34. On various occasions between June 2008 and November 2012 defendants, Pelura and Sharon Vanaman openly, within plaintiff's hearing referred to her as a "black bitch", "black nigger", old black nigger" and "blind bitch."

35. On or about March 6, 2012, defendant Pelura was in the dispatcher area with Sharon Vanaman and Michael Brooks. Plaintiff overheard Sharon refer to her as a "black

bitch” when she told Pelura that plaintiff should not be in the position of clerk/typist for the detectives, she should. Pelura replied, “I hate that bitch and her in that f\*\*\*ing military, I’m going to fix that nigger.”

36. On or about March 21, 2012, defendant Pelura was informed by Mayor Davis that he had created a hostile work environment for plaintiff.

37. Despite being so informed, defendant continued to comment negatively to other police department staff about plaintiff taking time for military duty and that he was going to get rid of her.

38. In or about April 2012, plaintiff obtained a copy of the March 5, 2007 Salem City Council resolution approving her promotion and presented it to defendant Pelura, at which time defendant Pelura accused plaintiff of fabricating the resolution.

39. On or about May 14, 2012 the Salem City Council acknowledged that plaintiff was entitled to the promotion classification of Senior Clerk/Typist and that Sharon Vanaman was not entitled to replace plaintiff.

40. Plaintiff is informed and believes and on that basis alleges that on or about May 15, 2012, defendant Pelura requested a special meeting of the public safety committee in an attempt to circumvent the confirmation of plaintiff’s right to promotion.

41. Plaintiff is informed and believes and on that basis alleges that in or about May 2012 the Salem City Council decided that Sharon Vanaman would be laid off in December 2012.

42. Plaintiff is informed and believes and on that basis alleges that while plaintiff

was on military leave in June 2012, defendant Pelura contacted the Salem County Prosecutor's Office and falsely accused plaintiff of unlawfully releasing the confidential information.

43. On various occasions during the months of March through November 2012, defendants Pelura, Sharon Vanaman, Dominique Callahan and John Does 1-5 conducted surveillance of plaintiff by following her after work hours to her home and other destinations.

44. On October 24, 2012 at 1:00 am plaintiff observed defendant Pelura's vehicle parked in front of the house two doors from plaintiff's home. As plaintiff exited her vehicle, defendant pulled away.

45. On or about November 28, 2012 plaintiff was suspended from her position with the City of Salem Police department at the recommendation of defendant Pelura.

46. Plaintiff is informed and believes and on that basis alleges that defendants John Pelura, Brian Facemeyer, David Cornman and/or John Does 6 through 10 made false statements to the South Jersey Times newspaper stating that plaintiff had unlawfully released confidential information in an attempt to impugn the character of a public official.

47. Subsequent to plaintiff's suspension, defendant Sharon Vanaman, a white female, has replaced plaintiff in the City of Salem police department on recommendation of defendant Pelura.

48. During the period between January 2009 and November 2012 plaintiff complained on various occasions to her immediate supervisor, Sgt. Carlos Delapaz and Lt Robert Eller about being harassed by defendant Pelura and Lt Anthony Vanaman regarding missing time because of military duty and making racially derogatory statements.

49. During the course of plaintiff's employment at the City of Salem police

department she requested permission to attend training seminars and workshops in her area of duty and was denied by defendant Pelura, while requests to attend training seminars and workshops by white secretaries and officers were approved by the defendant Pelura.

50. Plaintiff is informed and believes and on that basis alleges that prior to his appointment as police chief, defendant Pelura was required to participate in anger management. City Council was aware of the anger management issue and took no action to monitor defendant Pelura's conduct.

51. Despite having knowledge that plaintiff was being harassed by defendant Pelura and other city employees, City of Salem Council failed to take appropriate action to alleviate the harassment.

52. Defendant Pelura continued to engage in harassing and discriminatory conduct through the time of plaintiff's suspension on November 28, 2012.

**COUNT ONE – HARASSMENT (RACE)**  
**Violation of Law Against Discrimination – N.J.S.A. 10:5-12**

53. Plaintiff incorporates by reference paragraphs 1 through 52 of the herein complaint as if same were set forth at length.

54. Plaintiff's race was a substantial or determinative factor in the harassment of plaintiff by defendants, John Pelura, Anthony Vanaman, Sharon Vanaman, Dominique Callahan, City of Salem and John Doe, 1 through 5 in violation of the New Jersey Law Against Discrimination N.J.S.A. 10:5-12.

55. The Harassment:

- a. Would not have occurred but for the race of the plaintiff.
- b. The wrongful acts of the defendants were severe or pervasive.
- c. Created a hostile work environment in which plaintiff was made to feel uncomfortable
- d. The working conditions were altered and the environment was hostile, abusive and/or intimidating such that no reasonable person should have to tolerate the same.

56. Defendant City of Salem was aware of the harassment of plaintiff by its employees but failed to take appropriate measures to stop the harassment and therefore is directly and vicariously liable to plaintiff for the acts of its executives and supervisors.

57. As a proximate result of the discriminatory acts by the defendants, plaintiff has suffered and will continue to suffer severe emotional distress, humiliation, mental pain and anguish, loss wages and employee benefits, litigation expenses and costs and such other and further losses as are established at trial.

58. The aforesaid conduct of the defendants was sufficiently outrageous, reckless or carried on with a wanton disregard for the rights of the plaintiff and/or with reckless disregard for such rights, thereby warranting an assessment of punitive damages against the defendants in an amount sufficient to punish the defendants and set an example to others.

WHEREFORE, Plaintiff, Terri Gross, seeks judgment against the defendants, John Pelura, Anthony Vanaman, Sharon Vanaman, Dominique Callahan, City of Salem and John Does, 1-5, jointly, severally or in the alternative for compensatory damages, punitive damages costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as may be established at trial.

**COUNT TWO – WAGE DISCRIMINATION**

**Violation of New Jersey Law Against Discrimination – N.J.S.A. 10:5-1 et seq**

59. Plaintiff incorporates by reference paragraphs 1 through 58 of the herein complaint as if set forth at length.

60. Plaintiff remained employed as a Clerk/Typist in the City of Salem Police Department until November 28, 2012, at which time she was suspended without pay.

61. During the period between February 14, 2006 and November 28, 2012 plaintiff was one of two clerk/typists for the Salem Police Department. Plaintiff is an African American female. The other clerk/typist is a white female.

62. In or about December 2011, plaintiff became aware that the white female clerk/typist was receiving greater compensation for performing similar duties. During the period between March 2007 and November 2012 the similarly situated white female employee was paid a greater compensation than plaintiff.

63. Plaintiff's race was a substantial or determinative factor in the disparity in compensation between plaintiff and the similarly situated white female clerk/typist.

64. NJLAD prohibits the payment of wages on a racially discriminatory basis.

65. As a proximate result of the discriminatory acts by defendants City of Salem, and John Pelura, Plaintiff has suffered and will continue to suffer severe emotional distress, humiliation, mental pain and anguish, loss of wages and employee benefits, reduced earning and benefits capacity, litigation expenses and fees and such other and further losses as are established at trial.

66. The aforementioned conduct of the Defendants were sufficiently outrageous, reckless or carried on with a wanton disregard for the rights of the Plaintiff and/or with a reckless disregard for Plaintiff's rights, thereby warranting an assessment of exemplary/punitive damages against Defendants City of Salem, and John Pelura on behalf of Plaintiff in an amount sufficient to punish the Defendants and set an example to others.

WHEREFORE, Plaintiff seeks judgment against the defendants, City of Salem, John Pelura, jointly, severally or in the alternative for compensatory damages, including back pay, punitive damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT THREE – DISCRIMINATION (MILITARY SERVICE)**  
**Violation of New Jersey Law Against Discrimination – N.J.S.A. 10:5-12**

67. Plaintiff incorporates by reference paragraphs 1 through 66 of the herein complaint as if set forth at length.

68. Plaintiff's military service was a substantial or determinative factor in causing defendants John Pelura, Dominique Callahan, Anthony Vanaman, Sharon Vanaman and the City of Salem and John Does 1 through 5 to discriminate against the plaintiff and violate her terms and condition of employment in violation of N.J.S.A. 10:5-12.

69. The discrimination occurred in that:

- a. Plaintiff is a member of a class protected by the anti-discrimination law;
- b. She was qualified for the position held;
- c. She was negatively affected by the defendants' actions;
- d. She was treated less favorable than employees, similarly situated, not within the protected class.

70. As a proximate result of the discriminatory acts of the defendants John Pelura Dominique Callahan, Anthony Vanaman, Sharon Vanaman and City of Salem and John Does 1 through 5, plaintiff has suffered and will continue to suffer severe emotional distress, humiliation, mental pain and anguish, loss of wages and employee benefits, litigation expenses and costs and such other and further losses as are established at trial.

71. The aforementioned conduct of the defendants was sufficiently outrageous, reckless or carried on a wanton disregard for the rights of the plaintiff and/or with a reckless disregard for plaintiff's rights, thereby warranting an assessment of punitive damages against the defendants on behalf of the plaintiff in an amount sufficient to punish the defendants and set an example to others.

WHEREFORE plaintiff seeks judgment against the defendants, John Pelura, Dominique Callahan, Anthony Vanaman, Sharon Vanaman, John Does 1 through 5 and City of Salem, jointly, severally or in the alternative for compensatory and punitive damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT FOUR (HARASSMENT- MILITARY)**

**Violation of New Jersey Law Against Discrimination – N.J.S.A. 10:5-12**

72. Plaintiff incorporates by reference paragraphs 1 through 71 of the herein complaint as if set forth at length.

73. Plaintiff's military service was a substantial or determinative factor in the harassment of plaintiff by defendant, John Pelura in violation of N.J.S.A. 10:5-1 et seq.

74. The Harassment:

- a. Would not have occurred but for the military service of plaintiff;
- b. The wrongful acts of the defendant were severe or pervasive;
- c. Created a hostile work environment in which plaintiff was made to feel uncomfortable;
- d. The working conditions were altered and the environment was hostile, abusive and/or intimidating such that no reasonable person should have to tolerate the same.

75. Defendant City of Salem was aware of the harassment by its employee and failed to take appropriate measures to stop the harassment and therefore is directly and vicariously liable to the plaintiff for the acts of its executive and supervisor.

76. As a proximate result of the harassing acts of the defendant Pelura, plaintiff has suffered and will continue to suffer emotional distress, mental anguish, humiliation, loss wages and benefits, litigation expenses and costs and such other damages as plaintiff may establish at trial.

77. The aforementioned conduct of the defendant was sufficiently outrageous, reckless or carried out with wanton or reckless disregard for the rights of the plaintiff so as to warrant an assessment of punitive damages against the defendants in an amount sufficient to punish defendants and set an example for others.

WHEREFORE, Plaintiff seeks judgment against defendants, John Pelura and the City of Salem for compensatory and punitive damages, pre and post judgment interest, costs of suit, including reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT FIVE (RETALIATION)**  
**Violation of New Jersey Law Against Discrimination**

78. Plaintiff incorporates by reference paragraphs 1 through 77 of the herein complaint as if fully set forth at length.

79. Plaintiff's complaints against defendant Pelura for creating a hostile work environment by making and permitting racially derogatory remarks to be made about plaintiff were a substantial or determinative factor causing Pelura to retaliate against Plaintiff and violate her terms and conditions of employment in violation of NJLAD. Plaintiff was a good employee who did a satisfactory job that met her employer's reasonable requirements.

80. Unlawful retaliation occurred in that:

- (i) Plaintiff is an African American female, a member of a class protected by the anti-discrimination laws;
- (ii) Plaintiff engaged in protected activity known by the defendant Pelura by complaining to Mayor Robert Davis about his discriminatory and harassing conduct;
- (iii) Thereafter Pelura took adverse employment actions against plaintiff by his discriminatory denial of training opportunities, denial of promotion, false criminal accusations, suspension recommendation and ultimately suspension;
- (iv) Her participation in the protected activity caused the retaliation

81. As a proximate result of the retaliatory acts of the defendant John Pelura, Plaintiff has suffered and will continue to suffer emotional distress, humiliation, mental pain and anguish, suspension from employment, loss of wages and employee benefits, litigation

expenses and costs of suit, reasonable attorney fees and such other relief as may be established at trial.

82. The aforementioned conduct of the defendant was sufficiently outrageous, reckless or carried on with a wanton disregard of the plaintiff's rights and/or with a reckless disregard for plaintiff's rights, warranting an assessment of exemplary/punitive damages against the defendant on behalf of plaintiff in an amount sufficient to punish the defendant and set an example to others.

WHEREFORE, Plaintiff seeks judgment against the defendant John Pelura and the City of Salem for compensatory and punitive damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT SIX – RACIAL DISCRIMINATION – FAILURE TO PROMOTE**  
**Violation of 42 U.S.C. section 1983**

83. Plaintiff incorporates by reference paragraphs 1 through 82 of the herein complaint as if set forth at length.

84. On or about March 5, 2007 the City of Salem Council, adopted a resolution promoting plaintiff to the position of Senior Clerk/Typist in the City of Salem Police department.

85. Although, the aforesaid resolution was adopted on March 5, 2007.

86. Plaintiff was a good employee, performing her job requirements to the expectations of her employer and at all relevant times was qualified for the position of Senior Clerk/Typist. Plaintiff, Terri Gross, is an African-American female.

87. Plaintiff's right to promotion to Senior Clerk/Typist vested in or about March, 2007 and continued through November 2012.

88. In or about 2008 defendant Pelura was appointed Chief of Police for the City of Salem Police Department.

89. At the time of defendant Pelura's appointment as chief of Police and thereafter, defendant resisted and refused to recognize plaintiff's right to be promoted to Senior Clerk/Typist.

90. Defendant, Pelura, as Chief of Police communicated false and misleading information about plaintiff's job performance to Salem City Council in an attempt to defeat activation of plaintiff's promotion.

91. Despite having been duly approved for promotion to Senior Clerk/Typist position, Defendant Pelura refused to recognize plaintiff's right to the title of Senior Clerk/Typist.

92. Plaintiff has been denied the compensation commensurate with the title of Senior Clerk/Typist.

93. Plaintiff's race was a substantial or determinative factor in the denial of her right to the title and compensation of Senior Clerk/Typist

94. As a proximate result of the discriminatory acts of the defendants John Pelura and the City of Salem and/or the individual defendants, plaintiff has suffered and will continue to suffer emotional distress, humiliation, mental pain and anguish, suspension from employment, loss of wages and employee benefits, litigation expenses and costs and such other losses as may be established at trial.

95. The aforementioned conduct of the Defendants were sufficiently outrageous, reckless or carried on with a wanton disregard of the rights of the Plaintiff and/or with a reckless disregard for Plaintiff's rights, thereby warranting an assessment of exemplary/punitive damages against Defendants John Pelura and City of Salem on behalf of Plaintiff in an amount sufficient to punish the Defendants and set an example to others.

WHEREFORE, Plaintiff seeks judgment against defendants John Pelura and the City of Salem, jointly, severally and in the alternative for compensatory damages, punitive damages, costs of suit, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT SEVEN- FALSE ARREST**  
**Violation of 4<sup>th</sup> Amendment – U.S. Constitution and 42 U.S.C sec 1983**

96. Plaintiff incorporates by reference paragraphs 1 through 95 of the herein complaint as if set forth at length.

97. The 4<sup>th</sup> Amendment provides: "The right of the people to be secure in their persons, houses, papers and effects, against unreasonable searches and seizures, shall not be violated, and no warrants shall issue, but upon probable cause..."

98. Plaintiff is informed and believes and on that basis alleges that Defendants, John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman and Jane Does 1 through 3 acted individually and in concert to initiate the false arrest of plaintiff in violation of the 4<sup>th</sup> Amendment of the U.S. Constitution.

99. As a result of defendants' actions, on or about November 28, 2012 plaintiff was falsely arrested and charged with obstruction of the administration of law and release of

confidential information in clear violation of established law and no reasonable law enforcement officer would believe that these actions were lawful.

100. As a result of plaintiff's false arrest, she has suffered and will continue to suffer severe emotional distress, humiliation, mental pain and anguish, loss of wages and benefits, suspension from employment, litigation expenses and costs and such other losses as are established at trial.

101. The aforementioned actions of the defendants were sufficiently outrageous, reckless or carried on with a wanton disregard of the rights of the plaintiff and/or with reckless disregard for the rights of the plaintiff, thereby warranting an assessment of exemplary/punitive damages against defendants, John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman and Jane Does 1 through 3 in an amount sufficient to punish the defendants and set an example to others.

WHEREFORE, Plaintiff Terri Gross, seeks judgment against the defendants, John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman and Jane Does 1 through 3, Salem County Prosecutor Office, jointly, severally or in the alternative for compensatory and punitive damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

#### **COUNT EIGHT – FALSE ARREST**

**Violation of Article I, Sec 7 – New Jersey Constitution and N.J.S.A. 10:6-1 et seq**

102. Plaintiff incorporates by reference paragraphs 1 through 101 of the herein complaint as if set forth at length.

103. Article I, Sec 7 provides: "The right of the people to be secure in their persons, ... and effects against unreasonable ... seizures, shall not be violated; and no warrant shall issue except upon probable cause..."

104. Plaintiff is informed and believes and on that basis alleges that the defendants, John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman and Jane Does 1 through 3, acted individually and in concert to initiate the false arrest of the plaintiff in violation of Article I, Sec 7 of the New Jersey Constitution.

105. As a result of the defendants' actions on or about November 28, 2012 plaintiff was falsely arrested and charged with obstruction of the administration of law and release of confidential information in clear violation of established law and no reasonable law enforcement officer would believe that these actions were lawful.

106. As a result of plaintiff's false arrest she suffered and will continue to suffer severe emotional distress, humiliation, mental pain and anguish, loss of wages, suspension from employment, litigation expenses and such other losses as are established at trial.

107. The aforementioned conduct of the defendants were sufficiently outrageous, reckless or carried on with a wanton disregard of the rights of the plaintiff and/or with reckless disregard for the rights of the plaintiff, thereby warranting an assessment of exemplary/punitive damages against John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman, and Jane Does 1 through 3 in a sufficient amount to punish the defendants and set an example to others.

WHEREFORE, Plaintiff, Terri Gross, seeks judgment against the defendants, John Pelura, Frederick Parkell, Brian Facemeyer, David Cornman, and Jane Does 1 through 3, Salem County Prosecutor Office, jointly, severally or in the alternative, for compensatory and

punitive damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT NINE - DISCRIMINATION (GENDER)**  
**Violation of New Jersey Law Against Discrimination**

108. Plaintiff incorporates paragraphs 1 through 107 of the herein complaint as if set forth at length.

109. On or about November 28, 2012 plaintiff was suspended from her position of clerk/typist in the Salem Police Department as a result of being charged with releasing confidential information and obstruction of the administration of law.

110. Such charges were a pretext for discrimination against plaintiff based upon her gender.

111. Similar and/or greater offenses were committed by male police department employees, who were neither charged with offenses and/or suspended for committing such offenses.

112. As a proximate result of the discriminatory acts of the defendant, City of Salem Plaintiff has and will continue to suffer emotional distress, mental anguish, humiliation, loss wages and benefits, litigation expenses and such other damages as may be established at the time of trial.

113. The aforementioned acts were sufficiently outrageous, reckless or carried on with wanton disregard for the rights of the plaintiff and/or with reckless disregard for the rights of

the plaintiff, thereby warranting an assessment of punitive damages.

WHEREFORE, Plaintiff seeks judgment against the defendant City of Salem for compensatory and punitive damages, costs of suit, reasonable attorney fees and such other relief as the court may deem appropriate.

**COUNT TEN- CONSPIRACY TO VIOLATE CIVIL RIGHTS**

**Against defendants John Pelura, Anthony Vanaman, Sharon Vanaman, and  
Dominique Callahan**

114. Plaintiff incorporates by reference paragraphs 1 through 113 of the herein complaint as if set forth at length.

115. Defendants, John Pelura and Anthony Vanaman acting within the scope of their employment and under color of law, agreed among themselves and with other individuals to act in concert to deprive plaintiff of her right to be free of harassment based upon race in her place of employment.

116. In furtherance of the conspiracy each of the defendants engaged in and facilitated numerous overt acts, including, but not limited to, the following:

- (i) Eavesdropping on plaintiff's conversations through electronic devices;
- (ii) Following plaintiff when she left her place of employment;
- (iii) Conducting surveillance of plaintiff at her home and other destinations;
- (iv) Engaging in conversations with other employees referring to plaintiff as "black bitch", "nigger", "blind bitch" within the hearing of plaintiff;
- (v) Deliberately fabricating information that led to plaintiff's arrest.

117. Defendants' conspiracy and actions in furtherance thereof, subjected plaintiff to harassment, suspension from her employment and false arrest.

118. As a result of defendants' conspiracy, plaintiff suffered emotional distress, mental pain and anguish, loss of wages and benefits, suspension from employment, litigation expenses and such other losses as are established at trial.

WHEREFORE plaintiff seeks judgment against defendants John Pelura, Anthony Vanaman, Sharon Vanaman and Dominique Callahan for compensatory and punitive damages, pre and post judgment interest, costs of suit, reasonable attorney fees and such other relief as the court deems appropriate.

**COUNT ELEVEN – BREACH OF CONTRACT AND/OR IMPLIED  
COVENANT OF GOOD FAITH AND FAIR DEALING**

119. Plaintiff incorporates by reference paragraphs 1 through 118 of the herein complaint as if set forth at length.

120. Defendant, City of Salem, established policies and procedures relative to the fair treatment of employees, including but not limited to policies prohibiting the harassment of employees based upon race and/or military service.

121. Defendants' Chief of Police, John Pelura and Lieutenant Anthony Vanaman violated the aforementioned policies by not enforcing the prohibition against harassment in the workplace.

122. In doing so, the City of Salem and/or the individual defendants breached the expressed and implied contract and covenant of good faith and fair dealing as to plaintiff.

123. As a result of defendants' breach, plaintiff suffered and will continue to suffer emotional distress, mental pain and anguish, humiliation, loss of wages, litigation expenses, reasonable attorney fees and such other losses as are established at trial.

WHEREFORE, Plaintiff seeks judgment against defendants, City of Salem, John Pelura, Anthony Vanaman, jointly, severally or in the alternative for compensatory damages, costs of suit, pre and post judgment interest, reasonable attorney fees and such other relief as the court may deem appropriate.

#### **COUNT TWELVE - VIOLATION OF MILITARY LEAVE POLICY**

124. Plaintiff incorporates by reference paragraphs 1 through 123 of the herein complaint as if set forth at length.

125. At all times during plaintiff's employment, the City of Salem maintained a policy permitting military duty leave for employees who were active members of the United States Reserves.

126. Defendant, John Pelura, in violation of the said military leave policy, took adverse actions against the plaintiff for engaging in activity protected by the military leave policy.

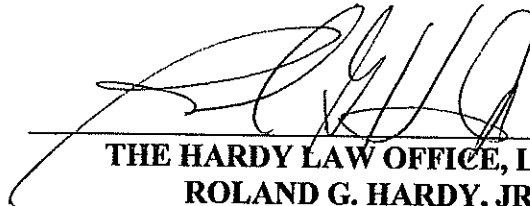
127. As a proximate result of defendant's acts, plaintiff has suffered and will continue to suffer emotional distress, mental anguish, humiliation, litigation expenses, and such other damages as plaintiff may establish at the time of trial.

128. The aforementioned conduct of the defendant was sufficiently outrageous,

reckless or carried on with wanton and/or reckless disregard of the rights of plaintiff, thereby warranting an assessment of exemplary/punitive damages against the defendant in an amount sufficient to punish the defendant and set an example to others.

WHEREFORE, Plaintiff seeks judgment against the defendants, John Pelura and the City of Salem for compensatory and punitive damages, pre and post judgment interest, costs of suit, including reasonable attorney fees, and such other relief as the Court may deem appropriate.

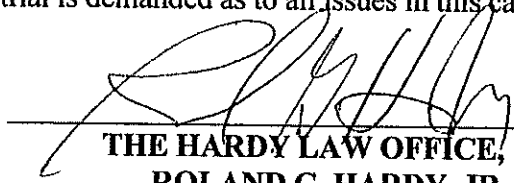
Dated: 9-20-14

  
\_\_\_\_\_  
**THE HARDY LAW OFFICE, LLC**  
**ROLAND G. HARDY, JR**  
**Attorney for Plaintiff**

**DEMAND FOR JURY TRIAL**

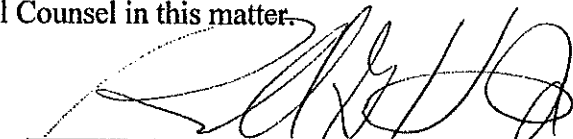
A jury trial is demanded as to all issues in this case.

Dated: 9-20-14

  
\_\_\_\_\_  
**THE HARDY LAW OFFICE, LLC**  
**ROLAND G. HARDY, JR.**  
**Attorney for Plaintiff**

**DESIGNATION OF TRIAL COUNSEL**

PLEASE TAKE NOTICE that pursuant to court rules, Roland G. Hardy, Jr., Esquire, is hereby designated as Trial Counsel in this matter.

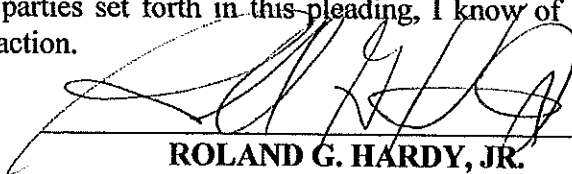


**THE HARDY LAW OFFICE, LLC  
ROLAND G. HARDY, JR.  
Attorney for Plaintiff**

Dated: 8-20-14

**CERTIFICATION OF NO OTHER ACTION**

I hereby certify that the matter in controversy with respect to Plaintiff, **Terri Gross**, is not the subject of any other action pending in any other court or a pending or contemplated arbitration proceeding to the best of my knowledge, information and belief. Further, other than the parties set forth in this pleading, I know of no other parties who should be joined in this action.



**ROLAND G. HARDY, JR.  
Attorney for Plaintiff**

DATED: 8-20-14



## THE SUPERIOR COURT OF NEW JERSEY

Law Division, Special Civil Part

### SMALL CLAIMS SUMMONS

#### YOU ARE BEING SUED!

**IF YOU WANT THE COURT TO HEAR YOUR SIDE OF THIS CASE, YOU MUST APPEAR IN COURT. IF YOU DO NOT, THE COURT MAY RULE AGAINST YOU. READ ALL OF THIS PAGE AND THE NEXT PAGE FOR DETAILS.**

In the attached complaint, the person suing you (who is called *the plaintiff*) briefly tells the court his or her version of the facts of the case and how much money he or she claims you owe. **You are cautioned that if you do not come to court on the trial date to answer the complaint, you may lose the case automatically, and the court may give the plaintiff what the plaintiff is asking for, plus interest and court costs.** If a judgment is entered against you, a Special Civil Part Officer may seize your money, wages or personal property to pay all or part of the judgment and the judgment is valid for 20 years.

**You can do one or more of the following things:**

1. *Come to court to answer the complaint.* You do not have to file a written answer, but if you dispute the complaint and want the court to hear your side of the case, you must appear in court on the date and at the time noted on the next page.

AND/OR

2. *Resolve the dispute.* You may wish to contact the plaintiff's lawyer, or the plaintiff if the plaintiff does not have a lawyer, to resolve this dispute. **You do not have to do this unless you want to.** This may avoid the entry of a judgment and the plaintiff may agree to accept payment arrangements, which is something that cannot be forced by the court. You will have to appear in court on the trial date unless a written agreement is reached and filed with the court.

AND/OR

3. *Get a lawyer.* If you cannot afford to pay for a lawyer, free legal advice may be available by contacting Legal Services at \_\_\_\_\_. If you can afford to pay a lawyer but do not know one, you may call the Lawyer Referral Services of your local county Bar Association at \_\_\_\_\_.

If you need an interpreter or an accommodation for a disability, you must notify the court immediately.

La traducción al español se encuentra al dorso de esta página.

*Stephanie C. Hawk*

Clerk of the Special Civil Part

page 9 of 9

**FORM A**  
**SMALL CLAIMS COMPLAINT (Contract, Security Deposit, Rent, or Tort)**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, SPECIAL CIVIL PART  
SMALL CLAIMS SECTION**

Keith Lewis  
Attorney for Plaintiff (if any)  
Address 119 Carpenter Street  
Salem, New Jersey 08079  
Telephone No. (856) 803-8621

Salem County JUL 27 2012  
Docket No. \_\_\_\_\_  
(to be provided by the court)

**From Plaintiff**

Keith Lewis  
Name  
Address 119 Carpenter Street  
Salem, New Jersey 08079  
Telephone No. (856) 803-8621

**CIVIL ACTION  
COMPLAINT**

**To Defendant**

City of Salem Police Department Salem County  
Prosecutor  
Name  
Address 129 West Broadway, 1  
Salem New Jersey 08079  
Telephone No. (856) 935-0057

**Check One – See Instruction A for Form A**

- ☐ Contract  
☐ Security Deposit  
☐ Rent  
☒ Personal Injury or Property Damage (other than motor vehicle)

**COMPLAINT (See instruction B for form A)**

Demand: \$ 1,900.00 plus costs.

Type or print the reasons you, the Plaintiff(s), are suing the Defendant(s): Attach additional sheets if necessary.

The plaintiff was a resident of the premises known as 141 Carpenter Street, in the city of Salem on July 10, 2012 when officers from the Salem County Prosecutor's Office and the City of Salem police offices executed a search warrant for an individual named ( Ramon Bentley, Jr). Plaintiff asserts that the money confiscated from his room in the night stand containing \$1,900.00 was not money belonging to the named person listed on the search warrant and was taken and detained illegally by both the Salem County Prosecutor's Office and the Salem City police officers executing the search warrant on the date aforementioned.

There was also money in the amount of \$3,850.00 confiscated on the same date located in the named individual for whom the warrant was issued in his bedroom in the floor boards of the bedroom where the individual resides.

Plaintiff herein asserts that his business of selling Italian Water Ice to the local child for my livelihood and the cash that was confiscated has been and is being retained illegally. Thus, this complaint is forwarded.

**IMPORTANT:** Plaintiffs and defendants must bring all witnesses, photos, and documents, and other evidence to the hearing. Subpoena forms are available at the Clerk's office to require the attendance of witnesses.

At the trial Plaintiff will require:

An interpreter ☐ Yes ☒ No Indicate Language: \_\_\_\_\_

An accommodation for disability ☐ Yes ☒ No Indicate Disability: \_\_\_\_\_

I certify that the matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in this action.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*.

07/22/2012  
Date

Keith Lewis  
Your Signature

Keith Lewis  
Your Name Typed or Printed

## page 9 of 9

**FORM A**  
**SMALL CLAIMS COMPLAINT (Contract, Security Deposit, Rent, or Tort)**

**SUPERIOR COURT OF NEW JERSEY  
LAW DIVISION, SPECIAL CIVIL PART  
SMALL CLAIMS SECTION**

Keith Lewis  
Attorney for Plaintiff (if any)  
Address 119 Carpenter Street  
Salem, New Jersey 08079  
Telephone No. (856) 803-8621

Salem County July 25 2012  
Docket No. \_\_\_\_\_  
(to be provided by the court)

**From Plaintiff**

Keith Lewis  
Name  
Address 119 Carpenter Street  
Salem, New Jersey 08079  
Telephone No. (856) 803-8621

**To Defendant**

City of Salem Police Department + Salem County Prosecutor  
Name  
Address 129 West Broadway, 1  
Salem New Jersey 08079  
Telephone No. (856) 935-0057

**CIVIL ACTION  
COMPLAINT**

**Check One – See Instruction A for Form A**

- ☐ Contract  
☐ Security Deposit  
☐ Rent  
☒ Personal Injury or Property Damage (other than motor vehicle)

**COMPLAINT (See Instruction B for form A)**

Demand: \$ 1,900.00 plus costs.

Type or print the reasons you, the Plaintiff(s), are suing the Defendant(s): Attach additional sheets if necessary.

The plaintiff was a resident of the premises known as 141 Carpenter Street, in the city of Salem on July 10, 2012 when officers from the Salem County Prosecutor's Office and the City of Salem police offices executed a search warrant for an individual named ( Ramon Bentley, Jr). Plaintiff asserts that the money confiscated from his room in the night stand containing \$1,900.00 was not money belonging to the named person listed on the search warrant and was taken and detained illegally by both the Salem County Prosecutor's Office and the Salem City police officers executing the search warrant on the date aforementioned.

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At the trial Plaintiff will require:

An interpreter ☐ Yes ☒ No Indicate Language: \_\_\_\_\_  
An accommodation for disability ☐ Yes ☒ No Indicate Disability: \_\_\_\_\_

I certify that the matter in controversy is not the subject of any other court action or arbitration proceeding, now pending or contemplated, and that no other parties should be joined in this action.

I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with *Rule 1:38-7(b)*.

07/22/2012  
Date

Keith Lewis  
Your Signature

Keith Lewis  
Your Name Typed or Printed

Charlie Sistrunk  
C/O Salem County Correctional Facility  
Woodstown, New Jersey 08098

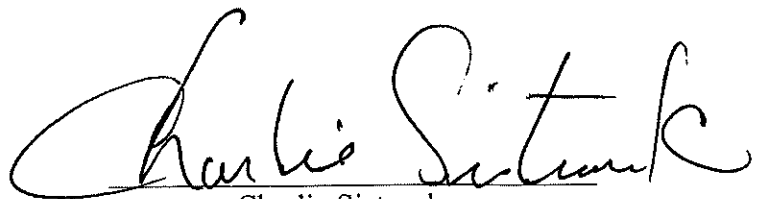
**July 2, 2012**

City of Salem  
Administrative Offices  
17 Market Street  
Salem, New Jersey 08079

**RE: NOTICE as required by New Jersey Tort Claims Act N.J.S.A. 59:8-8**

1. **CLAIMANT:** Charlie Sistrunk 16A Walnut Street, Salem, New Jersey 08079
2. **DATE OF OCCURRENCE:** June 23, 2012
3. **LOCATION OF OCCURRENCE:** Salem New Jersey
4. **DESCRIPTION OF EVENT:** Without reason or cause the police stop me in the street, choke me, search me, handcuff me and transport me to the nearby hospital and force me to have medical procedures to examine me internally, and ingest fluids to accelerate my digestion and bowel movements and take me to the Salem County Correctional Facility all without probable cause or warrants, without reading me my rights or identifying why I was chosen. False arrest, unlawful imprisonment, violation of my Civil Rights, violation of Due Process Rights, Abuse of Process and Malicious Prosecution.
5. **CAUSE OF DAMAGES/INJURY:** Salem Municipal Police Officers 1 through 7 (John Does at this time) The Salem Municipal Police Department 129 West Broadway Salem, New Jersey 08079
6. **PRESENT AMOUNT CLAIMED:** \$150,000.00 for the illegal seizure and the claims for the present detention and extended imprisonment is ongoing.

DATED: July 2, 2012

  
Charlie Sistrunk

CC: New Jersey Office of the Attorney General P.O. Box 080, Trenton, New Jersey 08625-0080



*Law Offices*

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**GRUCCIO, PEPPER, DE SANTO & RUTH, P.A.**

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JAMES J. GRUCCIO, SR. ◊  
LAWRENCE A. PEPPER, JR.  
ROBERT A. DE SANTO ◊  
JOSEPH E. RUTH ◊  
STEPHEN D. BARSE  
A. STEVEN FABIETTI

817 East Landis Avenue  
P.O. Box 1501  
Vineland, New Jersey 08362-1501  
Phone (856) 691-0100  
Fax (856) 692-4095

NICOLE J. CURIO  
ROBERT C. LITWACK ◊  
LEE J. HUGHES ◊  
JUDITH C. ARNOLD

---

Counsel to the Firm:  
JAMES J. GRUCCIO, JR.  
CAROL J. KERNAN ‡

◊J.L.M. (Taxation)

◊Certified by the Supreme Court of  
New Jersey as a Criminal Trial Attorney

‡Certified by the Supreme Court of  
New Jersey as a Matrimonial Law Attorney

May 16, 2019

Chief of Police  
SALEM CITY POLICE DEPARTMENT  
129 W. Broadway  
Salem, NJ 08079

**RE: Paul R. Villegas v. Salem City, et al**

Dear Sir/Madam:

Enclosed please find an Initial Notice of Claim for Damages Against Salem City Police Department in the above-captioned matter which is self-explanatory.

If you have any questions or require any additional information, please do not hesitate to contact me directly.

Very truly yours,

*Lee J. Hughes*

Lee J. Hughes

LJH/m

Enc.

**Via Regular Mail & Certified Mail**

# INITIAL NOTICE OF CLAIM FOR DAMAGES AGAINST SALEM CITY POLICE DEPARTMENT

FORWARD TO : CHIEF OF POLICE  
SALEM CITY POLICE DEPARTMENT  
129 W BROADWAY  
SALEM NJ 08079

FORM MUST BE FILED WITHIN 90 DAYS OF THE ACCIDENT OR YOU MAY FORFEIT YOUR RIGHT

## 1. CLAIMANT:

|                                                                                                                        |               |                        |
|------------------------------------------------------------------------------------------------------------------------|---------------|------------------------|
| VILLEGAS                                                                                                               | PAUL          | R                      |
| LAST NAME                                                                                                              | FIRST         | MIDDLE                 |
| <div style="border: 1px solid black; padding: 10px; text-align: center;">117 HAGERSVILLE ROAD<br/>SALEM NJ 08079</div> |               |                        |
| ADDRESS                                                                                                                |               |                        |
| <div style="border: 1px solid black; padding: 10px; text-align: center;">PO BOX 699<br/>ALLOWAY NJ 08001</div>         |               |                        |
| MAILING ADDRESS IF OTHER THAN ADDRESS                                                                                  |               |                        |
| (856) 469-1389                                                                                                         | 05/04/1968    | 141-62-6716            |
| Telephone                                                                                                              | DATE OF BIRTH | SOCIAL SECURITY NUMBER |

## 2. IF NOTICES AND CORRESPONDENCE IN CONNECTION WITH THIS CLAIM ARE TO BE SENT TO A PERSON OTHER THAN CLAIMANT, COMPLETE ITEM #2.

|                                             |                                       |
|---------------------------------------------|---------------------------------------|
| LEE J HUGHES ESQ @ GRUCCIO PEPPER LAW FIRM  |                                       |
| NAME                                        | PO BOX 1501<br>VINELAND NJ 08362-1501 |
| 817 EAST LANDIS AVENUE<br>VINELAND NJ 08360 | MAILING ADDRESS                       |
| ADDRESS                                     | (856) 691-0100                        |
|                                             | TELEPHONE                             |

RELATIONSHIP TO CLAIMANT: ATTORNEY AT LAW ☒ OR

EXPLAIN RELATIONSHIP

## 3. CIRCUMSTANCES REGARDING THE OCCURRENCE OR ACCIDENT :

|            |                 |                                  |
|------------|-----------------|----------------------------------|
| 02/23/2019 | APPROX 11:45 PM | CARNEYS POINT NJ                 |
| DATE       | TIME            | EXACT LOCATION OF THE OCCURRENCE |

## 4. DESCRIBE THE ACCIDENT OR OCCURENCE.

ON 02/23/2019, THE CLAIMANT WAS STOPPED FOR A MOTOR VEHICLE INFRACTION IN CARNEYS POINT, NEW JERSEY. HE RECEIVED A SUMMONS AND WAS TO BE RELEASED, HOWEVER, IT WAS DISCOVERED BY CARNEYS POINT POLICE THAT A WARRANT WAS OUTSTANDING AGAINST CLAIMANT FROM SALEM CITY. CLAIMANT HAD RECEIVED A SUMMONS FROM SALEM CITY POLICE DEPARTMENT AND REPORTED TO COURT AT SALEM CITY MUNICIPAL COURT FOR HIS INITIAL COURT APPEARANCE ON OR ABOUT 01/15/2019. THE MATTER WAS CONTINUED TO ALLOW CLAIMANT TO RETAIN COUNSEL OR OTHERWISE RESOLVE HIS DIFFERENCES WITH THE DIVISION OF MOTOR VEHICLES. RATHER THAN PROCESSING THE CONTINUANCE, A WARRANT FOR FAILURE TO APPEAR WAS IMPROPERLY ENTERED. CLAIMANT WAS ARRESTED ON THAT ERRANT WARRANT AND INCARCERATED IN THE SALEM COUNTY JAIL ON 02/23/2019.

5. STATE THE NAME AND ADDRESS OF ALL WITNESSES TO THE ABOVE ACCIDENT OR OCCURRENCE.

AGENTS, SERVANTS AND/OR EMPLOYEES OF SALEM CITY  
AGENTS, SERVANTS AND/OR EMPLOYEES OF SALEM CITY POLICE DEPARTMENT  
AGENTS, SERVANTS AND/OR EMPLOYEES OF SALEM CITY MUNICIPAL COURT  
AGENTS, SERVANTS AND/OR EMPLOYEES OF SALEM COUNTY CORRECTIONAL FACILITY  
AGENTS, SERVANTS AND/OR EMPLOYEES OF CARNEYS POINT POLICE DEPARTMENT

6. STATE THE NAMES AND ADDRESSES OF EACH STATE AGENCY OR AGENCIES AND EACH STATE EMPLOYEE WHOM YOU CLAIM CAUSED YOUR DAMAGES OR INJURIES.

SALEM CITY  
SALEM CITY POLICE DEPARTMENT  
SALEM CITY MUNICIPAL COURT

7. STATE THE NAME AND ADDRESS OF ALL OTHER PERSONS, COMPANIES OR GOVERNMENTAL AGENCIES WHICH YOU CLAIM ARE RESPONSIBLE FOR YOUR INJURIES OR DAMAGES.

SEE RESPONSE TO NO 6 ABOVE

8. BRIEFLY DESCRIBE THE INJURIES, DAMAGES AND LOSSES INCURRED BY YOU.

CLAIMANT WAS FALSELY ARRESTED, WRONGFULLY DETAINED AND WAS CAUSED TO SUFFER VIOLATIONS OF HIS CIVIL RIGHTS, EMOTIONAL DISTRESS AND OTHER SERIOUS AND PERMANENT INJURIES TO BE DETERMINED.

9. THE AMOUNT OF THE CLAIM. TO BE DETERMINED

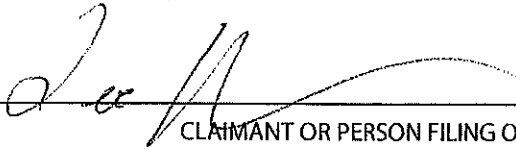
GIVE THE BASIS FOR THE CALCULATION OF THE ABOVE DAMAGES:

TO BE PROVIDED

I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY STATEMENT MADE HEREIN IS WILLFULLY FALSE OR FRAUDULENT, THAT I AM SUBJECT TO PUNISHMENT PROVIDED BY LAW.

05/16/2019

DATE

  
CLAIMANT OR PERSON FILING ON BEHALF OF CLAIMANT



## Long Marmero & Associates, LLP

Douglas M. Long Δ  
Albert K. Marmero Δ  
Timothy M. O'Donnell Δ  
Brian P. Shotts Δ†  
Jordan David Δ†  
Demetrica Todd-Ruiz Δ

A New Jersey Limited Liability Partnership  
ATTORNEYS AT LAW

44 Euclid Street  
Woodbury, NJ 08096

Tel: (856) 848-6440  
Fax: (856) 848-5002  
[www.longmarmero.com](http://www.longmarmero.com)

Δ Member NJ Bar  
† Member PA Bar

October 11, 2016

**Via Hand Delivery**

City of Salem Police Department  
129 West Broadway  
Salem, NJ 08079

City of Salem  
17 New Market Street  
Salem, NJ 08079

County of Salem  
Salem County Admin Building Fifth  
Street Office Complex  
110 Fifth Street  
Salem, NJ 08079

Salem County Communications  
Center  
135 Cemetery Road  
Woodstown, NJ 08098

Salem County Communications  
Center  
c/o Administration Building  
94 Market Street  
Salem, NJ 08079

Salem County Prosecutor's Office  
Fenwick Building, 2nd Floor  
87 Market St., PO Box 462  
Salem, NJ 08079-0462

**RE: Anthony D. Saxton – Initial Notice of Claim for Damages**

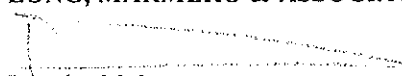
Dear All:

By way of introduction, please be advised that this office represents Anthony D. Saxton with regard to a civil action to be filed against the City of Salem Police Department, City of Salem, County of Salem, Salem County Prosecutor's Office and Salem County Communications Center. This matter pertains to the actions taken during an arrest of my client on or about July 15, 2016.

In accordance with the New Jersey Tort Claims Act, please take notice that by way of this letter and enclosures that we are notifying the above individuals and organizations of our intention to file a complaint upon expiration of the applicable deadlines.

Thank you for your attention in this matter. Should you have any questions or concerns, please feel free to contact this office.

Very truly yours,  
**LONG, MARMERO & ASSOCIATES, LLP**

  
Douglas M. Long,  
Attorney for Anthony D. Saxton

DML/ag  
Enclosures  
cc: Anthony D. Saxton

---

Additional Offices  
Vineland - Camden



**4. DESCRIBE ACCIDENT OR OCCURRENCE**

Claimant was subjected to unnecessary use of excessive force, racially-fueled targeting/profiling, and falsification/planting of evidence, and tampering of body-worn cameras by the City of Salem Police Department during an arrest that occurred on July 15, 2016 at approximately 11:47pm at Hires Avenue, Salem City, NJ 08079. The officers involved included: Ptl. Matthew W. Mease; Ptl. Christopher McMullen; Ptl. Andrew Hoglen III; Ptl. Walter Christy; Ptl. Ryan Picou; and Ptl. David Smith.

Claimant reserves the right to amend this response.

**5. STATE THE NAME AND ADDRESS OF ALL WITNESSES TO THE ABOVE ACCIDENT OR OCCURRENCE**

City of Salem Police Officers named in Section 4; City of Salem Police Dispatcher(s) assisting during the call; Further investigation and discovery is necessary to determine any additional witnesses present during the occurrence.

Claimant reserves the right to amend this response.

**6. STATE THE NAMES AND ADDRESSES OF EACH AGENCY OR AGENCIES AND EACH EMPLOYEE WHOM YOU CLAIM CAUSED YOUR DAMAGES OR INJURIES**

City of Salem Police Department - 129 West Broadway, Salem, NJ 08079; City of Salem Police Officers named in Section 4 - 129 West Broadway, Salem, NJ 08079; City of Salem Police Dispatcher(s) - 129 West Broadway, Salem, NJ 08079; Further investigation and discovery is necessary to determine any additional employees/agencies responsible for damages/injuries during the occurrence.

Claimant reserves the right to amend this response.

**7. STATE THE NAME AND ADDRESS OF ALL OTHER PERSONS, COMPANIES OR GOVERNMENTAL AGENCIES WHICH YOU CLAIM ARE RESPONSIBLE FOR YOUR INJURIES OR DAMAGES.**

County of Salem, Salem County Prosecutor's Office, Salem County Communications Center; and City of Salem. Further investigation and discovery is necessary to determine any additional persons, companies or governmental agencies responsible for damages/injuries during the occurrence.

Claimant reserves the right to amend this response.

**8. BRIEFLY DESCRIBE THE INJURIES, DAMAGES, AND LOSSES INCURRED BY YOU.**

Claimant has experienced harassment, intimidation, civil rights violations, racial profiling/targeting, falsified evidence with the intent to harm Claimant, tampering of body-worn cameras to prevent exoneration of falsely accused charges, unnecessary use of force resulting in physical injuries. Physical injuries, include, but are not limited to: emotional distress, various contusions to right upper and lower lip, right rib cage, pain in right lateral anterior chest. Further injuries, damages and losses to be supplied.

Claimant reserves the right to amend this response.

**9. THE AMOUNT OF THE CLAIM.**

To be supplied.

Claimant reserves the right to amend this response.

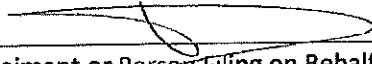
**10. GIVE THE BASIS FOR THE CALCULATION OF THE ABOVE DAMAGES**

To be supplied.

Claimant reserves the right to amend this response.

I HEREBY CERTIFY THAT THE FOREGOING STATEMENTS MADE BY ME ARE TRUE. I AM AWARE THAT IF ANY STATEMENT MADE HEREIN IS WILLFULLY FALSE OR FRAUDULENT, THAT I AM SUBJECT TO PUNISHMENT PROVIDED BY LAW.

10/11/16  
Date

  
Claimant or Person Filing on Behalf of Claimant

2020-05-13

**Ben Angeli**

---

**From:** Taeho Kim <opra+request-13472-0da1f4cf@requests.opramachine.com>  
**Sent:** Thursday, May 28, 2020 7:37 AM  
**To:** OPRA requests at Salem City  
**Subject:** OPRA request - OPRA request: police payroll records 2012-2019

Dear Salem City,

This is a request for public records made under OPRA and the common law right of access. I am not required to fill out an official form. Please acknowledge receipt of this message.

Records requested:

For all employees who worked in the police department at any point of time from 2012-2019:  
Please provide the name, hire date, current status (whether active or separated), and date of separation.

Yours faithfully,

*See attached.*

Necon

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Please use deliver records electronically via email to the below UNIQUE address for all replies to this request:  
opra+request-13472-0da1f4cf@requests.opramachine.com

Is cityclerk@cityofsalemnj.gov the wrong address for OPRA requests to Salem City? If so, please contact us using this form:  
[https://opramachine.com/change\\_request/new?body=salem\\_city](https://opramachine.com/change_request/new?body=salem_city)

Disclaimer: This message and any reply that you make will be published on the Internet. Our privacy and copyright policies:  
<https://opramachine.com/help/officers>

View this OPRA request & responses online:  
[https://opramachine.com/request/opra\\_request\\_police\\_payroll\\_reco\\_247](https://opramachine.com/request/opra_request_police_payroll_reco_247)

Please note that in some cases publication of requests and responses will be delayed.

If you find this service useful as an OPRA custodian, please ask your web manager to link to us from your organisation's website.

---

| Officer               | Start    | Seperated |
|-----------------------|----------|-----------|
| Adams, Deric          | 8/3/15   | 11/21/18  |
| Brooks, Michael       | 6/18/07  |           |
| Brown, Robert         | 3/26/01  |           |
| Christy, Walter       | 7/24/06  |           |
| Colon, John           | 1/22/07  | 7/1/13    |
| Daniels, Leon         | 1/23/95  | 7/1/13    |
| DeLaPaz, Carlos       | 1/1/96   | 4/1/19    |
| DiMauro Jr, Dale      | 4/1/16   |           |
| Elk, Joseph           | 8/21/90  | 3/1/15    |
| Eller, Robert         | 8/15/87  | 5/1/13    |
| Gibson, Andrew        | 9/1/87   | 8/1/11    |
| Gross, Teri           | 2/27/06  | 6/1/13    |
| Henderson, Cody       | 9/1/13   | 10/8/15   |
| Hogate, Douglas       | 12/18/89 |           |
| Hoglen, Andrew        | 10/5/09  |           |
| Klein, Robert         | 3/5/18   |           |
| May, Sean             | 8/20/07  |           |
| McDonald, Andrew      | 8/3/15   |           |
| McMullen, Christopher | 7/1/06   |           |
| Mease, Matthew        | 4/1/16   |           |
| Pelura, John          | 1/5/98   |           |
| Pelura, Michael       | 6/7/04   |           |
| Pew, Christopher      | 1/1/93   |           |
| Picou, Ryan           | 10/13/15 | 5/3/18    |
| Riley, James          | 3/5/18   |           |
| Robinson, William     | 3/1/95   | 7/1/20    |
| Sieber, John          | 1/28/91  | 5/1/15    |
| Simpkins, Sean        | 3/7/11   |           |
| Smith, David          | 1/23/95  |           |
| Vanaman, Anthony      | 9/1/87   | 4/1/14    |
| Vanaman, Melvin       | 2/19/90  | 3/1/15    |
| Ware, Richard         | 1/13/09  | 2/5/14    |
| Wentz, Alisa          | 3/4/19   |           |