

Law Offices of Marc A. Futterweit
 9 West Blackwell Street
 Dover, NJ 07801
 (973)442-0200
 Marc A. Futterweit, Esq. #ID: 005791989
 Attorneys for Plaintiff

LYNN COHEN,

Plaintiff,

vs.

Civil Action

TOWNSHIP OF CHESTER; CHESTER TOWNSHIP POLICE
 DEPARTMENT; GREGORY C. SMITH, individually and in his
 capacity as a Police Officer with the Chester Township Police
 Department; BOROUGH OF CHESTER; CHESTER BOROUGH
 POLICE DEPARTMENT; RYAN DURKIN, individually and in his
 capacity as a Police Officer with the Borough of Chester Police
 Department; NORMAN S. COHEN, JACK S. GOLDSCHLACK;
 JOHN DOE (1-100) and A.B.C. COMPANY (1-100) (said names
 being fictitious)

Defendants.

: SUPERIOR COURT OF NEW JERSEY
 : LAW DIVISION: MORRIS COUNTY
 : DOCKET NO.: MRS-L-2178-16

SUMMONS



From the State of New Jersey to the Defendants named above:

The plaintiff, named above, has filed a lawsuit against you in the Superior Court of New Jersey. The complaint attached to this summons states the basis for this lawsuit. If you dispute this complaint you or your attorney must file a written answer or motion and proof of service with the deputy clerk of the Superior Court in the county listed above within 35 days from the date of you received this summons, not counting the date you received it. (The address of each deputy clerk of the Superior Court is provided). If the complaint is one in foreclosure, then you must file your written answer or motion and proof of service with the Clerk of the Superior Court, Hughes Justice Complex, CN0971, Trenton, NJ 08625. A filing fee of \$175.00 payable to the Clerk of the Superior Court and a completed Case Information Statement (available from the deputy clerk of the Superior Court) must accompany your answer or motion when it is filed. You must also send a copy of your answer or motion to plaintiff's attorney whose name and address appear above, or to plaintiff, if no attorney is named above. A telephone call will not protect your rights; you must file and serve a written answer or motion (with fee and completed Case Information Statement) if you want the court to hear your defense.

If you do not file and serve a written answer or motion within 35 days, the court may enter a judgment against you for the relief plaintiff demands, plus interest and costs of suit. If judgement is entered against you, the Sheriff may seize your money, wages or property to pay all or part of the judgement.

If you cannot afford an attorney, you may call the Legal Services Office in the county where you live. You do not have an attorney and are not eligible for free legal assistance, you may obtain a referral to an attorney by calling one of the Lawyer Referral Services.

/s/ Michelle M. Smith, Esq.
 MICHELLE M. SMITH, ESQ.
 Clerk of the Superior Court of New Jersey

Dated: 10/11/2016

Name of Defendant to be served: POLICE OFFICER GREGORY C. SMITH, and
 individually, C/O CHESTER TOWNSHIP POLICE DEPARTMENT
 Address to be served: 1 Parker Road, Chester, NJ 07930

ATLANTIC COUNTY
Clerk Superior Court
Civil Courthouse
1201 Bacharach Blvd.
Atlantic City, NJ 08401
Lawyers Referral
609-345-3444
Legal Services
609-348-4200

BERGEN COUNTY
Clerk, Superior Court
Justice center
10 Main Street
Hackensack, NJ 07601
Lawyers Referral
201-488-0044
Legal Services
201-487-2166

BURLINGTON COUNTY
Clerk, Superior Court
49 Rancocas Road
P.O. Box 6555
Mount Holly, NJ 08060
Lawyers Referral
609-261-4862
Legal Services
609-261-1088

CAMDEN COUNTY
Clerk, Superior Court
Hall of Justice
101 S. 5th Street
Camden, NJ 08103-4001
Lawyers Referral
609-964-4520
Legal Services
609-964-2010

CAPE MAY COUNTY
Clerk, Superior Court
9 N. Main Street
Box DN-209
Cape May Court House, NJ
08210
Lawyers Referral
609-463-0313
Legal Services
609-465-3001

CUMBERLAND COUNTY
Clerk, Superior Court
Courthouse
Broad & Fayette Streets
Bridgeton, NJ 08302
Lawyers Referral
609-692-6207
Legal Services
609-451-0003

ESSEX COUNTY
Clerk, Superior Court
Hall of Records, Room 237
465 Dr. Martin Luther
King Blvd.
Newark, NJ 07102
Lawyers Referral
201-622-6207
Legal Services
201-624-4500

GLOUCESTER COUNTY
Clerk, Superior Court
Civil Case Management
Office
Attn: Intake
Court House
1 North Broad Street
P.O. Box 129
Woodbury, NJ 08096
Lawyer Referral
609-848-4589
Legal Services
609-848-5360

HUDSON COUNTY
Clerk, Superior Court
Administration Building
595 Newark Avenue
Jersey City, NJ 07306
Lawyer Referral
210-798-2727
Legal Services
201-792-6363

HUNTERDON COUNTY
Clerk, Superior Court
Hunterdon County Justice
Center
65 Park Avenue
Flemington, NJ 08822
Lawyer Referral
908-735-2611
Legal Services
908-782-7979

MERCER COUNTY
Clerk, Superior Court
209 S. Broad Street
P.O. Box 8068
Trenton, NJ 08650-0068
Lawyers Referral
609-585-6200
Legal Services
609-695-6249

MIDDLESEX COUNTY
Clerk Superior Court
1 Kennedy Sq.
New Brunswick, NJ 08903-
0964
Lawyer Referral
908-828-0053
Legal Services
908-249-7600

MONMOUTH COUNTY
Clerk, Superior Court
71 Mounument Park
Freehold, NJ 07728
Lawyers Referral
908-431-5544
Legal Services
908-776-7733

MORRIS COUNTY
Clerk, Superior Court
P.O. Box 910
Morristown, NJ 07960-0910
Lawyer Referral
201-267-5882
Legal Services
201-285-6911

OCEAN COUNTY
Clerk, Superior Court
118 Washington Street
P.O. Box 2191
Toms River, NJ 08754
Lawyer Referral
908-240-3666
Legal Services
908-341-2727

PASSAIC COUNTY
Clerk, Superior Court
77 Hamilton Street
Paterson, NJ 07505
Lawyer Referral
201-278-9223
Legal Services
201-345-7171

SALEM COUNTY
Clerk, Superior Court
92 Market Street
Salem, NJ 08079
Lawyers Referral
609-935-5629
Legal Services
609-451-0003

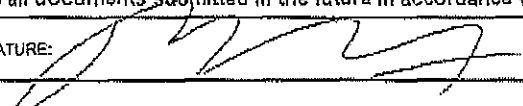
SOMERSET COUNTY
Clerk, Superior Court
P.O. Box 3000
Somerville, NJ 08876-1262
Lawyer Referral
908-685-2323
Legal Services
908-231-0840

SUSSEX COUNTY
Clerk, Superior Court
43-47 High Street
Newton, NJ 07860
Lawyer Referral
201-267-5882
Legal Services
201-383-7400

UNION COUNTY
Clerk, Superior Court
2 Broad Street
Elizabeth, NJ 07207
Lawyer Referral
908-353-4715
Legal Services
908-354-4340

WARREN COUNTY
Clerk, Superior Court
413 2nd Street
Belvidere, NJ 07823
Lawyer Referral
201-267-5882
Legal Services
908-475-2010

Appendix XII-B1

	CIVIL CASE INFORMATION STATEMENT (CIS) Use for initial Law Division Civil Part pleadings (not motions) under Rule 4:5-1 Pleading will be rejected for filing, under Rule 1:5-6(c), if information above the black bar is not completed or attorney's signature is not affixed		FOR USE BY CLERK'S OFFICE ONLY	
			PAYMENT TYPE: ☐ CK ☐ CG ☐ CA	
			CHG/CK NO.	
			AMOUNT:	
			OVERPAYMENT:	
		BATCH NUMBER:		
ATTORNEY/PRO SE NAME MARC A. FUTTERWEIT		TELEPHONE NUMBER (973) 442-0200		COUNTY OF VENUE Morris
FIRM NAME (if applicable) LAW OFFICES OF MARC A. FUTTERWEIT		DOCKET NUMBER (when available) MRS-L- 2178-16		
OFFICE ADDRESS 9 WEST BLACKWELL STREET DOVER, NJ 07801		DOCUMENT TYPE COMPLAINT & JURY DEMAND		
		JURY DEMAND ☒ Yes ☐ No		
NAME OF PARTY (e.g., John Doe, Plaintiff) LYNN COHEN, PLAINTIFF		CAPTION LYNN COHEN vs. TOWNSHIP OF CHESTER; CHESTER TOWNSHIP, et als.		
CASE TYPE NUMBER (See reverse side for listing) 605	HURRICANE SANDY RELATED? ☐ YES ☒ NO	IS THIS A PROFESSIONAL MALPRACTICE CASE? ☐ YES ☒ NO IF YOU HAVE CHECKED "YES," SEE N.J.S.A. 2A:53 A -27 AND APPLICABLE CASE LAW REGARDING YOUR OBLIGATION TO FILE AN AFFIDAVIT OF MERIT.		
RELATED CASES PENDING? ☐ YES ☒ NO		IF YES, LIST DOCKET NUMBERS		
DO YOU ANTICIPATE ADDING ANY PARTIES (arising out of same transaction or occurrence)? ☐ YES ☒ NO		NAME OF DEFENDANT'S PRIMARY INSURANCE COMPANY (if known) ☐ NONE ☒ UNKNOWN		
THE INFORMATION PROVIDED ON THIS FORM CANNOT BE INTRODUCED INTO EVIDENCE.				
CASE CHARACTERISTICS FOR PURPOSES OF DETERMINING IF CASE IS APPROPRIATE FOR MEDIATION				
DO PARTIES HAVE A CURRENT, PAST OR RECURRENT RELATIONSHIP? ☐ YES ☒ NO		IF YES, IS THAT RELATIONSHIP: ☐ EMPLOYER/EMPLOYEE ☐ FRIEND/NEIGHBOR ☐ OTHER (explain) ☐ FAMILIAL ☐ BUSINESS		
DOES THE STATUTE GOVERNING THIS CASE PROVIDE FOR PAYMENT OF FEES BY THE LOSING PARTY? ☐ YES ☒ NO				
USE THIS SPACE TO ALERT THE COURT TO ANY SPECIAL CASE CHARACTERISTICS THAT MAY WARRANT INDIVIDUAL MANAGEMENT OR ACCELERATED DISPOSITION				
 DO YOU OR YOUR CLIENT NEED ANY DISABILITY ACCOMMODATIONS? ☐ YES ☒ NO		IF YES, PLEASE IDENTIFY THE REQUESTED ACCOMMODATION		
WILL AN INTERPRETER BE NEEDED? ☐ YES ☒ NO		IF YES, FOR WHAT LANGUAGE?		
I certify that confidential personal identifiers have been redacted from documents now submitted to the court, and will be redacted from all documents submitted in the future in accordance with Rule 1:38-7(b).				
ATTORNEY SIGNATURE: 				

Side 2



CIVIL CASE INFORMATION STATEMENT (CIS)

Use for initial pleadings (not motions) under Rule 4:5-1

CASE TYPES (Choose one and enter number of case type in appropriate space on the reverse side.)

Track I - 150 days' discovery

- 151 NAME CHANGE
- 175 FORFEITURE
- 302 TENANCY
- 399 REAL PROPERTY (other than Tenancy, Contract, Condemnation, Complex Commercial or Construction)
- 502 BOOK ACCOUNT (debt collection matters only)
- 505 OTHER INSURANCE CLAIM (including declaratory judgment actions)
- 506 PIP COVERAGE
- 510 UM or UIM CLAIM (coverage issues only)
- 511 ACTION ON NEGOTIABLE INSTRUMENT
- 512 LEMON LAW
- 801 SUMMARY ACTION
- 802 OPEN PUBLIC RECORDS ACT (summary action)
- 999 OTHER (briefly describe nature of action)

Track II - 300 days' discovery

- 305 CONSTRUCTION
- 509 EMPLOYMENT (other than CEPA or LAD)
- 599 CONTRACT/COMMERCIAL TRANSACTION
- 603N AUTO NEGLIGENCE - PERSONAL INJURY (non-verbal threshold)
- 603Y AUTO NEGLIGENCE - PERSONAL INJURY (verbal threshold)
- 605 PERSONAL INJURY
- 610 AUTO NEGLIGENCE - PROPERTY DAMAGE
- 621 UM or UIM CLAIM (includes bodily injury)
- 699 TORT - OTHER

Track III - 450 days' discovery

- 005 CIVIL RIGHTS
- 301 CONDEMNATION
- 602 ASSAULT AND BATTERY
- 604 MEDICAL MALPRACTICE
- 606 PRODUCT LIABILITY
- 607 PROFESSIONAL MALPRACTICE
- 608 TOXIC TORT
- 609 DEFAMATION
- 616 WHISTLEBLOWER / CONSCIENTIOUS EMPLOYEE PROTECTION ACT (CEPA) CASES
- 617 INVERSE CONDEMNATION
- 618 LAW AGAINST DISCRIMINATION (LAD) CASES

Track IV - Active Case Management by Individual Judge / 450 days' discovery

- 166 ENVIRONMENTAL/ENVIRONMENTAL COVERAGE LITIGATION
- 303 MT. LAUREL
- 608 COMPLEX COMMERCIAL
- 613 COMPLEX CONSTRUCTION
- 514 INSURANCE FRAUD
- 620 FALSE CLAIMS ACT
- 701 ACTIONS IN LIEU OF PREROGATIVE WRITS

Multicounty Litigation (Track IV)

- | | |
|--|---|
| 271 ACCUTANE/ISOTRETINION | 290 POMPTON LAKES ENVIRONMENTAL LITIGATION |
| 274 RISPERDAL/SEROQUEL/ZYPREXA | 291 PELVIC MESH/GYNECARE |
| 278 ZOMETHA/ARELIA | 292 PELVIC MESH/BARD |
| 279 GADOLINIUM | 293 DEPUY ASR HIP IMPLANT LITIGATION |
| 281 BRISTOL-MYERS SQUIBB ENVIRONMENTAL | 295 ALLODERM REGENERATIVE TISSUE MATRIX |
| 282 FOSAMAX | 296 STRYKER REJUVENATE/ABG II MODULAR HIP STEM COMPONENTS |
| 285 STRYKER TRIDENT HIP IMPLANTS | 297 MIRENA CONTRACEPTIVE DEVICE |
| 286 LEVAQUIN | 299 OLMESARTAN MEDOXOMIL MEDICATIONS/BENICAR |
| 287 YAZ/YASMIN/OCELLA | 300 TALC-BASED BODY POWDERS |
| 288 PRUDENTIAL TORT LITIGATION | 601 ASBESTOS |
| 289 REGLAN | 623 PROPECIA |

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

Please check off each applicable category ☐ Putative Class Action ☒ Title 59

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LYNN COHEN,

Plaintiff,

vs.

Civil Action

TOWNSHIP OF CHESTER; CHESTER TOWNSHIP
 POLICE DEPARTMENT; GREGORY C. SMITH,
 individually and in his capacity as a Police Officer with
 the Chester Township Police Department; BOROUGH
 OF CHESTER; CHESTER BOROUGH POLICE
 DEPARTMENT; RYAN DURKIN, individually and in
 his capacity as a Police Officer with the Borough of
 Chester Police Department; NORMAN S. COHEN,
 JACK S. GOLDSCHLACK; JOHN DOE (1-100) and
 A.B.C. COMPANY (1-100) (said names being fictitious)

: SUPERIOR COURT OF NEW JERSEY
 : LAW DIVISION: MORRIS COUNTY
 : DOCKET NO.: MRS-L-2178-16

COMPLAINT AND JURY DEMAND

CIVIL DIVISION

20 SEP 30 A 10:25

RECEIVED & FILED
SUPERIOR COURT

Defendants.

Plaintiff, LYNN COHEN, being of full age hereby complains and alleges as follows
 against these defendants:

THE PARTIES

1. Plaintiff LYNN COHEN is and was at all times a citizen of the United States
 residing at 532 East Hermosa Drive, Tempe, Arizona.

2. Defendant, TOWNSHIP OF CHESTER is a municipal corporation within the State
 of New Jersey and as such, is authorized to administer, fund, supervise and oversee the CHESTER
 TOWNSHIP POLICE DEPARTMENT.

3. Defendant, CHESTER TOWNSHIP POLICE DEPARTMENT is a part of the body politic of the TOWNSHIP OF CHESTER and charged to protect and serve the people of its township.

4. Defendant, BOROUGH OF CHESTER is a municipal corporation within the State of New Jersey and as such, is authorized to administer, fund, supervise and oversee the CHESTER BOROUGH POLICE DEPARTMENT.

5. Defendant, BOROUGH OF CHESTER POLICE DEPARTMENT is a part of the body politic of the BOROUGH OF CHESTER and charged to protect and serve the people of its township.

6. Defendant, GREGORY C. SMITH, is a Police Officer with the Chester Township Police Department, Chester, New Jersey. He is sued individually and in his official capacity.

7. Defendant, RYAN DURKIN, is a Police Officer with the Chester Borough Police Department, Chester, New Jersey. He is sued individually and in his official capacity.

8. Defendant, NORMAN COHEN, is an individual residing in the State of Arizona.

9. Defendant, JACK S. GOLDSCHLACK, is an individual residing at 13 Shaker Mill Road, in the township of Randolph, County of Morris and State of New Jersey.

10. The true names of Defendant, JOHN DOE (1-100) are unknown to Plaintiff at this time. Plaintiff will seek leave of Court to amend this complaint to allege such names and capacities as soon as they are ascertained. Plaintiff is informed and believes and thereon alleges that each of the Defendants designated as "John Doe" are legally responsible for the events and happenings alleged herein and that Plaintiff's damages as alleged herein were proximately caused by said John Doe, Defendants.

11. The true names of Defendant ABC Company (1-100) are unknown to Plaintiff at this time. Plaintiff will seek leave of Court to amend this complaint to allege such names and capacities as soon as they are ascertained. Plaintiff is informed and believes and thereon alleges that each of the Defendants designated as "ABC Company" are legally responsible for the events and happenings alleged herein and that Plaintiff's damages as alleged herein were proximately caused by said ABC Company Defendants.

FIRST COUNT

1. On or about 10/5/2014, Plaintiff LYNN COHEN, was a seat-belted passenger of a motor vehicle that was operated NORMAN S. COHEN and owned by defendant, JACK S. GOLDSHLACK, traveling north towards North Road at or near its intersection with East Main Street, east which borders CHESTER TOWNSHIP, CHESTER BOROUGH and MENDHAM TOWNSHIP, New Jersey. Suddenly and without warning, his vehicle was violently struck on the passenger side front door area by a police vehicle that was responding to an emergency call and operated by defendant, Police Officer GREGORY C. SMITH of the CHESTER TOWNSHIP POLICE DEPARTMENT, defendant and owned by Defendant, CHESTER TOWNSHIP. The force of the impact pushed Plaintiff's car into another police vehicle responding to the same emergency call; that was operated by defendant, Police Officer RYAN J. DURKIN of the BOROUGH OF CHESTER POLICE DEPARTMENT and owned by the BOROUGH OF CHESTER.

2. These Defendants operated their motor vehicles in complete disregard of others and were otherwise careless and inattentive in that they failed to maintain a proper lookout; they failed to make reasonable observations; they were traveling at an excessive rate of speed; they were inattentive; they failed to maintain control of their vehicles; they failed to yield the right of way; failed to heed traffic conditions and signal; failed to exercise that degree of care which a reasonably prudent person would have exercised under the same or similar condition; they failed to take proper precautions before proceeding; and they were otherwise reckless, careless, and negligent causing their vehicles to collide.

3. As a direct result of the Defendants' carelessness and negligence, Plaintiff was thrown about violently inside her vehicle and suffered severe, painful, disabling, and permanent injuries to her body, which injuries necessitated her obtaining medical treatment; she was compelled and shall in the future be compelled to expend large sums of money for medical care and attention, as well as endure great physical and emotional pain suffering, disability, stress, anxiety, depression,

inconvenience, and disability stress, anxiety, depression, inconvenience, and distress; she is prevented from pursuing and enjoying her usual family activities, attending to her duties and chores and from assuming employment and his earning power has been materially and adversely affected; and she was otherwise damaged.

WHEREFORE, Plaintiff demands Judgment against the Defendant, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the Court may deem just and equitable.

SECOND COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.
2. At the same time and place, Defendant, GREGORY C. SMITH, individually and in his capacity as a Police Officer was operating his vehicle, with the permission of Defendants, CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100).
3. At the time of the aforesaid collision, the vehicle was operated by the Defendant, GREGORY C. SMITH, individually and in his capacity as a Police Officer was within the scope of his employment as the agent, servant, or employee and/or with the permission of Defendants CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100).
4. Defendants, CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100), were negligent careless and/or reckless not only in the hiring, training, and/or supervising, of the Defendant GREGORY C. SMITH, individually and in his capacity as a Police Officer, but also negligently entrusted the vehicle to the Defendant.
5. Defendants, CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100), are vicariously liable for the

previously described behavior, conduct, recklessness, carelessness, and/or negligence of the said Defendant.

WHEREFORE, Plaintiff demands Judgment against the Defendants, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the Court may deem just and equitable.

THIRD COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.
2. The Defendants, CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100) were negligent in the operation, repair, design, maintenance, use, and/or supervision of the Defendant's vehicle, and said negligence was the cause of the aforesaid collision in which the Plaintiff was injured.

3. The negligence of the Defendants, CHESTER TOWNSHIP POLICE DEPARTMENT, CHESTER TOWNSHIP, A.B.C. COMPANY (1-100) and JOHN DOE (1-100) includes, but is not limited to failing to properly maintain and repair the vehicle and allowing the vehicle in a state of improper repair, to be operated on the streets and highways, with the aforesaid Defendant's permission, thereby causing the aforesaid collision.

WHEREFORE, Plaintiff demands judgement against the Defendant, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the court may deem just and equitable.

FOURTH COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.
2. At the same time and place, Defendant, RYAN DURKIN, individually and in his capacity as a Police Officer was operating his vehicle, with the permission of Defendants, BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100).

3. At the time of the aforesaid collision, the vehicle was operated by the Defendant, RYAN DURKIN, individually and in his capacity as a Police Officer was within the scope of his employment as the agent, servant, or employee and/or with the permission of Defendants BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100).

4. Defendants, BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100), were negligent careless and/or reckless not only in the hiring, training, and/or supervising, of the Defendant RYAN DURKIN, individually and in his capacity as a Police Officer, but also negligently entrusted the vehicle to the Defendant.

5. Defendants, BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100), are vicariously liable for the previously described behavior, conduct, recklessness, carelessness, and/or negligence of the said Defendant.

WHEREFORE, Plaintiff demands Judgment against the Defendants, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the Court may deem just and equitable.

FIFTH COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.

2. The Defendants, BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100) were negligent in the operation, repair, design, maintenance, use, and/or supervision of the Defendant's vehicle, and said negligence was the cause of the aforesaid collision in which the Plaintiff was injured.

3. The negligence of the Defendants, BOROUGH OF CHESTER POLICE DEPARTMENT, BOROUGH OF CHESTER, A.B.C. COMPANY (1-100) and JOHN DOE (1-100)

includes, but is not limited to failing to properly maintain and repair the vehicle and allowing the vehicle in a state of improper repair, to be operated on the streets and highways, with the aforesaid Defendant's permission, thereby causing the aforesaid collision.

WHEREFORE, Plaintiff demands judgement against the Defendant, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the court may deem just and equitable.

SIXTH COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.

2. The Defendants, NORMAN S. COHEN, JACK S. GOLDSHLACK, A.B.C. COMPANY (1-100) and JOHN DOE (1-100) were negligent in the operation, repair, design, maintenance, use, and/or supervision of the Defendant's vehicle, and said negligence was the cause of the aforesaid collision in which the Plaintiff was injured.

3. The negligence of the Defendants, NORMAN S. COHEN, JACK S. GOLDSHLACK, A.B.C. COMPANY (1-100) and JOHN DOE (1-100) includes, but is not limited to failing to properly maintain and repair the vehicle and allowing the vehicle in a state of improper repair, to be operated on the streets and highways, with the aforesaid Defendant's permission, thereby causing the aforesaid collision.

WHEREFORE, Plaintiff demands judgement against the Defendant, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the court may deem just and equitable.

SEVENTH COUNT

1. Plaintiff repeats the above allegations as if set forth at length herein.

2. The acts and omissions of Defendants constitute a statutory tort, including, but not limited to, violations of N.J.S.A. 39:4-97 *et. seq.*

3. Defendants' violation of the statutorily imposed duty constitutes negligence and/or is evidence of negligence.

WHEREFORE, Plaintiff demands judgement against the Defendant, individually, concurrently, jointly and severally, for damages together with interest, costs of suit, attorney's fees, and such other and further relief as the court may deem just and equitable.

DEMAND FOR INSURANCE INFORMATION

Pursuant to R. 4:18.1 and R 4:10-2(b) state whether there are any insurance agreements or policies under which any person or firm carrying on an insurance business may be entered in this action or to indemnify or reimburse for payments made to satisfy the judgment.

Attached a copy of each insurance policy or in the alternative state;

- A. Name and address of insurer or issuer;
- B. Policy name;
- C. Date of inception and expiration of coverage;
- D. Names and addresses of all persons insured thereunder;
- E. Name and address of person who has custody and possession of policy.

DEMAND FOR PLEADINGS/DISCOVERY

TAKE NOTICE that the undersigned attorney(s), counsel for the Plaintiff, hereby demands pursuant to the N.J. Rules of Court, that the Defendant(s) provide answers to Uniform Interrogatories, Form C and C(1) Interrogatories of Appendix II, Supplemental Interrogatories and Response to the Request for Documents within the time prescribed by the Rules of Court. The Discovery request is continuous and requires supplemental answers thereto if you or your attorneys obtain further information. Such supplementary responses shall be made reasonably but in no event later than ten (10) days after it becomes available and no later than ten (10) days prior to the date first fixed for trial.

DEMAND FOR DOCUMENTS

1. Please provide each and every document on which Defendant relies to support its denial of any portion of not only the Complaint but also any asserted affirmative defense.

2. Please provide true copies of the communications, reports, records, notes, and other documents of any and all experts who have received any aspect of this case on behalf of Defendant or Defendant's attorneys and who are proposed expert witnesses on behalf of Defendant in this matter. This request includes, but is not limited to, true copies of any reports of tests and experiments conducted for this case.

3. Please provide true copies of any admission which is contained in a document or if any document refers or relates to the admission, identify the document and attach hereto a true copy thereof.

4. Please provide true copies of any and all expert reports on the issues of damages or liability.

5. Please provide true copies of any and all reports, memoranda, documents, statements, bills, books, treatises or the like upon which your experts relied in support of their opinions.

6. Please provide true copies of any and all statements taken of any party or witness to this suit.

7. Please provide copies of any and all photographs, videotapes, movies, drawings, blueprints, contracts, agreements, sketches, charts, x-rays or other radiological films, tape recordings, voice recordings, maps or other documents which were made with respect to anything regarding the subject matter of this litigation.

8. Please provide copies of policies of insurance issued to Defendant which were in effect on the date of the incident as alleged in the Complaint as well as copies of the declaration pages of said policies of insurance.

9. Please provide copies of any Police and Fire Department Investigation Reports.
10. Please provide copies of any documents substantiating the facts underlying any separate defenses asserted on behalf of Defendants.
11. Please provide copies of any transcripts of any Court Proceedings which are related to the incident-giving rise to this matter.
12. Please provide true copies of any transcripts of depositions, or statements under oath, taken in this matter as well as any documents provided to any party to this action or documents received from any party to this action. This requests includes all responses to discovery by any party. If any deposition was not transcribed by a court reporter, but was videotaped, audiotaped, or otherwise recorded, attach a true and extent exact copy of each such recording to your answers to these Interrogatories.
13. Please provide copies of any answers to Interrogatories provided to you by any party to this litigation.

Failure to provide the above within the thirty (30) day period required by Rule 4:18-1 will result in counsel for Plaintiff applying to the Court for the appropriate sanctions, including but not limited to counsel fees and costs, precluding the use of any of the requested documents, as wel). as an Order, barring Defendants' defenses and striking their answer.

DESIGNATION OF TRIAL COUNSEL

Pursuant to Rule 4:25-4, MARC A. FUTTERWEIT, ESQ. is hereby designated as trial counsel for Plaintiffs in the above matter.

LAW OFFICES OF MARC A. FUTTERWEIT
Attorneys for Plaintiff

Dated: September 29, 2016

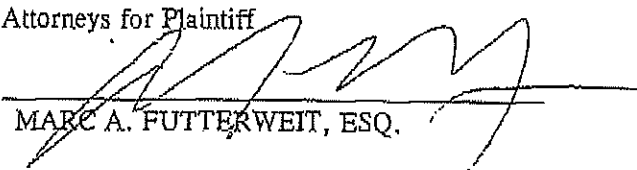

MARC A. FUTTERWEIT, ESQ.

JURY DEMAND

The Plaintiff hereby demands a trial by jury on all of the triable issues of this Complaint, pursuant to Rule 1:802(b) and Rule 4:35-1(a).

LAW OFFICES OF MARC A. FUTTERWEIT
Attorneys for Plaintiff

Dated: September 29, 2016



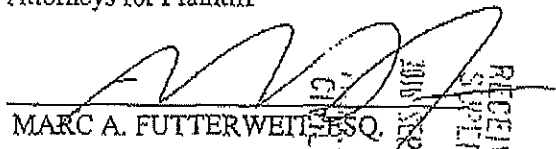
MARC A. FUTTERWEIT, ESQ.

CERTIFICATION OF NON-PENDENCY

Pursuant to Rule 4:5-1, I hereby certify that to the best of my knowledge, the above captioned matter is not the subject of any other pending action in any Court or of a pending arbitration proceeding. I hereby certify that no other action or arbitration proceeding is now pending in this or any other court. I hereby certify that no other action is being contemplated by these Plaintiffs. Other than the parties set forth in this pleading, I know of no other parties that should be joined in the above action.

LAW OFFICES OF MARC A. FUTTERWEIT
Attorneys for Plaintiff

Dated: September 29, 2016



MARC A. FUTTERWEIT, ESQ.

CERTIFICATION AS TO REDACTION OF
REQUIRED PERSONAL IDENTIFIERS

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).

LAW OFFICES OF MARC A. FUTTERWEIT
Attorneys for Plaintiff

Dated: September 29, 2016



MARC A. FUTTERWEIT, ESQ.